

AMENDMENT TO
RULES COMMITTEE PRINT 119-33
OFFERED BY MRS. LUNA OF FLORIDA

At the end of subtitle B of title XVII, add the following new section:

1 **SEC. 17__ . ENSURING ONLY CITIZENS ARE REGISTERED**
2 **TO VOTE IN ELECTIONS FOR FEDERAL OF-**
3 **FICE AND REQUIRING VOTERS TO PROVIDE**
4 **PHOTO IDENTIFICATION.**

5 (a) ENSURING ONLY CITIZENS ARE REGISTERED TO
6 VOTE IN ELECTIONS FOR FEDERAL OFFICE.—

7 (1) DEFINITION OF DOCUMENTARY PROOF OF
8 UNITED STATES CITIZENSHIP.—Section 3 of the Na-
9 tional Voter Registration Act of 1993 (52 U.S.C.
10 20502) is amended—

11 (A) by striking “As used” and inserting
12 “(a) IN GENERAL.—As used”; and

13 (B) by adding at the end the following:

14 “(b) DOCUMENTARY PROOF OF UNITED STATES
15 CITIZENSHIP.—As used in this Act, the term ‘documen-
16 tary proof of United States citizenship’ means, with re-
17 spect to an applicant for voter registration, any of the fol-
18 lowing:

1 “(1) A form of identification issued consistent
2 with the requirements of the REAL ID Act of 2005
3 that indicates the applicant is a citizen of the United
4 States.

5 “(2) A valid United States passport.

6 “(3) The applicant’s official United States mili-
7 tary identification card, together with a United
8 States military record of service showing that the
9 applicant’s place of birth was in the United States.

10 “(4) A valid government-issued photo identifica-
11 tion card issued by a Federal, State or Tribal gov-
12 ernment showing that the applicant’s place of birth
13 was in the United States.

14 “(5) A valid government-issued photo identifica-
15 tion card issued by a Federal, State or Tribal gov-
16 ernment other than an identification described in
17 paragraphs (1) through (4), but only if presented to-
18 gether with one or more of the following:

19 “(A) A certified birth certificate issued by
20 a State, a unit of local government in a State,
21 or a Tribal government which—

22 “(i) was issued by the State, unit of
23 local government, or Tribal government in
24 which the applicant was born;

1 “(ii) was filed with the office respon-
2 sible for keeping vital records in the State;

3 “(iii) includes the full name, date of
4 birth, and place of birth of the applicant;

5 “(iv) lists the full names of one or
6 both of the parents of the applicant;

7 “(v) has the signature of an individual
8 who is authorized to sign birth certificates
9 on behalf of the State, unit of local govern-
10 ment, or Tribal government in which the
11 applicant was born;

12 “(vi) includes the date that the certifi-
13 cate was filed with the office responsible
14 for keeping vital records in the State; and

15 “(vii) has the seal of the State, unit
16 of local government, or Tribal government
17 that issued the birth certificate.

18 “(B) An extract from a United States hos-
19 pital Record of Birth created at the time of the
20 applicant’s birth which indicates that the appli-
21 cant’s place of birth was in the United States.

22 “(C) A final adoption decree showing the
23 applicant’s name and that the applicant’s place
24 of birth was in the United States.

1 “(D) A Consular Report of Birth Abroad
2 of a citizen of the United States or a certifi-
3 cation of the applicant’s Report of Birth of a
4 United States citizen issued by the Secretary of
5 State.

6 “(E) A Naturalization Certificate or Cer-
7 tificate of Citizenship issued by the Secretary of
8 Homeland Security or any other document or
9 method of proof of United States citizenship
10 issued by the Federal government pursuant to
11 the Immigration and Nationality Act.

12 “(F) An American Indian Card issued by
13 the Department of Homeland Security with the
14 classification ‘KIC’.”.

15 (2) APPLICATION OF REQUIREMENTS.—Section
16 4 of the National Voter Registration Act of 1993
17 (52 U.S.C. 20503) is amended by striking sub-
18 section (b) and inserting the following:

19 “(b) REQUIRING APPLICANTS TO PRESENT DOCU-
20 MENTARY PROOF OF UNITED STATES CITIZENSHIP.—
21 Under any method of voter registration in a State, the
22 State shall not accept and process an application to reg-
23 ister to vote in an election for Federal office unless the
24 applicant presents documentary proof of United States
25 citizenship with the application.”.

1 (3) REGISTRATION WITH APPLICATION FOR
2 MOTOR VEHICLE DRIVER'S LICENSE.—Section 5 of
3 the National Voter Registration Act of 1993 (52
4 U.S.C. 20504) is amended—

5 (A) in subsection (a)(1), by striking “Each
6 State motor vehicle driver's license application”
7 and inserting “Subject to the requirements
8 under section 8(j), each State motor vehicle
9 driver's license application”;

10 (B) in subsection (c)(1), by striking “Each
11 State shall include” and inserting “Subject to
12 the requirements under section 8(j), each State
13 shall include”;

14 (C) in subsection (c)(2)(B)—

15 (i) in clause (i), by striking “and” at
16 the end;

17 (ii) in clause (ii), by adding “and” at
18 the end; and

19 (iii) by adding at the end the fol-
20 lowing new clause:

21 “(iii) verify that the applicant is a citizen
22 of the United States;”;

23 (D) in subsection (c)(2)(C)(i), by striking
24 “(including citizenship)” and inserting “, in-
25 cluding the requirement that the applicant pro-

1 vides documentary proof of United States citi-
2 zenship”; and

3 (E) in subsection (c)(2)(D)(iii), by striking
4 “; and” and inserting the following: “, other
5 than as evidence in a criminal proceeding or im-
6 migration proceeding brought against an appli-
7 cant who knowingly attempts to register to vote
8 and knowingly makes a false declaration under
9 penalty of perjury that the applicant meets the
10 eligibility requirements to register to vote in an
11 election for Federal office; and”.

12 (4) REQUIRING DOCUMENTARY PROOF OF
13 UNITED STATES CITIZENSHIP WITH NATIONAL MAIL
14 VOTER REGISTRATION FORM.—Section 6 of the Na-
15 tional Voter Registration Act of 1993 (52 U.S.C.
16 20505) is amended—

17 (A) in subsection (a)(1)—

18 (i) by striking “Each State shall ac-
19 cept and use” and inserting “Subject to
20 the requirements under section 8(j), each
21 State shall accept and use”; and

22 (ii) by striking “Federal Election
23 Commission” and inserting “Election As-
24 sistance Commission”;

1 (B) in subsection (b), by adding at the end
2 the following: “The chief State election official
3 of a State shall take such steps as may be nec-
4 essary to ensure that residents of the State are
5 aware of the requirement to provide documen-
6 tary proof of United States citizenship to reg-
7 ister to vote in elections for Federal office in
8 the State.”;

9 (C) in subsection (c)(1)—

10 (i) in subparagraph (A), by striking
11 “and” at the end;

12 (ii) in subparagraph (B) by striking
13 the period at the end and inserting “;
14 and”; and

15 (iii) by adding at the end the fol-
16 lowing new subparagraph:

17 “(C) the person did not provide documen-
18 tary proof of United States citizenship when
19 registering to vote.”; and

20 (D) by adding at the end the following new
21 subsection:

22 “(e) ENSURING PROOF OF UNITED STATES CITIZEN-
23 SHIP.—

24 “(1) PRESENTING PROOF OF UNITED STATES
25 CITIZENSHIP TO ELECTION OFFICIAL.—An applicant

1 who submits the mail voter registration application
2 form prescribed by the Election Assistance Commis-
3 sion pursuant to section 9(a)(2) or a form described
4 in paragraph (1) or (2) of subsection (a) shall not
5 be registered to vote in an election for Federal office
6 unless—

7 “(A) the applicant presents documentary
8 proof of United States citizenship in person to
9 the office of the appropriate election official not
10 later than the deadline provided by State law
11 for the receipt of a completed voter registration
12 application for the election; or

13 “(B) in the case of a State which permits
14 an individual to register to vote in an election
15 for Federal office at a polling place on the day
16 of the election and on any day when voting, in-
17 cluding early voting, is permitted for the elec-
18 tion, the applicant presents documentary proof
19 of United States citizenship to the appropriate
20 election official at the polling place not later
21 than the date of the election.

22 “(2) NOTIFICATION OF REQUIREMENT.—Upon
23 receiving an otherwise completed mail voter registra-
24 tion application form prescribed by the Election As-
25 sistance Commission pursuant to section 9(a)(2) or

1 a form described in paragraph (1) or (2) of sub-
2 section (a), the appropriate election official shall
3 transmit a notice to the applicant of the requirement
4 to present documentary proof of United States citi-
5 zenship under this subsection, and shall include in
6 the notice instructions to enable the applicant to
7 meet the requirement.

8 “(3) ACCESSIBILITY.—Each State shall, in con-
9 sultation with the Election Assistance Commission,
10 ensure that reasonable accommodations are made to
11 allow an individual with a disability who submits the
12 mail voter registration application form prescribed
13 by the Election Assistance Commission pursuant to
14 section 9(a)(2) or a form described in paragraph (1)
15 or (2) of subsection (a) to present documentary
16 proof of United States citizenship to the appropriate
17 election official.”.

18 (5) REQUIREMENTS FOR VOTER REGISTRATION
19 AGENCIES.—Section 7 of the National Voter Reg-
20 istration Act of 1993 (52 U.S.C. 20506) is amend-
21 ed—

22 (A) in subsection (a)—

23 (i) in paragraph (4)(A), by adding at
24 the end the following new clause:

1 “(iv) Receipt of documentary proof of
2 United States citizenship of each applicant to
3 register to vote in elections for Federal office in
4 the State.”; and

5 (ii) in paragraph (6)—

6 (I) in subparagraph (A)(i)(I), by
7 striking “(including citizenship)” and
8 inserting “, including the requirement
9 that the applicant provides documen-
10 tary proof of United States citizen-
11 ship”;

12 (II) by redesignating subpara-
13 graphs (B) and (C) as subparagraphs
14 (C) and (D), respectively; and

15 (III) by inserting after subpara-
16 graph (A) the following new subpara-
17 graph:

18 “(B) ask the applicant the question, ‘Are you a
19 citizen of the United States?’ and if the applicant
20 answers in the affirmative require documentary
21 proof of United States citizenship prior to providing
22 the form under subparagraph (C);”;

23 (B) in subsection (c)(1), by inserting “who
24 are citizens of the United States” after “for
25 persons”.

1 (6) REQUIREMENTS WITH RESPECT TO ADMIN-
2 ISTRATION OF VOTER REGISTRATION.—Section 8 of
3 the National Voter Registration Act of 1993 (52
4 U.S.C. 20507) is amended—

5 (A) in subsection (a)—

6 (i) by striking “In the administration
7 of voter registration” and inserting “Sub-
8 ject to the requirements of subsection (j),
9 in the administration of voter registra-
10 tion”; and

11 (ii) in paragraph (3)—

12 (I) in subparagraph (B), by
13 striking “or” at the end; and

14 (II) by adding at the end the fol-
15 lowing new subparagraphs:

16 “(D) based on documentary proof or
17 verified information that the registrant is not a
18 United States citizen; or

19 “(E) the registration otherwise fails to
20 comply with applicable State law;”;

21 (B) by redesignating subsection (j) as sub-
22 section (l); and

23 (C) by inserting after subsection (i) the
24 following new subsections:

1 “(j) ENSURING ONLY CITIZENS ARE REGISTERED TO
2 VOTE.—

3 “(1) IN GENERAL.—Notwithstanding any other
4 provision of this Act, a State may not register an in-
5 dividual to vote in elections for Federal office held
6 in the State unless, at the time the individual ap-
7 plies to register to vote, the individual provides docu-
8 mentary proof of United States citizenship.

9 “(2) REQUIREMENT IN CASES OF NAME DIS-
10 CREPANCIES IN DOCUMENTATION.—Notwithstanding
11 any other provision of law, a State shall accept and
12 process an application to register to vote in an elec-
13 tion for Federal office if the applicant—

14 “(A) presents with the application docu-
15 mentation that would constitute documentary
16 proof of United States citizenship, except that
17 the name on the documentation is not the name
18 of the applicant; and

19 “(B) provides, through a process estab-
20 lished by the State (which shall be subject to
21 any relevant guidance adopted by the Election
22 Assistance Commission)—

23 “(i) additional documentation as nec-
24 essary to establish that the name on the

1 documentation is a previous name of the
2 applicant; or

3 “(ii) an affidavit signed by the appli-
4 cant attesting that the name on the docu-
5 mentation is a previous name of the appli-
6 cant.

7 “(3) ADDITIONAL PROCESSES IN CERTAIN
8 CASES.—

9 “(A) PROCESS FOR THOSE WITHOUT DOC-
10 UMENTARY PROOF.—

11 “(i) IN GENERAL.—Subject to any rel-
12 evant guidance adopted by the Election As-
13 sistance Commission, each State shall es-
14 tablish a process under which an applicant
15 who cannot provide documentary proof of
16 United States citizenship under paragraph
17 (1) may, if the applicant signs an attesta-
18 tion under penalty of perjury that the ap-
19 plicant is a citizen of the United States
20 and eligible to vote in elections for Federal
21 office, submit such other evidence to the
22 appropriate State or local official dem-
23 onstrating that the applicant is a citizen of
24 the United States and such official shall
25 make a determination as to whether the

1 applicant has sufficiently established
2 United States citizenship for purposes of
3 registering to vote in elections for Federal
4 office in the State.

5 “(ii) AFFIDAVIT REQUIREMENT.—If a
6 State or local official makes a determina-
7 tion under clause (i) that an applicant has
8 sufficiently established United States citi-
9 zenship for purposes of registering to vote
10 in elections for Federal office in the State,
11 such determination shall be accompanied
12 by an affidavit developed under clause (iii)
13 signed by the official swearing or affirming
14 the applicant sufficiently established
15 United States citizenship for purposes of
16 registering to vote.

17 “(iii) DEVELOPMENT OF AFFIDAVIT
18 BY THE ELECTION ASSISTANCE COMMIS-
19 SION.—The Election Assistance Commis-
20 sion shall develop a uniform affidavit for
21 use by State and local officials under
22 clause (ii), which shall—

23 “(I) include an explanation of the
24 minimum standards required for a
25 State or local official to register an

1 applicant who cannot provide docu-
2 mentary proof of United States citi-
3 zenship to vote in elections for Fed-
4 eral office in the State; and

5 “(II) require the official to ex-
6 plain the basis for registering such
7 applicant to vote in such elections.

8 “(B) PROCESS IN CASE OF CERTAIN DIS-
9 CREPANCIES IN DOCUMENTATION.—Subject to
10 any relevant guidance adopted by the Election
11 Assistance Commission, each State shall estab-
12 lish a process under which an applicant can
13 provide such additional documentation to the
14 appropriate election official of the State as may
15 be necessary to establish that the applicant is
16 a citizen of the United States in the event of a
17 discrepancy with respect to the applicant’s doc-
18 umentary proof of United States citizenship.

19 “(4) STATE REQUIREMENTS.—Not later than
20 30 days after the date of the enactment of this sub-
21 section:

22 “(A) Each State shall take affirmative
23 steps, on an ongoing basis, to ensure that only
24 United States citizens are registered to vote
25 under the provisions of this Act, and such af-

1 firmative steps shall include the establishment
2 of a program described in subparagraphs (B)
3 and (C).

4 “(B) Each State shall submit the complete,
5 official list of individuals registered as eligible
6 voters for Federal office in the State to the De-
7 partment of Homeland Security for comparison
8 through the Systematic Alien Verification for
9 Entitlements (‘SAVE’) system for the purposes
10 of identifying individuals who are not citizens of
11 the United States and taking the necessary
12 steps to remove such individuals who are not
13 citizens from the official list, after notice is
14 given to such individuals and such individuals
15 are given the opportunity to provide documen-
16 tary proof of United States citizenship, but a
17 State with a memorandum of agreement for
18 such purposes with the Department of Home-
19 land Security on the date of the enactment of
20 this subsection may comply with this subpara-
21 graph by carrying out such purposes under the
22 memorandum.

23 “(C) Each State may utilize such other
24 sources of data available to the State for the
25 purposes of identifying individuals who are not

1 citizens of the United States and removing such
2 individuals from the official list of eligible vot-
3 ers for Federal office in the State, including
4 (but not limited to) the following:

5 “(i) State agencies that supply State
6 identification cards or driver’s licenses
7 where the agency confirms the United
8 States citizenship status of applicants.

9 “(ii) Other sources, including data-
10 bases and information provided pursuant
11 to an agreement with the Commissioner of
12 Social Security under section 205(r)(9) of
13 the Social Security Act, which can be used
14 to confirm United States citizenship sta-
15 tus, except that any such information pro-
16 vided by the Commissioner may not be the
17 sole grounds for the removal of an indi-
18 vidual from the official list of eligible vot-
19 ers for elections for Federal office in a
20 State.

21 “(5) AVAILABILITY OF INFORMATION.—

22 “(A) IN GENERAL.—At the request of a
23 State election official (including a request re-
24 lated to a process established by a State under
25 paragraph (3)(A) or (3)(B)), any head of a

1 Federal department or agency possessing infor-
2 mation relevant to determining the eligibility of
3 an individual to vote in elections for Federal of-
4 fice shall, not later than 24 hours after receipt
5 of such request, provide the official with such
6 information as may be necessary to enable the
7 official to verify that an applicant for voter reg-
8 istration in elections for Federal office held in
9 the State or a registrant on the official list of
10 eligible voters in elections for Federal office
11 held in the State is a citizen of the United
12 States, which shall include providing the official
13 with such batched information as may be re-
14 quested by the official.

15 “(B) USE OF SAVE SYSTEM.—The Sec-
16 retary of Homeland Security may respond to a
17 request received under paragraph (1) by using
18 the system for the verification of immigration
19 status under the applicable provisions of section
20 1137 of the Social Security Act (42 U.S.C.
21 1320b–7), as established pursuant to section
22 121(c) of the Immigration Reform and Control
23 Act of 1986 (Public Law 99–603).

24 “(C) SHARING OF INFORMATION.—The
25 heads of Federal departments and agencies

1 shall share information with each other with re-
2 spect to an individual who is the subject of a
3 request received under paragraph (A) in order
4 to enable them to respond to the request.

5 “(D) INVESTIGATION FOR PURPOSES OF
6 REMOVAL.—The Secretary of Homeland Secu-
7 rity shall conduct an investigation to determine
8 whether to initiate removal proceedings under
9 section 239 of the Immigration and Nationality
10 Act (8 U.S.C. 1229) if it is determined pursu-
11 ant to subparagraph (A) or (B) that an alien
12 (as such term is defined in section 101 of the
13 Immigration and Nationality Act (8 U.S.C.
14 1101)) is unlawfully registered to vote in elec-
15 tions for Federal office.

16 “(E) PROHIBITING FEES.—The head of a
17 Federal department or agency may not charge
18 a fee for responding to a State’s request under
19 paragraph (A).

20 “(k) REMOVAL OF NONCITIZENS FROM REGISTRA-
21 TION ROLLS.—A State shall remove an individual who is
22 not a citizen of the United States from the official list
23 of eligible voters for elections for Federal office held in
24 the State at any time upon receipt of documentation or

1 verified information that a registrant is not a United
2 States citizen.”.

3 (7) CLARIFICATION OF AUTHORITY OF STATE
4 TO REMOVE NONCITIZENS FROM OFFICIAL LIST OF
5 ELIGIBLE VOTERS.—

6 (A) IN GENERAL.—Section 8(a)(4) of the
7 National Voter Registration Act of 1993 (52
8 U.S.C. 20507(a)(4)) is amended—

9 (i) by striking “or” at the end of sub-
10 paragraph (A);

11 (ii) by adding “or” at the end of sub-
12 paragraph (B); and

13 (iii) by adding at the end the fol-
14 lowing new subparagraph:

15 “(C) documentary proof or verified infor-
16 mation that the registrant is not a United
17 States citizen;”.

18 (B) CONFORMING AMENDMENT.—Section
19 8(e)(2)(B)(i) of such Act (52 U.S.C.
20 20507(e)(2)(B)(i)) is amended by striking
21 “(4)(A)” and inserting “(4)(A) or (C)”.

22 (8) REQUIREMENTS WITH RESPECT TO FED-
23 ERAL MAIL VOTER REGISTRATION FORM.—

1 (A) CONTENTS OF MAIL VOTER REGISTRA-
2 TION FORM.—Section 9(b) of such Act (52
3 U.S.C. 20508(b)) is amended—

4 (i) in paragraph (2)(A), by striking
5 “(including citizenship)” and inserting
6 “(including an explanation of what is re-
7 quired to present documentary proof of
8 United States citizenship)”;

9 (ii) in paragraph (3), by striking
10 “and” at the end;

11 (iii) in paragraph (4), by striking the
12 period at the end and inserting “; and”;
13 and

14 (iv) by adding at the end the following
15 new paragraph:

16 “(5) shall include a section, for use only by a
17 State or local election official, to record the type of
18 document the applicant presented as documentary
19 proof of United States citizenship, including the date
20 of issuance, the date of expiration (if any), the office
21 which issued the document, and any unique identi-
22 fication number associated with the document.”.

23 (B) INFORMATION ON MAIL VOTER REG-
24 ISTRATION FORM.—Section 9(b)(4) of such Act
25 (52 U.S.C. 20508(b)(4)) is amended—

1 (i) by redesignating clauses (i)
2 through (iii) as subparagraphs (A) through
3 (C), respectively; and

4 (ii) in subparagraph (C) (as so redesi-
5 gnated and as amended by subparagraph
6 (A)(iii)), by striking “; and” and inserting
7 the following: “, other than as evidence in
8 a criminal proceeding or immigration pro-
9 ceeding brought against an applicant who
10 attempts to register to vote and makes a
11 false declaration under penalty of perjury
12 that the applicant meets the eligibility re-
13 quirements to register to vote in an elec-
14 tion for Federal office; and”.

15 (9) PRIVATE RIGHT OF ACTION.—Section
16 11(b)(1) of the National Voter Registration Act of
17 1993 (52 U.S.C. 20510(b)(1)) is amended by strik-
18 ing “a violation of this Act” and inserting “a viola-
19 tion of this Act, including the act of an election offi-
20 cial who registers an applicant to vote in an election
21 for Federal office who fails to present documentary
22 proof of United States citizenship,”.

23 (10) CRIMINAL PENALTIES.—Section 12(2) of
24 such Act (52 U.S.C. 20511(2)) is amended—

1 (A) by striking “or” at the end of subpara-
2 graph (A);

3 (B) by redesignating subparagraph (B) as
4 subparagraph (D); and

5 (C) by inserting after subparagraph (A)
6 the following new subparagraphs:

7 “(B) in the case of an officer or employee
8 of the executive branch, providing material as-
9 sistance to a noncitizen in attempting to reg-
10 ister to vote or vote in an election for Federal
11 office;

12 “(C) registering an applicant to vote in an
13 election for Federal office who fails to present
14 documentary proof of United States citizenship;
15 or”.

16 (11) SPECIAL RULE FOR STATES NOT REQUIR-
17 ING VOTER REGISTRATION.—Section 4 of the Na-
18 tional Voter Registration Act of 1993 (52 U.S.C.
19 20503), as amended by paragraph (2), is amended
20 by adding at the end the following:

21 “(c) SPECIAL RULE FOR STATES NOT REQUIRING
22 VOTER REGISTRATION.—In the case of a State or jurisdic-
23 tion that does not require voter registration as a require-
24 ment to vote in an election for Federal office on or after
25 the date of the enactment of this subsection, the State

1 or jurisdiction shall be deemed to meet the requirements
2 of this Act if the State or jurisdiction establishes a system
3 for confirming the citizenship of individuals voting in an
4 election for Federal office prior to the first day for voting
5 with respect to such election and provides such confirma-
6 tion of citizenship status for each eligible voter to election
7 officials at the polling places during the voting period.”.

8 (12) ELECTION ASSISTANCE COMMISSION GUID-
9 ANCE.—Not later than 10 days after the date of the
10 enactment of this Act, the Election Assistance Com-
11 mission shall adopt and transmit to the chief State
12 election official of each State guidance with respect
13 to the implementation of the requirements under the
14 National Voter Registration Act of 1993 (52 U.S.C.
15 20501 et seq.), as amended by this subsection.

16 (13) INAPPLICABILITY OF PAPERWORK REDUC-
17 TION ACT.—Subchapter I of chapter 35 of title 44
18 (commonly referred to as the “Paperwork Reduction
19 Act”) shall not apply with respect to the develop-
20 ment or modification of voter registration materials
21 under the National Voter Registration Act of 1993
22 (52 U.S.C. 20501 et seq.), as amended by this sub-
23 section, including the development or modification of
24 any voter registration application forms.

1 (14) DUTY OF SECRETARY OF HOMELAND SE-
2 CURITY TO NOTIFY ELECTION OFFICIALS OF NATU-
3 RALIZATION.—Upon receiving information that an
4 individual has become a naturalized citizen of the
5 United States, the Secretary of Homeland Security
6 shall promptly provide notice of such information to
7 the appropriate chief election official of the State in
8 which such individual is domiciled.

9 (15) RULE OF CONSTRUCTION REGARDING PRO-
10 VISIONAL BALLOTS.—Nothing in this subsection or
11 in any amendment made by this subsection may be
12 construed to supercede, restrict, or otherwise affect
13 the ability of an individual to cast a provisional bal-
14 lot in an election for Federal office or to have the
15 ballot counted in the election if the individual is
16 verified as a citizen of the United States pursuant
17 to section 8(j) of the National Voter Registration
18 Act of 1993 (as added by subsection (f)).

19 (16) RULE OF CONSTRUCTION REGARDING EF-
20 FECT ON STATE EXEMPTIONS FROM OTHER FED-
21 ERAL LAWS.—Nothing in this subsection or in any
22 amendment made by this subsection may be con-
23 strued to affect the exemption of a State from any
24 requirement of any Federal law other than the Na-

1 tional Voter Registration Act of 1993 (52 U.S.C.
2 20501 et seq.).

3 (17) EXCEPTION FOR ABSENT UNIFORMED
4 SERVICES VOTERS.—The requirements in this sub-
5 section shall not apply with respect to an applicant
6 who is an absent uniformed services voter, as de-
7 fined in section 107(1) of the Uniformed and Over-
8 seas Citizens Absentee Voting Act (52 U.S.C.
9 20310(1)).

10 (18) EFFECTIVE DATE.—This subsection and
11 the amendments made by this subsection shall take
12 effect on the date of the enactment of this Act, and
13 shall apply with respect to applications for voter reg-
14 istration which are submitted on or after such date.

15 (b) REQUIRING VOTERS TO PROVIDE PHOTO IDENTI-
16 FICATION.—

17 (1) REQUIREMENT TO PROVIDE PHOTO IDENTI-
18 FICATION AS CONDITION OF CASTING BALLOT.—

19 (A) IN GENERAL.—Title III of the Help
20 America Vote Act of 2002 (52 U.S.C. 21081 et
21 seq.) is amended by inserting after section 303
22 the following new section:

23 **“SEC. 303A. PHOTO IDENTIFICATION REQUIREMENTS.**

24 “(a) PROVISION OF IDENTIFICATION REQUIRED AS
25 CONDITION OF CASTING BALLOT.—

1 “(1) INDIVIDUALS VOTING IN PERSON.—

2 “(A) REQUIREMENT TO PROVIDE IDENTI-
3 FICATION.—Notwithstanding any other provi-
4 sion of law and except as provided in subpara-
5 graph (B), the appropriate State or local elec-
6 tion official may not provide a ballot for an
7 election for Federal office to an individual who
8 desires to vote in person unless the individual
9 presents to the official a valid physical photo
10 identification.

11 “(B) AVAILABILITY OF PROVISIONAL BAL-
12 LOT.—

13 “(i) IN GENERAL.—If an individual
14 does not present the identification required
15 under subparagraph (A), the individual
16 shall be permitted to cast a provisional bal-
17 lot with respect to the election under sec-
18 tion 302(a), except that the appropriate
19 State or local election official may not
20 make a determination under section
21 302(a)(4) that the individual is eligible
22 under State law to vote in the election un-
23 less, not later than 3 days after casting the
24 provisional ballot, the individual presents
25 to the official—

1 “(I) the identification required
2 under subparagraph (A); or

3 “(II) an affidavit developed and
4 made available to the individual by
5 the State attesting that the individual
6 does not possess the identification re-
7 quired under subparagraph (A) be-
8 cause the individual has a religious
9 objection to being photographed.

10 “(ii) NO EFFECT ON OTHER PROVI-
11 SIONAL BALLOTING RULES.—Nothing in
12 clause (i) may be construed to apply to the
13 casting of a provisional ballot pursuant to
14 section 302(a) or any State law for reasons
15 other than the failure to present the identi-
16 fication required under subparagraph (A).

17 “(2) INDIVIDUALS VOTING OTHER THAN IN
18 PERSON.—

19 “(A) IN GENERAL.—Notwithstanding any
20 other provision of law and except as provided in
21 subparagraph (B), the appropriate State or
22 local election official may not accept any ballot
23 for an election for Federal office provided by an
24 individual who votes other than in person unless
25 the individual submits with the ballot—

1 “(i) a copy of a valid photo identifica-
2 tion; or

3 “(ii) the last four digits of the individ-
4 ual’s Social Security number and an affi-
5 davit developed and made available to the
6 individual by the State attesting that the
7 individual is unable to obtain a copy of a
8 valid photo identification after making rea-
9 sonable efforts to obtain such a copy.

10 “(B) EXCEPTIONS.—Subparagraph (A)
11 does not apply with respect to a ballot provided
12 by—

13 “(i) an absent uniformed services
14 voter, as defined in section 107(1) of the
15 Uniformed and Overseas Citizens Absentee
16 Voting Act (52 U.S.C. 20310(1)); or

17 “(ii) an individual provided the right
18 to vote otherwise than in person under sec-
19 tion 3(b)(2)(B)(ii) of the Voting Accessi-
20 bility for the Elderly and Handicapped Act
21 (52 U.S.C. 20102(b)(2)(B)(ii)).

22 “(b) PROVIDING PUBLIC ACCESS TO DIGITAL IMAG-
23 ING DEVICES.—With respect to each State, the appro-
24 priate State or local government official of the State shall
25 ensure, to the extent practicable, public access to a digital

1 imaging device, which shall include a printer, copier,
2 image scanner, or multifunction machine, at State and
3 local government buildings in the State, including courts,
4 libraries, and police stations, for the purpose of allowing
5 individuals to use such a device at no cost to the individual
6 to make a copy of a valid photo identification.

7 “(c) VALID PHOTO IDENTIFICATIONS DESCRIBED.—
8 For purposes of this section, a ‘valid photo identification’
9 means, with respect to an individual who seeks to vote in
10 a State, any of the following:

11 “(1) A valid State-issued motor vehicle driver’s
12 license that includes a photo of the individual and an
13 expiration date.

14 “(2) A valid State-issued identification card
15 that includes a photo of the individual and an expi-
16 ration date issued by a State motor vehicle author-
17 ity.

18 “(3) A valid United States passport for the in-
19 dividual.

20 “(4) A valid military identification for the indi-
21 vidual.

22 “(5) A valid identification document issued by
23 a Tribal government that includes a photo of the in-
24 dividual and an expiration date.

1 “(d) NOTIFICATION OF IDENTIFICATION REQUIRE-
2 MENT TO APPLICANTS FOR VOTER REGISTRATION.—

3 “(1) IN GENERAL.—Each State shall ensure
4 that, at the time an individual applies to register to
5 vote in elections for Federal office in the State, the
6 appropriate State or local election official notifies
7 the individual of the photo identification require-
8 ments of this section.

9 “(2) SPECIAL RULE FOR INDIVIDUALS APPLY-
10 ING TO REGISTER TO VOTE ONLINE.—Each State
11 shall ensure that, in the case of an individual who
12 applies to register to vote in elections for Federal of-
13 fice in the State online, the online voter registration
14 system notifies the individual of the photo identifica-
15 tion requirements of this section before the indi-
16 vidual completes the online registration process.

17 “(e) EFFECTIVE DATE.—This section shall take ef-
18 fect on the date of the enactment of this section, and shall
19 apply with respect to elections for Federal office held on
20 or after such date.”.

21 (B) CLERICAL AMENDMENT.—The table of
22 contents of such Act is amended by inserting
23 after the item relating to section 303 the fol-
24 lowing new item:

“Sec. 303A. Photo identification requirements.”.

1 (2) CONFORMING AMENDMENT RELATING TO
2 VOLUNTARY GUIDANCE BY ELECTION ASSISTANCE
3 COMMISSION.—Section 311(b) of such Act (52
4 U.S.C. 21101(b)) is amended—

5 (A) by striking “and” at the end of para-
6 graph (2);

7 (B) by striking the period at the end of
8 paragraph (3) and inserting “; and”; and

9 (C) by adding at the end the following new
10 paragraph:

11 “(4) in the case of the recommendations with
12 respect to section 303A, October 1, 2026.”.

13 (3) CONFORMING AMENDMENT RELATING TO
14 ENFORCEMENT.—Section 401 of such Act (52
15 U.S.C. 21111) is amended by striking “sections 301,
16 302, 303, and 304” and inserting “subtitle A of title
17 III”.

18 (4) EFFECTIVE DATE.—This subsection and the
19 amendments made by this subsection shall take ef-
20 fect on the date of the enactment of this Act, and
21 shall apply with respect to elections for Federal of-
22 fice held on or after such date.

