

AMENDMENT TO RULES COMM. 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 ___. REQUIRING PHOTO IDENTIFICATION TO VOTE**
2 **IN-PERSON AND PROOF OF CITIZENSHIP TO**
3 **REGISTER TO VOTE.**

4 (a) REQUIREMENT TO PROVIDE PHOTO IDENTIFICA-
5 TION.—

6 (1) IN GENERAL.—Title III of the Help Amer-
7 ica Vote Act of 2002 (52 U.S.C. 21081 et seq.) is
8 amended by inserting after section 303 the following
9 new section:

10 **“SEC. 303A. PHOTO IDENTIFICATION REQUIRED TO CAST**
11 **IN-PERSON BALLOT.**

12 “(a) IN GENERAL.—Notwithstanding any other pro-
13 vision of law, the appropriate State or local election official
14 may not provide a ballot for an election for Federal office
15 to an individual who desires to vote in person unless the
16 individual presents to the official a physical, valid photo
17 identification.

18 “(b) VALID PHOTO IDENTIFICATION DEFINED.—In
19 this section, the term ‘valid photo identification’ means,

1 with respect to an individual who seeks to vote in a State,
2 any of the following:

3 “(1) A valid motor vehicle driver’s license that
4 includes a photo of the individual and an expiration
5 date, issued by a State motor vehicle authority.

6 “(2) A valid identification card that includes a
7 photo of the individual and an expiration date,
8 issued by a State motor vehicle authority.

9 “(3) A valid United States passport for the in-
10 dividual.

11 “(4) A valid military identification for the indi-
12 vidual.

13 “(5) A valid identification document issued by
14 a Tribal government that includes a photo of the in-
15 dividual and an expiration date.”.

16 (2) CLERICAL AMENDMENT.—The table of con-
17 tents of such Act is amended by inserting after the
18 item relating to section 303 the following new item:

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

19 (b) ENSURING ONLY CITIZENS ARE REGISTERED TO
20 VOTE IN ELECTIONS FOR FEDERAL OFFICE.—

21 (1) DEFINITION OF DOCUMENTARY PROOF OF
22 UNITED STATES CITIZENSHIP.—Section 3 of the Na-
23 tional Voter Registration Act of 1993 (52 U.S.C.
24 20502) is amended—

1 (A) by striking “As used” and inserting

2 “(a) IN GENERAL.—As used”; and

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

4 “(b) DOCUMENTARY PROOF OF UNITED STATES

5 CITIZENSHIP DEFINED.—As used in this Act, the term

6 ‘documentary proof of United States citizenship’ means,

7 with respect to an applicant for voter registration, any of

8 the following:

9 “(1) A form of identification issued consistent

10 with the requirements of the REAL ID Act of 2005

11 that indicates the applicant is a citizen of the United

12 States.

13 “(2) A valid United States passport.

14 “(3) The applicant’s official United States mili-

15 tary identification card, together with a United

16 States military record of service showing that the

17 applicant’s place of birth was in the United States.

18 “(4) A valid photo identification card issued by

19 a Federal, State or Tribal government showing that

20 the applicant’s place of birth was in the United

21 States.

22 “(5) A valid photo identification card issued by

23 a Federal, State or Tribal government other than an

24 identification described in paragraphs (1) through

1 (4), but only if presented together with one or more
2 of the following:

3 “(A) A certified birth certificate issued by
4 a State, a unit of local government in a State,
5 or a Tribal government which—

6 “(i) was issued by the State, unit of
7 local government, or Tribal government in
8 which the applicant was born;

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

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

13 “(iv) lists the full names of one or
14 both of the parents of the applicant;

15 “(v) has the signature of an individual
16 who is authorized to sign birth certificates
17 on behalf of the State, unit of local govern-
18 ment, or Tribal government in which the
19 applicant was born;

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

23 “(vii) has the seal of the State, unit
24 of local government, or Tribal government
25 that issued the birth certificate.

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

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

8 “(D) A Consular Report of Birth Abroad
9 of a citizen of the United States or a certifi-
10 cation of the applicant’s Report of Birth of a
11 United States citizen issued by the Secretary of
12 State.

13 “(E) A Naturalization Certificate or Cer-
14 tificate of Citizenship issued by the Secretary of
15 Homeland Security or any other document or
16 method of proof of United States citizenship
17 issued by the Federal government pursuant to
18 the Immigration and Nationality Act.

19 “(F) An American Indian Card issued by
20 the Department of Homeland Security with the
21 classification ‘KIC’.”.

22 (2) REQUIREMENT TO PROVIDE PROOF OF CITI-
23 ZENSHIP TO REGISTER TO VOTE.—Section 8 of the
24 National Voter Registration Act of 1993 (52 U.S.C.
25 20507) is amended—

1 (A) by redesignating subsection (j) as sub-
2 section (k); and

3 (B) by inserting after subsection (i) the
4 following new subsections:

5 “(j) PROOF OF CITIZENSHIP REQUIREMENT FOR
6 VOTER REGISTRATION.—

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

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

18 “(A) presents with the application docu-
19 mentation that would constitute documentary
20 proof of United States citizenship, except that
21 the name on the documentation is not the name
22 of the applicant; and

23 “(B) provides, through a process estab-
24 lished by the State (which shall be subject to

1 any relevant guidance adopted by the Election
2 Assistance Commission)—

3 “(i) additional documentation as nec-
4 essary to establish that the name on the
5 documentation is a previous name of the
6 applicant; or

7 “(ii) an affidavit signed by the appli-
8 cant attesting that the name on the docu-
9 mentation is a previous name of the appli-
10 cant.

11 “(3) PROCESS IN CASE OF CERTAIN DISCREP-
12 ANCIES IN DOCUMENTATION.—Subject to any rel-
13 evant guidance adopted by the Election Assistance
14 Commission, each State shall establish a process
15 under which an applicant can provide such addi-
16 tional documentation to the appropriate election offi-
17 cial of the State as may be necessary to establish
18 that the applicant is a citizen of the United States
19 in the event of a discrepancy with respect to the ap-
20 plicant’s documentary proof of United States citizen-
21 ship.”.

22 (c) EFFECTIVE DATE.—This section and the amend-
23 ments made by this section shall take effect on the date
24 of the enactment of this section, and shall apply with re-
25 spect to—

- 1 (1) applications for voter registration which are
- 2 submitted on or after such date; and
- 3 (2) elections for Federal office held on or after
- 4 such date.

