

In the House of Representatives, U. S.,

February 11, 2026.

Resolved, That the bill from the Senate (S. 1383) entitled “An Act to establish the Veterans Advisory Committee on Equal Access, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Safeguard American*
3 *Voter Eligibility Act” or the “SAVE America Act”.*

4 ***SEC. 2. ENSURING ONLY CITIZENS ARE REGISTERED TO***
5 ***VOTE IN ELECTIONS FOR FEDERAL OFFICE.***

6 *(a) DEFINITION OF DOCUMENTARY PROOF OF UNITED*
7 *STATES CITIZENSHIP.—Section 3 of the National Voter*
8 *Registration Act of 1993 (52 U.S.C. 20502) is amended—*

9 *(1) by striking “As used” and inserting “(a) IN*
10 *GENERAL.—As used”; and*

11 *(2) by adding at the end the following:*

12 *“(b) DOCUMENTARY PROOF OF UNITED STATES CITI-*
13 *ZENSHIP.—As used in this Act, the term ‘documentary*
14 *proof of United States citizenship’ means, with respect to*
15 *an applicant for voter registration, any of the following:*

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 ap-*
9 *plicant’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 govern-*
12 *ment showing that the applicant’s place of birth was*
13 *in the United States.*

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

19 “(A) *A certified birth certificate issued by a*
20 *State, a unit of local government in a State, or*
21 *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 both
6 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 for
14 keeping vital records in the State; and

15 “(vii) has the seal of the State, unit of
16 local government, or Tribal government that
17 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 of*
 2 *a citizen of the United States or a certification*
 3 *of the applicant’s Report of Birth of a United*
 4 *States citizen issued by the Secretary of State.*

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

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

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

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

1 (c) *REGISTRATION WITH APPLICATION FOR MOTOR*
 2 *VEHICLE DRIVER’S LICENSE.*—Section 5 of the National
 3 *Voter Registration Act of 1993 (52 U.S.C. 20504) is amend-*
 4 *ed—*

5 (1) *in subsection (a)(1), by striking “Each State*
 6 *motor vehicle driver’s license application” and insert-*
 7 *ing “Subject to the requirements under section 8(j),*
 8 *each State motor vehicle driver’s license application”;*

9 (2) *in subsection (c)(1), by striking “Each State*
 10 *shall include” and inserting “Subject to the require-*
 11 *ments under section 8(j), each State shall include”;*

12 (3) *in subsection (c)(2)(B)—*

13 (A) *in clause (i), by striking “and” at the*
 14 *end;*

15 (B) *in clause (ii), by adding “and” at the*
 16 *end; and*

17 (C) *by adding at the end the following new*
 18 *clause:*

19 “(iii) *verify that the applicant is a citizen*
 20 *of the United States;”;*

21 (4) *in subsection (c)(2)(C)(i), by striking “(in-*
 22 *cluding citizenship)” and inserting “, including the*
 23 *requirement that the applicant provides documentary*
 24 *proof of United States citizenship”; and*

(5) in subsection (c)(2)(D)(iii), by striking “; and” and inserting the following: “, other than as evidence in a criminal proceeding or immigration proceeding brought against an applicant who knowingly attempts to register to vote and knowingly makes a false declaration under penalty of perjury that the applicant meets the eligibility requirements to register to vote in an election for Federal office; and”.

(d) *REQUIRING DOCUMENTARY PROOF OF UNITED STATES CITIZENSHIP WITH NATIONAL MAIL VOTER REGISTRATION FORM.*—Section 6 of the National Voter Registration Act of 1993 (52 U.S.C. 20505) is amended—

(1) in subsection (a)(1)—

(A) by striking “Each State shall accept and use” and inserting “Subject to the requirements under section 8(j), each State shall accept and use”; and

(B) by striking “Federal Election Commission” and inserting “Election Assistance Commission”;

(2) in subsection (b), by adding at the end the following: “The chief State election official of a State shall take such steps as may be necessary to ensure that residents of the State are aware of the requirement to provide documentary proof of United States

1 *citizenship to register to vote in elections for Federal*
 2 *office in the State.”;*

3 *(3) in subsection (c)(1)—*

4 *(A) in subparagraph (A), by striking “and”*
 5 *at the end;*

6 *(B) in subparagraph (B) by striking the pe-*
 7 *riod at the end and inserting “; and”; and*

8 *(C) by adding at the end the following new*
 9 *subparagraph:*

10 *“(C) the person did not provide documen-*
 11 *tary proof of United States citizenship when reg-*
 12 *istering to vote.”; and*

13 *(4) by adding at the end the following new sub-*
 14 *section:*

15 *“(e) ENSURING PROOF OF UNITED STATES CITIZEN-*
 16 *SHIP.—*

17 *“(1) PRESENTING PROOF OF UNITED STATES*
 18 *CITIZENSHIP TO ELECTION OFFICIAL.—An applicant*
 19 *who submits the mail voter registration application*
 20 *form prescribed by the Election Assistance Commis-*
 21 *sion pursuant to section 9(a)(2) or a form described*
 22 *in paragraph (1) or (2) of subsection (a) shall not be*
 23 *registered to vote in an election for Federal office un-*
 24 *less—*

1 “(A) the applicant presents documentary
 2 proof of United States citizenship in person to
 3 the office of the appropriate election official not
 4 later than the deadline provided by State law for
 5 the receipt of a completed voter registration ap-
 6 plication for the election; or

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

16 “(2) NOTIFICATION OF REQUIREMENT.—Upon
 17 receiving an otherwise completed mail voter registra-
 18 tion application form prescribed by the Election As-
 19 sistance Commission pursuant to section 9(a)(2) or a
 20 form described in paragraph (1) or (2) of subsection
 21 (a), the appropriate election official shall transmit a
 22 notice to the applicant of the requirement to present
 23 documentary proof of United States citizenship under
 24 this subsection, and shall include in the notice in-

structions to enable the applicant to meet the requirement.

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

(e) *REQUIREMENTS FOR VOTER REGISTRATION AGENCIES*.—Section 7 of the National Voter Registration Act of 1993 (52 U.S.C. 20506) is amended—

(1) in subsection (a)—

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

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

(B) in paragraph (6)—

(i) in subparagraph (A)(i)(I), by striking “(including citizenship)” and inserting

1 “, including the requirement that the appli-
 2 cant provides documentary proof of United
 3 States citizenship”;

4 (ii) by redesignating subparagraphs
 5 (B) and (C) as subparagraphs (C) and (D),
 6 respectively; and

7 (iii) by inserting after subparagraph
 8 (A) the following new subparagraph:

9 “(B) ask the applicant the question, ‘Are you a
 10 citizen of the United States?’ and if the applicant an-
 11 swers in the affirmative require documentary proof of
 12 United States citizenship prior to providing the form
 13 under subparagraph (C);”;

14 (2) in subsection (c)(1), by inserting “who are
 15 citizens of the United States” after “for persons”.

16 (f) *REQUIREMENTS WITH RESPECT TO ADMINISTRA-*
 17 *TION OF VOTER REGISTRATION.*—Section 8 of the National
 18 Voter Registration Act of 1993 (52 U.S.C. 20507) is amend-
 19 ed—

20 (1) in subsection (a)—

21 (A) by striking “In the administration of
 22 voter registration” and inserting “Subject to the
 23 requirements of subsection (j), in the administra-
 24 tion of voter registration”; and

25 (B) in paragraph (3)—

1 (i) in subparagraph (B), by striking
2 “or” at the end; and

3 (ii) by adding at the end the following
4 new subparagraphs:

5 “(D) based on documentary proof or
6 verified information that the registrant is not a
7 United States citizen; or

8 “(E) the registration otherwise fails to com-
9 ply with applicable State law;”;

10 (2) by redesignating subsection (j) as subsection
11 (l); and

12 (3) by inserting after subsection (i) the following
13 new subsections:

14 “(j) *ENSURING ONLY CITIZENS ARE REGISTERED TO*
15 *VOTE.*—

16 “(1) *IN GENERAL.*—Notwithstanding any other
17 provision of this Act, a State may not register an in-
18 dividual to vote in elections for Federal office held in
19 the State unless, at the time the individual applies to
20 register to vote, the individual provides documentary
21 proof of United States citizenship.

22 “(2) *REQUIREMENT IN CASES OF NAME DISCREP-*
23 *ANCIES IN DOCUMENTATION.*—Notwithstanding any
24 other provision of law, a State shall accept and proc-

1 *ess an application to register to vote in an election*
 2 *for Federal office if the applicant—*

3 *“(A) presents with the application docu-*
 4 *mentation that would constitute documentary*
 5 *proof of United States citizenship, except that*
 6 *the name on the documentation is not the name*
 7 *of the applicant; and*

8 *“(B) provides, through a process established*
 9 *by the State (which shall be subject to any rel-*
 10 *evant guidance adopted by the Election Assist-*
 11 *ance Commission)—*

12 *“(i) additional documentation as nec-*
 13 *essary to establish that the name on the docu-*
 14 *mentation is a previous name of the appli-*
 15 *cant; or*

16 *“(ii) an affidavit signed by the appli-*
 17 *cant attesting that the name on the docu-*
 18 *mentation is a previous name of the appli-*
 19 *cant.*

20 *“(3) ADDITIONAL PROCESSES IN CERTAIN*
 21 *CASES.—*

22 *“(A) PROCESS FOR THOSE WITHOUT DOCU-*
 23 *MENTARY PROOF.—*

24 *“(i) IN GENERAL.—Subject to any rel-*
 25 *evant guidance adopted by the Election As-*

1 *sistance Commission, each State shall estab-*
2 *lish a process under which an applicant*
3 *who cannot provide documentary proof of*
4 *United States citizenship under paragraph*
5 *(1) may, if the applicant signs an attesta-*
6 *tion under penalty of perjury that the ap-*
7 *plicant is a citizen of the United States and*
8 *eligible to vote in elections for Federal of-*
9 *fice, submit such other evidence to the ap-*
10 *propriate State or local official dem-*
11 *onstrating that the applicant is a citizen of*
12 *the United States and such official shall*
13 *make a determination as to whether the ap-*
14 *plicant has sufficiently established United*
15 *States citizenship for purposes of registering*
16 *to vote in elections for Federal office in the*
17 *State.*

18 *“(ii) AFFIDAVIT REQUIREMENT.—If a*
19 *State or local official makes a determina-*
20 *tion under clause (i) that an applicant has*
21 *sufficiently established United States citi-*
22 *zenship for purposes of registering to vote in*
23 *elections for Federal office in the State, such*
24 *determination shall be accompanied by an*
25 *affidavit developed under clause (iii) signed*

1 *by the official swearing or affirming the ap-*
 2 *plicant sufficiently established United*
 3 *States citizenship for purposes of registering*
 4 *to vote.*

5 “(iii) *DEVELOPMENT OF AFFIDAVIT BY*
 6 *THE ELECTION ASSISTANCE COMMISSION.—*
 7 *The Election Assistance Commission shall*
 8 *develop a uniform affidavit for use by State*
 9 *and local officials under clause (ii), which*
 10 *shall—*

11 *“(I) include an explanation of the*
 12 *minimum standards required for a*
 13 *State or local official to register an ap-*
 14 *plicant who cannot provide documen-*
 15 *tary proof of United States citizenship*
 16 *to vote in elections for Federal office in*
 17 *the State; and*

18 *“(II) require the official to ex-*
 19 *plain the basis for registering such ap-*
 20 *plicant to vote in such elections.*

21 “(B) *PROCESS IN CASE OF CERTAIN DIS-*
 22 *CREPANCIES IN DOCUMENTATION.—Subject to*
 23 *any relevant guidance adopted by the Election*
 24 *Assistance Commission, each State shall establish*
 25 *a process under which an applicant can provide*

1 *such additional documentation to the appro-*
2 *priate election official of the State as may be*
3 *necessary to establish that the applicant is a cit-*
4 *izen of the United States in the event of a dis-*
5 *crepancy with respect to the applicant's docu-*
6 *mentary proof of United States citizenship.*

7 *“(4) STATE REQUIREMENTS.—Not later than 30*
8 *days after the date of the enactment of this subsection:*

9 *“(A) Each State shall take affirmative*
10 *steps, on an ongoing basis, to ensure that only*
11 *United States citizens are registered to vote*
12 *under the provisions of this Act, and such af-*
13 *firmative steps shall include the establishment of*
14 *a program described in subparagraphs (B) and*
15 *(C).*

16 *“(B) Each State shall submit the complete,*
17 *official list of individuals registered as eligible*
18 *voters for Federal office in the State to the De-*
19 *partment of Homeland Security for comparison*
20 *through the Systematic Alien Verification for*
21 *Entitlements (‘SAVE’) system for the purposes of*
22 *identifying individuals who are not citizens of*
23 *the United States and taking the necessary steps*
24 *to remove such individuals who are not citizens*
25 *from the official list, after notice is given to such*

1 *individuals and such individuals are given the*
2 *opportunity to provide documentary proof of*
3 *United States citizenship, but a State with a*
4 *memorandum of agreement for such purposes*
5 *with the Department of Homeland Security on*
6 *the date of the enactment of this subsection may*
7 *comply with this subparagraph by carrying out*
8 *such purposes under the memorandum.*

9 *“(C) Each State may utilize such other*
10 *sources of data available to the State for the pur-*
11 *poses of identifying individuals who are not citi-*
12 *zens of the United States and removing such in-*
13 *dividuals from the official list of eligible voters*
14 *for Federal office in the State, including (but not*
15 *limited to) the following:*

16 *“(i) State agencies that supply State*
17 *identification cards or driver’s licenses*
18 *where the agency confirms the United States*
19 *citizenship status of applicants.*

20 *“(ii) Other sources, including data-*
21 *bases and information provided pursuant to*
22 *an agreement with the Commissioner of So-*
23 *cial Security under section 205(r)(9) of the*
24 *Social Security Act, which can be used to*
25 *confirm United States citizenship status,*

1 *except that any such information provided*
2 *by the Commissioner may not be the sole*
3 *grounds for the removal of an individual*
4 *from the official list of eligible voters for*
5 *elections for Federal office in a State.*

6 “(5) *AVAILABILITY OF INFORMATION.*—

7 “(A) *IN GENERAL.*—*At the request of a*
8 *State election official (including a request related*
9 *to a process established by a State under para-*
10 *graph (3)(A) or (3)(B)), any head of a Federal*
11 *department or agency possessing information rel-*
12 *evant to determining the eligibility of an indi-*
13 *vidual to vote in elections for Federal office shall,*
14 *not later than 24 hours after receipt of such re-*
15 *quest, provide the official with such information*
16 *as may be necessary to enable the official to*
17 *verify that an applicant for voter registration in*
18 *elections for Federal office held in the State or*
19 *a registrant on the official list of eligible voters*
20 *in elections for Federal office held in the State*
21 *is a citizen of the United States, which shall in-*
22 *clude providing the official with such batched in-*
23 *formation as may be requested by the official.*

24 “(B) *USE OF SAVE SYSTEM.*—*The Secretary*
25 *of Homeland Security may respond to a request*

1 received under paragraph (1) by using the sys-
2 tem for the verification of immigration status
3 under the applicable provisions of section 1137
4 of the Social Security Act (42 U.S.C. 1320b-7),
5 as established pursuant to section 121(c) of the
6 Immigration Reform and Control Act of 1986
7 (Public Law 99-603).

8 “(C) *SHARING OF INFORMATION.*—The
9 heads of Federal departments and agencies shall
10 share information with each other with respect to
11 an individual who is the subject of a request re-
12 ceived under paragraph (A) in order to enable
13 them to respond to the request.

14 “(D) *INVESTIGATION FOR PURPOSES OF RE-*
15 *MOVAL.*—The Secretary of Homeland Security
16 shall conduct an investigation to determine
17 whether to initiate removal proceedings under
18 section 239 of the Immigration and Nationality
19 Act (8 U.S.C. 1229) if it is determined pursuant
20 to subparagraph (A) or (B) that an alien (as
21 such term is defined in section 101 of the Immi-
22 gration and Nationality Act (8 U.S.C. 1101)) is
23 unlawfully registered to vote in elections for Fed-
24 eral office.

1 “(E) *PROHIBITING FEES.*—*The head of a*
 2 *Federal department or agency may not charge a*
 3 *fee for responding to a State’s request under*
 4 *paragraph (A).*

5 “(k) *REMOVAL OF NONCITIZENS FROM REGISTRATION*
 6 *ROLLS.*—*A State shall remove an individual who is not*
 7 *a citizen of the United States from the official list of eligible*
 8 *voters for elections for Federal office held in the State at*
 9 *any time upon receipt of documentation or verified infor-*
 10 *mation that a registrant is not a United States citizen.”.*

11 (g) *CLARIFICATION OF AUTHORITY OF STATE TO RE-*
 12 *MOVE NONCITIZENS FROM OFFICIAL LIST OF ELIGIBLE*
 13 *VOTERS.*—

14 (1) *IN GENERAL.*—*Section 8(a)(4) of the Na-*
 15 *tional Voter Registration Act of 1993 (52 U.S.C.*
 16 *20507(a)(4)) is amended—*

17 (A) *by striking “or” at the end of subpara-*
 18 *graph (A);*

19 (B) *by adding “or” at the end of subpara-*
 20 *graph (B); and*

21 (C) *by adding at the end the following new*
 22 *subparagraph:*

23 “(C) *documentary proof or verified infor-*
 24 *mation that the registrant is not a United States*
 25 *citizen;”.*

1 (2) *CONFORMING* *AMENDMENT.—Section*
 2 8(c)(2)(B)(i) *of such Act (52 U.S.C.*
 3 20507(c)(2)(B)(i)) *is amended by striking “(4)(A)”*
 4 *and inserting “(4)(A) or (C)”.*

5 (h) *REQUIREMENTS WITH RESPECT TO FEDERAL*
 6 *MAIL VOTER REGISTRATION FORM.—*

7 (1) *CONTENTS OF MAIL VOTER REGISTRATION*
 8 *FORM.—Section 9(b) of such Act (52 U.S.C. 20508(b))*
 9 *is amended—*

10 (A) *in paragraph (2)(A), by striking “(in-*
 11 *cluding citizenship)” and inserting “(including*
 12 *an explanation of what is required to present*
 13 *documentary proof of United States citizen-*
 14 *ship)”;*

15 (B) *in paragraph (3), by striking “and” at*
 16 *the end;*

17 (C) *in paragraph (4), by striking the period*
 18 *at the end and inserting “; and”; and*

19 (D) *by adding at the end the following new*
 20 *paragraph:*

21 “(5) *shall include a section, for use only by a*
 22 *State or local election official, to record the type of*
 23 *document the applicant presented as documentary*
 24 *proof of United States citizenship, including the date*
 25 *of issuance, the date of expiration (if any), the office*

1 *which issued the document, and any unique identi-*
 2 *fication number associated with the document.”.*

3 (2) *INFORMATION ON MAIL VOTER REGISTRATION*
 4 *FORM.—Section 9(b)(4) of such Act (52 U.S.C.*
 5 *20508(b)(4)) is amended—*

6 (A) *by redesignating clauses (i) through*
 7 *(iii) as subparagraphs (A) through (C), respec-*
 8 *tively; and*

9 (B) *in subparagraph (C) (as so redesignated*
 10 *and as amended by paragraph (1)(C)), by strik-*
 11 *ing “; and” and inserting the following: “, other*
 12 *than as evidence in a criminal proceeding or im-*
 13 *migration proceeding brought against an appli-*
 14 *cant who attempts to register to vote and makes*
 15 *a false declaration under penalty of perjury that*
 16 *the applicant meets the eligibility requirements*
 17 *to register to vote in an election for Federal of-*
 18 *fice; and”.*

19 (i) *PRIVATE RIGHT OF ACTION.—Section 11(b)(1) of*
 20 *the National Voter Registration Act of 1993 (52 U.S.C.*
 21 *20510(b)(1)) is amended by striking “a violation of this*
 22 *Act” and inserting “a violation of this Act, including the*
 23 *act of an election official who registers an applicant to vote*
 24 *in an election for Federal office who fails to present docu-*
 25 *mentary proof of United States citizenship,”.*

1 (j) *CRIMINAL PENALTIES*.—Section 12(2) of such Act
 2 (52 U.S.C. 20511(2)) is amended—

3 (1) by striking “or” at the end of subparagraph

4 (A);

5 (2) by redesignating subparagraph (B) as sub-
 6 paragraph (D); and

7 (3) by inserting after subparagraph (A) the fol-
 8 lowing new subparagraphs:

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

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

17 (k) *SPECIAL RULE FOR STATES NOT REQUIRING*
 18 *VOTER REGISTRATION*.—Section 4 of the National Voter
 19 Registration Act of 1993 (52 U.S.C. 20503), as amended
 20 by subsection (b), is amended by adding at the end the fol-
 21 lowing:

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

1 *the date of the enactment of this subsection, the State or*
 2 *jurisdiction shall be deemed to meet the requirements of this*
 3 *Act if the State or jurisdiction establishes a system for con-*
 4 *firming the citizenship of individuals voting in an election*
 5 *for Federal office prior to the first day for voting with re-*
 6 *spect to such election and provides such confirmation of*
 7 *citizenship status for each eligible voter to election officials*
 8 *at the polling places during the voting period.”.*

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

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

24 (n) *DUTY OF SECRETARY OF HOMELAND SECURITY TO*
 25 *NOTIFY ELECTION OFFICIALS OF NATURALIZATION.—Upon*

1 *receiving information that an individual has become a nat-*
 2 *uralized citizen of the United States, the Secretary of*
 3 *Homeland Security shall promptly provide notice of such*
 4 *information to the appropriate chief election official of the*
 5 *State in which such individual is domiciled.*

6 *(o) RULE OF CONSTRUCTION REGARDING PROVI-*
 7 *SIONAL BALLOTS.—Nothing in this section or in any*
 8 *amendment made by this section may be construed to*
 9 *supercede, restrict, or otherwise affect the ability of an indi-*
 10 *vidual to cast a provisional ballot in an election for Federal*
 11 *office or to have the ballot counted in the election if the*
 12 *individual is verified as a citizen of the United States pur-*
 13 *suant to section 8(j) of the National Voter Registration Act*
 14 *of 1993 (as added by subsection (f)).*

15 *(p) RULE OF CONSTRUCTION REGARDING EFFECT ON*
 16 *STATE EXEMPTIONS FROM OTHER FEDERAL LAWS.—Noth-*
 17 *ing in this section or in any amendment made by this sec-*
 18 *tion may be construed to affect the exemption of a State*
 19 *from any requirement of any Federal law other than the*
 20 *National Voter Registration Act of 1993 (52 U.S.C. 20501*
 21 *et seq.).*

22 *(q) EXCEPTION FOR ABSENT UNIFORMED SERVICES*
 23 *VOTERS.—The requirements in this section shall not apply*
 24 *with respect to an applicant who is an absent uniformed*
 25 *services voter, as defined in section 107(1) of the Uniformed*

1 *and Overseas Citizens Absentee Voting Act (52 U.S.C.*
 2 *20310(1)).*

3 *(r) EFFECTIVE DATE.—This section and the amend-*
 4 *ments made by this section shall take effect on the date of*
 5 *the enactment of this section, and shall apply with respect*
 6 *to applications for voter registration which are submitted*
 7 *on or after such date.*

8 **SEC. 3. REQUIRING VOTERS TO PROVIDE PHOTO IDENTI-**
 9 **FICATION.**

10 *(a) REQUIREMENT TO PROVIDE PHOTO IDENTIFICA-*
 11 *TION AS CONDITION OF CASTING BALLOT.—*

12 *(1) IN GENERAL.—Title III of the Help America*
 13 *Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended*
 14 *by inserting after section 303 the following new sec-*
 15 *tion:*

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

17 *“(a) PROVISION OF IDENTIFICATION REQUIRED AS*
 18 *CONDITION OF CASTING BALLOT.—*

19 *“(1) INDIVIDUALS VOTING IN PERSON.—*

20 *“(A) REQUIREMENT TO PROVIDE IDENTI-*
 21 *FICATION.—Notwithstanding any other provision*
 22 *of law and except as provided in subparagraph*
 23 *(B), the appropriate State or local election offi-*
 24 *cial may not provide a ballot for an election for*
 25 *Federal office to an individual who desires to*

1 *vote in person unless the individual presents to*
 2 *the official a valid physical photo identification.*

3 “(B) *AVAILABILITY OF PROVISIONAL BAL-*
 4 *LOT.—*

5 “(i) *IN GENERAL.—If an individual*
 6 *does not present the identification required*
 7 *under subparagraph (A), the individual*
 8 *shall be permitted to cast a provisional bal-*
 9 *lot with respect to the election under section*
 10 *302(a), except that the appropriate State or*
 11 *local election official may not make a deter-*
 12 *mination under section 302(a)(4) that the*
 13 *individual is eligible under State law to*
 14 *vote in the election unless, not later than 3*
 15 *days after casting the provisional ballot, the*
 16 *individual presents to the official—*

17 “(I) *the identification required*
 18 *under subparagraph (A); or*

19 “(II) *an affidavit developed and*
 20 *made available to the individual by the*
 21 *State attesting that the individual does*
 22 *not possess the identification required*
 23 *under subparagraph (A) because the*
 24 *individual has a religious objection to*
 25 *being photographed.*

1 “(i) NO EFFECT ON OTHER PROVI-
 2 SIONAL BALLOTING RULES.—Nothing in
 3 clause (i) may be construed to apply to the
 4 casting of a provisional ballot pursuant to
 5 section 302(a) or any State law for reasons
 6 other than the failure to present the identi-
 7 fication required under subparagraph (A).

8 “(2) INDIVIDUALS VOTING OTHER THAN IN PER-
 9 SON.—

10 “(A) IN GENERAL.—Notwithstanding any
 11 other provision of law and except as provided in
 12 subparagraph (B), the appropriate State or local
 13 election official may not accept any ballot for an
 14 election for Federal office provided by an indi-
 15 vidual who votes other than in person unless the
 16 individual submits with the ballot—

17 “(i) a copy of a valid photo identifica-
 18 tion; or

19 “(ii) the last four digits of the individ-
 20 ual’s Social Security number and an affi-
 21 davit developed and made available to the
 22 individual by the State attesting that the
 23 individual is unable to obtain a copy of a
 24 valid photo identification after making rea-
 25 sonable efforts to obtain such a copy.

1 “(B) *EXCEPTIONS.*—Subparagraph (A) does
2 not apply with respect to a ballot provided by—

3 “(i) *an absent uniformed services voter,*
4 *as defined in section 107(1) of the Uni-*
5 *formed and Overseas Citizens Absentee Vot-*
6 *ing Act (52 U.S.C. 20310(1)); or*

7 “(ii) *an individual provided the right*
8 *to vote otherwise than in person under sec-*
9 *tion 3(b)(2)(B)(ii) of the Voting Accessi-*
10 *bility for the Elderly and Handicapped Act*
11 *(52 U.S.C. 20102(b)(2)(B)(ii)).*

12 “(b) *PROVIDING PUBLIC ACCESS TO DIGITAL IMAGING*
13 *DEVICES.*—With respect to each State, the appropriate
14 State or local government official of the State shall ensure,
15 to the extent practicable, public access to a digital imaging
16 device, which shall include a printer, copier, image scanner,
17 or multifunction machine, at State and local government
18 buildings in the State, including courts, libraries, and po-
19 lice stations, for the purpose of allowing individuals to use
20 such a device at no cost to the individual to make a copy
21 of a valid photo identification.

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

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

4 “(2) *A valid State-issued identification card that*
 5 *includes a photo of the individual and an expiration*
 6 *date issued by a State motor vehicle authority.*

7 “(3) *A valid United States passport for the indi-*
 8 *vidual.*

9 “(4) *A valid military identification for the indi-*
 10 *vidual.*

11 “(5) *A valid identification document issued by a*
 12 *Tribal government that includes a photo of the indi-*
 13 *vidual and an expiration date.*

14 “(d) *NOTIFICATION OF IDENTIFICATION REQUIREMENT*
 15 *TO APPLICANTS FOR VOTER REGISTRATION.—*

16 “(1) *IN GENERAL.—Each State shall ensure that,*
 17 *at the time an individual applies to register to vote*
 18 *in elections for Federal office in the State, the appro-*
 19 *priate State or local election official notifies the indi-*
 20 *vidual of the photo identification requirements of this*
 21 *section.*

22 “(2) *SPECIAL RULE FOR INDIVIDUALS APPLYING*
 23 *TO REGISTER TO VOTE ONLINE.—Each State shall en-*
 24 *sure that, in the case of an individual who applies to*
 25 *register to vote in elections for Federal office in the*

1 *State online, the online voter registration system noti-*
 2 *fies the individual of the photo identification require-*
 3 *ments of this section before the individual completes*
 4 *the online registration process.*

5 *“(e) EFFECTIVE DATE.—This section shall take effect*
 6 *on the date of the enactment of this section, and shall apply*
 7 *with respect to elections for Federal office held on or after*
 8 *such date.”.*

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

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

12 *(b) CONFORMING AMENDMENT RELATING TO VOL-*
 13 *UNTARY GUIDANCE BY ELECTION ASSISTANCE COMMIS-*
 14 *SION.—Section 311(b) of such Act (52 U.S.C. 21101(b)) is*
 15 *amended—*

16 *(1) by striking “and” at the end of paragraph*
 17 *(2);*

18 *(2) by striking the period at the end of para-*
 19 *graph (3) and inserting “; and”; and*

20 *(3) by adding at the end the following new para-*
 21 *graph:*

22 *“(4) in the case of the recommendations with re-*
 23 *spect to section 303A, October 1, 2025.”.*

24 *(c) CONFORMING AMENDMENT RELATING TO EN-*
 25 *FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)*

1 *is amended by striking “sections 301, 302, 303, and 304”*
2 *and inserting “subtitle A of title III”.*

3 *(d) EFFECTIVE DATE.—This section and the amend-*
4 *ments made by this section shall take effect on the date of*
5 *the enactment of this section, and shall apply with respect*
6 *to elections for Federal office held on or after such date.*

Attest:

Clerk.

119TH CONGRESS
2^D SESSION

S. 1383

AMENDMENT