

108TH CONGRESS
2D SESSION

H. R. 4174

To amend the National Voter Registration Act of 1993 to require an individual to provide proof that the individual is a citizen of the United States as a condition of registering to vote in elections for Federal office, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 2004

Mr. GINGREY (for himself, Mr. JONES of North Carolina, Mr. SAM JOHNSON of Texas, Mr. DEAL of Georgia, and Mr. TANCREDO) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the National Voter Registration Act of 1993 to require an individual to provide proof that the individual is a citizen of the United States as a condition of registering to vote in elections for Federal office, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Voter Citizenship
5 Verification Act”.

1 **SEC. 2. PROOF OF CITIZENSHIP REQUIRED FOR VOTER**
2 **REGISTRATION.**

3 (a) IN GENERAL.—Section 9(b) of the National Voter
4 Registration Act of 1993 (42 U.S.C. 1973gg–7(b)) is
5 amended—

6 (1) in paragraph (1), by striking “may require”
7 and inserting “consistent with paragraph (5), may
8 require”;

9 (2) by striking “and” at the end of paragraph
10 (3);

11 (3) by striking the period at the end of para-
12 graph (4) and inserting “; and”; and

13 (4) by adding at the end the following new
14 paragraph:

15 “(5) shall require the applicant to provide a
16 photographic copy of any document which provides
17 proof that the applicant is a citizen of the United
18 States, which may not include a motor vehicle driv-
19 er’s license unless the State issuing the license re-
20 quired the applicant to provide proof of the appli-
21 cant’s United States citizenship as a condition of re-
22 ceiving the license.”.

23 (b) EFFECTIVE DATE.—The amendments made by
24 subsection (a) shall apply with respect to the regularly
25 scheduled general election for Federal office held in No-

1 vember 2004 and each succeeding election for Federal of-
 2 fice.

3 **SEC. 3. PROOF OF CITIZENSHIP REQUIRED FOR CASTING**
 4 **BALLOT.**

5 (a) IN GENERAL.—Section 303 of the Help America
 6 Vote Act of 2002 (42 U.S.C. 15483) is amended—

7 (1) by redesignating subsections (c) and (d) as
 8 subsections (d) and (e); and

9 (2) by inserting after subsection (b) the fol-
 10 lowing new subsection:

11 “(c) REQUIRING PROOF OF CITIZENSHIP AT POLL-
 12 ING PLACE.—

13 “(1) INDIVIDUALS VOTING IN PERSON.—Not-
 14 withstanding any other provision of law, the appro-
 15 priate State or local election official may not provide
 16 a ballot for an election for Federal office (including
 17 a provisional ballot under section 302(a)) to an indi-
 18 vidual who desires to vote in person unless the indi-
 19 vidual presents to the official a photographic copy of
 20 any document which provides proof that the indi-
 21 vidual is a citizen of the United States.

22 “(2) INDIVIDUALS VOTING BY MAIL.—Notwith-
 23 standing any other provision of law, the appropriate
 24 State or local election official may not accept any
 25 ballot for an election for Federal office provided by

1 an individual who votes by mail unless the individual
2 submits with the ballot a photographic copy of any
3 document which provides proof that the individual is
4 a citizen of the United States.

5 “(3) EXCEPTION FOR INDIVIDUALS WITH
6 PROOF OF CITIZENSHIP ON FILE WITH ELECTION
7 OFFICIAL.—Paragraphs (1) and (2) shall not apply
8 in the case of an individual who, at the time the in-
9 dividual applied to register to vote in Federal elec-
10 tions in the State involved, provided the appropriate
11 State election official with a photographic copy of a
12 document which provided proof that the individual is
13 a citizen of the United States.

14 “(4) TREATMENT OF DRIVER’S LICENSES.—For
15 purposes of this subsection, a motor vehicle driver’s
16 license shall not be treated as a document which
17 provides proof that the individual to whom the li-
18 cense is issued is a citizen of the United States un-
19 less the State issuing the license required the indi-
20 vidual to provide proof of the individual’s United
21 States citizenship as a condition of receiving the li-
22 cense.”.

23 (b) CONFORMING AMENDMENT.—Section 303 of
24 such Act (42 U.S.C. 15483) is amended in the heading

1 by striking “**FOR VOTERS WHO REGISTER BY MAIL**”
2 and inserting “**FOR PREVENTING VOTING FRAUD**”.

3 (c) CLERICAL AMENDMENT.—The table of contents
4 of such Act is amended by amending the item relating to
5 section 303 to read as follows:

“Sec. 303. Computerized statewide voter registration list requirements and re-
quirements for preventing voting fraud.”.

6 (d) EFFECTIVE DATE.—Section 303(e) of such Act
7 (42 U.S.C. 15483(e)), as redesignated by subsection
8 (a)(1), is amended by adding at the end the following new
9 paragraph:

10 “(3) PROOF OF CITIZENSHIP.—Subsection (c)
11 shall apply with respect to the regularly scheduled
12 general election for Federal office held in November
13 2004 and each succeeding election for Federal of-
14 fice.”.

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