

108TH CONGRESS  
2D SESSION

# H. R. 4530

To amend the National Voter Registration Act of 1993 to require any individual who desires to register or re-register to vote in an election for Federal office to provide the appropriate State election official with proof that the individual is a citizen of the United States to prevent fraud in Federal elections, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2004

Mr. HYDE 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 any individual who desires to register or re-register to vote in an election for Federal office to provide the appropriate State election official with proof that the individual is a citizen of the United States to prevent fraud in Federal elections, 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 “Federal Election Integ-  
5       rity Act of 2004” .

1 **SEC. 2. REQUIRING PROOF OF CITIZENSHIP TO ACCOM-**  
2 **PANY APPLICATION FOR VOTER REGISTRA-**  
3 **TION.**

4 (a) APPLICATION PROVIDED WITH MOTOR VEHICLE  
5 LICENSE APPLICATION.—Section 5(c)(2) of the National  
6 Voter Registration Act of 1993 (42 U.S.C. 1973gg—  
7 3(c)(2)) is amended—

8 (1) in subparagraph (B), by striking “may re-  
9 quire” and inserting “in addition to the information  
10 required under subparagraph (E), may require”;

11 (2) by striking “and” at the end of subpara-  
12 graph (D);

13 (3) by redesignating subparagraph (E) as sub-  
14 paragraph (F); and

15 (4) by inserting after subparagraph (D) the fol-  
16 lowing new subparagraph:

17 “(E) shall require the applicant to provide a  
18 photographic copy of any document which provides  
19 proof that the applicant is a citizen of the United  
20 States, in accordance with guidelines established by  
21 the Election Administration Commission in consulta-  
22 tion with the Secretary of Homeland Security and  
23 the Secretary of State.”.

24 (b) MAIL-IN FORM.—Section 9(b) of such Act (42  
25 U.S.C. 1973gg—7(b)) is amended—

1 (1) in paragraph (1), by striking “may require”  
2 and inserting “consistent with paragraph (5), may  
3 require”;

4 (2) by striking “and” at the end of paragraph  
5 (3);

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

8 (4) by adding at the end the following new  
9 paragraph:

10 “(5) shall require the applicant to provide a  
11 photographic copy of any document which provides  
12 proof that the applicant is a citizen of the United  
13 States, in accordance with guidelines established by  
14 the Election Administration Commission in consulta-  
15 tion with the Secretary of Homeland Security and  
16 the Secretary of State.”.

17 (c) SPECIAL RULES FOR STATES WITHOUT REG-  
18 ISTRATION REQUIREMENT AND STATES PERMITTING  
19 SAME-DAY REGISTRATION.—

20 (1) IN GENERAL.—Section 8 of such Act (42  
21 U.S.C. 1973gg—6) is amended—

22 (A) by redesignating subsection (j) as sub-  
23 section (k); and

24 (B) by inserting after subsection (i) the  
25 following new subsection:

1       “(j) REQUIREMENT FOR PROOF OF CITIZENSHIP IN  
2 STATES WITHOUT REGISTRATION REQUIREMENT AND  
3 STATES PERMITTING SAME-DAY REGISTRATION.—

4           “(1) STATES WITHOUT REGISTRATION RE-  
5 QUIREMENT.—In the case of a State described in  
6 section 4(b)(1), the appropriate State or local elec-  
7 tion official may not provide any individual with a  
8 ballot for an election for Federal office (including an  
9 absentee ballot) unless the individual provides the of-  
10 ficial with a photographic copy of any document  
11 which provides proof that the individual is a citizen  
12 of the United States, in accordance with guidelines  
13 established by the Election Administration Commis-  
14 sion in consultation with the Secretary of Homeland  
15 Security and the Secretary of State.

16           “(2) STATES PERMITTING SAME-DAY REGISTRA-  
17 TION.—In the case of a State described in section  
18 4(b)(2), the appropriate State or local election offi-  
19 cial may not permit any individual to register to vote  
20 in an election for Federal office (including an indi-  
21 vidual who desires to register to vote at the polling  
22 place at the time of voting in the election) unless the  
23 individual provides the official with a photographic  
24 copy of any document which provides proof that the  
25 individual is a citizen of the United States, in ac-

cordance with guidelines established by the Election Administration Commission in consultation with the Secretary of Homeland Security and the Secretary of State.”.

(2) CONFORMING AMENDMENT.—Section 4(b) of such Act (42 U.S.C. 1973gg–2(b)) is amended by striking “This Act” and inserting “Except as provided in section 8(j), this Act”.

**SEC. 3. REQUIRING VOTERS TO PROVIDE PHOTO IDENTIFICATION.**

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

(1) in the heading, by striking “FOR VOTERS WHO REGISTER BY MAIL” and inserting “FOR PROVIDING PHOTO IDENTIFICATION”; and

(2) by striking paragraphs (1) through (3) and inserting the following:

“(1) INDIVIDUALS VOTING IN PERSON.—Notwithstanding any other provision of law, the appropriate State or local election official may not provide a ballot for an election for Federal office (including a provisional ballot under section 302(a)) to an individual who desires to vote in person unless the individual presents to the official a current and valid photo identification.

1           “(2) INDIVIDUALS VOTING BY MAIL.—Notwith-  
 2           standing any other provision of law, the appropriate  
 3           State or local election official may not accept any  
 4           ballot for an election for Federal office provided by  
 5           an individual who votes by mail unless the individual  
 6           submits with the ballot a copy of a current and valid  
 7           photo identification.”.

8           (b) CONFORMING AMENDMENTS.—Section 303 of  
 9           such Act (42 U.S.C. 15483) is amended—

10           (1) in the heading, by striking “**FOR VOTERS**  
 11           **WHO REGISTER BY MAIL**” and inserting “**FOR**  
 12           **PROVIDING PHOTO IDENTIFICATION**”; and

13           (2) in subsection (c), by striking “subsections  
 14           (a)(5)(A)(i)(II) and (b)(3)(B)(i)(II)” and inserting  
 15           “subsection (a)(5)(A)(i)(II)”.

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

“Sec. 303. Computerized statewide voter registration list requirements and re-  
 quirements for providing photo identification.”.

19           (d) EFFECTIVE DATE.—Section 303(d) of such Act  
 20           (42 U.S.C. 15483(d)) is amended to read as follows:

21           “(d) REQUIREMENT TO PROVIDE PHOTO IDENTI-  
 22           FICATION.—Subsection (b) shall apply with respect to the  
 23           regularly scheduled general election for Federal office held

1 in November 2004 and each succeeding election for Fed-  
2 eral office.”.

3 **SEC. 4. EFFECTIVE DATE.**

4       This Act and the amendments made by this Act shall  
5 apply with respect to the regularly scheduled general elec-  
6 tion for Federal office held in November 2004 and each  
7 succeeding election for Federal office.

○