

113TH CONGRESS
1ST SESSION

H. R. 2829

To amend the National Voter Registration Act of 1993 to require an applicant for voter registration for elections for Federal office to affirmatively state that the applicant meets the eligibility requirements for voting in such elections as a condition of completing the application, to require States to verify that an applicant for registering to vote in such elections meets the eligibility requirements for voting in such elections prior to registering the applicant to vote, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2013

Mr. CULBERSON (for himself and Mr. ROKITA) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the National Voter Registration Act of 1993 to require an applicant for voter registration for elections for Federal office to affirmatively state that the applicant meets the eligibility requirements for voting in such elections as a condition of completing the application, to require States to verify that an applicant for registering to vote in such elections meets the eligibility requirements for voting in such elections prior to registering the applicant to vote, 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 “Restoring Important
5 Voter Eligibility Requirements to States Act of 2013”.

6 **SEC. 2. FINDINGS; PURPOSE.**

7 (a) FINDINGS.—Congress finds as follows:

8 (1) Congress enacted the National Voter Reg-
9 istration Act of 1993 (42 U.S.C. 1973gg et seq.) to
10 promote the rights of citizens of the United States
11 to exercise the fundamental right to vote, as set
12 forth in the findings of such Act (42 U.S.C.
13 1973gg(a)).

14 (2) While the purposes of such Act (42 U.S.C.
15 1973gg(b)) include increasing voter registration and
16 voter participation in elections for Federal office, the
17 language does not refer to individuals in general but
18 refers exclusively to “eligible citizens of the United
19 States”.

20 (3) An additional purpose of such Act is to
21 “protect the integrity of the electoral process” (42
22 U.S.C. 1973gg(b)(3)).

23 (4) Individuals who do not meet the eligibility
24 requirements for voting in elections for Federal of-
25 fice, including individuals who are not citizens of the

1 United States, have been permitted to register to
2 vote in such elections and are presumably casting
3 ballots in such elections.

4 (5) The participation of ineligible voters in elec-
5 tions for Federal office is in direct conflict with the
6 intent of Congress in enacting the National Voter
7 Registration Act of 1993 and with the purpose of
8 such Act.

9 (b) PURPOSE.—It is the purpose of this Act to ensure
10 that the procedures for registering individuals to vote in
11 elections for Federal office are consistent with the pur-
12 poses of the National Voter Registration Act of 1993.

13 **SEC. 3. EXPANDED REQUIREMENTS FOR CONTENTS OF**
14 **VOTER REGISTRATION APPLICATION FORMS.**

15 (a) REQUIRING AFFIRMATIVE STATEMENT THAT AP-
16 PPLICANT MEETS ELIGIBILITY REQUIREMENTS AS CONDI-
17 TION OF ACCEPTANCE.—

18 (1) FORMS PROVIDED WITH APPLICATION FOR
19 MOTOR VEHICLE DRIVER'S LICENSE.—Section
20 5(c)(2)(C)(ii) of the National Voter Registration Act
21 of 1993 (42 U.S.C. 1973gg-3(c)(2)(C)(ii)) is
22 amended to read as follows:

23 “(ii) the applicant must state affirmatively
24 that the applicant meets each such requirement

1 as a condition of the acceptance of the applica-
 2 tion; and”.

3 (2) FORMS PROVIDED BY OTHER VOTER REG-
 4 ISTRATION AGENCIES.—Section 7(a)(6)(A)(i)(II) of
 5 such Act (42 U.S.C. 1973gg-5(a)(6)(A)(i)(II)) is
 6 amended to read as follows:

7 “(II) the applicant must state affirm-
 8 atively that the applicant meets each such
 9 requirement as a condition of the accept-
 10 ance of the application; and”.

11 (3) MAIL REGISTRATION FORMS.—Section
 12 303(b)(4)(A) of the Help America Vote Act of 2002
 13 (42 U.S.C. 15483(b)(4)(A)) is amended—

14 (A) by redesignating clause (iv) as clause
 15 (v); and

16 (B) by inserting after clause (iii) the fol-
 17 lowing new clause:

18 “(iv) The statement ‘If you do not
 19 check “yes” in response to both of these
 20 questions, your application will not be ac-
 21 cepted.’”.

22 (b) INCLUSION OF STATEMENT SPECIFYING PEN-
 23 ALTY FOR PERJURY.—

24 (1) FORMS PROVIDED WITH APPLICATION FOR
 25 MOTOR VEHICLE DRIVER’S LICENSE.—Section

1 5(c)(2)(D) of the National Voter Registration Act of
2 1993 (42 U.S.C. 1973gg-3(c)(2)(D)) is amended—

3 (A) by striking “and” at the end of clause
4 (ii); and

5 (B) by adding at the end the following new
6 clause:

7 “(iv) a statement that an applicant who
8 knowingly provides false information in the ap-
9 plication commits perjury, as well as a descrip-
10 tion of the specific fine and term of imprison-
11 ment that may be imposed on an applicant who
12 commits perjury by providing such false infor-
13 mation; and”.

14 (2) FORMS PROVIDED BY OTHER VOTER REG-
15 ISTRATION AGENCIES.—Section 7(a)(6)(A)(i) of such
16 Act (42 U.S.C. 1973gg-5(a)(6)(A)(i)) is amended—

17 (A) by striking “and” at the end of sub-
18 clause (II);

19 (B) by striking “or” at the end of sub-
20 clause (III) and inserting “and”; and

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

23 “(IV) describes how an applicant who
24 knowingly provides false information in the
25 application commits perjury, as well as a

1 description of the specific fine and term of
2 imprisonment that may be imposed on an
3 applicant who commits perjury by pro-
4 viding such false information; or”.

5 (3) MAIL REGISTRATION FORMS.—Section
6 303(b)(4)(A) of the Help America Vote Act of 2002
7 (42 U.S.C. 15483(b)(4)(A)), as amended by sub-
8 section (a)(3), is amended—

9 (A) by redesignating clause (v) as clause
10 (vi); and

11 (B) by inserting after clause (iv) the fol-
12 lowing new clause:

13 “(v) A statement informing the indi-
14 vidual that an individual who knowingly
15 provides a false answer to either of these
16 questions commits perjury, as well as a de-
17 scription of the specific fine and term of
18 imprisonment that may be imposed on an
19 individual who commits perjury by pro-
20 viding such a false answer.”.

21 (4) RULE OF CONSTRUCTION.—Nothing in the
22 amendments made by this subsection shall be con-
23 strued to prohibit the Election Assistance Commis-
24 sion or any State or local election official from in-
25 cluding on a voter registration form any information

1 regarding any of the sanctions that may be imposed
2 upon an individual as a result of information the in-
3 dividual provides on the form.

4 **SEC. 4. VERIFICATION OF INFORMATION PROVIDED BY AP-**
5 **PLICANTS FOR VOTER REGISTRATION.**

6 (a) **REQUIRING STATES TO VERIFY INFORMATION.**—
7 Section 8 of the National Voter Registration Act of 1993
8 (42 U.S.C. 1973gg-6) is amended—

9 (1) by redesignating subsection (j) as sub-
10 section (k); and

11 (2) by inserting after subsection (i) the fol-
12 lowing new subsection:

13 “(j) **VERIFICATION OF INFORMATION PROVIDED BY**
14 **APPLICANTS.**—

15 “(1) **VERIFICATION REQUIRED.**—A State may
16 not register an individual to vote in elections for
17 Federal office in the State, including an individual
18 who submits the mail voter registration application
19 form prescribed by the Election Assistance Commis-
20 sion pursuant to section 9(a)(2), unless the State
21 verifies that the information provided by the indi-
22 vidual in the individual’s application for voter reg-
23 istration is correct.

24 “(2) **METHODS OF VERIFICATION.**—For pur-
25 poses of paragraph (1), a State may verify the infor-

1 mation provided by an applicant for voter registra-
2 tion through such methods as the State considers
3 appropriate, including requiring the applicant to pro-
4 vide (at the time of submitting a voter registration
5 application with an application for a motor vehicle
6 driver’s license under section 5 or at the time of
7 submitting any other application form under this
8 Act) documentary evidence that the applicant meets
9 the eligibility requirements for voting in elections for
10 Federal office in the State, including the require-
11 ment that the applicant is a United States citizen.”.

12 (b) REQUIRING FEDERAL OFFICIALS TO PROVIDE
13 INFORMATION.—

14 (1) IN GENERAL.—Section 9 of the National
15 Voter Registration Act (42 U.S.C. 1973gg-7) is
16 amended by adding at the end the following new
17 subsection:

18 “(c) ASSISTING ELECTION OFFICIALS WITH
19 VERIFICATION OF APPLICANT INFORMATION.—

20 “(1) REQUIRING AGREEMENTS UPON RE-
21 QUEST.—At the request of the chief State election
22 official, the head of an office of the Federal govern-
23 ment shall enter into an agreement with the official
24 for the purpose of enabling the official to verify in-
25 formation regarding the eligibility of an applicant

1 for voter registration in the State to vote in elections
2 for Federal office in the State.

3 “(2) DEADLINE FOR ENTERING INTO AGREE-
4 MENT.—The head of an office of the Federal govern-
5 ment who receives a request from a chief State elec-
6 tion official to enter into an agreement under para-
7 graph (1) shall enter into such an agreement with
8 the official not later than 30 days after receiving the
9 request.

10 “(3) NO EFFECT ON OTHER REQUIREMENTS.—
11 Nothing in paragraph (1) shall be construed to af-
12 fect the requirements of section 8(g) (relating to in-
13 formation provided by a United States attorney re-
14 garding offenders) or section 205(r) of the Social
15 Security Act (relating to agreements with the Com-
16 missioner of Social Security for the purpose of
17 verifying certain information).”.

18 (2) CLARIFICATION OF INFORMATION PRO-
19 VIDED BY COMMISSIONER OF SOCIAL SECURITY
20 UNDER EXISTING AUTHORITY.—Section
21 205(r)(8)(D)(i)(I) of the Social Security Act (42
22 U.S.C. 405(r)(8)(D)(i)(I)) is amended by striking
23 “the date of birth” and inserting “the location and
24 date of birth”.

1 **SEC. 5. EFFECTIVE DATE.**

2 The amendments made by this Act shall apply with
3 respect to elections occurring after the expiration of the
4 1-year period which begins on the date of the enactment
5 of this Act.

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