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(Original Signature of Member)

119TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend the National Voter Registration Act of 1993 to require proof of United States citizenship to register an individual to vote in elections for Federal office, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. ROY introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_  
\_\_\_\_\_

**A BILL**

To amend the National Voter Registration Act of 1993 to require proof of United States citizenship to register an individual 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 “Safeguard American  
5       Voter Eligibility Act” or the “SAVE America Act”.

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

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

7 (1) by striking “As used” and inserting “(a) IN  
8 GENERAL.—As used”; and

9 (2) by adding at the end the following:

10 “(b) DOCUMENTARY PROOF OF UNITED STATES  
11 CITIZENSHIP.—As used in this Act, the term ‘documen-  
12 tary proof of United States citizenship’ means, with re-  
13 spect to an applicant for voter registration, any of the fol-  
14 lowing:

15 “(1) A form of identification issued consistent  
16 with the requirements of the REAL ID Act of 2005  
17 that indicates the applicant is a citizen of the United  
18 States.

19 “(2) A valid United States passport.

20 “(3) The applicant’s official United States mili-  
21 tary identification card, together with a United  
22 States military record of service showing that the  
23 applicant’s place of birth was in the United States.

24 “(4) A valid government-issued photo identifica-  
25 tion card issued by a Federal, State or Tribal gov-

1        ernment showing that the applicant's place of birth  
2        was in the United States.

3            “(5) A valid government-issued photo identifica-  
4        tion card issued by a Federal, State or Tribal gov-  
5        ernment other than an identification described in  
6        paragraphs (1) through (4), but only if presented to-  
7        gether with one or more of the following:

8            “(A) A certified birth certificate issued by  
9        a State, a unit of local government in a State,  
10       or a Tribal government which—

11           “(i) was issued by the State, unit of  
12        local government, or Tribal government in  
13        which the applicant was born;

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

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

18           “(iv) lists the full names of one or  
19        both of the parents of the applicant;

20           “(v) has the signature of an individual  
21        who is authorized to sign birth certificates  
22        on behalf of the State, unit of local govern-  
23        ment, or Tribal government in which the  
24        applicant was born;

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

4 “(vii) has the seal of the State, unit  
5 of local government, or Tribal government  
6 that issued the birth certificate.

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

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

14 “(D) A Consular Report of Birth Abroad  
15 of a citizen of the United States or a certifi-  
16 cation of the applicant’s Report of Birth of a  
17 United States citizen issued by the Secretary of  
18 State.

19 “(E) A Naturalization Certificate or Cer-  
20 tificate of Citizenship issued by the Secretary of  
21 Homeland Security or any other document or  
22 method of proof of United States citizenship  
23 issued by the Federal government pursuant to  
24 the Immigration and Nationality Act.

1                   “(F) An American Indian Card issued by  
2                   the Department of Homeland Security with the  
3                   classification ‘KIC’.”.

4           (b) APPLICATION OF REQUIREMENTS.—Section 4 of  
5 the National Voter Registration Act of 1993 (52 U.S.C.  
6 20503) is amended by striking subsection (b) and insert-  
7 ing the following:

8           “(b) REQUIRING APPLICANTS TO PRESENT DOCU-  
9           MENTARY PROOF OF UNITED STATES CITIZENSHIP.—  
10 Under any method of voter registration in a State, the  
11 State shall not accept and process an application to reg-  
12 ister to vote in an election for Federal office unless the  
13 applicant presents documentary proof of United States  
14 citizenship with the application.”.

15           (c) REGISTRATION WITH APPLICATION FOR MOTOR  
16 VEHICLE DRIVER’S LICENSE.—Section 5 of the National  
17 Voter Registration Act of 1993 (52 U.S.C. 20504) is  
18 amended—

19           (1) in subsection (a)(1), by striking “Each  
20 State motor vehicle driver’s license application” and  
21 inserting “Subject to the requirements under section  
22 8(j), each State motor vehicle driver’s license appli-  
23 cation”;

24           (2) in subsection (c)(1), by striking “Each  
25 State shall include” and inserting “Subject to the

1 requirements under section 8(j), each State shall in-  
2 clude”;

3 (3) in subsection (c)(2)(B)—

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

6 (B) in clause (ii), by adding “and” at the  
7 end; and

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

10 “(iii) verify that the applicant is a citizen  
11 of the United States;”;

12 (4) in subsection (c)(2)(C)(i), by striking “(in-  
13 cluding citizenship)” and inserting “, including the  
14 requirement that the applicant provides documentary  
15 proof of United States citizenship”; and

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

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

5 (1) in subsection (a)(1)—

6 (A) by striking “Each State shall accept  
7 and use” and inserting “Subject to the require-  
8 ments under section 8(j), each State shall ac-  
9 cept and use”; and

10 (B) by striking “Federal Election Commis-  
11 sion” and inserting “Election Assistance Com-  
12 mission”;

13 (2) in subsection (b), by adding at the end the  
14 following: “The chief State election official of a  
15 State shall take such steps as may be necessary to  
16 ensure that residents of the State are aware of the  
17 requirement to provide documentary proof of United  
18 States citizenship to register to vote in elections for  
19 Federal office in the State.”;

20 (3) in subsection (c)(1)—

21 (A) in subparagraph (A), by striking  
22 “and” at the end;

23 (B) in subparagraph (B) by striking the  
24 period at the end and inserting “; and”; and

1 (C) by adding at the end the following new  
2 subparagraph:

3 “(C) the person did not provide documen-  
4 tary proof of United States citizenship when  
5 registering to vote.”; and

6 (4) by adding at the end the following new sub-  
7 section:

8 “(e) ENSURING PROOF OF UNITED STATES CITIZEN-  
9 SHIP.—

10 “(1) PRESENTING PROOF OF UNITED STATES  
11 CITIZENSHIP TO ELECTION OFFICIAL.—An applicant  
12 who submits the mail voter registration application  
13 form prescribed by the Election Assistance Commis-  
14 sion pursuant to section 9(a)(2) or a form described  
15 in paragraph (1) or (2) of subsection (a) shall not  
16 be registered to vote in an election for Federal office  
17 unless—

18 “(A) the applicant presents documentary  
19 proof of United States citizenship in person to  
20 the office of the appropriate election official not  
21 later than the deadline provided by State law  
22 for the receipt of a completed voter registration  
23 application for the election; or

24 “(B) in the case of a State which permits  
25 an individual to register to vote in an election

1           for Federal office at a polling place on the day  
2           of the election and on any day when voting, in-  
3           cluding early voting, is permitted for the elec-  
4           tion, the applicant presents documentary proof  
5           of United States citizenship to the appropriate  
6           election official at the polling place not later  
7           than the date of the election.

8           “(2) NOTIFICATION OF REQUIREMENT.—Upon  
9           receiving an otherwise completed mail voter registra-  
10          tion application form prescribed by the Election As-  
11          sistance Commission pursuant to section 9(a)(2) or  
12          a form described in paragraph (1) or (2) of sub-  
13          section (a), the appropriate election official shall  
14          transmit a notice to the applicant of the requirement  
15          to present documentary proof of United States citi-  
16          zenship under this subsection, and shall include in  
17          the notice instructions to enable the applicant to  
18          meet the requirement.

19          “(3) ACCESSIBILITY.—Each State shall, in con-  
20          sultation with the Election Assistance Commission,  
21          ensure that reasonable accommodations are made to  
22          allow an individual with a disability who submits the  
23          mail voter registration application form prescribed  
24          by the Election Assistance Commission pursuant to  
25          section 9(a)(2) or a form described in paragraph (1)

1 or (2) of subsection (a) to present documentary  
2 proof of United States citizenship to the appropriate  
3 election official.”.

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

7 (1) in subsection (a)—

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

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

14 (B) in paragraph (6)—

15 (i) in subparagraph (A)(i)(I), by strik-  
16 ing “(including citizenship)” and inserting  
17 “, including the requirement that the ap-  
18 plicant provides documentary proof of  
19 United States citizenship”; and

20 (ii) by redesignating subparagraphs  
21 (B) and (C) as subparagraphs (C) and  
22 (D), respectively; and

23 (iii) by inserting after subparagraph  
24 (A) the following new subparagraph:

1           “(B) ask the applicant the question, ‘Are you a  
2           citizen of the United States?’ and if the applicant  
3           answers in the affirmative require documentary  
4           proof of United States citizenship prior to providing  
5           the form under subparagraph (C);”; and

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

8           (f) REQUIREMENTS WITH RESPECT TO ADMINISTRA-  
9           TION OF VOTER REGISTRATION.—Section 8 of the Na-  
10          tional Voter Registration Act of 1993 (52 U.S.C. 20507)  
11          is amended—

12           (1) in subsection (a)—

13                   (A) by striking “In the administration of  
14                   voter registration” and inserting “Subject to  
15                   the requirements of subsection (j), in the ad-  
16                   ministration of voter registration”; and

17                   (B) in paragraph (3)—

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

20                           (ii) by adding at the end the following  
21                           new subparagraphs:

22                                   “(D) based on documentary proof or  
23                                   verified information that the registrant is not a  
24                                   United States citizen; or

1 “(E) the registration otherwise fails to  
2 comply with applicable State law;”;

3 (2) by redesignating subsection (j) as sub-  
4 section (l); and

5 (3) by inserting after subsection (i) the fol-  
6 lowing new subsections:

7 “(j) ENSURING ONLY CITIZENS ARE REGISTERED  
8 TO VOTE.—

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

15 “(2) ADDITIONAL PROCESSES IN CERTAIN  
16 CASES.—

17 “(A) PROCESS FOR THOSE WITHOUT DOC-  
18 UMENTARY PROOF.—

19 “(i) IN GENERAL.—Subject to any rel-  
20 evant guidance adopted by the Election As-  
21 sistance Commission, each State shall es-  
22 tablish a process under which an applicant  
23 who cannot provide documentary proof of  
24 United States citizenship under paragraph  
25 (1) may, if the applicant signs an attesta-

1           tion under penalty of perjury that the ap-  
2           plicant is a citizen of the United States  
3           and eligible to vote in elections for Federal  
4           office, submit such other evidence to the  
5           appropriate State or local official dem-  
6           onstrating that the applicant is a citizen of  
7           the United States and such official shall  
8           make a determination as to whether the  
9           applicant has sufficiently established  
10          United States citizenship for purposes of  
11          registering to vote in elections for Federal  
12          office in the State.

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

1                   “(iii) DEVELOPMENT OF AFFIDAVIT  
2                   BY THE ELECTION ASSISTANCE COMMIS-  
3                   SION.—The Election Assistance Commis-  
4                   sion shall develop a uniform affidavit for  
5                   use by State and local officials under  
6                   clause (ii), which shall—

7                   “(I) include an explanation of the  
8                   minimum standards required for a  
9                   State or local official to register an  
10                  applicant who cannot provide docu-  
11                  mentary proof of United States citi-  
12                  zenship to vote in elections for Fed-  
13                  eral office in the State; and

14                  “(II) require the official to ex-  
15                  plain the basis for registering such  
16                  applicant to vote in such elections.

17                  “(B) PROCESS IN CASE OF CERTAIN DIS-  
18                  CREPANCIES IN DOCUMENTATION.—Subject to  
19                  any relevant guidance adopted by the Election  
20                  Assistance Commission, each State shall estab-  
21                  lish a process under which an applicant can  
22                  provide such additional documentation to the  
23                  appropriate election official of the State as may  
24                  be necessary to establish that the applicant is  
25                  a citizen of the United States in the event of a

1           discrepancy with respect to the applicant’s doc-  
2           umentary proof of United States citizenship.

3           “(3) STATE REQUIREMENTS.—Each State shall  
4           take affirmative steps on an ongoing basis to ensure  
5           that only United States citizens are registered to  
6           vote under the provisions of this Act, which shall in-  
7           clude the establishment of a program described in  
8           paragraph (4) not later than 30 days after the date  
9           of the enactment of this subsection.

10          “(4) PROGRAM DESCRIBED.—A State may meet  
11          the requirements of paragraph (3) by establishing a  
12          program under which the State identifies individuals  
13          who are not United States citizens using information  
14          supplied by one or more of the following sources:

15               “(A) The Department of Homeland Secu-  
16               rity through the Systematic Alien Verification  
17               for Entitlements (‘SAVE’) or otherwise.

18               “(B) The Social Security Administration  
19               through the Social Security Number  
20               Verification Service, or otherwise.

21               “(C) State agencies that supply State iden-  
22               tification cards or driver’s licenses where the  
23               agency confirms the United States citizenship  
24               status of applicants.

1           “(D) Other sources, including databases,  
2           which provide confirmation of United States  
3           citizenship status.

4           “(5) AVAILABILITY OF INFORMATION.—

5           “(A) IN GENERAL.—At the request of a  
6           State election official (including a request re-  
7           lated to a process established by a State under  
8           paragraph (2)(A) or (2)(B)), any head of a  
9           Federal department or agency possessing infor-  
10          mation relevant to determining the eligibility of  
11          an individual to vote in elections for Federal of-  
12          fice shall, not later than 24 hours after receipt  
13          of such request, provide the official with such  
14          information as may be necessary to enable the  
15          official to verify that an applicant for voter reg-  
16          istration in elections for Federal office held in  
17          the State or a registrant on the official list of  
18          eligible voters in elections for Federal office  
19          held in the State is a citizen of the United  
20          States, which shall include providing the official  
21          with such batched information as may be re-  
22          quested by the official.

23          “(B) USE OF SAVE SYSTEM.—The Sec-  
24          retary of Homeland Security may respond to a  
25          request received under paragraph (1) by using

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

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

13 “(D) INVESTIGATION FOR PURPOSES OF  
14 REMOVAL.—The Secretary of Homeland Secu-  
15 rity shall conduct an investigation to determine  
16 whether to initiate removal proceedings under  
17 section 239 of the Immigration and Nationality  
18 Act (8 U.S.C. 1229) if it is determined pursu-  
19 ant to subparagraph (A) or (B) that an alien  
20 (as such term is defined in section 101 of the  
21 Immigration and Nationality Act (8 U.S.C.  
22 1101)) is unlawfully registered to vote in elec-  
23 tions for Federal office.

24 “(E) PROHIBITING FEES.—The head of a  
25 Federal department or agency may not charge

1 a fee for responding to a State’s request under  
2 paragraph (A).

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

10 (g) CLARIFICATION OF AUTHORITY OF STATE TO  
11 REMOVE NONCITIZENS FROM OFFICIAL LIST OF ELIGI-  
12 BLE VOTERS.—

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

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

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

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

22 “(C) documentary proof or verified infor-  
23 mation that the registrant is not a United  
24 States 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.  
9     20508(b)) 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 pe-  
18           riod 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 REGISTRA-  
4       TION FORM.—Section 9(b)(4) of such Act (52  
5       U.S.C. 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 redesign-  
10       nated and as amended by paragraph (1)(C)), by  
11       striking “; and” and inserting the following: “,  
12       other than as evidence in a criminal proceeding  
13       or immigration proceeding brought against an  
14       applicant who attempts to register to vote and  
15       makes a false declaration under penalty of per-  
16       jury that the applicant meets the eligibility re-  
17       quirements to register to vote in an election for  
18       Federal office; 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  
24       vote in an election for Federal office who fails to present  
25       documentary proof of United States citizenship,”.

1 (j) CRIMINAL PENALTIES.—Section 12(2) of such  
2 Act (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 reg-  
12 ister to vote or vote in an election for Federal  
13 office;

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

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

23 “(c) SPECIAL RULE FOR STATES NOT REQUIRING  
24 VOTER REGISTRATION.—In the case of a State or jurisdic-  
25 tion that does not require voter registration as a require-

1 ment to vote in an election for Federal office on or after  
2 the date of the enactment of this subsection, the State  
3 or jurisdiction shall be deemed to meet the requirements  
4 of this Act if the State or jurisdiction establishes a system  
5 for confirming the citizenship of individuals voting in an  
6 election for Federal office prior to the first day for voting  
7 with respect to such election and provides such confirma-  
8 tion of citizenship status for each eligible voter to election  
9 officials at the polling places during the voting period.”.

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

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

1       (n) DUTY OF SECRETARY OF HOMELAND SECURITY  
2 TO NOTIFY ELECTION OFFICIALS OF NATURALIZA-  
3 TION.—Upon receiving information that an individual has  
4 become a naturalized citizen of the United States, the Sec-  
5 retary of Homeland Security shall promptly provide notice  
6 of such information to the appropriate chief election offi-  
7 cial of the State in which such individual is domiciled.

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

17       (p) RULE OF CONSTRUCTION REGARDING EFFECT  
18 ON STATE EXEMPTIONS FROM OTHER FEDERAL LAWS.—  
19 Nothing in this section or in any amendment made by this  
20 section may be construed to affect the exemption of a  
21 State from any requirement of any Federal law other than  
22 the National Voter Registration Act of 1993 (52 U.S.C.  
23 20501 et seq.).

24       (q) EFFECTIVE DATE.—This section and the amend-  
25 ments made by this section shall take effect on the date

1 of the enactment of this section, and shall apply with re-  
2 spect to applications for voter registration which are sub-  
3 mitted on or after such date.

4 **SEC. 3. PHOTO VOTER IDENTIFICATION REQUIRED FOR**  
5 **VOTING IN A FEDERAL ELECTION.**

6 (a) IN GENERAL.—Each individual voting in an elec-  
7 tion for Federal office shall present an eligible photo iden-  
8 tification document.

9 (b) PRESENTATION REQUIREMENTS.—

10 (1) IN-PERSON VOTING.—In the case of an indi-  
11 vidual who votes in-person, the eligible photo identi-  
12 fication document shall—

13 (A) be a tangible (not digital) document;

14 and

15 (B) be presented at the time of voting.

16 (2) ABSENTEE VOTING.—In the case of an indi-  
17 vidual voting by absentee ballot, the individual shall  
18 include a copy of the eligible photo identification  
19 document—

20 (A) with the request for an absentee ballot;

21 and

22 (B) with the submission of the absentee  
23 ballot.

24 (c) ELIGIBLE PHOTO IDENTIFICATION DOCU-  
25 MENT.—For purposes of this section:

1 (1) IN GENERAL.—The term “eligible photo  
2 identification document” means any document  
3 which—

4 (A) is issued by an authority described in  
5 paragraph (2); and

6 (B) meets the requirements of paragraph  
7 (3).

8 (2) ISSUING AUTHORITY.—The following are  
9 authorities described in this paragraph:

10 (A) A State agency responsible for issuing  
11 State motor vehicle drivers’ licenses.

12 (B) A State or local election office.

13 (C) A Native tribal government.

14 (D) The Department of State.

15 (E) The Department of War.

16 (F) A branch of the Armed Forces.

17 (3) REQUIREMENTS.—A document meets the  
18 requirements of this paragraph if the document con-  
19 tains—

20 (A) a photograph of the individual identi-  
21 fied on the document;

22 (B) an indication on the front of the docu-  
23 ment that the individual identified on the docu-  
24 ment is a United States citizen; and

25 (C) either—

- 1 (i) an identification number issues by  
2 the entity described in paragraph (2)(A);  
3 or  
4 (ii) the last four digits of the social  
5 security number of the individual identified  
6 on the document.

7 (4) USE OF ADDITIONAL DOCUMENTATION.—

8 (A) USE OF ADDITIONAL DOCUMENTA-  
9 TION.—A document which fails to meet the re-  
10 quirements of paragraph (3)(B) shall not fail to  
11 be treated as an eligible photo identification  
12 document if the document is presented together  
13 with another identification document that indi-  
14 cates the individual is a United States citizen.

15 (B) STATES USING SAVE SYSTEM.—

16 (i) IN GENERAL.—The requirements  
17 of paragraph (3)(B) shall not apply to an  
18 individual—

19 (I) who votes in a State or juris-  
20 diction which meets the requirements  
21 of clause (ii); and

22 (II) who registered to vote in  
23 such State or jurisdiction before the  
24 most recent date on which the State  
25 or jurisdiction last submitted its voter

1 registration rolls to the Department of  
2 Homeland Security as provided in  
3 clause (ii)(I).

4 (ii) REQUIREMENTS.—The require-  
5 ments of this clause are met if—

6 (I) the State or jurisdiction has  
7 submitted its voter registration list to  
8 the Department of Homeland Security  
9 through the Systematic Alien  
10 Verification for Entitlements (SAVE)  
11 program not less frequently than  
12 quarterly since June 1, 2025, for pur-  
13 poses of identifying ineligible registra-  
14 tions and non-citizens; and

15 (II) the State or jurisdiction indi-  
16 cates in each voter record on its voter  
17 rolls whether the voter has been  
18 verified as a United States citizen  
19 based on the information provided by  
20 the Department of Homeland Security  
21 under subclause (I), and the date of  
22 such verification.

23 (iii) SPECIAL RULE FOR STATES NOT  
24 REQUIRING VOTER REGISTRATION.—In the  
25 case of a State or jurisdiction that does

1 not require voter registration as a require-  
2 ment to vote in an election for Federal of-  
3 fice on or after the date of the enactment  
4 of this Act—

5 (I) clause (i)(ii) shall not apply;  
6 and

7 (II) the State or jurisdiction shall  
8 be deemed to meet the requirements  
9 of clause (ii) if the State or jurisdic-  
10 tion establishes a system for con-  
11 firming the citizenship of individuals  
12 voting in an election for Federal office  
13 prior to the first day of the period de-  
14 scribed in section 3 with respect to  
15 such election and provides such con-  
16 firmation of citizenship status for  
17 each eligible voter to election officials  
18 at the polling places during the voting  
19 period.

20 (d) CONFORMING AMENDMENT.—Section 303(b) of  
21 the Help America Vote Act of 2002 (52 U.S.C. 21083(b))  
22 is amended by striking all that precedes paragraph (4).

23 (e) EFFECTIVE DATE.—Each State and jurisdiction  
24 shall be required to comply with the requirements of this  
25 section with respect to all elections for Federal office oc-

1 curring on and after the date of the enactment of this  
2 section.