

Union Calendar No. 455

118TH CONGRESS
2D SESSION

H. R. 8281

[Report No. 118–552]

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.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2024

Mr. ROY (for himself, Mr. GARBARINO, Mr. SCALISE, Mr. EMMER, Ms. STEFANIK, Ms. TENNEY, Mrs. HARSHBARGER, Mr. DONALDS, Mrs. MILLER of Illinois, Mr. RESCHENTHALER, Mr. HIGGINS of Louisiana, Mr. GRAVES of Louisiana, Mr. MCCLINTOCK, Mr. LAWLER, Ms. BOEBERT, Mr. BANKS, Mr. MOORE of Alabama, Mr. MCCAUL, Mr. ARRINGTON, Mr. WILLIAMS of New York, Mr. LANGWORTHY, Mr. ELLZEY, Mr. GUEST, Mr. HERN, Mrs. HOUCHIN, Mr. MIKE GARCIA of California, Mr. WILLIAMS of Texas, Mr. BIGGS, Mr. PALMER, Mr. FEENSTRA, Mr. NEHLS, Mr. BABIN, Mr. SELF, Mr. FALLON, Mr. CLOUD, Mr. CRENSHAW, Mr. HUNT, Mr. WEBER of Texas, Mr. JORDAN, Mr. AUSTIN SCOTT of Georgia, Mr. MCCORMICK, Mr. CLYDE, Mr. BRECHEEN, Mr. BISHOP of North Carolina, Mr. BOST, Mrs. FISCHBACH, and Mr. PFLUGER) introduced the following bill; which was referred to the Committee on House Administration

JUNE 14, 2024

Additional sponsors: Mr. BILIRAKIS, Mr. ISSA, Mrs. CAMMACK, Mr. WITTMAN, Mr. CRANE, Mr. FULCHER, Mr. MEUSER, Mr. OGLES, Mr. LOUDERMILK, Mr. MOONEY, Mr. DUNN of Florida, Mr. GOOD of Virginia, Mr. STEUBE, Mr. EDWARDS, Mr. DUNCAN, Mr. BURLISON, Mr. SESSIONS, Mr. FINSTAD, Ms. LEE of Florida, Mrs. LESKO, Mr. WALTZ, Mr. OWENS, Mr. GOODEN of Texas, Mr. BAIRD, Mr. NORMAN, Mr. BERGMAN, Mr. MORAN, Mr. ROSENDALE, Mr. TIMMONS, Mr. WEBSTER of Florida, Ms. MALLIOTAKIS, Mr. COLLINS, Ms. HAGEMAN, Mr. BURCHETT, Mr. ESTES, Mr. JACKSON of Texas, Mr. FLEISCHMANN, Ms. MACE, Mr. SCOTT FRANKLIN of Florida, Ms. LETLOW, Mr. BEAN of Florida, Mr. ALLEN, Mr. TIFFANY, Mr. FERGUSON, Mr. ROUZER, Mr. PERRY, Mr. HUIZENGA,

Mr. CRAWFORD, Mr. CLINE, Mr. MILLS, Mrs. McCLAIN, Mr. MOOLENAAR, Mrs. KIGGANS of Virginia, Mrs. LUNA, Mr. VAN DREW, Mr. HARRIS, Mr. GOSAR, and Mr. SMITH of New Jersey

JUNE 14, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on May 7, 2024]

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 Act”.*

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

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

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

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

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

18 *“(1) A form of identification issued consistent*
19 *with the requirements of the REAL ID Act of 2005*
20 *that indicates the applicant is a citizen of the United*
21 *States.*

22 *“(2) A valid United States passport.*

23 *“(3) The applicant’s official United States mili-*
24 *tary identification card, together with a United*

1 *States military record of service showing that the ap-*
2 *plicant's place of birth was in the United States.*

3 “(4) *A valid government-issued photo identifica-*
4 *tion card issued by a Federal, State or Tribal govern-*
5 *ment showing that the applicant's place of birth was*
6 *in the United States.*

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

12 “(A) *A certified birth certificate issued by a*
13 *State, a unit of local government in a State, or*
14 *a Tribal government which—*

15 “(i) *was issued by the State, unit of*
16 *local government, or Tribal government in*
17 *which the applicant was born;*

18 “(ii) *was filed with the office respon-*
19 *sible for keeping vital records in the State;*

20 “(iii) *includes the full name, date of*
21 *birth, and place of birth of the applicant;*

22 “(iv) *lists the full names of one or both*
23 *of the parents of the applicant;*

24 “(v) *has the signature of an individual*
25 *who is authorized to sign birth certificates*

1 *on behalf of the State, unit of local govern-*
2 *ment, or Tribal government in which the*
3 *applicant was born;*

4 *“(vi) includes the date that the certifi-*
5 *cate was filed with the office responsible for*
6 *keeping vital records in the State; and*

7 *“(vii) has the seal of the State, unit of*
8 *local government, or Tribal government that*
9 *issued the birth certificate.*

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

14 *“(C) A final adoption decree showing the*
15 *applicant’s name and that the applicant’s place*
16 *of birth was in the United States.*

17 *“(D) A Consular Report of Birth Abroad of*
18 *a citizen of the United States or a certification*
19 *of the applicant’s Report of Birth of a United*
20 *States citizen issued by the Secretary of State.*

21 *“(E) A Naturalization Certificate or Cer-*
22 *tificate of Citizenship issued by the Secretary of*
23 *Homeland Security or any other document or*
24 *method of proof of United States citizenship*

1 *issued by the Federal government pursuant to*
2 *the Immigration and Nationality Act.*

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

6 (b) *IN GENERAL.*—*Section 4 of the National Voter*
7 *Registration Act of 1993 (52 U.S.C. 20503) is amended—*

8 (1) *in subsection (a), by striking “subsection (b)”*
9 *and inserting “subsection (c)”;*

10 (2) *by redesignating subsection (b) as subsection*
11 *(c); and*

12 (3) *by inserting after subsection (a) the following*
13 *new subsection:*

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

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

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

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

8 (3) in subsection (c)(2)(B)—

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

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

13 (C) by adding at the end the following new
14 clause:

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

17 (4) in subsection (c)(2)(C)(i), by striking “(in-
18 cluding citizenship)” and inserting “, including the
19 requirement that the applicant provides documentary
20 proof of United States citizenship”; and

21 (5) in subsection (c)(2)(D)(iii), by striking “;
22 and” and inserting the following: “, other than as evi-
23 dence in a criminal proceeding or immigration pro-
24 ceeding brought against an applicant who knowingly
25 attempts to register to vote and knowingly makes a

1 *false declaration under penalty of perjury that the*
2 *applicant meets the eligibility requirements to register*
3 *to vote in an election for Federal office; and”.*

4 *(d) REQUIRING DOCUMENTARY PROOF OF UNITED*
5 *STATES CITIZENSHIP WITH NATIONAL MAIL VOTER REG-*
6 *ISTRATION FORM.—Section 6 of the National Voter Reg-*
7 *istration Act of 1993 (52 U.S.C. 20505) is amended—*

8 *(1) in subsection (a)(1)—*

9 *(A) by striking “Each State shall accept*
10 *and use” and inserting “Subject to the require-*
11 *ments under section 8(j), each State shall accept*
12 *and use”; and*

13 *(B) by striking “Federal Election Commis-*
14 *sion” and inserting “Election Assistance Com-*
15 *mission”;*

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

23 *(3) in subsection (c)(1)—*

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

1 (B) in subparagraph (B) by striking the pe-
2 riod at the end and inserting “; and”; and

3 (C) by adding at the end the following new
4 subparagraph:

5 “(C) the person did not provide documentary
6 proof of United States citizenship when registering to
7 vote.”; and

8 (4) by adding at the end the following new sub-
9 section:

10 “(e) *ENSURING PROOF OF UNITED STATES CITIZEN-*
11 *SHIP.—*

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

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

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

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

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

1 *the Election Assistance Commission pursuant to sec-*
2 *tion 9(a)(2) or a form described in paragraph (1) or*
3 *(2) of subsection (a) to present documentary proof of*
4 *United States citizenship to the appropriate election*
5 *official.”.*

6 *(e) REQUIREMENTS FOR VOTER REGISTRATION AGEN-*
7 *CIES.—Section 7 of the National Voter Registration Act of*
8 *1993 (52 U.S.C. 20506) is amended—*

9 *(1) in subsection (a)—*

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

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

15 *(B) in paragraph (6)—*

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

21 *(ii) by redesignating subparagraph (B)*
22 *as subparagraph (C); 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 an-
3 swers in the affirmative require documentary proof of
4 United States citizenship prior to providing the form
5 under subparagraph (C);”;

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 National
10 Voter Registration Act of 1993 (52 U.S.C. 20507) is amend-
11 ed—

12 (1) in subsection (a)—

13 (A) by striking “In the administration of
14 voter registration” and inserting “Subject to the
15 requirements of subsection (j), in the administra-
16 tion 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 com-
2 ply with applicable State law;”;

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

5 (3) by inserting after subsection (i) the following
6 new subsections:

7 “(j) *ENSURING ONLY CITIZENS ARE REGISTERED TO*
8 *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 in
12 the State unless, at the time the individual applies to
13 register to vote, the individual provides documentary
14 proof of United States citizenship.

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

17 “(A) *PROCESS FOR THOSE WITHOUT DOCU-*
18 *MENTARY PROOF.*—

19 “(i) *IN GENERAL.*—Subject to any rel-
20 evant guidance adopted by the Election As-
21 sistance Commission, each State shall estab-
22 lish 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 and*
3 *eligible to vote in elections for Federal of-*
4 *fice, submit such other evidence to the ap-*
5 *propriate 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 ap-*
9 *plicant has sufficiently established United*
10 *States citizenship for purposes of registering*
11 *to vote in elections for Federal office in the*
12 *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 in*
18 *elections for Federal office in the State, such*
19 *determination shall be accompanied by an*
20 *affidavit developed under clause (iii) signed*
21 *by the official swearing or affirming the ap-*
22 *plicant sufficiently established United*
23 *States citizenship for purposes of registering*
24 *to vote.*

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

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

14 “(II) *require the official to ex-*
15 *plain the basis for registering such ap-*
16 *plicant 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 establish*
21 *a process under which an applicant can provide*
22 *such additional documentation to the appro-*
23 *priate election official of the State as may be*
24 *necessary to establish that the applicant is a cit-*
25 *izen of the United States in the event of a dis-*

1 *crepancy with respect to the applicant’s docu-*
2 *mentary 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 vote*
6 *under the provisions of this Act, which shall include*
7 *the establishment of a program described in para-*
8 *graph (4) not later than 30 days after the date of the*
9 *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 Security*
16 *through the Systematic Alien Verification for*
17 *Entitlements (‘SAVE’) or otherwise.*

18 “(B) *The Social Security Administration*
19 *through the Social Security Number Verification*
20 *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 related*
7 *to a process established by a State under para-*
8 *graph (2)(A) or (2)(B)), any head of a Federal*
9 *department or agency possessing information rel-*
10 *evant to determining the eligibility of an indi-*
11 *vidual to vote in elections for Federal office shall,*
12 *not later than 24 hours after receipt of such re-*
13 *quest, provide the official with such information*
14 *as may be necessary to enable the official to*
15 *verify that an applicant for voter registration in*
16 *elections for Federal office held in the State or*
17 *a registrant on the official list of eligible voters*
18 *in elections for Federal office held in the State*
19 *is a citizen of the United States, which shall in-*
20 *clude providing the official with such batched in-*
21 *formation as may be requested by the official.*

22 “(B) *USE OF SAVE SYSTEM.—The Secretary*
23 *of Homeland Security may respond to a request*
24 *received under paragraph (1) by using the sys-*
25 *tem for the verification of immigration status*

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

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

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

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

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

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

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

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

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

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

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

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

24 (2) *CONFORMING AMENDMENT.—Section*
 25 8(c)(2)(B)(i) *of such Act (52 U.S.C.*

1 20507(c)(2)(B)(i)) is amended by striking “(4)(A)”
2 and inserting “(4)(A) or (C)”.

3 (h) *REQUIREMENTS WITH RESPECT TO FEDERAL*
4 *MAIL VOTER REGISTRATION FORM.*—

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

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

13 (B) in paragraph (3), by striking “and” at
14 the end;

15 (C) in paragraph (4), by striking the period
16 at the end and inserting “; and”; and

17 (D) by adding at the end the following new
18 paragraph:

19 “(5) shall include a section, for use only by a
20 State or local election official, to record the type of
21 document the applicant presented as documentary
22 proof of United States citizenship, including the date
23 of issuance, the date of expiration (if any), the office
24 which issued the document, and any unique identi-
25 fication number associated with the document.”.

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

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

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

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

24 (j) *CRIMINAL PENALTIES.—Section 12(2) of such Act*
25 *(52 U.S.C. 20511(2)) is amended—*

1 (1) by striking “or” at the end of subparagraph
2 (A);

3 (2) by redesignating subparagraph (B) as sub-
4 paragraph (D); and

5 (3) by inserting after subparagraph (A) the fol-
6 lowing new subparagraphs:

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

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

15 (k) *APPLICABILITY OF REQUIREMENTS TO CERTAIN*
16 *STATES.—*

17 (1) *IN GENERAL.—*Subsection (c) of section 4 of
18 the National Voter Registration Act of 1993 (52
19 U.S.C. 20503), as redesignated by subsection (b), is
20 amended by striking “This Act does not apply to a
21 State” and inserting “Except with respect to the re-
22 quirements under subsection (i) and (j) of section 8
23 in the case of a State described in paragraph (2), this
24 Act does not apply to a State”.

1 (2) *PERMITTING STATES TO ADOPT REQUIRE-*
2 *MENTS AFTER ENACTMENT.*—Section 4 of such Act
3 (52 U.S.C. 20503) is amended by adding at the end
4 the following new subsection:

5 “(d) *PERMITTING STATES TO ADOPT CERTAIN RE-*
6 *QUIREMENTS AFTER ENACTMENT.*—Subsections (i) and (j)
7 of section 8 shall not apply to a State described in sub-
8 section (c)(2) if the State, by law or regulation, adopts re-
9 quirements which are identical to the requirements under
10 such subsections not later than 60 days prior to the date
11 of the first election for Federal office which is held in the
12 State after the date of the enactment of the SAVE Act.”.

13 **SEC. 3. ELECTION ASSISTANCE COMMISSION GUIDANCE.**

14 Not later than 10 days after the date of the enactment
15 of this Act, the Election Assistance Commission shall adopt
16 and transmit to the chief State election official of each State
17 guidance with respect to the implementation of the require-
18 ments under the National Voter Registration Act of 1993
19 (52 U.S.C. 20501 et seq.), as amended by section 2.

20 **SEC. 4. INAPPLICABILITY OF PAPERWORK REDUCTION ACT.**

21 Subchapter I of chapter 35 of title 44 (commonly re-
22 ferred to as the “Paperwork Reduction Act”) shall not
23 apply with respect to the development or modification of
24 voter registration materials under the National Voter Reg-
25 istration Act of 1993 (52 U.S.C. 20501 et seq.), as amended

1 *by section 2, including the development or modification of*
2 *any voter registration application forms.*

3 **SEC. 5. DUTY OF SECRETARY OF HOMELAND SECURITY TO**
4 **NOTIFY ELECTION OFFICIALS OF NATU-**
5 **RALIZATION.**

6 *Upon receiving information that an individual has be-*
7 *come a naturalized citizen of the United States, the Sec-*
8 *retary of Homeland Security shall promptly provide notice*
9 *of such information to the appropriate chief election official*
10 *of the State in which such individual is domiciled.*

11 **SEC. 6. RULE OF CONSTRUCTION REGARDING PROVI-**
12 **SIONAL BALLOTS.**

13 *Nothing in this Act or in any amendment made by*
14 *this Act may be construed to supercede, restrict, or other-*
15 *wise affect the ability of an individual to cast a provisional*
16 *ballot in an election for Federal office or to have the ballot*
17 *counted in the election if the individual is verified as a*
18 *citizen of the United States pursuant to section 8(j) of the*
19 *National Voter Registration Act of 1993 (as added by sec-*
20 *tion 2(f)).*

21 **SEC. 7. RULE OF CONSTRUCTION REGARDING EFFECT ON**
22 **STATE EXEMPTIONS FROM OTHER FEDERAL**
23 **LAWS.**

24 *Nothing in this Act or in any amendment made by*
25 *this Act may be construed to affect the exemption of a State*

1 *from any requirement of any Federal law other than the*
2 *National Voter Registration Act of 1993 (52 U.S.C. 20501*
3 *et seq.).*

4 **SEC. 8. EFFECTIVE DATE.**

5 *This Act and the amendments made by this Act shall*
6 *take effect on the date of the enactment of this Act, and*
7 *shall apply with respect to applications for voter registra-*
8 *tion which are submitted on or after such date.*

Union Calendar No. 455

118TH CONGRESS
2^D SESSION

H. R. 8281

[Report No. 118-552]

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.

JUNE 14, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed