

Amendment #1

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 9368
OFFERED BY MR. MORELLE OF NEW YORK**

Strike all after the enacting clause and insert the following:

1 SECTION 1. REQUIREMENTS FOR VOTER IDENTIFICATION.

2 (a) REQUIREMENT TO PROVIDE IDENTIFICATION AS
3 CONDITION OF RECEIVING BALLOT.—Section 303 of the
4 Help America Vote Act of 2002 (52 U.S.C. 21083) is
5 amended by redesignating subsections (c) and (d) as sub-
6 sections (d) and (e), respectively, and by inserting after
7 subsection (b) the following new subsection:

8 “(c) VOTER IDENTIFICATION REQUIREMENTS.—

9 “(1) VOTER IDENTIFICATION REQUIREMENT
10 DEFINED.—For purposes of this subsection:

11 “(A) IN GENERAL.—The term ‘voter iden-
12 tification requirement’ means any requirement
13 that an individual desiring to vote in person in
14 an election for Federal office present identifica-
15 tion as a requirement to receive or cast a ballot
16 in person in such election.

17 “(B) EXCEPTION.—Such term does not in-
18 clude any requirement described in subsection

1 the facility confirms the individual's iden-
2 tity; and

3 “(C) shall permit any individual desiring to
4 vote in an election for Federal office who does
5 not present an applicable identifying document
6 required under subparagraph (A) or qualify for
7 an exception under subparagraph (B) to cast a
8 provisional ballot with respect to the election
9 under section 302(a) in accordance with para-
10 graph (3).

11 “(3) RULES FOR PROVISIONAL BALLOT.—

12 “(A) IN GENERAL.—An individual may
13 cast a provisional ballot pursuant to paragraph
14 (2)(C) so long as the individual presents the ap-
15 propriate State or local election official with a
16 sworn written statement, signed by the indi-
17 vidual under penalty of perjury, attesting to the
18 individual's identity.

19 “(B) PROHIBITION ON OTHER REQUIRE-
20 MENTS.—Except as otherwise provided this
21 paragraph, a State or local jurisdiction may not
22 impose any other additional requirement or con-
23 dition with respect to the casting of a provi-
24 sional ballot by an individual described in para-
25 graph (2)(C).

1 “(i) NOTICE AND OPPORTUNITY TO
2 CURE DISCREPANCY IN SIGNATURES.—If
3 an individual casts a provisional ballot
4 under this paragraph and the appropriate
5 State or local election official determines
6 that a discrepancy exists between the sig-
7 nature on such ballot and the signature of
8 such individual on the official list of reg-
9 istered voters in the State or other official
10 record or document used by the State to
11 verify the signatures of voters, such elec-
12 tion official, prior to making a final deter-
13 mination as to the validity of such ballot,
14 shall—

15 “(I) as soon as practical, but not
16 later than the next business day after
17 such determination is made, make a
18 good faith effort to notify the indi-
19 vidual by mail, telephone, and (if
20 available) text message and electronic
21 mail that—

22 “(aa) a discrepancy exists
23 between the signature on such
24 ballot and the signature of the
25 individual on the official list of

1 the appropriate State or local election offi-
2 cial, prior to making a final determination
3 as to the validity of the ballot, shall—

4 “(I) as soon as practical, but not
5 later than the next business day after
6 such determination is made, make a
7 good faith effort to notify the indi-
8 vidual by mail, telephone, and (if
9 available) text message and electronic
10 mail that—

11 “(aa) the ballot has some
12 defect; and

13 “(bb) if the individual does
14 not cure the other defect prior to
15 the expiration of the third day
16 following the State’s deadline for
17 receiving mail-in ballots or absen-
18 tee ballots, such ballot will not be
19 counted; and

20 “(II) count the ballot if, prior to
21 the expiration of the third day fol-
22 lowing the State’s deadline for receiv-
23 ing mail-in ballots or absentee ballots,
24 the individual cures the defect.

1 described in paragraphs (2)(B)(i) and (3)(A)
2 which include appropriate blank spaces for the
3 provision of names and signatures.

4 “(B) PROVIDING PRE-PRINTED COPY OF
5 STATEMENT.—Each State and jurisdiction that
6 has a voter identification requirement shall
7 make copies of the pre-printed version of the
8 statement developed under subparagraph (A)
9 available at polling places for use by individuals
10 voting in person.

11 “(5) REQUIRED PROVISION OF IDENTIFYING
12 DOCUMENTS.—

13 “(A) IN GENERAL.—Each State and juris-
14 diction that has a voter identification require-
15 ment shall—

16 “(i) for each individual who, on or
17 after the applicable date, is registered to
18 vote in such State or jurisdiction in elec-
19 tions for Federal office, provide the indi-
20 vidual with a government-issued identifica-
21 tion that meets the requirements of this
22 subsection without charge;

23 “(ii) for each individual who, before
24 the applicable date, was registered to vote
25 in such State or jurisdiction in elections

1 “(6) APPLICABLE IDENTIFYING DOCUMENT.—

2 For purposes of this subsection—

3 “(A) IN GENERAL.—The term ‘applicable
4 identifying document’ means, with respect to
5 any individual, any document issued to such in-
6 dividual containing the individual’s name.

7 “(B) INCLUDED DOCUMENTS.—The term
8 ‘applicable identifying document’ shall include
9 any of the following (so long as such document
10 is not expired, as indicated by an expiration
11 date included on the document):

12 “(i) A valid driver’s license or an
13 identification card issued by a State, the
14 Federal Government, or a State or feder-
15 ally recognized Tribal government.

16 “(ii) A State-issued identification de-
17 scribed in paragraph (4).

18 “(iii) A valid United States passport
19 or passport card.

20 “(iv) A valid employee identification
21 card issued by—

22 “(I) any branch, department,
23 agency, or entity of the United States
24 Government or of any State,

1 “(xiii) A valid identification card
2 issued to the individual by the Temporary
3 Assistance for Needy Families (TANF)
4 program.

5 “(xiv) A valid identification card
6 issued to the individual by Medicaid.

7 “(xv) A valid bank card or valid debit
8 card.

9 “(xvi) A valid utility bill issued within
10 six months of the date of the election.

11 “(xvii) A valid lease or mortgage doc-
12 ument issued within six months of the date
13 of the election.

14 “(xviii) A valid bank statement issued
15 within six months of the date of the elec-
16 tion.

17 “(xix) A valid health insurance card
18 issued to the voter.

19 “(xx) Any other document containing
20 the individual’s name issued by—

21 “(I) any branch, department,
22 agency, or entity of the United States
23 Government or of any State;

24 “(II) any State or federally rec-
25 ognized tribal government; or

1 identifications, as determined on the basis of infor-
2 mation furnished to the Commission by the State at
3 such time and in such form as the Commission may
4 require.

5 (3) AUTHORIZATION OF APPROPRIATIONS.—

6 There are authorized to be appropriated for pay-
7 ments under this subsection an aggregate amount of
8 \$5,000,000 for fiscal year 2027 and each of the 4
9 succeeding fiscal years.

10 (c) CONFORMING AMENDMENTS.—Section
11 303(b)(2)(A) of the Help America Vote Act of 2002 (52
12 U.S.C. 21083(b)(2)(A)) is amended—

13 (1) in clause (i), by striking “in person” and all
14 that follows and inserting “in person, presents to the
15 appropriate State or local election official an applica-
16 ble identifying document (as defined in subsection
17 (e)(6)); or”; and

18 (2) in clause (ii), by striking “by mail” and all
19 that follows and inserting “by mail, submits with the
20 ballot an applicable identifying document (as so de-
21 fined).”.

22 (d) DEFINITION.—For the purposes of this section,
23 the term “State” means each of the several States, the
24 District of Columbia, the Commonwealth of Puerto Rico,
25 Guam, American Samoa, the United States Virgin Is-

1 tion described in paragraph (2) without charge to
2 any individual who—

3 “(A) is eligible for such identification; and

4 “(B) provides an attestation under penalty
5 of perjury that the individual cannot afford to
6 pay the fee otherwise charged by the State for
7 the provision of the identification.

8 “(2) IDENTIFICATION DESCRIBED.—An identi-
9 fication described in this subsection is—

10 “(A) a State-issued motor vehicle driver’s
11 license that includes a photo of the individual;
12 and

13 “(B) an identification card issued by a
14 State motor vehicle authority that includes a
15 photo of the individual.

16 “(b) GRANTS TO TRIBES.—

17 “(1) IN GENERAL.—The Commission shall
18 make grants to each Tribal government that pro-
19 vides identification described in paragraph (2) with-
20 out charge to any individual who—

21 “(A) is eligible for such identification; and

22 “(B) provides an attestation under penalty
23 of perjury that the individual cannot afford to
24 pay such fee.