

**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 (b)(2)(A) as applied with respect to an indi-  
2 vidual described in subsection (b)(1).

3 “(2) IN GENERAL.—If a State or local jurisdic-  
4 tion has a voter identification requirement, the State  
5 or local jurisdiction—

6 “(A) shall treat any applicable identifying  
7 document as meeting such voter identification  
8 requirement;

9 “(B) notwithstanding the failure to present  
10 an applicable identifying document, shall treat  
11 an individual desiring to vote in person in an  
12 election for Federal office as meeting such voter  
13 identification requirement if—

14 “(i) the individual presents the appro-  
15 priate State or local election official with a  
16 sworn written statement, signed in the  
17 presence of the official by an adult who  
18 has known the individual for not less than  
19 6 months under penalty of perjury, attest-  
20 ing to the individual’s identity;

21 “(ii) the official has known the indi-  
22 vidual for at least six months; or

23 “(iii) in the case of a resident of a  
24 State-licensed care facility, an employee of

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           “(C) COUNTING OF PROVISIONAL BAL-  
2           LOT.—In the case of a provisional ballot cast  
3           pursuant to paragraph (2)(C), the appropriate  
4           State or local election official shall not make a  
5           determination under section 302(a)(4) that the  
6           individual is eligible under State law to vote in  
7           the election unless—

8                   “(i) the official determines that the  
9                   signature on such statement matches the  
10                  signature of such individual on the official  
11                  list of registered voters in the State or  
12                  other official record or document used by  
13                  the State to verify the signatures of voters;  
14                  or

15                  “(ii) not later than 10 days after cast-  
16                  ing the provisional ballot, the individual  
17                  presents an applicable identifying docu-  
18                  ment, either in person or by electronic  
19                  methods, to the official and the official  
20                  confirms the individual is the person iden-  
21                  tified on the applicable identifying docu-  
22                  ment.

23           “(D) NOTICE AND OPPORTUNITY TO CURE  
24           DISCREPANCY IN SIGNATURES OR OTHER DE-  
25           fects ON PROVISIONAL BALLOTS.—

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 registered voters in the State or  
2 other official record or document  
3 used by the State to verify the  
4 signatures of voters; and

5 “(bb) if such discrepancy is  
6 not cured prior to the expiration  
7 of the third day following the  
8 State’s deadline for receiving  
9 mail-in ballots or absentee bal-  
10 lots, such ballot will not be  
11 counted; and

12 “(II) cure such discrepancy and  
13 count the ballot if, prior to the expira-  
14 tion of the third day following the  
15 State’s deadline for receiving mail-in  
16 ballots or absentee ballots, the indi-  
17 vidual provides the official with infor-  
18 mation to cure such discrepancy, ei-  
19 ther in person, by telephone, or by  
20 electronic methods.

21 “(ii) NOTICE AND OPPORTUNITY TO  
22 CURE OTHER DEFECTS.—If an individual  
23 casts a provisional ballot under this para-  
24 graph with a defect which, if left uncured,  
25 would cause the ballot to not be counted,

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           “(E) NO EXEMPTION.—Notwithstanding  
2 section 302(a), States described in section 4(b)  
3 of the National Voter Registration Act of 1993  
4 shall be required to meet the requirements of  
5 paragraph (2)(C).

6           “(F) RULE OF CONSTRUCTION.—

7           “(i) IN GENERAL.—Nothing in para-  
8 graph (2)(C) or this paragraph shall be  
9 construed to prevent a State from permit-  
10 ting an individual who provides a sworn  
11 statement described in subparagraph (A)  
12 to cast a regular ballot in lieu of a provi-  
13 sional ballot.

14           “(ii) REGULAR BALLOT.—For purpose  
15 of this subparagraph, the term ‘regular  
16 ballot’ means a ballot which is cast and  
17 counted in the same manner as ballots cast  
18 by individuals meeting the voter identifica-  
19 tion requirement (and all other applicable  
20 requirements with respect to voting in the  
21 election).

22           “(4) DEVELOPMENT AND USE OF PRE-PRINTED  
23 VERSION OF STATEMENT BY COMMISSION.—

24           “(A) IN GENERAL.—The Commission shall  
25 develop pre-printed versions of the statements

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 for Federal office but does not otherwise  
2 possess an identifying document, provide  
3 the individual with a government-issued  
4 identification that meets the requirements  
5 of this subsection without charge, so long  
6 as the State provides the individual with  
7 reasonable opportunities to obtain such  
8 identification prior to the date of the elec-  
9 tion; and

10 “(iii) for each individual who is pro-  
11 vided with an identification under clause  
12 (i) or clause (ii), provide the individual  
13 with such assistance without charge upon  
14 request as may be necessary to enable the  
15 individual to obtain and process any docu-  
16 mentation necessary to obtain the identi-  
17 fication.

18 “(B) APPLICABLE DATE.—For purposes of  
19 this paragraph, the term ‘applicable date’  
20 means the later of—

21 “(i) January 1, 2027, or

22 “(ii) the first date after the date of  
23 enactment of this subsection for which the  
24 State or local jurisdiction has in effect a  
25 voter identification requirement.

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                   “(II) any State or federally rec-  
2                   ognized Tribal government, or

3                   “(III) any county, municipality,  
4                   board, authority, or other political  
5                   subdivision of a State.

6                   “(v) A valid student identification  
7                   card issued by an institution of higher edu-  
8                   cation, or a valid high school identification  
9                   card issued by a State-accredited high  
10                  school.

11                  “(vi) A valid military identification  
12                  card issued by the United States.

13                  “(vii) A valid gun license or concealed  
14                  carry permit.

15                  “(viii) A valid Medicare card or Social  
16                  Security card.

17                  “(ix) A valid birth certificate.

18                  “(x) A valid voter registration card.

19                  “(xi) A valid hunting or fishing li-  
20                  cense issued by a State.

21                  “(xii) A valid identification card  
22                  issued to the individual by the Supple-  
23                  mental Nutrition Assistance (SNAP) pro-  
24                  gram.

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                   “(III) any county, municipality,  
2                   board, authority, or other political  
3                   subdivision of a State.

4                   “(C) COPIES AND ELECTRONIC DOCU-  
5                   MENTS ACCEPTED.—The term ‘applicable iden-  
6                   tifying document’ includes—

7                   “(i) any copy of a document described  
8                   in subparagraph (A) or (B); and

9                   “(ii) any document described in sub-  
10                  paragraph (A) or (B) which is presented in  
11                  electronic format.”.

12                  (b) PAYMENTS TO STATES TO COVER COSTS OF RE-  
13                  QUIRED IDENTIFICATION DOCUMENTS.—

14                  (1) IN GENERAL.—The Election Assistance  
15                  Commission shall make payments to States to cover  
16                  the costs incurred in providing identifications under  
17                  section 303(c)(5) of the Help America Vote Act of  
18                  2002, as amended by this section.

19                  (2) AMOUNT OF PAYMENT.—The amount of the  
20                  payment made to a State under this subsection for  
21                  any year shall be equal to the amount of fees which  
22                  would have been collected by the State during the  
23                  year in providing the identifications required under  
24                  section 303(c)(5) of such Act if the State had  
25                  charged the usual and customary rates for such

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 (c)(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 lands, and the Commonwealth of the Northern Mariana  
2 Islands.

3 (e) EFFECTIVE DATE.—Section 303(e) of such Act  
4 (52 U.S.C. 21083(d)(2)), as redesignated by subsection  
5 (a), is amended by adding at the end the following new  
6 paragraph:

7 “(3) VOTER IDENTIFICATION REQUIRE-  
8 MENTS.—Each State and jurisdiction shall be re-  
9 quired to comply with the requirements of subsection  
10 (c) with respect to elections for Federal office held  
11 on or after January 1, 2027.”.

12 **SEC. 2. GRANT PROGRAM FOR PROVISION OF STATE AND**  
13 **TRIBAL IDENTIFICATION.**

14 (a) IN GENERAL.—Subtitle D of title II of the Help  
15 America Vote Act of 2002 (Public Law 107–252; 52  
16 U.S.C. 21001 et seq.) is amended by adding at the end  
17 the following new part:

18 **“PART 7—GRANT PROGRAM FOR PROVISION OF**  
19 **IDENTIFICATION**

20 **“SEC. 298. GRANT PROGRAM FOR PROVISION OF IDENTI-**  
21 **FICATION.**

22 “(a) GRANTS TO STATES.—

23 “(1) IN GENERAL.—The Commission shall  
24 make grants to each State that provides identifica-

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.

1           “(2) IDENTIFICATION DESCRIBED.—An identi-  
2           fication described in this subsection is an identifica-  
3           tion document issued by a Tribal government that  
4           includes a photo of the individual.

5           “(3) TRIBAL GOVERNMENT.—In this sub-  
6           section, the term ‘Tribal government’ means the gov-  
7           erning body of any Indian or Alaska Native tribe,  
8           band, nation, pueblo, village, or community that the  
9           Secretary of the Interior acknowledges to exist as an  
10          Indian tribe under the Federally Recognized Indian  
11          Tribe List Act of 1994 (25 U.S.C. 479a et seq.).

12          “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
13          is authorized to be appropriated \$25,000,000 for each of  
14          fiscal years 2026 through 2030 to carry out this section.”.

15          (b) CLERICAL AMENDMENT.—The table of contents  
16          of such Act is amended by inserting after the item relating  
17          to section 296 the following:

          “PART 7—GRANT PROGRAM FOR PROVISION OF IDENTIFICATION

          “Sec. 298. Grant program for provision of identification.”.

