

103^D CONGRESS
1ST SESSION

S. 2

To establish national voter registration procedures for Federal elections, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 21 (legislative day, JANUARY 5), 1993

Mr. FORD (for himself, Mr. HATFIELD, Mr. MITCHELL, Mr. LAUTENBERG, Mr. WELLSTONE, Mr. SARBANES, Ms. MOSELEY-BRAUN, Mr. CONRAD, Mr. HARKIN, Mr. LEAHY, Mr. PELL, Mr. MOYNIHAN, and Mr. RIEGLE) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To establish national voter registration procedures for Federal elections, 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 “National Voter Reg-
5 istration Act of 1993”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—The Congress finds that—

8 (1) the right of citizens of the United States to
9 vote is a fundamental right;

1 (2) it is the duty of the Federal, State, and
2 local governments to promote the exercise of that
3 right; and

4 (3) discriminatory and unfair registration laws
5 and procedures can have a direct and damaging ef-
6 fect on voter participation in elections for Federal
7 office and disproportionately harm voter participa-
8 tion by various groups, including racial minorities.

9 (b) PURPOSES.—The purposes of this Act are—

10 (1) to establish procedures that will increase
11 the number of eligible citizens who register to vote
12 in elections for Federal office;

13 (2) to make it possible for Federal, State, and
14 local governments to implement this Act in a man-
15 ner that enhances the participation of eligible citi-
16 zens as voters in elections for Federal office;

17 (3) to protect the integrity of the electoral proc-
18 ess; and

19 (4) to ensure that accurate and current voter
20 registration rolls are maintained.

21 **SEC. 3. DEFINITIONS.**

22 As used in this Act—

23 (1) the term “election” has the meaning stated
24 in section 301(1) of the Federal Election Campaign
25 Act of 1971 (2 U.S.C. 431(1));

1 (2) the term “Federal office” has the meaning
2 stated in section 301(3) of the Federal Election
3 Campaign Act of 1971 (2 U.S.C. 431(3));

4 (3) the term “motor vehicle driver’s license” in-
5 cludes any personal identification document issued
6 by a State motor vehicle authority;

7 (4) the term “State” means a State of the
8 United States and the District of Columbia; and

9 (5) the term “voter registration agency” means
10 an office designated under section 7(a)(1) to per-
11 form voter registration activities.

12 **SEC. 4. NATIONAL PROCEDURES FOR VOTER REGISTRA-**
13 **TION FOR ELECTIONS FOR FEDERAL OFFICE.**

14 (a) IN GENERAL.—Except as provided in subsection
15 (b), notwithstanding any other Federal or State law, in
16 addition to any other method of voter registration pro-
17 vided for under State law, each State shall establish proce-
18 dures to register to vote in elections for Federal office—

19 (1) by application made simultaneously with an
20 application for a motor vehicle driver’s license pursu-
21 ant to section 5;

22 (2) by mail application pursuant to section 6;
23 and

24 (3) by application in person—

1 (A) at the appropriate registration site
2 designated with respect to the residence of the
3 applicant in accordance with State law; and

4 (B) at a Federal, State, or nongovern-
5 mental office designated under section 7.

6 (b) NONAPPLICABILITY TO CERTAIN STATES.—This
7 Act does not apply to a State described in either or both
8 of the following paragraphs:

9 (1) A State in which there is no voter registra-
10 tion requirement for any voter in the State with re-
11 spect to an election for Federal office.

12 (2) A State in which all voters in the State may
13 register to vote at the polling place at the time of
14 voting in a general election for Federal office.

15 **SEC. 5. SIMULTANEOUS APPLICATION FOR VOTER REG-**
16 **ISTRATION AND APPLICATION FOR MOTOR**
17 **VEHICLE DRIVER'S LICENSE.**

18 (a) IN GENERAL.—(1) Except as provided in sub-
19 section (b), each State motor vehicle driver's license appli-
20 cation (including any renewal application) submitted to
21 the appropriate State motor vehicle authority under State
22 law shall serve as an application for voter registration with
23 respect to elections for Federal office.

1 (2) An application for voter registration submitted
2 under paragraph (1) shall be considered as updating any
3 previous voter registration by the applicant.

4 (b) DECLINATION TO REGISTER.—(1) An applicant
5 for a State motor vehicle driver’s license may decline in
6 writing to be registered by means of the motor vehicle
7 driver’s license application.

8 (2) No information relating to a declination pursuant
9 to paragraph (1) may be used for any purpose other than
10 voter registration.

11 (c) FORMS AND PROCEDURES.—(1) Each State shall
12 include a voter registration application form for elections
13 for Federal office as part of an application for a State
14 motor vehicle driver’s license.

15 (2) The voter registration application portion of an
16 application for a State motor vehicle driver’s license—

17 (A) may not require any information that dupli-
18 cates information required in the driver’s license
19 portion of the form (other than a second signature
20 or other information necessary under subparagraph
21 (C));

22 (B) shall include a means by which an applicant
23 may decline to register to vote pursuant to sub-
24 section (b);

1 (C) may require only the minimum amount of
2 information necessary to—

3 (i) prevent duplicate voter registrations;

4 and

5 (ii) enable State election officials to assess
6 the eligibility of the applicant and to administer
7 voter registration and other parts of the elec-
8 tion process;

9 (D) shall include a statement that—

10 (i) states each eligibility requirement (in-
11 cluding citizenship);

12 (ii) contains an attestation that the appli-
13 cant meets each such requirement; and

14 (iii) requires the signature of the applicant,
15 under penalty of perjury; and

16 (E) shall be made available (as submitted by
17 the applicant, or in machine readable or other for-
18 mat) to the appropriate State election official as pro-
19 vided by State law.

20 (d) CHANGE OF ADDRESS.—Any change of address
21 form submitted in accordance with State law for purposes
22 of a State motor vehicle driver's license shall serve as noti-
23 fication of change of address for voter registration with
24 respect to elections for Federal office for the registrant

1 involved unless the registrant states on the form that the
2 change of address is not for voter registration purposes.

3 **SEC. 6. MAIL REGISTRATION.**

4 (a) FORM.—(1) Each State shall accept and use the
5 mail voter registration application form prescribed by the
6 Federal Election Commission pursuant to section 9(a)(2)
7 for the registration of voters in elections for Federal office.

8 (2) In addition to accepting and using the form de-
9 scribed in paragraph (1), a State may develop and use
10 a mail voter registration form that meets all of the criteria
11 stated in section 9(b) for the registration of voters in elec-
12 tions for Federal office.

13 (3) A form described in paragraph (1) or (2) shall
14 be accepted and used for notification of a registrant's
15 change of address.

16 (b) AVAILABILITY OF FORMS.—The chief State elec-
17 tion official of a State shall make the forms described in
18 subsection (a) available for distribution through govern-
19 mental and private entities, with particular emphasis on
20 making them available for organized voter registration
21 programs.

22 (c) FIRST-TIME VOTERS.—(1) Subject to paragraph
23 (2), a State may by law require a person to vote in person
24 if—

1 (A) the person was registered to vote in a juris-
2 diction by mail; and

3 (B) the person has not previously voted in that
4 jurisdiction.

5 (2) Paragraph (1) does not apply in the case of a
6 person—

7 (A) who is entitled to vote by absentee ballot
8 under the Uniformed and Overseas Citizens Absen-
9 tee Voting Act (42 U.S.C. 1973ff-1 et seq.);

10 (B) who is provided the right to vote otherwise
11 than in person under section 3(b)(2)(B)(ii) of the
12 Voting Accessibility for the Elderly and Handi-
13 capped Act (42 U.S.C. 1973ee-1(b)(2)(B)(ii)); or

14 (C) who is entitled to vote otherwise than in
15 person under any other Federal law.

16 **SEC. 7. VOTER REGISTRATION AGENCIES.**

17 (a) DESIGNATION.—(1) Each State shall designate
18 agencies for the registration of voters in elections for Fed-
19 eral office.

20 (2) Each State shall designate as voter registration
21 agencies—

22 (A) all offices in the State that provide public
23 assistance, unemployment compensation, or related
24 services; and

1 (B) all offices in the State that provide State-
2 funded programs primarily engaged in providing
3 services to persons with disabilities.

4 (3)(A) In addition to voter registration agencies des-
5 ignated under paragraph (2), each State shall designate
6 other offices within the State as voter registration agen-
7 cies.

8 (B) Voter registration agencies designated under sub-
9 paragraph (A) may include—

10 (i) State or local government offices such as
11 public libraries, public schools, offices of city and
12 county clerks (including marriage license bureaus),
13 fishing and hunting license bureaus, government rev-
14 enue offices, and offices not described in paragraph
15 (2)(B) that provide services to persons with disabil-
16 ities; and

17 (ii) Federal and nongovernmental offices, with
18 the agreement of such offices.

19 (4)(A) At each voter registration agency, the follow-
20 ing services shall be made available:

21 (i) Distribution of mail voter registration appli-
22 cation forms in accordance with paragraph (6).

23 (ii) Assistance to applicants in completing voter
24 registration application forms.

1 (iii) Acceptance of completed voter registration
2 application forms for transmittal to the appropriate
3 State election official.

4 (B) If a voter registration agency designated under
5 paragraph (2)(B) provides services to a person with a dis-
6 ability at the person's home, the agency shall provide the
7 services described in subparagraph (A) at the person's
8 home.

9 (5) A person who provides service described in para-
10 graph (4) shall not—

11 (A) seek to influence an applicant's political
12 preference or party registration;

13 (B) display any such political preference or
14 party allegiance; or

15 (C) make any statement to an applicant or take
16 any action the purpose or effect of which is to dis-
17 courage the applicant from registering to vote.

18 (6) A voter registration agency that is an office that
19 provides service or assistance in addition to conducting
20 voter registration shall—

21 (A) distribute with each application for such
22 service or assistance, and with each recertification,
23 renewal, or change of address form relating to such
24 service or assistance—

1 (i) the mail voter registration application
2 form described in section 9(a)(2); or

3 (ii) the office's own form if it is substan-
4 tially equivalent to the form described in section
5 9(a)(2),

6 unless the applicant, in writing, declines to register
7 to vote;

8 (B) to the greatest extent practicable, incor-
9 porate in application forms and other forms used at
10 those offices for purposes other than voter registra-
11 tion a means by which a person who completes the
12 form may decline, in writing, to register to vote in
13 elections for Federal office; and

14 (C) provide to each applicant who does not de-
15 cline to register to vote the same degree of assist-
16 ance with regard to the completion of the registra-
17 tion application form as is provided by the office
18 with regard to the completion of its own forms.

19 (7) No information relating to a declination to reg-
20 ister to vote in connection with an application made at
21 an office described in paragraph (6) may be used for any
22 purpose other than voter registration.

23 (b) FEDERAL GOVERNMENT AND PRIVATE SECTOR
24 COOPERATION.—All departments, agencies, and other en-
25 tities of the executive branch of the Federal Government

1 shall, to the greatest extent practicable, cooperate with the
2 States in carrying out subsection (a), and all nongovern-
3 mental entities are encouraged to do so.

4 (c) TRANSMITTAL DEADLINE.—(1) Subject to para-
5 graph (2), a completed registration application accepted
6 at a voter registration agency shall be transmitted to the
7 appropriate State election official not later than 10 days
8 after the date of acceptance.

9 (2) If a registration application is accepted within 5
10 days before the last day for registration to vote in an elec-
11 tion, the application shall be transmitted to the appro-
12 priate State election official not later than 5 days after
13 the date of acceptance.

14 **SEC. 8. REQUIREMENTS WITH RESPECT TO ADMINISTRA-**
15 **TION OF VOTER REGISTRATION.**

16 (a) IN GENERAL.—In the administration of voter
17 registration for elections for Federal office, each State
18 shall—

19 (1) ensure that any eligible applicant is reg-
20 istered to vote in an election—

21 (A) in the case of registration with a motor
22 vehicle application under section 5, if the valid
23 voter registration form of the applicant is sub-
24 mitted to the appropriate State motor vehicle
25 authority not later than the lesser of 30 days,

1 or the period provided by State law, before the
2 date of the election;

3 (B) in the case of registration by mail
4 under section 6, if the valid voter registration
5 form of the applicant is postmarked not later
6 than the lesser of 30 days, or the period pro-
7 vided by State law, before the date of the elec-
8 tion;

9 (C) in the case of registration at a voter
10 registration agency, if the valid voter registra-
11 tion form of the applicant is accepted at the
12 voter registration agency not later than the
13 lesser of 30 days, or the period provided by
14 State law, before the date of the election; and

15 (D) in any other case, if the valid voter
16 registration form of the applicant is received by
17 the appropriate State election official not later
18 than the lesser of 30 days, or the period pro-
19 vided by State law, before the date of the elec-
20 tion;

21 (2) require the appropriate State election offi-
22 cial to send notice to each applicant of the disposi-
23 tion of the application;

1 (3) provide that the name of a registrant may
2 not be removed from the official list of eligible voters
3 except—

4 (A) at the request of the registrant;

5 (B) as provided by State law, by reason of
6 criminal conviction or mental incapacity; or

7 (C) as provided under paragraph (4);

8 (4) conduct a general program that makes a
9 reasonable effort to remove the names of ineligible
10 voters from the official lists of eligible voters by rea-
11 son of—

12 (A) the death of the registrant; or

13 (B) a change in the residence of the reg-
14 istrant, in accordance with subsections (b), (c),
15 and (d);

16 (5) inform applicants under sections 5, 6, and
17 7 of—

18 (A) voter eligibility requirements; and

19 (B) penalties provided by law for submis-
20 sion of a false voter registration application;
21 and

22 (6) ensure that the identity of the voter reg-
23 istration agency through which any particular voter
24 is registered is not disclosed to the public.

1 (b) CONFIRMATION OF VOTER REGISTRATION.—Any
2 State program or activity to protect the integrity of the
3 electoral process by ensuring the maintenance of an accu-
4 rate and current voter registration roll for elections for
5 Federal office—

6 (1) shall be uniform, nondiscriminatory, and in
7 compliance with the Voting Rights Act of 1965 (42
8 U.S.C. 1973 et seq.); and

9 (2) shall not result in the removal of the name
10 of any person from the official list of voters reg-
11 istered to vote in an election for Federal office by
12 reason of the person’s failure to vote.

13 (c) VOTER REMOVAL PROGRAMS.—(1) A State may
14 meet the requirement of subsection (a)(4) by establishing
15 a program under which—

16 (A) change-of-address information supplied by
17 the Postal Service through its licensees is used to
18 identify registrants whose addresses may have
19 changed; and

20 (B) if it appears from information provided by
21 the Postal Service that—

22 (i) a registrant has moved to a different
23 residence address in the same registrar’s juris-
24 diction in which the registrant is currently reg-
25 istered, the registrar changes the registration

1 records to show the new address and sends the
2 registrant a notice of the change by forwardable
3 mail and a postage prepaid pre-addressed re-
4 turn form by which the registrant may verify or
5 correct the address information; or

6 (ii) the registrant has moved to a different
7 residence address not in the same registrar's ju-
8 risdiction, the registrar uses the notice proce-
9 dure described in subsection (d)(2) to confirm
10 the change of address.

11 (2)(A) A State shall complete, not later than 90 days
12 prior to the date of a primary or general election for Fed-
13 eral office, any program the purpose of which is to system-
14 atically remove the names of ineligible voters from the offi-
15 cial lists of eligible voters.

16 (B) Subparagraph (A) shall not be construed to
17 preclude—

18 (i) the removal of names from official lists of
19 voters on a basis described in paragraph (3) (A) or
20 (B) or (4)(A) of subsection (a); or

21 (ii) correction of registration records pursuant
22 to this Act.

23 (d) REMOVAL OF NAMES FROM VOTING ROLLS.—(1)
24 A State shall not remove the name of a registrant from
25 the official list of eligible voters in elections for Federal

1 office on the ground that the registrant has changed resi-
2 dence unless the registrant—

3 (A) confirms in writing that the registrant has
4 changed residence to a place outside the registrar's
5 jurisdiction in which the registrant is registered; or

6 (B)(i) has failed to respond to a notice de-
7 scribed in paragraph (2); and

8 (ii) has not voted or appeared to vote (and, if
9 necessary, correct the registrar's record of the reg-
10 istrant's address) in an election during the period
11 beginning on the date of the notice and ending on
12 the day after the date of the second general election
13 for Federal office that occurs after the date of the
14 notice.

15 (2) A notice is described in this paragraph if it is
16 a postage prepaid and pre-addressed return card, sent by
17 forwardable mail, on which the registrant may state his
18 or her current address, together with a notice to the fol-
19 lowing effect:

20 (A) If the registrant did not change his or her
21 residence, or changed residence but remained in the
22 registrar's jurisdiction, the registrant should return
23 the card not later than the time provided for mail
24 registration under subsection (a)(1)(B). If the card
25 is not returned, affirmation or confirmation of the

1 registrant's address may be required before the reg-
2 istrant is permitted to vote in a Federal election
3 during the period beginning on the date of the notice
4 and ending on the day after the date of the second
5 general election for Federal office that occurs after
6 the date of the notice, and if the registrant does not
7 vote in an election during that period the reg-
8 istrant's name will be removed from the list of eligi-
9 ble voters.

10 (B) If the registrant has changed residence to
11 a place outside the registrar's jurisdiction in which
12 the registrant is registered, information concerning
13 how the registrant can continue to be eligible to
14 vote.

15 (3) A voting registrar shall correct an official list of
16 eligible voters in elections for Federal office in accordance
17 with change of residence information obtained in conform-
18 ance with this subsection.

19 (e) PROCEDURE FOR VOTING FOLLOWING FAILURE
20 TO RETURN CARD.—(1) A registrant who has moved from
21 an address in the area covered by a polling place to an
22 address in the same area shall, notwithstanding failure to
23 notify the registrar of the change of address prior to the
24 date of an election, be permitted to vote at that polling
25 place upon oral or written affirmation by the registrant

1 of the change of address before an election official at that
2 polling place.

3 (2)(A) A registrant who has moved from an address
4 in the area covered by one polling place to an address in
5 an area covered by a second polling place within the same
6 registrar's jurisdiction and the same congressional district
7 and who has failed to notify the registrar of the change
8 of address prior to the date of an election, at the option
9 of the registrant—

10 (i) shall be permitted to correct the voting
11 records and vote at the registrant's former polling
12 place, upon oral or written affirmation by the reg-
13 istrant of the new address before an election official
14 at that polling place; or

15 (ii)(I) shall be permitted to correct the voting
16 records and vote at a central location within the
17 same registrar's jurisdiction designated by the reg-
18 istrar where a list of eligible voters is maintained,
19 upon written affirmation by the registrant of the
20 new address on a standard form provided by the
21 registrar at the central location; or

22 (II) shall be permitted to correct the voting
23 records for purposes of voting in future elections at
24 the appropriate polling place for the current address
25 and, if permitted by State law, shall be permitted to

1 vote in the present election, upon confirmation by
2 the registrant of the new address by such means as
3 are required by law.

4 (B) If State law permits the registrant to vote in the
5 current election upon oral or written affirmation by the
6 registrant of the new address at a polling place described
7 in subparagraph (A)(ii)(II), voting at the former polling
8 place as described in subparagraph (A)(i) and at a central
9 location as described in subparagraph (A)(ii)(I) need not
10 be provided as alternative options.

11 (3) If the registration records indicate that a reg-
12 istrant has moved from an address in the area covered
13 by a polling place, the registrant shall, upon oral or writ-
14 ten affirmation by the registrant before an election official
15 at that polling place that the registrant continues to reside
16 at the address previously made known to the registrar, be
17 permitted to vote at that polling place.

18 (f) CHANGE OF VOTING ADDRESS WITHIN A JURIS-
19 DICTION.—In the case of a change of address, for voting
20 purposes, of a registrant to another address within the
21 same registrar’s jurisdiction, the registrar shall correct the
22 voting registration list accordingly, and the registrant’s
23 name may not be removed from the official list of eligible
24 voters by reason of such a change of address except as
25 provided in subsection (d).

1 (g) CONVICTION IN FEDERAL COURT.—(1) On the
2 conviction of a person of a felony in a district court of
3 the United States, the United States attorney shall give
4 written notice of the conviction to the chief State election
5 official designated under section 10 of the State of the
6 person's residence.

7 (2) A notice given pursuant to paragraph (1) shall
8 include—

9 (A) the name of the offender;

10 (B) the offender's age and residence address;

11 (C) the date of entry of the judgment;

12 (D) a description of the offenses of which the
13 offender was convicted; and

14 (E) the sentence imposed by the court.

15 (3) On request of the chief State election official of
16 a State or other State official with responsibility for deter-
17 mining the effect that a conviction may have on an offend-
18 er's qualification to vote, the United States attorney shall
19 provide such additional information as the United States
20 attorney may have concerning the offender and the offense
21 of which the offender was convicted.

22 (4) If a conviction of which notice was given pursuant
23 to paragraph (1) is overturned, the United States attorney
24 shall give the official to whom the notice was given written
25 notice of the vacation of the judgment.

1 (5) The chief State election official shall notify the
2 voter registration officials of the local jurisdiction in which
3 an offender resides of the information received under this
4 subsection.

5 (h) REDUCED POSTAL RATES.—(1) Subchapter II of
6 chapter 36 of title 39, United States Code, is amended
7 by adding at the end the following:

8 **“§ 3629. Reduced rates for voter registration pur-**
9 **poses**

10 “The Postal Service shall make available to a State
11 or local voting registration official the rate for any class
12 of mail that is available to a qualified nonprofit organiza-
13 tion under section 3626 for the purpose of making a mail-
14 ing that the official certifies is required or authorized by
15 the National Voter Registration Act of 1992.”.

16 (2) Section 2401(c) of title 39, United States Code,
17 is amended by striking “and 3626(a)–(h)” and inserting
18 “3626(a)–(h), and 3629”.

19 (3) Section 3627 of title 39, United States Code, is
20 amended by striking “or 3626 of this title,” and inserting
21 “, 3626, or 3629 of this title”.

22 (4) The table of sections for chapter 36 of title 39,
23 United States Code, is amended by inserting after the
24 item relating to section 3628 the following new item:

“3629. Reduced rates for voter registration purposes.”.

1 (i) PUBLIC DISCLOSURE OF VOTER REGISTRATION
2 ACTIVITIES.—(1) Each State shall maintain for at least
3 2 years and shall make available for public inspection and,
4 where available, photocopying at a reasonable cost, all
5 records concerning the implementation of programs and
6 activities conducted for the purpose of ensuring the accu-
7 racy and currency of official lists of eligible voters, except
8 to the extent that such records relate to a declination to
9 register to vote or to the identity of a voter registration
10 agency through which any particular voter is registered.

11 (2) The records maintained pursuant to paragraph
12 (1) shall include lists of the names and addresses of all
13 persons to whom notices described in subsection (d)(2) are
14 sent, and information concerning whether or not each such
15 person has responded to the notice as of the date that
16 inspection of the records is made.

17 (j) DEFINITION.—For the purposes of this section,
18 the term “registrar’s jurisdiction” means—

19 (1) an incorporated city, town, borough, or
20 other form of municipality;

21 (2) if voter registration is maintained by a
22 county, parish, or other unit of government that gov-
23 erns a larger geographic area than a municipality,
24 the geographic area governed by that unit of govern-
25 ment; or

1 (3) if voter registration is maintained on a con-
2 solidated basis for more than one municipality or
3 other unit of government by an office that performs
4 all of the functions of a voting registrar, the geo-
5 graphic area of the consolidated municipalities or
6 other geographic units.

7 **SEC. 9. FEDERAL COORDINATION AND REGULATIONS.**

8 (a) IN GENERAL.—The Federal Election Commis-
9 sion—

10 (1) in consultation with the chief election offi-
11 cers of the States, the heads of the departments,
12 agencies, and other entities of the executive branch
13 of the Federal Government, and representatives of
14 nongovernmental entities, shall prescribe such regu-
15 lations as are necessary to carry out this Act;

16 (2) in consultation with the chief election offi-
17 cers of the States, shall develop a mail voter reg-
18 istration application form for elections for Federal
19 office;

20 (3) not later than June 30 of each odd-num-
21 bered year, shall submit to the Congress a report as-
22 sessing the impact of this Act on the administration
23 of elections for Federal office during the preceding
24 2-year period and including recommendations for

1 improvements in Federal and State procedures,
2 forms, and other matters affected by this Act; and

3 (4) shall provide information to the States with
4 respect to the responsibilities of the States under
5 this Act.

6 (b) CONTENTS OF MAIL VOTER REGISTRATION
7 FORM.—The mail voter registration form developed under
8 subsection (a)(2)—

9 (1) may require only such identifying informa-
10 tion (including the signature of the applicant) and
11 other information (including data relating to pre-
12 vious registration by the applicant), as is necessary
13 to enable the appropriate State election official to
14 assess the eligibility of the applicant and to admin-
15 ister voter registration and other parts of the elec-
16 tion process;

17 (2) shall include a statement that—

18 (A) specifies each eligibility requirement
19 (including citizenship);

20 (B) contains an attestation that the appli-
21 cant meets each such requirement; and

22 (C) requires the signature of the applicant,
23 under penalty of perjury; and

24 (3) may not include any requirement for notari-
25 zation or other formal authentication.

1 **SEC. 10. DESIGNATION OF CHIEF STATE ELECTION OFFI-**
2 **CIAL.**

3 Each State shall designate a State officer or employee
4 as the chief State election official to be responsible for co-
5 ordination of State responsibilities under this Act.

6 **SEC. 11. CIVIL ENFORCEMENT AND PRIVATE RIGHT OF AC-**
7 **TION.**

8 (a) **ATTORNEY GENERAL.**—The Attorney General
9 may bring a civil action in an appropriate district court
10 for such declaratory or injunctive relief as is necessary to
11 carry out this Act.

12 (b) **PRIVATE RIGHT OF ACTION.**—(1) A person who
13 is aggrieved by a violation of this Act may provide written
14 notice of the violation to the chief election official of the
15 State involved.

16 (2) If the violation is not corrected within 90 days
17 after receipt of a notice under paragraph (1), or within
18 20 days after receipt of the notice if the violation occurred
19 within 120 days before the date of an election for Federal
20 office, the aggrieved person may bring a civil action in an
21 appropriate district court for declaratory or injunctive re-
22 lief with respect to the violation.

23 (3) If the violation occurred within 30 days before
24 the date of an election for Federal office, the aggrieved
25 person need not provide notice to the chief election official

1 of the State under paragraph (1) before bringing a civil
2 action under paragraph (2).

3 (c) ATTORNEY'S FEES.—In a civil action under this
4 section, the court may allow the prevailing party (other
5 than the United States) reasonable attorney fees, includ-
6 ing litigation expenses, and costs.

7 (d) RELATION TO OTHER LAWS.—(1) The rights and
8 remedies established by this section are in addition to all
9 other rights and remedies provided by law, and neither
10 the rights and remedies established by this section nor any
11 other provision of this Act shall supersede, restrict, or
12 limit the application of the Voting Rights Act of 1965 (42
13 U.S.C. 1973 et seq.).

14 (2) Nothing in this Act authorizes or requires con-
15 duct that is prohibited by the Voting Rights Act of 1965
16 (42 U.S.C. 1973 et seq.).

17 **SEC. 12. CRIMINAL PENALTIES.**

18 A person, including an election official, who in any
19 election for Federal office—

20 (1) knowingly and willfully intimidates, threat-
21 ens, or coerces, or attempts to intimidate, threaten,
22 or coerce, any person for—

23 (A) registering to vote, or voting, or at-
24 tempting to register or vote;

1 (B) urging or aiding any person to register
2 to vote, to vote, or to attempt to register or
3 vote; or

4 (C) exercising any right under this Act; or
5 (2) knowingly and willfully deprives, defrauds,
6 or attempts to deprive or defraud the residents of a
7 State of a fair and impartially conducted election
8 process, by—

9 (A) the procurement or submission of voter
10 registration applications that are known by the
11 person to be materially false, fictitious, or
12 fraudulent under the laws of the State in which
13 the election is held; or

14 (B) the procurement, casting, or tabulation
15 of ballots that are known by the person to be
16 materially false, fictitious, or fraudulent under
17 the laws of the State in which the election is
18 held,

19 shall be fined in accordance with title 18, United States
20 Code, or imprisoned not more than 5 years, or both.

21 **SEC. 13. EFFECTIVE DATE.**

22 This Act shall take effect—

23 (1) with respect to a State that on the date of
24 enactment of this Act has a provision in the con-
25 stitution of the State that would preclude compliance

1 with this Act unless the State maintained separate
2 Federal and State official lists of eligible voters,
3 on January 1, 1996; and
4 (2) with respect to any State not described in
5 paragraph (1), on January 1, 1995.

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