

117TH CONGRESS
2D SESSION

H. R. 7960

To amend the Real ID Act of 2005 to include citizenship status as part of the minimum requirements with respect to a driver's license and identification card issued to a person by a State, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2022

Mr. RODNEY DAVIS of Illinois introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Real ID Act of 2005 to include citizenship status as part of the minimum requirements with respect to a driver's license and identification card issued to a person by a State, 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 “Citizen Vote Protection
5 Act”.

6 **SEC. 2. USE OF PHOTO IDENTIFICATION.**

7 (a) FINDINGS; SENSE OF CONGRESS.—

1 (1) FINDINGS.—Congress finds the following:

2 (A) Photo voter identification programs es-
3 tablished by the States should be administered
4 without unlawful discrimination and with an
5 eye toward balancing appropriate access to the
6 ballot box with election integrity and voter con-
7 fidence goals.

8 (B) As confirmed by the bipartisan Com-
9 mission on Federal Election Reform (commonly
10 known as the Carter-Baker Commission),
11 “[v]oters in nearly 100 democracies use a photo
12 identification card without fear of infringement
13 of their rights”.

14 (C) As confirmed by the Carter-Baker
15 Commission, “[t]he right to vote is a vital com-
16 ponent of U.S. citizenship and all States should
17 use their best efforts to obtain proof of citizen-
18 ship before registering voters.”.

19 (D) The Carter-Baker Commission was
20 correct in its 2005 report when it recommended
21 that the REAL ID Act be “modestly adapted
22 for voting purposes to indicate on the front or
23 back whether the individual is a U.S. citizen.”.

24 (E) Congress acknowledges the important
25 work completed by the Carter-Baker Commis-

1 sion and, by amending the REAL ID Act, re-
2 solves the concerns in the Commission’s report
3 that “[t]he REAL ID Act does not require that
4 the card indicates citizenship, but that would
5 need to be done if the card is to be used for
6 voting purposes”.

7 (F) Photographic voter identification is im-
8 portant for ensuring voter confidence in election
9 processes and outcomes.

10 (G) Requiring photographic voter identi-
11 fication is well within States’ constitutional
12 competence, including pursuant to the Quali-
13 fications Clause of the Constitution of the
14 United States (article I, section 2, clause 2),
15 the Presidential Electors Clause of the Con-
16 stitution (article II, section 1, clause 2), and
17 the Seventeenth Amendment.

18 (H) The Fifteenth Amendment, the Nine-
19 teenth Amendment, the Twenty-Fourth Amend-
20 ment, and the Twenty-Sixth Amendment,
21 among other references, make clear that the
22 Constitution prohibits voting by non-citizens in
23 Federal elections.

24 (I) Congress has the constitutional author-
25 ity, including under the aforementioned amend-

1 ments, to pass statutes preventing non-citizens
2 from voting in Federal elections, and did so
3 with the Illegal Immigration Reform and Immigrant
4 Responsibility Act of 1996.

5 (J) Congress may further exercise its constitutional
6 authority to ensure the Constitution’s prohibition on non-citizen voting in Federal
7 elections is upheld.

8 (2) SENSE OF CONGRESS.—It is the sense of
9 Congress that the States should implement the substance
10 of the recommendation of the Carter-Baker
11 Commission that, “[t]o ensure that persons presenting
12 themselves at the polling place are the ones
13 on the registration list, the Commission recommends
14 that states [encourage] voters to use the REAL ID
15 card, which was mandated in a law signed by the
16 President in May 2005”.

17 (b) REAL ID ACT AMENDMENT.—

18 (1) AMENDMENT.—Section 202(b) of the Real
19 ID Act of 2005 (49 U.S.C. 30301 note) is amended
20 by adding at the end the following new paragraph:

21 “(10) If the person is a citizen of the United
22 States, an indication of that citizenship, except that
23 no other information may be included with respect
24 to the immigration status of the person.”.

1 (2) APPLICABILITY.—The amendment made by
2 this subsection shall be effective January 1, 2026,
3 and shall apply with respect to any driver’s license
4 or identification card issued by a State on and after
5 such date.

6 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
7 tion or in any amendment made by this section may be
8 construed to establish or mandate the use of a national
9 identification card or to authorize any office of the execu-
10 tive branch to establish or mandate the use of a national
11 identification card.

○