

Overseas Citizens Absentee Voting Act, which comprises this chapter.

AMENDMENTS

2011—Subsec. (a)(1). Pub. L. 111-383, §1075(d)(6)(A), substituted “section 107(1)” for “section 107(a)” and “1973ff-6(1)” for “1973ff et seq.”

Subsec. (e)(1). Pub. L. 111-383, §1075(d)(6)(B), substituted “1973ff note” for “1977ff note”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2011 AMENDMENT

Pub. L. 111-383, div. A, title X, §1075(d), Jan. 7, 2011, 124 Stat. 4372, provided that the amendment by section 1075(d)(6) is effective as of Oct. 28, 2009, and as if included in Pub. L. 111-84 as enacted.

CHAPTER 205—NATIONAL VOTER REGISTRATION

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§ 20501. Findings and purposes

(a) Findings

The Congress finds that—

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

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

(3) discriminatory and unfair registration laws and procedures can have a direct and damaging effect on voter participation in elections for Federal office and disproportionately harm voter participation by various groups, including racial minorities.

(b) Purposes

The purposes of this chapter are—

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

(2) to make it possible for Federal, State, and local governments to implement this chapter in a manner that enhances the participation of eligible citizens as voters in elections for Federal office;

(3) to protect the integrity of the electoral process; and

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

(Pub. L. 103-31, §2, May 20, 1993, 107 Stat. 77.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original “this Act”, meaning Pub. L. 103-31, May 20,

1993, 107 Stat. 77, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 1973gg of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 103-31, §13, May 20, 1993, 107 Stat. 89, provided that: “This Act [see Tables for classification] shall take effect—

“(1) with respect to a State that on the date of enactment of this Act [May 20, 1993] has a provision in the constitution of the State that would preclude compliance with this Act unless the State maintained separate Federal and State official lists of eligible voters, on the later of—

“(A) January 1, 1996; or

“(B) the date that is 120 days after the date by which, under the constitution of the State as in effect on the date of enactment of this Act, it would be legally possible to adopt and place into effect any amendments to the constitution of the State that are necessary to permit such compliance with this Act without requiring a special election; and

“(2) with respect to any State not described in paragraph (1), on January 1, 1995.”

PROOF OF CITIZENSHIP

Pub. L. 104-132, title IX, §902, Apr. 24, 1996, 110 Stat. 1317, provided that: “Notwithstanding any other provision of law, a Federal, State, or local government agency may not use a voter registration card (or other related document) that evidences registration for an election for Federal office, as evidence to prove United States citizenship.”

Similar provisions were contained in section 117 of H.R. 2076, One Hundred Fourth Congress, as passed by the House of Representatives on Dec. 6, 1995, and as enacted into law by Pub. L. 104-91, title I, §101(a), Jan. 6, 1996, 110 Stat. 11, as amended by Pub. L. 104-99, title II, §211, Jan. 26, 1996, 110 Stat. 37.

§ 20502. Definitions

As used in this chapter—

(1) the term “election” has the meaning stated in section 30101(1) of this title;

(2) the term “Federal office” has the meaning stated in section 30101(3) of this title;

(3) the term “motor vehicle driver's license” includes any personal identification document issued by a State motor vehicle authority;

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

(5) the term “voter registration agency” means an office designated under section 20506(a)(1) of this title to perform voter registration activities.

(Pub. L. 103-31, §3, May 20, 1993, 107 Stat. 77.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 1973gg-1 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 20503. National procedures for voter registration for elections for Federal office

(a) In general

Except as provided in subsection (b), notwithstanding any other Federal or State law, in ad-

dition to any other method of voter registration provided for under State law, each State shall establish procedures to register to vote in elections for Federal office—

(1) by application made simultaneously with an application for a motor vehicle driver's license pursuant to section 20504 of this title;

(2) by mail application pursuant to section 20505 of this title; and

(3) by application in person—

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

(B) at a Federal, State, or nongovernmental office designated under section 20506 of this title.

(b) Nonapplicability to certain States

This chapter does not apply to a State described in either or both of the following paragraphs:

(1) A State in which, under law that is in effect continuously on and after August 1, 1994, there is no voter registration requirement for any voter in the State with respect to an election for Federal office.

(2) A State in which, under law that is in effect continuously on and after August 1, 1994, or that was enacted on or prior to August 1, 1994, and by its terms is to come into effect upon the enactment of this chapter, so long as that law remains in effect, all voters in the State may register to vote at the polling place at the time of voting in a general election for Federal office.

(Pub. L. 103-31, § 4, May 20, 1993, 107 Stat. 78; Pub. L. 104-91, title I, § 101(a), Jan. 6, 1996, 110 Stat. 11, amended Pub. L. 104-99, title II, § 211, Jan. 26, 1996, 110 Stat. 37.)

Editorial Notes

REFERENCES IN TEXT

Upon the enactment of this chapter, referred to in subsec. (b)(2), means the date of enactment of Pub. L. 103-31, which was approved May 20, 1993.

CODIFICATION

Section was formerly classified to section 1973gg-2 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

Amendment by Pub. L. 104-91 is based on section 116(a) of H.R. 2076, One Hundred Fourth Congress, as passed by the House of Representatives on Dec. 6, 1995, which was enacted into law by Pub. L. 104-91.

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-91, as amended by Pub. L. 104-99, substituted “August 1, 1994” for “March 11, 1993” wherever appearing.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1996 AMENDMENT

Section 116(b) of H.R. 2076, One Hundred Fourth Congress, as passed by the House of Representatives on Dec. 6, 1995, and as enacted into law by Pub. L. 104-91, title I, § 101(a), Jan. 6, 1996, 110 Stat. 11, as amended by Pub. L. 104-99, title II, § 211, Jan. 26, 1996, 110 Stat. 37, provided that: “The amendments made by subsection (a) [amending this section] shall take effect as if included in the provisions of the National Voter Registra-

tion Act of 1993 [Pub. L. 103-31, see Tables for classification].”

§ 20504. Simultaneous application for voter registration and application for motor vehicle driver's license

(a) In general

(1) Each State motor vehicle driver's license application (including any renewal application) submitted to the appropriate State motor vehicle authority under State law shall serve as an application for voter registration with respect to elections for Federal office unless the applicant fails to sign the voter registration application.

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

(b) Limitation on use of information

No information relating to the failure of an applicant for a State motor vehicle driver's license to sign a voter registration application may be used for any purpose other than voter registration.

(c) Forms and procedures

(1) Each State shall include a voter registration application form for elections for Federal office as part of an application for a State motor vehicle driver's license.

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

(A) may not require any information that duplicates information required in the driver's license portion of the form (other than a second signature or other information necessary under subparagraph (C));

(B) may require only the minimum amount of information necessary to—

(i) prevent duplicate voter registrations; and

(ii) enable State election officials to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(C) shall include a statement that—

(i) states each eligibility requirement (including citizenship);

(ii) contains an attestation that the applicant meets each such requirement; and

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

(D) shall include, in print that is identical to that used in the attestation portion of the application—

(i) the information required in section 20507(a)(5)(A) and (B) of this title;

(ii) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes; and

(iii) a statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes; and