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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To modify the timing of each decennial census of population, to count only citizens under any such census, to apportion Representatives in Congress among the several States based on such census, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. GREENE of Georgia introduced the following bill; which was referred to the Committee on _____

A BILL

To modify the timing of each decennial census of population, to count only citizens under any such census, to apportion Representatives in Congress among the several States based on such census, 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 “Making American
5 Elections Great Again Act”.

1 **SEC. 2. CENSUS OF POPULATION TIMING MODIFICATIONS**
2 **AND APPORTIONMENT BASED ONLY ON NUM-**
3 **BER OF CITIZENS.**

4 (a) CENSUS.—Section 141 of title 13, United States
5 Code, is amended—

6 (1) in subsection (a), by striking the first sen-
7 tence and inserting the following: “The Secretary
8 shall, on the date of the enactment of the Making
9 American Elections Great Again Act and every 10
10 years thereafter, take a decennial census of popu-
11 lation. The date on which such census is conducted
12 shall be known as the ‘decennial census date’. Any
13 such census may be conducted in such form and
14 content as the Secretary may determine, including
15 the use of sampling procedures and special sur-
16 veys.”;

17 (2) in subsection (d)—

18 (A) by striking “in the year 1985 and
19 every 10 years thereafter” and inserting “in the
20 year that is 5 years after the year a decennial
21 census of population is conducted under sub-
22 section (a) and every 10 years thereafter”; and

23 (B) by striking the last sentence and in-
24 serting the following: “The census under this
25 subsection shall be taken on the date that is 5
26 years after the date a decennial census of popu-

1 lation is conducted under subsection (a), as
2 amended by the Making American Elections
3 Great Again Act, and that date shall be known
4 as the ‘mid-decade census date’.”;

5 (3) by redesignating subsection (g) as sub-
6 section (h); and

7 (4) by inserting after subsection (f) the fol-
8 lowing:

9 “(g) In conducting the census required by subsection
10 (a), as amended by the Making American Elections Great
11 Again Act, and each decennial census thereafter, the Sec-
12 retary shall include in any questionnaire distributed or
13 otherwise used for the purpose of determining the total
14 population by States a checkbox or other similar option
15 for the respondent to indicate, for the respondent and for
16 each of the members of the household of the respondent,
17 whether such individual is a citizen of the United States.”.

18 (b) APPORTIONMENT.—

19 (1) EXCLUSION OF NONCITIZENS FROM NUM-
20 BER OF PERSONS USED TO DETERMINE APPORTION-
21 MENT OF REPRESENTATIVES AND NUMBER OF
22 ELECTORAL VOTES.—

23 (A) EXCLUSION.—Section 22(a) of the Act
24 entitled “An Act to provide for the fifteenth
25 and subsequent decennial censuses and to pro-

1 vide for apportionment of Representatives in
2 Congress”, approved June 18, 1929 (2 U.S.C.
3 2a(a)), is amended by inserting after “not
4 taxed” the following: “and individuals who are
5 not citizens of the United States”.

6 (B) EFFECTIVE DATE.—The amendment
7 made by subparagraph (A) shall apply with re-
8 spect to the apportionment of Representatives
9 carried out pursuant to paragraph (2) and any
10 decennial census thereafter.

11 (2) APPORTIONMENT UNDER NEW CENSUS.—
12 For purposes of establishing the number of districts
13 for the election of Representatives in a State with
14 respect to the One Hundred Twentieth Congress,
15 each State shall, immediately after the date of the
16 completion of the first census required under section
17 141(a) of title 13, United States Code, as amended
18 by subsection (a) of this section, begin to carry out
19 redistricting pursuant to the apportionment of Mem-
20 bers of the House of Representatives as a result of
21 such census.

1 **SEC. 3. REQUIREMENT TO PROVIDE GOVERNMENT PHOTO**
2 **IDENTIFICATION AND PROOF OF UNITED**
3 **STATES CITIZENSHIP TO VOTE IN FEDERAL**
4 **ELECTIONS.**

5 (a) REQUIREMENT TO PROVIDE GOVERNMENT
6 PHOTO IDENTIFICATION AND PROOF OF UNITED STATES
7 CITIZENSHIP AS CONDITION OF CASTING BALLOT.—Title
8 III of the Help America Vote Act of 2002 (52 U.S.C.
9 21081 et seq.) is amended by inserting after section 303
10 the following new section:

11 **“SEC. 303A. GOVERNMENT PHOTO IDENTIFICATION AND**
12 **PROOF OF UNITED STATES CITIZENSHIP RE-**
13 **QUIRED TO VOTE IN FEDERAL ELECTIONS.**

14 “(a) PROVISION OF GOVERNMENT PHOTO IDENTI-
15 FICATION AND PROOF OF UNITED STATES CITIZENSHIP
16 REQUIRED AS CONDITION OF CASTING BALLOT.—

17 “(1) INDIVIDUALS VOTING IN PERSON.—

18 “(A) IN GENERAL.—Notwithstanding any
19 other provision of law, the appropriate State or
20 local election official may not provide a ballot
21 for an election for Federal office to an indi-
22 vidual who desires to vote in person unless the
23 individual presents to the official—

24 “(i) a document that is both proof of
25 United States citizenship and government
26 photo identification; or

1 “(ii) a document that is proof of
2 United States citizenship, together with a
3 document that is government photo identi-
4 fication, if—

5 “(I) the name of the applicant is
6 identical on both such documents; or

7 “(II) in the case that the name
8 of the applicant is not identical on
9 both such documents, the applicant
10 provides evidence sufficient to dem-
11 onstrate that the name of such appli-
12 cant has changed, such as a court
13 order, marriage certificate, divorce de-
14 cree, or other vital document record.

15 “(B) AVAILABILITY OF PROVISIONAL BAL-
16 LOT.—If an individual does not present the
17 identification required under subparagraph (A),
18 the individual shall be permitted to cast a provi-
19 sional ballot with respect to the election under
20 section 302(a) but such provisional ballot may
21 only be counted as a vote in that election in ac-
22 cordance with State law if the individual is
23 verified as a citizen of the United States by the
24 appropriate State or local election official under
25 section 302(a)(4).

1 “(2) INDIVIDUALS VOTING OTHER THAN IN
2 PERSON.—

3 “(A) IN GENERAL.—Notwithstanding any
4 other provision of law, the appropriate State or
5 local election official may not accept any ballot
6 for an election for Federal office provided by an
7 individual who votes other than in person unless
8 the individual submits with the ballot—

9 “(i) a copy of a document that is both
10 proof of United States citizenship and gov-
11 ernment photo identification; or

12 “(ii) a copy of a document that is
13 proof of United States citizenship, together
14 with a copy of a document that is govern-
15 ment photo identification, if—

16 “(I) the name of the applicant is
17 identical on both such documents; or

18 “(II) in the case that the name
19 of the applicant is not identical on
20 both such documents, the applicant
21 provides evidence sufficient to dem-
22 onstrate that the name of such appli-
23 cant has changed, such as a court
24 order, marriage certificate, divorce de-
25 cree, or other vital document record.

1 “(B) AVAILABILITY OF PROVISIONAL BAL-
2 LOT.—An individual who desires to vote by mail
3 but who does not meet the requirements of sub-
4 paragraph (A) may cast such a ballot by mail
5 and the ballot shall be counted as a provisional
6 ballot in accordance with section 302(a) but
7 such provisional ballot may only be counted as
8 a vote in that election in accordance with State
9 law if the individual is verified as a citizen of
10 the United States by the appropriate State or
11 local election official under section 302(a)(4).

12 “(b) DEFINITIONS.—In this section:

13 “(1) GOVERNMENT PHOTO IDENTIFICATION.—
14 The term ‘government photo identification’ means,
15 with respect to an applicant for voter registration, a
16 valid identification card issued by a Federal, State,
17 or Tribal government that includes—

18 “(A) a photograph of the applicant;

19 “(B) the full name of the applicant; and

20 “(C) the date of birth of the applicant.

21 “(2) PROOF OF UNITED STATES CITIZEN-
22 SHIP.—The term ‘proof of United States citizenship’
23 means, with respect to an applicant for voter reg-
24 istration, any of the following:

25 “(A) A valid United States passport.

1 “(B) A United States military record of
2 service showing that the place of birth of the
3 applicant was in the United States.

4 “(C) A valid photo identification card
5 issued by a Federal, State, or Tribal govern-
6 ment showing that the place of birth of the ap-
7 plicant was in the United States.

8 “(D) A certified birth certificate issued by
9 a State, a unit of local government in a State,
10 or a Tribal government which—

11 “(i) was issued by the State, unit of
12 local government, or Tribal government in
13 which the applicant was born;

14 “(ii) was filed with the office respon-
15 sible for keeping vital records in the State;

16 “(iii) includes the full name, date of
17 birth, and place of birth of the applicant;

18 “(iv) lists the full names of one or
19 both of the parents of the applicant;

20 “(v) has the signature of an individual
21 who is authorized to sign birth certificates
22 on behalf of the State, unit of local govern-
23 ment, or Tribal government in which the
24 applicant was born;

1 “(vi) includes the date that the certifi-
2 cate was filed with the office responsible
3 for keeping vital records in the State; and

4 “(vii) has the seal of the State, unit
5 of local government, or Tribal government
6 that issued the birth certificate.

7 “(E) An extract from a United States hos-
8 pital Record of Birth created at the time of the
9 birth of the applicant that indicates that the
10 applicant’s place of birth was in the United
11 States.

12 “(F) A final adoption decree showing the
13 name of the applicant and that the applicant’s
14 place of birth was in the United States.

15 “(G) A Consular Report of Birth Abroad
16 of a citizen of the United States or a certifi-
17 cation of the applicant’s Report of Birth of a
18 United States citizen issued by the Secretary of
19 State.

20 “(H) A Naturalization Certificate or Cer-
21 tificate of Citizenship issued by the Secretary of
22 Homeland Security or any other document or
23 method of proof of United States citizenship
24 issued by the Federal government pursuant to

1 title III of the Immigration and Nationality Act
2 (8 U.S.C. 1401 et seq.).

3 “(I) An American Indian Card issued by
4 the Department of Homeland Security with the
5 classification ‘KIC’.”.

6 (b) CRIMINAL PENALTIES.—Section 12(2) of the Na-
7 tional Voter Registration Act of 1993 (52 U.S.C.
8 20511(2)) is amended—

9 (1) by striking “or” at the end of subparagraph
10 (A);

11 (2) by redesignating subparagraph (B) as sub-
12 paragraph (D); and

13 (3) by inserting after subparagraph (A) the fol-
14 lowing new subparagraphs:

15 “(B) providing material assistance to a
16 noncitizen in attempting to vote in an election
17 for Federal office;

18 “(C) providing a ballot for an election for
19 Federal office to an individual who fails to
20 present government photo identification and
21 proof of United States citizenship; or”.

22 (c) CONFORMING AND CLERICAL AMENDMENTS.—

23 (1) CONFORMING AMENDMENTS RELATING TO
24 REPEAL OF EXISTING PHOTO IDENTIFICATION RE-
25 QUIREMENTS FOR CERTAIN VOTERS.—Section 303

1 of the Help America Vote Act of 2002 (52 U.S.C.
2 21083) is amended—

3 (A) in the heading, by striking “**AND RE-**
4 **QUIREMENTS FOR VOTERS WHO REGISTER**
5 **BY MAIL**”;

6 (B) in subsection (b)—

7 (i) in the heading, by striking “FOR
8 VOTERS WHO REGISTER BY MAIL” and in-
9 serting “FOR MAIL-IN REGISTRATION
10 FORMS”; and

11 (ii) by striking paragraphs (1), (2),
12 and (3) and redesignating paragraphs (4)
13 and (5) as paragraphs (1) and (2), respec-
14 tively; and

15 (C) in subsection (c), by striking “sub-
16 sections (a)(5)(A)(i)(II) and (b)(3)(B)(i)(II)”
17 and inserting “subsection (a)(5)(A)(i)(II)”.

18 (2) CONFORMING AMENDMENT RELATED TO
19 ENFORCEMENT.—Section 401 of such Act (52
20 U.S.C. 21111) is amended by striking “sections 301,
21 302, 303, and 304” and inserting “subtitle A of title
22 III”.

23 (3) CLERICAL AMENDMENT.—The table of con-
24 tents of such Act is amended—

1 (A) by amending the item relating to sec-
2 tion 303 to read as follows:

“Sec. 303. Computerized statewide voter registration list requirements.”; and

3 (B) by inserting after the item relating to
4 section 303 the following:

“Sec. 303A. Proof of United States citizenship to vote in Federal elections.”.

5 (d) EFFECTIVE DATE.—This section and the amend-
6 ments made by this section shall apply with respect to any
7 regularly scheduled general election for Federal office oc-
8 ccurring in November 2026 and any Federal election there-
9 after.