

SAVE Act Debrief

“the State shall not accept and process an application to register to vote in an election for Federal office unless the applicant presents **documentary proof of United States citizenship** with the application.”

Valid forms of DPOC

Valid forms of DPOC

REAL IDs that indicate U.S. citizenship or other Federal, State, or Tribal government-issued photo ID showing place of birth in the U.S.

Valid forms of DPOC

REAL IDs that indicate U.S. citizenship or other Federal, State, or Tribal government-issued photo ID showing place of birth in the U.S.

Concern about widespread availability of this type of ID:

- Regular driver's licenses (even REAL ID) do not indicate US citizenship.
"Enhanced drivers licenses" are available in 5 states.
Idaho now offers an optional citizenship marker, and Ohio recently began adding a "noncitizen" designation to some IDs.
- Most IDs (including state, Tribal, and military) do not show place of birth.

Valid forms of DPOC

REAL IDs that indicate U.S. citizenship or other Federal, State, or Tribal government-issued photo ID showing place of birth in the U.S.

Passport

Valid forms of DPOC

REAL IDs that indicate U.S. citizenship or other Federal, State, or Tribal government-issued photo ID showing place of birth in the U.S.

Passport

Concern about widespread availability of passports:

- Only 51% of Americans have a passport.
- A new passport can cost \$165 and 4-6 weeks of processing time to obtain.

Valid forms of DPOC

REAL IDs that indicate U.S. citizenship or other Federal, State, or Tribal government-issued photo ID showing place of birth in the U.S.

Passport

ID *without* citizenship or place of birth

Valid forms of DPOC

REAL IDs that indicate U.S. citizenship or other Federal, State, or Tribal government-issued photo ID showing place of birth in the U.S.

Passport

ID *without* citizenship or place of birth **in addition to:**

- Birth certificate,
- Adoption decree,
- Naturalization certificate,
- Consular Report of Birth Abroad, **OR**
- American Indian Card with KIC classification

Valid forms of DPOC

REAL IDs that indicate U.S. citizenship or other Federal, State, or Tribal government-issued photo ID showing place of birth in the U.S.

Passport

ID *without* citizenship or place of birth **in addition to:**

- Birth certificate,
- Adoption decree,
- Naturalization certificate,
- Consular Report of Birth Abroad, **OR**
- American Indian Card with KIC classification

**Concern about
individuals who
have changed
their name**

**Concern about mail and online
voter registration**

Concern about mail and online voter registration

Those who submit a mail voter registration application form are required to submit documentary proof of citizenship **in person to the election office** by the voter registration deadline.

Concern about mail and online voter registration

Those who submit a mail voter registration application form are required to submit documentary proof of citizenship **in person to the election office** by the voter registration deadline.

No clarity on acceptable delivery method for other forms of registration.

Creates **criminal penalties** for officials who register an applicant that fails to present documentary proof – even if the applicant is a U.S. citizen

Allows **private individuals to sue officials** who register an applicant that fails to present documentary proof – even if the applicant is a U.S. citizen

**States required to establish process
for those without documentary proof
of citizenship**

States required to establish process for those without documentary proof of citizenship

Voter must attest citizenship under penalty of perjury and “**submit such other evidence**” to the official who would then determine whether it’s sufficient.

States required to establish process for those without documentary proof of citizenship

Voter must attest citizenship under penalty of perjury and “**submit such other evidence**” to the official who would then determine whether it’s sufficient.

Election official is then required to sign an **affidavit under penalty of perjury** affirming the applicant has sufficiently demonstrated U.S. citizenship and describing the evidence provided.

Date of Enactment

“This Act and the amendments made by this Act shall **take effect on the date of the enactment** of this Act, and shall apply with respect to applications for voter registration which are submitted **on or after such date.**”

**EAC required to produce
guidance for states **within 10
days** of enactment**

List Maintenance Provisions

- Requires states to “take affirmative steps on an ongoing basis to ensure that only US citizens are registered to vote” in federal elections, including during the 90-day quiet period.
- Officials are directed to use the Department of Homeland Security’s SAVE database, the Social Security Administration’s SSN Verification Service, and records from state agencies like the DMV and other public assistance agencies.
- These types of programs are known to falsely identify eligible voters as noncitizens.
 - Voter registration applications do not request sufficient information to reliably use SAVE data.
 - Social Security data and records from public assistance agencies are not automatically updated when individuals become US citizens and often contain outdated information.
 - There is no federal or state database that has complete, up-to-date information on the citizenship status of every resident of the United States.

Executive Order 14248

“Preserving and Protecting the Integrity of American Elections”

EO 14248 | DPOC

When DPOC is Required

- Attempts to require the Election Assistance Commission (EAC) to add a proof of citizenship requirement to the **National Mail Voter Registration Form** (Federal Form)
- Orders the Secretary of Defense to add a proof of citizenship requirement to the **Federal Post Card Application** (FPCA) used by uniformed military and overseas voters under
- EO 14248 does not attempt to add a DPOC requirement to state voter registration forms

EO 14248 | DPOC

What Type of DPOC is Sufficient

- A **COPY** of one of the following:
 - A REAL ID that indicates the holder is a U.S. citizen
 - A U.S. passport
 - An official U.S. military ID that indicates the holder is a U.S. citizen
 - A Federal or State government-issued photo identification if such identification indicates that the applicant is a U.S. citizen or if such identification is otherwise accompanied by proof of U.S. citizenship.
- There are **NO alternatives** for applicants without DPOC

EO 14248 | ballot return & voting equipment

- Attempts to prohibit states from counting ballots that arrive after Election Day consistent with state law.
- Attempts to require the EAC to establish new requirements for voting machines under the Voluntary Voting System Guidelines (VVSG) and decertify voting equipment approved under pre-VVSG 2.0 standards.

EO 14248 | federal funding restrictions

- Attempts to require the EAC to stop providing HAVA funding to states that:
 - Do not enforce the DPOC requirement in the EO
 - Count mail ballots received after Election Day (even if they are postmarked by Election Day consistent with state law)
- Orders the Secretary of Homeland Security and FEMA Administrator to “heavily prioritize” compliance with the amended VVSG 2.0 and completion of Voting Systems Test Labs accreditation when providing funding to state and local offices via Homeland Security Grant Programs
- Requires the DOJ to review federal funding in states that refuse to enter into information sharing agreements with the federal government to provide information on suspected violations of state and federal election integrity laws

EO 14248 | actions against states

- Requires DHS “in coordination with” the DOGE Administrator to **review each State’s publicly available voter registration list**—including by subpoena if necessary—alongside federal immigration databases and state records “for consistency with Federal requirements” (i.e., to identify alleged non-U.S. citizens).
- Requires DHS “in coordination with the DOGE Administrator” to **review each state’s voter list maintenance activities**—including by subpoena if necessary—that are required under 52 U.S.C. § 20507 (Section 8 of the NVRA) alongside federal immigration databases and state records “for consistency with Federal requirements.”
- Requires the U.S. Attorney General to “**take appropriate action** with respect to States that **fail to comply** with the list maintenance requirements” of the NVRA and HAVA.

EO 14248 | legal challenges

- There are several ongoing lawsuits challenging EO 14248 brought by nonpartisan civic engagement organizations, state attorneys general, and the Democratic Party.
- On April 24, 2025, a federal judge blocked Section 2(a) of the EO, which includes the DPOC requirement. That litigation is ongoing.

Bottom line

- Citizenship is already a requirement to vote. All voters must already affirm their eligibility, including U.S. citizenship, at the time of registration.

Bottom line

- Citizenship is already a requirement to vote. All voters must already affirm their eligibility, including U.S. citizenship, at the time of registration.
- Noncitizen voting is rare and routinely investigated and prosecuted. Voting by noncitizens has never been large enough to impact an election's outcome.

Bottom line

- Citizenship is already a requirement to vote. All voters must already affirm their eligibility, including U.S. citizenship, at the time of registration.
- Noncitizen voting is rare and routinely investigated and prosecuted. Voting by noncitizens has never been large enough to impact an election's outcome.
- **Requiring documentary proof of citizenship would create barriers for eligible citizens.**

Bottom line

- Citizenship is already a requirement to vote. All voters must already affirm their eligibility, including U.S. citizenship, at the time of registration.
- Noncitizen voting is rare and routinely investigated and prosecuted. Voting by noncitizens has never been large enough to impact an election's outcome.
- Requiring documentary proof of citizenship would create barriers for eligible citizens.
- Not all parts of the SAVE Act are bad. But there are better ways—like improved intra-state data sharing—to improve voter list accuracy.

Bottom line

- Citizenship is already a requirement to vote. All voters must already affirm their eligibility, including U.S. citizenship, at the time of registration.
- Noncitizen voting is rare and routinely investigated and prosecuted. Voting by noncitizens has never been large enough to impact an election's outcome.
- Requiring documentary proof of citizenship would create barriers for eligible citizens.
- Not all parts of the SAVE Act are bad. But there are better ways—like improved intra-state data sharing—to improve voter list accuracy.
- The bill needs more time and resources to be implemented well.

SAVE Act – Where Things Stand Now

- Passed in the U.S. House of Representatives on April 10, 2025 (220-208)
- McConnell (Senate Rules chair) won't mark up the bill in the Senate
 - Biggest risk is that they attach it to a must-pass budget bill
- Potential consideration of Sen. Britt's similar bill

Ways to Engage

Contact your Senators

- Even if the SAVE Act doesn't pass the Senate in its current form, parts could reappear as part of other legislation.
- Contact your Senators - regardless of whether they are in favor or opposed to the SAVE Act. All legislators need to be hearing from election officials about how this will impact your job, and the voters in your state.

Ways to Engage

Speak to the Media

- Let reporters know you are willing to speak about what this bill (or similar bills) mean for voters and for your team.
- Submit op-eds or letters to the editor.
 - If you live in Georgia, Arizona, Florida, Michigan, Nevada, Ohio, Pennsylvania or Wisconsin and would like help drafting an op-ed, contact sarah@allvotingislocal.org