

The SAVE Act Threatens All Voters

The Safeguard American Voter Eligibility (SAVE) Act (H.R.22/S.128) is harmful to our democracy and a threat to the freedom to vote for all Americans. While the SAVE Act has been characterized as a narrow bill mandating proof of citizenship for voter registration, its extreme documentation requirements would actually implement one of the harshest voter suppression laws nationwide. This bill would also upend mail and online voter registration systems, mandate error-ridden voter purges, and could subject election workers to harsh criminal penalties simply for doing their job.

The SAVE Act's proof of citizenship requirements are unnecessary. In the United States, every eligible voter is already required to verify their citizenship status when registering to vote, including both natural-born citizens and those who have immigrated here. Strict laws and safeguards exist to ensure only U.S. citizens participate in federal elections. **In reality, this bill imposes significant new burdens on American citizens, making it harder for all eligible voters to register and cast their ballots.**

DENY MILLIONS OF ELIGIBLE VOTERS ACCESS TO THE BALLOT

The SAVE Act would exclude millions of eligible Americans from registering and voting simply because they lack the necessary paperwork to satisfy its extreme documentation requirements. Under this bill, most Americans would not be able to register to vote using their driver's license alone, because even licenses that meet Real ID requirements do not indicate citizenship. Only a document called an "Enhanced Drivers License" indicates citizenship, and these are [available in just five states](#).

Similarly, most Tribal citizens would be unable to register using their Tribal ID alone. The SAVE Act would require Tribal ID to show the holder's place of birth as the U.S., but [most Tribal IDs](#) do not list a place of birth. Even if the ID listed this information, any Tribal citizen born outside the U.S. could not use their Tribal ID. The SAVE Act would further burden citizens born in U.S. territories. It would allow applicants to use a photo ID that does not indicate citizenship **if they also** provide a certified birth certificate issued by a Tribal, state, or local government. However, the bill excludes birth certificates from American territories. Members of the U.S. military could not even use their military ID to register to vote, unless it is accompanied by their military service record **and** that record shows they were born in the U.S. Members of the military born overseas, including while their parents were serving abroad, could not use this type of ID.

According to a recent [study](#), over 9% of voting age citizens (21.3 million people) cannot readily access documentary proof of citizenship. Supporters of the SAVE Act may argue that voters can use a passport to register, but this is an insufficient option. Only [about half of all U.S. citizens have a passport](#), and obtaining one to satisfy the SAVE Act could be costly and time-consuming.

ELIMINATE MAIL VOTER REGISTRATION AND UPEND ONLINE REGISTRATION

The SAVE Act would effectively eliminate mail voter registration by requiring all mail applicants to present documentary proof of citizenship in person, defeating the purpose of this more accessible approach. This would impact a huge number of U.S. citizens. [The most recent data](#) from the U.S. Election Assistance

Commission shows that more than 9% of all Americans (over 7 million voters) who registered to vote during the 2022 election cycle did so by mail. The SAVE Act would also require states to rebuild their online voter registration systems to meet the bill's onerous requirements, significantly disrupting a method used by 14% of registrants (almost 11 million voters) during the same period.

MANDATE HARMFUL VOTER PURGES

The SAVE Act is not just about requiring registrants to prove citizenship. It would also demand that states actively conduct ongoing voter purges, including purges based on data sets that are known to be faulty. For example, in a recent voter purge in Alabama that relied on data from the state's Department of Labor, [93.8% of the voters removed](#) were U.S. citizens. Federal courts have [also acknowledged](#) that other databases identified in the legislation, such as state DMV databases and the federal Systematic Alien Verification for Entitlements (SAVE) database, can have “a high rate of inaccuracy.” In fact, an audit of these databases by the North Carolina State Board of Elections found that 97.6% of individuals identified by the DMV as noncitizens were actually U.S. citizens, and 75% of voter registrants who were naturalized citizens and had provided proof of citizenship continued to be identified as noncitizens in the SAVE database. All of this means that thousands of eligible voters would inevitably and wrongfully be purged under this bill.

REPLICATE PROVEN FAILURES

Documentary proof of citizenship laws in Arizona and Kansas have disenfranchised broad swaths of eligible voters. In Arizona, [about 35,000](#) voters have attested to citizenship but are barred from voting in state elections because of that state's documentary proof of citizenship requirement. Those voters are [more likely](#) to live on Tribal land or college campuses. Arizona's system is also riddled with errors. About [100,000 voters](#) almost lost their right to vote in the state's 2024 elections because of a documentary proof of citizenship database error. State officials later discovered that [over 200,000 voters](#) were affected.

In Kansas, a similar law that was in effect between 2013 and 2016 ended up blocking the voter registrations of more than [31,000 U.S. citizens](#) who were otherwise eligible to vote. This is the [equivalent of 12% of those seeking to register in Kansas](#) for the first time during that period. The impact was felt most keenly by young and politically unaffiliated voters. If the SAVE Act becomes law, these failed policies and harms could be mirrored nationwide.

UNDERMINE NONPARTISAN ELECTION WORKERS

Under the SAVE Act, nonpartisan election officials could face up to five years of imprisonment if they register a voter without documentary proof of citizenship, **even** if the voter turned out to be an eligible citizen. It would also allow private individuals to sue election officials for a single instance of failing to obtain documentary proof of citizenship. These severe penalties will only exacerbate [growing harassment of election officials](#), whose work is vital for helping voters participate in our democracy.

Campaign Legal Center strongly opposes the SAVE Act and urges every member of Congress to vote against this dangerous legislation. For more information, please contact Jo Deutsch (jdeutsch@campaignlegalcenter.org) and Eric Kashdan (ekashdan@campaignlegalcenter.org).