

SAVE Act (H.R. 22/S. 128) vs. E.O. 14248

Lawmakers nationwide have increasingly sought to add extreme and unnecessary proof of citizenship requirements for Americans applying to register to vote, and the federal government is no different. On March 25, 2025, President Trump signed [Executive Order 14248](#) (E.O. 14248), attempting to add a documentary proof of citizenship (DPOC) requirement to the National Mail Voter Registration Form (Federal Form) and the Federal Post Card Application (FPCA)¹ for military and overseas voters. Similarly, on April 10, 2025, the U.S. House of Representatives passed the SAVE Act ([H.R. 22/S. 128](#)), which seeks to require eligible voters registering to vote in federal elections to provide DPOC at the time of registration. In both cases, these federal actions mandate specific forms of DPOC that are expensive or can be difficult to obtain and which [many Americans do not have readily available](#).

Both actions also go well beyond just attempting to add DPOC requirements, making other aspects of the fundamental right to vote more difficult for Americans to access. For example, E.O. 14248 attempts to force every state in the nation to require all mail ballots be *received* by Election Day—rather than being mailed or postmarked by Election Day, as many states currently allow. Similarly, the SAVE Act would effectively do away with mail voter registration systems, forcing any voter registration applicant using a mail application to present DPOC in person to an election official by the voter registration deadline.

Though both the SAVE Act and E.O. 14248 constitute dangerous attacks on the freedom to vote, it is important to note that their requirements have largely not taken effect. While the SAVE Act has passed the U.S. House of Representatives, it would need to receive 60 votes in the U.S. Senate to pass and then be signed by the President before its provisions could become law. And if passed, it would almost certainly face legal challenges. Similarly, there is currently no DPOC requirement on the Federal Form or the FPCA, and the Department of Justice (DOJ) has affirmed that the DPOC requirement will not take effect on the 30th day following E.O. 14248's signing, as the Order requires. Likewise, there are [numerous pending lawsuits](#) challenging E.O. 14248 because President Trump exceeded his authority under the U.S. Constitution and violated federal law when he issued E.O. 14248.

The SAVE Act and E.O. 14248 seek to achieve similar ends but have numerous important distinctions. The charts below provide a comparison of the relevant portions of the two actions.²

¹ The FPCA is provided to military and overseas voters by the U.S. Department of Defense pursuant to the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).

² We have also published in-depth explainers on the [SAVE Act](#), [E.O. 14248](#), and [state-level DPOC bills](#).

DPOC REQUIREMENT

	SAVE ACT	E.O. 14248
Valid Forms of DPOC	<p>One of the following:³</p> <ol style="list-style-type: none"> 1) REAL ID that indicates the holder is a U.S. citizen.⁴ 2) A “valid” U.S. passport. 3) An official U.S. military ID card, together with the applicant’s U.S. military service record that shows the applicant’s place of birth is within the U.S. 4) A valid government-issued photo ID card, issued by a Federal, State, or Tribal government, showing the applicant’s place of birth was in the U.S. 5) A valid government issued photo ID card, issued by a Federal, State, or Tribal government, that does not show the applicant's place of birth PLUS a document showing US citizenship, such as a certified birth certificate, adoption certificate, or naturalization documents.⁵ 	<p>A copy of one of the following:</p> <ol style="list-style-type: none"> 1) REAL ID that indicates the holder is a U.S. citizen. 2) A U.S. passport. 3) An official military ID that indicates the applicant is a U.S. citizen. 4) A valid 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. <p>NOTE:</p> <ul style="list-style-type: none"> • Tribal ID would not be considered sufficient DPOC under E.O. 14248, even if accompanied by additional proof of U.S. citizenship. • E.O. 14248 does not specify what additional documents (such as a birth certificate or naturalization documents) would be sufficient proof of U.S. citizenship under the fourth DPOC category.

³ The SAVE Act does not specify whether an individual must provide the original document or whether a copy of the document is sufficient.

⁴ Note that most driver’s licenses that meet REAL ID requirements **do not** indicate the holder’s citizenship status.

⁵ Specifically, it must be accompanied by one of the following: (1) A certified birth certificate issued by a State, unit of local government in a state, or Tribal government that meets various requirements; (2) An extract from a US hospital Record of Birth that was created at the time of the applicant’s birth and shows the applicant was born in the US; (3) A final adoption decree showing the applicant’s name and that their place of birth was in the US; (4) A Consular Report of Birth Abroad⁵ of a US citizen or a certificate of the applicants Report of Birth of a US citizen issued by the US State Department; (5) A Naturalization Certificate or Certificate of Citizenship from DHS or any other documentation of citizenship issued by the federal government pursuant to the INA; (6) An American Indian Card issued by DHS with the classification “KIC.”

DPOC REQUIREMENT

	SAVE ACT	E.O. 14248
DPOC Alternative	<p>Requires states to develop alternative for applicants without DPOC, subject to nonbinding EAC guidance.</p> <p>Each state's process must meet the following requirements:</p> <ol style="list-style-type: none"> 1) The applicant signs an attestation under the penalty of perjury that they are a U.S. citizen. 2) The applicant submits "such other evidence" (to be defined by the state or determined by the election official) to the appropriate state or local election official "demonstrating that the applicant is a citizen of the United States." 3) The appropriate election official makes a determination as to whether the applicant has sufficiently established their U.S. citizenship. 4) The election official signs an affidavit, affirming that the applicant sufficiently demonstrated U.S. citizenship and describing the evidence used to establish U.S. citizenship. 	<p>E.O. 14248 does not provide an alternative process for voter registration applicants who do not have DPOC.</p>

DPOC REQUIREMENT

	SAVE ACT	E.O. 14248
When DPOC is Required	<p>At the time of registration, any time an individual is registering to vote or changing their registration in federal elections no matter the method of registration, including when applying via all of the following:</p> <ul style="list-style-type: none"> • National Mail Voter Registration Form (Federal Form) • A state’s voter registration form (mail, online, in person) • DMV • Voter registration agencies <p>There is no cure process for voter registration applicants who timely submit an otherwise complete application without DPOC to provide DPOC after the voter registration deadline.</p>	<p>At the time of registration, but only when registering or changing voter registration using one of the following:</p> <ul style="list-style-type: none"> • Federal Form (as provided by the Election Assistance Commission) • Federal Post Card Application (as provided by the Department of Defense) <p>NOTE: E.O. 14248 does not attempt to add a DPOC requirement for voter registration applicants using their state’s voter registration application (including when registering to vote in federal elections).</p>
How to Present DPOC	<p>If registering to vote by mail (via the Federal Form or state form), the applicant must show DPOC in person by the voter registration deadline.</p> <p>The SAVE Act does not specify whether applicants registering to vote online are required to provide DPOC in person, or whether they may provide a copy with their online application.</p> <p>Applicants registering in person will necessarily provide DPOC in person.</p>	<p>E.O. 14248 only seeks to require a “copy” of an applicant’s DPOC, meaning that applicants could submit DPOC by mail with the Federal Form or by mail, fax, or electronically with the Federal Post Card Application.</p>
Information Tracking	<p>Election officials are required to track the type of DPOC each applicant submits, and certain information included on DPOC.</p>	<p>Election officials are required to track the type of DPOC each applicant submits, and certain information included on DPOC.</p>

VOTER PURGES BY STATES

	SAVE ACT	E.O. 14248
Individualized Removals on the Basis of Citizenship	<ul style="list-style-type: none"> Amends the National Voter Registration Act (NVRA) to authorize individualized removals from voter lists on the basis of alleged non-US citizenship. Mandates removal upon receipt of “documentation or verified information” that the voter is not a US citizen. This could include inaccurate documentation from private individuals or unreliable databases. 	No directive to states to engage in individualized removals, but federal agencies are required to share citizenship information with states and U.S. Attorney General is required to pursue enforcement actions against states that do not purge voters as required under HAVA and the NVRA (see below).
Generalized Purges on the Basis of Citizenship	Requires states to engage in “ongoing” removals of voters from the rolls on the basis of alleged non-U.S. citizenship, based on the SAVE Database and data that is known to be unreliable, including from state DMVs and public assistance agencies, amongst other sources.	Makes no specific directive to states to purge voters, but federal agencies are required to share citizenship information with states and the U.S. Attorney General is required to pursue enforcement actions against states that do not purge voters as required under the Help America Vote Act (HAVA) and the NVRA (see below).
Federal Review of Voter Rolls and Actions Against States for Failure to Purge	N/A – no relevant provision in the SAVE Act.	<ul style="list-style-type: none"> Requires the Department of Homeland Security (DHS) and the so-called Department of Government Efficiency (DOGE) to review each state’s voter rolls and required list maintenance activities under 52 U.S.C. § 20507 (NVRA Section 8). The U.S. Attorney General is required to “take appropriate action with respect to States that fail to comply with the list maintenance requirements” of the NVRA and HAVA. E.O. 14248 does not specify the nature of this action against the states.
NVRA 90-Day Quiet Period	Eliminates the NVRA’s 90-day quiet period (which prohibits generalized removal programs in the 90-days immediately preceding a federal election) for voter purges on the basis of alleged non-U.S. citizenship.	N/A – no relevant requirement in E.O. 14248.

DUTIES OF FEDERAL GOVERNMENT AGENCIES

	SAVE ACT	E.O. 14248
Information Sharing with States for Voter Purges	Requires all federal agencies and departments with information “relevant to determining the eligibility of an individual to vote in elections for Federal office” to provide “such information as may be necessary” to verify voter eligibility to state election officials upon request. The federal agency must provide the information within 24 hours of that request and without charge.	<p>Department of Homeland Security</p> <ul style="list-style-type: none"> • Requires the Secretary of Homeland Security to give state and local officials access without charge to appropriate federal systems (i.e., the SAVE database) for verifying voters’ and voter registrants’ U.S. citizenship or immigration status. • Requires the Secretary of Homeland Security to provide relevant state and local officials “complete information on all foreign nationals” who have indicated on any immigration form that they voted in a federal, state, or local election. <p>State Department</p> <ul style="list-style-type: none"> • Requires the U.S. Secretary of State to “take all lawful and appropriate action” to make available information from relevant databases to state and local officials to verify voters’ and voter registrants’ U.S. citizenship. <p>Social Security Administration</p> <ul style="list-style-type: none"> • Requires the Commissioner of Social Security to make all federal databases containing relevant information, including the Social Security Number Verification Service and Death Master File, available to state and local officials to verify eligibility of voters and voter registrants. <p>Department of Justice</p> <ul style="list-style-type: none"> • Requires the U.S. Attorney General to ensure information on federal convictions is being shared with states, as required by the NVRA.
Federal Government Review of State Voter Rolls	N/A – no relevant requirement in the SAVE Act.	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).

DUTIES OF FEDERAL GOVERNMENT AGENCIES

	SAVE ACT	E.O. 14248
Federal Government Actions Against States	N/A – no relevant requirement in the SAVE Act.	<ul style="list-style-type: none"> • 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.

DUTIES OF FEDERAL GOVERNMENT AGENCIES

	SAVE ACT	E.O. 14248
Federal Criminal Prosecutions of Individuals and Federal Immigration Enforcement	N/A – no relevant requirement in the SAVE Act.	<p>DOJ Enforcement Priorities</p> <p><u>Citizenship</u></p> <ul style="list-style-type: none"> • Secretary of Homeland Security is required to provide the U.S. Attorney General “complete information on all foreign nationals” who have indicated on any immigration form that they voted in a federal, state, or local election. • The U.S. Attorney General is required to prioritize enforcement of prohibition on non-US citizens voting in federal elections. In doing so, the AG is required to rely on records known to be stale or faulty when used to verify citizenship of voters and voter registration applicants. This includes DHS records (including the SAVE database), state databases that track citizenship such as DMV or other public assistance agency records, and other “similar records.” • The U.S. Attorney General is required to coordinate with state attorneys general to assist with state-level review and prosecution voting and voter registration by alleged non-U.S. citizens. • The DOJ is required to prioritize enforcement of the prohibition on non-U.S. citizens donating to U.S. elections. <p><u>Other Enforcement Priorities</u></p> <ul style="list-style-type: none"> • The U.S. Attorney General is required to prioritize enforcement of federal “election integrity laws” in states that refuse to enter into the below agreements.

DUTIES OF FEDERAL GOVERNMENT AGENCIES

	SAVE ACT	E.O. 14248
Information Solicitation from States	N/A – no relevant requirement in the SAVE Act.	<p>Investigation and Information Solicitation Agreements with States</p> <ul style="list-style-type: none"> • The DOJ is required to enter into information sharing agreements with states to obtain detailed information from the states on suspected violations of state and federal election laws, including information on individuals who: <ul style="list-style-type: none"> ○ Registered or voted despite ineligibility; ○ Registered multiple times; ○ Committed election fraud; ○ Provided false information on voter registration or other election forms; ○ Intimidated or threatened voters or election officials; ○ Otherwise engaged in unlawful conduct to interfere with the election process. <p>If states are unwilling to enter into agreements, the DOJ must prioritize enforcement of “election integrity laws” in those states and review those states’ federal funding for potential withholding.</p>
Other Requirements of Federal Agencies		<ul style="list-style-type: none"> • The head of each federal voter registration agency is required to assess a service recipient’s citizenship prior to providing the recipient with a voter registration form (as required by the NVRA). • The DOJ is required to review existing litigation and align it with the “purpose and policy” of E.O. 14248. • The DOJ is required to prioritize the prohibition on entities that have received federal funds engaging in lobbying.

FEDERAL FUNDING, VVSG, AND ELECTION INFRASTRUCTURE

	SAVE ACT	E.O. 14248
Federal Funding Recissions	N/A – no relevant requirement in the SAVE Act.	<p>DPOC: The EAC is required to cease providing federal funds to states that do not enforce E.O. 14248’s DPOC requirement or do not comply with federal voting laws.⁶</p> <p>VVSG 2.0: The Secretary of Homeland Security and FEMA Administrator are required 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.</p> <p>Election Day: The EAC is required to condition federal funding on states adopting a requirement that all ballots be <i>received</i> (not just postmarked or mailed) by Election Day in order to be included in the final tabulation of votes.</p>

⁶ This refers to all laws set forth in 52 USC § 21145(a), including the VRA, Voting Accessibility for the Elderly and Handicapped Act, UOCAVA, the NVRA, the ADA, and the Rehabilitation Act of 1973.

FEDERAL FUNDING, VVSG, AND ELECTION INFRASTRUCTURE

	SAVE ACT	E.O. 14248
VVSG and EAC Certification of Voting Systems	N/A – no relevant requirement in the SAVE Act.	<p>Changes to VVSG 2.0</p> <ul style="list-style-type: none"> Requires the EAC to amend the Voluntary Voting System Guidelines and issue other appropriate guidance establishing standards for voting systems to provide: <ol style="list-style-type: none"> That voting systems should not use a ballot in which a vote is contained within a barcode or QR code (except where necessary to accommodate individuals with disabilities); and That voting systems should provide a voter-verifiable paper record. <p>Voting System Recertification</p> <ul style="list-style-type: none"> Requires the EAC to recertify voting systems under the new standards and rescind all previous certifications of voting equipment based on prior standards. Because there are no voting systems currently on the market that would meet the new standards, this would result in every currently-certified jurisdiction losing its certification.
Additional Voting System Guidelines	N/A – no relevant requirement in the SAVE Act.	<ul style="list-style-type: none"> The U.S. Attorney General and Secretary of Homeland Security are required to “take all appropriate actions . . . to prevent all non-citizens from being involved in the administration of any Federal election, including by accessing election equipment, ballots, or any other relevant materials[.]” The Secretary of Homeland Security, in coordination with the EAC, is required to assess the security of all electronic voting systems and report on the risk of compromise to voting systems connected to the internet.

ATTACKS ON ELECTION WORKERS

	SAVE ACT	E.O. 14248
Criminal Penalties for Election Workers	Makes it a federal crime for an election worker to register a voter without valid DPOC, even if that person is a U.S. citizen.	N/A – no relevant requirement in E.O. 14248.
Private Rights of Action Against Election Workers	Creates a private right of action, allowing private individuals to sue election workers in federal court for registering a voter without DPOC, even if that person is a U.S. citizen.	N/A – no relevant requirement in E.O. 14248.

BALLOT RETURN DEADLINE RESTRICTIONS

	SAVE ACT	E.O. 14248
Restrictions on Receipt of Ballots After Election Day	N/A – no relevant requirement in the SAVE Act.	<ul style="list-style-type: none"> • Makes it the formal policy of the Executive Branch that all ballots must be <i>received</i> by Election Day (not just mailed or postmarked) to be considered a validly cast vote in a federal election. • Requires the U.S. Attorney General to take “all necessary action” against states that include ballots received after Election Day in the final tabulation of votes for congressional or presidential elections. • Requires the EAC to condition any federal funding to a state on that state rejecting all ballots received after Election Day.