

All Versions of the SAVE Act Threaten Our Freedom to Vote

President Trump and his allies in Congress are once again advancing restrictive bills that would dramatically reshape how Americans register and vote. Alarming, these proposals are not only an attempt to revive the unpopular [SAVE Act](#), dangerous legislation that failed last year, but include sweeping national mandates that would harm voters, strain election systems, and upend long-standing democratic practices.

At its core, the [Safeguard American Voter Eligibility](#) (SAVE) Act (H.R. 22/S. 128) is a plan to impose extreme documentation requirements on the voter registration process, silencing millions of Americans by making it harder to participate in our elections.

Two new bills – the [SAVE America Act](#) (H.R. 7296/S. 3752) and [Make Elections Great Again \(MEGA\) Act](#) (H.R. 7300) – were recently introduced to renew and expand on this idea. But despite their different names, both measures are fundamentally still the SAVE Act, and all versions of this legislation must be defeated.

In addition to advancing the SAVE Act’s nationwide voter suppression scheme, these new bills would overhaul some of the most popular pieces of our current electoral system, force states to hand over voters’ sensitive information to the federal government, and significantly burden election workers. They are unnecessary and a plain attempt to stoke [unfounded fears](#) about the integrity of our elections.

If any version of the SAVE Act became law, it would enable the President and his allies to continue [terrorizing election workers](#) and naturalized citizens, while furthering the administration’s efforts to [undermine election results it disagrees with](#).

Here’s what these dangerous bills would do and why Congress must reject them.

EXTREME DOCUMENTARY PROOF OF CITIZENSHIP REQUIREMENTS

Like the [original SAVE Act](#), the SAVE America and MEGA Acts would both require every American to provide documentary proof of citizenship (“DPOC”) to register to vote in federal elections or change their voter registration, despite the fact that strict laws and safeguards already exist to ensure voters verify their eligibility.

This DPOC requirement is not only unnecessary, but extremely burdensome. Because state IDs and drivers’ licenses generally don’t indicate a person’s citizenship, most voter registration applicants would need to present additional documents like a passport, birth certificate, adoption certificate, or naturalization papers. The problem is that [more than 21 million Americans](#) simply don’t have easy access to these kinds of documents and would face new barriers to voting.

Implementing these unnecessary requirements would also be [extremely expensive](#) for state and local governments and time consuming for election workers.

PURGING ELIGIBLE AMERICANS FROM VOTER ROLLS WITH BAD DATA

All versions of the SAVE Act would force states to conduct frequent voter purges based on faulty data that is [known to misidentify eligible voters as being ineligible](#). To comply with these bills' requirements, states would have to use data from specific government agencies to attempt to identify alleged non-U.S. citizens and remove them from their voter rolls. However, these databases generally aren't automatically updated, meaning that naturalized citizens who accessed an agency's services before they became eligible to vote will often remain tagged incorrectly and could be improperly purged.

The information in these databases is also commonly incomplete and contains a remarkable number of administrative errors. Worse yet, there is no clear process for state and local officials to notify voters of their removal, meaning eligible voters who are incorrectly purged might not realize they were removed until they show up to vote and it's too late to re-register.

STRONG ARMING STATES INTO SHARING SENSITIVE VOTER DATA

Under the SAVE America Act, every single state would be required to submit its voter registration list to the Department of Homeland Security (DHS) for comparison to [the agency's error-ridden database](#). This is a plain attempt to [bully states into sharing voters' sensitive personal information](#) with the federal government that federal officials might be unable to otherwise access. Alarming, the SAVE America Act includes no restrictions on what the federal government can do with the sensitive data once DHS receives it and no safeguards against using the data to force voter purges or unduly question election results.

DISCRIMINATORY PHOTO ID REQUIREMENTS

If passed, both the MEGA and SAVE America Acts would implement a national voter ID requirement that is more burdensome than almost [every single state voter ID law currently in effect](#).

The bills' extreme voter ID requirements exclude forms of ID that young people and voters of color rely on disproportionately. For example, voters could not use an ID issued by a state college or university, despite these being widely accepted in most states with voter ID requirements. Likewise, Tribal IDs would need to have a photo and expiration date—things that many forms of Tribal ID simply lack. In addition, unlike many state voter ID laws, the SAVE America and MEGA Acts provide no alternative for eligible voters who don't have any form of photo ID, unless they lack photo ID for a religious reason. This means the documentation requirement could prevent countless voters from exercising their fundamental right to vote.

SEVERELY BURDENING ELECTION WORKERS

Each of these proposals would also criminalize election workers just for doing their jobs. If passed, they could subject any election worker who registers a voter without sufficient DPOC to 5 years in prison and hefty fines, even if the registrant is a U.S. citizen. Private citizens would also be empowered to harass election workers with taxing litigation—a tactic election deniers would almost certainly use to undermine voters' confidence in our democratic process.

These proposals would also put the onus on election workers to implement and enforce the complicated DPOC, voter ID, and voter purge requirements, but provide no additional funding to localities to update their voting systems.

ELIMINATING UNIVERSAL MAIL VOTING AND VOTER REGISTRATION

The three bills also take swipes at mail voting and mail voter registration. By requiring voter registration applicants to submit DPOC in person, even when they submit their voter registration application by mail, the SAVE America Act—like its SAVE Act predecessor—would essentially eliminate the more accessible mail registration process. This provision would also restrict voter registration drives in states that don't have online registration systems.

Similarly, the MEGA Act would eliminate universal mail voting systems by requiring voters to actively request a mail ballot in every election where they wish to vote by mail. It would also prohibit people from helping community members return their mail ballot—a form of assistance voters of color, low-income voters, and Native voters living on reservations rely on disproportionately.

PROHIBITING RANKED CHOICE VOTING

The MEGA Act would also bar states from using [ranked choice voting](#) for federal elections. Ranked choice voting is an [overwhelmingly popular](#) electoral reform that allows voters to rank their preferred candidates from first to last, rather than simply voting for a single candidate. Even in races with more than two candidates, a candidate can only win when they're preferred by a majority of the electorate, making ranked choice voting a more democratic system than traditional plurality systems. [Ranked choice voting also encourages civility](#), while discouraging negative campaigning, because it still benefits candidates to try for second or third place, even if they aren't a voter's first choice. Numerous states successfully use ranked choice voting in state and federal elections.

Every version of the SAVE Act poses a serious threat to American democracy, by preventing eligible voters from exercising their fundamental right to vote and upending election systems that work. For these reasons, Campaign Legal Center strongly urges all members of Congress to oppose the SAVE Act, SAVE America Act, and MEGA Act.

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