

## The SAVE America Act

It's in the news almost on a daily basis, social media arguments abound and mainstream media appears to have chosen the side against the SAVE America Act. Let's look at the polls:

- Polls show roughly 80% of Americans support requiring photo identification to vote.
- Pew Research Center (August 2025): 83% of U.S. adults strongly favored or favored "requiring all voters to show government-issued photo identification to vote."
- Rasmussen Reports (January 2025): Asked if requiring photo ID to vote is "a reasonable measure to protect the integrity of elections," 77% of likely voters said yes.
- Gallup (October 2024): 84% of U.S. adults favored "requiring all voters to provide photo identification at their voting place." Also, 83% favored "requiring people who are registering to vote for the first time to provide proof of citizenship."

Both parties agree that voter registration should permit all eligible citizens – and only eligible citizens – to register and vote in federal elections. The SAVE America Act's goal of ensuring that only citizens can register to vote is important, but some believe there are easier, more cost-effective ways to improve citizenship verification that don't create new barriers for eligible voters. But do you really know what the legislation contains? Operation Wildfire takes a look at the pros and cons of the SAVE America Act.

### The Legislation

The Safeguard American Voter Eligibility (SAVE America) Act requires voters to provide documentary proof of citizenship at the time of registration and a photo ID at the time of voting. The SAVE America Act was passed by the U.S. House of Representatives in February 2026.

To read the legislation in full, click on this link: <https://www.congress.gov/bill/119th-congress/house-bill/7296>

### What it Means

The big picture takeaway: The new bill would require everyone registering to vote to provide a document verifying their citizenship and implement strict photo ID requirements to vote.<sup>1</sup>

According to the Bipartisan Policy Organization, here are five things you need to know about the SAVE America Act.<sup>2</sup>

### Citizenship is already a requirement to vote, and instances of noncitizen voting are rare.

- The SAVE Act introduces a documentation requirement for a law that has existed for decades: the Illegal Immigration Reform and Immigrant Responsibility Act of 1996<sup>3</sup>
- The National Voter Registration Act of 1993<sup>4</sup> is amended by introducing a requirement for individuals to provide proof of U.S. citizenship when registering to vote in federal elections.
- Registration and voting attempts by noncitizens are routinely investigated and prosecuted by the appropriate authorities, and there is no evidence that attempts at voting by noncitizens have ever been significant enough to impact any election's outcome.
- **Operation Wildfire Notes:**
  - Federal law is clear that only U.S. citizens are permitted to vote in federal and state elections. Currently, states decide how to enforce this requirement. All states require new voters to attest

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<sup>1</sup> The National Conference of State Legislators, <https://www.ncsl.org/state-legislatures-news/details/9-things-to-know-about-the-proposed-save-america-act>

<sup>2</sup> Five Things to Know About the SAVE Act, <https://bipartisanpolicy.org/article/five-things-to-know-about-the-save-act/>

<sup>3</sup> <https://www.uscis.gov/save/about-save/save-governing-laws>

<sup>4</sup> The National Voter Registration Act, <https://www.justice.gov/crt/national-voter-registration-act-1993-nvra>

# Operation Wildfire: Good Things Happen When YOU Vote

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to their U.S. citizenship when they register, and all states conduct voter list maintenance to identify potentially ineligible voters on the rolls. How they do that varies.

## Many eligible citizens don't have access to documentary proof of citizenship.

- According to the U.S. Department of State, examples of primary citizenship evidence include a birth certificate, a U.S. passport, a Consular Report of Birth Abroad, a Certificate of Citizenship or a Naturalization Certificate.
- While Real IDs are often assumed to be a reliable proxy for citizenship, they do not definitively establish citizenship. A handful of states denote citizenship status directly on driver's licenses, and while applicants for REAL ID cards provide documentary evidence of citizenship status, the cards display the same gold star insignia for a citizen as for a lawfully present noncitizen.
- Although at least one of these documents is available to most citizens, not all voters have them readily available. According to recent studies:
  - 9% of all eligible voters do not have, or do not have easy access to, documentary proof of citizenship;
  - 52% of registered voters do not have an unexpired passport with their current legal name; and,
  - 11% of registered voters do not have access to their birth certificate.
- **Operation Wildfire Notes:**
  - Obtain a birth certificate at your state's Vital Records Office. Click to begin: <https://www.usa.gov/birth-certificate>. You can also obtain copies of lost documents like marriage certificates, divorce decrees, etc. at this link.
  - If you don't plan to travel out of the country, there's no need for a U.S. passport, unless you wish to use your passport in lieu of a REAL ID. To apply for a passport or renew your existing passport, click on this link: <https://www.usps.com/international/passports.htm>
  - Plan Ahead: Begin now to ensure that you have the documents required to prove citizenship, and that your name on all of your documents is the same – your Social Security Card, Voter Registration Card and Driver's License. Married and using your spouse's last name? Be sure to get your marriage certificate; it's not difficult to do.

## There are better ways to verify citizenship that put the responsibility on government, not voters.

Recent proposals tend to take one of two approaches:

- The voter is required to prove their citizenship by providing documentary proof to a state or local official. This is the approach the SAVE Act takes; or,
- Election or other government officials consult existing government data to verify a voter's citizenship status.
- **Operation Wildfire Notes<sup>5</sup>**
  - The SAVE Act would require states to collect and document proof of citizenship from voters, which few states currently do, and establish additional voter list maintenance processes.
  - The bill would implement a strict photo ID requirement for federal elections and specify the types of identification accepted. While 36 states currently have voter ID requirements to vote, state approaches vary.
  - The bill's identification requirements also specify that a voter ID document must indicate that the individual identified is a U.S. citizen. Currently, each state determines the types of ID acceptable to vote, and that often includes student IDs, hunting and fishing licenses or other state-specific identification cards.
  - The bill would require voters registering to vote by mail to submit documentary proof of citizenship, which states do not currently require. It is unclear how the bill would affect online voter registration, which is an option in 42 states.

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<sup>5</sup> The National Conference of State Legislators, <https://www.ncsl.org/state-legislatures-news/details/9-things-to-know-about-the-proposed-save-america-act>

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## The SAVE America Act could have unintended consequences for election officials and election administration.

- For voters who register by mail, the SAVE Act requires documentary proof of citizenship to be delivered in person to an election office, effectively nullifying the benefits of mail registration.
- The legislation does not clearly specify how documentary proof must be submitted for online registration, leaving election officials without clear guidance on acceptable delivery methods. This could increase the risk of inconsistent implementation across jurisdictions.
- The Act establishes criminal penalties for officials who register an applicant who fails to present documentary proof of citizenship, and authorizes private individuals to sue election officials under the same circumstances.

## The SAVE America Act needs more time and resources to be implemented.

Some members of Congress believe the SAVE Act requires significant changes to each step of the voter registration, from how voters register to list maintenance. The Act does, however, offer implementation guidance to states, although it offers no funding to states to assist with implementation.

## Comparison of the SAVE, SAVE America and MEGA Acts.

The SAVE America Act is simply an expanded version of the SAVE Act, first introduced in May 2024. The U.S. House of Representatives is considering a third piece of legislation, the Make Elections Great Again (MEGA) Act, which includes both documentary proof of citizenship and photo ID requirements of the SAVE America Act, as well as broader changes to election technology and mail voting.

	SAVE Act	SAVE America Act	MEGA Act
Require documentary proof of citizenship to register to vote	X	X	X
Require voters to provide a photo ID to cast a ballot		X	X
Ban universal mail voting (the automatic mailing of ballots to all eligible registered voters)			X
Require mail ballots be received by Election Day to be counted			X
Require election offices to process mail ballots upon receipt, but delay tabulation until polls close			X
Require voting systems to use voter-verifiable paper ballots, among other adjustments to voting technology			X

## Questions to Ask Your Legislators about Voting and Citizenship

- Is voting by noncitizens an issue in our state? How do we know?
- What do we already do to ensure noncitizens cannot get on voter rolls, or vote?
- Who does this work? Is it staff at the state level, or is it a responsibility of local jurisdictions?
- What resources or funding are devoted to this work?
- Is the work done uniformly throughout the state?
- Do we have an agreement to access the DHS SAVE database to check records that lack proof of citizenship?
- What are our current voting requirements for voter identification at in-person polling locations and for absentee/mail voting? Do voters in our state have the identification that would be required by the SAVE America Act?