

# Federal Voter Eligibility and Voter Registration: Overview and Issues for Congress

November 21, 2025

Congressional Research Service

<https://crsreports.congress.gov>

R48735



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November 21, 2025

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# Federal Voter Eligibility and Voter Registration: Overview and Issues for Congress

State and local election officials engage in a variety of efforts to ensure that ineligible voters do not vote. Voter eligibility for federal elections is largely established by qualifications set forth in the U.S. Constitution in the Fourteenth, Fifteenth, Nineteenth and Twenty-Sixth Amendments. Processes for assessing and verifying voter eligibility for federal elections vary among states and are affected by both federal law and state law. Under the “elections clause” in Article I, Section 4, of the U.S. Constitution, state legislatures are responsible for prescribing the “Times, Places and Manner of holding Elections for Senators and Representatives,” but Congress “may at any time by Law make or alter” regulations related to many elements of federal elections. State and local laws may set different qualifications for voting in state or local elections.

Generally, election officials determine voter eligibility through a combination of voter registration processes (such as application requirements for individuals, or applicant verification checks and voter list maintenance efforts conducted by election officials) and requirements for receiving or casting a ballot (such as voter identification requirements at polling places, or signature verification on by-mail ballots). Criminal penalties exist for individuals who knowingly attempt to vote, or do vote, in federal elections when they are ineligible to do so. Examples at the federal level include certain penalties established by provisions of the Voting Rights Act of 1965; the National Voter Registration Act of 1993 (NVRA); and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. Many states also have laws with similar provisions prohibiting false voter registration or knowingly voting when ineligible in state and local elections.

As a prerequisite to voting, voter registration policies can help prevent ineligible individuals from voting or prevent eligible voters from voting multiple times in an election. Voter registration application requirements, verification of the information provided on those applications, and ongoing efforts to conduct voter registration list maintenance serve as key opportunities for election officials to identify potentially ineligible individuals and prevent them from receiving or casting ballots. All states but North Dakota have voter registration for federal elections. States generally determine many of their voter registration practices, but they must comply with federal law, such as the NVRA and the Help America Vote Act of 2002 (HAVA).

Other opportunities to prevent ineligible individuals from voting occur when a voter requests a ballot, whether they attempt to vote absentee by mail or in person at a polling place. Voters are often asked to confirm their identities in some manner, such as providing voter identification (if required under state law), and election officials usually check voters’ information against existing registration and voting records via a poll book or other election records. States also may have additional processes for individuals who return absentee or by-mail ballots—such as signature verification or witness requirements—to help ensure that the ballot was requested, received, and completed by the same, eligible person.

Congress has considered numerous policies that aim to ensure that ineligible voters do not vote in federal elections. Many recent legislative proposals would address the voter registration process, through application requirements for individuals or through verification or list maintenance requirements for election officials. Other bills would establish requirements for verifying voters’ identities when they receive or cast ballots, and some proposals would address criminal penalties for fraudulent voter registration or voting. Congressional activity related to voter verification is often framed as an extension of the federal government’s role in upholding the constitutional right to vote and ensuring the integrity of election administration processes. At the same time, some may view additional requirements on voter registration or voting as unnecessary barriers to exercising the right to vote.

This report provides further information about how states assess voter eligibility for federal elections, with particular emphasis on states’ voter registration and voter list maintenance processes. The report also provides a discussion of related legislation considered by Congress from the 117<sup>th</sup> to 119<sup>th</sup> Congresses, to date.

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## Introduction

Ensuring that ineligible voters do not vote in elections is a priority for state and local election officials, and in recent years Congress and various state legislatures have considered legislation addressing the subject. Election officials can assess voter eligibility in a number of ways. Generally, officials determine voter eligibility through a combination of voter registration processes (such as application requirements for individuals, or applicant verification checks and voter list maintenance efforts conducted by election officials) and requirements for receiving or casting a ballot (such as voter identification requirements at polling places, or signature verification on absentee or by-mail ballots). The qualifications to become a voter can vary for local, state, and federal elections, with Congress at times addressing matters related to voting in federal elections. Under the “elections clause” in Article I, Section 4, of the U.S. Constitution, state legislatures are responsible for prescribing the “Times, Places and Manner of holding Elections for Senators and Representatives,” but Congress “may at any time by Law make or alter” regulations related to many elements of federal elections.

Voting qualifications for federal elections are largely established by the U.S. Constitution, in the Fourteenth, Fifteenth, Nineteenth, and Twenty-Sixth Amendments. In all states but North Dakota, individuals who want to vote in a federal election must undergo the process of *voter registration*, which is mainly governed by state laws and regulations. Voter registration typically involves an individual submitting an application to election officials, who then confirm that individual’s eligibility to vote and ensure that the individual’s name is on the list of voters used when distributing ballots at the time of an election. Federal laws, such as the National Voter Registration Act of 1993 (NVRA)<sup>1</sup> and Help America Vote Act of 2002 (HAVA),<sup>2</sup> establish certain requirements for states related to voter registration applications, the processing of those applications, and later processes to remove individuals from the voter list if they have become ineligible (known as *voter registration list maintenance*).<sup>3</sup> Congressional activity related to voter registration is often framed as an extension of the federal government’s role in upholding the constitutional right to vote and ensuring the integrity of election administration processes.

Voter registration, and ongoing efforts related to voter registration list maintenance, serve as key checkpoints where state and local election officials can prevent potentially ineligible individuals from voting. As a prerequisite to voting in almost every state, voter registration policies can help prevent ineligible individuals from voting or prevent eligible voters from voting multiple times in an election. Certain voter registration measures, however, may be viewed by some as barriers that inhibit otherwise eligible individuals from being able to vote.

Another opportunity to prevent ineligible individuals from voting occurs when a voter requests a ballot, whether the voter intends to vote absentee or in person. Voters who request ballots by mail are typically asked to confirm their identities in some manner, and that information is checked against a list of eligible voters, often in the form of a *poll book* or other election records. Poll books are also used to check the eligibility of individuals voting in person. States may also seek to confirm voter eligibility before issuing ballots by requiring voters to provide a form of identification to election officials through policies broadly categorized as *voter identification*

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<sup>1</sup> P.L. 103-31, May 20, 1993, 107 Stat. 88; 52 U.S.C. Ch. 205.

<sup>2</sup> P.L. 107-252, 116 Stat. 1666, October 29, 2002; 52 U.S.C. Ch. 209.

<sup>3</sup> Certain voter registration practices for U.S. armed services members, their families, and other U.S. citizens abroad are also included in the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA; 52 U.S.C. §§20301-20311). For more information, see CRS In Focus IF11642, *Absentee Voting for Uniformed Services and Overseas Citizens: Roles and Process, In Brief*, by R. Sam Garrett.

(*voter ID*) laws. Voter ID processes are largely governed by state law. Currently, 36 states have in-person voter ID laws, with varying requirements; for example, 24 states ask voters for photo identification, and 12 states accept forms of nonphoto identification.<sup>4</sup> Some states require individuals who request an absentee or by-mail ballot to submit a copy of a photo ID or other form of documentation with their absentee ballot applications. For individuals who vote by mail, states may also have additional processes—such as *signature verification*, where a voter’s signature on balloting materials is compared to another one of their signatures on file, or witness requirements—to help ensure that the ballot was completed by the same person who requested and received it.<sup>5</sup>

Federal law provides criminal penalties for individuals who knowingly attempt to vote, or do vote, when they are ineligible to do so.<sup>6</sup> For example, the Voting Rights Act of 1965 prohibits knowingly or willfully giving false information to register to vote or to vote, conspiring with another individual to encourage false voter registration, and unlawful voting in a federal or mixed election.<sup>7</sup> NVRA establishes criminal penalties for fraudulent submission of voter registration applications or ballots in a federal election.<sup>8</sup> The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 generally prohibits “any alien to vote” in any federal election, with certain specified exceptions.<sup>9</sup> Many states also have laws with similar provisions prohibiting false voter registration or knowingly voting when ineligible in state and local elections.

## Federal Voting Qualifications

The U.S. Constitution, as amended, establishes certain voter qualifications for federal elections, namely requiring that voters in federal elections are at least 18 years of age and U.S. citizens. The discussion below briefly highlights the constitutional provisions that have addressed the right to vote and have established the current requirements related to federal voter qualifications.<sup>10</sup>

Language in Section 2 of the Fourteenth Amendment, quoted below, prohibits abridgement or denial of the right to vote in federal elections for any male U.S. citizen, age 21 or older, who has not participated in rebellion or other crime.

But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male

<sup>4</sup> For more detailed analysis of state voter ID requirements, see National Conference of State Legislatures, “Voter ID Laws,” July 2, 2025, <https://www.ncsl.org/elections-and-campaigns/voter-id>.

<sup>5</sup> For further information, see National Conference of State Legislatures, “Table 14: How States Verify Voted Absentee/Mail Ballots,” January 21, 2025, <https://www.ncsl.org/elections-and-campaigns/table-14-how-states-verify-voted-absentee-mail-ballots>.

<sup>6</sup> See CRS In Focus IF12742, *Federal Criminal Laws Prohibiting Unlawful Voting*; and U.S. Department of Justice, “Federal Election Fact Sheet,” <https://www.justice.gov/usao-nh/page/file/1328371/dl>.

<sup>7</sup> P.L. 89-110, Title I, §11, August 6, 1965, 79 Stat. 443; 52 U.S.C. §10307.

<sup>8</sup> 52 U.S.C. §20511(2).

<sup>9</sup> P.L. 104-208, Div. C, Title II, §216(A), September 30, 1996, 110 Stat. 3009-572; 18 U.S.C. §611. Exceptions noted in the statute include if (1) each natural parent of the alien (or, in the case of an adopted alien, each adoptive parent of the alien) is or was a U.S. citizen (whether by birth or naturalization); (2) the alien permanently resided in the United States prior to attaining the age of 16; or (3) the alien reasonably believed at the time of voting in violation of such subsection that he or she was a U.S. citizen. The statute also provides that an alien may be authorized to vote under state or local law for nonfederal candidates or issues, provided that the ballot is designed so that the alien has the opportunity to vote solely for nonfederal candidates or issues.

<sup>10</sup> This report is not meant to provide a legal analysis of these topics. Further legal discussion may be provided by the American Law Division at CRS.

inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

The Fifteenth Amendment, Section 1, provides that “[t]he right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.” Section 2 gives Congress the power to enforce those provisions.

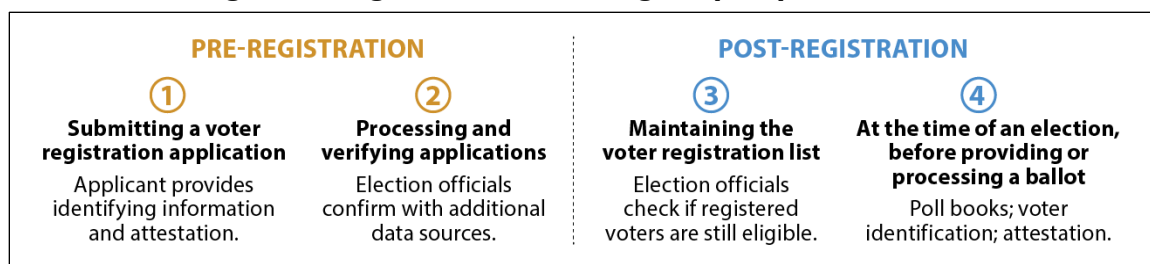
The Nineteenth Amendment establishes that women have the right to vote, stating that “[t]he right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex,” and providing Congress the power to enforce that provision.

Finally, the Twenty-Sixth Amendment lowered the voting age to 18 years old, providing “[t]he right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age,” and giving Congress the power to enforce that provision.

## Assessing Federal Voter Eligibility

Typically, there are multiple stages at which a voter’s eligibility might be assessed or verified prior to the point at which their vote is counted. Many of these processes are established through state law, with some requirements set by federal law, primarily in NVRA and HAVA.<sup>11</sup> These general stages are illustrated below in **Figure 1**.

**Figure 1. Stages Where Voter Eligibility May Be Assessed**



**Source:** CRS examination of federal and various state laws related to election administration. Graphic created by Amber Hope Wilhelm, CRS Visual Information Specialist.

**Notes:** State processes in each of these stages may vary, depending on state law. North Dakota, for example, does not have statewide voter registration.

First, requirements may be placed on an individual registrant at the initial point of submitting a voter registration application, intended to help confirm the individual’s identity or residence, such as requiring an attestation under the penalty of perjury or a unique identifying number (e.g., a valid state drivers’ license number or last four digits of a Social Security number). Second, after a prospective voter submits a registration application, state and local election officials typically administer processes to verify that the information on the application is correct and confirm the voter’s eligibility, such as comparing the submitted information from the applicant with databases that contain existing voter, change-of-address, citizenship, or death records.

<sup>11</sup> For further discussion, see CRS Report R45030, *Federal Role in Voter Registration: The National Voter Registration Act of 1993 (NVRA) and Subsequent Developments*, by Sarah J. Eckman.

After a person has registered to vote, election officials use similar processes to confirm that the voter has remained eligible to vote, periodically conducting *voter registration list maintenance* activities to help ensure that the voter has not moved, died, or otherwise become ineligible since initially registering to vote. Finally, election officials ask a voter to attest to his or her identity when casting a ballot, then confirm the voter's eligibility by checking a *poll book*, or list of registered voters. A voter's identity may also be verified through certain *voter identification* requirements, such as showing, or mailing a photocopied version of, valid photo identification to election workers before receiving a ballot. In some instances, checks may be conducted after a ballot is submitted, such as signature verification checks on ballots sent by mail.

## Voter Registration Applications

The voter registration application process serves as a key opportunity for election officials to assess an individual's eligibility to vote in federal elections, whether an individual is registering to vote for the first time or submitting an update to an existing voter registration record.<sup>12</sup> The voter registration application form is typically accompanied by a set of instructions and additional information, which, among other things, describes the necessary qualifications to vote and directs the individual to fill out the application truthfully under the penalty of perjury. Election officials then use various measures to confirm the applicant's identity and verify that he or she is eligible to vote. If an individual is found ineligible to vote, he or she is typically notified and not added to the list of eligible voters.<sup>13</sup> In certain situations, an applicant may be able to provide additional information to election officials and may be eligible to cast a provisional ballot, which is counted only if officials confirm that the person is eligible to vote. Voter registration processes are largely determined and managed by state and local election officials with certain federal requirements, such as those established under NVRA and HAVA.<sup>14</sup>

Under NVRA,<sup>15</sup> each state must provide simultaneous voter registration opportunities alongside applications for services at state departments of motor vehicles (DMVs) and offer voter registration opportunities at other offices, designated as *voter registration agencies*.<sup>16</sup> States must

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<sup>12</sup> All states but North Dakota have voter registration requirements.

<sup>13</sup> Federal voter qualifications may vary from state and local requirements; in instances where an individual is qualified to vote in certain elections, but not others, he or she may be added to a separate voter registration list for the nonfederal election(s) he or she is qualified to vote in. Some states and local governments, for example, may permit minors under the age of 18 or noncitizens to vote in certain elections.

<sup>14</sup> For further discussion, see CRS Report R45030, *Federal Role in Voter Registration: The National Voter Registration Act of 1993 (NVRA) and Subsequent Developments*; CRS Report R46406, *Voter Registration: Recent Developments and Issues for Congress*; and CRS Report R46943, *Voter Registration Records and List Maintenance for Federal Elections*. Additional requirements affecting certain voters may be found in the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA; 52 U.S.C. Ch. 203).

<sup>15</sup> Six states are considered exempt from NVRA because at the time of its enactment, they either had no voter registration requirement or provided voter registration at polling places on Election Day (i.e., same-day voter registration). NVRA also applies to the District of Columbia, but not the U.S. territories; see 52 U.S.C. §20502(4). The NVRA exemption requirements for states are found in 52 U.S.C. §20503(b). North Dakota had no voter registration requirement when NVRA was enacted; Minnesota, Wisconsin, and Wyoming enabled voters to register at polling places on Election Day prior to March 11, 1993, the date specified in the original enacted text of NVRA. This cut-off date was changed to August 1, 1994 (P.L. 104-91, Title I, §101(a), January 6, 1996, 110 Stat. 11, as amended by P.L. 104-99, Title II, §211, January 26, 1996, 110 Stat. 37). Under this new date, Idaho and New Hampshire were also exempt from NVRA requirements. See U.S. Federal Election Commission, *The Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office 1993-1994*, report to the 104<sup>th</sup> Congress, June 30, 1995, p. 7; and U.S. Department of Justice, Civil Rights Division, "The National Voter Registration Act of 1993 (NVRA)," <https://www.justice.gov/crt/national-voter-registration-act-1993-nvra>.

<sup>16</sup> The "motor voter" provisions of NVRA for voter registration at DMVs are found in 52 U.S.C. §20504. The voter (continued...)

also accept by-mail voter registration applications for federal elections.<sup>17</sup> NVRA requires that state voter registration forms for federal elections, including those used by DMVs, and the federally created National Mail Voter Registration Form must specify each federal voter eligibility requirement (including citizenship); contain an attestation that an applicant meets each requirement; and require an applicant's signature under penalty of perjury.<sup>18</sup>

Although states may request other information on their voter registration forms for federal elections, NVRA also stipulates that those forms may only require the minimum amount of information necessary to prevent duplicate voter registrations and enable state election officials to assess an applicant's eligibility and administer voter registration and other election processes. HAVA prohibits states from accepting or processing a voter registration application for federal elections unless the application includes the individual's current and valid driver's license number or the last four digits of his or her Social Security number.<sup>19</sup>

The National Mail Voter Registration Form, which was created under NVRA to enable individuals to register to vote by mail in federal elections, was amended by HAVA to require four specific elements: (1) a question asking whether the registrant is a citizen, with corresponding answer check boxes; (2) a question asking whether the registrant will be 18 years of age or older by the next election, with corresponding answer check boxes; (3) a statement that if the registrant has answered "no" to either of the preceding questions, he or she is to stop filling out the form and not register; and (4) a statement alerting the registrant to submit copies of appropriate documentation with his or her application, if he or she is a first-time registrant and the completed forms are submitted through the mail, or else he or she may be required to provide such documentation when voting for the first time.<sup>20</sup>

## **Voter Registration Verification**

Once state officials receive a voter registration application, they use various verification methods to ensure that the information submitted by the applicant is correct before it becomes a part of the individual's voter registration record. Many of these methods are determined at the state level, but certain provisions in HAVA address voter registration verification, and some federal agencies provide assistance to states with their verification efforts.

Under HAVA, states are required to assign each legally registered voter a "unique identifier" in the state's centralized, computerized voter registration database, which can help prevent duplicate records for a single individual within a state's voter registration list.<sup>21</sup> HAVA also directs state DMV officials to enter into agreements with the Social Security Administration (SSA) and with

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registration agency provisions of NVRA are in 52 U.S.C. §20506; for additional information, see CRS Insight IN11782, *Voter Registration Agencies Under the National Voter Registration Act of 1993 (NVRA)*.

<sup>17</sup> 52 U.S.C. §20505.

<sup>18</sup> See 52 U.S.C. §20504(c)(2)(C) for these requirements on forms provided by state departments of motor vehicles alongside driver's license applications; 52 U.S.C. §20506(a)(6) for these requirements on forms provided at voter registration agencies; and 52 U.S.C. §20508(b) for these requirements for the federal mail-based voter registration application or similar mail-based voter registration forms created by states.

<sup>19</sup> 52 U.S.C. §21083(a)(5)(A)(i-ii). If the applicant has neither a drivers' license nor a Social Security number, HAVA provides that the state shall assign an alternate, unique identifying number to that individual for voter registration purposes.

<sup>20</sup> 52 U.S.C. §21083(b)(4)(A).

<sup>21</sup> 52 U.S.C. §21083(a)(1)(A). This unique identifier, as provided under HAVA, may be the voter's driver's license number, Social Security number, or (if the voter has neither) a number assigned by the state election official solely for voter registration purposes.

the chief state election official to verify and match certain applicant information.<sup>22</sup> States must also coordinate their computerized voter registration lists with state agency records on felony status and state agency records on death.<sup>23</sup>

The Department of Homeland Security (DHS) can provide states with information from the U.S. Citizenship and Immigration Services' (USCIS's) Systematic Alien Verification for Entitlements (SAVE) upon request.<sup>24</sup> State election officials may choose to enter a memorandum of understanding with USCIS to use these SAVE records to help verify the U.S. citizenship of voter registration applicants. Neither NVRA nor HAVA contain provisions related to use of the SAVE database for voter registration verification.

NVRA requires state election officials to abide by certain timelines when assessing a registrant's eligibility and ensure that any eligible applicant who has submitted a valid voter registration form within a specified time frame is registered to vote by the date of the election.<sup>25</sup> This means that any verification efforts by state election officials must be able to be completed between any applicable voter registration deadline and the associated election that follows. State election officials are also required to send notice to each applicant regarding the disposition of his or her voter registration application.<sup>26</sup> Providing such information to the applicant can help the applicant remedy any errors on their application, and may also help prevent those who were found to be ineligible from trying to register again or voting in an election.

## Voter Registration List Maintenance

In addition to registering new voters, state election officials also perform activities broadly known as *voter registration list maintenance* to check the validity of the voter registration records contained in their statewide databases. The methods by which state election officials conduct list maintenance are varied, often governed by state law and regulations, with some parameters provided under federal law in NVRA and HAVA. Generally, list maintenance efforts seek to ensure all voter records are accurate and that no individuals are erroneously registered to vote when they are ineligible to vote.

Some voter registration list maintenance efforts involve correcting mistakes in voter records or updating certain fields with up-to-date information about a voter. Other list maintenance efforts involve identifying and removing ineligible voters from a state's voter registration list; there are various circumstances under which a once-qualified voter may become ineligible to vote in federal elections. NVRA specifies that states may only remove individuals from their federal voter registration lists for certain reasons. Under NVRA, an individual may be removed from a state's voter registration list if he or she requests removal, or if the individual has notified election officials, in writing, that he or she has moved outside of an election jurisdiction.<sup>27</sup> NVRA also establishes that a voter may only be removed from the voter registration list due to death; change

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<sup>22</sup> 52 U.S.C. §21083(a)(5)(B).

<sup>23</sup> 52 U.S.C. §21083(a)(2)(A)(ii)(II).

<sup>24</sup> For additional information, see U.S. Citizenship and Immigration Reform, U.S. Department of Homeland Security, "Voter Registration and Voter List Maintenance Fact Sheet," <https://www.uscis.gov/save/current-user-agencies/guidance/voter-registration-and-voter-list-maintenance-fact-sheet>.

<sup>25</sup> 52 U.S.C. §20507(a)(1).

<sup>26</sup> 52 U.S.C. §20507(a)(2).

<sup>27</sup> 52 U.S.C. §20507(a)(3); 52 U.S.C. §20507(d)(1)(A).

of residence outside of a jurisdiction; or mental incapacity or criminal conviction, if provided under state law.<sup>28</sup>

How state election officials learn about these potential voter disqualifications varies (depending on state law), as does the frequency with which these ineligible individuals are removed from state voter registration lists. NVRA provides that state list maintenance programs to remove voters who are ineligible due to death or change in residence must be completed at least 90 days before a federal election.<sup>29</sup> Any state program or activity related to voter registration list maintenance must also be “uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965” and shall not result in removal of an individual’s name due solely to nonvoting.<sup>30</sup> NVRA also prohibits states from removing voters from the registration lists solely due to nonvoting<sup>31</sup> or changing addresses within the same electoral jurisdiction.<sup>32</sup>

It is generally not illegal, under federal law, for someone who is ineligible to vote to be on a state’s list of registered voters, provided that the person did not knowingly or willfully provide false information to register to vote. However, it is illegal for such a person to cast a ballot and vote in a federal election.<sup>33</sup> Under federal law, it is also not illegal for a person to be registered to vote in multiple jurisdictions, although voting in multiple jurisdictions during the same federal election is illegal. Residential moves are a common reason for updates to voter registration records. The processes for updating an address vary depending on whether an individual moves within or outside the same polling place, jurisdiction, or state, and are addressed by NVRA and varying state laws.

In addition to prohibiting states from removing names of voters who have moved within an electoral jurisdiction, NVRA provides some fail-safe voting methods for certain voters who have moved locally and contains provisions for updating their voter registration records. If a registrant has moved to a new residence covered by his or her existing polling place, for example, he or she shall be allowed to vote at that polling place upon written or oral affirmation of the new address before an election official at the polling place.<sup>34</sup> A registrant who has moved to a new residence in the same election jurisdiction and congressional district, but to a new precinct served by a

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<sup>28</sup> 52 U.S.C. §20507(a)(3). A detailed discussion of these practices across states is beyond the scope of this report. For an overview of state laws regarding voting rights and criminal convictions, see National Conference of State Legislatures, “Restoration of Voting Rights for Felons,” October 18, 2024, <https://www.ncsl.org/elections-and-campaigns/felon-voting-rights>; for more information on state policies regarding voter rights and mental health conditions, see Jennifer A. Okwerekwu et al., “Voting by People with Mental Illness,” *Journal of the American Academy of Psychiatry and the Law*, vol. 46, no. 4 (December 1, 2018), pp. 513-520, <http://jaapl.org/content/early/2018/10/31/JAAPL.003780-18>; and Matt Visilogambros, “Thousands Lose Right to Vote Under ‘Incompetence’ Laws,” *Stateline* blog, Pew Charitable Trusts, March 21, 2018, <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2018/03/21/thousands-lose-right-to-vote-under-incompetence-laws>.

<sup>29</sup> 52 U.S.C. §20507(a)(4); 52 U.S.C. §20507(c)(2).

<sup>30</sup> 52 U.S.C. §20507(b). In certain circumstances, states may use an individual’s failure to vote in two consecutive federal election cycles as evidence that the voter has moved, provided that the state has also sent mailed notices, as outlined in NVRA, to that individual and the individual has not responded or provided other notification to state election officials. See CRS Legal Sidebar LSB10175, *Supreme Court Rules Ohio Voter Roll Law Comports with National Voter Registration Act*.

<sup>31</sup> 52 U.S.C. §20507(b)(2). See also CRS Legal Sidebar LSB10175, *Supreme Court Rules Ohio Voter Roll Law Comports with National Voter Registration Act*.

<sup>32</sup> 52 U.S.C. §20507(e-f). NVRA also contains provisions to allow voters who change addresses within a jurisdiction to update their registration information on Election Day and be allowed to vote.

<sup>33</sup> For further discussion, see CRS In Focus IF12742, *Federal Criminal Laws Prohibiting Unlawful Voting*; and National Conference of State Legislatures, “Double Voting,” April 29, 2024, <https://www.ncsl.org/elections-and-campaigns/double-voting>.

<sup>34</sup> 52 U.S.C. §20507(e)(1).

different polling place, may either correct their voting record and vote at their previous polling place (upon written or oral affirmation of their new address before an election official) or correct their voting record and vote at a central location in the same jurisdiction (upon written affirmation of their new address on a form provided there). Depending on state law, an individual may also be able to update their record and vote at their new polling place upon confirmation of their new address.<sup>35</sup>

NVRA does not provide fail-safe voting methods for individuals who move to a different election jurisdiction. According to the Election Assistance Commission (EAC), cross-jurisdictional moves are the most common reason for which states remove voters from their registration lists.<sup>36</sup> To help identify voters who have moved outside of a jurisdiction, NVRA outlines a process states may use to obtain information from the U.S. Postal Service (USPS) National Change of Address (NCOA) database.<sup>37</sup> Section 8 of NVRA provides that registrars can send a notice consisting of a forwardable mail response card with prepaid postage. If a voter does not respond to the notice, that individual may be removed from the voter registration list after he or she fails to vote or appear to vote in two consecutive general elections for federal office.<sup>38</sup>

Most states use the USPS NCOA information described in NVRA to help determine whether or not a voter has moved. States also frequently use other proactive measures to gather information about potential voter registration changes in the event that voters do not or cannot self-report updated records. Jurisdictions, for example, may conduct outreach and provide reminders through postal mail, email, social media, or other measures asking voters to check and update their voter registration records. Election officials also often compare voter address information with other agency records, or use nonforwardable mailings, to identify individuals who have likely moved.<sup>39</sup> States also compare voter address records with one another, either through intragovernmental partnerships or with other administrative programs, such as the Driver License Compact or the Electronic Registration Information Center (ERIC).<sup>40</sup>

<sup>35</sup> 52 U.S.C. §20507(e)(2)

<sup>36</sup> Between the close of registration for the 2020 and 2022 general elections, the EAC found that 26.8% of removals from state voter registration lists for federal elections were due to a cross-jurisdictional move; 25.6% of removals were due to death, and 25.4% occurred because a voter did not respond to mailed notices and failed to vote in two federal general elections (a process outlined in NVRA). See U.S. Election Assistance Commission, *Election Administration and Voting Survey 2022 Comprehensive Report*, June 2023, pp. 153, 160, [https://www.eac.gov/sites/default/files/2024-11/2022\\_EAVS\\_Report\\_508c.pdf](https://www.eac.gov/sites/default/files/2024-11/2022_EAVS_Report_508c.pdf).

<sup>37</sup> 52 U.S.C. §20507(c)(1).

<sup>38</sup> 52 U.S.C. §20507(d). For an analysis of the related U.S. Supreme Court case, *Husted v. A. Philip Randolph Institute*, see CRS Legal Sidebar LSB10175, *Supreme Court Rules Ohio Voter Roll Law Comports with National Voter Registration Act*.

<sup>39</sup> According to one report, 36 states have laws authorizing the use of NCOA to identify voter address changes; the same report notes that “[i]n the majority of states, there is no single address confirmation procedure available to election officials.” See National Association of Secretaries of State, *NASS Report: Maintenance of State Voter Registration Lists*, December 2017, pp. 5-7, <https://www.nass.org/node/1266>. For an analysis of the U.S. Supreme Court case, *Husted v. A. Philip Randolph Institute*, which addressed state list maintenance and removal practices, see CRS Legal Sidebar LSB10175, *Supreme Court Rules Ohio Voter Roll Law Comports with National Voter Registration Act*.

<sup>40</sup> National Association of Secretaries of State, *NASS Report: Maintenance of State Voter Registration Lists*, December 2017, <https://www.nass.org/node/1266>, p. 8. See American Association of Motor Vehicle Administrators, “Driver License Compact,” <https://www.aamva.org/topics/driver-license-compact>, for more information on these programs. ERIC is a nonprofit organization “assisting states to improve the accuracy of America’s voter rolls.” Currently, 25 states and Washington, DC, are ERIC members. For more information, see <https://ericstates.org/>. In recent years, some states have also chosen to stop participating in ERIC. For more information on these developments, see National Conference of State Legislatures, “More Withdrawals From Voter Data Group ERIC Likely,” May 5, 2025, <https://www.ncsl.org/events/details/more-withdrawals-from-voter-data-group-eric-likely>.

HAVA requires election officials to compare voter registration records with the state agency responsible for death records to help identify deceased individuals.<sup>41</sup> Depending upon state law, election officials may also use other records, such as obituaries or notifications from family members of individuals who are ineligible to vote due to death.<sup>42</sup>

Political organizations or other groups may also provide information about individuals to state election officials. Some view these activities by outside entities as a way to help election officials identify inactive or ineligible voters, whereas others refer to these activities as *voter caging* and view them as an objectionable effort to reduce political participation.<sup>43</sup> Groups that provide such information often identify potentially ineligible voters by sending mailings to registered voters and compiling information on which mailings are returned as undeliverable or do not receive a requested reply from the recipient.

Once state election officials determine that a registered individual is likely an ineligible voter, state laws vary in prescribing how officials attempt to notify that person and the processes for removing ineligible voters from the voter registration database once their ineligibility is verified.<sup>44</sup> Many states choose a method similar to the one outlined in NVRA and remove a voter who fails to respond to a forwardable mailed notice once that person has not voted, updated their registration, or taken another action to notify election officials within the span of two general elections for federal office.<sup>45</sup> A voter in this scenario is often marked as “inactive” in the voter registration database between the time the notice is sent and when their record is removed.

Those who support frequent or continuous list maintenance efforts by states note that the accuracy of voter registration lists is important for administrative purposes and for maintaining election integrity. Removing ineligible voter names from the voter registration database prior to an election prevents those individuals from receiving and casting ballots.<sup>46</sup> Accurate voter registration records may also help identify certain instances of potential voter fraud, such as voter impersonation or double voting.<sup>47</sup> At the same time, states’ methods of performing voter list maintenance and removal may raise objections. Some may raise concerns, for example, that certain practices may sometimes result in the removal of eligible voters from registration lists and

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<sup>41</sup> 52 U.S.C. §21083(a)(2)(A)(ii)(I).

<sup>42</sup> National Association of Secretaries of State, *NASS Report: Maintenance of State Voter Registration Lists*, December 2017, <https://www.nass.org/node/1266>, p. 8; National Conference of State Legislatures, “Voter Registration List Maintenance,” June 19, 2025, <https://www.ncsl.org/elections-and-campaigns/voter-registration-list-maintenance>.

<sup>43</sup> Ballotpedia, “Voter caging and purging,” [https://ballotpedia.org/Voter\\_caging\\_and\\_purging](https://ballotpedia.org/Voter_caging_and_purging).

<sup>44</sup> For examples of the timing of voter registration removals in two states, see Stephen Pettigrew and Charles Stewart III, *Moved Out, Moved On: Assessing the Effectiveness of Voter Registration List Maintenance*, Massachusetts Institute of Technology Political Science Department Research Paper No. 2018-1, July 21, 2017, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3044810](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3044810), pp. 22-29.

<sup>45</sup> According to one report, 44 states use this approach; see National Association of Secretaries of State (NASS), *NASS Report: Maintenance of State Voter Registration Lists*, December 2017, p. 7, <https://www.nass.org/node/1266>.

<sup>46</sup> In very limited exceptions, an individual may be issued a provisional ballot, which is not counted until election officials verify that the person is eligible to vote.

<sup>47</sup> Duplicate voter registration records might exist for a time, for example, if a voter moves and registers to vote in a new jurisdiction but does not tell election officials to cancel a registration associated with his or her previous residence. According to one report, 13 states have laws that cancel a voter’s registration if notice is received from another state that the voter is registered in that state; 13 states also require election officials to notify other states if someone applying for voter registration indicates they were previously registered in another state; National Association of Secretaries of State, *NASS Report: Maintenance of State Voter Registration Lists*, December 2017, <https://www.nass.org/node/1266>, p. 8. It is generally not illegal for a voter to have multiple voter registration records if there is no intention to deceive election officials. Under NVRA, however, it is a federal crime for someone to submit a voter registration application or cast a ballot that is “known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held” (52 U.S.C. §20511).

may not comport with federal or state law (some observers describe such practices as *voter purges* or *voter purging*).<sup>48</sup>

## Verification At the Time of Voting

Election officials also typically seek to confirm a potential voter's identity at the time of voting; these verification processes can vary across jurisdictions, and may depend on the method by which an individual is voting.

When an individual arrives at a polling location to cast a vote in person, for example, election officials often ask the person to confirm their name and address, which is compared to a list of eligible voters in what is commonly known as a *poll book*. Today, many of these lists of voters are digital, sometimes referred to as *electronic poll books* or *e-poll books*, and can be compared in real time to names and records of eligible voters contained in the state's voter registration database.<sup>49</sup> E-poll books vary in their capabilities, and election jurisdictions vary in their policies for using them, but the following are a few examples of how this technology might be used to determine whether an individual is eligible to vote prior to issuing a ballot at a polling place. Some jurisdictions may use e-poll books to scan an individual's driver's license and compare it to the voter's records in the state's electronic voter registration database. By tracking who has appeared to vote or requested a ballot, e-poll books can also provide information about whether an individual has already cast a ballot during the same election (for example, by mail or during early in-person voting).

Many states also have some version of a voter identification or *voter ID* law, requiring individuals to show a form of identification at their polling places. Voter ID laws vary across states, with some jurisdictions requiring identification and others simply requesting it from voters. Most of the states with voter ID laws require voters to provide a form of photo identification, such as a state driver's license or U.S. passport, but states vary on what forms of identification are acceptable. States may also offer limited exceptions to voter ID requirements if, for example, a person has a religious exemption; does not have identification due to a natural disaster or is indigent; or participates in a state identity protection program.<sup>50</sup>

Some individuals who registered to vote by mail may be required to vote in person and meet certain identification requirements. Under NVRA, states may require an individual who registered by mail to vote in person if that individual has never previously voted in their current jurisdiction.<sup>51</sup> HAVA requires voters who submitted their voter registration applications by mail and have not previously voted in a federal election in their state to provide a current and valid photo identification or present "a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter" when they vote for the first time in a federal election.<sup>52</sup> If those voters who registered by mail are

<sup>48</sup> For further discussion utilizing these terms, see Naila S. Awan, "When Names Disappear: State Roll-Maintenance Practices," *University of Memphis Law Review*, vol. 49, no. 4 (Summer 2019), pp. 1107-1144; Matt Vasilogambros, "The Messy Politics of Voter Purges," *Stateline* blog, Pew Research Center, October 25, 2019, <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2019/10/25/the-messy-politics-of-voter-purges>; and Ballotpedia, "Voter caging and purging," [https://ballotpedia.org/Voter\\_caging\\_and\\_purging](https://ballotpedia.org/Voter_caging_and_purging).

<sup>49</sup> See National Conference of State Legislatures, "Electronic Poll Books," July 16, 2025, <https://www.ncsl.org/elections-and-campaigns/electronic-poll-books>; and CRS Insight IN12280, *Federal Guidelines, Testing, and Certification for Electronic Poll Books (E-Poll Books)*, by Karen L. Shanton.

<sup>50</sup> See National Conference of State Legislatures, "Voter ID Laws," July 2, 2025, <https://www.ncsl.org/elections-and-campaigns/voter-id>.

<sup>51</sup> 52 U.S.C. §20505(c).

<sup>52</sup> 52 U.S.C. §21083(b).

unable to provide documentation when voting in person for the first time, they may cast a provisional ballot.<sup>53</sup>

States may use other methods to verify the identities of individuals who want to cast an absentee ballot by mail.<sup>54</sup> Most states require a prospective absentee voter to request a by-mail ballot for an upcoming election.<sup>55</sup> Some states may require prospective absentee voters to submit certain identifying information when they request a by-mail ballot, such as a driver's license number, the last four digits of a Social Security number, or a copy of a photo ID.<sup>56</sup> States may also have certain requirements about who, other than the prospective voter, can submit an absentee ballot application, and may have additional requirements for absentee ballot requests submitted by a family member or other third party.<sup>57</sup> States vary in their methods of processing absentee ballot requests. Many states check the information provided on a by-mail ballot application against existing voter registration records, and some states also use a signature verification process at this stage, matching a signature from the by-mail ballot application to a signature on file.<sup>58</sup>

Following any applicable absentee ballot application process and the distribution of a by-mail ballot to a voter, the ballot is then returned to election officials to be cast. State election officials use various methods to verify that the returned ballot was completed by the person to whom it was sent. Many states have an attestation on the return envelope for by-mail ballots, asking the voter to sign as an indication that he or she is the intended ballot recipient; is eligible to vote; and/or understands applicable criminal penalties for submitting a fraudulent by-mail ballot. Thirty-two states use a signature verification process, whereby election officials compare the voter's signature on the ballot return envelope to other signatures on file from the voter. Some states require a witness to also sign the ballot return envelope, or that the ballot return envelope be notarized. By-mail voters may also be required to submit a copy of an identification document with their completed ballot.<sup>59</sup>

## Enforcing Federal Voter Eligibility

Several federal laws address fraudulent voter registration and unlawful voting. These election laws may serve as a deterrent and can also provide an enforcement mechanism for instances of fraudulent voter registration or unlawful voting. Many states also have laws with similar provisions prohibiting false voter registration or knowingly voting when ineligible in state and

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<sup>53</sup> 52 U.S.C. §21083(b)(2)(B)(i).

<sup>54</sup> This discussion provides general information that applies to most voters; different standards may apply for absentee ballots under UOCAVA. See CRS In Focus IF11642, *Absentee Voting for Uniformed Services and Overseas Citizens: Roles and Process, In Brief*, by R. Sam Garrett.

<sup>55</sup> For states where voters may be eligible to be on a permanent mail ballot voting list, see National Conference of State Legislatures, "Table 3: States With Permanent Absentee Voting Lists," October 4, 2024, <https://www.ncsl.org/elections-and-campaigns/table-3-states-with-permanent-absentee-voting-lists>.

<sup>56</sup> See National Conference of State Legislatures, "Table 6: States With Online Absentee Ballot Application Portals," October 9, 2024, <https://www.ncsl.org/elections-and-campaigns/table-6-states-with-online-absentee-ballot-application-portals>; and National Conference of State Legislatures, "Table 8: How States Verify Absentee Ballot Applications," October 9, 2024, <https://www.ncsl.org/elections-and-campaigns/table-8-how-states-verify-absentee-ballot-applications>.

<sup>57</sup> National Conference of State Legislatures, "Table 5: Applying for an Absentee Ballot, Including Third-Party Registration Drives," May 19, 2025, <https://www.ncsl.org/elections-and-campaigns/table-5-applying-for-an-absentee-ballot>.

<sup>58</sup> National Conference of State Legislatures, "Table 8: How States Verify Absentee Ballot Applications," October 9, 2024, <https://www.ncsl.org/elections-and-campaigns/table-8-how-states-verify-absentee-ballot-applications>.

<sup>59</sup> National Conference of State Legislatures, "Table 14: How States Verify Voted Absentee/Mail Ballots," August 7, 2025, <https://www.ncsl.org/elections-and-campaigns/table-14-how-states-verify-voted-absentee-mail-ballots>.

local elections. This report does not provide a legal analysis, but a brief summary of related federal laws is included below. For additional discussion of these issues, see CRS In Focus IF12742, *Federal Criminal Laws Prohibiting Unlawful Voting*, by Jimmy Balser.

Under the Voting Rights Act of 1965, it is a criminal act to, in a federal or mixed election, knowingly or willfully give false information to register to vote or to vote; conspire with another individual with the purpose of encouraging false voter registration or illegal voting; and pay, offer payment, or accept payment for registering to vote or voting.<sup>60</sup> It is also illegal to vote more than once in such elections.<sup>61</sup>

The NVRA established criminal penalties for any individual who knowingly and willfully intimidates, threatens, or coerces (or attempts to intimidate, threaten, or coerce) any person for registering to vote, voting, or attempting to register to vote in a federal election.<sup>62</sup> The NVRA also established criminal penalties for any individual who “knowingly and willfully deprives, defrauds, or attempts to deprive or defraud the residents of a State of a fair and impartially conducted election process, by” submitting voter registration applications or ballots known to be “materially false, fictitious, or fraudulent.”<sup>63</sup>

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 generally prohibits “any alien to vote” in any federal election, with certain specified exceptions. The exceptions noted in the statute include if (1) each natural parent of the alien (or, in the case of an adopted alien, each adoptive parent of the alien) is or was a U.S. citizen (whether by birth or naturalization); (2) the alien permanently resided in the United States prior to attaining the age of 16; or (3) the alien reasonably believed at the time of voting in violation of such subsection that he or she was a U.S. citizen. The statute also provides that an alien may be authorized to vote under state or local law for nonfederal candidates or issues, provided that the ballot is designed so that the alien has the opportunity to vote solely for nonfederal candidates or issues.<sup>64</sup>

## Recent Consideration by Congress

In recent Congresses, Members of both parties have introduced a variety of proposals related to the ways in which state and local election officials assess and verify voter eligibility. Many proposals would address these topics through federal voter registration or list maintenance policies, while other proposals would do this through different elements of election administration. Congress has also considered changes to federal voter qualifications and to criminal penalties related to fraudulent voter registrations and voting. The discussion in the following sections is not meant to be comprehensive, but highlights many of the policy proposals introduced in the 117<sup>th</sup>-119<sup>th</sup> Congresses (to date).

## Legislative Proposals Related to Voter Registration Applications and Verification

Some proposals introduced in recent Congresses would modify requirements related to the voter registration application process for federal elections. At this stage in the voter registration

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<sup>60</sup> 52 U.S.C. §10307(c).

<sup>61</sup> 52 U.S.C. §10307(e).

<sup>62</sup> 52 U.S.C. §20511(1).

<sup>63</sup> 52 U.S.C. §20511(2).

<sup>64</sup> P.L. 104-208, Div. C, Title II, §216(A), September 30, 1996, 110 Stat. 3009-572; 18 U.S.C. §611.

process, such proposals could help prevent ineligible persons from submitting an application, or might inhibit certain actions by state election officials, such as accepting applications from ineligible persons or recording their information in a state's federal voter registration database. To do this, legislation might propose changes to the voter registration application form itself; place certain requirements on individual applicants; and/or restrict state election officials from accepting or processing a voter registration application unless the applicant meets certain requirements. Proposals of this type might modify voter registration form questions or attestations, or might address documentation needed to submit, accept, or process a voter registration application. These measures, proponents argue, can help ensure that ineligible voters are not erroneously registered to vote and cannot cast a ballot. Others may view existing federal and state voter registration list maintenance procedures, as well as criminal penalties for voting under false pretenses, as sufficient safeguards.

Congress has recently considered legislation that would alter federal voter registration application requirements and states' verification processes by requiring proof of U.S. citizenship from applicants. For example, the Safeguard American Voter Eligibility Act (SAVE Act), which was introduced and passed the House in both the 119<sup>th</sup> (H.R. 22/S. 128) and 118<sup>th</sup> Congresses (H.R. 8281/S. 4292),<sup>65</sup> would amend NVRA to require documentary proof of U.S. citizenship for voter registration in federal elections. The SAVE Act includes a list of identifying documents that individuals could provide to state election officials to meet this requirement.<sup>66</sup> In addition to this requirement on individual applicants, the SAVE Act also would place a verification requirement on state election officials, specifying that states may not register an individual to vote for federal elections unless the individual provides documentary proof of U.S. citizenship when the individual applies to register to vote. Another proposal from the 118<sup>th</sup> Congress, the Citizen Ballot Protection Act (H.R. 4316/S. 3470), would have allowed states to establish a proof of citizenship requirement for individuals registering to vote by mail.<sup>67</sup>

Several recent bills have also contained provisions related to state election officials' role in determining appropriate residency for certain voters during the voter registration application process. These bills have proposed amending NVRA to require that driver's license applicants in a new state indicate whether the state would serve as their primary residence for voter registration purposes. For example, the Restoring Faith in Elections Act—introduced in the 119<sup>th</sup> Congress as H.R. 160, in the 118<sup>th</sup> Congress as H.R. 156, and in the 117<sup>th</sup> Congress as H.R. 102—would direct state DMVs to require individual applicants to attest, under penalty of perjury, whether or not they reside in another state or resided in another state prior to applying for their license (and, if so, to name that state). The act would also direct state DMVs to ask applicants whether they intend for the licensing state to be their primary residence for the purpose of voter registration in

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<sup>65</sup> In the 118<sup>th</sup> Congress, the SAVE Act was also included as part of H.R. 9494 (Continuing Appropriations and Other Matters Act, 2025) and H.R. 10034 (Border Security and Immigration Reform Act).

<sup>66</sup> As provided in Section 2 of the SAVE Act, acceptable documentary proof of citizenship for voter registration would include identification (ID) that complies with the REAL ID Act of 2005 that indicates U.S. citizenship; a valid U.S. passport; military ID together with a U.S. military service record indicating that the applicant's birthplace was in the United States; a government-issued photo ID indicating the applicant's birthplace was in the United States; or another government-issued photo ID that does not indicate birthplace or citizenship together with another specified document. If an applicant does not have such documentation, the SAVE Act would require states to establish a process whereby an individual could submit other documentation and sign an attestation under penalty of perjury that he or she is a U.S. citizen and eligible to vote in federal elections.

<sup>67</sup> A previous version of the Citizen Ballot Protection Act was introduced in the 117<sup>th</sup> Congress (H.R. 8223).

federal elections. Similar provisions were also contained in other legislation introduced in the 116<sup>th</sup>-118<sup>th</sup> Congresses, in bills such as the For the People Act and the Voter Empowerment Act.<sup>68</sup>

## Legislative Proposals Related to Voter Registration List Maintenance

Many proposals in recent Congresses have sought to modify existing requirements under NVRA and HAVA for states' voter registration list maintenance processes. For the purposes of discussion in this section, voter registration list maintenance involves state election officials checking their registration lists against other records to identify voters whose status may have changed; notifying these voters and providing them an opportunity to verify or refute this information; and making any subsequent updates to correct the voter registration database. This may include updating certain data fields for a person's registration information or removing ineligible voters' records. Some of these legislative proposals would clarify existing federal list maintenance provisions, and others would add new requirements for states. For further discussion, see CRS Report R46943, *Voter Registration Records and List Maintenance for Federal Elections*.

NVRA prohibits state election officials from removing an individual from the voter registration list for federal elections except for certain, stated reasons, which Congress may choose to modify through legislation.<sup>69</sup> One provision in several recent bills, for example, would clarify the authority of state election officials to remove noncitizens from state voter registration databases by adding noncitizenship to the list of specified reasons for removal under NVRA. This provision is included in the SAVE Act (H.R. 22/S. 128) as introduced in the 119<sup>th</sup> Congress, and bills introduced in both the 118<sup>th</sup> and 117<sup>th</sup> Congresses included a similar provision.<sup>70</sup>

Which information sources election officials can or must use for voter registration list maintenance may be determined at the federal or state levels.<sup>71</sup> Several bills introduced in recent Congresses would address data-matching criteria or standards for comparing voter information across sources to ensure that those records belong to the same individual.<sup>72</sup> For example,

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<sup>68</sup> Examples from the 118<sup>th</sup> Congress include H.R. 2566 (Voter Registration Efficiency Act) and H.R. 9727/S. 5151 (Voter Empowerment Act of 2024). Examples from the 117<sup>th</sup> Congress include H.R. 1/S. 1/S. 2093 (For the People Act of 2021), and H.R. 2358/S. 954 (Voter Empowerment Act of 2021). Examples from the 116<sup>th</sup> Congress include H.R. 1/S. 949 (For the People Act of 2019) and H.R. 8962 (Securing and Verifying Elections in[SAVE] America Act).

<sup>69</sup> These provisions are found in Section 8 of NVRA; see 52 U.S.C. §20507(a)(3).

<sup>70</sup> For examples of this provision in the 118<sup>th</sup> Congress, see H.R. 8281/S. 4292 (Safeguard American Voter Eligibility [SAVE] Act), which was also included as part of H.R. 9494 (Continuing Appropriations and Other Matters Act, 2025) and H.R. 10034 (Border Security and Immigration Reform Act); other examples from the 118<sup>th</sup> Congress included H.R. 3162 (Protecting American Voters Act), H.R. 4460 (Non-citizens: Outlawed from Voting in Our Trusted Election [NO VOTE] Act of 2023), H.R. 4494 (Ensuring Faith in Our Elections Act), and H.R. 4563 (American Confidence in Elections [ACE] Act). Similar provisions in the 117<sup>th</sup> Congress were also found in H.R. 2343 (Protecting American Voters Act) and H.R. 7959 (Non-citizens: Outlawed from Voting in Our Trusted Election [NO VOTE] Act of 2022).

<sup>71</sup> HAVA, for example, directs states to coordinate their voter registration lists with state agency records on felony status and state agency records on death. NVRA outlines one option that states may use to potentially identify voters who have changed addresses by using information from the United States Postal Service. States may also, under their own voter list maintenance laws and regulations, compare voter address records with one another or share information through other administrative programs, such as the Driver License Compact or the Electronic Registration Information Center (ERIC).

<sup>72</sup> Matches made using limited criteria, such as only first and last names and birthdays, may falsely identify multiple, unique individuals as a single voter. For more information, see Michael P. McDonald and Justin Levitt, "Seeing Double Voting: An Extension of the Birthday Problem," *Election Law Journal*, vol. 7, no. 2 (Spring 2008), pp. 111-122; Sharad Goel et al., *One Person, One Vote: Estimating the Prevalence of Double Voting in U.S. Presidential Elections*, *American Political Science Review*, vol. 114, no. 2 (May 2020), pp. 456-469, (continued...)

provisions in certain bills would have clarified what information must be shared and matched between states in an “interstate cross-check” if those data were to be used to remove a voter from a state’s registration list.<sup>73</sup> Other proposals would have directed the National Institute of Standards and Technology (NIST) to develop and publish standards for comparing data used in voter registration list maintenance.<sup>74</sup>

Some bills in recent Congresses have also proposed requirements for federal entities to share certain information with state election officials; often, these proposals are related to verifying a voter registration applicant’s citizenship. For example, in the 119<sup>th</sup> Congress, the SAVE Act (H.R. 22/S. 128) would require DHS and SSA to provide information to state election officials (upon request) to verify a voter registration applicant’s citizenship status for federal election purposes.<sup>75</sup> Another SAVE Act provision would require DHS to notify state election officials about newly naturalized citizens.<sup>76</sup> A number of other bills introduced in recent Congresses—including the Restoring Faith in Elections Act introduced in the 117<sup>th</sup>-119<sup>th</sup> Congresses—would also expand information sharing between specified agencies and state election officials as part of a proposed federal requirement that states provide automatic voter registration.<sup>77</sup> Other bills would require courts to notify state election officials when an individual is recused from jury duty on the grounds of noncitizenship.<sup>78</sup>

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available <https://scholar.harvard.edu/morse/publications/one-person-one-vote-estimating-prevalence-double-voting-us-presidential-elections>

<sup>73</sup> Examples from the 118<sup>th</sup> Congress included H.R. 9727/S. 5151 (Voter Empowerment Act of 2024); examples from the 117<sup>th</sup> Congress included H.R. 1/S. 1/S. 2093 (For the People Act of 2021) and H.R. 2358/S. 954 (Voter Empowerment Act of 2021).

<sup>74</sup> Examples from the 118<sup>th</sup> Congress included H.R. 9727/S. 5151 (Voter Empowerment Act of 2024); examples from the 117<sup>th</sup> Congress included H.R. 1/S. 1/S. 2093 (For the People Act of 2021) and H.R. 2358/S. 954 (Voter Empowerment Act of 2021).

<sup>75</sup> In the 118<sup>th</sup> Congress, similar provisions were found in H.R. 3162 (Protecting American Voters Act) and H.R. 8281/S. 4292 (SAVE Act). The SAVE Act from the 118<sup>th</sup> Congress passed the House (221-198), and its provisions were also introduced in H.R. 9494 (Continuing Appropriations and Other Matters Act, 2025), and H.R. 10034 (Border Security and Immigration Reform Act). In the 117<sup>th</sup> Congress, similar provisions were found in H.R. 2343 (Protecting American Voters Act).

<sup>76</sup> In the 119<sup>th</sup> Congress, see H.R. 22/S. 128; for the 118<sup>th</sup> Congress, see H.R. 8281/S. 4292 (SAVE Act). The SAVE Act from the 118<sup>th</sup> Congress passed the House (221-198), and its provisions were also introduced in H.R. 9494 (Continuing Appropriations and Other Matters Act, 2025) and H.R. 10034 (Border Security and Immigration Reform Act).

<sup>77</sup> For example, in the 119<sup>th</sup> Congress, H.R. 160 (Restoring Faith in Elections Act) proposes use of naturalization information from the Bureau of Citizenship and Immigration Services (USCIS); in the 118<sup>th</sup> Congress, similar language was found in H.R. 156 (Restoring Faith in Elections Act), H.R. 1643/S. 883 (New Deal for New Americans Act of 2023), and H.R. 9727 (Voter Empowerment Act of 2024). H.R. 160 (Restoring Faith in Elections Act) also specifies that the Social Security Administration, the Department of Veterans Affairs, the Defense Manpower Data Center (within the Department of Defense), the Employee and Training Administration (within the Department of Labor), and the Centers for Medicare & Medicaid Services (within the Department of Health and Human Services) would be “contributing agencies” that would provide agency records for use in automatic voter registration; in the 118<sup>th</sup> Congress, similar provisions were in H.R. 156 (Restoring Faith in Elections Act) and H.R. 9727 (Voter Empowerment Act of 2024). Several bills introduced in the 117<sup>th</sup> Congress would have specified one or more of these federal agencies as a “contributing agency” for the purposes of voter registration, including H.R. 1/S. 1/S. 2093 (For the People Act of 2021), H.R. 102 (Restoring Faith in Elections Act), H.R. 1308/S. 433 (New Deal for New Americans Act of 2021), and H.R. 2358/S. 954 (Voter Empowerment Act of 2021). Other bills may also propose automatic voter registration utilizing existing information-sharing relationships between DMVs and state election officials under NVRA and HAVA; some of these bills describe certain state agencies that would be required to participate, whereas others do not specify which particular “contributing agencies” must coordinate records with state election officials.

<sup>78</sup> Examples from the 118<sup>th</sup> Congress included H.R. 7960 (Preventing Ballot Drop Box and Mail Fraud Act), H.R. 4460 (Non-citizens: Outlawed from Voting in Our Trusted Election [NO VOTE] for Non-Citizens Act of 2023), H.R. (continued...)

Several recent bills have also proposed certain information sharing through state departments of motor vehicles, which could provide election officials with information about individuals who have moved outside of a state. Among other provisions, these bills would amend NVRA to require a new question for driver's license applicants to indicate their primary residence for voter registration purposes. If an applicant indicates that the state where they are applying for a new license shall be their residence for voter registration purposes, the bill would also require the DMV in the licensing state to notify the other state's DMV about the applicant's choice. The DMV in the other state would then notify the appropriate chief state election official.<sup>79</sup>

## **Legislative Proposals Related to Voter Verification at the Time of Voting**

Congress has recently considered legislation related to verifying voters' identities when they receive or cast ballots. For example, Congress has considered legislation that would establish a federal voter identification requirement.<sup>80</sup> In the 119<sup>th</sup> Congress, the Making American Elections Great Again Act (H.R. 4798) would require individuals to provide government photo identification and proof of U.S. citizenship to vote in federal elections. The bill contains definitions for what documentation would meet its requirements and includes processes for both in-person and by-mail voters. Another bill introduced in the 119<sup>th</sup> Congress, the Securing our Elections Act of 2025 (H.R. 156), would amend HAVA to prohibit election officials from providing an in-person ballot to or accepting a by-mail ballot from any individual who does not provide a valid form of photo identification, as defined by the bill.<sup>81</sup> In the 118<sup>th</sup> Congress, the American Confidence in Elections: District of Columbia Voter Identification Act (H.R. 4488) would have placed certain requirements on Washington, DC, elections, including requiring voters to provide photo identification and proof of citizenship (both as defined in the bill) to vote in any election held in the District of Columbia, including federal elections.<sup>82</sup> The bill also would have

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4494 (Ensuring Faith in Our Elections Act), H.R. 4563 (ACE Act), and H.R. 7960 (Preventing Ballot Drop Box and Mail Fraud Act); similar examples from the 117<sup>th</sup> Congress include H.R. 322/S. 459 (Save Democracy Act), H.R. 7959 (Non-citizens: Outlawed from Voting in Our Trusted Election [NO VOTE] for Non-Citizens Act of 2022), and H.R. 8528 (ACE Act).

<sup>79</sup> For an example from the 119<sup>th</sup> Congress, see H.R. 160 (Restoring Faith in Elections Act). Examples from the 118<sup>th</sup> Congress include H.R. 156 (Restoring Faith in Elections Act), H.R. 2566 (Voter Registration Efficiency Act), and H.R. 9727/S. 5151 (Voter Empowerment Act of 2024); similar examples from the 117<sup>th</sup> Congress include H.R. 1/S. 1/S. 2093 (For the People Act of 2021), H.R. 102 (Restoring Faith in Elections Act), and H.R. 2358/S. 954 (Voter Empowerment Act of 2021).

<sup>80</sup> In addition to the policies described in this section, Congress has also considered legislation related to federal identification methods, or requirements for state-issued identification methods, that may be used to satisfy current or potential voter ID policies. For example, in the 119<sup>th</sup> Congress, H.R. 1457 (IDs for an Inclusive Democracy Act) would direct the Social Security Administration to produce federal identification cards for certain individuals and make them available free of charge. Another proposal would have amended the REAL ID Act of 2005 to require an indication of U.S. citizenship for REAL ID-compliant driver's licenses and identification cards. For examples from the 118<sup>th</sup> Congress, see H.R. 4494 (Ensuring Faith in Our Elections Act), H.R. 4563 (ACE Act), and H.R. 4597 (Citizen Vote Protection Act); for examples from the 117<sup>th</sup> Congress, see H.R. 7960 (Citizen Vote Protection Act) and H.R. 8528 (ACE Act).

<sup>81</sup> This bill would provide an exception for UOCAVA voters; it also would require that states provide notice to prospective voters about these requirements during the voter registration application process.

<sup>82</sup> Another bill in the 118<sup>th</sup> Congress, H.R. 4492 (American Confidence in Elections: District of Columbia Tribal Voter Identification Act), would have required the District of Columbia to accept photo identification issued by a tribal government for voter registration and voter identification purposes for any election held in the District of Columbia, including federal elections.

required Washington, DC, election officials to obtain and include photos or digital images of voters in the poll books.

Some measures have also proposed federal voter identification requirements specifically for individuals seeking to cast absentee or by-mail ballots, or other measures related to ensuring the veracity of ballots cast by methods other than in person.<sup>83</sup> Such provisions might require a person to submit a copy of certain identification when he or she requests a by-mail ballot or submits a completed ballot. For example, the ACE Act (H.R. 4563) and the Ensuring Faith in Our Elections Act (H.R. 4494), both introduced in the 118<sup>th</sup> Congress, would have added voter identification requirements only to ballots for individuals “voting other than in person.”<sup>84</sup> Other provisions in these and additional bills would also have prohibited HAVA funding to states and/or localities that allowed certain third parties to collect mail ballots.<sup>85</sup> Some measures, including the Election Mail Act (H.R. 4915) introduced in the 119<sup>th</sup> Congress, have also proposed certain ballot tracking and delivery standards for by-mail ballots.<sup>86</sup>

Congress has also considered legislation that would establish certain standards for states that have voter identification policies under state law, but without establishing a federal voter identification mandate for all states. Such proposals have included standards for acceptable forms of voter identification documents or sought to establish fail-safe methods to ensure that individuals without documentation can still vote once their eligibility has been confirmed. For example, in the 119<sup>th</sup> Congress, the Youth Voting Rights Act (H.R. 4916) would establish that states or localities with a voter identification requirement must accept a student identification card issued by an institution of higher education as voter identification if the student identification card provides the minimum identifying information found on other forms of acceptable voter identification; similar versions of the bill were also introduced in the 118<sup>th</sup> (H.R. 5293/S. 2985) and 117<sup>th</sup> Congresses (H.R. 8341/S. 4500). As another example, the Freedom to Vote Act, introduced in the 118<sup>th</sup> and 117<sup>th</sup> Congresses, would have defined acceptable forms of voter identification and required states with voter identification policies to ensure that individuals could obtain an acceptable form of government identification free of charge.<sup>87</sup> The bill would also have required that states accept a sworn written statement, signed by a person meeting certain criteria who could attest to a voter’s identity under the penalty of perjury, in lieu of identification. The bill would have directed election officials to issue provisional ballots to voters without identification

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<sup>83</sup> For further discussion of by mail and absentee voting, see CRS In Focus IF11477, *Early Voting and Mail Voting: Overview & Issues for Congress*.

<sup>84</sup> In the 118<sup>th</sup> Congress, H.R. 4488 (American Confidence in Elections: District of Columbia Voter Identification Act) and H.R. 4477 (American Confidence in Elections: District of Columbia Election Integrity and Voter Confidence Act) would have established similar requirements for elections in the District of Columbia. Similar provisions in the 117<sup>th</sup> Congress were included in H.R. 8528 (ACE Act). Other proposals from the 118<sup>th</sup> Congress would have prohibited states from requiring identification to obtain or cast an absentee ballot, such as the Voter Empowerment Act (H.R. 9727/S. 5151) and the Freedom to Vote Act (H.R. 11/S. 1/S. 2344).

<sup>85</sup> Examples from the 118<sup>th</sup> Congress include H.R. 512 (One Citizen One Vote Act), H.R. 4494 (Ensuring Faith in Our Elections Act), H.R. 4544 (No Federal Funds for Ballot Harvesting Act), and H.R. 4563 (ACE Act); examples from the 117<sup>th</sup> Congress include H.R. 7958 (No Federal Funds for Ballot Harvesting Act) and H.R. 8528 (ACE Act). Similar provisions for elections in the District of Columbia were contained in the American Confidence in Elections: District of Columbia Election Integrity and Voter Confidence Act, introduced in the 118<sup>th</sup> Congress as H.R. 4477 and in the 117<sup>th</sup> Congress as H.R. 4415.

<sup>86</sup> For previous versions of the Election Mail Act from the 118<sup>th</sup> Congress, see H.R. 9484/S. 2576; it was also introduced in the 117<sup>th</sup> Congress as S. 4487. Other examples of legislation related to treatment of election mail from the 118<sup>th</sup> Congress include H.R. 4476 (Election Integrity Mail Reform Act) and H.R. 4494 (Ensuring Faith in Elections Act); examples from the 117<sup>th</sup> Congress include H.R. 8528 (ACE Act).

<sup>87</sup> For the 118<sup>th</sup> Congress versions of the Freedom to Vote Act, see H.R. 11/S. 1/S. 2344; for similar bills in the 117<sup>th</sup> Congress, see H.R. 5746 and S. 2747.

or unable to provide such a statement, if those voters provided sworn written statements affirming their identities under penalty of perjury.

## **Legislative Proposals Related to Voter Qualifications and Enforcement of Voter Eligibility**

Recent Congresses have considered legislation that would modify voter qualifications. These bills often address qualifications to vote in federal elections, and some address qualifications for other elections. For example, in the 119<sup>th</sup> Congress, H.J.Res. 31 proposes a constitutional amendment that would prohibit individuals who are not U.S. citizens, nationals, or lawful permanent residents from voting in any federal, state, tribal, or local elections, and a similar measure, H.J.Res. 40, was introduced in the 118<sup>th</sup> Congress. Another proposal in the 119<sup>th</sup> Congress, H.J.Res. 107, would create a constitutional amendment that would prohibit noncitizens from voting “in any election for public office held in the United States” or for any ballot initiative or referendum.

Some bills have also addressed voting qualifications specific to elections in the District of Columbia. For example, H.R. 884 (which passed the House on June 10, 2025) and S. 2636 in the 119<sup>th</sup> Congress would prohibit voting by noncitizens “in an election for public office in the District of Columbia or in any ballot initiative or referendum in the District of Columbia.” Similar measures were introduced in the 118<sup>th</sup> Congress as H.R. 192 and in the American Confidence in Elections (ACE) Act, H.R. 4563.<sup>88</sup>

Other legislation has proposed a constitutional amendment to lower the voting age to 16, such as H.J.Res. 16 in the 119<sup>th</sup> Congress.<sup>89</sup> Additional measures from recent Congresses, such as the Democracy Restoration Act (versions of which were introduced in every Congress between the 110<sup>th</sup> and 118<sup>th</sup> Congress), would have prohibited states from denying or abridging a person’s right to vote due to a criminal offense, unless an individual is serving a felony sentence in a correctional facility at the time of an election.<sup>90</sup>

Congress may also choose to modify federal penalties for individuals who knowingly and willfully cast ballots despite being ineligible to vote, or for those who knowingly and willfully assist ineligible individuals in trying to vote. Some recently introduced bills would address existing federal penalties for noncitizen voting. One example from the 119<sup>th</sup> Congress, the Deport Illegal Voters Act (H.R. 707), would amend the Immigration and Nationality Act to establish the act of unlawful voting by anyone who is not a citizen or national of the United States as an aggravated felony, and provide that “any alien who has voted in violation of any Federal, State, or local constitutional provision, statute, ordinance, or regulation is inadmissible.” Another bill in the 119<sup>th</sup> Congress, the Voter Integrity Protection Act (H.R. 58), contains similar provisions that would establish unlawful voting by an alien as an aggravated felony, and also contains a provision that any unlawfully present alien who “knowingly commits a violation of section 611 of title 18, United States Code, is deportable.” Other bills introduced in recent Congresses would have

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<sup>88</sup> For examples of similar measures in the 117<sup>th</sup> Congress, see H.R. 9172 (To prohibit individuals who are not citizens of the United States from voting in elections in the District of Columbia) and H.R. 8528 (American Confidence in Elections [ACE] Act).

<sup>89</sup> Previous versions of this proposal were also introduced in the 118<sup>th</sup> Congress (H.J.Res. 16), 117<sup>th</sup> Congress (H.J.Res. 23), 116<sup>th</sup> Congress (H.J.Res. 23), and 115<sup>th</sup> Congress (H.J.Res. 138).

<sup>90</sup> Examples from the 118<sup>th</sup> Congress include the Voter Empowerment Act of 2024 (H.R. 9727/S. 5151), the Democracy Restoration Act of 2023 (H.R. 4987), and the Freedom to Vote Act (H.R. 11/S. 1/S. 2344). Examples from the 117<sup>th</sup> Congress include the Voter Empowerment Act of 2021 (S. 954), the Democracy Restoration Act of 2021 (S. 481), the Freedom to Vote Act (S. 2747), the Freedom to Vote: John R. Lewis Act (H.R. 5746), and the For the People Act of 2021 (H.R. 1/S. 1/S. 2093).

amended NVRA to include criminal penalties “for any alien to vote in any election” in violation of Title 18, Section 611, of the *U.S. Code*.<sup>91</sup>

Some legislation would address criminal penalties for individuals who assist others in unlawfully registering to vote or unlawfully voting. In the 119<sup>th</sup> Congress, for example, the Make American Elections Great Again Act (H.R. 4798) would amend existing criminal penalties under NVRA (52 U.S.C. §20511(2)) to include penalties for any election official who (1) provides material assistance to a noncitizen attempting to vote in a federal election or (2) provides a ballot for a federal election to an individual who fails to present government photo identification and proof of U.S. citizenship. The SAVE Act, as introduced in the 119<sup>th</sup> Congress (H.R. 22/S. 128) and in the House version in the 118<sup>th</sup> Congress (H.R. 8281), contains provisions that would amend NVRA to include criminal penalties for (1) any executive branch officer or employee who provides material assistance to a noncitizen in attempting to register to vote or vote in a federal election or (2) registering an individual to vote in federal elections without that individual presenting documentary proof of U.S. citizenship.<sup>92</sup>

Other bills introduced in recent Congresses would address federal penalties for individuals who provide false information to election officials to challenge a voter’s registration status. For example, in the 119<sup>th</sup> Congress, the Countering Harassment and Applying Legal Liability to Effectively Nurture Government Election Stability [CHALLENGES] Act (H.R. 4913) would amend NVRA to include criminal penalties for any individual who (1) submits a formal challenge to election officials to an individual’s voter registration status “knowingly and negligently disregarding that the individual is eligible to be registered to vote in elections for Federal office in the State,” or (2) provides another person with information alleging that an individual is ineligible to be registered to vote “knowing that the information is false and with the reasonable expectation that the person to whom the information is provided will use the information to submit to a State or local election official a formal challenge to the voter registration status of the individual.”

## Concluding Observations

Ensuring that only eligible individuals are able to vote has been a recurring subject of interest to Members of Congress, election officials, and members of the public. How to best achieve that goal—whether at the federal level or state level, and through which policy measures—is a subject of debate. Voter eligibility for federal elections is largely established by the U.S. Constitution, and certain federal laws provide enforcement mechanisms for deliberate attempts to register to vote or vote fraudulently in federal elections. The history of decentralized election administration in the United States, however, has often meant that the implementation of policies that might help identify ineligible voters and prevent them from voting in federal elections—such as voter registration, voter list maintenance, or voter ID requirements—has been governed by state and local laws.

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<sup>91</sup> For examples from the 118<sup>th</sup> Congress, see the Noncitizens: Outlawed from Voting in Our Trusted Elections [NO VOTE for Noncitizens] Act of 2023 (H.R. 4460), the Ensuring Faith in Our Elections Act (H.R. 4494), and the ACE Act (H.R. 4563); for examples from the 117<sup>th</sup> Congress, see the Noncitizens: Outlawed from Voting in Our Trusted Elections [NO VOTE for Noncitizens] Act of 2022 (H.R. 7959) and the ACE Act (H.R. 8528).

<sup>92</sup> The Senate version of the SAVE Act introduced in the 118<sup>th</sup> Congress (S. 4292) would have amended NVRA to add criminal penalties for anyone who registers an individual to vote in a federal election without presenting documentary proof of U.S. citizenship, but would not have included the penalties included in the House version pertaining to executive branch officers or employees who provide material assistance to a noncitizen in attempting to register to vote or voting in a federal election.

Congress has established certain standards for election administration—in particular, for state voter registration and voter list maintenance processes in federal elections—through laws such as NVRA and HAVA. Since these laws were enacted, some proponents of related federal measures have suggested additional requirements or guidelines for states related to verifying and ensuring voter eligibility in federal elections. As discussed throughout this report, many of these proposals are related to the voter registration process and subsequent verification and voter list maintenance efforts by state election officials, building on NVRA and HAVA. This stage in the election process can serve as a key checkpoint for election officials to help ensure that only individuals who are qualified to vote in federal elections can receive and cast ballots.

Proponents of additional related measures have also suggested methods of verifying voter eligibility when individuals receive ballots or return ballots to election officials, as well as criminal penalties for attempting or engaging in fraudulent voter registration or voting. As evidenced in the variety of legislative proposals discussed throughout this report, Members' views vary about which stage of the election process might be the most appropriate, necessary, or practical point at which to include additional measures related to verifying voter eligibility.

At the same time, others may view certain additional measures as barriers that might inhibit otherwise eligible individuals from being able to exercise their right to vote. Although the objective of promoting fair elections may be widely shared, some individuals may also question whether it is an appropriate role for the federal government to become more involved in establishing additional voter verification requirements for states. Others may also question whether it is necessary to expand existing federal election requirements for states. Some may believe that existing federal policy and state practices are sufficient to ensure that ineligible voters do not vote, or that the potential benefits of additional federal requirements must be weighed against other considerations. For example, there may be challenges in establishing uniform voter registration or voter identification policies for every state, when each state has developed its own system of election laws. In many instances, federal policy proposals regarding election administration have historically mirrored initiatives that have already been enacted across several states, which can provide certain lessons for nationwide implementation, if enacted.

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