



Updated February 24, 2026

# Safeguard American Voter Eligibility Act (SAVE America Act) and Federal Voter Registration Policy and Law

This CRS In Focus provides an overview of existing voter registration policy and law in federal elections and discusses how the voter registration and voter identification (ID) provisions in certain recent legislation would affect the status quo. As discussed in the following sections, current federal law prohibits aliens from voting in federal elections and requires states to follow various registration requirements for federal elections. There is no existing federal voter ID requirement. Most recently as of this writing, the House passed (218-213) the Safeguard American Voter Eligibility Act, also known as the SAVE America Act, as an amendment to S. 1383 on February 11, 2026. The legislation would, among other provisions, require documented proof of U.S. citizenship for registration, and specified voter ID to cast a ballot.

## Current Federal Law and the Voter Registration Process

As explained below, current federal law addresses voter eligibility, as well as certain elements of voter registration and voter registration list maintenance for federal elections. States and territories are responsible for conducting and administering voter registration. States are primarily responsible for voter registration and election administration. Election jurisdictions (typically counties) rely on information from registrants and from state and federal sources to verify eligibility.

## Voter Eligibility and Voter Registration Verification for Federal Elections

Section 611 of Title 18, *U.S. Code*, generally prohibits “any alien to vote” in an election for candidates for “the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, Delegate from the District of Columbia, or Resident Commissioner,” with limited exceptions, including 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. Further, 18 U.S.C. §611 provides an exception to the prohibition when an alien is authorized to vote by state or local law for nonfederal candidates or issues and the ballot is designed so that the alien has the opportunity to vote solely for nonfederal candidates or issues.

In addition, the National Voter Registration Act of 1993 (NVRA, 52 U.S.C. ch. 205) establishes certain requirements for voter registration applications for federal elections, which include a statement specifying eligibility

requirements, including citizenship; an attestation that the applicant meets each requirement; and the applicant’s signature under penalty of perjury. Under the NVRA, states “may only require the minimum amount of information necessary” to prevent duplicate voter registrations and ensure that election officials can assess the applicant’s eligibility and administer voter registration and election processes. In *Arizona v. Inter Tribal Council of Ariz., Inc.*, the Supreme Court held that the NVRA’s requirement that states accept the federally created National Mail Voter Registration Form for registering voters in federal elections preempted a state law requiring documentary proof of citizenship for registering to vote in federal elections.

The Help America Vote Act of 2002 (HAVA, 52 U.S.C. ch. 209) also prohibits states from accepting or processing voter registration applications for federal elections unless the applicant provides certain identifying information, namely a current and valid driver’s license number; if the applicant does not have a driver’s license, the applicant may provide the last four digits of his or her Social Security number, and if the applicant has neither, the state shall assign the applicant a unique identification number for voter registration purposes. Election officials may use various methods, generally governed by state law, for verifying voter registration information, some of which involve federal data. HAVA requires a state’s department of motor vehicles (DMV) to enter into information-sharing agreements with state election officials and with the Social Security Administration to verify voter applicant information. Election officials may also use the U.S. Citizenship and Immigration Services’ (USCIS’s) Systematic Alien Verification for Entitlements (SAVE) system to help verify voter registration applicants’ citizenship status.

States and localities may have separate eligibility requirements for nonfederal elections. In Arizona, for example, state law requires documentary proof of citizenship for registering to vote in nonfederal elections.

## Voter Registration List Maintenance and Voter Removal for Federal Elections

The NVRA specifies reasons why and the circumstances under which a state may remove names of voters from federal election voter rolls. Reasons specified under NVRA for voter removal include change of residence, death, or (depending on state law) ineligibility due to mental incapacity or criminal conviction.

## The SAVE America Act (119<sup>th</sup> Congress)

In amending the NVRA, the version of the SAVE America Act passed by the House as an amendment to S. 1383 on

February 11, 2026, would establish additional requirements for states, particularly concerning providing and verifying voter ID during the registration and voting processes. The legislation would create documentation requirements at the time of registration and would establish additional state voter list maintenance requirements for federal elections. It appears that the relevant requirements would apply to all 50 states.

The House-passed bill would amend the NVRA to require documentary proof of citizenship when registering to vote in federal elections. As specified in Section 2, the acceptable documentary proof of citizenship for voter registration would include an ID that complies with the REAL ID Act of 2005 that indicates U.S. citizenship; a valid U.S. passport; a 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. For federal voter registration applicants without such documentation, the bill would require states to establish a process whereby applicants could submit other documentation and sign an attestation under penalty of perjury that the applicant is a U.S. citizen and eligible to vote in federal elections. In addition, the bill would require states to establish a process to accept registrations for individuals who otherwise meet the bill's ID criteria but whose names differ on their acceptable IDs.

In addition, the House-passed legislation would amend the NVRA to require states to remove names of individuals from the official voter rolls for federal office whenever the state receives "documentation or verified information that a registrant is not a United States citizen." The bill would require states, within 30 days of enactment, to submit voter lists to the USCIS/DHS SAVE system to verify citizenship for voter eligibility. As indicated previously, states currently may use the system to verify voter eligibility.

The House-passed bill generally specifies effective dates upon enactment. The bill also would require the U.S. Election Assistance Commission (EAC) to issue guidance on implementation for Section 2 within 10 days of enactment.

Section 3 of the House-passed bill would require individuals to present "valid photo identification" to vote in federal elections. As specified in Section 3, such ID would include a valid state-issued driver's license containing a photograph and an expiration date; a valid state-issued nondriver ID containing a photograph and an expiration date, issued by the state DMV; a valid U.S. passport; a valid military ID; or a valid tribal ID that includes a photograph and an expiration date. Section 3 also would require states to notify voters of the ID requirements at the time of registration, including for online registration.

### Additional Legislative Background

The version of the SAVE America Act passed by the House as an amendment to S. 1383 on February 11, 2026, contains some provisions that are similar to parts of the language found in previous versions of the Safeguard American Voter Eligibility (SAVE) Act, the SAVE America Act, or the Make Elections Great Again (MEGA) Act. The SAVE Act was introduced at the beginning of the 119<sup>th</sup> Congress as H.R. 22 by Representative Roy and as S. 128 by Senator Lee. The House passed (220-208) H.R. 22 on April 10, 2025. S. 128 has not substantially advanced beyond introduction. The similarly titled SAVE America Act (H.R. 7296) was introduced on January 30, 2026, by Representative Roy in the House. Senator Lee introduced a companion Senate measure, also titled the SAVE America Act, on January 29, 2026 (S. 3752). (This In Focus does not discuss S. 1383 as passed by the Senate by unanimous consent on December 18, 2025. That bill did not address elections. S. 1383 is serving as a legislative vehicle for the House-passed version of the SAVE America Act.)

The MEGA legislation (H.R. 7300) was introduced by Representative Steil on January 30, 2026. The Committee on House Administration held a hearing on the MEGA bill on February 10, 2026.

### Additional CRS Resources

The following CRS products provide further information on the topics discussed in this In Focus:

- CRS Report R45030, *Federal Role in Voter Registration: The National Voter Registration Act of 1993 (NVRA) and Subsequent Developments* (2025).
- CRS Report R48735, *Federal Voter Eligibility and Voter Registration: Overview and Issues for Congress* (2025).
- CRS Report R46943, *Voter Registration Records and List Maintenance for Federal Elections*.
- CRS Legal Sidebar LSB10175, *Supreme Court Rules Ohio Voter Roll Law Comports with National Voter Registration Act* (2018).
- CRS In Focus IF12742, *Federal Criminal Laws Prohibiting Unlawful Voting* (2024).
- CRS Report R46949, *The Help America Vote Act of 2002 (HAVA): Overview and Ongoing Role in Election Administration Policy* (2023).

---

**Sarah J. Eckman**, Analyst in American National Government

**L. Paige Whitaker**, Legislative Attorney

**R. Sam Garrett**, Specialist in American National Government

IF12902

## Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.