

March 28, 2025

Re: Oppose the SAVE Act, H.R. 22

Dear Representative,

On behalf of the Brennan Center for Justice, I strongly urge you to oppose the Safeguard American Voter Eligibility (SAVE) Act, H.R. 22. This would be the worst voting bill to be passed by Congress in memory, likely ever. It would restrict the freedom to vote for millions of eligible American citizens. It must be defeated.

The SAVE Act would require every American essentially to produce a passport or birth certificate each time they register or re-register to vote. This could block millions of American citizens from voting. More than 21 million American citizens do not have their passport or birth certificate readily available. Only about half of American adults have a passport, and millions lack easy access to a paper copy of their birth certificate. Some Americans are especially likely to lack these documents, including the millions of married women who change their names (so their documents don't match), younger voters, and voters of color.

We've seen this before. When Kansas and Arizona tried to implement their own proof-of-citizenship requirements for voting, they blocked tens of thousands of eligible American citizens from registering. This year in New Hampshire, which recently enacted a similar requirement, eligible voters have already been turned away at the polls because they didn't have citizenship papers on-hand. Amid the push to nationalize this disastrous policy through the SAVE Act, Kansas's Republican secretary of state (the state's chief election official) has urged against following that path, noting that "Kansas did that 10 years ago. It didn't work out so well."

In addition, the SAVE Act would eliminate or upend most methods of registering to vote. Mail and online registration would be essentially abolished, as would voter registration drives that add hundreds of thousands of citizens to the rolls every election cycle. Automatic voter registration would be severely limited in states across the country. The bill would also direct states to purge their voter rolls based on faulty data and without appropriate guardrails, like requiring officials to notify voters before removing them from the list. In 2024 alone, we saw these kinds of reckless purge attempts sweep in thousands of eligible American citizens in Alabama, Ohio, Virginia, and Texas.

The bill would also impose an unfunded mandate on election officials, saddling them with the responsibility of hashing out the practical details, leaving them to cover the costs, and threatening them with criminal and civil penalties if they get things wrong.

There are already checks in place to ensure that only eligible citizens can vote. Studies show only U.S. citizens vote, and the exceptions are vanishingly rare. State-level investigations into voter rolls have repeatedly confirmed that fact. The bill solves nothing: it is a solution in search of a problem.

As the President illegally tries to enact the SAVE Act by decree, Congress is being asked to double down on these attacks on the freedom to vote through legislation. A vote for this misguided measure would be a vote to potentially block millions of eligible American citizens from participating in our democracy. It would be the first time I'm aware of that Congress intervened to take that essential right away from millions. I urge you to oppose the SAVE Act.

Best regards,



Michael Waldman
President and CEO