

# FACT SHEET

Federal law prohibits noncitizens (resident aliens as well as illegal immigrants) from voting in federal elections. Most state constitutions note that voting is for U.S. and state citizens, but many do not expressly ban noncitizen voting or include the words “citizens only.”

Federal laws (including the National Voting Rights Act of 1993) that prohibit noncitizen voting do not have specific or meaningful enforcement provisions from registration process through to voting. No documentary proof of citizenship is required to register to vote.

All states provide driver’s licenses (or state ID’s) to noncitizens, 19 states provide driver’s licenses to illegal immigrants, and REAL ID has no mechanism to include or indicator citizenship on the card.

Under federal law, state driver’s license bureaus must offer the option to register to vote to all customers. All that is required on the federal form is for the applicant (whether an English speaker or not) to check a box attesting to citizenship with no verification required.

In 2021, the Biden Administration issued Executive Order 14019 requiring all federal agencies to offer voter registration to anyone in contact with them – with no requirement to document citizenship. This Executive Order has given tacit federal permission to register individuals that come in contact with federal officials at U.S. borders. It is estimated that nearly 10 million illegal immigrants have crossed our borders since 2021.

In 2014, a nonpartisan study by statisticians determined that 6.4% of noncitizens voted in the 2008 elections. There are currently an estimated 23 million noncitizens in the U.S. If only that same 6.4% voted in 2024, that would result in over 1.5M unlawful votes – enough to swing election results in many states.

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**Call to Action:** *Shine the light locally on noncitizen voting.* Speak to your neighbors, write letters to the editor to your local newspaper, call in to talk radio, and host public sign rallies to bring attention to this issue.

**Call to Action:** *Local election officials.* Meet with your local officials and ask them how they plan to ensure that no noncitizens vote in your area. Ask them if they are utilizing federal databases, state DMV records or local jury duty records to confirm citizenship of registrants.

**Call to Action:** *State legislators.* Contact state legislators to ensure that your state constitution adequately protects against noncitizen voting, amend laws to require state IDs to reflect citizenship status, and institute DMV procedures that report noncitizen licenses and IDs.

**Call to Action:** *Congress.* Contact your Members of Congress to demand passage of the SAVE Act, a bill that would close loopholes in federal law allowing noncitizens to register to vote by requiring documentary proof of citizenship.