Reese Boardman
Research Assistant

United States Senate Bill 1383

Safeguard American Voter Eligibility Act

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GARY R. HERBERT INSTITUTE FOR PUBLIC POLICY
800 W University Pkwy, Orem, UT 84058
801-558-9371 | uvu.edu/herbertinstitute/

Introduction

Senate Bill 1383, known as Safeguard American Voter Eligibility Act (SAVE America Act),[1] is a federal Senate bill focusing on election security. It passed initially in the Senate as the Veterans Accessibility Advisory Committee Act of 2025, amended in the House and then passed back to the Senate where it has failed cloture. It's now been attached to the FY2027 National Defense Authorization Act which passed the House in July.



Registering to Vote

All individuals seeking to register to vote in federal elections by mail are required to visit an election official's office in person to provide **documentary proof of citizenship** before being registered to vote in federal elections. Individuals registering through a motor vehicle agency or voter registration agency can provide proof at the time of transaction. In states permitting registration at the polling place on election day, mail applicants may instead present proof there by election day. Individuals with name discrepancies will be required to sign an affidavit or provide further proof establishing that the name on the documentation is a previous name. Reasonable accommodations will be made for those with disabilities. Absent uniformed service voters are exempt from the registration requirements.

Those who do not have documentary proof of citizenship must sign an affidavit under the penalty of perjury that they are US citizens and eligible to register to vote, or provide other evidence to the state or local election official demonstrating that they are citizens of the US. If the state or local election official reviews the evidence and determines the individual has sufficiently established US citizenship, the official must sign an affidavit stating the individual has provided sufficient evidence.



In-Person Voting

Individuals who choose to vote in person must provide **valid physical photo identification** before being allowed to vote. If the individual does not have proof on them at the time of voting, they may cast a provisional vote. Within three days of casting the provisional vote, the individual must provide said identification or sign an affidavit attesting the individual doesn't have a valid physical photo identification because of a religious objection to being photographed.

Individuals who vote other than in person must submit with their ballot a copy of a valid physical photo identification or the last four digits of their Social Security number and a signed affidavit attesting the individual could not obtain a valid physical photo identification. Absent uniformed service voters and certain voters named in the Voting Accessibility for the Elderly and Handicapped Act are exempt from this requirement.



State Voter Rolls

On an ongoing basis, states must submit an official list of individuals eligible to register to vote for federal offices to the Department of Homeland Security for comparison with the Systematic Alien Verification for Entitlements (SAVE) system for the purpose of identifying non-citizens and removing said individuals from the list after notice is given to them and they are given the opportunity to provide documentary proof of US citizenship. States shall remove individuals from the official list upon receiving information that they are not citizens of the US.



Enforcement

Criminal penalties of fines or imprisonment up to five years apply to (1) any person who registers an applicant to vote in an election for federal office who fails to present documentary proof of US citizenship, and (2) in the case of an officer or employee of the executive branch, providing material assistance to a noncitizen in attempting to register to vote or vote in an election for federal office. For criminal penalties to apply, a person must "knowingly and willfully" act to deprive or defraud the residents in a state of a fair and impartially conducted election process.[2] The SAVE America Act also allows citizens to file civil lawsuits against election officials who register an applicant to vote in an election for federal office who fail to present documentary proof of US citizenship.

Conclusion

Once enacted, the SAVE Act would require immediate state compliance on all subsequent elections held, including any on the date of enactment, and provides no appropriations or transition time.

Photo Identification Requirements

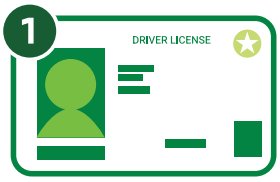
Any individual who seeks to vote would be required to show valid photo identification, which consists of the following forms of ID.

1. A valid **state-issued motor vehicle driver's license** that includes a photo of the individual and an expiration date
2. A valid **state-issued identification card** that includes a photo of the individual and an expiration date issued by a state motor vehicle authority
3. A valid **United States passport**
4. A valid **military identification**
5. A valid identification document issued by a **Tribal government** that includes a photo of the individual and an expiration date

Documentary Proof of Citizenship Requirements

Documentary Proof of United States Citizenship. As used in this Act, the term "documentary proof of United States citizenship" means, with respect to an applicant for voter registration, any of the following:

1



A form of identification issued consistent with the requirements of the **REAL ID** Act of 2005 that indicates the applicant is a citizen of the United States

2



A valid **United States passport**

3



The applicant's official **United States military identification card**, together with a **United States military record of service** showing that the applicant's place of birth was in the United States

4



A valid **government-issued photo identification card** issued by a federal, state or Tribal government showing that the applicant's place of birth was in the United States

5 A **valid government-issued photo identification card** issued by a federal, state or Tribal government other than an identification described in paragraphs (1) through (4), but only if presented **together with one or more of the following:**

A A **certified birth certificate** issued by a state, a unit of local government in a state, or a Tribal government which—

- **i** Was **issued by the state, unit of local government, or Tribal government** in which the applicant was born
- **ii** Was **filed** with the office responsible for keeping vital records in the state
- **iii** Includes the **full name, date of birth, and place of birth** of the applicant
- **iv** Lists the **full names of one or both of the parents** of the applicant
- **v** Has the **signature of an individual who is authorized to sign birth certificates** on behalf of the state, unit of local government, or Tribal government in which the applicant was born
- **vi** Includes **the date that the certificate was filed** with the office responsible for keeping vital records in the state; and
- **vii** Has the **seal of the state, unit of local government, or Tribal government** that issued the birth certificate

B An **extract from a United States hospital Record of Birth** created at the time of the applicant's birth which indicates that the applicant's place of birth was in the United States

C A **final adoption decree** showing the applicant's name and that the applicant's place of birth was in the United States

D A **Consular Report of Birth Abroad** of a citizen of the United States or a certification of the applicant's Report of Birth of a United States citizen issued by the Secretary of State

E A **Naturalization Certificate or Certificate of Citizenship** issued by the Secretary of Homeland Security or any other document or method of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act

F An **American Indian Card** issued by the Department of Homeland Security with the classification "KIC."

Citations

1. Congress.gov, "S.1383 - 119th Congress (2025-2026): Veterans Accessibility Advisory Committee Act of 2025." March 26, 2026, https://www.congress.gov/bill/119th-congress/senate-bill/1383.

2. Congress.gov, "Federal Criminal Laws Prohibiting Unlawful Voting" August 16, 2024, https://www.congress.gov/crs-product/IF12742.

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RESEARCH ASSISTANTS
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Karissa Gillespie, Mail-in Ballot Study
Xander Greenwood, Utah Lake/Conservation
Josh Hadlock, Data Governance AI Developer
Jaxon Hill, Mail-in Ballot Study
Ethan Howlett, Data Governance AI Developer
Suzette Johnson, Mail-in Ballot Study
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