HONEST ELECTIONS PROJECT

The Documentary Proof of Citizenship Act

BACKGROUND

States have an obligation to ensure that only American citizens are voting in American elections. The easiest way to achieve that goal is to require documentary proof of citizenship, or DPOC, from anyone registering to vote.

Federal law, however, inhibits this policy goal. The National Voter Registration Act (NVRA) of 1993 requires each state to "accept and use" a uniform Federal form for voter registration. The NVRA only requires an applicant's oath claiming citizenship. Therefore, a state may require DPOC from registrants who use the state form, but not from Federal form applicants, creating a process to avoid state proof-of-citizenship laws altogether.

The United States Supreme Court has ruled that a state cannot add DPOC requirements to the Federal form without the blessing of the Election Assistance Commission. States have repeatedly petitioned the EAC as recently as 2025 to modify the Federal form to require DPOC or respect state laws but have never succeeded. As a result, states lack the ability to require DPOC from *all* voters.

This model solves that problem in two ways. First, it requires all state form applicants to provide DPOC, which is then verified prior to registration. Second, it creates a new category of "Federal-only" voters for Federal form applicants whose citizenship status cannot be verified. These voters are eligible only to vote in congressional elections until they prove citizenship. The model creates numerous opportunities to do so, and processes to reject applications from known noncitizens.

This approach is consistent with Federal law and serves to protect the integrity of state-level voting processes. Arizona's "Federal-only" system—requiring registrants using the state form to provide DPOC and precluding Federal-form voters without DPOC from voting in state or local elections—has been upheld by the Supreme Court.

KEY PROVISIONS

- Requires registrants who use any method other than the Federal form to provide documentary proof of U.S. citizenship at the point of registration and applications lacking proof of citizenship are rejected.
- A registrant who uses the federal form and does not provide proof of citizenship is registered as a "Federal-only Voter" and is only eligible to vote in federal elections.
- Requires election officials to verify citizenship using state and federal records and databases.
- Requires Federal-only voters to vote in person and cast a provisional ballot as to any non-federal elections. For the full ballot to be counted, the voter must provide proof of citizenship before the time for processing provisional ballots ends.
- Creates criminal offenses for noncitizens who apply to register to vote, for election officials who register a person as a Verified Voter without proof of citizenship, and for any person to cause votes on a provisional Federal-only ballot to be counted that should not be counted.