

Congress of the United States

Washington, DC 20515

October 20, 2025

Comment in support of Petition to Amend EAC Regulations

We submit this comment in support of America First Legal Foundation’s petition urging the Election Assistance Commission (EAC) to amend its regulations and the National Mail Voter Registration Form to require documentary proof of United States citizenship (DPOC) in order to register to vote in federal elections.

The right to vote is one of the most fundamental privileges of American citizenship and protecting that right requires a system that is both secure and trustworthy. Under 52 U.S.C. § 20508(a)(1)–(2), the Election Assistance Commission has both the authority and the duty to develop the national mail voter registration application form and to prescribe such regulations as are necessary to carry out the mail voter registration provisions of the NVRA.

Those purposes, set forth in 52 U.S.C. § 20501(b), include “protect[ing] the integrity of the electoral process” and ensuring “that accurate and current voter registration rolls are maintained.”

Unfortunately, the current federal form falls short of that mandate. It relies solely on self-attestation of citizenship, allowing an applicant merely to check a box under penalty of perjury. This “honor system” offers no meaningful safeguard against ineligible individuals registering to vote.

Requiring documentary proof of citizenship is a simple, common-sense reform. Just as Americans are asked to show identification for far less consequential activities—boarding an airplane, opening a bank account, or even attending certain events—it is entirely reasonable to require proof of citizenship to participate in our elections. This step would not burden eligible voters but would provide an essential check to ensure that only citizens are added to the voter rolls.

Recent incidents underscore why this safeguard is urgently needed. In Iowa, officials identified 277 noncitizens on the voter rolls and confirmed that at least 35 noncitizens cast ballots in the 2024 election.¹ In Arizona, all 15 counties are currently undertaking efforts to identify and remove noncitizens from their voter rolls.² And in Texas, election integrity units have documented multiple instances of noncitizen voting and voter-registration fraud—including a conviction in Starr County for illegal voting by a noncitizen, prosecutions in Hidalgo County for falsifying voter-registration applications using fictitious addresses, and findings in Tarrant County of noncitizens registered

¹ Opsahl, Robin. “Iowa Secretary of State Says 277 Noncitizens Confirmed to Be on Iowa’s Voter Rolls • Iowa Capital Dispatch.” *Iowa Capital Dispatch*, 20 Mar. 2025, iowacapitaldispatch.com/2025/03/20/iowa-secretary-of-state-says-277-noncitizens-confirmed-to-be-on-iowas-voter-rolls/. Accessed 8 Oct. 2025.

² “VICTORY — Following America First Legal’s Lawsuit, All 15 Counties in Arizona Now Taking Action to Remove Illegal Aliens from Voter Rolls in Major Win for Election Integrity.” *America First Legal*, 8 Aug. 2025, aflegal.org/press-release/victory-following-afls-lawsuit-all-15-counties-in-arizona-now-taking-action-to-remove-illegal-aliens-from-voter-rolls/. Accessed 8 Oct. 2025.

through the federal form without proof of citizenship—the very loophole this petition seeks to close.³

These examples demonstrate clear vulnerabilities in the current system and highlight the necessity of requiring proof of citizenship at the point of registration.

For these reasons, we respectfully urge the Commission to grant this petition and update federal regulations accordingly. Requiring documentary proof of citizenship will strengthen the integrity of our elections, safeguard the voices of American citizens, and ensure that every lawful vote is protected from being diluted by unlawful ballots.

Sincerely,



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Member of Congress



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United States Senator



Andy Harris, M.D.
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³ Office of the Attorney General of Texas, *Election Integrity Unit: 2024 Annual Report* (Austin, TX: 2025), at 7–9; Texas Secretary of State, *Full Forensic Audit of the 2020 General Election: Phase 2 Findings* (Dec. 2022); see also *Press Release*, Office of the Attorney General of Texas, “AG Paxton Announces Conviction of Noncitizen for Illegal Voting in Starr County” (May 15, 2024); *Press Release*, “Hidalgo County Election Fraud Indictments Announced” (June 6, 2023).



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