



March 12, 2026

MODEL POLICY | Election Integrity

VOTER ELIGIBILITY VERIFICATION ACT

PURPOSE OF THIS ACT

Section 303 of the Help America Vote Act (HAVA) was designed to ensure that voter registration records contain basic identifying information. When an applicant has neither a driver's license nor a Social Security number, however, the statute permits the state to assign a unique identifying number for voter registration purposes. That administrative fallback was meant to keep the registration process moving, not to substitute for substantive eligibility verification. States should clarify in law that applicants assigned a HAVA unique identifying number shall not be placed on the active voter rolls unless and until they provide documentary proof of United States citizenship.

Background

For elections for federal office, the [Help America Vote Act \(HAVA\)](#) provides that a voter registration application may not be accepted or processed unless it includes either the applicant's current and valid driver's license number or, for an applicant who has not been issued a driver's license, the last four digits of the applicant's Social Security number.

But what happens when an applicant has neither a current and valid driver's license nor a Social Security number? That is when HAVA's "special rule" applies. Under the "special rule," the state must assign the applicant a unique number that identifies the applicant only for voter registration purposes. That number and this process are an administrative fallback. It is a way to keep the registration process moving when the standard identification requirements cannot be met.

Critically, HAVA also [says](#) this: "The State shall determine whether the information provided by an individual is sufficient to meet the requirements of this subparagraph, in accordance with State law." In plain terms, HAVA expressly preserves state authority to determine what qualifies an applicant for registration. The unique identifying number opens a door into the system. It does not, by itself, confirm the applicant is eligible to vote.



The Problem

The unique identifying number assigned under HAVA’s “special rule” was designed to serve one narrow purpose: identification within the voter registration system. It tells the state who the applicant is for record-keeping. It says nothing about whether the applicant is a United States citizen.

The problem is straightforward. Without requiring proof of citizenship, the HAVA “special rule” may incidentally allow individuals onto the rolls who are ineligible to vote. The applicant has provided neither a driver’s license nor a Social Security number and has not presented any document proving United States citizenship. The state has simply assigned an administrative number for record-keeping and moved on.

AFPI has [documented](#) instances of non-citizen voter registration and has recommended proof-of-citizenship requirements and stronger voter list maintenance as key safeguards. This issue is a narrower extension of that same principle: HAVA’s administrative fallback was never intended to be a shortcut around substantive eligibility requirements. Yet without state action to close this gap, that is exactly what it becomes.

The Solution

States should amend their election statutes to provide that any voter registration applicant who is assigned a HAVA unique identifying number shall not be placed on the active voter rolls unless and until the applicant provides documentary proof of United States citizenship, as defined by state law.

HAVA already gives states the legal authority to adopt this approach. The statute expressly [provides](#) that states shall determine whether the information provided by an applicant is sufficient, in accordance with state law. The recommendation here is that states use that existing authority affirmatively, by codifying and implementing a requirement for documentary proof of citizenship before a unique-number applicant is activated on the rolls. No federal legislative change is required for a state to take that step.

AFPI’s election integrity work supports that front-end safeguard. AFPI has [found](#) that photo identification requirements strengthen confidence without suppressing turnout, and AFPI has [recommended](#) documentary proof of citizenship and stronger voter roll maintenance to prevent ineligible registrants from entering or remaining on the rolls. Requiring proof of citizenship for applicants who fall under HAVA’s “special rule” applies those same principles at the precise point where Section 303 leaves vulnerability.

Proposed Legislative Text

SECTION 1. SHORT TITLE.

This Act shall be known and may be cited as the Voter Eligibility Verification Act.

SECTION 2. PURPOSE.

The purpose of this Act is to ensure accurate and lawful voter registration by requiring any applicant who is assigned a unique identifying number under Section 303 of the Help America Vote Act of 2002 to provide documentary proof of United States citizenship, as



defined by state law, before the applicant is placed on the active voter rolls, and to implement the State's authority under state law to determine whether the information provided is sufficient for registration.

SECTION 3. VOTER REGISTRATION IDENTIFICATION REQUIREMENTS.

- (1) An applicant must complete the voter registration application form prescribed by State Law and provide all information required on that form before their name can be placed on the voter rolls. All applicants shall submit their Social Security Number or [STATE] Driver's License Number where required on the voter registration application.
- (2) When federal law requires that a State provide an applicant to register to vote a unique identifying number because that applicant does not have a [STATE] Driver's License Number or Social Security Number in accordance with the provisions of Section 303 of the Help America Vote Act of 2002 (52 U.S.C. §21083(a)(5)(A)(ii)), the Secretary of State shall provide that applicant a unique identifying number only if the applicant provides one of the following documents that prove his or her age and United States Citizenship:
 - (i) A Birth Certificate from a jurisdiction of the United States that meets all of the following requirements:
 1. Is issued by the city, county, or state of birth;
 2. Lists the applicant's full name, date of birth, and place of birth;
 3. Lists the applicant's parents and their full names;
 4. Has the signature of the city, county, or state registrar;
 5. Has the date filed with the registrar's office; and
 6. Has the seal or stamp of the city, county, or state in which it was issued;
 - (ii) An undamaged United States passport that is valid and does not contain a United States National Endorsement;
 - (iii) A Consular Report of Birth Abroad and Certification of Birth;
 - (iv) A Certificate of Naturalization; or
 - (v) A Certificate of Citizenship
- (3) Pursuant to the provisions of 52 U.S.C. §21083(a)(5)(A)(iii), only the documentation specified in this subsection shall be sufficient to meet the requirements of the Help America Vote Act of 2002 for assignment of a unique identifying number.

SECTION 4. SEVERABILITY.

If any provision of this Act or its application to any person or circumstance is held invalid, the remaining provisions shall not be affected and shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE.

This Act takes effect on _____.

