



ONLY 
CITIZENS
VOTE 

The threat of noncitizens voting is real, but you can fight back.

QUESTION:

Is it illegal for noncitizens to vote in our elections?

THE ANSWER:

Yes. 😊 And... No. 😱

THE FEDERAL LAW GOVERNING VOTING & CITIZENSHIP

- The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 is a federal law that states it is unlawful for noncitizens to vote in Federal elections.
- Punishment for violating the law is a fine, not more than one year in prison, or both. *Note: Federal law also states that noncitizens who violate the law are inadmissible (ineligible to receive visas and ineligible to be admitted to the U.S.) and deportable.*
- This law does not apply to elections at the state or local level.

Noncitizens can potentially vote –

- 1) if the elections being held include offices other than Federal;
- 2) If noncitizens are authorized to vote in the non-Federal elections by state constitution or statute, or local laws; and
- 3) if the elections are conducted in such a way that noncitizens are not given the opportunity to vote for one or more candidates running for Federal offices.

THE EXCEPTIONS (in the Reform and Immigrant Responsibility Act)

“It shall be unlawful for any alien to vote in any election... for Federal offices...” This does not apply to a noncitizen if –

- 1)** each natural or adoptive parent is or was a citizen;
- 2)** the individual permanently resided in the United States prior to reaching the age of 16; and
- 3)** the individual reasonably believed at the time of voting in violation of the law that he or she was a citizen of the United States.

WHAT DO YOU THINK ABOUT THAT LAW?

STATE INFORMATION

- All state constitutions mention U.S. citizenship in regards to who can vote in that state's elections, though most do not specify who *cannot* vote.
- As of March 2024, seven states specified that noncitizens may not vote in state and local elections: Alabama, Arizona, Colorado, Florida, Louisiana, North Dakota, and Ohio.
- As of March 2024, the District of Columbia and municipalities in three states allowed noncitizens to vote in local elections. The three states are California, Maryland, and Vermont.

"Municipalities can expand voting rights in local elections if there are no explicit state constitutional or legislative impediments and so long as local jurisdictions have the power of home rule."

- Joshua A. Douglas Associate Professor of Law, University of Kentucky College of Law

In 2017, Douglas named 14 states with no state constitutional clarifications to noncitizen voting.

Since then, two of those states passed constitutional amendments clarifying the issue; there are now 12 states left.

Arkansas	Nevada	Rhode Island
California	New Jersey	South Dakota
Illinois	New Mexico	Washington
Maryland	Oklahoma	Wisconsin

COLORADO

USA

DL

NOT VALID FOR FEDERAL IDENTIFICATION,
VOTING, OR PUBLIC BENEFIT PURPOSES

DRIVER LICENSE



Tina Sample



1 SAMPLE
2 DL ADULT NON REAL ID
8 1881 PIERCE ST
LAKEWOOD, CO 80214-1249
3 DOB 4a Iss
04/24/1976 08/27/2015
4d Customer Identifier 4b Exp
15-239-1250 04/24/2018
5 DD Previous Type
12345678917 A
15 Sex 16 Hgt
M 5'-4"
18 Eyes 17 Wgt
PNK 201 lb
19 Hair
UNK

9a Endorsements

12 Restrictions

NONE

9 Vehicle Classifications

R



D. SAMPLE 04/24/1976

Colorado Voter Registration Form

Fill out all fields marked with an asterisk (*)

Eligibility 1 * Are you a citizen of the United States? Yes No **If you answered "No", do not complete this form.**

Name 2 _____
* Last Name * First Name Middle Name Suffix

Identification 3 Provide your birth date and your identification information.

Remember to write your birth date below. ____ - ____ - ____ *MM *DD *YYYY	<input type="checkbox"/> I have a valid CO Driver's License or ID card. Write that number here: _____ - _____ - _____
	<input type="checkbox"/> I do not have a CO Driver's License or ID card. Write the last four digits of your SSN here: X X X - X X - _____
	<input type="checkbox"/> I do not have a Colorado Driver's License, ID card, or a Social Security Number.


The address where you live 4 _____
* Address (no P.O. Boxes) Unit Number * City or Town
CO
State * Zip Code Colorado County
 I am unhoused. This is a location I regularly return to. I have also provided a mailing address in Section 5.

The address where you receive mail 5 Same as above _____
Address
City or Town State Zip Code

The address to mail your ballot 6 Same as above _____
Address
City or Town State Zip Code
The County will mail your ballot here until you say otherwise.

Political affiliation 7a or 7b Choose only 7a or 7b
I would like to be a member of the following political party:
 American Constitution Approval Voting Center Democratic Forward Green Libertarian No Labels
 Republican Unity
 I would like to be unaffiliated

Updating a current record? 8 If so, you must provide the applicable changes here.
 I am not updating a current record I am no longer overseas I am no longer absent from Colorado due to military service
Previous home address Previous legal name
Previous mailing address Previous party affiliation

Declaration 9 
Warning: It is a Class 1 misdemeanor to swear or affirm falsely as to your qualifications to register to vote.
Self-Affirmation: I affirm that I am a citizen of the United States; I have been a resident of Colorado for at least twenty-two days immediately before an election I intend to vote in; I am at least fifteen years old; and I understand that I must be at least eighteen to be eligible to vote in any election. I further affirm that the residence address I provided is my sole legal place of residence. I certify under penalty of perjury that the information I have provided on this application is true to the best of my knowledge and belief; and that I have not, nor will I, cast more than one ballot in any election.

* Signature or mark * Date Witness Signature Date
If you are unable to sign, you must make a mark and have the mark witnessed by another person.

Optional information 10 _____
Phone number with area code
I want to receive election information by email: _____
(You will not receive a ballot by email) Email address
 I would like to be an election judge
Gender Identity (select one): Female Male X Not Disclosed

Information about this registration

How do I turn in this form?

Sign the form. Then mail, deliver, or scan the signed form and email it to your county clerk and recorder. You may find a list with contact information at www.govotecolorado.gov.

You may also mail it to:

Colorado Department of State
Elections Division
1700 Broadway, Suite 550
Denver, CO 80290

Am I eligible to register to vote?

You are eligible to register to vote if you:

- Are a United States citizen
- Are 15 years old, but you must be at least 18 to vote in an election
- Are a Colorado resident for at least 22 days immediately before the election you intend to vote in
- Are not currently serving a term of imprisonment for a felony conviction

If I don't know my Colorado driver's license or Colorado ID card number may I provide my Social Security Number instead?

No. If you have a Colorado Driver's License or ID card issued by the Colorado Department of Revenue, you must provide that number.

If I don't have a Colorado driver's license, Colorado ID card, or social security number, may I still register to vote?

Yes. An applicant who is qualified to vote in this state but does not have a driver's license, state-issued identification card, or social security number may still register to vote. In such cases, the person may be required to provide an acceptable form of identification. A list of acceptable forms of identification can be found at www.govotecolorado.gov.

How will I know if my registration was processed?

If you are registering to vote for the first time in the state of Colorado, your application will be processed within 2 weeks. Approximately 20 days after your county clerk and recorder receives your registration form, you will receive an official information card by mail.

If you are using this form to update an existing Colorado voter registration, you can check your status by visiting www.govotecolorado.gov and clicking on "Find My Registration".

If you are pre-registering to vote, you will receive an official information card by mail and may check your status once you become eligible to vote.

Information for unaffiliated voters

I am registered as unaffiliated. Will I be able to vote in the primary election?

Yes. Unaffiliated voters are eligible to vote in the primary election, but you may only vote one party's ballot.

Can I participate in a party's caucus meeting if I am unaffiliated?

No. To participate in a party caucus meeting you must join that party before the party's caucus. However, you are still eligible to vote in any participating party's primary election.

Other frequently asked questions about registering and voting

Will I need identification to vote?

If you vote in person, yes. If you are voting by mail for the first time, you may need to provide a photocopy of your ID.

A complete list of acceptable forms of identification can be found at www.govotecolorado.gov.

How do I get a mail ballot?

If you register to vote at least eight days before an election conducted by your county clerk and recorder, the clerk will automatically mail you a ballot. If you register after the eighth day before Election Day, you must visit one of the Voter Service and Polling Centers in your county to get a ballot.

May I register to vote if I was arrested for or convicted of a crime?

Yes, if you

- Are on probation for either a misdemeanor or felony;
- Are a pretrial detainee awaiting trial;
- Are currently in jail serving a misdemeanor sentence only; OR
- Are no longer serving a term of imprisonment due to a felony conviction.

If you were previously registered and were incarcerated due to a felony conviction, that registration will have been canceled and you must re-register if you wish to vote.

What information will I receive by email?

By choosing to receive election information by email, you may receive information about upcoming election activities and other election correspondence by email from your county clerk and recorder. But ballots and some mailings will still be sent by regular mail. Under Colorado law, your email address is protected. It will not be shared with anyone.

Will my information be publicly available?

Some of the information you provide on this form is public information as required by law. Your social security number, driver's license number, month and day of birth, signature, and email are confidential. You may be eligible to keep more of your voter information private. For details contact your county clerk and recorder.

Who should I contact if I have more questions?

Contact your county clerk and recorder. You can find a list with contact information at www.govotecolorado.gov.

You may also contact the Secretary of State's office

Phone: 303-894-2200

Fax: 303-869-4861

Email: State.ElectionDivision@coloradosos.gov

THE FEDERAL LAW GOVERNING VOTER REGISTRATION

1993: The National Voter Registration Act (NVRA) requires states to accept the federal voter registration form. While the federal form contains a box to check, indicating the registrant is a U.S. citizen, *there isn't any language in the NVRA that actually requires proof/documentation be provided.*

- **As a result, the US Supreme Court has ruled that states may NOT require documentary proof of citizenship** in order to register to vote in a federal election if the federal form is used (and remember, states are required to accept the federal form).
- Although there are penalties laid out in the law for registering to vote as a noncitizen, there seems to be little, if any, enforcement.

- The NVRA also requires state Department of Motor Vehicle (DMV) offices and social services agencies to register voters.
- Which is why state DMVs automatically register *everyone* to vote unless they ‘opt out’.

Another form: REAL ID which requires proof of citizenship – *IF* the person is a citizen.

- *However*, lawful permanent residents, nonimmigrants, asylum seekers, and various other categories of noncitizens are also eligible for REAL IDs.
- Therefore, REAL IDs cannot be used to distinguish citizens from noncitizens.

Student IDs

In many states, student IDs are accepted for voting. Foreign students are also issued student IDs which creates another pool of potential noncitizen voters.

But wait, the overseas voting regulations are a mess too.

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA): This federal statute allows people to register and vote by email –

- without a residence in the United States, and
- without any ID or proof of citizenship.

UOCAVA was designed to help military and families vote while deployed, however, in 2020 the UOCAVA vote was 63% civilian. *Note: military dependents are considered military, not civilian.*

UOCAVA has become a major loophole for people who live overseas. They do not have to prove citizenship, identity, or that they ever lived in American. They can submit a voter registration using the federal form and **ask for and receive a ballot, then cast that ballot.**

On March 7, 2021, President Biden issued Executive Order 14019, directing “all federal agencies to develop a ‘voter registration’ and ‘voter education’ plan, using federal personnel, federal tax dollars and other federal agency resources for these political campaign activities.”

In plain English, this means that every federal agency, and those offices present in every state, are required to *provide registration information to everyone who comes into contact with that office/agency.*

The left continues to attack the integrity of our elections, using policies that practically invite noncitizen registration and voting, like –

- **same day registration** (almost half the states allow same day registration), and
- **automatic registration** of every person on any government list.

Additionally, left-wing groups are involved in efforts to use federal agencies to register anyone and everyone and are vehemently opposed to any and every effort requiring proof of citizenship when registering people to vote.

Now, think about the border invasion over the last 4 years.

SO, WHAT CAN WE DO ABOUT THIS??

- ✓ Congress must act.
- ✓ States must act.
- ✓ Citizens must act.

CONGRESS

1. Congress must amend the NVRA and UOCAVA to require documentary proof of citizenship to register to vote in a federal election, and the overseas voters should show documentary proof of citizenship to vote (a copy of a US passport).

2. The NVRA should be amended to require the following disclosure given to **every** person before being registered to vote:

- **Registration is for us citizens only, and if you are not a citizen of the united states, you cannot register to vote. Registering to vote if you are not a citizen is a federal crime and subjects you to deportation.**

Even noncitizens who don't speak English know the word "deportation."

3. The provision in the federal criminal code prohibiting noncitizen registration and voting should be strengthened in order to prosecute offenders.

4. An additional provision should be added to the federal criminal code criminalizing registration of noncitizens if it can be reasonably inferred that the individual is not a US citizen.

5. A state that allows noncitizens to vote in their election should lose federal funding for elections and be required to maintain two separate voter registration databases to ensure only US citizens vote in federal elections.

STATES

1. If an identification or permit to drive is issued to noncitizens, states must ensure clear discernibility that it is a noncitizen identification. ***Do not give driver's licenses to noncitizens who are here illegally.***
2. Ensure that noncitizens are not being registered to vote at the DMV or other state agencies.
3. State election officials must create a process with the DMV and social services to ensure that noncitizen registration is not included in registration paperwork provided to election offices.

CITIZENS

1. Ask your legislators and election officials what safeguards exist to protect elections from noncitizen voting
2. Find the advocacy groups that register voters and ask what they do to prevent noncitizens from registering.
3. Contact your federal representatives and senators and insist on supporting the Safeguarding American Voter Eligibility Act (SAVE Act)

**The SAVE Act simply says, if you are going to use the federal form to register voters, then citizenship documentation is required in country and overseas.*

4. Tell your friends about the SAVE Act; write letters to editors; and call talk radio stations. Tell everyone!
5. Contact local government and implore them to pass resolutions encouraging congressional delegations to vote in favor of SAVE Act. Speak at local meetings about the issue.
6. Sign wave at busy intersections to express the idea that only citizens should vote.
7. Sign up for the Only Citizens Vote Coalition at OnlyCitizensVoteCoalition.com.
8. Sign up to help Tea Party Patriots Action Secure & Win the election. Noncitizen voting isn't the only issue for 2024, and we need poll watchers/workers and to Get Out The Vote no matter what.

You can sign up to Secure & Win at SecureandWin.com.

Thank you to our allies in this movement for assisting us with the information included in this presentation:

Cleta Mitchell and Election Integrity Network for much of the research done for this presentation. Please visit whoscounting.us to read more about their work and to access the resources they have available.

Rosemary Jenks and Immigration Accountability Project for edits and accuracy. Please visit iaproject.org to read more about their work and the resources they have available.