



EPEC DATA FOR VOTERS

ELECTORAL PROCESS EDUCATION CORP.

October 17, 2025

Election Assistance Commission
633 3rd Street NW, Suite 200
Washington, DC 20001

Re: Docket #: EAC-2025-0236

*Comments in support of Petition by America First Legal Foundation for Rulemaking Before the EAC to Amend the **Federal Voter Registration Application** to require Documentary Proof of Citizenship when Registering to Vote.*

Dear EAC Commission Members,

We the undersigned Board of Directors of Electoral Process Education Corporation (EPEC) urge the Election Assistance Commission (“EAC” or “the Commission”) to grant the above-referenced Petition for rule-making and amend the Federal Voter Registration Application (“the Application”) to require Documentary Proof of Citizenship (“DPOC”) when an applicant is registering to vote.

Amending 11 C.F.R. § 9428.4 and the registration form to require every Application to be accompanied by DPOC would ensure that only U.S. citizens are voting in federal, state, and local elections as required by law.

At a time in our nation’s history when “Motor Voter” provisions of the National Voter Registration Act (“NVRA”) are automatically registering noncitizens through their local Department of Motor Vehicles in many states, the requirement to provide proof of U.S. citizenship is critical to ensuring trusted and fair election management.

Requiring proof of citizenship during the registration process would save many states the added burden and bureaucratic process of removing ineligible noncitizens from rolls; it ensures that recently naturalized citizens are added to the rolls at the appropriate time: when they have become citizens of the United States of America.

Our own research as a nonprofit looking at official voter rolls in the Commonwealth of Virginia shows thousands of noncitizens casting ballots illegally, many for years – repeatedly.

For example, as of March of 2025, we identified at least 6,086 unique registrations that were **self-identified** as “Declared Non-Citizen” and removed by Virginia’s Department of Elections from the voter rolls since May of 2023.



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Of those 6,086 removals, we see **1,003** with corresponding records of recent ballots being cast at some point in official Voter History records that we could observe. Many of these registrations go back to the mid-1990s at the advent of “Motor Voter” (NVRA) in 1993.

When we analyze the Voter History List records, and early voting records, we identify that more than a thousand illegal registrants have cast **2,847 illegal ballots** before they were removed. These are the ones that we know about.

We respectfully submit that the numbers of noncitizens casting ballots are likely higher due to a “checkbox” system on the current form that often confuses noncitizens into thinking they are eligible to cast a ballot, despite federal law that stipulates only U.S. citizens are eligible to vote in federal and state elections.

Requiring this documentary proof of citizenship when registering to vote would also align with statutory requirements of “REAL ID” for driver’s licenses, which requires citizenship proof or legal status when individuals procure the documentation such as in Virginia and other states.

(See: <https://law.lis.virginia.gov/vacode/46.2-328.1/> and Legal Presence Requirements for Driver Privilege Cards: <https://www.dmv.virginia.gov/licenses-ids/id-cards/legal-presence/>.)

More of our analysis of ongoing proof of noncitizens voting in Virginia elections can be seen here from [March 2024](#), [July 2024](#), [Sept 2024](#), [Oct 2024](#), [Nov 2024](#), [Dec 2024](#) and [March 2025](#), all of which analyzes voter-list maintenance information from the VA Department of Elections.

It is well past time to ensure that United States citizens’ rights to cast legal ballots without disenfranchisement and dilution are protected by implementing documentary proof of citizenship (DPOC) on the federal voter registration form as soon as possible.

The EAC has the statutory authority and a duty under the Help America Vote Act to improve the effective administration of federal elections, as stipulated under 52 U.S.C. §20922.

We urge the commission to amend 11 C.F.R. § 9428.4 and the registration form to require every Application be accompanied by DPOC.

Sincerely,

EPEC Board of Directors
Jon Lareau | Rick Naigle
Chris Rohland | Ken Lubeck
Erin Marie Joyce