

No. 25-1017

IN THE
Supreme Court of the United States

REPUBLICAN NATIONAL COMMITTEE, *Petitioner*,
v.
MI FAMILIA VOTA, ET AL., *Respondents*.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT
OF APPEALS FOR THE NINTH CIRCUIT

**BRIEF OF *AMICUS CURIAE* THE FOUNDATION
FOR GOVERNMENT ACCOUNTABILITY IN
SUPPORT OF PETITIONER**

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INTEREST OF *AMICUS CURIAE*¹

The Foundation for Government Accountability (FGA) is a 501(c)(3) non-profit organization that helps millions achieve the American Dream by improving welfare, workforce, health care, and election policy at both the state and federal levels. Launched in 2011, FGA promotes policy reforms that seek to free individuals from the trap of government dependency, restore dignity and self-sufficiency, and empower individuals to take control of their futures. FGA's policy reforms are grounded in the principles of government transparency, the free market, individual freedom, and limited constitutional government.

Since its founding, FGA has helped achieve more than 1,600 reforms impacting policies in 42 states and more than 220 federal policy reforms in welfare, healthcare, the workforce, taxation, regulations, election integrity, and more. FGA supports its mission by conducting innovative research, deploying outreach and education initiatives, equipping policy makers with the information they need to achieve meaningful reforms, and by appearing as *amicus curiae* before state and federal courts, including this Court in *Bird v. Iowa Migrant Movement for Justice*, No. 26-49 (U.S. filed July 2, 2026), *FCC v. Consumers' Rsch.*, 606 U.S. 656 (2025), *Becerra v. Gresham*, 142 S. Ct. 1665

¹ Per this Court's Rule 37.6, this brief was not authored in whole or in part by any party, and no one other than *amicus* or its counsel made a monetary contribution to its preparation or submission.

(2021), *Biden v. Nebraska*, 600 U.S. 477 (2023), *Consumer Fin. Prot. Bureau v. Cmty. Fin. Servs. Ass’n of Am., Ltd.*, 601 U.S. 416 (2023), and *Loper Bright Enters. v. Raimondo*, 603 U.S. 369 (2024).

FGA’s interest is directly implicated in this case as the organization regularly develops election integrity policies that are shared with state and federal policymakers. Those policies include identity verification requirements for voting and voter registration, as well as numerous other measures designed to help States safeguard the integrity of their elections.

INTRODUCTION & SUMMARY OF ARGUMENT

In deliberating on our federal system, the Founders envisioned robust State governance over the majority of affairs in the lives of Americans. This swath of authority specifically includes the realm of elections where “[t]he Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may ... alter such Regulations” U.S. Const. art. I, § 4, cl. 1. In 1788, James Madison broadly declared that “[t]he powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State.” *The Federalist* No. 45 (J. Madison). That philosophy was then ensconced in the U.S. Constitution via the Bill of Rights where “[t]he powers not delegated to the United States by the

Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” U.S. Const. amend. X. These powers also include “the power to regulate elections.” *Gregory v. Ashcroft*, 501 U.S. 452, 461-62 (1991) (quoting *Oregon v. Mitchell*, 400 U.S. 112, 124-25 (1970)).

Historically, those powers have been utilized in bipartisan fashion to protect the integrity of elections, given the serious negative impact instances of voter fraud have on public confidence in elections.² This Court has recognized those impacts for decades noting that “[c]onfidence in the integrity of our electoral processes is essential to the functioning of our participatory democracy. Voter fraud drives honest citizens out of the democratic process and breeds distrust of our government.” *Purcell v. Gonzalez*, 549 U.S. 1, 4 (2006). But “public confidence in the integrity of the electoral process has independent significance[] because it encourages citizen participation in the democratic process.” *Crawford v. Marion Cnty.*

² For example, in 2005, a bipartisan Commission on Federal Election Reform chaired by former President Jimmy Carter and former Secretary of State James A. Baker III, recognized the importance of election integrity: “There is no evidence of extensive fraud in U.S. elections or of multiple voting, *but both occur*, and it could affect the outcome of a close election. The electoral system *cannot inspire public confidence if no safeguards exist to deter or detect fraud* or to confirm the identity of voters.” Comm’n on Fed. Election Reform, *Building Confidence in U.S. Elections* 18 (2005), <https://perma.cc/5Y94-8A3X>.

Election Bd., 553 U.S. 181, 197 (2008), (plurality opinion of Stevens, J.).

Numerous states have used the powers granted to them by Article I, U.S. Const. art. I, and the Tenth Amendment, U.S. Const. amend. X, to enact sound reforms to protect election integrity. The Arizona legislature exercised those powers when enacting H.B. 2492 and H.B. 2243 into law. H.B. 2492 restricts voter registration applicants using the federal form who do not provide documentary proof of citizenship (DPOC) from voting for president or from being able to vote by mail. Ariz. Rev. Stat. §§ 16-121.01(D)-(E), 16-127(A). The bill also requires that state form applications lacking DPOC be rejected outright. Ariz. Rev. Stat. § 16-121.01(C). Applicants with DPOC must check a box attesting to their United States citizenship, disclose their place of birth, and provide proof of an applicant's location of residence. Ariz. Rev. Stat. §§ 16-121.01(A), 16-123. H.B. 2243 requires county recorders to run monthly citizenship checks on registered voters, mail a notice to individuals flagged by such checks notifying the flagged registrant to verify their eligibility, and to cancel a registration if the voter fails to respond within 35 days. Ariz. Rev. Stat. § 16-165(A)(10), (G)-(K).

These reforms are positive steps to detect fraud and to confirm the identity of voters in Arizona. The fact that Congress enacted the National Voter Registration Act (NVRA), 52 U.S.C. §§ 20501-20511, does not force Arizona to hand over the keys to its election security policies to Congress or the federal courts and hope that they protect its elections.

Congress may regulate the “Times, Places and Manner” of federal elections, but the qualification of Arizona voters remains with the people of Arizona. U.S. Const. art. I, § 4, cl. 1.

Amicus agrees with the RNC Petitioners that the decision below should be reversed but writes on two issues bearing particularly on States’ authority to determine and enforce voter eligibility.

First, the Ninth Circuit panel transformed the NVRA’s 90-day quiet period from a limitation on the timing of systematic list-maintenance programs into a protection provision for registrations that were never valid in the first place. 52 U.S.C. § 20507(c)(2)(A). The statutory text does not support that reading. The quiet period protects validly registered voters from systematic removal immediately before an election; it does not require States to preserve an invalid registration after discovering that the registrant was never eligible to vote.

Second, the panel erased the distinction between an assertion of eligibility and an assessment of eligibility. The NVRA permits a State to require the information officials need to assess whether an applicant is eligible to vote. 52 U.S.C. § 20508(b)(1). An applicant’s citizenship checkbox is not itself that assessment. Treating the checkbox as conclusive proof of citizenship converts an applicant’s assertion into the government’s verification and prevents Arizona from determining whether a fundamental qualification for voting has actually been satisfied.

But the decision below also widens a gap between how American voters believe elections work and how certain federal courts actually allow them to. Recent polling shows that the vast majority of American voters support requiring proof of citizenship to vote, and a smaller, but still large majority of voters believe proof is already required. Ctr. for Excellence in Polling, *2025 National Voter Registration Poll* (Sept. 2025), <https://perma.cc/8W3J-YAZ7>. That gap is exacerbated when federal courts repeatedly misapply election law. Unless states are able to adopt their own rules to govern their elections, subject to rightful federal preemption authority, the gap between voter perceptions and reality will continue to erode confidence in elections.

Arizona is entitled under the Constitution to use its state power to enact and maintain an election system that protects the integrity of its citizens' votes. The decision below denies that rightful power.

This Court should reverse.

ARGUMENT

I. As the Sixth Circuit Has Held, the NVRA List-Maintenance Protections Apply Only to Voters Who Were Eligible and Properly Registered in the First Place

A fair reading of the NVRA shows that Congress did not design a system that bars states from citizenship-qualification enforcement during the so-called

90-day quiet period, or at any other time. 52 U.S.C. § 20507(c)(2)(A). Begin with Congress’s statement of purpose in the Act since, “it is ‘an appropriate guide’ to the ‘meaning of the [statute’s] operative provisions.’” *Gundy v. United States*, 588 U.S. 128, 142 (2019) (quoting Antonin Scalia & Brian Garner, *Reading Law: The Interpretation of Legal Texts* 218 (2012)) (plurality opinion). Congress’s express purposes of the Act are to: (1) “establish procedures” that “increase the number of *eligible citizens* who register to vote in elections for Federal office;” (2) permit federal, state, and local governments to “enhance[] the participation of eligible citizens as voters in elections for Federal office;” (3) “*protect the integrity of the electoral process*;” and (4) “to ensure that accurate and current voter registration rolls are maintained.” 52 U.S.C. § 20501(b) (emphasis added).

Then take the language of the 90-day provision requiring that no later than 90 days before a federal primary or general election states complete “any program the purpose of which is to systematically remove the names of ineligible voters from the official lists of eligible voters.” 52 U.S.C. § 20507(c)(2)(A). The same statutory subsection then saves specified removals as well as allowing “correction of registration records pursuant to this chapter.” *Id.* § 20507(c)(2)(B).

The statute also points to what constitutes an “eligible voter.” Section 20507 is replete with references giving clarity. It notes that a “registrant” must first be an “eligible applicant,” *id.* § 20507(a)(1), (a)(3); and that an “ineligible voter” is one who is no longer eligi-

ble due to death, *id.* § 20507(a)(4), (c)(2)(B)(i), or a registrant who “has moved to a different residence address not in the same registrar’s jurisdiction....” *Id.* § 20507(a)(4)(B); (c)(1)(B)(ii); (d)(2). Nowhere in the statute does it reference an “ineligible voter” or adjacent term as someone who was not, at one time, once validly registered. To define “ineligible voter” beyond the language of the statute and include a meaning beyond one with a tether to once having had a valid registration would be counter to every other descriptive term Congress created and would “effectively grant, and then protect, the franchise of persons not eligible to vote.” *Bell v. Marinko*, 367 F.3d 588, 592 (6th Cir. 2004).

Read as a whole, the statute protects eligible voters from broad and near-election voter roll maintenance programs that could disenfranchise otherwise *eligible* voters. A reading of the phrase “ineligible voters” in the 90-day provision must logically yield to the distinction made by the Sixth Circuit that the NVRA did not prohibit the removal “of persons who were ineligible and improperly registered to vote in the first place.” *Id.* at 591-92.

This Court should correct the decision below holding that “H.B. 2243’s periodic cancellation of registrations violates the 90-day Provision of the NVRA....” *Mi Familia Vota v. Fontes*, 129 F.4th 691, 717 (9th Cir. 2025). Failure to do so converts a statute about when states must stop systematic voter roll purges into a rule about who states must count as eligible voters.

II. Self-Attestation Is Only Part of an NVRA Floor and Cannot Substitute for Proof of Citizenship

A. Self-attestation is not an “assessment” by state officials by any logical definition and thus cannot meet the allowable tools available to states in the statute by itself.

In rendering the decision below, the Ninth Circuit had “no basis to overrule Arizona’s determination that documentary proof of citizenship is ‘necessary to enable [its] election official[s] to assess the eligibility of the applicant.’” *Mi Familia Vota*, 129 F.4th at 749 (Bumatay, J., dissenting). Indeed, this Court has held that “state-developed forms may require information the Federal Form does not.” *Arizona v. Inter Tribal Council of Ariz., Inc.*, 570 U.S. 1, 12 (2013).

But the Ninth Circuit’s analysis of what material a state may use in addition to the mail voter registration form to verify citizenship is insufficient to answer the legal question before the court — and its analysis was wrong. Simply deciding that “DPOC for state-form applicants registering to vote in only federal elections is not ‘essential’ because the checkbox requirement already gives proof of citizenship” gives short shrift to state authority and to the full text of the NVRA. *Mi Familia Vota*, 129 F.4th at 719.

The NVRA permits states to “develop and use a mail voter registration form that meets all of the criteria stated in section 20508(b). . . .” 52 U.S.C. § 20505(a)(2). The NVRA also restricts a mail

voter registration form to “require only such identifying information ... as is necessary to enable the appropriate State election official to *assess* the eligibility of the applicant and to administer voter registration and other parts of the election process” 52 U.S.C. § 20508(b)(1) (emphasis added). Webster’s most apt definition of “assess” is “to examine and make a judgment about (as with regard to nature, importance, size, or value).” *Assess*, Merriam-Webster, <https://shorturl.at/HRVLL> (last visited Aug. 29, 2026). Logically then, “assess” cannot simply mean to accept another person’s own conclusion about their citizenship status. Therefore, a state election official cannot “assess” anything about a mail-in voter registrant’s citizenship status by simply reviewing the mere checked box on the form.

The statute names two distinct details pertaining to the form: information the form collects and an assessment the state official performs in utilizing the information. The decision below treats those two distinct details as one, effectively erasing a provision Congress intentionally wrote into the statute and violating this Court’s holding that “[i]t is [this Court’s] duty ‘to give effect, if possible, to every clause and word of a statute.’” *Duncan v. Walker*, 533 U.S. 167, 174 (2001) (quoting *United States v. Menasche*, 348 U.S. 528, 538–39 (1955)). In so doing, the court below reasoned that since the self-attestation checkbox “gives proof of citizenship,” the “assessment” requirement was satisfied. *Mi Familia Vota*, 129 F.4th at 719. But the attestation proves nothing, and more importantly, it provides nothing for a state official to assess, rendering the term “assessment” meaningless.

This Court should address the erasure of the text of the NVRA that the Ninth Circuit exacted and hold that Arizona is not limited to having a checkbox attestation because it is not an assessment as required by the statute.

B. Self-attestation invites the same fraud risk seen in public benefits

Congress has explicitly allowed self-attestation in the welfare eligibility context—with results that show why such a policy increases fraud risk and will fail to advance the congressional purposes of the NVRA in “protect[ing] the integrity of the electoral process” and “ensur[ing] that accurate and current voter registration rolls are maintained.” 52 U.S.C. § 20501(b). While Congress has generally required “satisfactory documentary evidence of citizenship or nationality” before Medicaid benefit eligibility is established, federal regulations have permitted self-attestation with no verification. 42 U.S.C. § 1396b(x); 42 C.F.R. § 435.945(a). Household size may likewise be established under that attestation framework. *Id.* § 435.956(f). Income receives somewhat greater protection: States must obtain available wage, tax, and other financial information, but must accept the applicant’s information when it is “reasonably compatible” with the electronic data. 42 C.F.R. § 435.948; 42 C.F.R. 435.952(b)–(c).

The results where the Medicaid program relies heavily on self-attested information are instructive. For instance, a Louisiana audit found tens of thousands of ineligible individuals enrolled after the State

accepted self-attested information concerning household size, household composition, and certain income. Hayden Dublois, Jonathan Bain & Jonathan Ingram, *How Federal Lawmakers Can Combat Waste, Fraud, and Abuse in Medicaid*, Found. for Gov't Accountability (May 15, 2025) <https://perma.cc/HB8T-QDHS>; Jonathan Ingram et al., FGA Action, *Comment on CMS-2026-2047* (June 21, 2026), <https://perma.cc/44EY-HPPR>. An Illinois audit likewise found that more than 93 percent of eligibility errors resulted from enrollees providing incorrect information or failing to report changes in income, household composition, or other eligibility facts. *Id.* In New Jersey, auditors identified thousands of Medicaid enrollees with unreported six-figure incomes, including some with earnings as high as \$4.2 million per year. *Id.* Also identified were beneficiaries who failed to report changes affecting their eligibility, including one enrollee earning nearly \$250,000—about 15 times the applicable eligibility limit. Dublois et al., *supra*, at 6. Those are precisely the kinds of facts federal law allows States to accept through attestation or limited verification. *See* 42 C.F.R. §§ 435.945(a), 435.948, 435.952, 435.956(f).

These instances provide real-life examples of what happens when the government allows self-attestation to stand-in for an actual “assessment.” Treating the required citizenship checkbox as itself sufficient “proof of citizenship” collapses those two distinct functions: the applicant’s assertion becomes the State’s assessment. This Court should correct the error of the court below and read the underlying statute as a whole, thereby distinguishing self-attestation as a

basic factor that states may add to provide an actual “assessment” of an applicant’s citizenship.

III. A Majority of American Voters Believe Individuals Must Prove Their Citizenship Before They Can Register to Vote

In September of 2025, the Center for Excellence in Polling (CEP) surveyed 1,991 likely voters nationwide to learn two things: what Americans believe federal law currently requires of those who register to vote, and whether they support requiring proof of citizenship to register. Ctr. for Excellence in Polling, *supra*.³ The results showed two clear trends. First, most Americans believe that proof of citizenship is already required to register. Second, voters across the political spectrum overwhelmingly support requiring it. *Id.*

The poll asked two questions:

1. As far as you know, does federal law currently require an individual to

³ To ensure that the sample was representative of the broader political spectrum, CEP included likely voters from multiple demographic groupings. The breakdown was as follows: 2024 presidential voters: 48 percent Kamala Harris, and 50 percent Donald Trump, while 2 percent voted “other.” Political affiliation: 34 percent Republican, 36 percent Democrat, and 29 percent Independent. Age brackets: 38 percent in the 18-44 range, 37 percent in the 45-64 range, and 26 percent in the 65 plus demographic. Education: 61 percent had no four-year degree, and 39 percent held a four-year degree. The gender breakdown: 48 percent male, and 52 percent female.

prove they are a U.S. citizen to register to vote or does federal law not have such a requirement?

2. Would you support or oppose requiring an individual to prove they are a U.S. citizen to register to vote in American elections?

Sixty-two percent of all voters answered the first question by replying that an individual must already prove citizenship, in order to register. That belief was more common among Democrat voters than Republican voters, 69 percent to 61 percent. *Id.* Independent voters were the least likely to hold it, at 55 percent.

Only 22 percent of all voters answered correctly that federal law imposes no such requirement. *Id.* Independent voters were the most accurate at 28 percent, followed by Republican voters at 23 percent, and Democrat voters at 18 percent. *Id.* Sixteen percent of respondents were unsure, and that share varied little across parties. *Id.*

As for the second question, which asked about *support* for a proof-of-citizenship requirement, the results moved overwhelmingly in one direction — support. Eighty-seven percent of respondents said they strongly or somewhat supported requiring an individual to prove citizenship to register to vote. *Id.* Support was strongest among Republican voters at 96 percent, followed by Independent voters at 86 percent and Democrat voters at 80 percent. *Id.* Only nine percent of all voters were strongly or somewhat opposed: three

percent of Republican voters, nine percent of Independent voters, and 16 percent of Democrat voters—fewer than one in five. *Id.*

Voters were also firm in the views they expressed. Just three percent of all respondents were unsure whether proof of citizenship *should* be required, including one percent of Republican voters, six percent of Independent voters, and four percent of Democrat voters. *Id.*

Taken together, these results reveal a substantial gap between what Americans believe the law requires and what it actually requires. Most Americans believe an individual must prove citizenship under federal law in order to register to vote. That belief is mistaken. To register for federal elections, an applicant need only check a single box on a multi-page form attesting that he is a citizen. He is never required to *prove* it, and according to the 9th Circuit, a state has no obligation to confirm. *Mi Familia Vota*, 129 F.4th at 719. Yet, the vast majority of Americans believe that an individual *should* be required to prove citizenship.

That gap is more than mere policy preference. It bears directly on public confidence in the electoral system, which this Court has recognized as essential to the functioning of our democratic system. *See Purcell*, 549 U.S. at 4. As concerns about noncitizen voting continue to surface, that confidence is increasingly at risk.

Voter confidence has already fallen sharply in recent years. The mistrust has a clear partisan dimension: heading into the 2024 election, 90 percent of Harris supporters were confident the election would be administered well, compared to only 57 percent of Trump supporters. Pew Rsch. Ctr., *Harris, Trump Voters Differ Over Election Security, Vote Counts and Hacking Concerns* (Oct. 24, 2024), <https://perma.cc/ST7G-S2NU>.

That decline has continued. Only 55 percent of Americans are confident that the 2026 midterm elections will be conducted fairly and accurately, down from 61 percent ahead of the 2024 election and 64 percent ahead of the 2022 midterms. Andrew Daniller, *How Confident Are Americans in the Midterm Elections' Fairness and Accuracy?*, Pew Rsch. Ctr. (Aug. 5, 2026), <https://perma.cc/4YHN-ZDRQ>. Nor is that mistrust confined to one party. In 2022, 46 percent of Republicans and Republican-leaning independents expressed confidence, compared to 81 percent of Democrats and Democratic leaners; in 2024, the split was 47 percent to 77 percent. That gap has now closed: 55 percent of Republicans and 58 percent of Democrats express confidence in the fairness and accuracy of the 2026 elections. *Id.* Confidence in elections, in other words, is no longer eroding along partisan lines alone. It is eroding across the electorate as a whole.

At the same time, a significant portion of the electorate is concerned that ineligible individuals are being allowed to vote in U.S. elections. In 2020, 45 percent of U.S. adults considered votes cast by ineligible

voters to be a major problem. Justin McCarthy, *Confidence in Accuracy of U.S. Election Matches Record Low*, Gallup (Oct. 8, 2020), <https://perma.cc/NT5G-FRU5>. By 2024, that concern had grown among Republicans, from 67 percent to 74 percent, even as the overall share slipped slightly to 44 percent. Lydia Saad, *Partisan Split on Election Integrity Gets Even Wider*, Gallup (Sept. 25, 2024), <https://perma.cc/L8K7-AKPN>.

Polling closer to the 2026 midterms shows the concern about ineligible voting has not subsided. Asked in March 2026 whether “[p]eople casting votes who are not eligible to do so” posed a major problem, 42 percent of U.S. adults said that it did, including 69 percent of Republicans, 39 percent of Independents, and 20 percent of Democrats. CBS News/YouGov, *Voting Toplines* at 5 (Mar. 16–19, 2026), <https://perma.cc/85J7-CBZY>. And heading into the 2024 presidential election, only 59 percent of registered voters were at least somewhat confident that “[p]eople who are not legally qualified to vote are prevented from casting a ballot,” including 87 percent of Harris voters and just 30 percent of Trump voters. Pew Rsch. Ctr., *Harris, Trump Voters Differ Over Election Security, Vote Counts and Hacking Concerns: Topline Questionnaire* 10 (Oct. 2024), <https://perma.cc/329N-F8RD> (reporting that 29% of registered voters were “very confident” and 30% “somewhat confident,” for a combined 59% at least somewhat confident); Pew Rsch. Ctr., *Harris, Trump Voters Differ Over Election Security, Vote Counts and Hacking Concerns* (Oct. 24, 2024), <https://perma.cc/ST7G-S2NU>.

That so large a share of the voting public doubts that current law keeps ineligible voters from casting ballots should itself be cause for concern. Assuming the Pew percentages held across the 2024 electorate, roughly 63.9 million Americans — more than two in five of the votes cast — lacked confidence that ineligible voters would be turned away.⁴ That doubt has carried into the current cycle. A Gallup survey released in July 2026 found that 53 percent of U.S. adults are concerned about ineligible voters casting ballots in the 2026 midterms, including 78 percent of Republicans, 48 percent of Independents, and 36 percent of Democrats. Ellyn Maese & Jeffrey M. Jones, *Election Concerns Run High Ahead of 2026 Midterms*, Gallup (July 29, 2026), <https://perma.cc/Q8PE-8N4B>. A majority of the electorate, in other words, now doubts that existing safeguards keep ineligible voters off the rolls. Documentary proof of citizenship at registration is a meaningful step toward restoring that confidence.

⁴ Assuming the survey’s percentages held across the 2024 electorate, 13 percent of Kamala Harris’s 75,019,230 votes (9,752,500) and 70 percent of President Trump’s 77,303,568 votes (54,112,498) would together represent 63,864,998 voters, or 41.2 percent of the 155,201,157 votes cast. *Compare* Pew Rsch. Ctr., *Harris, Trump Voters Differ Over Election Security, Vote Counts and Hacking Concerns: Topline Questionnaire 9* (Oct. 24, 2024), (Oct. 24, 2024), <https://perma.cc/329N-F8RD> (providing confidence percentages), *with* The Am. Presidency Project, *2024 Election Statistics*, UC Santa Barbara (last updated Dec. 31, 2024), <https://perma.cc/L8TN-TA5P> (providing vote totals). That estimate tracks the survey’s own topline, which reports that 41 percent of registered voters were not confident that people not legally qualified to vote are prevented from casting a ballot.

This Court has long recognized what is at stake. Again, in *Purcell*, the Court explained that “[v]oter fraud drives honest citizens out of the democratic process and breeds distrust of our government. Voters who fear their legitimate votes will be outweighed by fraudulent ones will feel disenfranchised.” *Purcell*, 549 U.S. at 4. And in *Crawford*, 553 U.S. at 197, the Court made clear that public confidence in elections matters for its own sake. While deterring fraud is an important government objective and is closely intertwined with voter confidence, that confidence carries “independent significance, because [public confidence in elections] encourages citizen participation in the democratic process.” *Id.* As the Court stated, quoting the Carter-Baker Commission, “the electoral system cannot inspire public confidence if no safeguards exist to deter or detect fraud or to confirm the identity of voters.” *Id.*

Conclusion

For these reasons this Court should reverse.

Respectfully submitted,

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