ARA

Citizenship Documents and Voter ID

Information current as of November 9, 2026

THE BOTTOM LINE

No new federal rule requiring citizenship documents or photo ID to vote was in effect for the November 3, 2026 election, and none is in effect now. The proposals described below are real, but the legislation has not passed the Senate, and federal courts have blocked both the 2025 order's citizenship-document rule and the Postal Service mail-ballot rule. New Jersey voters cast their ballots under the same rules as before.

What has been proposed

In Congress. The SAVE America Act would change how Americans register and vote in federal elections in two ways. First, a person could not register without presenting documents proving U.S. citizenship, in person. A passport works on its own. A regular driver's license or standard REAL ID does not, because those cards do not show citizenship; most people without a passport would need a certified birth certificate plus a photo ID. Second, the 2026 version adds a nationwide requirement to show a photo ID that indicates citizenship in order to vote. The bill passed the House of Representatives in February 2026 but has failed several times in the Senate, most recently by a vote of 48 to 50 on June 4, 2026. **It is not law,** and it expires on January 3, 2027 unless enacted.

From the White House. Two presidential executive orders, one in 2025 and one in 2026, tried to create similar requirements through federal agencies. Federal courts blocked the key parts of the 2025 order, ruling that the Constitution gives the power to regulate federal elections to Congress and the states, not to the President. New Jersey joined the lawsuit against the 2026 order and won a ruling on June 25, 2026, but on August 24 the U.S. Supreme Court paused that ruling, finding that the order itself likely did not harm the states and that their challenge to its mail-ballot provisions came too early, without deciding whether the order is lawful. The Postal Service rule that would have limited the mailing of ballots under the 2026 order never took effect; the Supreme Court declined to lift a block on it on September 14. Appeals continue.

Why the rules would affect some people more than others

The report's central finding is mechanical, not political. Almost every qualifying document traces back to one of two things: **a passport**, which shows a person's current legal name, or **a birth record**, which permanently shows the name given at birth. Birth certificates are never updated for marriage or divorce. So anyone whose legal name has changed since birth, and who does not hold a passport, must connect the old name to the new one with certified paperwork, such as a marriage certificate, divorce judgment, or court order. How hard that is depends on how many name changes a person has had, whether they still hold the certified documents, and how each state runs its process. The bill leaves those details to the states.

By the numbers. These figures come from named national surveys and court records, cited in full in the report:

5 of 6	**Married women whose birth certificate no longer matches their legal name.** A 2023 Pew Research Center survey found 79 percent of women in opposite-sex marriages took their spouse's surname and 5 percent hyphenated. Analysts estimate up to 69 million women are affected.
21.3 million	**Voting-age citizens who cannot quickly put their hands on a document proving citizenship**, about 9 percent, according to a 2023 national survey for the Brennan Center for Justice and partners. About 3.8 million lack the documents entirely.

About half	**American citizens who do not hold a valid passport.** The passport is the one common document that proves citizenship in a person's current name. New Jersey issues no license that shows citizenship.
11%	**Transgender Americans whose identification documents all match their current name and gender**, per the largest national survey of this population (2015 U.S. Transgender Survey).
30 of 23.5M	**Suspected noncitizen voting incidents referred by officials in 42 jurisdictions in the 2016 general election**, about 0.0001 percent of the 23.5 million votes studied. Noncitizen voting is already a federal crime.

The burden would fall most heavily on **married and divorced women**, who make up the large majority of Americans whose names have changed; on **transgender citizens**, whose documents often mismatch in both name and gender; on **naturalized citizens**, whose replacement certificates cost several hundred dollars; on **older Black Americans** born where official birth certificates were not always issued; on **students and young voters**, whose documents are often at a parent's home; and on **rural voters and voters with disabilities**, because documents must be presented in person. The absentee rules would add steps for **military and overseas voters** and everyone who votes by mail.

Both sides of the question

Consistent with ARA's nonpartisan mandate, the report presents the case for and against on equal terms. **Supporters** say that only citizens should vote in federal elections, that documentary proof and verification systems deter violations and restore public confidence, and that polls in 2024 found large majorities favoring proof of citizenship for new registrants. They also cite New Jersey's July 2026 disclosure that a software error had registered about 6,600 people who said they were not citizens; fewer than 400 voted, and experts said the bill would not necessarily prevent such errors. **The measured record** shows that noncitizen voting, already a crime punishable by prison and deportation, is rare (see table above), while similar state laws have blocked eligible citizens: Kansas's law stopped more than 31,000 eligible citizens before courts struck it down, and a federal court struck down New Hampshire's law in May 2026 after a trial showed eligible voters turned away, including a recently divorced woman whose name no longer matched her records. The report states both sets of facts and lets readers weigh them.

Where New Jersey stands

New Jersey has **never required a document proving citizenship** to register. You sign a statement instead. Most voters show **no ID at the polls**. Bills to require proof of citizenship or photo ID remain in committee.

Register at least 21 days before each election, online, by mail, or in person, for free. Every voter may vote by mail, no excuse needed, and early voting runs nine days before each November election. Check your registration at nj.gov/state/elections.

Party membership matters only in primaries, and even there an unaffiliated voter may declare a party at the polls on primary day.

A practical step for any year

Nothing extra is required to vote under current law. Still, keeping your documents consistent is useful for travel, passports, Social Security, banking, and work, whatever happens in Washington. If your name has changed, keep certified copies linking your birth name to your current name, spell your name identically on every record, and consider a passport, the one common document that proves citizenship in your current name. Free help is available from VoteRiders (voteriders.org) and, for income-eligible residents, Legal Services of New Jersey (lsnj.org).

About this summary. Agard Research Associates Inc. (ARA) is a nonpartisan, nonprofit research institute in New Jersey. This document summarizes the full ARA report, Documentary Proof of Citizenship and Voter Identification in Federal Elections (November 2026), which contains complete citations for every figure above. It neither supports nor opposes any party, candidate, or legislation, and it is general information, not legal advice. Version 1.2, November 2026.

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