



ISSUE BRIEF | Center for Election Integrity

PROTECTING AMERICAN ELECTIONS FROM FOREIGN INFLUENCE

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TOPLINE POINTS

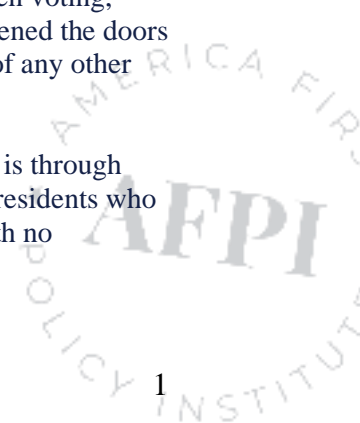
- While federal law prohibits non-citizen voting in federal elections, the U.S. has, in practice, opened the door wide to non-citizen voting through (1) the lack of enforcement mechanisms, (2) poor elections administration by certain states, and (3) mass illegal immigration.
- Non-citizens should also be prohibited from influencing domestic policy through donating to ballot initiatives.
- Federal legislation such as the [SAVE Act](#) ensures that states have the tools to prohibit non-citizen voting effectively. The America First Policy Institute has developed state model policies that prohibit non-citizen voting and non-citizen donations to ballot initiatives.

Introduction

U.S. citizens should determine U.S. elections. Immigrants who are not naturalized citizens, whether they reside in the U.S. legally or illegally, should not have a role in determining the outcome of U.S. elections. Unfortunately, foreign influence in U.S. elections is not uncommon. While other countries can influence U.S. elections through hacking critical infrastructure, espionage, and mass social media infiltration, those methods are widely condemned and well documented. This issue brief instead focuses on two relatively recent developments regarding foreign influence in U.S. elections: non-citizen voting and foreign money in ballot initiatives.

The first method by which non-citizens can influence U.S. elections is by voting. If a U.S. citizen visiting France, Japan, or any other democracy in the world showed up to the polls on that country's Election Day and tried to vote, that person would be denied. Americans do not have voting power in the elections of other nations. And yet, due to the lack of enforcement of existing laws prohibiting non-citizen voting, poor election administration by certain states, and mass illegal immigration, the U.S. has opened the doors wide to allowing non-citizens the ability to vote in U.S. elections. In other words, a person of any other nationality could have just as much say in U.S. elections as a U.S. citizen.

The second method by which non-citizens can influence U.S. elections and domestic policy is through donations to ballot initiatives. Instead of the ballot initiative process being decided by state residents who are affected by the result, foreign billionaires, often driven by an ideological agenda and with no



residency in the area, impose their will on U.S. citizens by funneling large amounts of money into the ballot initiative process and swaying the results.

Non-Citizen Voter Registration and Voting

National Sovereignty and Mass Illegal Migration

National sovereignty, the governing force of world order since the Peace of Westphalia in 1648, dictates that each country has the right to sovereign borders and command its own internal affairs ([Farr, 2005](#)). One of the primary disruptors of this internationally accepted order is mass illegal migration. Borders are insignificant to those who would break a country's laws to enter.

In the past four years, at least 13 million illegal immigrants have entered the United States, coming from every country in the world ([U.S. Customs and Border Protection, n.d.](#)). The last thing that the United States should do is reward this lawlessness with voting power. Voting is a right and a privilege for U.S. citizens to exercise that rewards the individual's care for their own Nation and desire to help shape its future. Limiting voting rights to U.S. citizens ensures that the voters have a vested interest in their own country's elected government because it is U.S. citizens who pay taxes and live under the laws imposed by their elected government. Migrants who have already broken the country's laws by their illegal entry, shortcutting the line in front of thousands who have legally applied, also denigrate the patience and hard work of legal immigrants who are pursuing naturalized citizenship and, subsequently, voting rights.

Temporary legal immigrants who come for summer or winter work, to visit a relative, to travel, or to study also do not have the same vested interest in the direction of the United States as U.S. citizens do. While they have not broken any laws, voting power should also not rest with them, as they are citizens of another country and only here for a limited time. There is a process in place for the naturalization of immigrants who desire to become citizens, and in that process, they learn about what this country has to offer and relinquish their ties to their previous home country. Becoming a citizen is a serious matter because a country's sovereignty and autonomy is a serious matter. The rights of U.S. citizens should not be squandered by extension to those who are not U.S. citizens. Citizenship is a critical element of the American political system; the right to vote is for U.S. citizens alone.

Lack of Enforcement for Proving Citizenship Before Voting

The 14th Amendment of the U.S. Constitution does not include non-citizens in matters of voting. Two major federal laws explicitly address this issue: the Voting Rights Act of 1965, which reinforces that voting rights are for U.S. citizens, and the National Voter Registration Act of 1993, which requires that individuals who register to vote confirm their citizenship status. Knowingly falsifying this attestation is a federal offense.

Ultimately, each state is responsible for voter registration and ensuring that only U.S. citizens are registered to vote and voting. Yet only some states have laws reiterating this prohibition on non-citizen voting and establishing penalties, and there is currently a major loophole in federal and state law that opens the door wide to non-citizen voting.

The loophole is that proof of U.S. citizenship is often not required in order to register to vote, only an unproven, unverified attestation of one's citizenship status, and there is no federal or state enforcement mechanism to ensure states are checking citizenship status. In order to guarantee that only U.S. citizens are voting, states should not accept or process a voter registration application for voting in federal, state, or local elections unless the applicant presents documentary proof of U.S. citizenship with the



application. The list of items that provide acceptable proof of U.S. citizenship can be found in this [America First Policy Institute \(AFPI\) model policy](#).

In Pennsylvania, for example, the voter registration form asks the applicant to simply check a box indicating that the applicant is a U.S. citizen ([Pennsylvania Department of State, n.d.](#)). Only five states—Arizona, Colorado, Florida, Georgia, and Virginia—coordinate voter roll applicant information with U.S. Citizenship and Immigration Services to verify citizenship status ([Christenson, J., 2024](#)). Arizona became the first state to require proof of citizenship this year, and Louisiana and New Hampshire passed similar laws that go into effect after the 2024 general election ([Pitzl, 2024](#); [Pfeil, 2024](#); [Ramer, 2024](#)). Accepting voter registration forms without proof of citizenship is a violation of the states' responsibility to keep all elections free from non-citizen voting.

While states are on the front lines of this issue, Congress can also take steps to address it. The Safeguard American Voter Eligibility (SAVE) Act would strengthen existing federal law by providing enforcement mechanisms to ensure non-citizens do not vote.

Poor Elections Administration by States

There are three specific election administration tactics that make U.S. elections vulnerable to non-citizen voting: automatic voter registration, lack of proper voter roll maintenance, and encouraging non-citizens to get driver's licenses.

Automatic voter registration, a policy that automatically registers individuals to vote upon interaction with specified government agencies, with the option to opt out of this registration either at the time of the interaction or afterward, has been adopted by about half the states and the District of Columbia ([National Conference of State Legislatures, n.d.](#)). Automatic voter registration highly increases the likelihood that non-citizens will be registered to vote; some states do not require the person to disclose citizenship status upon applying for a new driver's license, renewing a driver's license, or transferring from another state ([Public Interest Legal Foundation, 2023](#)). The Associated Press reported in 2018 that California had improperly registered non-citizens due to automatic voter registration ([Bollag, 2018](#)).

Proper voter roll maintenance ensures that the people on the voter roll are legally allowed to vote and are not dead, underage, or also on the voter roll of another state. Several states recently conducted voter roll audits, specifically evaluating whether or not non-citizens were on the voter rolls. Each state conducting these audits, including Texas, Ohio, and Virginia, found many non-citizens on the rolls and took action to remove them. States not conducting these audits and removals are ignoring a major vulnerability in the accuracy and legitimacy of their voter rolls.

Actively encouraging non-citizens to obtain driver's licenses, especially in states that also have automatic voter registration, jeopardizes the integrity of that state's elections. Twenty states allow illegal immigrants to get driver's licenses, and all states allow legal immigrants to get driver's licenses. Minnesota, which recently enacted automatic voter registration, also advertised on its state website that illegal immigrants are now eligible to receive driver's licenses and encouraged them to do so ([Minnesota Department of Public Safety, 2023](#)). It is estimated that 81,000 immigrants are eligible to receive driver's licenses under this program. In local and state elections, where races are often decided by a mere handful of votes, allowing this incredible vulnerability in the voter roll is a major disservice to Minnesotans. In Maryland, non-citizens are given driver's licenses and allowed to vote in local elections; proof of citizenship is not required at the DMV. Instead, the DMV requires one of the following: two years of Maryland taxes; a utility bill, lease, or bank statement; an individual taxpayer identification number; or a foreign passport. The non-citizens in Maryland are on the same voter roll that is used for federal elections.



Several states have taken action following an increase in public awareness over the past few years about this issue and rising concerns about the effect of widespread legal and illegal immigration ([Stanton, 2024](#)). These states have conducted voter roll audits and removed non-citizens who were registered to vote. Other states have refused to take reasonable measures to ensure that non-citizens are not on the voter rolls or actively voting.

Current Cases of Non-Citizen Voter Registration and Voting

In the United States, non-citizen voting is legally allowed in a handful of local jurisdictions in states whose laws permit localities to do so ([Conklin, 2021](#)). Non-citizen voting also occurs illegally. While the Left denies that non-citizen voting happens and points to the existing federal prohibition, non-citizens are, in fact, registering to vote and voting. In August 2024 alone, more than 16,000 non-citizens were removed from the voter rolls in Texas, Alabama, and Virginia ([Putterman, 2024](#)). The Heritage Foundation voter fraud database notes specific instances of non-citizens who voted or submitted fraudulent voter registration applications all across the United States ([The Heritage Foundation, n.d.](#)). No amount of fraudulent voting is acceptable. Policymakers must use all methods to protect legal votes and voters, including prohibiting non-citizen voting and enforcing these prohibitions.

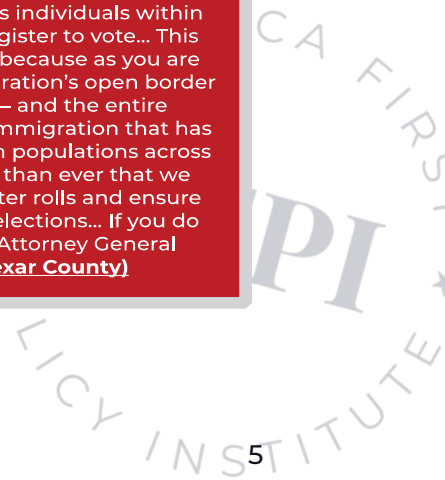
While most on the Left incorrectly deny that non-citizen voting is even occurring, some openly advocate for it, claiming that allowing non-citizens to vote results in a truer, better democracy ([Mathews, 2017](#)). They quickly label opposition to non-citizen voting as xenophobia. Years before his election to Congress, Representative Jamie Raskin (D-MD) wrote an article in 1993 supporting the idea of “defining universal suffrage without regard to nation-state citizenship.” He said that “these arguments are deepened by evolving international norms of community-based democracy and human rights and strengthened by important instrumental considerations relating to the surge in immigration which the United States is currently experiencing” ([Raskin, 1993](#)). This demonstrates a stunning disregard for America’s national sovereignty and even our existence as a nation. An analysis of the reasoning behind opposing non-citizen voting instead reveals respect for clear constitutional principles and the desire for American democracy to be upheld by and for Americans—without foreign interference.

Statements from Left and Right on Non-Citizen Voting

The table below addresses the opinions of the Left versus the Right on this issue; the Left largely denies the issue exists, or in some cases, the Left goes so far as to actively advocate for non-citizens to vote in the name of expanding suffrage. The Right instead explains the vulnerabilities leading to possible exploitation of American law if non-citizens are allowed to vote.



STATEMENTS FROM THE LEFT	STATEMENTS FROM THE RIGHT
<p>“These arguments are deepened by evolving international norms of community-based democracy and human rights and strengthened by important instrumental considerations relating to the surge in immigration which the United States is currently experiencing.” -Congressman Jamie Raskin (1993 Article)</p>	<p>“This will be one of the most important votes that members of this chamber will ever take in their entire careers... Should Americans and Americans alone determine the outcome of American elections? Or should we allow foreigners and illegal aliens to decide who sits in the White House and in the People’s House and in the Senate?” - Speaker Mike Johnson (SAVE Act Press Release)</p>
<p>“Only citizens can vote for the United States Senate. Only citizens can vote for the Presidency of the United States. This extreme MAGA Republicans voter suppression bill is not designed to solve any problem.” - Congressman Hakeem Jeffries (Floor Speech on SAVE Act)</p>	<p>“We are holding Walz and his administration accountable and demand a full review and removal of the non-citizens they have allowed on the voter rolls. Minnesotans, and Americans, deserve much better than the cancelation of their votes by Kamala and Walz.” -Michael Whatley (Fox News Article)</p>
<p>“This bill would do nothing to safeguard our elections, but it would make it much harder for all eligible Americans to register to vote and increase the risk that eligible voters are purged from voter rolls.” -The White House (AP News)</p>	<p>“If you shouldn’t be voting in our elections, you should not have your ballots counted. If you should be voting in our elections, we should make it easier for you to vote and not harder.” – Senator JD Vance (Speech at Rally)</p>
<p>It is already illegal under current law for noncitizens to register to vote or to vote in federal elections.” – Minority Whip Katherine Clark (Whip Question)</p>	<p>“The 2 ways states have historically confirmed identity and residency were driver’s license and social security number. You don’t have to be a citizen to get either of those.” -Cleta Mitchell (Glenn Beck Podcast)</p>
<p>“The evidence is clear that the current laws to prevent noncitizen voting are working as intended — it is extraordinarily rare for noncitizens to break the law by voting in federal elections.” – The White House (White House Statement)</p>	<p>“Citizen verification should happen on the front end.” -Secretary of State Frank LaRose (House Administration Committee Hearing)</p>
<p>“While [noncitizens] live under the same policies set by legislative bodies, they have little ability to influence and select the representatives making those laws. This exclusion is a fundamental violation of their self-determination - an affront to one of their most basic, inviolable rights.” -San Francisco State University Professor Ron Hayduk (Article) Why Non-Citizens Should Be Allowed to Vote (jacobin.com)</p>	<p>“In any year, there are numerous individuals within Texas who are not eligible to register to vote... This year that concern is magnified because as you are aware, the Biden-Harris administration’s open border policies have saddled Texas— and the entire country—with a wave of illegal immigration that has resulted in ballooning noncitizen populations across our State. It is more important than ever that we maintain the integrity of our voter rolls and ensure only eligible voters decide our elections... If you do not, I will see you in Court.” - Attorney General Ken Paxton (Letter to Bexar County)</p>



Foreign Influence in Ballot Initiatives

Decades ago, it became illegal for non-citizens to donate to political candidates. In 2021, the Federal Elections Commission (FEC) ruled that foreign nationals can donate money to U.S. ballot initiatives and referendum campaigns ([Federal Election Commission, n.d.](#)). While foreign nationals cannot donate to political candidates or committees, the 2021 ruling opened the door wide to foreign involvement in U.S. domestic policy creation. Since then, various states and municipalities have prohibited certain foreign influence in ballot initiatives. To varying degrees, California, Colorado, Maryland, Nevada, North Dakota, Ohio, South Dakota, and Washington have all prohibited foreign money in ballot initiatives, but sometimes with the caveat that only foreign-owned or partially owned corporations are prohibited, not foreign individuals ([Hong & Rothbloom, 2023](#)). This loophole has allowed foreign nationals to influence ballot initiatives at a significant level, counteracting the very idea of ballot initiatives being a grassroots, citizen-initiated process.

A 2022 survey from the University of Maryland found that a “strong bipartisan majority of eight-in-ten voters favor Congress banning foreign individuals and entities from spending money to influence ballot initiatives” ([University of Maryland School of Public Policy, 2022](#)). Support is robust across party affiliation (Republicans 77%, Democrats 84%, independents 74%) and congressional districts (very red districts 74%, very blue districts 80%).” It is rare that an issue can garner such widespread support and still not be universally adopted by legislatures across the Nation.

Major Case of Foreign Influence in Ballot Initiatives

The amount of money poured into the ballot initiative process is stunning. A report by Americans for Public Trust showed that almost \$100 million was spent by one organization alone, the Sixteen Thirty Fund, spanning ballot initiatives in 25 states ([Americans for Public Trust, 2024](#)). The Sixteen Thirty Fund is financed by Swiss billionaire Hansjorg Wyss. Wyss has given more than \$243 million to this organization and is an avowed leftist with a track record of endorsing progressive causes.

In Ohio, the new law prohibiting foreign money in ballot initiatives stems from Ohio’s own experience with the power of foreign spending overturning the power of the people’s voices. Foreign influencers spent more than \$15 million to support ballot measures reducing penalties for fentanyl possession and codifying radical abortion laws in the Ohio constitution. An Honest Elections Project Action poll found that 85 percent of Ohio voters thought that foreign nationals should not be allowed to influence ballot initiatives, consistent with the national survey from the University of Maryland ([Snead, 2022](#)). Ohioans want to decide their own elected leadership and laws without being outspent by radical foreign billionaires who want to impose an agenda on the actual residents of the state. The legislature and governor quickly acted to protect Ohioans from future foreign influence, passing HB 1 in a special session during the summer of 2024 and signing into law this critical protection measure.

Policy Solutions to Combat Foreign Influence

State policymakers who are seeking to pass legislation that requires proof of citizenship requirements to vote, audit requirements for ensuring no non-citizens are on the voter rolls, and clear enforcement mechanisms can view AFPI [model legislation](#). Governors seeking to enforce the election laws of their states more aggressively can view AFPI’s [model executive order](#). States seeking to pass prohibitions on foreign money influencing ballot initiatives can view AFPI [model legislation](#).

Conclusion

Foreign influence in U.S. elections is not acceptable in any way. U.S. citizens have the right to decide their own leadership, and this right belongs to them alone. Non-citizens cannot donate to political candidates, committees, or PACs; neither should they be able to influence domestic policy through



financial backing of ballot initiatives. Banning this sort of influence and empowering attorneys general to enforce the law would free U.S. citizens from this malignant foreign influence and election interference. Non-citizens must also be prohibited from registering to vote and voting; these laws need to be enforced effectively. Ensuring that only U.S. citizens decide U.S. elections respects democracy and the rule of law.

Voting means something; citizenship means something. As former Ohio Secretary of State Hon. J. Kenneth Blackwell writes, “To be an American citizen is to have the right to a voice to help determine who represents you in government and who will stand for your ideas, values, and freedom...sadly, some on the Left are... giving unfair preference to individuals who have not made an effort or made the sacrifices to obtain American citizenship” ([Blackwell, Gidley, & Martinez, 2022](#)). Those who seek to denigrate the value of citizenship fail to protect legal votes and legal voters. The U.S. is unique in its Constitution, rights, freedoms, and opportunities. The rule of law must be respected, and fair, transparent, accountable elections must be protected for the U.S. to continue as a bulwark of democracy. Foreign influence must in no way be tolerated as we work toward the goal of making it easy to vote but hard to cheat.

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BIOGRAPHIES

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