

Opposing the SAVE America Act: Disability Specific Impacts

The Autistic Self Advocacy Network is requesting that Senators vote against the Safeguard American Voter Eligibility (“SAVE”) Act (S. 128/ H.R. 22), SAVE America Act (S. 3752), and Make Elections Great Again (“MEGA”) Act (H.R.7300). The above bills would massively disenfranchise disabled voters who frequently utilize mail-in voting resources.

Talking Points:

- More than half of Americans do not possess passports, or other identification documents to prove their citizenship.
 - For instance, a recent survey illustrates the significant impacts to multi-marginalized communities, including the disability community. According to the study, only 50% of American adults have a passport.¹
 - The survey also found that 20% of people who self-identified as having a disability do not have a current driver’s license or federally issued identification (ID) card, with another 9% having identification, but without their current name and address due to the systemic barriers in place.
- There are an estimated 40.2 million eligible voters with disabilities in the U.S., representing nearly one-sixth of the total eligible voting population.²
 - Already, disabled voters face systemic barriers to participation, including inaccessible polling places, strict voter identification laws, and limited transportation making getting to the polls difficult.
 - Research from the Election Assistance Commission (EAC) has found that disabled voters are three times more likely to face difficulties casting a ballot than nondisabled voters.³
- In 2020, over half of disabled people cast their ballot via mail.⁴
 - States that provide easier access to vote by mail, such as permanent absentee voter lists and universal mail voting, saw voter turnout increases among disabled voters.⁵

¹ Rothschild et. al. University of Maryland, Center for Democracy and Civic Engagement, “Who Lacks ID in America Today? An Exploration of Voter ID Access, Barriers, and Knowledge.” (January 2024). [Voter ID 2023 survey Key Results Jan 2024 \(1\).pdf](#)

² Schur, Lisa, and Douglas Kruse. 2024. “Projecting the Number of Eligible Voters with Disabilities in the November 2024 Elections.” https://smlr.rutgers.edu/sites/default/files/Documents/Centers/Program_Disability_Research/Disability_Electorate_Projections_Report_Oct2024.pdf.

³ “Disability and Voting Accessibility in the 2022 Elections.” 2023. https://www.eac.gov/sites/default/files/2023-07/EAC_2023_Rutgers_Report_FINAL.pdf.

⁴ Schur, Lisa, and Douglas Kruse. “Fact sheet: Disability and Voter Turnout in the 2020 Elections.” https://www.eac.gov/sites/default/files/document_library/files/Fact_sheet_on_disability_and_voter_turnout_in_2020_0.pdf

⁵ “Disability and Voting Accessibility in the 2022 Elections.” 2023. https://www.eac.gov/sites/default/files/2023-07/EAC_2023_Rutgers_Report_FINAL.pdf.

- This figure demonstrates the potential to disenfranchise a massive amount of disabled people if access to mail-in services are stripped.
- Millions of eligible American citizens with disabilities disproportionately face many obstacles when it comes to equal participation in the electoral process, even without the burden of serious difficulties in obtaining or producing the documents required by the SAVE America Act to register to vote.
 - Decades of research has shown that disabled Americans are disenfranchised at a higher proportion, so a regulation such as the one proposed, would disproportionately affect disabled Americans.
 - Election offices are frequently physically inaccessible or placed in locations that are not accessible via public transportation.
- Federal laws require every part of the voting process to be accessible, from registering to vote to casting a ballot.⁶
 - The policies in these bills – limiting vote by mail, criminalizing voter assistance, and adding burdensome voter registration practices – undermine accessibility, disenfranchise eligible voters, and weaken the foundation of our democracy.
- Requiring a passport or other forms of documentation that very few American citizens possess would not enhance election integrity; it would establish unnecessary and illegal roadblocks for millions of eligible American citizens from registering to vote.
- The SAVE America Act provides an Accessibility (Section 3) provision stating that each state must ensure that reasonable accommodations are made to allow an individual with a disability who submits the mail voter registration application form to submit their required documents in an accessible manner
 - The language provided in the Act regarding accommodations for individuals with disabilities is not adequate to ensure equal access.
 - Under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act, election offices, polling places, and the ability to vote via mail, have been legally required to be accessible for decades, yet this has not been true.
 - Adding in a caveat that reinforces pre-existing laws is not effective in protecting individuals with disabilities if there are no enforcement mechanisms in place.
 - For example, the Civil Rights Division of the Department of Justice has been decimated within the last year and there is now no Federal enforcement of Civil Rights laws that have been put in place to protect individuals with disabilities and their right to vote.

The potential consequences of the bills on disabled Americans are sweeping and require heightened attention. Disabled people have the right to vote in an accessible way. We need our Senators to continue fighting for this right, and appreciate the effort to ensure that the SAVE America Act does not pass. For more information on ASAN's Voting Rights positions or for any questions, please contact Cameron Lynch (Policy Analyst), at clynch@autisticadvocacy.org.

⁶ "The Americans with Disabilities Act and Other Federal Laws Protecting the Rights of Voters with Disabilities." 2023. ADA.gov. November 14, 2023. <https://www.ada.gov/resources/protecting-voter-rights/>.