



Arizona: Majority of Registrants Cancelled Due to Foreign Nationality in Tucson Came from Partisan Voter Drives

400+ Cancellations for Citizenship in Pima, Maricopa Counties Since 2015

SIX Were Credited for Voting in Tucson in 2022 Midterms

February 2024 – Since 2021, government records show **186 voter registrants** were “involuntarily purged” for citizenship issues in Pima County, Arizona. From this group, 7 are recorded casting ballots across two federal and local elections. This follows a similar finding of 222 canceled registrants in Maricopa County since 2015.

Pima County Year Registrations	
2021	16
2022	132
2023	38

Unlike similar cancellation records obtained elsewhere, Pima County shows more detail on points of origin. Roughly **65 percent of records came from “political parties and group drives.”** Although conclusions in other studies established that organizers of voter registration drives can be left leaning,¹ the party affiliations of the registrants within the Pima disclosure are more varied.

Pima County Core Figures

Pima County election officials disclosed to PILF a dataset in late 2023, illustrating a variety of trends in foreign nationals voting.

Party Registrations	
No Party	108
Democrat	46
Republican	28
Independent	3
Libertarian	1

- **Total Cancellations for Non-Citizenship:** 186
- **Cancelled Records with Histories of Voting:** 7
- **Election with Most Vote Credits by Those Cancelled:**
2022 General (6)
- **Year with Most Registrations Created:** 2022 (132)
- **Most Common Political Party Affiliation:** Party Not Designated (108)
- **Most Common Origin for Registration:** Parties and Group Drives (120)

Arizona’s Two-Tier Registration System for Proven/Unproven U.S. Citizens

Arizona operates a two-tier system of voter registration based on proof of U.S. citizenship. Registrants who do not provide necessary proof may participate only in federal elections. Applicants showing a passport, birth certificate, tribal ID, or naturalization certificate number are eligible to participate in all elections and ballot questions.² State officials also query government databases to backfill these credentials for existing registrants where they can. If officials become

¹ Capitol Research Center; How Charities Secretly Help Win Elections (August 15, 2023), <https://capitalresearch.org/publication/how-charities-secretly-help-win-elections/>

² A.R.S. § 16-166(F)

aware of a registrant's documented foreign nationality from reliable government data, however, they are "involuntarily purged" from the roll if they cannot prove subsequent naturalization has occurred. Pima County provided the Public Interest Legal Foundation examples of letters sent to registrants to validate citizenship status.

Public Service Center Building

240 N. Stone Ave., 1st Floor
Tucson, AZ 85701

Doc. Recording: (520) 724-4350

Voter Registration: (520) 724-4330



Mailing Address:

PO Box 3145
Tucson, AZ 85702-3145

Social: @PimaRecorder

Web: recorder.pima.gov

GABRIELLA CAZARES-KELLY, Recorder

August 2023

Dear Voter,

The Pima County Recorder's Office recently received your voter registration form. Either you used your Arizona Driver's License/Arizona ID number to establish United States citizenship or we were able to acquire the Arizona Driver's License/Arizona ID number directly from the Arizona Motor Vehicle division (AZ MVD). You did not include any other proof of citizenship with the voter registration form. The AZ MVD has advised us that the license number you provided was issued to someone who is not a citizen of the United States. Therefore, the license number you provided cannot be used to establish citizenship. Therefore, we are unable to process your voter registration form at this time.

To be eligible to register to vote, you will need to provide proof of Citizenship to our office. If you want to provide documentary proof of Citizenship, please complete this form to update your voter registration status and return to us in the self-addressed postage paid envelope. We will then be able to process your form and register you to vote as a full active voter.

^Example letter excerpt for registrants showing prior documented foreign nationality.^

Maricopa County Core Figures

Maricopa County election officials disclosed the following dataset to PILF in 2023

- **Total Cancellations for Non-Citizenship:** 222
- **Cancelled Records Containing a History of Voting:** 9
- **Average Duration of Registration:** 6 years
- **Longest Single Period of Registration:** 27 years
- **Election with Most Vote Credits by Those Cancelled:** 2020 General (5)
- **Year with Most Registrations Created:** 2012 (26)
- **Years with Most Cancellations:** 2015 and 2017 (40 each)

Common Causes of Foreign Registrants, Nationally

The National Voter Registration Act of 1993 (**Motor Voter**) provides the most common pathway for foreign nationals to get registered to vote. The 24 states plus D.C.³ which **automate Motor Voter**, not giving the immigrant the chance to decline registration, exacerbate the problem. States giving **driver's licenses to illegal immigrants** increase traffic to DMVs. States with higher amounts of **legal immigration** mean even more driver's licenses or state IDs are needed for daily life (and increases the risk of screening immigrants for voter registration).

Border states see a greater number of legal immigrants and individuals moving back and forth – especially those having twin cities on their border (like Nogales, AZ/Nogales, Sonora). Finally, battleground states with a high number of **third-party voter registration drives** can expose

³ <https://www.ncsl.org/elections-and-campaigns/automatic-voter-registration>

immigrants to improperly getting registered to vote. Every scenario where a foreign national encounters Motor Voter protocols creates risk for premature voter registration.

Has Arizona Fixed the Motor Voter Defect Commonly Leading to Foreign Voters?

Somewhat.

Contrary to popular belief or assumption, the federal government does not have an all-inclusive database generally available to election officials to identify foreign nationals masquerading as citizens on the voter rolls. It does not exist. Around the nation, this means election officials are left waiting for foreign nationals to out *themselves*—an act that can get them charged with a federal felony. Arizona has a *somewhat* better system.

Pima County Sources for Registration	
Political/Group Drives	120
Unlisted/Unknown	26
Motor Voter/Agency	24
Self-Initiated	16

Arizona officials have tools to identify some potential foreign registrants to make contact and correct the record before an immigrant runs the risk of more legal trouble. When a lawful immigrant with an Arizona driver’s license is later asked on the street to register and does so, the DMV record is available to help clarify last-recorded citizenship status after the fact. Any individual who has not yet naturalized is eventually processed for removal from the roll. *But there is a catch* – those immigrants who do not have DMV records and register without proof of U.S. citizenship would land in the federal-only portion of the voter roll. Arizona’s leveraging of DMV and similar data certainly helps contain the risk of foreign voting *if they have the needed information* — but it is not an exhaustive solution.

Arizona’s federal-only voting tier preserves the opportunity to vote for president for those immigrants without local ID just the same as the Arizona State undergrad born in Iowa who does not disclose her REAL ID driver’s license number.

So, Could Foreign Nationals Still Vote for President in Arizona in 2024?

In recent weeks, high-profile figures⁴ and political candidates⁵ have raised concerns about foreigners voting in Arizona this year. Others have pushed back, saying that Arizona is unique with its citizenship check regime.⁶ Both sides are right, according to Arizona county document disclosures to PILF.

Pima County’s disclosures and document descriptions showed how foreign nationals apparently voted in the 2022 federal midterms. Six individuals created or updated registrations between August 26 and October 11, 2022, before being credited for voting in the November elections. All six were eventually “involuntarily purged due to lack of citizenship” by November 16, 2023.

⁴ <https://twitter.com/elonmusk/status/1744761381780386182>

⁵ ABC News/AP; Trump suggests unauthorized migrants will vote. The idea stirs his base but ignores reality (January 9, 2024), <https://abcnews.go.com/Politics/wireStory/trump-suggests-unauthorized-migrants-vote-idea-stirs-base-106236808>

⁶ News12 AZ; Elon Musk tweeted about Arizona’s election laws. But what he said needs context. Here’s why (January 9, 2024), <https://www.12news.com/article/news/politics/arizona-proof-citizenship-voter-registration-elon-musk-tweet/75-d1aaae51-64fe-4b94-98e3-18bc1c542b30>

Prior PILF Research, Litigation on Non-Citizen Voting Issues

For nearly a decade, PILF has harvested government records of non-citizen voter cancellations. These studies were carried out in places like Illinois, Pennsylvania, New Jersey, Michigan, Nevada, California, Texas, and sanctuary cities across the nation. Those reports are made available on the PILF website.⁷ Sometimes research cannot occur without litigation to unlock official records. PILF has brought and won federal trial and appellate court cases in North Carolina, Pennsylvania, and Texas to secure access.⁸ This campaign has made it easier to study non-citizen election participation than ever before in the Motor Voter era.

PILF President, J. Christian Adams

“Federal law hampers states’ abilities to validate citizenship during the voter registration process. The federal government could update Motor Voter to allow states to require proof of citizenship and add citizenship to Motor Voter’s reasonable list maintenance requirements. Arizona is limited to building imperfect systems to address the problem of foreign national voting.”

⁷ PILF Reports archive, <https://publicinterestlegal.org/reports/>

⁸ PILF litigation archive, <https://publicinterestlegal.org/cases/>