

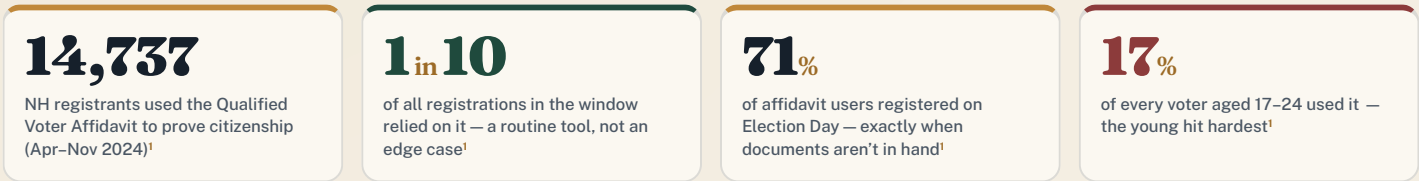
The Right to Register

Marko Kloos

N.H. House · Grafton-18 Enfield · Canaan

House Bill 1569 would have made New Hampshire the **only state in the country** to demand documentary proof of citizenship from **every** person who registers to vote — abolishing the sworn affidavit that one in ten Granite Staters relied on in 2024. A federal court has struck it down. Here is what the evidence shows about who it would have shut out.

THE NUMBERS NEW HAMPSHIRE RECORDED



WHO GETS SHUT OUT

The affidavit and same-day registration are used by the same people least likely to be carrying a birth certificate or passport. The court's own expert record found these Granite Staters at risk:

- **Students & young voters** — mobile, first-time, documents often out of state. In one college town, 50–60% of Election-Day registrants signed an affidavit.²
- **Naturalized citizens** — their proof is a costly-to-replace certificate, often stored away from home.³
- **Women who changed their name** — documents that no longer match their ID.³
- **Low-income & rural voters** — the fees, travel and time to obtain records fall hardest here.³

HOW MANY LACK THE PAPERS

In **New Hampshire**, the court credited expert estimates that **up to ~59,000** eligible voters hold no acceptable proof of citizenship at all — and **90,000–153,000** could not retrieve their documents within a single day.⁴

Nationally, an estimated **21.3 million citizens** (1 in 11) lack ready access to citizenship documents, and **3.8 million have none at all**. The gap is widest for voters of color (11% vs. 8%), low-income voters, and women who have changed their names.⁵

“After this order goes into effect, New Hampshire voters will **still be required to prove their citizenship.**”

— U.S. DISTRICT COURT, MAY 28, 2026 · THE AFFIDAVIT IS THE HOW, NOT A LOOPHOLE

The Problem Wasn't Real

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THE FRAUD QUESTION — ANSWERED BY THE STATE ITSELF

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alleged case of noncitizen voter fraud in NH over 26 years, per the court record⁶

1 of 7

noncitizen instances that involved an affidavit — and officials shouldn't have accepted it⁶

“miniscule”

Secretary of State Scanlan's own word for NH voter fraud; the AG calls it “virtually non-existent”⁶

HB 1569 would have blocked roughly **14,737 legitimate registrations** — disproportionately students, first-time and naturalized voters — to solve a problem the State itself concedes is vanishingly rare. The seven historical instances of noncitizen voting were election-official errors and honest mistakes, not fraud. Affidavits are signed under penalty of perjury and verified against state records after the election. The safeguard already exists.

READ THE EVIDENCE BY ITS STRENGTH

STRONGEST · COURT-ADOPTED

NH's own data

The 14,737 / 10.2% affidavit count, the 17–24 concentration, and the NH document-access estimates are sworn findings of fact a federal judge credited.

STRONG · NATIONAL

Document access

The 21.3M / 3.8M figures come from nationally representative probability surveys (UMD CDCE, Brennan Center); independently rated “Mostly True.”

SUPPORTING · INFERRED

The youth link

Peer-reviewed work shows same-day registration lifts 18–24 turnout 3–7 pts — the mechanism behind NH's numbers, but measured nationally.

WHERE IT STANDS

LEGAL STATUS — AS OF JUNE 23, 2026

On **May 28, 2026**, the U.S. District Court for New Hampshire held HB 1569's elimination of the Qualified and Challenged Voter Affidavits **unconstitutional** under the First and Fourteenth Amendments and permanently enjoined it. The affidavit method is **restored**. Citizenship is still required to vote — the court struck only the removal of the affidavit way to prove it.

Not yet final: this is a district-court ruling. No appeal or stay is on record, but the window to appeal closes in late June 2026. **The fight may continue — and the legislature can revive a version of this bill at any time.**

MARKO'S POSITION — WHERE THE EVIDENCE LEADS

Prove citizenship. Don't shut out the eligible.

- 1 Keep the sworn-affidavit safeguard.** It already requires citizenship under penalty of perjury, with after-the-fact verification. Defend the court's ruling and oppose any bill that removes it.
- 2 Protect Election-Day registration.** 71% of affidavit users register that day. It is how working people, students and new neighbors actually vote.
- 3 Fund verification, not front-end barriers.** The AG's post-election checks already catch the rare error — at a fraction of the cost of turning away thousands of eligible voters.
- 4 Lower the cost of proof.** Help Granite Staters get free or low-cost copies of vital records, so documentation is a support, never a tollgate.
- 5 Lead with lived experience.** Marko became a U.S. citizen by choice in 2004 — a naturalized voter, one of the groups HB 1569 hit hardest. He knows what proving citizenship costs, and that eligible voters deserve a path, not a wall.

Sources. ¹NH SVRS data, Dr. K. Mayer (PX 18); Coalition for Open Democracy v. Scanlan decision & Plaintiffs' Findings of Fact ¶5. ²Pls.' FOF ¶¶719, 1581. ³UMD CDCE / Brennan Center. ⁴Dr. M. Herron, decision p.14. ⁵UMD CDCE, “Who Lacks Documentary Proof of Citizenship?” (Mar 2025); Brennan Center (2024). ⁶Dr. L. Minnite & defendants' concessions, Pls.' FOF ¶¶291–303. **Decision:** aclu-nh.org · 05.28.26-Decision.pdf. Prepared for internal campaign use; figures current to 23 Jun 2026, pending appeal.