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December 1, 2025

Roman Jankowski
Chief Privacy Officer
Privacy Office
Department of Homeland Security
Washington, DC 20528-0655

Submitted electronically via the Federal e-Rulemaking Portal: <http://www.regulations.gov>

Re: Response to Notice of a modified system of records, *Federal Register Notice, 90 FR 48948 – Docket No. USCIS 2025-0337*

Dear Mr. Jankowski,

On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 240 national civil and human rights advocacy organizations, we write in opposition to the Department of Homeland Security's (DHS) proposed expansion of the Systematic Alien Verification for Entitlements (SAVE) program. DHS outlined its proposal in a Statement of Record Notice (SAVE SORN).¹

DHS is using their data systems as tools for agencies to determine an individual's immigration status in order to verify their eligibility for public benefits. Recently, the House of Representatives passed legislation, the Safeguard American Voter Eligibility Act (SAVE) Act, with the same purpose as the SAVE SORN. The SAVE Act will require individuals to provide documentary proof of U.S. citizenship when registering to vote in federal elections.² Both the SAVE Act and the SAVE SORN envision using DHS's SAVE program to police voter rolls. The so-called "overhauled SAVE system" being proposed would expand the scope of the SAVE program, including incorporating additional databases of people's sensitive data held by federal and state government agencies – creating a national data repository. Both the SAVE Act and the SAVE SORN would undermine the right to vote.

¹ "Privacy Act of 1974; System of Records." Oct. 31, 2025.

www.federalregister.gov/documents/2025/10/31/2025-19735/privacy-act-of-1974-system-of-records

² "Safeguard American Voter Eligibility Act (SAVE Act)." April 10, 2025.

<https://www.congress.gov/bill/119th-congress/house-bill/22/text>

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Members of our coalition, including the ACLU³ and the Brennan Center for Justice⁴, condemned SAVE. They recognized that it could disenfranchise voters by effectively ending online or mail voter registration and by pushing eligible voters off the voting rolls. Subsequently, privacy and civil society advocates filed a lawsuit in opposition to the SAVE system.⁵ DHS then published the SAVE SORN for public comments, continuing its push for this dangerous policy that would undermine people's rights.

The bottom line is that DHS's desire to turn the SAVE program into a de facto national citizenship registry raises significant civil liberties concerns. Just as concerning is that it risks creating conflicting records or erroneous determinations. People across the nation are united in their opposition to the federal government creating such a massive database, as the outcry over similar efforts show.⁶

DHS' SAVE SORN proposal is unnecessary, unsupported by evidence, and poses serious risks to privacy, due process, and equal access to public benefits, thereby threatening people's civil rights:

DHS' expansion of the SAVE program goes beyond its proper scope: The SAVE program, despite continuing opposition, was originally created to verify immigration status for benefit eligibility.⁷ DHS has already expanded its use of the SAVE program beyond its original scope, using it to verify the citizenship status of U.S. citizens for voting registration. This action goes well beyond the statutory purpose for the SAVE program.

There is no justification for expanding the SAVE program's use beyond its statutory scope. There is no evidence of widespread fraud or systemic abuse related to false claims of citizenship that would justify these changes. In fact, research has shown that widespread voter fraud is rare, and voter impersonation is virtually nonexistent: where issues have been identified, they are often the result of administrative errors.⁸ Now, DHS has issued this SAVE SORN to try to retroactively provide justification for the overhaul of the SAVE program that is being challenged as illegal.⁹

Existing protections are sufficient to verify citizenship: Federal government entities already rely on robust identity verification systems—like state vital records, social security databases, REAL ID, and the current, limited deployment of the SAVE program—to check citizenship. Expanding SAVE to include citizens duplicates these efforts.

³ McGrath, Molly. "ACLU Condemns House Passage of Anti-Voter SAVE Act, Calls on Senate to Reject It." April 10, 2025. <https://www.aclu.org/press-releases/aclu-condemns-house-passage-of-anti-voter-save-act-calls-on-senate-to-reject-it>

⁴ Waldman, Michael. "Oppose the SAVE Act, H.R. 22." *Brennan Center for Justice*. March 28, 2025. <https://www.brennancenter.org/media/13893/download/2025.03.28-brennan-center-save-act-letter-to-congress.pdf?inline=1>

⁵ Contreras, Natalie and Shur, Alexander. "Federal Judges Questions Legality of Changes to SAVE Databases," *Votebeat*. Nov. 17, 2025. <https://www.votebeat.org/2025/11/17/judge-declined-stay-reversing-save-database-changes/>

⁶ Mordowanec, Nick. "'Trump Flipped On Us:' MAGA Reacts to Potential National Citizen Database," *Newsweek*. June 2, 2025. <https://www.newsweek.com/donald-trump-palantir-maga-database-surveillance-2079905>

⁷ Immigration Reform and Control Act of 1986, Public Law 99-603, sec. 121(c)(1)(1986), available at <https://www.govinfo.gov/content/pkg/COMPS-10559/pdf/COMPS-10559.pdf>.

⁸ Middlemass, Keesha. "The SAVE Act: An Attempt to Restrict Voting Rights." *Brookings*. March 26, 2025. <https://www.brookings.edu/articles/the-save-act-an-attempt-to-restrict-voting-rights/>

⁹ Ibid. Footnote 5. FN 5.

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Expanding the SAVE program, in addition to the existing tools, to verify citizenship in these instances will lead to inaccurate decisions. As Pro Publica reported, people’s names can be misspelled or listed differently in the various datasets. In addition, many states collect partial, not full, Social Security numbers from voters, and matches using partial numbers are less accurate, since many people share the same names. There are also concerns whether DHS can be trusted to accurately flag citizens and noncitizens “as officials try to crossmatch data and files from multiple systems.”¹⁰

Risk of errors and discrimination: Extending the SAVE program to all citizens risks wrongful denial of benefits, licenses, and voting rights.¹¹ It increases the risk of mass disenfranchisement for naturalized citizens and communities of color. This harm must be prevented. Not only should the SAVE program not be expanded, DHS must also be required to implement more robust safeguards to prevent harm and ensure mechanisms for the timely redress of errors. DHS has linked the SAVE program to the Social Security Administration (SSA) which, by the former SSA administrator’s own admission, contains inaccurate citizenship records.¹² This has the potential to be a major source of erroneous determinations.

Privacy and surveillance concerns: Expansion of the SAVE program would not only exceed DHS’s statutory authority and would set a dangerous precedent, but it would also dramatically increase the amount of personal data collected and shared across agencies. Creation of such a database is fraught with privacy risks. There are no assurances that DHS can securely manage this data or prevent abuse.¹³ The massive amounts of personal data that DHS intends to collect and store will be a ripe target for hackers—it will be open to misuse, abuse, and questions about whether it can be protected. Even more concerning is that expanding the SAVE program to all citizens will further the federal government’s reach in subjecting everyone to even more surveillance. Should this proposal move forward, everyone is at risk of being harmed by misuse of and unauthorized access to our sensitive and personal data.

Conclusion

Instead of moving to expand unwarranted government surveillance on citizens, DHS should focus on improving existing systems, protecting civil rights, and ensuring that any verification process is accurate, fair, and narrowly tailored to its lawfully authorized purpose. Should you have any questions, please contact please contact Alejandra Montoya-Boyer, Vice President, the Center for Civil Rights and Technology, at techcenter@civilrights.org.

¹⁰ Fifield, Jen., “Details of DHS Agreement Reveal Risks of Trump Administration’s Use of Social Security Data for Voter Citizenship Checks.” *ProPublica*. October 30, 2025. <https://www.propublica.org/article/dhs-social-security-data-voter-citizenship-trump>

¹¹ The Brennan Center for Justice found that the SAVE program’s data is often incomplete or outdated. These errors, including false negatives and data conflicts, disproportionately impact immigrants and people of color, and have already led to erroneous purges of voters when used for voter verification. The Brennan Center specifically noted, “voters of color, voters who change their names (most notably, married women), and younger voters would be most significantly affected.” Weiser, Wendy R and Garber, Andrew. “SAVE Act Would Undermine Voter Registration for All Americans.” *Brennan Center for Justice*. (February 11, 2025. <https://www.brennancenter.org/our-work/analysis-opinion/save-act-would-undermine-voter-registration-all-americans>

¹² Elliott, Vittoria. “Social Security Data Is Openly Being Shared with DHS to Target Immigrants.” *Wired*. November 10, 2025. <https://www.wired.com/story/social-security-data-shared-with-dhs-target-immigrants/>

¹³ *Ibid*. Footnote 10.

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Sincerely,



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Vice President, Center for Civil Rights and Technology
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