

## EXHIBIT 2



**U.S. Citizenship  
and Immigration  
Services**

October 10, 2024

Jane Nelson  
Secretary of State  
Texas State Capitol  
P.O. Box 12697  
Austin, TX 79722-2697

Dear Secretary Nelson:

Thank you for your September 18, 2024, letter to U.S. Citizenship and Immigration Services (USCIS) requesting a process to check Texas's voter registration against USCIS's data and systems. The Systematic Alien Verification for Entitlements (SAVE) program is the most secure and efficient way to reliably verify an individual's citizenship or immigration status, including for verification regarding voter registration and/or voter list maintenance.

Federal law prohibits non-U.S. citizens from registering and voting in Federal elections; violators are removable and face up to five years in prison.<sup>1</sup> The evidence is clear that these laws are working as intended—it is extremely uncommon for noncitizens to vote in Federal elections.

As you know, SAVE is a Congressionally-mandated online service implemented broadly in 1986 to help state and local agencies determine certain point-in-time immigration and citizenship information on individuals seeking benefits and licenses. Numerous agencies in the State of Texas currently participate in the SAVE program to verify immigration status for 24 different benefits.<sup>2</sup>

Since 2009, SAVE has been used by elections authorities in states for voter registration and/or voter list maintenance. Currently, ten states are registered to use SAVE for these purposes.<sup>3</sup> The process has been the same since the program's inception. By inputting an individual's name, unique DHS-issued immigration identifier,<sup>4</sup> and birthdate, registered agencies can determine whether that person obtained U.S. citizenship through the naturalization process or, for certain other individuals born abroad, whether USCIS has information confirming their

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<sup>1</sup> 18 U.S.C. §§ 611, 1015; 8 U.S.C. §§ 1182(a)(6)(C)(ii), 1227(a)(3)(D), 1227(a)(6).

<sup>2</sup> This information is available to the public at <https://www.uscis.gov/save/agency-search-tool>

<sup>3</sup> Arizona, Colorado, Florida, Georgia, Idaho, Mississippi, Ohio, South Carolina, Tennessee, and Virginia

<sup>4</sup> *I.e.*, USCIS/Alien Registration Number; Form I-94 Arrival/Departure Record Number; Student and Exchange Visitor Information System (SEVIS) ID Number; Naturalization/Citizenship Certificate Number; or Card Number/I-797 Receipt Number.

U.S. citizenship. Each registered agency determines the best process to obtain the required identifiers.

To ensure compliance with federal law and privacy protections, USCIS uses a SAVE Memorandum of Agreement (MOA) to maintain protocols and procedures with the registered agencies that access the more than 100 million records SAVE uses to verify a person's status. For voter registration purposes, this MOA includes a requirement that states provide written notice to any applicants and registered voters that their citizenship may be verified against federal immigration records. The state elections authority must provide any individual who is not verified as a U.S. citizen through SAVE the opportunity to show documentation of their U.S. citizenship.<sup>5</sup>

Given the very serious consequences of the results produced by SAVE and its import in ensuring the right to vote for U.S. citizens, USCIS takes this process very seriously and has confidence in the SAVE program.

We currently cannot offer an alternative process to any state. The processes you referenced—routine sharing of citizenship status information with the Texas Department of Public Safety in connection with driver license transactions and state ID issuance—are conducted using SAVE.

We appreciate your feedback and will review whether there are possible changes to our process and technology that might improve the convenience of using our systems. Likewise, we will continue to engage with and develop resources that educate elections authorities in states with an interest in using SAVE for voter registration and/or voter list maintenance.

Thank you again for your letter and interest in this issue. If you are interested in a SAVE MOA or have any other questions, please feel free to contact my staff.

Sincerely,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", with a long horizontal flourish extending to the right.

Ur M. Jaddou  
Director

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<sup>5</sup> In addition, the National Voter Registration Act (NVRA), requires covered states to complete systematic programs intended to remove the names of ineligible voters from registration lists by no later than 90 days before federal elections. 52 U.S.C. § 20507(c)(2).