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LWV LEAGUE OF  
WOMEN VOTERS

To: Partners  
From: Democracy Forward Foundation, CREW, Fair Elections Center, EPIC, and League of Women Voters  
Re: Explainer: DHS's Unreliable SAVE System Can no Longer be Used to Purge Voter Rolls  
Date: July 10, 2026

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In March 2025, President Trump issued an Executive Order that led multiple agencies to combine unreliable data, housed across the government and designed for a different purpose, into one database and encourage states to use that information to potentially purge voter rolls. In June 2026, a federal court held that the Trump-Vance administration's effort to use this unreliable tool for voter purges is unlawful. In *League of Women Voters v. Department of Homeland Security* (1:25-cv-03501, DDC), the court vacated and set aside the Trump-Vance administration's 2025 overhaul of the "SAVE" database system system, holding that the U.S. Department of Homeland Security (DHS) and the Social Security Administration (SSA) violated the Social Security Act, the Privacy Act, and the Administrative Procedure Act by expanding and using that database in that manner. The below explainer describes the importance of the district court decision. However, note that this ruling has been appealed and the litigation is ongoing.

### ***Background***

- In 1986, Congress created the Systematic Alien Verification for Entitlements (SAVE) system for the limited purpose of verifying whether noncitizens were eligible for government benefits. DHS administers the [system](#), and it is used by federal, state, and county agencies across the country for employment verification.
- In March 2025, President Trump issued an [Executive Order](#), entitled "Preserving and Protecting the Integrity of American Elections," directing federal agencies to facilitate state efforts to verify the citizenship of registered voters using federal databases.
- To implement the Executive Order, DHS, SSA, and the so-called U.S. Department of Government Efficiency (DOGE), significantly expanded SAVE beyond its intended purpose. The government acknowledged that the data incorporated into SAVE was incomplete and unreliable. The 2025 overhaul included:
  - Giving the SAVE system access to records of U.S.-born citizens for the first time;
  - Permitting SAVE users to conduct searches of the database using Social Security Numbers;
  - Giving the SAVE system access to SSA's citizenship records, U.S. Department of State passport data, and state driver's license data;
  - Creating a bulk search feature, allowing users to search data for more than one individual at a time; and
  - Making SAVE free for users.
- The expanded SAVE system created significant privacy and security risks by consolidating sensitive personal information from multiple federal agencies into a single database. It also enabled states to submit entire voter registration rolls for citizenship verification using data the

government knew to be incomplete and unreliable, increasing the risk that eligible voters would be wrongly identified as noncitizens and removed from the voter rolls.

### ***League of Women Voters v. Department of Homeland Security (LWV v. DHS)***

- The League of Women Voters (LWV), LWV of Louisiana and LWV Education Fund of Louisiana, LWV of Texas, the LWV of Virginia, and the Electronic Privacy Information Center (EPIC), and multiple individuals throughout several states—represented by Citizens for Responsibility and Ethics (CREW), Democracy Forward Foundation, and Fair Elections Center—[filed](#) suit challenging the changes to SAVE.
- Plaintiffs argued that the agencies violated numerous federal laws, including exceeding their statutory authority, unlawfully disclosing personal information, violating the Privacy Act and Social Security Act, and failing to comply with the Administrative Procedure Act (APA).
- Plaintiffs also argued that the expanded system relied on incomplete and inaccurate citizenship data—particularly SSA records that do not reliably reflect the naturalization of U.S. citizens—creating a substantial risk that eligible voters would be wrongly flagged as noncitizens and removed from the voter rolls.

### ***Decision***

- On June 22, 2026, the U.S. District Court for the District of Columbia [granted](#) summary judgment for the plaintiffs, vacating and setting aside the SAVE overhaul and two System of Records Notices (SORNs) issued by the government as part of the overhaul. The court held that the agencies had violated the Social Security Act, the Privacy Act, and the APA. In other words, **the court held that the SAVE system expansion was unlawful.**
- The court held that the administration:
  - Violated the Social Security Act by improperly disclosing SSA records to DHS and SAVE users.
  - Violated the Privacy Act by allowing non-consensual disclosures of personal information and by failing to comply with the Act's notice-and-comment requirements before fundamentally changing the system; and
  - Violated the APA because the agencies acted arbitrarily and capriciously and exceeded their statutory authority by implementing the overhaul without congressional authorization.
- The court concluded that the SAVE overhaul unlawfully “haphazardly combined and repurposed the private information of millions of Americans,” including citizenship data that officials knew was unreliable.
- In addition, the court ruled the federal government had “knowingly trampled on the privacy rights of American citizens in a manner that threatens the sacred right to vote” because states used the expanded system to identify and remove purported noncitizens from the voter rolls.
- The court “vacated and set aside” the overhaul, ordering that the government undo the following agency actions:
  - The SAVE “modified system” as described in DHS’s [October 2025 Notice of a Modified System of Records \(SORN\)](#) for the SAVE system of records;
  - DHS’s [October 2025 Modified SORN](#) for the SAVE system of records; and

- SSA’s [November 2025 Modified SORN](#) for the SSA Master File of Social Security Number Holders and Social Security Number Applications
- The court’s order is a final judgment and took effect immediately.
- On June 25, 2026, the administration appealed the decision, and on July 1, 2026 filed a motion to stay the district court’s decision pending appeal.
- On July 8, 2026 the district court [denied](#) the motion for stay, concluding that the defendants “fall well short of satisfying the high burden needed for a stay pending appeal.” The court’s decision stated that the government not only engaged in “gamesmanship” and “mischaracterized” the court’s reasoning in seeking to block its decision, but the entire situation is entirely “self-inflicted,” and its litigation tactics “make a mockery of separation of powers.”
- The proceedings are ongoing, but absent the grant of a stay, the administration must comply with the district court’s order and cannot use the modifications to the SAVE system or otherwise make those features available to state or local election officials or other federal and state agencies administering benefits programs.
- *Note: In parallel, Florida, Ohio, Iowa, and Indiana have asked a federal district court in the Northern District of Florida (24-cv-509, N.D. Fla.) to enforce a November 2025 settlement agreement that, the states contend, requires DHS to operate the expanded SAVE system. On July 7, 2026, the court in Florida ruled in favor of the states and ordered DHS to restore their access to the bulk-upload and SSN-search features in the SAVE system, even though it presents a conflict with the D.C. district court’s order. LWV and EPIC—represented by CREW, Democracy Forward Foundation, and Fair Elections Center—have moved to intervene in that litigation. The developments in that case will affect the import of the decision in the League of Women Voters v. DHS case.*

***What Does This Ruling Mean for Voters?***

- The ruling has significant implications for voters.
- The decision removes one of the administration’s primary tools for encouraging or coercing states to conduct large-scale voter roll purges through federal databases.
  - DHS cannot require states to submit their voter registration rolls for bulk verification through the modified SAVE system, including by [conditioning](#) federal funding tied to participation.
- The ruling substantially limits DHS’s ability to implement similar modifications absent new statutory authority and compliance with applicable federal laws.
- The court’s decision is not, by its own terms, limited by any consent decrees or collusive settlements entered into between states and the federal government regarding state access to the modified SAVE system. However, there is an ongoing dispute about this in another court in Florida, as discussed below.
- The decision also limits implementation of President Trump’s March 2026 [Executive Order](#) entitled “Ensuring Citizenship Verification and Integrity in Federal Elections,” which sought to limit mail-in voting.
  - As a result of the decision, DHS cannot use the expanded SAVE system to create the “State Citizenship Lists” contemplated by Section 2 of the Executive Order.

- The ruling also prevents DHS from relying on the vacated 2025 SORNs to share data among DHS, SSA, and other federal agencies. SSA likewise cannot rely on its 2025 SORN—which purported to authorize disclosure of citizenship and immigration status information to DHS—to implement the Executive Order. Together, these holdings eliminate the principal data-sharing mechanisms the administration planned to use to implement the Executive Order.
- *Note: A separate federal court has also recently [enjoined](#) much of the Executive Order, as to the plaintiff twenty-three states and the District of Columbia.*
- The court’s decision also has broad implications for privacy rights. The decision:
  - Reinforces the Privacy Act’s restrictions on the use and disclosure of our personal information by federal agencies;
  - Reinforces the heightened legal protections of Social Security Numbers and records;
  - Confirms that SSA and DHS, like all agencies, must give meaningful consideration to any public comments they receive on proposed changes to their systems of records; and
  - Protects the public from invasions of privacy, reputational harm, and the breach of their confidential information caused or threatened by the overhauled SAVE system.

***Note: This case is ongoing. Please check the docket for the latest information [here](#), as well as the docket for the related case in the Northern District of Florida [here](#).***