United States Senate
WASHINGTON, DC 20510

April 29, 2026

The Honorable Frank J. Bisignano
Commissioner
U.S. Social Security Administration
6401 Security Blvd,
Woodlawn, MD 21207

Dear Commissioner Bisignano:

We write to warn the Social Security Administration (SSA) against any illegal activity in support of President Trump's March 31, 2026 Executive Order, including SSA's ongoing sharing of inaccurate and out-of-date citizenship data in ways that will likely lead to the disenfranchisement of eligible voters.

President Trump's Executive Order (EO) 14399 on "Ensuring Citizenship Verification and Integrity in Federal Elections," issued March 31, 2026, tasks SSA with working alongside the Department of Homeland Security (DHS) to identify lists of individuals for each state who are "confirmed to be United States citizens," despite the fact that SSA does not possess definitive information on U.S. citizenship and there is no legal or historical precedent for federal involvement, let alone SSA involvement, with state-run elections. This EO and efforts by this Administration to create what is akin to a national citizenship database, used to determine voter eligibility based on inaccurate data, contravene the Constitution and federal law and weaken the free and fair elections that are at the core of Americans' freedoms.

Information that remains publicly available on SSA websites and in computer matching agreements with other agencies makes it abundantly clear that SSA is not a reliable source of information on U.S. citizenship. While applicants report their citizenship status to SSA when applying for a Social Security number (SSN), SSA did not begin consistently maintaining citizenship information until 1978.[1] As a result, SSA does not have citizenship information for millions of individuals who were issued an SSN prior to that date. Moreover, citizenship information is *only accurate* for SSA program purposes, and individuals have no obligation to report changes to SSA until they interact with SSA again.[2] The information is therefore not current, but merely a snapshot in time. As a result, more recently naturalized citizens are at an even greater risk of being misidentified as non-citizens and disenfranchised. SSA has also admitted in its own computer matching agreement with the Department of Health and Human Services that its own "assessment of its citizenship data indicates that approximately ¼ of those records do not have an indication of citizenship present."[3]

[1] Social Security Administration, Social Security Number Chronology history webpage (www.ssa.gov/history/ssn/ssnchron.html) (accessed Apr. 1, 2026).

[2] Social Security Administration, Program Operations Manual System (POMS) – RS 00204.010 Lawful Presence Payment Provisions (secure.ssa.gov/apps10/poms.nsf/lnx/0300204010) (accessed Apr. 1, 2026).

[3] Social Security Administration, *Computer Matching Agreement between Department of Health and Human Services and Social Security Administration for Determining Enrollment or Eligibility for Insurance*

SSA data is already at the core of the overhauled SAVE program at DHS, which continues to have serious accuracy and reliability concerns. State and local elections officials, nonpartisan voter advocacy organizations, federal agencies, and courts have made clear that the SAVE program is not appropriate for voter roll maintenance because incorrect and out-of-date citizenship information in the databases it queries, including SSA databases, leads to eligible voters often being incorrectly flagged as non-citizens.[4] Even DHS itself has admitted that "the SAVE Program may produce inaccurate results," in part due to limitations in the SSA data it relies on, and previous administrations did not enable the use of the SAVE program for bulk voter roll verification for precisely this reason.[5] Nonetheless, in spite of these well-documented accuracy issues, SSA continues to share data with DHS for bulk voter verification.

The foreseeable result is that tens of thousands of eligible U.S. citizen voters will discover on Election Day that they are barred from voting because they have been incorrectly removed from voter rolls. Indeed, reports have already confirmed that eligible Americans are being targeted for removal from voter rolls after being erroneously flagged as non-citizens by the SAVE program, due in part to erroneous data shared by SSA.[6] As state and local election officials have stated, the SAVE program's expanded use for voter roll maintenance would likely lead to even greater wrongful disenfranchisement.[7]

In addition to serious data accuracy issues, the President's Executive Order raises constitutional and legal concerns. Article I, Section 4, Clause 1, often referred to as the Elections Clause, stipulates that *state legislatures*, not the President, will administer elections—and the Supreme Court has interpreted this provision expansively.[8] As one federal district court judge recently wrote, "since the founding of our nation, the Elections Clause has constitutionally prevented the centralization of election management in the Executive by affording states the

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Affordability Programs Under the Patient Protection and Affordable Care Act (The Social Security Administration No. 1097).

[4] *Homeland Security's "SAVE" Program Exacerbates Risks to Voters*, Brennan Center for Justice (Jul. 21, 2025) (https://www.brennancenter.org/our-work/research-reports/homeland-securitys-save-program-exacerbates-risks-voters); Letter from Secretaries of State and Chief Election Officials to Attorney General Bondi and DHS Secretary Noem (Nov. 18, 2025) (https://www.brennancenter.org/media/14805/download/2025-11-18-chief-election-officials-letter-to-dhs-and-doj.pdf?inline=1); Letter from Social Security Administration Office of the General Counsel to Jon Sherman (Jul. 13, 2023) (https://fairelectionscenter.org/wp-content/uploads/2025/07/SSA-Touhy-Decision-letter.July-13-2023-signed.pdf).

[5] U.S. Department of Homeland Security, *Privacy Impact Assessment for the Systemic Alien Verification for Entitlements "SAVE" Program* (DHS/USCIS/PIA-006(d)).

[6] *Trump's SAVE tool is looking for noncitizen voters. But it's flagging U.S. citizens too*, NPR (Dec. 10, 2025) (www.npr.www.npr.org/2025/12/10/nx-s1-5588384/save-voting-data-us-citizens); *A federal tool to check voter citizenship keeps making mistakes. It led to confusion in Texas*, Texas Tribute (Feb. 13, 2026) (www.texawww.texastribune.org/2026/02/13/save-voter-citizenship-tool-mistakes-confusion/).

[7] Letter from Secretaries of State and Chief Election Officials to Attorney General Bondi and DHS Secretary Noem (Nov. 18, 2025) (www.brennancenter.org/media/14805/download/2025-11-18-chief-election-officials-letter-to-dhs-and-doj.pdf?inline=1); *Initial Review Finds No Widespread Illegal Voting by Migrants, Puncturing a Trump Claim*, The New York Times (Jan. 14, 2026) (www.nytimes.com/2026/01/14/us/politics/noncitizen-voters-save-tool.html) (reporting that in December 2025, 70 county clerks in Missouri "signed a letter to state House and Senate leadership describing the [SAVE program] as flawed, saying it regularly included 'individuals we know to be U.S. citizens – our neighbors, colleagues and even voters we have personally registered at naturalization ceremonies.'").

[8] The Library of Congress, *States and Election Clause, The Constitution Annotated* (constitution.congress.gov/browse/essay/artI-S4-C1-2/ALDE_00013577/).

power to determine the 'times, places and manner of holding elections.'"[9] The consolidation of voter information contemplated by the President's Executive Order, in conjunction with the Department of Justice's (DOJ) campaign to coerce state election officials into turning over unredacted copies of their voter rolls, amount to an unprecedented attack on this constitutional principle.

Finally, SSA's involvement in "ensuring citizenship verification" is especially concerning given SSA and its DOGE Team's alleged violation of temporary restraining orders, the Privacy Act, and agency rules. In a January 16, 2026 court filing in *AFSCME v. SSA*, the Department of Justice admitted that the SSA DOGE Team was likely non-compliant with a March 20, 2025 temporary restraining order (TRO) limiting access to sensitive SSA data and may have violated multiple laws.[10] SSA determined that prior to the TRO, a member of the SSA DOGE Team sent sensitive SSA data to Steve Davis, a DOGE colleague at the Department of Labor, and the Department of Homeland Security. SSA says that it is still unable to access the file or verify its contents. According to the filing, SSA also uncovered communications between SSA's DOGE Team and a political advocacy group seeking to compare SSA data against state voter rolls to find evidence of voter fraud and to "overturn election results in certain states."[11] Further, a DOGE Team member signed and executed a "Voter Data Agreement" with this advocacy group that was not reviewed or approved by the proper SSA authorities.[12] In February, Ranking Member Peters sent a letter requesting copies of DOGE emails, the Voter Data Agreement, and other information pertaining to DOGE activities by April 1, 2026, yet you have still refused to provide this information. On March 18, 2026, SSA briefed the Senate Committee on Homeland Security and Governmental Affairs but once again refused to disclose this critical information.

Given that SSA is an unreliable source for information on U.S. citizenship, that recent DOGE activities at SSA put the American public's data at risk, and that federal interference in state-run elections is a clear violation of the Constitution's Elections Clause, SSA should immediately discontinue its data sharing activities and take no steps pursuant to the Executive Order that violate the law and risk disenfranchising eligible voters. In addition, we request a detailed briefing and responses to the following questions no later than two weeks from today:

1) Please describe how SSA calculates the accuracy of citizenship records used by the SAVE program and provide all accuracy metrics calculated by SSA.
2) Please describe specific details on all steps SSA is taking to ensure SSA records are accurate when they are used or disclosed for the purpose of verifying voter roll data or compiling lists of "eligible voters."
3) For all SSA data shared with DHS or its components, please describe:
    a. The data, its accuracy, and any potential accuracy limitations.
    b. The legal authority for sharing this data.
    c. All applicable computer matching agreements, memoranda of understanding, or similar documents.

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[9] *League of Women Voters Education Fund, et al., v. Donald J. Trump,* 1:25-cv-00946-CKK (D.D.C 2025).

[10] Notice of Corrections to the Record (Jan. 16, 2026), Amer*ican Federation of State, County and Municipal Employees, AFL-CIO, et al., v. Social Security Administration, et al.,* M.D. (No. 1:25-cv-00596-ELH).

[11] *Id.*

[12] *Id.*

4) What SSA data will be used in implementation of EO 14399?
5) How often does SSA update citizenship information in Numident (SSA's central database)?
6) SSA only began comprehensively collecting citizenship information in 1978. Has citizenship or foreign status been inferred for SSN-holders born before that date?
    a. If so, on what basis, and for how many people?
7) A 2006 audit by the SSA Inspector General found that SSA data misclassified seven percent of records identified as belonging to non-U.S. citizens; these records actually belonged to citizens who had been naturalized.[13] How many individuals today are estimated to have out-of-date citizenship information after naturalization in the SSA Numident database?
8) How many individuals are missing citizenship information altogether in the SSA Numident database?
9) Has any individual at SSA shared information with any individuals or organizations outside of the U.S. federal government, or are there any plans to do so?
    a. If so, please provide any contracts, agreements, memoranda, or other documents describing these efforts.

Sincerely,

Gary C. Peters
United States Senator

Alex Padilla
United States Senator

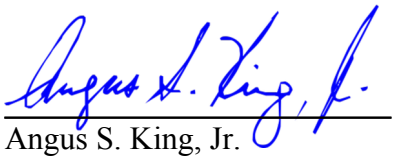
Richard J. Durbin
United States Senator

Charles E. Schumer
United States Senator

Richard Blumenthal
United States Senator

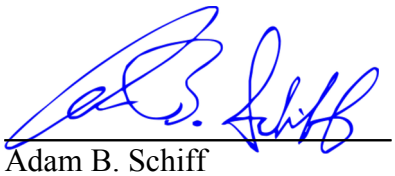
Tammy Duckworth
United States Senator

[13] Letter from SSA Inspector General O'Carroll, Jr. to Chairman McCrery (Dec. 18, 2006) (oig-files.ssa.gov/audits/full/A-08-06-26100_0.pdf).

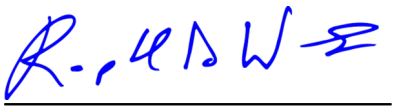


Angus S. King, Jr.
United States Senator

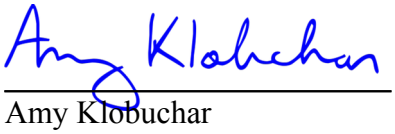
Kirsten Gillibrand
United States Senator
Ranking Member, Special
Committee on Aging



Adam B. Schiff
United States Senator

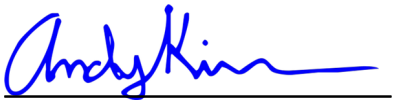


Raphael Warnock
United States Senator



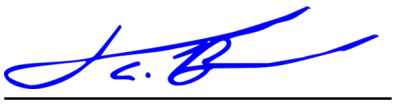
Amy Klobuchar
United States Senator

Mazie K. Hirono
United States Senator



Andy Kim
United States Senator

Jack Reed
United States Senator

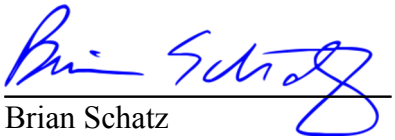


Cory A. Booker
United States Senator

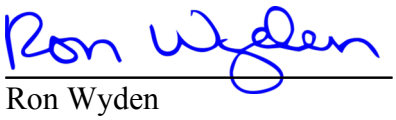
Maria Cantwell
United States Senator

Chris Van Hollen
United States Senator

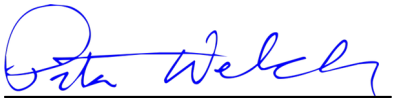
Mark R. Warner
United States Senator



Brian Schatz
United States Senator

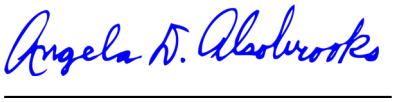


Ron Wyden
United States Senator

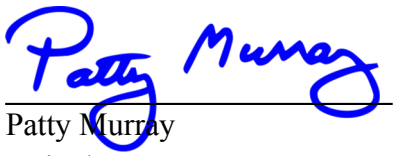


Peter Welch
United States Senator

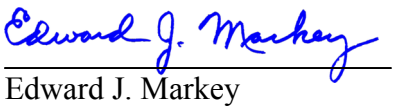
Jacky Rosen
United States Senator



Angela D. Alsobrooks
United States Senator

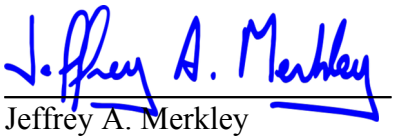


Patty Murray
United States Senator



Edward J. Markey
United States Senator

Bernard Sanders
United States Senator



Jeffrey A. Merkley
United States Senator