



Fact Sheet: President Donald J. Trump Protects the Integrity of American Elections

RESTORING TRUST IN AMERICAN ELECTIONS: Today, President Donald J. Trump signed an Executive Order to protect the integrity of American elections.

- This Order strengthens voter citizenship verification and bans foreign nationals from interfering in U.S. elections.
 - The Election Assistance Commission will require documentary, government-issued proof of U.S. citizenship on its voter registration forms.
 - Agencies like the Department of Homeland Security (DHS), Social Security Administration and Department of State must provide states with access to Federal databases to verify eligibility and citizenship of individuals registering to vote.
 - The Attorney General will prioritize prosecuting non-citizen voting and related crimes, including through use of DHS records and coordination with state attorneys general.
- Federal election-related funds will be conditioned on states complying with the integrity measures set forth by Federal law, including the requirement that states use the national mail voter registration form that will now require proof of citizenship.
- The Order improves the integrity of elections by directing the updating of the Voluntary Voting System Guidelines 2.0 and security standards for voting equipment and prioritizing federal grant funds accordingly.
 - This includes requiring a voter-verifiable paper ballot record and not using ballots in which the counted vote is contained within a barcode or QR code.
- It directs the Attorney General to enter into information-sharing agreements with state election officials to identify cases of election fraud or other election law violations.
 - Non-compliant states may face prioritized Federal enforcement of election integrity laws and loss of funding given their unwillingness to police fraud.
- The Attorney General and Secretary of Homeland Security shall prevent non-citizens from any involvement in administering elections.
- The Attorney General will fully enforce the voter-list maintenance requirements of the National Voter Registration Act and the Help America Vote Act.
- Given clear Federal law setting a single Election Day deadline, the Attorney General shall take appropriate action against states that count ballots received after Election Day in Federal elections. Federal election funding will be conditioned on compliance.



- The Attorney General will prioritize enforcement of laws prohibiting foreign nationals from contributing to or donating in U.S. elections.
- All agencies must report on compliance with undoing Biden Executive Order 14019, which turned Federal agencies into Democratic voter turnout centers.

SAFEGUARDING THE VOTE: President Trump recognizes that free, fair, and honest elections—unmarred by fraud, errors, or suspicion—are essential to our Constitutional Republic.

- The United States lags behind other nations in enforcing basic and necessary election protections.
 - India and Brazil tie voter identification to a biometric database, while the United States largely relies on self-attestation for citizenship.
 - Germany and Canada require paper ballots when tabulating votes, while the United States has a patchwork of methods that often lack basic chain-of-custody protections.
 - Denmark and Sweden sensibly limit mail-in voting to those unable to vote in person—and late arrivals do not count—while American elections now feature mass voting by mail, even after Election Day.
- Without proper enforcement of Federal laws, illegal voting, discrimination, fraud, and other forms of malfeasance and error dilute the votes of lawful American citizens.
- Federal law establishes a uniform Election Day across the nation for Federal elections, but numerous states fail to comply with those laws by counting ballots received after Election Day.
- The Biden Administration blocked states from removing aliens from voter rolls, while foreign nationals and non-governmental organizations (NGOs) exploited loopholes to pour millions into influencing U.S. elections.

MAKING ELECTIONS SECURE AGAIN: Voters deserve elections they can trust, and that confidence is being restored thanks to President Trump.

- President Trump is following through on his promise to secure our elections.
 - President Trump: “We’re going to fix our elections so that our elections are going to be honorable and honest and people leave and they know their vote is counted. We are going to have free and fair elections. And ideally, we go to paper ballots, same-day voting, proof of citizenship, very big, and voter ID, very simple.”



- President Trump: “We will secure our elections, and they will be secure once and for all.”
- Unlike the Biden Administration, which prioritized political agendas over fair elections, President Trump is putting the American people back in charge.

EXECUTIVE ORDER

- - - - -

PRESERVING AND PROTECTING THE INTEGRITY OF AMERICAN ELECTIONS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. Purpose and Policy. Despite pioneering self-government, the United States now fails to enforce basic and necessary election protections employed by modern, developed nations, as well as those still developing. India and Brazil, for example, are tying voter identification to a biometric database, while the United States largely relies on self-attestation for citizenship. In tabulating votes, Germany and Canada require use of paper ballots, counted in public by local officials, which substantially reduces the number of disputes as compared to the American patchwork of voting methods that can lead to basic chain-of-custody problems. Further, while countries like Denmark and Sweden sensibly limit mail-in voting to those unable to vote in person and do not count late-arriving votes regardless of the date of postmark, many American elections now feature mass voting by mail, with many officials accepting ballots without postmarks or those received well after Election Day.

Free, fair, and honest elections unmarred by fraud, errors, or suspicion are fundamental to maintaining our constitutional Republic. The right of American citizens to have their votes properly counted and tabulated, without illegal dilution, is vital to determining the rightful winner of an election.

Under the Constitution, State governments must safeguard American elections in compliance with Federal laws that protect Americans' voting rights and guard against dilution by illegal

voting, discrimination, fraud, and other forms of malfeasance and error. Yet the United States has not adequately enforced Federal election requirements that, for example, prohibit States from counting ballots received after Election Day or prohibit non-citizens from registering to vote.

Federal law establishes a uniform Election Day across the Nation for Federal elections, 2 U.S.C. 7 and 3 U.S.C. 1. It is the policy of my Administration to enforce those statutes and require that votes be cast and received by the election date established in law. As the United States Court of Appeals for the Fifth Circuit recently held in *Republican National Committee v. Wetzel* (2024), those statutes set "the day by which ballots must be both cast by voters and received by state officials." Yet numerous States fail to comply with those laws by counting ballots received after Election Day. This is like allowing persons who arrive 3 days after Election Day, perhaps after a winner has been declared, to vote in person at a former voting precinct, which would be absurd.

Several Federal laws, including 18 U.S.C. 1015 and 611, prohibit foreign nationals from registering to vote or voting in Federal elections. Yet States fail adequately to vet voters' citizenship, and, in recent years, the Department of Justice has failed to prioritize and devote sufficient resources for enforcement of these provisions. Even worse, the prior administration actively prevented States from removing aliens from their voter lists.

Additionally, Federal laws, such as the National Voter Registration Act (Public Law 103-31) and the Help America Vote Act (Public Law 107-252), require States to maintain an accurate and current Statewide list of every legally registered voter in the State. And the Department of Homeland Security is required

to share database information with States upon request so they can fulfill this duty. See 8 U.S.C. 1373(c). Maintaining accurate voter registration lists is a fundamental requirement in protecting voters from having their ballots voided or diluted by fraudulent votes.

Federal law, 52 U.S.C. 30121, prohibits foreign nationals from participating in Federal, State, or local elections by making any contributions or expenditures. But foreign nationals and non-governmental organizations have taken advantage of loopholes in the law's interpretation, spending millions of dollars through conduit contributions and ballot-initiative-related expenditures. This type of foreign interference in our election process undermines the franchise and the right of American citizens to govern their Republic.

Above all, elections must be honest and worthy of the public trust. That requires voting methods that produce a voter-verifiable paper record allowing voters to efficiently check their votes to protect against fraud or mistake. Election-integrity standards must be modified accordingly.

It is the policy of my Administration to enforce Federal law and to protect the integrity of our election process.

Sec. 2. Enforcing the Citizenship Requirement for Federal Elections. To enforce the Federal prohibition on foreign nationals voting in Federal elections:

(a)(i) Within 30 days of the date of this order, the Election Assistance Commission shall take appropriate action to require, in its national mail voter registration form issued under 52 U.S.C. 20508:

(A) documentary proof of United States citizenship, consistent with 52 U.S.C. 20508(b)(3); and

(B) a State or local official to record on the form the type of document that the applicant presented as documentary proof of United States citizenship, including the date of the document's issuance, the date of the document's expiration (if any), the office that issued the document, and any unique identification number associated with the document as required by the criteria in 52 U.S.C. 21083(a)(5)(A), while taking appropriate measures to ensure information security.

(ii) For purposes of subsection (a) of this section, "documentary proof of United States citizenship" shall include a copy of:

(A) a United States passport;

(B) an identification document compliant with the requirements of the REAL ID Act of 2005 (Public Law 109-13, Div. B) that indicates the applicant is a citizen of the United States;

(C) an official military identification card that indicates the applicant is a citizen of the United States; or

(D) a valid Federal or State government-issued photo identification if such identification indicates that the applicant is a United States citizen or if such identification is otherwise accompanied by proof of United States citizenship.

(b) To identify unqualified voters registered in the States:

(i) the Secretary of Homeland Security shall, consistent with applicable law, ensure that State and local officials have, without the requirement of the payment of a fee, access to appropriate systems for verifying the citizenship or immigration status of individuals registering to vote or who are already registered;

(ii) the Secretary of State shall take all lawful and appropriate action to make available information from relevant databases to State and local election officials engaged in verifying the citizenship of individuals registering to vote or who are already registered; and

(iii) the Department of Homeland Security, in coordination with the DOGE Administrator, shall review each State's publicly available voter registration list and available records concerning voter list maintenance activities as required by 52 U.S.C. 20507, alongside Federal immigration databases and State records requested, including through subpoena where necessary and authorized by law, for consistency with Federal requirements.

(c) Within 90 days of the date of this order, the Secretary of Homeland Security shall, consistent with applicable law, provide to the Attorney General complete information on all foreign nationals who have indicated on any immigration form that they have registered or voted in a Federal, State, or local election, and shall also take all appropriate action to submit to relevant State or local election officials such information.

(d) The head of each Federal voter registration executive department or agency (agency) under the National Voter

Registration Act, 52 U.S.C. 20506(a), shall assess citizenship prior to providing a Federal voter registration form to enrollees of public assistance programs.

(e) The Attorney General shall prioritize enforcement of 18 U.S.C. 611 and 1015(f) and similar laws that restrict non-citizens from registering to vote or voting, including through use of:

- (i) databases or information maintained by the Department of Homeland Security;
- (ii) State-issued identification records and driver license databases; and
- (iii) similar records relating to citizenship.

(f) The Attorney General shall, consistent with applicable laws, coordinate with State attorneys general to assist with State-level review and prosecution of aliens unlawfully registered to vote or casting votes.

Sec. 3. Providing Other Assistance to States Verifying Eligibility. To assist States in determining whether individuals are eligible to register and vote:

(a) The Commissioner of Social Security shall take all appropriate action to make available the Social Security Number Verification Service, the Death Master File, and any other Federal databases containing relevant information to all State and local election officials engaged in verifying the eligibility of individuals registering to vote or who are already registered. In determining and taking such action, the Commissioner of Social Security shall ensure compliance with applicable privacy and data security laws and regulations.

(b) The Attorney General shall ensure compliance with the requirements of 52 U.S.C. 20507(g).

(c) The Attorney General shall take appropriate action with respect to States that fail to comply with the list maintenance requirements of the National Voter Registration Act and the Help America Vote Act contained in 52 U.S.C. 20507 and 52 U.S.C. 21083.

(d) The Secretary of Defense shall update the Federal Post Card Application, pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. 20301, to require:

- (i) documentary proof of United States citizenship, as defined by section 2(a)(ii) of this order; and
- (ii) proof of eligibility to vote in elections in the State in which the voter is attempting to vote.

Sec. 4. Improving the Election Assistance Commission.

(a) The Election Assistance Commission shall, pursuant to 52 U.S.C. 21003(b)(3) and 21142(c) and consistent with applicable law, take all appropriate action to cease providing Federal funds to States that do not comply with the Federal laws set forth in 52 U.S.C. 21145, including the requirement in 52 U.S.C. 20505(a)(1) that States accept and use the national mail voter registration form issued pursuant to 52 U.S.C. 20508(a)(1), including any requirement for documentary proof of United States citizenship adopted pursuant to section 2(a)(ii) of this order.

(b)(i) The Election Assistance Commission shall initiate appropriate action to amend the Voluntary Voting System Guidelines 2.0 and issue other appropriate guidance establishing standards for voting systems to protect election integrity. The amended guidelines and other guidance shall provide that voting systems should not use a ballot in which a vote is contained within a barcode or quick-response code in the vote counting process except where necessary to accommodate individuals with

disabilities, and should provide a voter-verifiable paper record to prevent fraud or mistake.

(ii) Within 180 days of the date of this order, the Election Assistance Commission shall take appropriate action to review and, if appropriate, re-certify voting systems under the new standards established under subsection (b) (i) of this section, and to rescind all previous certifications of voting equipment based on prior standards.

(c) Following an audit of Help America Vote Act fund expenditures conducted pursuant to 52 U.S.C. 21142, the Election Assistance Commission shall report any discrepancies or issues with an audited State's certifications of compliance with Federal law to the Department of Justice for appropriate enforcement action.

(d) The Secretary of Homeland Security and the Administrator of the Federal Emergency Management Agency, consistent with applicable law, shall in considering the provision of funding for State or local election offices or administrators through the Homeland Security Grant Programs, 6 U.S.C. 603 et seq., heavily prioritize compliance with the Voluntary Voting System Guidelines 2.0 developed by the Election Assistance Commission and completion of testing through the Voting System Test Labs accreditation process.

Sec. 5. Prosecuting Election Crimes. To protect the franchise of American citizens and their right to participate in fair and honest elections:

(a) The Attorney General shall take all appropriate action to enter into information-sharing agreements, to the maximum extent possible, with the chief State election official or multi-member agency of each State. These agreements shall aim

to provide the Department of Justice with detailed information on all suspected violations of State and Federal election laws discovered by State officials, including information on individuals who:

- (i) registered or voted despite being ineligible or who registered multiple times;
- (ii) committed election fraud;
- (iii) provided false information on voter registration or other election forms;
- (iv) intimidated or threatened voters or election officials; or
- (v) otherwise engaged in unlawful conduct to interfere in the election process.

(b) To the extent that any States are unwilling to enter into such an information sharing agreement or refuse to cooperate in investigations and prosecutions of election crimes, the Attorney General shall:

- (i) prioritize enforcement of Federal election integrity laws in such States to ensure election integrity given the State's demonstrated unwillingness to enter into an information-sharing agreement or to cooperate in investigations and prosecutions; and
- (ii) review for potential withholding of grants and other funds that the Department awards and distributes, in the Department's discretion, to State and local governments for law enforcement and other purposes, as consistent with applicable law.

(c) The Attorney General shall take all appropriate action to align the Department of Justice's litigation positions with the purpose and policy of this order.

Sec. 6. Improving Security of Voting Systems. To improve the security of all voting equipment and systems used to cast ballots, tabulate votes, and report results:

(a) The Attorney General and the Secretary of Homeland Security shall take all appropriate actions to the extent permitted by 42 U.S.C. 5195c and all other applicable law, so long as the Department of Homeland Security maintains the designation of election infrastructure as critical infrastructure, as defined by 42 U.S.C. 5195c(e), to prevent all non-citizens from being involved in the administration of any Federal election, including by accessing election equipment, ballots, or any other relevant materials used in the conduct of any Federal election.

(b) The Secretary of Homeland Security shall, in coordination with the Election Assistance Commission and to the maximum extent possible, review and report on the security of all electronic systems used in the voter registration and voting process. The Secretary of Homeland Security, as the head of the designated Sector Risk Management Agency under 6 U.S.C. 652a, in coordination with the Election Assistance Commission, shall assess the security of all such systems to the extent they are connected to, or integrated into, the Internet and report on the risk of such systems being compromised through malicious software and unauthorized intrusions into the system.

Sec. 7. Compliance with Federal Law Setting the National Election Day. To achieve full compliance with the Federal laws that set the uniform day for appointing Presidential electors and electing members of Congress:

(a) The Attorney General shall take all necessary action to enforce 2 U.S.C. 7 and 3 U.S.C. 1 against States that violate these provisions by including absentee or mail-in ballots

received after Election Day in the final tabulation of votes for the appointment of Presidential electors and the election of members of the United States Senate and House of Representatives.

(b) Consistent with 52 U.S.C. 21001(b) and other applicable law, the Election Assistance Commission shall condition any available funding to a State on that State's compliance with the requirement in 52 U.S.C. 21081(a)(6) that each State adopt uniform and nondiscriminatory standards within that State that define what constitutes a vote and what will be counted as a vote, including that, as prescribed in 2 U.S.C. 7 and 3 U.S.C. 1, there be a uniform and nondiscriminatory ballot receipt deadline of Election Day for all methods of voting, excluding ballots cast in accordance with 52 U.S.C. 20301 *et seq.*, after which no additional votes may be cast.

Sec. 8. Preventing Foreign Interference and Unlawful Use of Federal Funds. The Attorney General, in consultation with the Secretary of the Treasury, shall prioritize enforcement of 52 U.S.C. 30121 and other appropriate laws to prevent foreign nationals from contributing or donating in United States elections. The Attorney General shall likewise prioritize enforcement of 31 U.S.C. 1352, which prohibits lobbying by organizations or entities that have received any Federal funds.

Sec. 9. Federal Actions to Address Executive Order 14019. The heads of all agencies, and the Election Assistance Commission, shall cease all agency actions implementing Executive Order 14019 of March 7, 2021 (Promoting Access to Voting), which was revoked by Executive Order 14148 of on January 20, 2025 (Initial Rescissions of Harmful Executive Orders and Actions), and, within 90 days of the date of this order, submit to the President, through the Assistant to the

President for Domestic Policy, a report describing compliance with this order.

Sec. 10. Severability. If any provision of this order, or the application of any provision to any agency, person, or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other agencies, persons, or circumstances shall not be affected thereby.

Sec. 11. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,

March 25, 2025.



MEMORANDUM OF AGREEMENT

**BETWEEN THE DEPARTMENT OF HOMELAND SECURITY,
U.S. CITIZENSHIP AND IMMIGRATION SERVICES
AND
[NAME] COUNTY GOVERNMENT COUNTY CLERK'S OFFICE
REGARDING PARTICIPATION IN THE SAVE PROGRAM FOR
VOTER REGISTRATION AND VOTER LIST MAINTENANCE PURPOSES**

I. PARTIES.

The parties to this Systematic Alien Verification for Entitlements (SAVE) Memorandum of Agreement (MOA) are the Department of Homeland Security, U.S. Citizenship and Immigration Services (DHS-USCIS), and the [NAME] County Government County Clerk's Office (User Agency).

II. AUTHORITY.

The authorities governing this MOA include, but are not limited to, the following:

- Immigration Reform and Control Act of 1986, Pub. L. No. 99-603, 100 Stat. 3359, as amended.
- Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, 110 Stat. 2105, as amended.
- Section 642 of Div. C, Title VI of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. No. 104-208, 110 Stat. 3009, as amended (8 U.S.C. §1373(c)).
- The Privacy Act of 1974, 5 U.S.C. § 552a, as amended.
- The Inter-Governmental Cooperation Act, 31 U.S.C. § 6501, et seq., as amended.
- The Federal Information Security Management Act of 2014 (Pub. L. 113-283), as amended.
- National Voter Registration Act of 1993, 52 U.S.C. § 20501, Pub. L. No. 103-31, 107 Stat. 77, as amended.
- Help America Vote Act of 2002, 52 U.S.C. § 20901, Pub. L. No. 107-252, § 303, 116 Stat. 1666, as amended.

Additionally, the authorities governing this MOA that are specific to this User Agency's request to use SAVE, include but are not limited to the following:

[State and County Authorities]

Pursuant to the requirements of the Office of Management and Budget (OMB) Circular A-97, which establishes the President's guidelines for implementing the Intergovernmental Cooperation Act, 31 U.S.C. § 6501, et seq., as amended, the User Agency certifies that it cannot procure the citizenship information and immigration status information verification services requested pursuant to this MOA reasonably and expeditiously through ordinary business channels.

III. PURPOSE.

The purpose of this MOA is to establish the terms and conditions for the User Agency's participation in SAVE to verify the U.S. citizenship and immigration status information of registrants and registered voters within User Agency's jurisdiction for **voter registration and voter list maintenance (benefit)** in [NAME] County, State of [STATE].¹

SAVE verifies User Agency-provided information against DHS-accessed records, including immigration, naturalization and acquired citizenship records using an immigration enumerator issued by DHS (immigration enumerator) or other government issued enumerator(s) permitted by SAVE. SAVE may only be able to verify acquired U.S. citizens in certain situations.²

SAVE will provide information to the User Agency by:

- 1) Initial response (initial verification) to an on-line inquiry by the User Agency; and
- 2) Additional verification procedures, where applicable.

IV. RESPONSIBILITIES.

A. DHS-USCIS agrees to:

- (1) Provide to the User Agency, in a manner determined by DHS-USCIS, an immigration status and U.S. citizenship information verification system under SAVE;
- (2) Respond to properly submitted verification requests from the User Agency by providing the limited information noted in the **PURPOSE** section above, i.e., a verification case number and U.S. citizenship or immigration status, if any;

¹ "Participation" in SAVE is as described in the DHS/USCIS/SAVE Privacy Impact Assessment - 006. See [Systematic Alien Verification for Entitlements \(SAVE\) Program | Homeland Security \(dhs.gov\)](#).

² "Acquired citizenship" is defined as citizenship conveyed to children through the naturalization of parents or, under certain circumstances, at birth to foreign-born children of U.S. citizens, provided certain conditions are met. SAVE is only able to verify information that relates to information found in the databases accessed by the system. Accordingly, if the User Agency provides an immigration enumerator for an individual with acquired citizenship who has not applied for a Certificate of Citizenship with USCIS, the agency may not have that individual's citizenship information available in the databases accessed, and SAVE may not be able to confirm that individual's acquired citizenship.

² "Additional verification" is as described in the DHS/USCIS/SAVE Privacy Impact Assessment - 006.

(3) Process and respond to properly submitted additional verification requests³ from the User Agency. Response time to additional verification requests may vary depending upon DHS-USCIS workload, available resources, and the registrant's or registered voter's specific circumstances;

(4) Provide to the User Agency operating instructions necessary for the User Agency to designate users within the purview of the User Agency;

(5) Provide to the User Agency SAVE point of contact information for questions or problems regarding the User Agency's participation in SAVE;

(6) Provide access to training and information regarding the laws, policies, and procedures that govern verifying, safeguarding, using, maintaining, and disclosing certain citizenship and immigration status information;

(7) Provide the User Agency access to additional verification processes, with requirements identified by SAVE;

(8) Recover no more than its actual costs. SAVE transaction charges are found on the SAVE website. SAVE transaction charges and methods of payment are subject to change upon prior written notification to the User Agency;

(9) Bill and collect reimbursements for transaction fees, if any, charged by SAVE for access and usage by submitting invoices to the User Agency's payment office at the address specified in writing by the User Agency, with a copy furnished to the User Agency POC. DHS-USCIS may submit invoices when the work is completed or as otherwise authorized. The User Agency's High Level Identifier, tax identification number, and associated dollar amounts will be referenced on all invoices; and

(10) Promptly initiate year-end and closeout adjustments for any final costs once known.

B. User Agency agrees to:

(1) SAVE System Use.

(a) Provide the necessary information in the manner SAVE requires to respond to User Agency requests for verification of immigration status or U.S. citizenship information. The following information from the applicant is required to create and submit a request for initial automated verification:

- First name and last name;
- Date of birth; and
- At least one of the following:

³ "Additional verification" is as described in the DHS/USCIS/SAVE Privacy Impact Assessment - 006. See [Systematic Alien Verification for Entitlements \(SAVE\) Program | Homeland Security \(dhs.gov\)](#).

- A DHS issued or certain DOS issued immigration enumerator (e.g., A-Number/USCIS Number, SEVIS ID, I-94 Number, Naturalization / Citizenship Certificate Number, Card Number / I-797 Receipt Number, or Visa Number); or
- Other government issued enumerator permitted by SAVE.

SAVE may modify requirements for SAVE cases and will provide written notification (e.g., by e-mail or update to SAVE website) to User Agency of any changes. Only enumerators accepted in SAVE can be submitted for verification.

The enumerators permitted to create a case for initial verification in SAVE may not be the same enumerators required to submit a case for additional verification. User Agency will only submit requests for additional verification using enumerators permitted by SAVE. Additional information obtained from the applicant's immigration or citizenship documentation may be required for additional verification. Scanned documents and other electronically submitted information may also be required for additional verification.

User Agency must institute additional verification when required by SAVE for any registrant or registered voter that does not verify as a citizen on initial verification, including in all cases where the User Agency receives any SAVE response other than that of citizen. If the User Agency does not institute additional verification and SAVE does not verify the registrant or registered voter as a citizen after conducting additional verification, the User Agency must contact the registrant or registered voter to obtain proof of citizenship, if necessary under the circumstances to fulfill the purpose of this MOA and in accordance with the provisions of this MOA and Federal and State law.

User Agency consents to electronic-only submission of all verification requests and additional information, including all information submitted for SAVE additional verification. SAVE will reject non-electronic (i.e., paper or fax) verification requests and information submissions.

(b) Ensure and report to DHS-USCIS that, before using SAVE and whenever subsequently required by DHS-USCIS (e.g., for SAVE system enhancements), all users performing verification procedures complete SAVE-required training, including: reviewing the SAVE Program Guide, taking the latest version of SAVE tutorial(s), and maintaining a working knowledge of requirements contained therein and in this MOA, as updated. These instructional materials will address the policies and procedures governing use of the program, including (1) program access, (2) verification procedures, (3) disclosure of information and privacy protections, (4) non-discrimination requirements, and (5) records correction procedures for registrants and registered voters;

(c) Ensure users are provided with, maintain, and use SAVE User IDs and access SAVE only while they need to perform verification procedures and promptly terminate user access as requested by SAVE, if the user separates from the User Agency, or otherwise no longer needs SAVE access;

(d) Ensure all users performing verification procedures only use SAVE with respect to verification of registrant or registered voter U.S. citizenship information or immigration status

information for the specified benefit and comply with all other requirements contained in the SAVE Program Guide and other SAVE guidance, the SAVE tutorial, and this MOA, and updates to these requirements;

(e) Ensure that all Users performing verification procedures have contact information for SAVE and DHS-USCIS;

(f) Ensure all users perform any additional verification procedures SAVE requires and/or the registrant or registered voter requests after the User Agency initiates a verification request. User Agency cannot deny a benefit based on a SAVE response where additional action is required of the User Agency by SAVE or additional verification is requested by the applicant but has not been completed;

(g) Use any information provided by DHS-USCIS under this MOA solely for lawful purposes, namely the purpose above of verifying citizenship information and immigration status information of noncitizen, U.S. citizen, and naturalized or acquired U.S. citizen registrants and registered voters within User Agency's jurisdiction for determining eligibility for voter registration and voting in [NAME] County, and limit use of such information in accordance with this and all other provisions of this MOA;

(h) Comply with the requirements of the Federal Information Security Management Act of 2014 (Pub. L. 113-283) and OMB guidance as applicable to access, electronic storage, transport of records between agencies, and the internal processing of records received by either agency under the terms of this MOA;

(i) Maintain physical, administrative and technical safeguards for SAVE information and access methods to ensure that it is not used for any other purpose than described in this MOA and protect its confidentiality, including ensuring that it is not disclosed to any unauthorized person(s) without the prior written consent of DHS-USCIS;⁴

(j) Comply with the Privacy Act of 1974, 5 U.S.C. § 552a, as amended, and other applicable laws, regulations, and policies, including but not limited to all OMB and DHS privacy guidance, in conducting verification procedures pursuant to this MOA, and in safeguarding, maintaining, and disclosing any data provided or received pursuant to the MOA. Information shared as a result of this MOA shall be considered DHS-USCIS information. Responses to third party requests for such information should be consistent with federal law and DHS policy, including but not limited to the provisions of the Freedom of Information Act, 5 U.S.C. § 552;

(k) Comply with federal laws prohibiting discrimination against registrants or registered voters and discriminatory use of SAVE based upon the national origin, color, race, sex, religion, age or disability of the registrant or registered voter, including but not limited to the National Voter Registration Act, 52 U.S.C. § 20501 et seq., as amended; the Help America Vote Act, 52 U.S.C.

⁴ Each registrant or registered voter seeking access to information regarding themselves may do so by submitting a written signed request to DHS-USCIS. Instructions for submitting such requests may be found on the Freedom of Information/Privacy Act page of www.uscis.gov.

§ 20901, as amended; the Voting Rights Act, 52 U.S.C. § 10301 et seq., as amended; and the Civil Rights Act, 52 U.S.C. § 10101 et seq., as amended. In accordance with the Rehabilitation Act of 1973, as amended, and related agency implementing regulations, User Agency will provide reasonable modifications for individuals with disabilities to ensure effective communication;

(l) Comply with the requirements of Executive Order 13166 (“Improving Access to Services for Persons with Limited English Proficiency,” 65 Fed. Reg. 50,121 (Aug. 16, 2000)), to take reasonable steps to provide limited English proficiency (LEP) persons interacting with their respective agency with meaningful access to federally conducted programs and activities, including services and benefits, in accordance with LEP guidance set forth by the U.S. Department of Justice and any other applicable authorities;

(m) Provide written notice to registrants and registered voters that any information they provide may be subject to verification. User Agency will inform in writing each registrant or registered voter covered by this Agreement that their citizenship or immigration status may be verified against federal immigration records;

(n) Provide all registrants or registered voters who are not verified as citizens based solely or in part on the SAVE response with the opportunity to use the User Agency’s existing process to appeal the denial and to contact DHS-USCIS to correct their immigration records prior to a final decision, if necessary. Benefit applicants may need to correct their records with other government agencies depending on the error; and

(o) Provide or cause to be provided to all individuals with respect to whom User Agency or another agency intends to deny registration or proceed with any action removing or limiting the right to vote of an individual from the official list of registered voters, or with civil or criminal enforcement action, because or based in whole or in part upon any information received pursuant to this MOA, with any right to notice and hearing or other due process available under State or other applicable law;

(p) Refrain from using SAVE, or assisting any person or entity, to comply with the employment eligibility verification requirements of section 274A of the Immigration and Nationality Act, 8 U.S.C. § 1324a.

(2) Monitoring and Compliance.

(a) Provide DHS-USCIS with the current e-mail, U.S. postal service address, physical address, name, and telephone number of the User Agency authorized representative for any notifications, questions or problems that may arise in connection with the User Agency’s participation in SAVE and with notification of changes in the use of SAVE by the User Agency;

(b) Notify DHS-USCIS immediately whenever there is reason to believe a violation of this MOA has occurred;

- (c) Notify DHS-USCIS immediately whenever there is reason to believe a breach of personally identifiable information has occurred as a result of User Agency action or inaction pursuant to OMB Memorandum M-17-12, "Preparing for and Responding to a Breach of Personally Identifiable Information" or successor guidance;
- (d) Allow DHS-USCIS to monitor and review all records and documents related to the use, abuse, misuse, fraudulent use or improper use of SAVE by the User Agency, including, but not limited to original registrant or registered voter consent documents required by the Privacy Act, 5 U.S.C. § 552a or other applicable authority;
- (e) Allow DHS-USCIS to conduct desk audits and/or site visits to review User Agency's compliance with this MOA and all other SAVE-related policies, procedures, guidance and laws applicable to conducting verification and safeguarding, maintaining, and disclosing any data provided or received pursuant to this MOA;
- (f) Allow DHS-USCIS to perform audits of User Agency's user IDs use and access, SAVE Training Records, SAVE financial records, SAVE biographical information, system profiles and usage patterns and other relevant data;
- (g) Allow DHS-USCIS to interview any and all User Agency SAVE system users and any and all contact persons or other personnel within the User Agency regarding any and all questions or problems which may arise in connection with the User Agency's participation in SAVE;
- (h) Allow DHS-USCIS to monitor system access and usage and to assist SAVE users as necessary to ensure compliance with the terms of this MOA and SAVE requirements by its authorized agents or designees; and
- (i) Take corrective measures in a timely manner to address all lawful requirements and recommendations on every written finding including, but not limited to, those of DHS-USCIS regarding waste, fraud, and abuse, and discrimination or any unauthorized use or misuse of the SAVE system or SAVE data, non-compliance with the terms, conditions and safeguards of this MOA, SAVE procedures or other applicable law, regulation or policy.

(3) Reimbursement.

- (a) The User Agency certifies that, each fiscal year, it will obligate funds sufficient to reimburse DHS-USCIS under a current appropriation for the coming year for any anticipated charges.
- (b) Pay the transaction charges reflected on the SAVE website, which along with methods of payment are subject to change upon prior written notification to the User Agency.
- (c) Pay in full the amount, if any, within 30 days of the invoice date. The User Agency will pay any applicable sales, use, excise, and like taxes, where required by law, that are stated on each invoice. Regardless of payment type, the User Agency will clearly indicate the User Agency High Level Identifier with remittance; and

(d) Promptly discuss and resolve issues and questions with DHS-USCIS regarding payments. Delinquent payments shall be handled in accordance with the Debt Collection and Improvement Act of 1996, 31 U.S.C. § 3701. Interest on all unpaid balances shall be charged at the rate of the current value of funds to the United States Treasury effective on the date of the invoice. The rate is the Treasury tax and loan rate. It is published annually or quarterly by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins. Handling charges will accrue at monthly rates of \$5.00 for each of the first two months of delinquency and \$10.00 for each month thereafter. In addition to interest and handling charges, if DHS-USCIS does not receive payment within 90 days of the invoice, 6% per annum additional interest will be assessed. Charges will be computed from the date of the invoice and will accrue monthly with the applicable interest and handling charges. In the case of any late payment, the amount received will be applied in this sequence: (1) to any accrued penalty and handling charges; (2) to any accrued interest; and (3) to outstanding principal. Failure to timely pay may result in suspension or termination of services.

V. POINTS OF CONTACT.

USCIS SAVE

U.S. Citizenship and Immigration Services
Department of Homeland Security
Attn: SAVE Operations
5900 Capital Gateway Drive, Mail Stop 2620
Camp Springs, MD 20588-0009
Phone: (877) 469-2563
E-mail: SAVeregistration@uscis.dhs.gov

USER AGENCY

[County POC]

VI. OTHER PROVISIONS.

A. MOA Responsibilities. Consistent with applicable laws, regulations, and policies, and the availability of User Agency resources, User Agency will commit personnel and resources sufficient to support this MOA. Only authorized employees, agents, or designees of DHS-USCIS and the User Agency will carry out the requirements of this MOA. In carrying out these responsibilities, they will operate within the scope of applicable regulations, specifically delegated authorities, the program authorities and funding limitations and terms and conditions of this MOA. The User Agency will also ensure that all local officials responsible for voter registration use information obtained from SAVE and provided by the User Agency in accordance with the terms and conditions of this MOA.

B. Determining Benefit Eligibility. This MOA is limited to the provision of verification services. DHS-USCIS will verify limited citizenship and immigration status information but will not recommend to the User Agency whether to issue the benefit. The DHS-USCIS response is not intended to be, and should not be construed as, an opinion on the part of DHS-USCIS or the United States regarding any right or benefit under any program administered by the User

Agency. The User Agency has the responsibility to determine the registrant's or registered voter's eligibility for the benefit.

C. Criminal Penalties.

(1) DHS-USCIS reserves the right to use information from the User Agency for any purpose permitted by law, including, but not limited to, the prosecution of violations of Federal administrative or criminal law.

(2) The User Agency acknowledges that the information it receives from DHS-USCIS is governed by the Privacy Act of 1974, 5 U.S.C. Section 552a(i)(1), and that any person who obtains this information under false pretenses or uses it for any purpose other than as provided for in this MOA may be subject to criminal penalties.

D. Third Party Liability.

(1) Each party to this MOA shall be solely responsible for its own defense against any claim or action by third parties arising out of or related to the execution and/or performance of this MOA, whether civil or criminal, and retain responsibility for the payment of any corresponding liability.

(2) Nothing in this MOA is intended, or should be construed, to create any right or benefit, substantive or procedural, enforceable at law by any third party against the United States, its agencies, officers, or employees or the User Agency.

E. Disputes. Disagreements on the interpretation of the provisions of this MOA that cannot be resolved between SAVE and the User Agency point of contact should be provided in writing to the authorized officials at both agencies for resolution. If settlement cannot be reached at this level, the disagreement will be elevated to the next level in accordance with DHS-USCIS procedures for final resolution.

F. Conflicts. This MOA constitutes the full MOA on this subject between DHS-USCIS and the User Agency. Any inconsistency or conflict between or among the provisions of this MOA will be resolved in the following order of precedence: (1) this MOA and (2) other documents incorporated by reference in this MOA (e.g., transaction charges).

G. Severability. Nothing in this MOA is intended to conflict with current law or regulation or the directives of DHS, DHS-USCIS, or the User Agency. If a term of this MOA is inconsistent with such authority, then that term shall be invalid but, to the extent allowable, the remaining terms and conditions of this MOA shall remain in full force and effect. In the event of a conflict that prevents either party from fulfilling its obligations, this MOA may be immediately canceled without providing the 30-day notice period referenced in Section IX.

H. Assignment. The User Agency may not assign this MOA, nor may it assign any of its rights or obligations under this MOA. To the extent allowable by law, this MOA shall inure to the

benefit of, and be binding upon, any successors to DHS-USCIS and the User Agency without restriction.

I. Waiver. No waiver by either party of any breach of any provision of this MOA shall constitute a waiver of any other breach. Failure of either party to enforce at any time, or from time to time, any provision of this MOA shall not be construed to be a waiver thereof.

J. Compliance with Other Laws. Nothing in this MOA is intended or should be construed to limit or affect the duties, responsibilities, and rights of the User Agency under the National Voter Registration Act, 52 U.S.C. § 20501 et seq., as amended; the Help America Vote Act, 52 U.S.C. § 20901 et seq., as amended; the Voting Rights Act, 52 U.S.C. § 10301 et seq., as amended; the Civil Rights Act, 52 U.S.C. § 10101 et seq., as amended; and all applicable state law.

VII. EFFECTIVE DATE.

This MOA shall be effective when the DHS-USCIS authorized official and User Agency authorized official have both signed the MOA. This MOA shall continue in effect until and unless modified or terminated in accordance with the provisions of this MOA.

VIII. MODIFICATION.

A. This MOA is subject to periodic review by DHS-USCIS, its authorized agents or designees, and, if necessary, periodic modification and/or renewal to assure compliance with current law, policy, and standard operating procedure(s). This MOA constitutes the complete MOA between the parties for its stated purpose, and no modification or addition will be valid unless entered into by mutual consent of both parties evidenced in writing and signed by both parties and appended to this agreement.

B. DHS-USCIS may accomplish unilateral administrative modifications to revise transaction charges and methods of payment, effective upon prior written notification to the User Agency. Either party may accomplish a unilateral administrative modification to change POC information. A written bilateral modification (i.e., agreed to and signed by authorized officials of both parties) is required to change any other term of this MOA.

IX. TERMINATION.

Either party may terminate this MOA at any time by providing 30 days written notice of intent. DHS-USCIS and User Agency, when feasible, will consult with the other party and attempt to reconcile issues before terminating this MOA. Notwithstanding any other provision in the MOA, DHS-USCIS may suspend or terminate this MOA, and thereby the Agency's use of SAVE for voter registration and voter list maintenance purposes, without prior notice if deemed necessary because of a requirement of law or policy, upon a determination by DHS-USCIS that there has been a breach of system integrity or security by the User Agency or a failure by the User Agency to comply with established procedures or legal requirements, including but not limited to failure to pay.

Written notices shall be sent to the addresses of the POCs listed herein and shall be effective upon receipt. Either party may change its POC by written notice to the other party.

The foregoing, in conjunction with the incorporated references, constitutes the full agreement on this subject between DHS-USCIS and the User Agency. This MOA supersedes all previous agreements governing the provision of verification services related to voter registration and voter list maintenance. Those agreements are explicitly acknowledged to be null and void.

The undersigned represent that they are authorized to enter into this MOA on behalf of DHS-
USCIS and the User Agency, respectively.

Brian J. Broderick
(Acting) Chief, Verification Division
U.S. Citizenship and Immigration Services
Department of Homeland Security

[Authorized County Official]
[Signatory Title]
[User Agency Name Line 1]
[User Agency Name Line 2]

Date

Date

Please provide the information requested below so we may determine your agency's eligibility to participate in SAVE. If your agency is eligible to register for SAVE, this information will be used to draft a Memorandum of Agreement (MOA) between SAVE and your agency. Instructions for completing this checklist are available at the end of this document.

Step 1: Agency Point of Contact (POC)

Provide information for the point of contact SAVE can reach out to regarding your registration request.

Step 2: Is Your Agency Already Registered with SAVE?

If you are unsure, check the to see if your agency is already registered.

Step 3: Is Your Agency Requesting to Use SAVE for a Reason Not Previously Authorized?

Step 4: Immigration Enumerators Your Agency Collects from Benefit Applicants

Registered agencies must be able to provide at least one Department of Homeland Security (DHS)-issued immigration enumerator to submit a SAVE case. Please select all the enumerators your agency collects.

Step 5: Legal Authorities

For each benefit, license, or authorized activity that your agency plans to verify through SAVE, please provide the information requested in Parts A, B and C below. Please consult with your organization's legal counsel for questions about your agency's legal authorities. Please add additional pages as needed.

Cite the specific section of the legal authority and provide extracts of the text of the authority. Only include finalized legislation or rules. SAVE cannot authorize use based upon pending/proposed legislation.

If eligible to register, these citations will be included in your agency's MOA with SAVE.

Step 6: Agency Point of Contact to be Listed in MOA

Please include the information of the individual who should be listed in the MOA as the agency's point of contact. This person will be set up as the Agency's Super User and will receive a SAVE login.

Step 7: Agency Authorized Signatory for SAVE MOA

Please include the information for the individual who is authorized to sign the MOA on behalf of your agency. This individual may be the same as the MOA POC.

Step 8: Agency Billing / Accounts Payable Information

If your agency enters into a Memorandum of Agreement with SAVE, the information below will be used for billing purposes.

Step 9: Copies of Legal Authorities and Other Supporting Documents

Provide an electronic copy of all legal authorities you cited in the Step 5 of the checklist either as a direct hyperlink to the source or as an attached PDF. If your agency has additional guidance that explains your legal authorities to issue a benefit/license and to verify citizenship/immigration status

(e.g., webpage, fact sheet, brochure or program guide) please also include it in support of your request.

Step 10: Submit Completed Checklist, Legal Authorities, and Other Supporting Documents

Send this completed checklist and a copy/link of all legal authorities you cited and any additional supporting documentation to .

Background About SAVE

What is SAVE?

SAVE is an online service that supports federal, state, territorial, tribal and local benefit-granting and licensing agencies with verifying immigration status and naturalized/acquired U.S. citizenship. SAVE verifies the status of nonimmigrants, immigrants and certain naturalized and acquired U.S. Citizens for approved purposes. SAVE charges user agencies based on their use. Visit our website for more information on .

How does SAVE verify immigration status and naturalized/acquired U.S. citizenship?

SAVE uses U.S. Department of Homeland Security (DHS)-issued immigration identifiers to search certain government records and return a response showing an immigration status or U.S. citizenship. SAVE verifies naturalized or acquired U.S. citizenship only if found in DHS records.

What does SAVE not do?

SAVE does not verify citizenship of U.S.-born citizens. SAVE cannot verify U.S. citizenship using a social security number, driver's license number, U.S. passport number, Consular Report of Birth Abroad (CRBA), or other non-DHS documents. SAVE does not determine an applicant's eligibility for any specific benefit or license.

How Does SAVE Use the Responses in the Agency Registration Checklist?

SAVE uses the Agency Registration Checklist to determine if a prospective agency is eligible to register for SAVE. If eligible, the agency must complete a Memorandum of Agreement (MOA) with SAVE that identifies the legal authorities to issue the benefit(s)/license(s) and for the verification of immigration status or U.S. citizenship. The responses provided on the checklist are used to help draft the MOA.

Instructions for Completing the SAVE Agency Registration Checklist

What is a legal authority?

A legal authority is the federal statute, federal code, state statute, state code, administrative law, county or city code, or county or city ordinance that allows certain actions to be taken.

Note: It is recommended that you consult your agency's legal counsel for assistance.

What legal authorities do I need to include for SAVE? You must indicate the legal authority that allows your agency to:

Part A: Administer specific benefit(s) or license(s). See examples below.

Federal Example: Issuing U.S. Merchant Mariner Credentials under 46 U.S.C. § 7302(a) & (b), "Issuing merchant mariners' documents and continuous discharge books" and 46 U.S.C. § 7101(b) & (c),

“Issuing and classifying licenses and certificates of registry.”

State Example: Issuing Asbestos Abatement License under Oklahoma Statute Title, 40, § 452, “License required - Fee – Exemptions”

Local Authority Example: Issuing Gaming Licenses under Arizona Tribal-State Gaming Compact 2003, Section 5 (b)(1), (2), & (3), “Background Investigation of Applicants.”

Part B: Verify the citizenship or immigration status of applicants applying for the benefit or license. See examples below.

Federal Example: 46 U.S.C. § 8103 (a) & (b), Citizenship and Navy Reserve requirements.

State Example: Oklahoma Statute Title, 56, § 71, “Verification of lawful presence of applicants for public benefits – Exceptions – Affidavit - Fraudulent representations - Annual report.”

Local Authority Example: Issuing Gaming Licenses under Arizona Tribal-State Gaming Compact 2003, Section 5 (b)(1), (2), & (3), “Background Investigation of Applicants.”

Part C – What is an immigration category?

The category of applicant refers to the immigration/naturalization status or category of individuals to which your agency is authorized to administer benefits, licenses, or other activities and/or verify the citizenship or immigration status. List all that apply. Examples include, but are not limited to:

nonimmigrants,

U.S. citizens,

lawful permanent residents,

asylees,

refugees.

Supporting documentation for legal authority:

The Supervisor of Elections in each Florida county are required to ensure that any eligible applicant for voter registration is registered to vote, in accordance with Florida law. These are the defining and relevant statutes:

Registration/Eligibility Provisions – Florida Statutes

§ Qualifications to register or vote.— § Acceptance of voter registration applications.— § Disposition of voter registration applications; cancellation notice.— § Administration of voter registration.—

§ Registration records maintenance activities; ineligibility determinations.—

§ Duty of officials to furnish information relating to deceased persons, persons mentally incapacitated, persons convicted of a felony, and persons who are not United States citizens.—

Specific provision relating to eligibility of applicant.

§ (1), Florida ELIGIBILITY OF APPLICANT.—The supervisor must ensure that any eligible applicant for voter registration is registered to vote and that each application for voter registration is processed in accordance with law. The supervisor shall determine whether a voter registration applicant is ineligible based on any of the following: (f) The applicant is not a United States citizen.

(3) Specific provision relating to list maintenance.

§ (6), Florida Statutes, OTHER BASES FOR INELIGIBILITY.—Subsections (2)-(5) do not limit or restrict the department or the supervisor in his or her duty to act upon direct receipt of, access to, or knowledge of information from any governmental entity that identifies a registered voter as potentially ineligible. ... a registered voter is ineligible because the voter is deceased, adjudicated a convicted felon without having had his or her voting rights restored, adjudicated mentally incapacitated without having had his or her voting rights restored, does not meet the age requirement pursuant to s. 97.041, is not a United States citizen.

– Immigration and Nationality Immigration Reform – Communication between government agencies and the Immigration and Naturalization Service § 1373

Help America Vote Act § 15301 et seq. as amended,

National Voter Registration Act § 20501 et seq.

, s. 2(b)(i)-(ii) that directs federal agencies to make databases available to state and local officials without fee to verify citizenship.