

Santa Barbara Republican Women Federated
PO Box 2248 Santa Barbara Ca. 93120



The Honorable Kirstjen Nielsen
Secretary U.S. Department of Homeland Security
(Attn: Office of Infrastructure Protection)
801 Nebraska Ave NW
Washington, DC 20530-0001

RE: CALIFORNIA VOTER FRAUD/ FAILURE TO MAINTAIN ACCURATE VOTER ROLLS

March 26, 2018

Dear Secretary Nielsen,

The Santa Barbara (CA.) Republican Women, Federated are greatly concerned by the State of California's overt actions and systematic policy of failing to ensure that ineligible, noncitizens are kept off voter rolls. This is in direct contravention to California's duties under the National Voter Registration Act ("NVRA")¹.

In *Purcell v. Gonzalez*, The Supreme Court stated: "*Confidence in the integrity of our electoral process is essential to the functioning of our participatory democracy. Voter fraud drives honest citizens out of the democratic process and breeds distrust of our government. Voters who fear their legitimate votes will be outweighed by fraudulent ones will feel disenfranchised*". See *Purcell v. Gonzalez*, 549 U.S. 1 at 4 (2006).

For at least two decades, voter fraud has been rampant which deprives actual voters of their voice. Our group has witnessed various voter fraud tactics such as: registering and voting for dead people (including people who have never lived in California), absentee voter fraud, multiple voting by college and university students at the behest of a certain political party and illegal alien voters. Voter eligibility under federal law requires U.S. citizenship². The California Constitution and Elections Code also require U.S. Citizenship to be eligible to vote³. California systematically has ignored each of these federal and state requirements.

As has been widely publicized, California has encouraged and assisted noncitizen voter registration and voting. By doing so, California has undermined the public's confidence in fair elections even though states are mandated under the NVRA to "conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of ineligible voter"⁴. The California Department of Motor Vehicles, universities, city colleges and Social Services Agencies have registered to vote multiple vote. California currently has no verification system in place to prevent ineligible voters from being registered to vote. Since there has been no accountability, politicians have chosen to represent only their interests instead of citizens. We are desperate for assistance in this state and are willing to offer what assistance we can with the expectation the United States Attorney General's Office will take action within the next couple of months in California, including criminal prosecutions. California cannot wait any longer for assistance from the federal government in stopping and preventing further abuse of citizens.

Please let us help. Contact us at: sbRepublicanwomen@gmail.com 805 699-6756.

Bobbi McGinnis
President

¹ 52 U.S.C. section 20507(a)(4).

² 18 U.S.C. §611.

³ Cal. Const. Art II, §2; Cal. Elec. Code §2000(a).

⁴ 52 U.S.C. § 20507(a)(4) 4 52 U.S.C. § 20507(a)(4)

SCANNED/RECEIVED
BY EXEC SEC
2018 APR 19 PM 1:39



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

May 14, 2018

Ms. Bobbi McGinnis
President
Santa Barbara Republican Women Federated
P.O. Box 2248
Santa Barbara, California 93120

Dear Ms. McGinnis:

Thank you for your March 26, 2018 letter. Secretary Nielsen asked that I respond on her behalf.

The Department of Homeland Security uses the Systematic Alien Verification for Entitlements (SAVE) Program to provide naturalized or derived citizenship status information pursuant to 8 USC § 1373(c) to several agencies engaged in voter list maintenance activities. To use SAVE to verify citizenship of naturalized and derived U.S. citizens registered to vote, a user agency must provide SAVE with the numeric identifiers (i.e., alien registration number and/or certificate number) found on the individual's immigration-related documents (e.g., Certificate of Naturalization or Certificate of Citizenship). The SAVE Program has a standard fee established for processing these types of queries. Enclosed is a Fact Sheet explaining how the SAVE Program is used for conducting voter registration verifications.

Thank you for your letter and interest in this matter. If you would like to discuss the possibility of using the SAVE Program, please contact Tammy Meckley, Associate Director, U.S. Citizenship and Immigration Services, Immigration Records and Identity Services Directorate at (202) 272-8880. We look forward to working with your office on this important initiative.

Respectfully,

A handwritten signature in black ink, appearing to read "LFC", followed by a long horizontal flourish.

L. Francis Cissna
Director

Enclosure



Fact Sheet

Information for Voter Registration Agencies: Conducting Verifications Through SAVE

Background

Agencies registered with the U.S. Citizenship and Immigration Services (USCIS) SAVE Program are authorized to conduct verifications to maintain their state's voter registration rolls. This authorization is identified in each agency's memorandum of agreement (MOA). Although the large majority of SAVE registered agencies sign a standard MOA, the voter registration MOA (VRMOA) is tailored to address verifications for voter registration purposes. This Fact Sheet provides general guidance for interpreting the VRMOA requirements, but VRMOAs may vary slightly due to each state's laws or policies. Therefore, if you have any questions about interpreting this Fact Sheet, please contact SAVE.

SAVE's Operational Limitations for Verifying the Citizenship Status

SAVE has the following limitations and requirements:

- SAVE cannot verify U.S. born citizens under any circumstances.
- SAVE's ability to verify citizenship is limited to naturalized and derived citizens.¹ USCIS only has comprehensive records on naturalized and, provided that they have acquired Certificates of Citizenship and updated their records with USCIS, derived U.S. citizens.
- SAVE requires at minimum the benefit applicant's name, date of birth, and current immigration document number related to his or her claimed status.
- SAVE cannot verify an individual's naturalized or derived citizenship status based on a Social Security Number, driver's license number, U.S. passport number or other document number not issued by a component of the Department of Homeland Security or USCIS' predecessor, Immigration and Naturalization Service.

Verifying the Citizenship Status of Voters

To use SAVE to verify citizenship of naturalized and derived U.S. citizens registering or registered to vote, a user agency **must** provide SAVE with the numeric identifiers (i.e., alien registration number and/or certificate number) found on the individual's immigration-related documents (e.g., Certificate of Naturalization or Certificate of Citizenship). Refer to Section IV.B.1.a. of the standard VRMOA, which

¹ Derived citizens are persons born abroad who derive U.S. citizenship at birth from one or both U.S. parents who meet the requirements of U.S. law for transmission of citizenship to their children. These citizens may, but are not required to, apply to USCIS for a Certificate of Citizenship evidencing their U.S. citizenship. The term 'derived citizen' is also frequently used to refer to citizens who automatically acquired U.S. citizenship after birth but under the age of 18 under certain provisions of U.S. naturalization law. Additionally, although derived citizens may have U.S. passports issued by the U.S. Department of State demonstrating their U.S. citizenship, SAVE cannot verify them as citizens using the passport.

states that the user agency **must**:

(a) Provide to the SAVE Program the information the SAVE Program requires to respond to User Agency requests for verification of immigration or naturalized or derived citizenship status information, including (1) information from the registrant's immigration or DHS citizenship documentation, i.e., Alien Registration, Naturalization Certificate or Certificate of Citizenship number, for initial automated verification, (2) additional information obtained from the registrant's immigration or DHS citizenship documentation for automated additional verification, and (3) completed Forms G-845 and other documents and information required for manual additional verification, if necessary. *Institute additional verification for any registrant that does not verify as a naturalized or derived citizen on initial verification* (emphasis added). If SAVE is unable to verify the registrant as a naturalized or derived citizen after conducting the second step additional verification, *the User Agency will contact the registrant to obtain proof of citizenship in accordance with the provisions of this MOA* (emphasis added). For manual only verification, ensure that Forms G-845 and other documents and information required for manual verification are provided.

As indicated, the user agency **must** **conduct second step additional verification for any individual that does not verify as a U.S. citizen after initial verification.** To comply with the VRMOA, a user agency cannot terminate the SAVE verification process after initial verification when an individual does not verify as a U.S. citizen. This requirement to institute additional verification applies to situations where SAVE returns **any response other than U.S. citizen**, such as a response indicating the applicant is a lawful permanent resident.

If an individual **does not verify as a U.S. citizen after second step additional verification**, the user agency **must** contact the individual and request proof of citizenship, i.e., a copy of the Certificate of Naturalization or Certificate of Citizenship², unless the agency has **a copy of the necessary immigration document to submit for third step additional verification.** To comply with the VRMOA, the user agency **must** also follow other related provisions. Accordingly, the VRMOA states the following at Section IV.B.1.f.

(f) Ensure all Users perform any additional verification procedures the SAVE Program requires and/or the registrant requests after the User Agency initiates a request for verification.

This provision has two aspects: **1) the user agency must perform additional verification required by SAVE; 2) the user agency must also conduct additional verification requested by the individual being verified.** It is not appropriate for a user agency to conduct verifications if it does not intend to complete the verification process. However, an individual may request that the user agency not conduct additional verification procedures. The following are examples of when a user agency may not need to conduct additional verification after contacting the individual being verified:

- When the individual returns an authorized attestation form stating that the individual is not a U.S. citizen.
- When the individual provides proof of citizenship accepted by the user agency without verification by SAVE, such as a U.S. passport.
- When the individual does not respond within applicable timeframes to the the user agency inquiry for attestation or proof of citizenship.

² It is always best to provide SAVE with the alien registration number and the Certificate of Naturalization or Certificate of Citizenship number whenever possible. It is also best to submit a copy of the appropriate Certificate for third step additional verification. However, SAVE may be able to verify citizenship based upon an alien registration number on any document issued by USCIS.

Section IV.B.1.l. states that the user agency **must**:

(l) Create standardized correspondence to request that a registrant provide a Naturalization Certificate or Certificate of Citizenship to complete SAVE verification and submit that correspondence to SAVE for approval prior to use with registrants.

Every user agency that enters into a VRMOA **must** prepare **standard notification correspondence and provide it for DHS approval**. This provision becomes significant:

- after a second step additional verification is conducted;
- the individual does not verify as a U.S. citizen; and,
- the user agency does not have a copy of the necessary immigration document.

Under those circumstances, the user agency **must** use this correspondence to contact the individual to request proof of citizenship.

Sections IV.B.1.m & n. may also apply at this stage of the verification process. These sections state that the user agency **must**:

(m) Provide all registrants who do not verify as a citizen under the terms of the MOA with adequate written notice that their citizenship could not be verified and the information necessary to contact DHS-USCIS (*see attachment 1: Fact Sheet, which is subject to revision and reposting on the SAVE Website and Online Resources* (emphasis added)) so that such individuals may obtain a copy of their Naturalization Certificate or Certificate of Citizenship or correct their records in a timely manner, if necessary;

(n) Provide all registrants 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 records prior to a final decision, if necessary.

According to Section IV.B.1.m, quoted above, the user agency **must** provide the individual with the Fact Sheet, ***"Information for Registrants: Verification of Citizenship Status and How to Obtain Your Document or Correct Your Record with USCIS"***, as part of the notification. As part of the VRMOA negotiation process and approval of the notification correspondence, USCIS evaluated the appeals process of each user agency. Accordingly, Section IV.B.1.n requires that the individual **must** also **have the opportunity to appeal the determination that he or she is not a citizen** using the user agency's existing process.

Finally, note that Section IV.B.d. incorporates other requirements that user agencies **must** follow to comply with the VRMOA. The section states that the user agency **must**:

(d) Ensure all Users performing verification procedures *comply with all requirements* contained in the SAVE Program Guide, web-based tutorial, and this MOA, and updates to these requirements (emphasis added).

SAVE periodically updates its processes and requirements. Accordingly, the user agency **must** understand and monitor these requirements (including this Fact Sheet), **and any updates** thereto, as they relate to voter registration verification requests.

Instructions for Conducting Voter Registration Verifications

If...	Use...	Then...
the individual does not verify as a U.S. citizen on initial verification.	the electronic additional second step verification process to request additional verification: <ul style="list-style-type: none"> Identify in the “comment” field on the “Request Additional Verification” page that the request is to determine if the individual is a U.S. citizen; Submit the case for additional verification. 	SAVE will provide a response based on the information available in USCIS records or will direct you to “resubmit with docs.”
the individual does not verify as a U.S. citizen on electronic additional second step verification.	the electronic third step or paper only Form G-845³ verification process and submit a copy of the applicant’s immigration document showing U.S.citizenship: <ul style="list-style-type: none"> attach a copy of the applicant’s USCIS issued immigration document (e.g., Certificate of Naturalization or Certificate of Citizenship); Submit the completed electronic third step request and/or the Form G-845. 	SAVE will provide a response based on the information available in USCIS records.

If you have any questions regarding this guidance or would like to request training please contact the SAVE Program at SAVE.help@uscis.dhs.gov.

³ If SAVE returns a second step response indicating that an individual has an immigration status other than U.S. citizen, e.g., lawful permanent resident, the user agency **must** use the paper Form G-845 to submit the USCIS issued document to SAVE for third step additional verification. Always identify in the “comment” field on the Form G-845 that the request is to determine if the individual is a U.S. citizen. Please follow all instructions for submitting a paper Form G-845.