

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

LEAGUE OF WOMEN VOTERS, *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY, *et al.*,

Defendants.

No. 1:25-cv-03501 (SLS)

NOTICE

As explained in the parties' recent joint status reports, ECF Nos. 144, 145, Plaintiffs recently requested that Defendants provide certain statistics regarding SAVE requests that have been processed for the benefit of the *Florida* Plaintiffs since entry of the injunction in *Florida*. As part of preparing a response to Plaintiffs' request, Defendants recently determined that queries of Social Security Administration (SSA) data by the Department of Homeland Security (DHS) included both (1) SAVE queries for the benefit of the *Florida* Plaintiffs as well as (2) other queries related to DHS law-enforcement investigations.

Upon further inquiry, and as explained in greater detail in the attached declarations, the Department of Justice has now been informed that DHS queried SSA data in support of federal law-enforcement investigations, using an SSA Applied Programming Interface (API) connection between DHS and USCIS. *See* Ex. 1, Decl. of N. Bartell (DHS); Ex. 2, Second Decl. of M. Stefensen (SSA). Those queries are not SAVE requests, but instead reflect DHS efforts to obtain information from SSA to further DHS law-enforcement functions distinct from any SAVE request. *See id.*

Accordingly, these queries do not violate this Court's order of vacatur, because they do not reflect any use of "the SAVE 'modified system'" vacated by this Court, ECF No. 112—again,

these are not SAVE requests at all. Nor would the government seek to justify these queries by reference to either of the Privacy Act System of Records Notices vacated by this Court. So questions related to these law-enforcement inquiries by DHS of SSA data are not before this Court.

Even so, out of an abundance of caution and in candor to the Court, Defendants are filing this notice to ensure a complete factual record—in particular, because of certain statements in the government’s July 10, 2026 filing, ECF No. 126, which now risk leaving an incomplete factual impression, in light of the intervening factual developments above.

In Paragraph 4 of the July 10, 2026 Declaration of Mark. A Steffensen, Chief of Law and Policy and General Counsel at the Social Security Administration, Mr. Steffensen stated that “[t]he SSA API connection with DHS USCIS remained disabled until the afternoon of July 9, 2026, when SSA reactivated the connection for use by DHS USCIS solely for the four Plaintiff States subject to the Florida Order of July 7, 2026.” ECF No. 126-3. Although that statement was accurate at that time, the subsequent federal law-enforcement requests described above and in the attached declarations appear to have used “[t]he SSA API connection” for a purpose that was not inconsistent with this Court’s order of vacatur, but was not “solely for the four Plaintiff States subject to the Florida Order of July 7, 2026.”

In addition, on Page 3 of the parties’ July 10, 2026 Joint Status Report, Defendants explained that “after the *Florida* order, the Social Security Administration is making NUMIDENT records available for purposes of responding to SAVE requests, though solely with respect to Florida, Ohio, Iowa, and Indiana,” and also that “NUMIDENT records will remain unavailable for the purpose of responding to SAVE requests from any other SAVE user.” ECF No. 126. That statement was (and remains) accurate. Even so, to avoid any risk of an incomplete factual impression, Defendants are submitting this filing and the attached declarations to update the record. Defendants now supplement that response to clarify, as explained in the attached declarations, that DHS has also queried NUMIDENT records for federal law-enforcement purposes distinct from any SAVE request, the “SAVE ‘modified system’” vacated by this Court, or the Privacy Act System of Records Notices vacated by this Court.

Dated: September 14, 2026

Respectfully submitted,

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/s/ Stephen M. Pezzi
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**DECLARATION OF NICOLAS
S. BARTELL**

I, Nicolas S. Bartell, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am Associate Director of Fraud Detection and National Security (“FDNS”) Directorate of the U.S. Citizenship and Immigration Services (“USCIS”) within the Department of Homeland Security (“DHS”). In this capacity, I am responsible for oversight of USCIS’ fraud and national security mission. I make this declaration based on my personal knowledge and information made available to me in the course of my official duties.
2. FDNS officers’ and employees’ duties include assisting DHS with its law enforcement duties and administration and enforcement of the Immigration and Nationality Act. As part of that support, FDNS has been investigating potential illegal voting by aliens who are not lawfully permitted to vote.
3. As part of these efforts, FDNS has made requests and obtained information from the Social Security Administration (“SSA”) in certain cases to verify information and help determine whether illegal voting may have occurred.

4. FDNS has made queries and received information from SSA by using an Application Program Interface (API) that is also currently used for purposes of exchanging information needed to complete SAVE queries for four states.
5. These queries were completed through a direct connection to the API and did not interact with or involve SAVE.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 14 day of September 2026.



Nicolas S. Bartell
Associate Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Camp Springs, Maryland

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**SECOND DECLARATION OF
MARK A. STEFFENSEN**

I, Mark A. Steffensen, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am the Chief of Law and Policy and General Counsel at the Social Security Administration (“SSA”). In this capacity, I am responsible for oversight of SSA’s legal and policy offices, including those responsible for federal data exchange. I make this declaration based on my personal knowledge and information made available to me in the course of my official duties.
2. I submit this declaration to update the Court regarding paragraph 4 of my July 10, 2026, Declaration [ECF No. 126-3], about the SSA Applied Programming Interface (API) connection used by Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) for SAVE System data sharing.
3. Paragraph 4 stated that SSA reactivated the API on July 9, 2026, for use solely for the four Plaintiff States subject to the Florida Order of July 7, 2026 [ECF No. 120-2 in *Florida v. DHS*, No. 3:24-cv-00509 (N.D. Fla.)].
4. Recently, SSA learned that the reactivated API connection was used by DHS for non-SAVE purposes, in addition to DHS USCIS’s use for the four Plaintiff State SAVE users after July 10, 2026.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 14th day of September 2026.

/s/ Mark A. Steffensen
Mark A. Steffensen
Chief of Law and Policy and General Counsel
Social Security Administration
Woodlawn, Maryland

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