

To: Markwayne Mullin, Secretary of Homeland Security
From: Francisco V. Aguilar, Nevada Secretary of State
Date: July 29, 2026

Re: Response Letter

Dear Secretary Mullin:

I write in response to your July 16 letter regarding your “preliminary review” of Nevada’s voter registration database. In particular, I note your office’s assertion that “*there may be as many as 15,903 non-citizens registered to vote in Nevada,*” including “*8,576 Nevada registrants*” you assert match “*a non-citizen in our files*” on “*name, date of birth, address, and Social Security number.*” DHS letter, July 16, 2026. You have not identified any of those individuals.

My office has long upheld the goal of ensuring that *only* eligible U.S. citizens vote in our elections. We follow clear protocols under applicable state and federal law to ensure that only citizens vote. (NRS 293.485, NRS 293.540, NRS 293.5415, 18 U.S.C. § 611, 52 U.S.C. § 10101(a)(1)). For example, Nevada’s voter registration form requires the applicant to state that they are a U.S. Citizen and certify under penalty of perjury that the information provided therein is true. (NRS 293.485, see also <https://www.nvsos.gov/sosvoterregform/>). That declaration is a legally enforceable attestation (NRS 293.485) and anyone who provides false eligibility information, fraudulently registers to vote, or votes while ineligible can be prosecuted under state law. (NRS 293.485). In addition, Nevada law sets numerous procedures for election officials to follow to ensure that only eligible voters—who must be U.S. citizens under Nevada and federal law—are registered to vote and remain on the rolls. My office will continue to comply with applicable voter list maintenance obligations.

Against that backdrop, we want to better understand your claims that thousands of alleged noncitizens on Nevada’s voter rolls, again, none of which you have identified. You indicate that your team is ready to provide support, so we ask that you provide the following information:

1. Data sources and scope

- From what specific Nevada voter registration data did your team derive the figure of “*as many as 15,903*” alleged non-citizens, and what was the effective date of that determination?
- As you are aware, a federal judge has enjoined the removal of U.S. citizens from voter rolls based on inaccurate information from the federal government’s SAVE system. See, e.g., *League of Women Voters v. U.S. Dep’t of Homeland Sec.*, No. CV

25-3501 (SLS), 2026 WL 1784297, at *16 (D.D.C. June 22, 2026); see also *State v. Trump*, No. 1:26-CV-11581-IT, 2026 WL 1826490, at *13, n.14 (D. Mass. June 25, 2026) (“DHS does not dispute that the SAVE system has erroneously flagged citizens as noncitizens.”). Did DHS use that system to assert that these individuals may be non-citizens?

- Did your analysis use the official statewide voter registration database maintained by the Secretary of State, or other compilations or commercial copies, and have you confirmed that the data you relied on accurately reflects our current records?
- Additionally, your letter asserts, “...we found 8,576 Nevada registrants for whom the name, date of birth, address and Social Security number match a non-citizen in our files.” Given the current litigation from the Department of Justice for the State of Nevada’s non-public voter information, including Social Security and Driver’s License numbers, how did your department match social security numbers to Nevada registrants, and what data sources did you use if not the voter information provided by the NVSOS?

2. Matching methodology and error risk

- You assert that 8,576 registrants “match a non-citizen in our files.” How did you match Nevada voter records to DHS non-citizen files—were matches based on exact or partial name, date of birth, address, or any other identifier?
- Did you use any probabilistic or “fuzzy” or AI matching techniques?
- What steps did you take to account for common names, multi-unit residences, shared addresses (families, roommates), and data-entry errors in either Nevada or DHS records?
- If so, what estimated error rate did you assign to your matching process?

3. Citizenship status and naturalization

- How did your analysis distinguish current non-citizens from individuals who became U.S. citizens after the date of the DHS data?
- Before attributing “non-citizen” status to any identified registrant, did you conduct any case-by-case verification to confirm that the person has not naturalized and is in fact ineligible to vote under Nevada and federal law?

4. Legal authority and use of information

- What legal authorities are you relying on for compiling and sharing these alleged matches with states, including the interpretation of 8 U.S.C. § 1373 in this context, and how are you ensuring that the information is used in a manner consistent with the National Voter Registration Act, (“NVRA”) in particular, its quiet period, and other constitutional protections?

We remain committed to ensuring that non-citizens are not registered or permitted to vote. At the same time, we are equally committed to protecting eligible U.S. citizens—including naturalized citizens and citizens whose records may be imperfect—from being wrongly labeled as “non-citizens” or subjected to improper removal efforts. Any collaborative effort with DHS must therefore be designed to minimize false positives, incorporate meaningful due process for affected registrants, and comply fully with Nevada law and the NVRA, which prohibits the systematic cancellation of voter registrations during the 90 days before each federal election. 52 U.S.C. § 20507(c)(2)(A). We also follow state laws that protect voters’ privacy. See, e.g., NRS § 293.558.

Our office is open to good faith collaboration that truly enhances the accuracy of our voter rolls and excludes ineligible non-citizens. Once we have received and reviewed the requested information, my office will reach out to discuss next steps.

Respectfully,

A handwritten signature in black ink, appearing to read "FV Aguilar", written over a horizontal line.

Francisco V. Aguilar
Nevada Secretary of State