



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

JUN 12 2012

The Honorable Ken Detzner
Secretary of State
Florida Department of State
R. A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399

Dear Secretary Detzner:

Thank you for your May 31, 2012 letter to Janet Napolitano, Secretary of the Department of Homeland Security (DHS). In your letter, you expressed the need for the Florida Department of State's access to the federal government's Systematic Alien Verification for Entitlements (SAVE) Program in order to carry out Florida's examination of its voter registration rolls.

Your May 31, 2012 letter to Secretary Napolitano was referred to U.S. Citizenship and Immigration Services (USCIS) for a response. USCIS is the agency within DHS that operates the SAVE Program.

The SAVE Program provides a means for state government entities to verify documentation regarding naturalized U.S. citizens, U.S. citizens born abroad who derived citizenship from U.S. citizen parentage and who have acquired DHS certificates of citizenship, and the immigration status of defined categories of non-citizens. The SAVE Program relies on DHS records, which do not include a comprehensive and definitive listing of all U.S. citizens, including those born in the United States.

USCIS has continuously expressed its willingness to work with Florida regarding possible SAVE Program participation, provided Florida is able to do so consistent with the SAVE Program's mandates and the conditions USCIS has lawfully placed on all SAVE Program participants. To date, Florida has not complied with these requirements.

We understand that the U.S. Department of Justice has written to you separately regarding Florida's failure to comply with the Voting Rights Act and the National Voter Registration Act. In addition, and as USCIS explained to your Department as early as October 2011, the SAVE Program can verify naturalized and derived U.S. citizens and the status of non-citizens only if unique identifiers, such as alien registration numbers or certificate numbers found on immigration-related documents, are provided. To ensure accurate verification of current status, and as a general requirement applied to all users of the program, the SAVE Program does not allow verification based on name and/or date of birth alone. As a general requirement applied to all users of the program, the SAVE Program also requires users to submit copies of the immigration-related documents if needed to complete the verification process. This is necessary

Secretary Detzner

Page 2

to ensure the accuracy of information provided under the SAVE Program. While to date Florida has not been able to provide the required information to USCIS, USCIS remains willing to work with your Department to achieve Florida's participation in the SAVE Program. Florida must comply with all applicable laws and the SAVE Program's mandates, which apply to all SAVE Program participants.

Other state governments have been able to comply with the SAVE Program's mandates and are accessing the SAVE Program for a wide variety of benefit programs. Five counties in the State of Arizona do so for the purpose of verifying the eligibility of individuals registering to vote: Maricopa, La Paz, Pima, Yavapai, and Yuma. We look forward to continuing to work with Florida on its inquiries regarding its access to the SAVE Program as well.

Sincerely,



Alejandro N. Mayorkas

Alejandro N. Mayorkas
Director