

**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.

Case No. 25-cv-03501

**DECLARATION OF JOAN PORTE
IN SUPPORT OF PLAINTIFFS’ MOTION FOR A STAY AND A PRELIMINARY
INJUNCTION**

I, Joan Porte, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am the President of the League of Women Voters of Virginia and the League of Women Voters of Virginia Education Fund (collectively “LWVVA” or the “League”). I have served in this role since July 1, 2023.

2. I submit this declaration to describe the League’s mission to empower voters through voter registration, education, and engagement, and to explain how the League and its members have been harmed by Defendants’ actions to transform the U.S. Citizenship and Immigration Services’ Systematic Alien Verification for Entitlements (“SAVE”) tool into a searchable national citizenship data system. It is my understanding that the overhauled SAVE system now draws on Social Security Administration (“SSA”) systems of records and its incomplete and unreliable citizenship data—which, from publicly available information, I understand is particularly unreliable for naturalized citizens—and that the tool allows state and

federal user agencies to run bulk searches of the citizenship or immigration status of many thousands of individuals.

3. Because the Virginia Department of Elections must, under state law, use the SAVE tool for voter roll maintenance, thousands of eligible Virginia voters are now at serious risk of being purged from the rolls, and deprived of their right to vote in upcoming elections, based on inaccurate citizenship data in SAVE. This directly harms the League's voter registration and voter empowerment mission and its members. With the November 2025 gubernatorial and Virginia House of Delegates elections fast approaching, early voting in the state underway, and 2026 elections also on the horizon, time is of the essence to protect this mission.

4. With these state and local elections looming and others upcoming in the next year, naturalized-citizen League members, and naturalized-citizen Virginians whom the League has engaged with as part of its voter education and participation work, fear they will be wrongly purged from voter rolls and unable to exercise their right to vote, or that they will be criminally investigated for their lawful voting. The League has heard these fears firsthand, and they impair its ability to facilitate its registration and voting.

5. However, the League cannot reasonably address or assuage these fears, and fully educate voters about the SAVE system, the risks it poses to their voting rights, and the steps they should take to protect their rights, because Defendants have not provided the public with basic information about the overhauled SAVE system or provided the public with notice and an opportunity to comment on the overhauled system's contents and parameters.

6. For all these reasons, the League and its members need immediate judicial relief.

LWVVA Background

7. The League of Women Voters of Virginia, formed under Section 501(c)(3) of the Internal Revenue Code, is a nonpartisan, nonprofit, grassroots organization that seeks to encourage informed and active participation in the democratic process and government. Nonpartisanship is fundamental to LWVVA and LWVVA does not support or oppose any candidate or political party.

8. LWVVA is the state affiliate of the League of Women Voters, which was founded in 1920 as an outgrowth of the struggle to win voting rights for women has more than a million members and supporters, and is organized in more than 750 communities and in all fifty states and the District of Columbia.

9. LWVVA consists of fourteen affiliated local Leagues statewide and one unit-at-large under the LWVVA. LWVVA is headquartered in Richmond, Virginia, and has approximately 2,000 members across the Commonwealth. Some of those members are naturalized citizens.

10. These naturalized-citizen members are registered voters, have records in various federal databases, including SSA, and have not consented to SSA's provision of their records to the overhauled SAVE tool. Although some may have had their SSA records updated to account for the fact that, after they applied for a Social Security Number and card, they became a naturalized citizen, many others have not.

LWVVA's Mission and its Members

11. LWVVA's mission is to empower eligible Virginians to vote and defend the democratic process in Virginia. Stemming from over a century of advocating for civil rights and equal access to the ballot box in Virginia, LWVVA believes that every Virginia voter should be able to effectively register to vote and cast their ballot. LWVVA encourages the informed and

active participation of all citizens in Virginia's government through participation in the democratic process.

12. LWVVA is comprised of dues-paying members who volunteer across Virginia to provide voter services to Virginians. LWVVA does not have paid full-time employees or staff involved in the operation of the League. Each of Virginia's local Leagues has a voter services team that engages and educates voters of that community.

13. Helping eligible citizens register to vote and voter assistance in all of its forms are core components of the League's work and are vital to expressing its belief that all eligible voters should participate in Virginia's democracy. LWVVA believes it is especially important to encourage naturalized citizens to vote and educate them about the American and Virginian democratic processes. To further its beliefs, LWVVA provides regular training to its local Leagues, their members, their volunteers, voter services teams, and nonpartisan partners to assist voters in getting registered and staying registered. The League also arranges and coordinates required Virginia training for third-party voter registration for members and nonpartisan partner organizations.

14. LWVVA also helps maintain, together with the national League and other state and local Leagues, VOTE411.org, an award-winning nonpartisan, online resource committed to ensuring voters have the information they need to successfully participate in every election—local, state, and federal. VOTE411.org is an accessible, bilingual, user-friendly website that allows individuals across the nation to register to vote or update their voter registration.

15. The combined efforts of LWVVA, its members, volunteers, and service teams further the League's mission to empower Virginians to vote and to uphold and defend the democratic process in Virginia. Voter registration, voter assistance, and the League's public

communications express the League's core values and are a means to associate with its members and the larger community, often recruiting members in the process.

LWVVA's Voter Registration Activities

16. LWVVA and its local Leagues, through their voter services and public services programs, host public events on civic education, including providing information and assistance with the voter registration process and with confirming a voter's registration status.

17. LWVVA voter services programs span across the Commonwealth and reach a diversity of locations in order to reach potential Virginian voters. Such locations include schools, nursing homes, community centers, and public events. LWVVA's members and volunteers bring tents, tables, printers, printed voter registration forms, computers for access to the Virginia Department of Elections voting portal and vote411.org, absentee ballot and early voting information, pens, clipboards, papers, and any other supplies needed to further assist and facilitate voters to engage in the democratic process. In addition, members host a number of nonpartisan candidate forums for local and state offices.

18. LWVVA and their local Leagues have conducted voter registration drives around the Commonwealth so far this year, including in many local high schools.

19. At League voter registration drives, naturalized citizens frequently ask questions about their eligibility to vote, and League members answer those questions and emphasize why it is important for these new American citizens to participate in the democratic process, just like citizens born in the United States. At these events, LWVVA members help Virginians determine if they are eligible to register to vote and help them do so.

20. LWVVA's members and volunteers also go directly to Virginia high schools and college campuses and host voter registration drives. To do this work, LWVVA's local Leagues

provide voter education, including information about voter registration and absentee voting. The League also goes to food banks, homeless shelters, jails holding people awaiting trial or not convicted of felonies, re-entry locations for those recently released from incarceration, and section 8 housing units to conduct its programs.

21. Throughout LWVVA's programming, many of the voters who are submitting applications to register to vote or who have questions about the process are naturalized citizens. Some of the young adults at the schools LWVVA conducts voter registration drives are naturalized citizens.

22. Aside from holding registration events, the League helps its own members and other registered voters update their registrations, double-check that they remain registered, and remain on the rolls or be reinstated.

23. LWVVA also helps voters by placing public service announcements on radio and social media in English and Spanish to ensure everyone has a voting plan and knows where to go if they have a problem. In response to voting issues facing particular communities, such as the Latinx community, League members conduct interviews with local newspapers, radio stations, and digital media sources to address the questions about voter registration and elections in Virginia.

24. LWVVA is a partner with the Virginia Election Protection coalition to help voters, including naturalized citizens, get help if they have questions or experience voting barriers or voter suppression. LWVVA members attend multiple coalition meetings every week to discuss and coordinate with other non-profits on how to effectively address voting-related challenges facing Virginians.

25. The League has worked with the Virginia Library Association to make videos to promote the right to read and vote. The partnership encourages people to use Vote411.org to learn about their elections and voting locations. These are promoted on all LWVVA social media outlets.

26. To further reach voters in Virginia, LWVVA manages a webpage (VOTE411.org/Virginia) dedicated to providing essential information for Virginians to ensure all Virginians are informed about their candidates, ballot amendments, and important voting information. The League also has a webpage entitled “How to be a Virginia Voter,” which has information in several languages and an interactive page for Virginians to find their drop boxes.

27. LWVVA has printed and distributed to local Leagues over 400 pounds of nonpartisan voting information for the November 2025 election to further their work. In the past, LWVVA also has contracted with a technology company that has created digital advertisements, including “banner impressions” for mobile device users.

28. Finally, LWVVA has created several videos explaining the voting system in Virginia, which are then distributed to social media platforms. These videos are on platforms such as YouTube, TikTok, X, Facebook and Instagram.

29. In short, the League conducts an array of activities to further its mission of registering eligible voters, including naturalized citizen voters, and ensuring they can exercise their right to vote.

The Overhauled SAVE System’s Harmful Effect on LWVVA’s Mission, Activities, and Members

30. The overhauled SAVE system harms the League and its members in several ways, particularly in advance of the upcoming November 2025 elections in which early voting is already underway.

31. First, when voters are unlawfully purged from Virginia voter rolls, it decreases the number of Virginia voters, directly undermining the League's mission of increasing the number of registered voters and voter participation. And when voters are intimidated or must take additional steps to register or remain registered, it directly harms the League's mission of ensuring that the ballot box is accessible for all eligible voters in Virginia.

32. The overhauled SAVE system imposes these very harms because it creates a serious risk that naturalized-citizen Virginians who are eligible to vote will nonetheless be purged from voter rolls.

33. Under Virginia law, the Department of Elections must use the SAVE system for voter list maintenance, and it has done so since 2014. On September 12, 2025, the Governor issued an executive order that affirmed Virginia's commitment to using the system, instructed the Department of Elections to coordinate with the federal government regarding use of the system, and mandates that Virginia officials utilize the overhauled system's bulk upload feature to identify and remove non-citizens on voter rolls. However, it is my understanding that the system now includes citizenship data from SSA, which has inaccurate and unreliable citizenship data, especially for naturalized citizens.

34. The purging of alleged "non-citizen" voters from voter rolls, based on bad citizenship data from SAVE right before an election, has sowed confusion and hindered the information LWVVA can provide to its members and thousands of other Virginians about the voter rolls, the safeguards in place to prevent the purging of their registration prior to an election, and the lawful administration of elections. The overhauled SAVE tool therefore has directly interfered with the League's effort to increase voter participation and turnout and will continue to do so.

35. It is inevitable that, because of the overhauled SAVE tool and its faulty citizenship data, some eligible Virginia voters, including some registered by the League and some League members, will not be able to vote, will not be able to correct any faulty citizenship data in time, will choose to take their name off the registration list out of fear, or will choose not to vote. The downsides of registering to vote and voting because of Defendants' actions—where SAVE's flaws create the serious risk that naturalized citizens will be identified as non-citizens and potentially even criminally investigated for their lawful voting—are simply too burdensome for many of these citizens. As a result, the overhauled SAVE system has and will continue to directly interfere with our efforts to register voters, keep eligible voters on the rolls, accurately inform these voters about the process and effectively promote civic engagement and voting across Virginia. The unlawful reduction in voters who are in fact eligible to vote harms the League's mission of increasing participation in our elections, including from naturalized citizens.

36. Second, the League lacks critical information to fully and accurately educate eligible Virginia voters, including naturalized citizens, about the overhauled SAVE tool, the risks it poses to their voting rights, and the steps they can and should take to protect their rights effectively.

37. Defendants have developed and rolled out the overhauled SAVE tool in an opaque process. They have released only limited and high-level material and failed to provide the League, its members, or others with basic information about the tool. They have not, for example, given any advanced notice on the exact parameters of the overhauled SAVE system's uses, including for voter roll verification; the sources of the data pooled in that system; the policies and practices for records retrieval; the procedures for voters to access records contained in the system and contest

or correct their contents; and other steps voters can take to ensure their government records are accurate, up-to-date, and secure.

38. Without this vital information, the League cannot effectively carry out its educational mission. A key part of the League's work is delivering accurate information about voter registration to the public and tailoring and communicating voter information to the appropriate audiences, all so that all eligible Virginians know they can vote, how they can do so, and how they can take steps to protect their voting rights. Yet without basic notice on the overhauled SAVE system's parameters, policies, and procedures—notice that the Privacy Act guarantees to the League and its members—the League and its members are kept in the dark about a serious threat to voting rights in Virginia, the magnitude of that threat, and how best to mitigate it. As detailed above, the League typically undertakes a host of measures to educate the public, including as part of voter registration drives, other voter services events, and communications initiatives and programming like mailers. It is unable to effectively educate eligible voters, including naturalized citizens, through these various means because Defendants have withheld critical information on the overhauled SAVE system that the League would have disseminated alongside analysis and advice for affected voters.

39. Third, because Defendants failed to follow notice-and-comment procedures before overhauling the SAVE system, the League and its members were deprived of their opportunity to convey their concrete concerns with the overhauled SAVE tool and the unreliable and inaccurate SSA citizenship data it incorporates. Had Defendants provided an opportunity for notice and comment before they developed and unveiled their overhauled SAVE tool, the League would have submitted a comment expressing their concerns about the serious risk that its naturalized-citizen members and other naturalized-citizen voters in Virginia will be wrongfully purged from voter

roles and even potentially criminally investigated for their lawful voting. As part of its comment, it would have also offered recommendations to ensure eligible voters are not wrongfully purged from voter rolls or investigated based on inaccurate SSA data. The League would have also alerted its members to the opportunity to provide comments on the overhauled SAVE system.

40. In my capacity as League President, I have already explained in recent testimony to the Virginia Department of Education that use of the overhauled SAVE system runs the risk of disqualifying many eligible Virginia voters. If given the opportunity, I would have offered similar insights directly to Defendants before they overhauled the database. Now, it is too late, and the voting rights of thousands of Virginians are in jeopardy.

41. Finally, our members are being directly harmed by the Defendants' SAVE overhaul. As explained, the League's members include Virginians who are naturalized U.S. citizens who have records in various federal databases, including SSA, have not consented to SSA's provision of their records to the overhauled SAVE tool, and have not had their SSA records updated to account for the fact that they naturalized.

42. Until Defendants' unlawful overhaul of the SAVE tool ends, these naturalized citizen members will need to re-check their voter registration status and are at risk of being purged, while voting in the November 2025 election is currently underway and with 2026 elections on the horizon. These members also may have to take future corrective action in order to vote in future elections, including continuing to re-check and update their voter registration information and updating their SSA records and, in some cases, DHS records. They likely cannot take the latter step in time to safeguard their right to vote in the upcoming November elections since in-person appointments at SSA to prove citizenship status may take weeks or months, and since they may have already been purged from the voter rolls. Also, LWVVA expects that many of its naturalized-

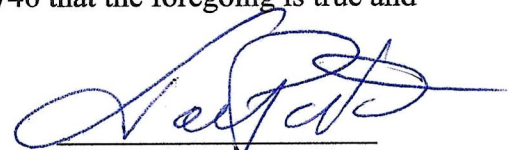
citizen members and the naturalized-community members that it seeks to register to vote will face onerous barriers to obtaining and providing the proof of citizenship necessary to correct SSA records. Specifically, it expects that a number of them do not currently possess common forms of proof of citizenship reflecting their current name. LWVVA further expects that these individuals will face significant financial and logistical hurdles in attempting to obtain proof of citizenship and may not be able to do so at all.

43. In other words, the League's naturalized-citizen members face clear obstacles in their ability to vote. They reasonably fear they will not be able exercise their right to vote, or to take the steps necessary to protect that right. And they reasonably fear they may be subject to unwarranted criminal investigation for their voting, simply because the SAVE system erroneously has them down as a non-citizen.

44. Compounding these issues, I am aware that League members and their families—especially naturalized citizens—are too afraid to participate in this litigation. Even after being given the option of proceeding under a pseudonym, such League members were afraid that litigating to preserve their fundamental rights would still invite retaliation from the current administration. Given the countless actions this administration has taken against individuals who oppose it, League members fear that the government will retaliate against them, their families, and their employers.

I declare under penalty of perjury as prescribed in 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on October 7, 2025, in Arlington, Virginia.



Joan Porte