

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

LEAGUE OF WOMEN VOTERS, *et al.*,

Plaintiffs,

vs.

Case No. 1:25-cv-3501-SLS

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

Defendants.

DECLARATION OF ANTHONY NEL

I, Anthony Nel, declare as follows:

1. I am over 18 years old and a member of the League of Women Voters of Texas.

The statements made in this declaration are based on my personal knowledge, information, and belief. I submit this declaration in support of Plaintiffs' motion for summary judgment.

Background

2. I have been a United States citizen since 2013.

3. I was born in Port Elizabeth (Gqeberha), South Africa, in 1996. I immigrated to the United States with my parents in 2004, when I was eight years old.

4. I was issued a Social Security Number ("SSN") and card in 2012, when I was fifteen years old. When I applied for an SSN, I was a lawful permanent resident.

5. My parents became naturalized U.S. citizens in March 2013, when I was sixteen years old. I automatically became a U.S. citizen when my parents naturalized.

6. I was issued a U.S. passport, confirming my U.S. citizenship, on July 17, 2013.

7. To my knowledge, the Department of Homeland Security ("DHS") has never issued me a Certificate of Citizenship, nor have I applied for one.

8. After becoming a U.S. citizen, I knew I would be entitled to vote when I turned 18 and felt that it was important to vote because it is a fundamental right of U.S. citizenship.

9. After turning 18, I registered to vote and began voting in state and federal elections in Texas. I first voted in the 2016 election and have voted eight times since then.

10. I currently live in and, until recently, was registered to vote in Denton County, Texas. I have not been disqualified from voting due to a felony conviction or a judgment of legal incompetence.

11. I intend to vote in the March primary and November midterm elections in Texas this year.

DHS's Expanded SAVE System Led to the Cancellation of My Voter Registration and Other Burdens on My Voting Rights

12. After voting in the November 2025 election (during the early voting period), I received a letter from the Denton County Voter Registrar, dated October 21, 2025, titled "Notice to Registered Voter for Proof of Citizenship (USCIS Verification)." A true and correct copy of the letter and accompanying envelope, with certain private information redacted, is attached hereto as Exhibit 1.

13. The letter states in part that a "comparison of the information in your voter registration records with the United States Citizenship and Immigration Services SAVE records show that you were not a United States citizen at the time of the comparative process." It then instructs: "[t]o maintain your active voter registration status, please provide proof that you are a United States citizen." The letter lists several types of documents that will be accepted as proof of U.S. citizenship, and notes that copies of the documents can be delivered by hand, mail, fax, email, or any other method of transmission.

14. The letter further states: “Please provide proof of U.S. citizenship within (30) days from the date of this letter. If we do not receive a response from you within thirty (30) days, your voter registration will be cancelled.”

15. The exterior of the envelope in which the letter was enclosed had no markings indicating it was official election mail or that the enclosed letter had any bearing on my voter registration.

16. Upon reading the October 21 letter, I was shocked to learn that DHS’s SAVE system indicated I was not a U.S. citizen. As stated above, I have been a citizen with a U.S. passport since 2013. I was worried that the letter was part of a voter suppression effort to discourage Texans from exercising their right to vote, which I found deeply troubling as an ardent supporter of voting rights. I was also worried about the steps that I needed to take to ensure my voter registration would not be wrongly cancelled ahead of the approaching March 2026 primary election.

17. Of the documents sufficient to prove citizenship listed in the letter, the only document I have is a U.S. passport. However, my passport expired on July 17, 2023. Due primarily to the threat of my voter registration being cancelled unless I provided proof of citizenship, I applied to renew my passport and obtained a renewed passport on December 10, 2025.

18. While awaiting my renewed passport, I was worried that my voter registration would be cancelled improperly on the grounds that I am not a U.S. citizen, even though I am a citizen. So I began regularly using Denton County’s online voter lookup system to check my voter registration status.

19. In early December 2025, I checked Denton County’s voter lookup system and saw that it no longer listed me as a registered voter.

20. On December 3, I emailed the Denton County Voter Registrar asking why my voter registration was cancelled.

21. On December 4, the Denton County Elections Administrator responded by email that my “name appeared on a list of potential non-citizens that was sent to us from the Secretary of State’s office. On 10/22/2025 we mailed a letter to you asking for proof of citizenship. ... When you did not reply to the letter within the 30-day period, your registration was cancelled. ... If you can provide proof of citizenship with one of the documents listed in the letter, we can reinstate your registration. You can email documentation to this address.”

22. I responded by email the same day, noting I am a U.S. citizen and that I intended to provide my passport in person prior to the March primary election. I also requested a copy of my voter history for Denton County, which a county employee provided. My voter history showed that my voter registration had changed on November 24, 2025, which I understood to mean it was cancelled on that date.

23. Although Denton County stated I could send documentary proof of my citizenship by email, mail, or fax, I am not comfortable doing so due to the data security and privacy risks of sending pictures of my sensitive personal documents, including my passport, by email or other unsecure methods of communication. Absent a reliable method of secure transmission, I am only comfortable providing this documentation in person.

24. Later in December, I received another letter from the Denton County Voter Registrar, postmarked December 3, 2025, titled “Notice of Cancellation.” A true and correct

copy of the letter and accompanying envelope, with certain private information redacted, is attached hereto as Exhibit 2.

25. The letter states that my voter registration was cancelled on December 1, 2025, for “[f]ailure to respond to Notice for Proof of Citizenship,” and that I could request a hearing on the cancellation.

26. As of the date of this declaration, it is my understanding that my voter registration remains cancelled.

SAVE is Collecting, Disclosing, and Repurposing My Personal Data Without My Consent and Causing Me Distress

27. After my voter registration was cancelled, I learned more about DHS’s SAVE system and Texas’s use of the system to conduct citizenship checks of registered voters. I learned this information from materials publicly released by DHS and the Texas Secretary of State.

28. I learned that, in 2025, DHS expanded the SAVE system by allowing bulk searches of Americans’ personal data housed at the Social Security Administration (“SSA”), using only a name, date of birth, and SSN.¹ I also learned that the Texas Secretary of State had announced in a press release on October 20, 2025, that her office had used this new functionality to run Texas’s entire voter registration list with more than 18 million voters through the expanded SAVE system, that they identified “2,724 potential noncitizens” who were registered to vote in Texas, and that they referred those individuals to Texas counties (including Denton County) to determine their eligibility to vote.² The Secretary further stated that once the counties

¹ <https://www.uscis.gov/save/current-user-agencies/guidance/voter-registration-and-voter-list-maintenance-fact-sheet>; <https://www.federalregister.gov/documents/2025/10/31/2025-19735/privacy-act-of-1974-system-of-records>.

² <https://www.sos.state.tx.us/about/newsreleases/2025/102025.shtml>.

complete this process, “individuals who are deemed noncitizens that voted in a Texas election will be referred to the Office of the Attorney General” for investigation.

29. Based on the Texas Secretary of State’s October 20 press release and the October 21 letter I received from Denton County, it is my understanding that I am one of the “2,724 potential noncitizens” identified through DHS’s expanded SAVE system.

30. It is my understanding that, as part of the process of bulk uploading Texas’s entire voter registration list into SAVE, the Texas Secretary of State disclosed, at a minimum, my name, date of birth, and full nine-digit SSN to DHS, and that this information will be retained in SAVE for at least 10 years. It is my understanding that after the Texas Secretary of State uploaded my voter registration information into DHS’s SAVE system, DHS disclosed that information to SSA so that SSA could match it against its own records about me.

31. I have not consented to, and do not consent to, the Texas Secretary of State disclosing the information about me that her office uploaded into SAVE to DHS, SSA, or any other federal agency to run citizenship checks. I provided that information for use by state and local Texas officials, not to be uploaded into a national citizenship database housed at DHS. I expected that information—especially my full nine-digit SSN—to remain private and protected by state and local Texas officials.

32. It is my understanding that, based on the SAVE search of my personal information run by the Texas Secretary of State, SSA returned a response to DHS that included my SSN, name, date of birth, an indicator of my citizenship status, and other information that SSA collected when I applied for a Social Security card in 2012. It is my understanding that my personal SSA data will be retained in DHS’s SAVE system for at least 10 years.

33. I have not consented to, and do not consent to, SSA disclosing and verifying my personal information from SSA records to DHS or any other federal, state, or local agency to run citizenship checks for voter list maintenance or any other purpose. I expected that data to remain private within SSA and be used only for purposes consistent with why SSA collected the data, such as to determine eligibility for SSA benefits or authorization to work in the U.S. I never expected my personal SSA information to be disclosed to DHS or any other federal, state, or local agency for use in a massive national citizenship database for voter eligibility checks.

34. I am particularly concerned about SAVE's reliance on my SSA citizenship data because I have personally confirmed that the data is inaccurate and out of date. In December 2025, I called SSA and was informed by an SSA employee that I am (incorrectly) listed as a non-citizen in SSA's records. That was not surprising to me, because the only prior time I had interacted with SSA was when I obtained a Social Security card in 2012, before I became a U.S. citizen. To my knowledge, there is no requirement for me to update my citizenship status with SSA, and I have not done so.

35. I am distressed by the fact that the government has repurposed my sensitive SSA data without my consent to determine my eligibility to vote, when the information is not suitable for that purpose and was never intended to be used in that way.

36. It is my understanding, based on the Texas Secretary of State's October 20 press release and Denton County's October 21 letter to me, that SAVE could not confirm my U.S. citizenship due to outdated, inaccurate SSA citizenship data queried by SAVE using my SSN, as well as SAVE's new functionality allowing bulk queries of state voter rolls. As a result, my understanding is that SAVE returned my case to the Secretary to seek documentary proof of citizenship directly from me. This led to Denton County demanding that I provide documentary

proof of citizenship within 30 days and then, when I was unable to do so, cancelling my voter registration. Absent the SAVE expansion and its new bulk search-by-SSN functionality, it is my understanding that these events would not have occurred and my voter registration would not have been cancelled.

37. Because Denton County has cancelled my voter registration for lack of proof of citizenship, I feel pressured to provide proof of citizenship not only to ensure I can exercise my right to vote in the upcoming March 2026 primary election and future elections, but also to avoid the possibility that the Texas Secretary of State will, consistent with the process outlined in her October 20 press release, refer me to the Texas Attorney General for (unwarranted) investigation based on my prior voting, even though I did so lawfully as a U.S. citizen.

38. I am also worried that, even if I provide Denton County with documentary proof of citizenship and my voter registration is reinstated, DHS's SAVE system will continue to wrongly identify me as a non-citizen based on faulty underlying data when the Secretary of State runs bulk voter roll searches in the future, and that I will again be forced to prove my citizenship status in order to retain my voter registration. Being caught in such a cycle, with my voting rights on the line, is distressing to me.

39. As long as Texas continues to use the expanded SAVE system and the unreliable data it utilizes, I will feel compelled to continue regularly checking my voter registration status to ensure it is not wrongly cancelled again.

40. The privacy of my personal information is very important to me. From a young age, my parents instilled in me the importance of protecting the confidentiality of my SSN, and so I have always treated my Social Security card as an ultra sensitive document. Moreover, because I pay taxes and plan to retire and receive Social Security benefits in the future, SSA has

personal information about me that I consider highly sensitive. I have trusted SSA and Texas election officials to keep my information private and only use it for lawful purposes. I understood them to be bound by laws that would keep them from sharing this information across government agencies for completely unrelated purposes. I did not consent to them sharing this highly sensitive information with other agencies for unlawful or undisclosed purposes.

41. I am disturbed, uneasy, anxious, and frustrated that the government has violated my trust by collecting, disclosing, matching, and repurposing my personal information without my consent in an effort to create a national database of U.S. citizens. I am also worried that DHS may be seeking to create a new, comprehensive list of U.S. citizens who were born abroad in order to target, surveil, or simply make life harder for foreign-born American citizens. This makes me feel like I am living in a surveillance state where government actors can access my most private information at will. I expected the United States to respect all of its citizens' privacy, but instead I am opposing government efforts to create a centralized profile on me, including my sensitive information, for a national citizenship database.

42. Because the expanded SAVE system has enabled my sensitive personal information to be moved across multiple federal, state, and local agencies, I am also deeply worried that my data will be stored or transferred in an unsecured manner, exposing me to a data breach and identity theft and fraud. I am especially concerned about the unsecured storage or transfer of files containing my full name, date of birth, and SSN, because the exposure of those three data elements in tandem creates a heightened risk of identity theft and fraud.

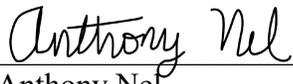
43. As explained above, my concerns over data security make me uncomfortable and unwilling to email Denton County any photo of my proof of citizenship. Yet I am worried that if and when I provide my passport to Denton County officials in person, they will transmit a copy

of that passport by unsecured means to the Texas Secretary of State and DHS. Indeed, I am aware that the Secretary has issued public guidance to voter registrars instructing that if I provide “proof of citizenship documentation” to Denton County, “the county must send a copy of that documentation to the Secretary of State’s office to be provided to USCIS” under the Secretary’s Memorandum of Understanding with DHS for use of the SAVE system, though the guidance does not specify how that information must be transmitted and stored.³ Despite the lack of information or assurances that my sensitive information will be transferred and stored securely, I feel extreme pressure and urgency to provide this information to Denton County in order to preserve my voting rights. I should never have been forced into this untenable position in the first place.

44. It is extremely concerning that so many people across all levels of government have access to my personal data without my consent. I am skeptical of any unauthorized national database, but especially one that contains my private data and lets government officials access and utilize it in a way that can be used against me and others similarly situated.

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

Executed on January 29, 2026, in Texas.



Anthony Nel

³ <https://content.govdelivery.com/accounts/TXSOS/bulletins/3f8057c>.

Exhibit 1



DENTON COUNTY
ELECTIONS ADMINISTRATION

FRANK PHILLIPS, CERA
Elections Administrator

BRANDY GRIMES, CERA
Deputy Elections Administrator

Denton County Voter Registrar
Mailing Address: 701 Kimberly Dr., Ste. A100, Denton, TX 76208
Phone Number: (940) 349-3200
Fax Number: (940) 349-3201
Email Address: Elections@DentonCounty.gov
Website: www.votedenton.gov

10/21/2025
ANTHONY K. NEL

DENTON, TX

NOTICE TO REGISTERED VOTER FOR PROOF OF CITIZENSHIP (USCIS VERIFICATION)

Dear ANTHONY K. NEL :

As the voter registrar for Denton County, I am writing to notify you of important information regarding your voter registration.

You are currently registered to vote in this county. We have received information from the Texas Secretary of State reflecting that you might not be a United States citizen. A comparison of the information in your voter registration records with the United States Citizenship and Immigration Services SAVE records show that you were not a United States citizen at the time of the comparative process. Although you can obtain United States and state government identity documents as a non-United States citizen, only United States citizens are eligible to vote.

To maintain your active voter registration status, please provide proof that you are a United States citizen. Proof of United States citizenship can be established by presenting a copy of any of the following documents:

- U.S. birth certificate or a Consular Report of Birth Abroad of a Citizen of the United States issued by the United States Department of State;
- United States passport;
- Certificate of Naturalization or Certificate of Citizenship; or
- Your parent's Certificate of Naturalization along with your birth certificate if you became a U.S. citizen as a result of your parent's naturalization.

There are several ways to provide proof of U.S. citizenship to my office. You can deliver it by hand, or you can send it by mail, fax, electronic mail, or any other method of transmission. My office's contact information is listed at the top of this letter.

Please provide proof of U.S. citizenship within thirty (30) days from the date of this letter. If we do not receive a response from you within thirty (30) days, your voter registration will be cancelled.

In the event that your registration is cancelled, you can still be immediately reinstated by providing proof of U.S. citizenship to my office or at your polling location, even if the thirty (30)-day period has already passed. You may also request a hearing to challenge your cancellation, even if you do not possess one of the above forms, by contacting my office.

If you have any questions regarding this notice or your voter registration, please contact my office at (940) 349-3200.

Signature of Voter Registrar

10-21-2025

Date



DENTON COUNTY
ELECTIONS ADMINISTRATION

FRANK PHILLIPS, CERA
Elections Administrator

BRANDY GRIMES, CERA
Deputy Elections Administrator

Registrador de Votantes del Condado de Denton
Mailing Address: 701 Kimberly Dr., Ste. A100, Denton, TX 76208
Phone Number: (940) 349-3200
Fax Number: (940) 349-3201
Email Address: Elections@DentonCounty.gov
Website: www.votedenton.gov

10/21/2025
ANTHONY K. NEL

DENTON, TX

**AVISO AL VOTANTE REGISTRADO PARA PRESENTAR PRUEBA DE SU CIUDADANÍA
(VERIFICACIÓN DE USCIS)**

Estimado ANTHONY K. NEL ,

Como el Registrador de Votantes del Condado de Denton, me comunico con usted para hacerle llegar información importante con respect a su registro electoral.

Usted está actualmente registrado para votar en este condado. Hemos recibido información de la Secretaría de Estado de Texas que refleja que usted podría no ser un ciudadano de los Estados Unidos. Una comparación entre la información de su registro de votante y los registros del Sistema SAVE del Servicio de Ciudadanía e Inmigración de los Estados Unidos (USCIS) indica que usted no era ciudadano estadounidense en el momento del proceso comparativo. Aunque puede obtener documentos de identidad del gobierno de los Estados Unidos y del estado como ciudadano no estadounidense, solo los ciudadanos estadounidenses tienen derecho a votar.

Para mantener su estado de votante registrado activo, le solicitamos que nos proporcione prueba de que usted es un ciudadano de los Estados Unidos. La prueba de la ciudadanía de los Estados Unidos se puede establecer presentando una copia de cualquiera de los siguientes documentos:

- Certificado de nacimiento estadounidense o Certificado consular de nacimiento en el extranjero emitido por el Departamento de Estado de los Estados Unidos;
- Pasaporte estadounidense;
- Certificado de naturalización o Certificado de ciudadanía; o
- Certificado de naturalización de su padre o madre junto con su Certificado de nacimiento, si se convirtió en ciudadano estadounidense como resultado de la naturalización de su padre o madre.

Hay varias maneras de proporcionar la prueba de su ciudadanía estadounidense a mi oficina. Puede traerla personalmente, enviarla por correo, fax, correo electrónico o por cualquier otro método de transmisión. La información de contacto de mi oficina se detalla al principio de esta carta.

Favor proporcionar la prueba de su ciudadanía estadounidense dentro de los treinta (30) días a partir de la fecha de esta carta. Si no recibimos una respuesta dentro de los próximos treinta (30) días, su registro electoral será cancelado. Si su registro electoral se cancela, puede reinscribirse inmediatamente al presentar la prueba de su ciudadanía estadounidense en mi oficina o en el lugar de votación que le corresponde, aún después del plazo de treinta (30) días. También puede solicitar una audiencia para impugnar la cancelación, incluso si no posee uno de los documentos anteriores, comunicándose con mi oficina.

Si tiene alguna pregunta con respecto a este aviso o sobre su registro electoral, comuníquese con mi oficina al (940) 349-3200.

Firma del Registrador de Votantes

10-21-2025

Fecha

Elections Administrator
Denton County
PO Box 1720
Denton, TX 76202

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First Class Mail
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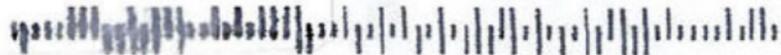


Exhibit 2

21-48
Prescribed by Secretary of State
Sections 16.031(a), 16.036, Texas Election Code
9/2023

Name: ANTHONY K. NEL

VUID: [REDACTED]

NOTICE OF CANCELLATION

Notice is hereby given that your voter registration has been cancelled in Denton County on

12-1-25

(Date)

The reason for cancellation was:

Check one:

- Receipt of request to cancel voter registration.
- Receipt of abstract of total mental incapacity or partially mentally incapacitated without the right to vote.
- Receipt of abstract of felony conviction.
- Receipt of abstract of judgment in an election contest that you were a disqualified voter.
- After examination of your registration under Sec. 16.033, Texas Election Code.
- Notice was received from the Secretary of State that you are currently registered to vote in another Texas county.
- Failure to respond to Notice for Proof of Citizenship.
- I received a change of address which indicated a new address outside this county. You will need to re-register in the county of your new address. Your registration is cancelled in this county.

You may request a hearing on the cancellation of your registration by submitting a written request for such hearing. If you request a hearing, a notice will be mailed to you setting forth the date of the hearing. The hearing will be scheduled within ten (10) days after your request or on a later date if you so request.

If after the hearing, the voter registrar determines that your registration shall remain cancelled, you are entitled to appeal the adverse decision issued by the voter registrar by petitioning for review in district court not later than the 30th day after the adverse decision is issued.

If you should have any questions regarding this cancellation, please contact me at (940) 349-3200.

Frank Phillips
Signature of Voter Registrar

701, Kimberly Dr., Ste. A100, Denton, TX 76208
Address of Voter Registrar

21-48
Prescribed by Secretary of State
Sections 16.031(a), 16.036, Texas Election Code
9/2023

Name: ANTHONY K. NEL

VUID: [REDACTED]

AVISO DE CANCELACIÓN

Por este medio se le notifica que con fecha de 12-1-25 se ha cancelado su inscripción electoral
(fecha)
en el Condado de Denton.

El motivo de dicha cancelación fue el siguiente:

Marcar una de las razones a continuación:

- Se recibió una petición para cancelar su inscripción.
- Se recibió el sumario de un fallo de incapacidad mental total o incapacidad mental parcial sin el derecho al voto.
- Se recibió el sumario de una convicción de delito grave.
- Se recibió el sumario referente a una disputa electoral en la que usted quedó descalificado/a como votante.
- Después de haber revisado su inscripción electoral bajo la Sección 16.033 del Código Electoral de Texas
- Se recibió un aviso de la Secretaría del Estado indicando que usted actualmente se encuentra inscrito/a en otro condado de Texas, para votar.
- No se recibió respuesta al Pedido de Comprobante de Ciudadanía.
- He recibido un aviso de su cambio de domicilio a una nueva dirección fuera de este condado. Tendrá que volver a inscribirse en el condado donde se ubica su nueva dirección. Por ende, queda cancelada su inscripción en este condado.

Si desea una audiencia con respecto a la cancelación de su inscripción electoral, podrá pedirla por escrito. Si pide una audiencia, se le enviará por correo el aviso correspondiente comunicándole la fecha de la audiencia, misma que se llevará a cabo, en un plazo de 10 días después de haberla solicitado o, a petición suya, en fecha posterior.

Si al concluirse la audiencia el Registrador de Votantes resuelve que la cancelación de su inscripción deberá permanecer en vigor, usted tendrá el derecho de apelar la decisión contraria del Registrador de Votantes mediante petición de revisión judicial ante un tribunal de distrito, en un término no mayor de 30 días a partir de la fecha de emisión de la decisión contraria.

Si tiene alguna pregunta referente a esta cancelación, sírvase comunicarse conmigo llamando al (940) 349-3200.

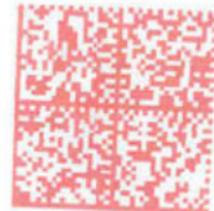
Frank Phillips

Firma del Registrador de Votantes

701 Kimberly Dr., Ste. A100, Denton, TX 76208
Dirección del Registrador de Votantes

Elections Administrator
Denton County
PO Box 1720
Denton, TX 76202

Presort
First Class Mail
ComBasPrice



US POSTAGE TM PITNEY BOWES



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ANTHONY K NEL

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DENTON TX [REDACTED]

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