

Subject: Public Comment in Opposition to Proposed “Presumptive Noncitizen” Rules

Dear Members of the North Carolina State Board of Elections,

I am writing to formally oppose the proposed rules that would use the Systematic Alien Verification for Entitlements (SAVE) database to flag and remove registered voters suspected of non-citizenship.

These rules are built on a flawed premise. A Brennan Center for Justice study of the 2016 election found that across 42 jurisdictions covering 23.5 million votes, just 30 suspected incidents of noncitizen voting were referred for investigation — 0.0001% of all votes cast. Forty of those jurisdictions reported zero known incidents. There is no credible evidence of a noncitizen voting problem that warrants rules of this scope.

The mechanism these rules rely on is not fit for this purpose. The North Carolina State Board of Elections has itself previously stated that the SAVE database is "not a reliable indicator" of citizenship. In Missouri, 35% of voters flagged by this same tool turned out to be citizens registered at naturalization ceremonies. Using an admittedly unreliable database as the basis for removing people from the voter rolls is not election integrity, it is plain voter suppression.

The practical harms are serious and predictable:

- More than 2.3 million female citizens in North Carolina lack a valid birth certificate, and millions more have changed their names, meaning their documents may not match their voter registration. Citizenship documentation can cost over \$1,300 and take months to obtain.
- The proposed rules make no reference to the National Voter Registration Act's prohibition on mass, systematic voter removals within 90 days of a federal election.
- Notice requirements are inadequate as a single mailed notice in English, with no follow-up, is not proper due process. Voters who never receive notice can have their registration canceled with no opportunity to respond.
- Non-response at a challenge hearing — regardless of why — is treated as grounds for cancellation. This standard will remove eligible citizens who were never properly notified, could not take time off work, or do not speak English.

I urge the State Board to withdraw these proposed rules. They would cause significant, demonstrable harm to eligible North Carolina voters while addressing a problem the evidence does not show exists.

Thank you for considering this comment.

[Your Name]

[Your Address]

[City, State, ZIP]

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