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April 2, 2026

The Honorable Frank Bisignano
Commissioner
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235

Commissioner Bisignano:

I write regarding the Social Security Administration's (SSA) role in advancing the Trump administration's unconstitutional Executive Order 14399 (entitled "Ensuring Citizenship Verification and Integrity in Federal Elections") issued on March 31, 2026. The clear intent of this executive order is to undermine vote-by-mail and disenfranchise eligible voters. SSA has a duty to ensure its data is not misused as part of this effort. If left to stand, this executive order could disqualify tens of millions of eligible voters and upend American democracy just months before key nationwide elections.

This latest brazen attempt to create a national voter database aims to undermine the rights of states to conduct their own elections, including manage their registered voter lists, and use private SSA data as a backdoor to give Donald Trump power over who is eligible to vote in federal elections. Furthermore, this directive from Donald Trump to share private Social Security data with the Department of Homeland Security (DHS) has the potential to be in direct violation of the Privacy Act and the Social Security Act.

As the Ranking Member of the Senate Finance Committee, which has sole jurisdiction over the Social Security Administration, I am especially concerned about the use of Americans' private data housed at the agency for this unconstitutional and unlawful purpose. According to the Executive Order, SSA is required to provide "all necessary citizenship and identity data" to DHS for the purposes of compiling and transmitting a list of "state citizens."

As you know, SSA systems include the most sensitive personally identifiable information and personal health information for every American with a Social Security Number (SSN), including their immigration and citizenship status, for the purposes of administering the Social Security programs. As such, stringent federal laws and regulations protect sensitive personal and financial information from improper disclosure and misuse, including disclosure to federal and state

agencies. In addition to the Privacy Act of 1974, SSA's disclosure rules are conducted in accordance with section 1106 of the Social Security Act and SSA's privacy regulations. Under SSA's own regulations, SSA may only disclose pursuant to a routine use for determining eligibility or amount of benefit in a health or income maintenance program. Simply put, sharing Americans' personal data to DHS for creating a "state citizenship" list does not meet this standard. The only authority Congress provided SSA in the voter registration process was through the Help America Vote Act of 2002, but it is narrowly limited to providing state DMV agencies with a partial SSN verification when a voter registrant does not have a valid state driver's license or identification card. Any expansion of SSA's role in states' administration of federal and state elections would be fundamentally flawed and in direct conflict with congressional authorization.

SSA has long maintained that its citizenship and immigration records are not legally definitive, as this data can be incomplete, outdated, or prone to inaccuracies. For instance, SSA does not have citizenship information on all individuals with a Social Security Number as the agency did not begin recording citizenship information in its records until 1981. Even in cases in which SSA does have citizenship information recorded, SSA's data does not always reflect a person's immigration or citizenship status change because DHS is not legally required to notify SSA of these updates. In other words, unless naturalized U.S. citizens have filed for Social Security benefits or otherwise provided SSA notice to their change in citizenship status, they would still be listed as non-citizens in SSA's records. As a result, the use of SSA data to compile a list of U.S. citizens to determine who can vote in elections is flawed and will disenfranchise tens of millions of U.S. citizens through no fault of their own.

Furthermore, it remains unclear what recourse, if any, U.S. citizens would have if they inadvertently lost their voter registration. To rectify this mistake, they would have to come to one of SSA's field offices, which continue to face record staffing shortages and long wait times because of your own decision to cut staffing and reduce customer service. This new workload to re-verify U.S. citizens would further overburden SSA's front-line workers by adding non-mission-related duties at a time when it already takes over a month to schedule an appointment in a field office.

These facts are well-documented by your own agency, which is all the more disturbing why this Administration is knowingly moving forward with this action. Facilitating Donald Trump's directive to create a flawed voter database would be willing participation in blatant voter suppression ahead of consequential midterm elections.

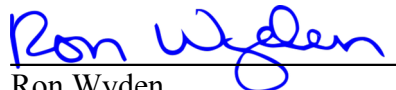
With this in mind, please respond to the below questions in writing within 14 days of receipt of this letter:

1. Provide the statutory and regulatory basis that permits SSA to disclose SSA data to DHS for this stated purpose.
2. Explain in detail how SSA will ensure that U.S. citizens will not be disenfranchised through this system.

3. Except as permitted under the Privacy Act, SSA's privacy regulations require the agency to obtain the individual's written consent to disclose their information, which must specify to whom the information may be disclosed, the information that would be disclosed, and where applicable, during which timeframe the information may be disclosed. How will SSA obtain written consent from every American to disclose information for this purpose? If SSA believes it does not need written consent, please provide its statutory authority to share this data without Americans' consent.

Thank you for your prompt attention to this matter.

Sincerely,



Ron Wyden
United States Senator
Ranking Member, Committee
on Finance