American Association of
Motor Vehicle Administrators

OUR VISION
Safe drivers
Safe vehicles
Secure identities
Saving lives!

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Roman Jankowski
Chief Privacy Officer
Privacy Office, Department of Homeland Security
Washington, DC 20528-0655

RE: Privacy Act of 1974; System of Records [Docket No. USCIS-2025-0337]

The American Association of Motor Vehicle Administrators (AAMVA) appreciate the opportunity to provide input on the recently issued Systems of Record Notice (SORN) associated with the Systematic Alien Verification for Entitlements (SAVE) system.

DRIVER'S LICENSE NUMBER COLLECTION AND RETENTION
The modified SORN now includes "driver's license number" as a category of records collected from benefit applicants. However, a review of previous SAVE SORNs reveals that this data element was not previously (and explicitly) disclosed as being collected and retained by the system. AAMVA has concerns that the proposed changes to the system include the collection and retention of the driver's license number in ways that have not been previously described. While DHS may be utilizing this docket to provide notice about the information they collect and maintain in their system of records as required under the Privacy Act of 1974, to AAMVA's knowledge, there was no consultation with the owners of that data, nor consent from the states in terms of its use. The driver's license number is purely a state records identifier that is utilized by the states to connect an individual's identity to their driving and public safety record within the state. While the driver's license itself has become a well-known identity document and the number associated with the credential may be validated by federal agencies in identity proofing, it has not been captured and retained for any federal case management purposes to date.

The addition of driver's license numbers to the "Categories of Records in the System" section appears to acknowledge collection practices may have been occurring without adequate prior public notice. AAMVA has serious concerns regarding the treatment of this data and its contribution to a federal identity profile being established and used by the SAVE system for undisclosed purposes.

As the states worked for decades to administer and enforce the provisions of the REAL ID Act (P.L. 109-13), privacy considerations and centralized repositories of data were a constant point of conflict in administering and implementing the Act. The States have gone to great lengths to ensure that there is no single repository of centralized identity data in any one location. The efforts of the SAVE system seem to undo those years of effort by combining numerous identity elements under a single SAVE system. To date, AAMVA has worked to protect the driver's license number from unwarranted disclosure through data sharing agreements between the states. Federal statutory language resulting from the REAL ID Act remains in effect through the annual DHS Appropriations Act, "None of the funds made available by this Act may be obligated for planning, testing, piloting, or developing a national identification card," (P.L. 114-4). While specific to a card, the language is clear in its intent to avoid a singular identity profile at the national level.

Given the SORN's citation of the driver's license as a component of the system, AAMVA requests clarification on whether driver's license numbers have been collected and retained in SAVE prior to this SORN modification. If they have, AAMVA requests information on the extent to which they have been collected and retained and under what circumstances.

LACK OF CLARITY ON HOW DRIVER'S LICENSE NUMBERS ARE UTILIZED

While the SORN mentions that driver's licenses are "the most widely used form of identification" and describes USCIS working with state licensing agencies and systems like NLETS (National Law Enforcement Telecommunications System), the notice provides insufficient detail about how driver's license numbers function as identifiers within SAVE. The SORN states on page 48951: "By working with state driver's licensing agencies and national agencies that store driver's license information for legal purposes (such as the National Law Enforcement Telecommunications System (NLETS)), SAVE will use driver's license and state identification card numbers to check and confirm identity information." As the representative organization for state driver's license agencies, AAMVA requests additional information on that collaboration via the following questions:

- How will SAVE use driver's license and state identification card numbers to confirm identity information?
- To what degree is USCIS currently collaborating with NLETS or the states and what constitutes "working with" state agencies?
- Does DHS have or is the agency pursuing formal data sharing agreements with all 50 states regarding use of their data?
- Will SAVE query NLETS directly, individual state DMV systems directly, or both?
- What specific "identity information" is being confirmed beyond what is already submitted in the query?

The SORN continues: "When the agency provides a driver's license or state identification card number as the enumerator to verify the identity of the applicant, SAVE will use state driver's licensing agencies or another source (such as NLETS) to validate the information and gain access to other government enumerators." This passage is particularly concerning because the phrasing, "Gain access to other government enumerators" is vague. What other enumerators are obtained through driver's license validation? - Does this mean SAVE currently retrieves Social Security numbers from DMV records or soon intends to? If so, this function represents a significant data sharing practice that deserves explicit disclosure. As AAMVA and its members have described in previous interactions, the preferable method would be for the state agency needing an SSN to conduct an in-state query against their own state's driver's license database to obtain any information already provided prior to submission of information to SAVE. In that way, the federal identifier (the SSN) can be obtained without a need for including a state-specific identifier (the DL number) that serves no purpose to the federal government.

The phrase "or another source (such as NLETS)" suggests uncertainty about which system will actually be queried. Will user agencies know which system was accessed for each verification? The SORN then states: "This will allow SAVE to match against other sources to verify immigration status and U.S. citizenship, which will improve accuracy and efficiency for SAVE user agencies." This statement lacks specificity about:
- Which "other sources" are matched against using driver's license-derived data?
- How does obtaining a driver's license number improve accuracy compared to using existing identifiers like Social Security numbers?
- What is the matching algorithm or process flow when a driver's license number is used?

The SORN notes: "It must be noted that the Driver's license number search functionality is not live at the time of publication but will be in the foreseeable future." AAMVA is concerned that if the functionality is not yet operational, USCIS cannot accurately or clearly assess the privacy impact or operational effectiveness of use of the state-issued drive's license number.

TECHNICAL IMPLEMENTATION

Beyond the specific SORN language, the technical process by which driver's license numbers are validated against state systems is unclear. AAMVA requests clarification on the following technical questions:

- Will DHS simply utilize the data upon submission to the agency as identifiers, or will DHS take the additional step of verifying the accuracy of the data as supplied?
- What information beyond name and date of birth is returned from state databases that provide the driver's license number?
- Is driver's license data cached in SAVE or queried in real-time for each verification?
- How will operational impacts of integration of these additional data points impact system timeouts or unavailability of state DMV systems relying on SAVE for license issuance?
- How will DHS handle discrepancies between driver's license records and other federal records needing resolution?
- What happens when a driver's license number matches but other biographic data (name, DOB) does not match?
- Will DHS treat expired or suspended driver's licenses differently than valid ones?

FEDERAL AGENCY CROSS REFERENCE OF SAVE DATA

In addition to the questions posed above, AAMVA asks for specific clarity on whether driver's license numbers are cross-referenced with other federal databases beyond those listed in the SORN. If driver's license numbers submitted to SAVE are shared AAMVA reiterates its request that DHS provide clarity on which other agencies and under what circumstances.

VERIFICATION AND SECURITY

Additionally, DHS describes that driver's license data integrates with the "Verification Data Integration Service." Greater clarity on this service is needed. AAMVA requests DHS provide additional information on whether driver's license queries trigger any alerts or notifications in state DMV systems security and access controls and what DHS intends to provide in terms of safeguards prevent unauthorized access to state DMV information through SAVE. Additionally, will DHS retain information on SAVE audit logs, including information on which users query which driver's license numbers?

PRIVACY

While the federal Driver's License Privacy Protection Act (DPPA) details the acceptable use cases under which driver's license data can be utilized, how will SAVE ensure compliance with varying federal and state laws regarding driver's license data sharing ? Will state DMV agencies have visibility into SAVE queries under their data retention and usage policies? If user agencies can see which identifier (SSN vs. driver's license) was used to generate a verification response – can individuals request to know if their driver's license number is stored in SAVE Use Case Scenarios? In what circumstances would SAVE require a driver's license number when an SSN is available? Can DHS create cases using only a driver's license number, or must other identifiers also be provided? How does the "List Processor Feature" handle driver's license numbers when processing bulk uploads? For a system that will potentially access DMV records from every state and territory, the lack of detailed operational information is concerning.

PREFERENCE FOR SOCIAL SECURITY NUMBERS AS PRIMARY FEDERAL IDENTIFIER

Given that the modified SORN already includes expanded capability to verify individuals using Social Security numbers (including both full and partial SSNs), AAMVA urges USCIS **not** to require driver's license numbers for verification purposes. Social Security numbers offer several advantages as identifiers for federal case management tools:

- They are issued and maintained by a federal agency (SSA), providing consistency and reliability
- They are less subject to change
- Driver's license numbers are state data attributes
- They are already integrated into SAVE through the recent connection to SSA's Enumeration System

- They avoid creating additional connections to 50+ different state DMV systems, each with varying data standards, security protocols, and technical capabilities
- They reduce privacy risks associated with accessing state-level databases that may contain additional personal information beyond what is needed for verification
- They eliminate concerns about varying state laws regarding driver's license data sharing

The SORN indicates that USCIS has successfully implemented Social Security number verification, including the ability to verify U.S. citizens by birth—a significant expansion of SAVE's capabilities. This achievement suggests that SSNs can effectively serve as the primary federal identifier without necessitating driver's license numbers. AAMVA recommends that DHS prioritize Social Security number verification as the standard federal verification method.

AAMVA appreciates the opportunity to comment on the SAVE program's role in helping federal, state, and local agencies verify eligibility for benefits and other purposes. It is essential that this system operate with maximum transparency, clear operating procedures, and appropriate privacy protections. AAMVA looks forward to continuing the conversation of identity establishment for the purposes of granting federal benefits.

Cian Cashin
AAMVA Vice President, Government Affairs
ccashin@aamva.org