



U. S. ELECTION ASSISTANCE COMMISSION
1335 East West Highway, Suite 4300
Silver Spring, MD 20910

January 17, 2014

Honorable Brian P. Kemp
Secretary of State
214 State Capitol
Atlanta, Georgia 30334

**Re: Docket No. EAC-2013-004: State Requests to Include Additional Proof of
Citizenship Instructions on the National Mail Voter Registration Form**

Dear Secretary Kemp:

I write in reference to your request dated August 1, 2013 for the U.S. Election Assistance Commission ("EAC") to modify the state-specific instructions of the National Mail Voter Registration Form ("Federal Form") to include instructions mandating that, as a precondition to registering to vote in federal elections in Georgia, applicants must provide additional proof of their United States citizenship not otherwise required by the Federal Form.

As you know, the EAC initially deferred consideration of your request pending the reestablishment of a quorum of EAC commissioners, in accordance with the EAC's internal procedures. On December 13, 2013, the EAC was ordered by the United States District Court for the District of Kansas to render final agency action by January 17, 2014 in regard to requests submitted by the states of Arizona and Kansas which are similar to your request. Because the requests are similar, the EAC has determined that it would render a final determination on your request as well. The EAC solicited public comments regarding all three requests, *see* 78 Fed. Reg. 77666 (Dec. 24, 2013), and has reviewed those comments. The agency did not receive any comments from state officials in Georgia.

For the reasons discussed in the attached Memorandum of Decision, the Commission denies your request to modify the Federal Form's state-specific instructions. The attached decision constitutes final agency action with respect to your request, in accordance with 5 U.S.C. § 704.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alice Miller".

Alice Miller
Acting Executive Director &
Chief Operating Officer