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October 20, 2025

Mr. Camden Kelliher
General Counsel
Office of the General Counsel
U.S. Election Assistance Commission
633 3rd Street NW, Suite 200
Washington, DC 20001

Re: Docket No. EAC-2025-0236
Comment on Petition of America First Legal Foundation for Rulemaking Before the
Election Assistance Commission

Dear Mr. Kelliher:

The Republican National Committee (“RNC”) submits this comment in response to the Notice of the Petition of America First Legal Foundation for Rulemaking Before the Election Assistance Commission issued by the U.S. Election Assistance Commission (“EAC”).¹

I. INTRODUCTION

The RNC is the national organization of the Republican Party, as defined by 52 U.S.C. § 30101(14). In this capacity, the RNC routinely engages in a variety of activities to register voters at both the state and local levels. The RNC also identifies likely voters, contacts them to encourage voting, and organizes get-out-the-vote drives to boost voter turnout among eligible voters.

At the same time, the RNC devotes substantial resources to advocating for the implementation of policies and programs designed to increase the efficient and sound administration of elections, including those that are critical to protecting the voting rights of eligible voters and ensuring both the accuracy of election outcomes and public confidence in elections. Accordingly, the RNC has a substantial interest in maximizing electoral participation by eligible U.S. citizens, while eliminating the ability of noncitizens to cast ballots. Illegal votes cast by noncitizens dilute the impact of votes cast by eligible voters and, thus, harm the integrity and legitimacy of U.S. elections.

Federal law clearly establishes that (1) any ballot cast by a noncitizen in a federal election is illegal² and (2) falsely representing oneself as a citizen for the purposes of registering to vote

¹ 90 Fed. Reg. 40703, 40825 (Aug. 21, 2025).

² 18 U.S.C. § 611 (“It shall be unlawful for any alien to vote in any election held solely or in part for the purpose of electing a candidate for the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, Delegate from the District of Columbia, or Resident Commissioner, unless [certain limited exceptions apply].”).



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or voting is illegal.³ But, despite these unequivocal congressional mandates, the current law governing the registration process for federal elections presents a vulnerability that can be easily exploited by noncitizens who desire to vote illegally.

The National Voter Registration Act (“NVRA”), as amended by the Help America Vote Act (“HAVA”) in 2002,⁴ provides for the creation and use of a national federal mail voter registration form (the “Federal Form”) and delegates the duty of developing and revising the Federal Form to the EAC.⁵ The U.S. Supreme Court has been clear that, irrespective of a state’s particular policy interests, each state must “accept and use” the Federal Form for federal elections.⁶ The content of the Federal Form is limited in four important respects. First, the Federal Form “may require *only* such identifying information . . . and other information . . . as is *necessary* to enable the appropriate State election official to assess the eligibility of the applicant and to administer voter registration and other parts of the election process.”⁷ Second, the Federal Form must contain a statement that: (1) “specifies each eligibility requirement (including citizenship)”;⁸ (2) “contains an attestation that the applicant meets each such requirement”; and (3) “requires the signature of the applicant, under penalty of perjury.”⁹ Third, the Federal Form “may not include any requirement for notarization or other formal authentication.”⁹ And fourth, the Federal Form must include a statement informing the registrant that his or her declination to register will remain confidential and a statement that, if an applicant does register to vote, the office at which he or she registers will remain confidential.¹⁰

The Federal Form’s current method of citizenship verification amounts to little more than requiring an applicant to self-attest to the fact of his or her citizenship without *any* additional confirmation.¹¹ This minimal showing plainly presents an avenue by which noncitizens who wish to register for and vote in federal elections may do so. Put another way, the Federal Form, as it currently exists, fails to accomplish the central purpose of the very law that created it: promoting the exercise of the electoral franchise by eligible U.S. citizens while

³ *Id.* § 911 (“Whoever falsely and willfully represents himself to be a citizen of the United States shall be fined under this title or imprisoned not more than three years, or both.”); *id.* § 1015(f) (“Whoever knowingly makes any false statement or claim that he is a citizen of the United States in order to register to vote or to vote in any Federal, State, or local election (including an initiative, recall, or referendum) . . . [s]hall be fined under this title or imprisoned not more than five years, or both.”); 52 U.S.C. § 21144(b) (“Any individual who knowingly commits fraud or knowingly makes a false statement with respect to the naturalization, citizenry, or alien registry of such individual in violation of section 1015 of title 18 shall be fined or imprisoned, or both, in accordance with such section.”).

⁴ See Pub. L. No. 107-252, 116 Stat. 1666 (2002).

⁵ 52 U.S.C. § 20508.

⁶ *Arizona v. Inter Tribal Council of Ariz., Inc.*, 570 U.S. 1, 15–16 (2013) (“*ITCA*”).

⁷ 52 U.S.C. § 20508(b)(1) (emphases added).

⁸ *Id.* § 20508(b)(2).

⁹ *Id.* § 20508(b)(3).

¹⁰ See *id.* § 20508(b)(4).

¹¹ See 11 C.F.R. § 9428.4 (listing the current contents of the Federal Form).



protecting the integrity of the electoral process.¹²

The Petition for Rulemaking (“Petition”) submitted by the America First Legal Foundation (“AFL”) seeks to address this failure. As discussed in greater detail below, the EAC has the authority to revise the Federal Form in a manner consistent with the Petition, and the EAC should exercise its authority to do so. By revising the Federal Form to require applicants to provide (1) a U.S. Passport, (2) a state-issued Real-ID-compliant driver’s license indicating citizenship, (3) an official military identification card indicating citizenship, or (4) a federal or state government-issued photo identification indicating citizenship (or accompanied by other documentation indicating citizenship) (collectively, “DPOC”), the EAC would take an essential step toward protecting elections from illegal registrations and voting by noncitizens. This election integrity measure can be implemented without negatively impacting the ability of U.S. citizens who have—or can readily acquire—DPOC to exercise their fundamental right to vote. Therefore, the RNC urges the EAC to invoke its statutory authority to revise the Federal Form in a manner that best protects the security of federal elections.

II. THE EAC HAS AUTHORITY TO REQUIRE DPOC UNDER THE NVRA

Under current law, the EAC is empowered to modify the Federal Form so that any person registering to vote in federal elections must demonstrate his or her eligibility to vote, which necessarily includes U.S. citizenship. The plain language of the NVRA clearly supports the permissibility of a DPOC requirement, and the U.S. Supreme Court expressly confirmed this understanding in *ITCA*.¹³

The NVRA itself authorizes the EAC to require DPOC when registering to vote by using the Federal Form. As discussed above, an individual’s eligibility to vote in U.S. elections is clearly conditioned, in part, on his or her status as a U.S. citizen.¹⁴ The NVRA provides that the Federal Form may require “identifying information . . . and other information . . . as is necessary to enable the appropriate State election official to assess the eligibility of the applicant.”¹⁵ And the EAC retains “validly conferred discretionary executive authority”¹⁶ to determine what information is or is not “necessary.”¹⁷ To the extent that the EAC believes

¹² 52 U.S.C. §20501(b) (“The purposes of this chapter are—(1) to establish procedures that will increase the number of eligible citizens who register to vote in elections for Federal office; (2) to make it possible for Federal, State, and local governments to implement this chapter in a manner that enhances the participation of eligible citizens as voters in elections for Federal office; (3) to protect the integrity of the electoral process; and (4) to ensure that accurate and current voter registration rolls are maintained.”).

¹³ *ITCA*, 570 U.S. at 20.

¹⁴ *See supra* n.2

¹⁵ 52 U.S.C. § 20508(b)(1).

¹⁶ *ITCA*, 570 U.S. at 18–19.

¹⁷ *See Kobach v. Election Assistance Comm’n*, 772 F.3d 1183, 1196 (10th Cir. 2014); *League of Women Voters of U.S. v. Newby*, 838 F.3d 1, 10 (D.C. Cir. 2016) (“In *ITCA*, the Court made plain that the Commission, not the states, determines necessity.”).



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the term “necessary” is meant to connote “minimum,” courts have rejected the view that “necessary,” when used in the context of a government regulation, means “absolutely required or indispensable.”¹⁸ Rather, “necessary” means “something that is done, regardless of whether it is indispensable, to achieve a particular end.”¹⁹ Therefore, should the EAC determine that DPOC provides state election officials with information that is “necessary” to determine whether an applicant meets the citizenship requirement to register to vote—*i.e.*, should the EAC determine that DPOC is needed to evaluate citizenship reliably—the EAC may act pursuant to its power to require the production of DPOC on the Federal Form.

Moreover, the U.S. Supreme Court has squarely recognized the EAC’s authority to include a DPOC requirement on the Federal Form. In 2004, the State of Arizona passed Proposition 200, codified at Ariz. Rev. Stat. § 16–166(F), which required county recorders to “reject any application for registration that is not accompanied by satisfactory evidence of United States citizenship.”²⁰ The U.S. Supreme Court ultimately determined the federal requirement that Arizona “accept and use” the Federal Form preempted Arizona’s proof-of-citizenship requirement.²¹ But the Court maintained that states could request the EAC include a requirement in the state-specific section that voters produce documentation verifying their status as U.S. citizens when registering.²² While the Court did not expressly reach the issue of whether such a requirement could be made a part of the Federal Form generally, it would make little sense were the EAC permitted to make a DPOC requirement specifically enforceable in certain states but not make a functionally identical requirement enforceable against individuals registering to vote nationwide. One of the purposes of a national registration form is, after all, national uniformity.²³

Federal law permits the EAC to require applicants to produce DPOC when registering to vote through the Federal Form. Thus, should the EAC determine that the Petition’s arguments are well-founded, the EAC has legal authority to undertake the requested change.

III. THE EAC SHOULD REQUIRE DPOC

Because federal law permits the EAC to revise the Federal Form as described in the Petition, the pertinent line of inquiry is whether the EAC should indeed make such changes. For the

¹⁸ See *Cellular Telecomm. & Internet Ass’n v. FCC*, 330 F.3d 502, 509–11 (D.C. Cir. 2003) (citing authority).

¹⁹ *Id.* at 510; accord *NRDC v. Thomas*, 838 F.2d 1224, 1236 (D.C. Cir. 1988) (“Courts have frequently interpreted the word ‘necessary’ to mean less than absolutely essential, and have explicitly found that a measure may be ‘necessary’ even though acceptable alternatives have not been exhausted.” (internal citations omitted)).

²⁰ *ITCA*, 570 U.S. at 6.

²¹ *Id.* at 15.

²² *Id.* at 20 (“Arizona may, however, request anew that the EAC include [a proof-of-citizenship] requirement among the Federal Form’s state-specific instructions, and may seek judicial review of the EAC’s decision under the Administrative Procedure Act.”)

²³ See *id.* at 12 n.4 (“[I]n the dissent’s world, a volunteer in Yuma would have to give every prospective voter not only a Federal Form, but also a separate set of either Arizona- or California-specific instructions detailing the additional information the applicant must submit to the State. In ours, every eligible voter can be assured that if he does what the Federal Form says, he will be registered.”).



following reasons, in addition to those advanced by AFL in its Petition, the RNC submits that revising the Federal Form to require each applicant to produce DPOC is warranted.

A. Current Methods of Citizenship Verification Are Inadequate to Prevent Noncitizens from Registering to Vote.

As discussed above, the self-attestation included on the Federal Form currently provides the exclusive means of verifying that an applicant meets the citizenship eligibility requirement.²⁴ This minimal requirement has, as the AFL demonstrates, led to documented instances of noncitizens successfully registering to vote and actually voting in numbers that could affect the outcome of an election.²⁵

But even if noncitizen registration were not occurring to a significant degree, incidence has little to do with vulnerability. It would not, for instance, be fair to describe a home left open and unoccupied by its owner as “secure” even in the absence of any attempted burglary. And it would be difficult to imagine how the situation could be viewed any differently if all that stood in a would-be thief’s way were a requirement that the thief give his or her assurances of honest intent at the front door. The same logic applies here with equal force. That is why the U.S. Supreme Court has recognized each state’s justification for preemptive actions to prevent voter fraud “without waiting for it to occur and be detected within its own borders.”²⁶ Regardless of whether noncitizens are presently registering to vote in federal elections in significant numbers (evidence indicates this is occurring), the EAC is not obliged to wait for such a reality to manifest across the country before taking action to mitigate the extent of such conduct and its coordinate impact on public confidence and the legitimacy of federal elections.

B. The DPOC Requirement Advocated by the Petition Presents the Most Effective Means of Verifying Citizenship.

The Petition requests that the EAC revise 11 C.F.R. § 9428.4 and the Federal Form to require the submission of DPOC when registering to vote through the Federal Form.²⁷ Each of the forms of identification suggested by the Petition reliably establishes that the holder is a U.S. citizen.²⁸ Thus, if implemented, AFL’s requested action would ensure that *all* individuals who register through the Federal Form are applicants who, at a minimum, meet the citizenship requirement to vote.

²⁴ *Supra* p. 2.

²⁵ Petition at 7–8.

²⁶ *Brnovich v. Democratic Nat’l Comm.*, 594 U.S. 647, 686 (2021).

²⁷ Petition at 11–12.

²⁸ The Petition lists the following documentation as acceptable: (1) a U.S. Passport, (2) a State-issued Real ID-compliant driver’s license indicating that the applicant is a citizen, (3) an official military identification card that indicates the applicant is a citizen of the United States, and (4) a valid Federal or State government-issued photo identification if such identification indicates that the applicant is a United States citizen or if such identification is otherwise accompanied by proof of United States citizenship. *Id.*



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Federal law currently requires each state to collect either an applicant's driver's license or state-issued identification card number or the last four digits of an applicant's Social Security Number ("SSN") when processing the Federal Form.²⁹ But these forms of documentation do not conclusively demonstrate that an applicant is a U.S. citizen. SSNs, for instance, are lawfully issued to numerous categories of noncitizens, including those with work authorizations or other lawful status.³⁰ Similarly, driver's licenses are regularly issued to non-citizens, with over nineteen states and the District of Columbia permitting non-citizens to receive driver's licenses without even demonstrating that they are lawfully present in the United States, let alone U.S. citizens.³¹ These means are, consequently, inadequate to offset the shortcomings of the Federal Form.

Requiring individuals to establish their citizenship eligibility at the point of registration is also more effective at protecting the integrity of elections than the post-election criminal enforcement scheme that is currently in place, which (1) is designed to take corrective action only *after* a noncitizen has already cast his or her vote and (2) is rarely followed to pursue criminal charges against noncitizens.³² In addition, the DPOC requirement advocated for by the Petition would ensure that noncitizens are prevented from registering in the first instance, thereby avoiding the need for post-election judicial remedies, such as identifying and removing ineligible votes—at least on account of non-citizenship—from the vote tally.³³ Therefore, as compared to current methods of enforcement, the DPOC requirement provides a prophylaxis by which the demonstrable issues with post-election enforcement can be avoided.

C. The DPOC Requirement Would Mandate Consistent Enforcement of the Prerequisite of U.S. Citizenship Throughout the Nation.

As discussed above, a central purpose motivating the promulgation of a national registration form is uniformity and simplicity across the country.³⁴ The RNC, as the national committee of one of the two major political parties in the country, has a particularized and pronounced interest in ensuring that all voters across the nation can vote for candidates without the risk that votes cast by noncitizens will dilute their votes. Accordingly, the RNC frequently

²⁹ 52 U.S.C. § 21083(a)(5)(A)(i); see also *National Mail Voter Registration Form* at 3–22 (last visited Oct. 13, 2025), U.S. ELECTION ASSISTANCE COMM'N, available at: https://www.eac.gov/sites/default/files/eac_assets/1/6/Federal_Voter_Registration_ENG.pdf (detailing specific instructions for individuals registering to vote in each state).

³⁰ See 42 U.S.C. § 405(c)(2)(B)(i)(I).

³¹ See *States Offering Driver's Licenses to Immigrants*, NAT'L CONF. STATE LEGIS. (last updated March 13, 2023), <https://www.ncsl.org/immigration/states-offering-drivers-licenses-to-immigrants>.

³² See, e.g., Findings of Fact and Conclusions of Law at 93, *Fish v. Kobach*, No. 2:16-cv-02105-JAR (D. Kansas June 18, 2018) (finding that, despite allegations of 129 instances of noncitizen registration in Kansas, the state had filed "zero criminal complaints against noncitizens for registering to vote"); Petition at 2.

³³ See, e.g., *Griffin v. N. Carolina State Bd. of Elections*, 915 S.E.2d 212, 229 (N.C. Ct. App. 2025) (ordering that certain votes be removed from the final vote count and that others be included only if specific deficiencies are cured within a short time after the decision).

³⁴ *Supra* n.16.



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engages in litigation and political efforts to minimize the prevalence and distorting effects of noncitizen voting by requiring DPOC at the national level and requiring states to uphold their voter list maintenance obligations with respect to unlawful noncitizen registrants.³⁵ Adding a regularly enforced requirement that DPOC be produced at the point of registration for federal elections would obviate the need for similar third-party corrective action in most cases.

Moreover, because the Federal Form does not, in its current iteration, adequately safeguard against noncitizen voting, states have been forced to improvise and, as a result, have developed a patchwork of solutions that often worsen the overall quality of election administration. For example, following the decision in *ITCA* and faced with a significant noncitizen voting problem, Arizona was forced to develop “federal only” registration for applicants who lack sufficient DPOC.³⁶ This has resulted in nearly 50,000 Arizona voters reportedly segregated on the “federal-only” voter roll as of January 2025.³⁷ This approach has resulted in substantial administrative confusion, including in 2024, when state election officials learned that a database error had resulted in nearly 98,000 individuals who failed to provide proof of citizenship being permitted to vote the full Arizona ballot, including state and local elections, for decades.³⁸ Amending the Federal Form to include a DPOC requirement would avoid the need for similar circuitous state-specific methods of verifying citizenship.

D. The DPOC Requirement Would Address Growing Public Concern Regarding the Integrity of Federal Elections

Requiring individuals to prove their citizenship at the point of registration would provide the broader public with the baseline assurance that every individual who votes in an American federal election is, at a minimum, a U.S. citizen. Voter confidence in the integrity of America’s federal elections is at its lowest since at least 2004.³⁹ Two decades ago, roughly 72% percent of Americans reported being very or somewhat confident in the accuracy of the

³⁵ See, e.g., *League of United Latin Am. Citizens v. Trump*, No. 1:25-cv-0946 (CKK) (D.D.C.) (RNC intervention to defend Executive Order 14,248, which would require DPOC when registering to vote in federal elections); *New Hampshire Youth Movement v. Scanlan*, No. 1:24-cv-291 (D.N.H.) (RNC intervention to defend constitutionality of New Hampshire House Bill 1569); *Red Wine & Blue v. LaRose*, No. 1:25-cv-1760 (N.D. Ohio) (same, motion pending; Ohio House Bill 54); *Equality State Policy Ctr. v. Wyoming Sec’y of State*, No. 1:25-cv-00117-SWS (D. Wyo.) (same, dismissed before determination on motion; Wyoming House Bill 156); *Republican Nat’l Comm. v. N. Carolina State Bd. of Elections*, No. 5:24-CV-00547-M (E.D.N.C.) (lawsuit filed by RNC seeking to enforce North Carolina’s list maintenance obligations, including the removal of noncitizens from North Carolina’s voter rolls); *Dagusen v. Aguilar*, No. 24-OC-001531B (Nev. 1st Jud. Dist. Ct.) (same; Nevada).

³⁶ See Ariz. Rev. Stat. § 16-121.01(A).

³⁷ *Federal Only Registrants as of January 2nd, 2025*, ARIZ. SEC’Y OF STATE (Jan. 2025), https://apps.azsos.gov/election/VoterReg/2025/Statistics_for_Federal_Only_Registrants_as_of_January_2nd_2025-web.pdf.

³⁸ See *Richer v. Fontes*, No. CV-24-0221-SA, 2024 WL 4299099, at *2 (Ariz. S. Ct. Sept. 20, 2024).

³⁹ See *Partisan Split on Election Integrity Gets Even Wider*, GALLUP (Sept. 25, 2024), <https://news.gallup.com/poll/651185/partisan-split-election-integrity-gets-even-wider.aspx>.



U.S. presidential election.⁴⁰ As of last year, that number has dwindled to about 57%, with roughly 44% of U.S. adults reporting that they foresaw votes being cast by ineligible voters as a “major problem” across the country.⁴¹ And in 2024, only 34% of American voters were “very confident” that a noncitizen attempting to cast a ballot in the 2024 federal elections would be stopped.⁴² Revising the Federal Form to require all applicants to prove their U.S. citizenship before registering to vote would have downstream effects on the confidence Americans have in their federal elections, as, in virtually every state,⁴³ an individual must register prior to voting and, therefore, would be precluded from casting a ballot if ineligible on the basis of citizenship.⁴⁴

E. Requiring DPOC to Register Is Unlikely to Disenfranchise Eligible Voters

Empirical evidence suggests that a DPOC requirement would pose, at most, a *de minimis* burden on the right of eligible Americans to vote. According to a recent study conducted by the Center for Democracy and Civic Engagement at the University of Maryland, “under 2% of voting-age American citizens . . . currently lack ANY form of DPOC.”⁴⁵ In that study, DPOC was defined to include: (1) a U.S. Birth Certificate, (2) a U.S. Passport/U.S. Passport Card, (3) a U.S. Naturalization Certificate, and (4) a U.S. Certificate of Citizenship.⁴⁶ Notably, that definition excludes a state-issued Real ID-compliant driver’s license indicating citizenship and an official military identification card indicating citizenship—two forms of DPOC included in the Petition.⁴⁷ This number also includes individuals who do not possess

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² See *Confidence in Voting Access and Integrity; Expectations for whether and when the Election Results Will Be Clear*, PEW RSCH. CTR. (Oct. 24, 2024), <https://www.pewresearch.org/politics/2024/10/24/confidence-in-voting-access-and-integrity-expectations-for-whether-and-when-the-election-results-will-be-clear/>.

⁴³ North Dakota is the only state that does not require voter registration. See *Same Day Voter Registration*, NAT’L CONF. STATE LEGIS. (last updated Oct. 25, 2024), <https://www.ncsl.org/elections-and-campaigns/same-day-voter-registration>. But for an individual to vote in North Dakota, he or she must bring a state-issued driver’s license, state-issued identification card, tribal identification card, or long-term care certificate—each of which clearly denotes whether an individual is a U.S. citizen—to the polls on election day, thereby ensuring that North Dakota voters are U.S. citizens. *Forms of Voter ID*, N. DAKOTA SEC’Y OF STATE (last visited Oct. 13, 2025), <https://www.sos.nd.gov/elections/voter/voting-north-dakota/forms-voter-id>.

⁴⁴ Cf. *Crawford v. Marion Cnty. Election Bd.*, 553 U.S. 181, 197 (2008) (“[T]he ‘electoral system cannot inspire public confidence if not safeguards exist to deter or detect fraud or to confirm the identity of voters.’” (citing Building Confidence in U.S. Elections § 2.5 (Sept. 2005) (Carter-Baker Report), available at: https://www.eac.gov/sites/default/files/eac_assets/1/6/Exhibit%20M.PDF).

⁴⁵ Rothschild, et al., *Who Lacks Documentary Proof of Citizenship?* at 4, UNIV. OF MD. CTR. FOR DEM. & CIVIC ENGAGEMENT (Mar. 2025), available at: <https://cdce.umd.edu/sites/cdce.umd.edu/files/Who%20Lacks%20Documentary%20Proof%20of%20Citizenship%20March%202025.pdf>.

⁴⁶ *Id.* at 2.

⁴⁷ Petition at 12.



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DPOC and are ineligible to vote for another reason, such as conviction for a felony.⁴⁸ In other words, more than 98% of voting-age citizens will be able to satisfy this requirement.⁴⁹

The burden on eligible voter is mitigated further by the fact that merely lacking DPOC at the present moment does not, in and of itself, preclude an individual from registering to vote. An individual must both lack DPOC *and* fail to undertake the steps necessary to acquire DPOC before the registration deadline in his or her respective state. Courts have been clear that an individual's fundamental right to vote does not include the right to vote free from all encumbrances or obstacles. Instead, individuals must undertake the "usual burdens of voting," which courts have held include "gathering . . . required documents," travelling to the appropriate government facility, and "posing for a photograph."⁵⁰ If an individual is unwilling to undertake such steps, he or she is not "disenfranchised," as that term is commonly understood; rather, his or her ability to vote is limited by his or her decision alone.⁵¹

Because there is little evidence to suggest that any significant percentage of eligible U.S. voters lack or will be unable to acquire DPOC, revising the Federal Form as requested by the Petition poses no substantial risk of disenfranchising members of the American electorate.

IV. CONCLUSION

Federal law makes clear that voting in federal elections is a fundamental right reserved exclusively for U.S. citizens, and the current self-attestation system does little to vindicate that principle. Requiring proof of citizenship at the point of registration would close an identifiable vulnerability in federal election administration and meaningfully strengthen public confidence in the integrity of U.S. elections, all without imposing significant burdens on eligible voters. The EAC has both the authority and the obligation to ensure that the Federal Form fulfills its core purpose: to facilitate participation by eligible citizens while safeguarding the franchise against dilution. Implementing a DPOC requirement would

⁴⁸ See generally *Restoration of Voting Rights for Felons*, NAT'L CONF. STATE LEGIS. (last updated Aug. 19, 2025), <https://www.ncsl.org/elections-and-campaigns/felon-voting-rights> (discussing the voting rights of felons in each state).

⁴⁹ The study conducted by the University of Maryland also presents the figure that roughly 9% of eligible voters nationwide "do not have, or do not have easy access to, DPOC." Rothschild, *supra* n.36 at 2. This figure, however, is misleading, as the study arbitrarily defines "easy access" as being able to "access the document(s) the next day." The EAC adopting and announcing a clear DPOC requirement now, well in advance of any registration deadlines for federal elections, will eliminate any additional burden faced by eligible voters who cannot access DPOC by "the next day."

⁵⁰ *Crawford*, 553 U.S. at 198.

⁵¹ See *Frank v. Walker*, 768 F.3d 744, 748 (7th Cir. 2014) ("Plaintiffs describe registered voters who lack photo ID as 'disenfranchised.' If the reason they lack photo ID is that the state has made it impossible, or even hard, for them to get photo ID, then 'disfranchised' might be an apt description. But if photo ID is available to people willing to scrounge up a birth certificate and stand in line at the office that issues drivers' licenses, then all we know from the fact that a particular person lacks a photo ID is that he was unwilling to invest the necessary time.").

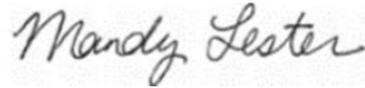


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achieve precisely that, and the RNC urges the Commission to adopt one as requested by the Petition.

Respectfully submitted,



Mandy Lester
Chief Counsel
Republican National Committee

