IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

GEORGIA COALITION FOR THE
PEOPLES’ AGENDA, INC., et al.,

Plaintiffs,

vs.

BRIAN KEMP, in his official capacity
as Secretary of State for the State of
Georgia,

 Defendant.

Civil Action No.: 1:18-cv-04727-ER

DECLARATION OF CHRIS HARVEY

Pursuant to 28 U.S.C. § 1746, I, Chris Harvey, declare as follows:

1. I make this Declaration in support of Secretary Brian Kemp’s response
in opposition to Plaintiff’s emergency motion for a preliminary injunction (the
Motion) in the above-styled matter.

2. I am Elections Director in the Office of the Secretary of State for the
State of Georgia. I have served as the State of Georgia’s Elections Director
since July 2015. From August 2007 to July 2015, I was the Chief Investigator
and Deputy Inspector General for the Secretary of State’s office,

investigating, amongst other things, potential violations of state election law.
For over a decade, I have been involved in Georgia’s election processes at both the state and county level.


4. Pursuant to HAVA, and as related to the issue raised in the Motion, information that is provided on voter registration applications is matched against data in the Georgia Department of Driver Services (DDS) database. Specifically, by Georgia law, for those voter registration applicants who submit a Georgia driver's license number as part of the application, before accepting the application as valid, the county board of registrars is required to verify the authenticity of the Georgia driver's license number. Verification occurs by matching the driver’s license number with the applicant’s record on file with DDS (hereinafter, the “HAVA match process”). See 52 U.S.C. § 21083(a)(5)(B)(i); O.C.G.A. § 21-2-220.1(c). One of the fields that is checked for a match in the HAVA match process is the applicant’s citizenship status. See O.C.G.A. § 21-2-216(g)(7).

5. On February 8, 2017, the Georgia State Conference of the NAACP, Asian Americans Advancing Justice-Atlanta, Inc., and Georgia Coalition for the Peoples’ Agenda, Inc. entered into a Settlement Agreement with Georgia Secretary of State Brian Kemp in NAACP v. Kemp, Civil Action File No. 2:16-cv-2190-WCO, Northern District of Georgia, that sets forth the procedures to be
followed for HAVA mismatches. Attachment A hereto is a true and correct copy of the Settlement Agreement in *NAACP v. Kemp*.

6. Under the Settlement Agreement, the parties agreed that “voter registration applicants whose information fails to match during the HAVA match process will be placed in pending status and permitted to vote upon showing satisfactory identification as described in Exhibit 1.” (Attach. A at p. 2, Subsection B).

7. The Settlement Agreement also required that “[n]otification letters advising voters that their applications are in pending status and that they are eligible to vote upon showing satisfactory identification will be generated by the Georgia Voter Registration System.” (Attach. A at p. 3, Subsection e). “[Secretary Kemp] shall direct, sometime prior to February 28, 2017, that these notification letters be sent to applicants by their respective county registrars.” (Id.).

8. In the event that a mismatch of citizenship status occurs, the Settlement Agreement requires Secretary Kemp to “direct county registrars to mail notification letters in substantively the same form as described below to all voter registration applicants . . . within seven business days of the processing of the application by the county registrar.” (Attach. A at p. 5, Subsection h).
9. The notification is required to be “in the form” attached to the Settlement Agreement as Exhibit 4. (Attach. A at p. 5, Subsection h, Ex. 4).

10. The form notification letter that was attached as Exhibit 4 to the Settlement Agreement is, in substance, the same as the current notification letter, generated by the statewide voter registration system, and sent to voters with a mismatch for citizenship. Attachment D hereto is a copy of the form notification letter that is currently in use.

11. Under HB 268 (which was passed by Georgia’s General Assembly in 2017 and had an effective date of July 1, 2017), once applicants receive the notification letter, they are given, twenty-six months to cure the mismatch by providing proof of their citizenship.

12. The citizenship mismatch can be cured utilizing several additional methods as set forth in Exhibit 5 of the Settlement Agreement. (Attach. A at Ex. 5).

13. As Exhibit 5 states, “applicants who are in pending status due to citizenship verification shall be able to vote a regular ballot if they produce one of the forms of acceptable proof of citizenship to a deputy registrar when they appear to vote at a polling location.” (Attach. A at Ex. 5, p. 3).

14. Deputy registrars are appointed by their county board of registrars and must meet certain qualifications. See Ga. Comp. R. & Regs. r. 183-1-6-.03(2).
15. In some counties, such as Fulton County, a deputy registrar is present at all polling sites.

16. If, however, a deputy registrar is not present at the time the applicant requests a ballot, then “the applicant may present proof of citizenship to the poll manager who shall transmit a copy of the applicant’s proof of citizenship to the county registrar’s office via text message, email or fax.” (Id.). At that time the county registrar will update the applicant’s citizenship status, and the applicant will then be permitted to cast a regular ballot. (Id. at p. 4).

17. If the deputy registrar cannot be reached (or the requisite technology is not available), then “the applicant shall be offered the opportunity to cast a provisional ballot, the provisional ballot should be marked by the poll manager . . . to confirm that the applicant presented one of the forms of acceptable proof of citizenship and ID at the time the ballot was cast, and the provisional ballot shall be counted as a vote without requiring any further action.” (Attach. A, Ex. 5 at p. 4).

18. The procedures described in Paragraphs 13 through 17 applied during the election in November 8, 2016, and apply to all subsequent elections, including the current election.

19. On November 4, 2016, an official memorandum was emailed to all county registrars and county election officials entitled “Processing ‘Pending’
Voters on Election Day.” Attachment B hereto is a true and correct copy of the November 4, 2016 memorandum.

20. The memorandum details the various procedures contained in Exhibit 5 of the Settlement Agreement by which applicants may correct citizenship mismatches and thereby cast a ballot. (Attach. B).

21. Thus, as of November 4, 2016, all county registrars and county election officials in Georgia were aware of the procedures to follow to make sure that applicants with a pending voter registration based on citizenship status may vote.

22. On October 18, 2018, the Election Division Training Coordinator held two statewide trainings and said to the county election officials on slide 5 of a PowerPoint presentation the following. “Also, check to see if a copy of identification or citizenship documentation was included with the application. These documents may help with accurate data entry when the handwriting on the application is not clear. These documents may also be used to overcome verification issues.” (See attachment E hereto).

23. Additionally, on October 23, 2018, I sent another memorandum to county registrars and county election officials that reminded them of how to handle voter registrations in pending verification status during the current election. Attachment C hereto is a true and correct copy of the October 23, 2018 memorandum. The memorandum was sent via Firefly, which is an
online “bulletin board” where county election and registration officials regularly communicate regarding election matters.

24. The October 23, 2018 memorandum is substantially similar to the one I sent on November 4, 2016, except that it includes an additional remedy for applicants who are in pending status due to a citizenship mismatch.

25. In particular, if the applicant is unable to present one of the acceptable forms of proof of citizenship when a ballot is requested, then “the applicant shall be offered the opportunity to cast a provisional ballot.” (Attach. C at p. 3).

26. The applicant must then “present proof of citizenship in person, via fax, email or text to the county registrar before the close of the provisional ballot period on the Friday following the election in order for the provisional ballot to count as a vote.” (Id.).

27. Georgia law provides in O.C.G.A. § 21-2-220.1(c) that verification of citizenship must be made by the county board of registrars. United States citizenship is a requirement of voter eligibility. GA. CONST. art. II, § 1, ¶ 2.

28. Each voting precinct in a county has one polling place. O.C.G.A. § 21-2-2(27).

29. Each polling place has one poll manager, two assistant managers, and a sufficient number of clerks required to conduct the election. O.C.G.A. § 21-2-2(26); § 21-2-90; and § 21-2-91.
30. On Election Day, poll workers are responsible for setting up the polling place, accepting voter certificates, checking each voter’s identification, assisting voters, and closing down procedures at the polling place.

31. On February 19, 2018, Georgia’s voter registration system was modified to place new applications that fail after to verify after February 19, 2018 on a twenty-six month clock.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 24th day of October, 2018.

CHRIS HARVEY
Attachment A
SETTLEMENT AGREEMENT

This SETTLEMENT AGREEMENT ("Settlement") is entered into this 8th day of February 2017, between GEORGIA STATE CONFERENCE OF THE NAACP, ASIAN AMERICANS ADVANCING JUSTICE-ATLANTA, INC., and GEORGIA COALITION FOR THE PEOPLES’ AGENDA, INC. ("Plaintiffs") and BRIAN KEMP, GEORGIA SECRETARY OF STATE ("Defendant").

WHEREAS, the parties hereto are mutually desirous of settling the claims alleged in the lawsuit NAACP et al., v. Kemp, Civil Action File No. 2:16cv219-WCO, United States District Court, Northern District of Georgia, Gainesville Division.

NOW, THEREFORE, in consideration of the foregoing and the covenants, promises, conditions, and agreements set out hereinafter, Plaintiffs and Defendant agree to the following:

Pursuant to the Help America Vote Act (HAVA), 52 U.S.C. § 21083(a)(5), information provided on voter registration applications is matched against data in the Georgia Department of Driver Services (DDS) and Social Security Administration (SSA) databases. This process is hereafter described as the HAVA match.
1. The Parties agree that:

   a. The parties acknowledge that as of the date of this Agreement, the State of Georgia has not yet implemented the documentary proof of citizenship statute (O.C.G.A. Section 21-2-216(g)) that was enacted by the Georgia legislature in 2010. The parties further acknowledge and agree that this Agreement is not intended to limit in any way or waive any of the parties’ rights with respect to the implementation of O.C.G.A. Section 21-2-216(g) in the future, including any rights the Plaintiffs may have to challenge the statute or its implementation under Georgia or federal law.

   b. Unless mandated by a future statutory requirement, voter registration applicants whose information fails to match during the HAVA match process will be placed in pending status and permitted to vote upon showing satisfactory identification as described in Exhibit 1, attached hereto and incorporated herein by reference.

   c. Unless mandated by a future statutory requirement, or as required by implementation of O.C.G.A. § 21-2-216(g), including the thirty day (30) period described therein, applicants in pending status due to the results of the HAVA match will not be under any time limitation to cure the mismatch or otherwise confirm their identity and/or qualifications to register. Nothing herein however, will prevent Defendant from canceling
the voter registration application of an applicant whose mail is returned and thereafter fails to confirm their address through the procedures outlined in 52 U.S.C. § 20507(d), including the statutory waiting period.

d. All voter registration applicants that were cancelled on or after October 1, 2013 due to the results of the HAVA match process and who are currently in cancelled status due to the results of the HAVA match process will be moved from cancelled to pending status by running voters’ registration applications back through the HAVA match process.

e. Notification letters advising voters that their applications are in pending status and that they are eligible to vote upon showing satisfactory identification will be generated by the Georgia Voter Registration System (hereafter, “Enet”). Defendant shall direct county registrars to mail said notification letters in substantively the same form as described herein to those applicants who: 1) were in pending status at the time the former forty (40) day clock for pending status applications was stopped; and 2) have not previously been notified that their application will not be automatically cancelled after forty (40) days. Defendant shall direct, sometime prior to February 28, 2017, that these notification letters be sent to applicants by their respective county registrars.
f. Defendant shall direct county registrars to mail notification letters in substantively the same form as described below to all voter registration applicants whose HAVA match results in some mismatch of information with the DDS database, other than citizenship status, within seven business days of the processing of the application by the county registrar. Said notification letter shall be generated by the Enet system in the form attached hereto as Exhibit 2 and incorporated herein by reference. All parties to this Agreement understand that any future changes to Georgia law may necessitate revisions to the letter so that it conveys accurate information to voter registration applicants. Defendant agrees to notify Plaintiffs, through their counsel, of any legislative change that necessitates revisions to the letter if such legislative change occurs within 2 years of the execution of this agreement.

g. Defendant shall direct county registrars to mail notification letters in substantively the same form as described below to all voter registration applicants whose HAVA match results in some mismatch of information with the SSA database within seven business days of the processing of the application by the county registrar. Said notification letter will be generated by the Enet system and shall be in the form attached hereto as Exhibit 3 and incorporated herein by reference. All parties to this
Agreement understand that any future changes to Georgia law may
necessitate revisions to the letter so that it conveys accurate information
to voter registration applicants. Defendant agrees to notify Plaintiffs,
through their counsel, of any legislative change that necessitates revisions
to the letter if such legislative change occurs within 2 years of the
execution of this agreement.

h. Defendant shall direct county registrars to mail notification letters in
substantively the same form as described below to all voter registration
applicants whose HAVA match results in some mismatch of information
regarding citizenship status within seven business days of the processing
of the application by the county registrar. Said notification letters will be
generated by the Enet system and shall be in the form attached hereto as
Exhibit 4 and incorporated herein by reference. All parties to this
Agreement understand that any future changes to Georgia law, including
any future implementation of O.C.G.A. § 21-2-216(g), may necessitate
future revisions to the letter so that it conveys accurate information to
voter registration applicants. Defendant agrees to notify Plaintiffs,
through their counsel, of any legislative or other change that necessitates
revisions to the letter if such legislative change occurs within 2 years of
the execution of this agreement.
i. All county registrars in the state received a Letter of Instruction in the
form attached hereto as Exhibit 5, and incorporated herein by reference;
this letter of instruction was sent via email bulletin to all county registrars
prior to November 4, 2016.

j. Notice to Voters in the form attached hereto as Exhibit 6, and
incorporated herein by reference, will be published on the Secretary of
State’s website; a link to this Notice will appear on the My Voter Page
website for voters in pending status.

k. Consistent with the training requirements in O.C.G.A. § 21-2-100 and
§ 21-2-101, and absent any legislative changes to the contrary, including
any future implementation of O.C.G.A. § 21-2-216(g), training for local
election officials will be consistent with the instructions attached hereto
as Exhibit 5, and consistent with the practices described in paragraphs
1(b) and 1(c) above. Training for county registrars will further include
instruction that county registrars must notify voter registration applicants
described in paragraphs 1(f) through 1(h) above, with notice of the
mismatch by letter in the same form as set forth in Exhibits 2, 3, and 4
attached hereto.

l. The Defendant will pay the sum of $95,000.00, inclusive of all attorneys’
fees and costs, made payable to Plaintiffs’ counsel, Hughes Hubbard LLP
on behalf of Plaintiffs GEORGIA STATE CONFERENCE OF THE
NAACP, ASIAN AMERICANS ADVANCING JUSTICE-ATLANTA,
INC., GEORGIA COALITION FOR THE PEOPLE'S' AGENDA, INC.
m. Within 15 days after moving the cancelled voters described in paragraph
1(d) above to pending status, Defendant agrees to provide Plaintiffs'
counsel with an excel data file consisting of data for all “affected voters”
in substantially the same format as prior data files labeled “affected
voters” during the pendency of this litigation.

n. Within 15 days after moving the cancelled voters described in paragraph
1(d) above to pending status, Defendant agrees to provide Plaintiffs'
counsel with an excel data file consisting of data for all “cancelled,
pending, rejected voters” in substantially the same format as prior data
files labeled “cancelled, pending, rejected voters” during the pendency of
this litigation. Defendant further agrees to provide an updated
“cancelled, pending, rejected voters” file to Plaintiffs on or about:
August 30, 2017, October 24, 2017, May 7, 2018, October 23, 2018, and
December 31, 2018.

o. Within 15 days after moving the cancelled voters described in paragraph
1(d) above to pending status, Defendant agrees to provide Plaintiffs'
counsel with a data file consisting of data for all “active/inactive voters”
in substantially the same format as prior data files labeled
“active/inactive voters” during the pendency of this litigation. Defendant
further agrees to provide an updated “active/inactive voters” file to
Plaintiffs on or about: August 30, 2017, October 24, 2017, May 7, 2018,
October 23, 2018, and December 31, 2018.

2. The parties specifically authorize and direct their attorneys to execute and file,
pursuant to Federal Rule of Civil Procedure 41, a stipulation of dismissal with
prejudice of the lawsuit NAACP et al., v. Kemp, Civil Action File No.
2:16cv219-WCO, United States District Court, Northern District of Georgia,
Gainesville Division within ten (10) business days following the receipt of the
payment described in paragraph 1(l) above, and completion of the items
identified in paragraphs 1(a) through 1(h) above, with the exception of the two
year period wherein Defendant agrees to notify Plaintiffs of any legislative or
other changes necessitating revisions to the letters attached hereto as Exhibits
2, 3, and 4 and the production of the data by Defendant to Plaintiffs’ counsel
identified in paragraphs 1(m)-(o), above. The Parties understand that
Defendant’s responsibility regarding the notification letters is to have Enet
generate the letters as described and to direct the county registrars to mail the
letters.
3. The parties agree that the U.S. District Court for the Northern District of Georgia is the proper court to address any claim relating to or arising from any breach of this Agreement. The parties agree to give thirty (30) days’ notice to the other party of any alleged breach before bringing any enforcement action.

4. This Agreement sets forth the entire agreement between the parties hereto and fully supersedes any and all prior agreements or understandings between the parties hereto pertaining to the subject matter hereof. Plaintiffs affirm that the only consideration for signing this release is the terms and conditions stated herein. No other promise, agreement or representation of any kind has been made to or with them by any persons or entities to cause them to execute this Agreement.

5. Should any provision of this Agreement be declared or be determined by any court to be illegal or invalid, the validity of the remaining parts, terms or provisions shall not be affected thereby and said illegal or invalid part, term, or provision shall be deemed not to be a part of the Agreement.

6. All agreements and understandings embodied and expressed in the terms of this Agreement are contractual and are not mere recitals, and this Agreement is made and entered into within the State of Georgia and shall in all respects be interpreted, enforced and governed under the laws of the State of Georgia. The language of all parts of this Agreement shall be in all cases construed as a
whole, according to its fair meaning, and not strictly for or against any of the parties.

7. This settlement Agreement is made to terminate further controversy respecting all claims that have been asserted against Defendant in the instant matter of *Ga. NAACP, et al., v. Kemp*, including claims for attorneys’ fees and costs. This is a full and final settlement and is not an admission of liability and shall not be treated as an admission at any time or in any manner whatsoever.

8. Except as specifically set forth herein, each party will bear their own costs and expenses incurred in connection with this dispute and the Litigation.

9. Nothing in this Agreement shall be construed as the State’s waiver of immunities available under state and federal law.

This Settlement Agreement shall become effective following execution.

IN WITNESS THEREOF, the Parties, through their duly authorized attorneys, have hereunto set their hands and seal this \(8\) day of February, 2017.

FOR THE PLAINTIFFS:

[Signature]
Julie Marie Houk  
John Michael Powers  
Ezra David Rosenberg  
Lawyers’ Committee for Civil

FOR DEFENDANT:

[Signature]  
Christopher M. Carr  
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Attorneys for Plaintiffs
The acceptable forms of identification for a voter in pending status due to the HAVA match process are:

(1) A Georgia driver's license (including an expired Georgia driver’s license);

(2) Any valid state or federal government issued photo ID, including:
   a. free Georgia voter identification card issued by your county’s registrars,
   b. Georgia State ID issued by the Georgia Department of Driver Services (DDS)
   c. valid student ID card issued by a Georgia public college, university or technical school
   d. a valid out-of-state driver’s license;
   e. public transit issued photo ID card; and
   f. any other federal or state agency or government issued photo ID card.

(3) A valid United States passport;

(4) A valid employee photo identification card issued by any branch, department, agency, or entity of the United States government, this state, or any county, municipality, board, authority, or other entity of this state;

(5) A valid United States military photo identification card; or,

(6) A valid tribal photo identification card.

**Pending applicants whose registration did not match DDS records for citizenship must also provide one of the following forms of proof of citizenship.**

(1) Birth certificate, issued by a U.S. State (if the person was born in the U.S.), or by the U.S. Department of State (if the person was born overseas and the parents registered the child's birth and U.S. citizenship at birth with the U.S. Embassy or Consulate).

(2) U.S. Passport, issued by the U.S. Department of State.

(3) Certificate of Citizenship, issued to a person born outside the U.S. who was still a U.S. citizen at birth, or to a person who later automatically became a U.S. citizen.

(4) Naturalization Certificate, issued to a person who became a U.S. citizen after birth through the naturalization process.


(6) A Certification of birth issued by the Department of State.

(7) A U.S. Citizen ID card.
(8) An American Indian Card issued by the Department of Homeland Security with the classification code "KIC" (Issued by DHS to identify U.S. citizen members of the Texas Band of Kickapoos living near the U.S./Mexican border).

(9) Final adoption decree showing the child's name and U.S. birthplace.

(10) Evidence of civil service employment by the U.S. government before June 1976.


(12) A Northern Mariana Identification Card (Issued by the INS to a collectively naturalized citizen of the U.S. who was born in the Northern Mariana Islands before November 4, 1986).

(13) Extract of U.S. hospital record of birth established at the time of the person's birth indicating a U.S. place of birth.

(14) Life or health or other insurance record which indicates a U.S. place of birth and which is dated at least 5 years before the initial application date.

(15) Federal or State census record which indicates U.S. citizenship or a U.S. place of birth (Generally for persons born 1900 through 1950).

(16) Institutional admission papers from a nursing home, skilled nursing care facility or other institution which indicates a U.S. place of birth.

(17) Medical (clinical, doctor, or hospital) record which indicates a U.S. place of birth and which is dated at least 5 years before the application date and.

(18) A driver's license or identification card issued by an agency of a U.S. state if that agency indicates on the driver's license or identification card that the applicant has provided satisfactory evidence of United States citizenship to the agency.

(19) Other document that was created at least 5 years before the application. Document must be one of the following and show a U.S. place of birth: Seneca Indian tribal census record; Bureau of Indian Affairs tribal census records of the Navaho Indians; U.S. State Vital Statistics official notification of birth registration; an amended or delayed U.S. public birth record that is amended more than 5 years after the person's birth; or statement signed by the physician or midwife who was in attendance at the time of birth.

(20) If other forms of documentation cannot be obtained, documentation may be provided by a written affidavit, signed under penalty of perjury, from two citizens, one of whom cannot be related to the person in question, who have specific knowledge of event(s) establishing the person in question's citizenship status. The person in question or another knowledgeable individual must also submit an affidavit stating why the documents are not available. Affidavits are only expected to be used in rare circumstances. [If a registrar is not available to review the proof of citizenship document, the applicant must be permitted to vote a provisional ballot and given instructions to provide the information to a registrar at a specific address within 3 days.]
Dear Applicant

The <County Name> County Board of Registrars recently received your voter registration application.

The information you provided on your voter registration application is matched to information with the Department of Driver Services (DDS) and/or with the Social Security Administration (SSA) for verification purposes. This process is required by state and federal law.

Your information did not match the records at DDS. Your application therefore remains in pending status. While in pending status, you are still able to vote by showing proper identification at your polling place, but you should immediately take the below steps to resolve this issue in order to improve your voting experience. Following is the information you provided that did not exactly match records at DDS:

LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER: <INFORMATION FROM SVRS>
FIRST NAME: <INFORMATION FROM SVRS>
LAST NAME: <INFORMATION FROM SVRS>
DATE OF BIRTH: <INFORMATION FROM SVRS>
GEORGIA DRIVER’S LICENSE OR IDENTIFICATION CARD NUMBER: <INFORMATION FROM SVRS>

You can finalize your application now by clearly printing the requested information below directly on this letter, signing this letter, and returning it to this office. We recommend that you also provide a copy (or image file, if you email it) of ANY one (1) of the six (6) forms of photo identification (ID) described on the second page in order to more quickly process your application. We will then try to match the new information you provide with the DDS and/or SSA databases to resolve your application.

Please note that when providing the information below, it is important that you provide your full first name (i.e., Thomas rather than Tom) and full last name(s), including hyphenated or multiple last names. If your name contains a hyphen or other punctuation, please be sure to include that punctuation in the spaces below.

PLEASE FILL IN BELOW:

LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER: ____________________________
FULL FIRST NAME: ____________________________
FULL LAST NAME: ____________________________
DATE OF BIRTH: ____________________________
GEORGIA DRIVER’S LICENSE OR GEORGIA IDENTIFICATION CARD NUMBER: ____________________________

Date ____________________________
Signature of Applicant

Signature of Person Assisting Illiterate or Disabled Applicant (if applicable)

You may return the required information by personal delivery, mail, email as an attachment, or facsimile to the following address, fax or email addresses:
<County Name> County Voter Registration
<County Address>
<County Phone Number>
Personal information such as the month and day of your date of birth, driver's license number, and Social Security number is kept confidential and protected under state law. By providing correct information, you may avoid the possibility of a mismatch with other voter information within the statewide voter registration system. Your cooperation assures the accuracy of the registration process for all voters in Georgia.

While your application is in pending status, you are still able to vote by absentee ballot, during early voting or on Election Day if you show a form of ID listed below when you go to vote or when you request an absentee ballot:

(1) A Georgia driver's license (including an expired Georgia driver’s license);

(2) Any valid state or federal government issued photo ID, including:
   a. free Georgia voter identification card issued by your county’s registrars,
   b. Georgia State ID issued by the Georgia Department of Driver Services (DDS)
   c. valid student ID card issued by a Georgia public college, university or technical school
   d. a valid out-of-state driver’s license;
   e. public transit issued photo ID card; and
   f. any other federal or state agency or government issued photo ID card.

(3) A valid United States passport;

(4) A valid employee photo identification card issued by any branch, department, agency, or entity of the United States government, this state, or any county, municipality, board, authority, or other entity of this state;

(5) A valid United States military photo identification card; or,

(6) A valid tribal photo identification card.

Once you show any one (1) of the six (6) IDs listed above at your polling place or early voting site, cast a ballot and receive credit for voting, your application will be changed from pending to active status.

Your Polling Place is:

PRECINCT NAME:
POLLING PLACE:

Thank you for your interest in voting and elections in Georgia.

Sincerely,
Dear Applicant

The <County Name> County Board of Registrars recently received your voter registration application.

The information you provided on your voter registration application is matched to information with the Department of Driver Services (DDS) and/or with the Social Security Administration (SSA) for verification purposes. This process is required by state and federal law.

Your information did not exactly match the records at SSA. Your application therefore remains in pending status. While in pending status, you are still able to vote by showing proper identification (ID) at your polling place, but you should immediately take the below steps to resolve this issue in order to improve your voting experience.

You can finalize your application now by clearly printing the requested information below directly on this letter, signing this letter, and returning it to this office. We recommend that you also provide a copy (or image file, if you email it) of ANY one (1) of the six (6) forms of ID described on the second page in order to more quickly process your application. We will then try to match the new information you provide with the DDS and/or SSA databases to resolve your application.

NOTE: You must supply a Georgia driver’s license number or an identification card number issued by the Georgia Department of Driver Services, if you have one. If you do not have a Georgia driver’s license or identification card, you must supply the last four digits of your Social Security number. If you do not have a Social Security number, please write “None” in the boxes.

Please note that when providing the information below, it is important that you provide your full first name (i.e., Thomas rather than Tom) and full last name(s), including hyphenated or multiple last names. If your name contains a hyphen or other punctuation, please be sure to include that punctuation in the spaces below.

PLEASE FILL IN BELOW:

LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER: ____________________________
FULL FIRST NAME: ____________________________
FULL LAST NAME: ____________________________
DATE OF BIRTH: ____________________________
GEORGIA DRIVER’S LICENSE OR GEORGIA IDENTIFICATION CARD NUMBER:

Date __________________ Signature of Applicant

Signature of Person Assisting Illiterate or Disabled Applicant (if applicable)

You may return the required information by personal delivery, mail, email as an attachment, or facsimile to the following address, fax or email addresses:

<COUNTY NAME> County Voter Registration
<COUNTY ADDRESS>
<COUNTY PHONE NUMBER>
<FACSIMILE NUMBER>
<EMAIL ADDRESS>

Personal information such as the month and day of your date of birth, driver’s license number, and Social Security number is kept confidential and protected under state law. By providing correct information, you may avoid the possibility of a mismatch with other voter information within the statewide voter registration system. Your cooperation assures the accuracy of the registration process for all voters in Georgia.

While your application is in pending status, you are still able to vote by absentee ballot, during early voting or on Election Day if you show a form of ID listed below when you go to vote or when you request an absentee ballot:

(1) A Georgia driver's license (including an expired Georgia driver's license);

(2) Any valid state or federal government issued photo ID, including:
   a. free Georgia voter identification card issued by your county’s registrars,
   b. Georgia State ID issued by the Georgia Department of Driver Services (DDS)
   c. valid student ID card issued by a Georgia public college, university or technical school
   d. a valid out-of-state driver’s license;
   e. public transit issued photo ID card; and
   f. any other federal or state agency or government issued photo ID card.

(3) A valid United States passport;

(4) A valid employee photo identification card issued by any branch, department, agency, or entity of the United States government, this state, or any county, municipality, board, authority, or other entity of this state;

(5) A valid United States military photo identification card; or,

(6) A valid tribal photo identification card.

Once you show ANY one (1) of the six (6) IDs listed above at your polling place or early voting site, cast a ballot and receive credit for voting, your application will be changed from pending to active status.

Your Polling Place is:

PRECINCT NAME:
POLLING PLACE:

Thank you for your interest in voting and elections in Georgia.

Sincerely,
Dear Applicant

The <County Name> County Board of Registrars recently received your voter registration application.

The information you provided on your voter registration application is matched to information with the Department of Driver Services (DDS) and/or with the Social Security Administration (SSA) for verification purposes. This process is required by state and federal law.

One of the pieces of information that did not match up was whether you are a United Stated Citizen. When you registered to vote, you said that you were a citizen, but the Department of Driver Services record does not match that information. Under state and federal law, you must be a U.S. citizen in order to register to vote. Your application therefore remains in pending status. While in pending status, you are still able to vote by showing proper identification and proof of citizenship at your polling place, but you should immediately take the below steps to resolve this issue in order to improve your voting experience.

You can finalize your application now by providing our office with a document that shows you are a United States citizen. A list of the types of documents that you could use to show citizenship is included with this letter.

You may return a copy of documentary proof of citizenship by personal delivery, mail, email as an attachment, or facsimile to the following address, fax or email addresses:

<COUNTY NAME> County Voter Registration
<COUNTY ADDRESS>
<COUNTY PHONE NUMBER>
<FACSIMILE NUMBER>
<EMAIL ADDRESS>

Personal information such as the month and day of your date of birth, driver’s license number, and Social Security number is kept confidential and protected under state law. By providing correct information, you may avoid the possibility of a mismatch with other voter information within the statewide voter registration system. Your cooperation assures the accuracy of the registration process for all voters in Georgia.

While your application is in pending status, you are still able to vote by absentee ballot, during early voting or on Election Day if you show 1) one of the acceptable forms of identification described below, and 2) one of the forms of proof of citizenship described in the enclosed list when you go to vote or when you request an absentee ballot. The acceptable forms of photo ID are:

(1) A Georgia driver’s license (including an expired Georgia driver’s license);

(2) Any valid state or federal government issued photo ID, including:

   a. free Georgia voter identification card issued by your county’s registrars,
   b. Georgia State ID issued by the Georgia Department of Driver Services (DDS)
   c. valid student ID card issued by a Georgia public college, university or technical school
d. a valid out-of-state driver’s license; 

e. public transit issued photo ID card; and 

f. any other federal or state agency or government issued photo ID card.

(3) A valid United States passport; 

(4) A valid employee photo identification card issued by any branch, department, agency, or entity of the United States government, this state, or any county, municipality, board, authority, or other entity of this state; 

(5) A valid United States military photo identification card; or, 

(6) A valid tribal photo identification card.

Once you show an acceptable form of photo identification and proof of citizenship at your polling place or early voting site, cast a ballot and receive credit for voting, your application will be changed from pending to active status.

Your Polling Place is: 

PRECINCT NAME: 
POLLING PLACE: 

Thank you for your interest in voting and elections in Georgia.

Sincerely,
List of acceptable documents to prove citizenship:

- Birth certificate, issued by a U.S. State (if the person was born in the U.S.), or by the U.S. Department of State (if the person was born overseas and the parents registered the child's birth and U.S. citizenship at birth with the U.S. Embassy or Consulate).
- U.S. Passport, issued by the U.S. Department of State.
- Certificate of Citizenship, issued to a person born outside the U.S. who was still a U.S. citizen at birth, or to a person who later automatically became a U.S. citizen.
- Naturalization Certificate, issued to a person who became a U.S. citizen after birth through the naturalization process.
- A Certification of birth issued by the Department of State.
- A U.S. Citizen ID card.
- An American Indian Card issued by the Department of Homeland Security with the classification code "KIC" (Issued by DHS to identify U.S. citizen members of the Texas Band of Kickapoo living near the U.S./Mexican border).
- Final adoption decree showing the child's name and U.S. birthplace.
- Evidence of civil service employment by the U.S. government before June 1976.
- An official U.S. military record of service showing a U.S. place of birth.
- A Northern Mariana Identification Card (Issued by the INS to a collectively naturalized citizen of the U.S. who was born in the Northern Mariana Islands before November 4, 1986).
- Extract of U.S. hospital record of birth established at the time of the person's birth indicating a U.S. place of birth.
- Life or health or other insurance record showing a U.S. place of birth and was created at least 5 years before the initial application date.
- Federal or State census record showing U.S. citizenship or a U.S. place of birth (Generally for persons born 1900 through 1950).
- Institutional admission papers from a nursing home, skilled nursing care facility or other institution which indicates a U.S. place of birth.
- Medical (clinical, doctor, or hospital) record and was created at least 5 years before the application date and indicates a U.S. place of birth.
- A driver's license or identification card issued by an agency of a U.S. state if that agency indicates on the driver's license or identification card that the applicant has provided satisfactory evidence of United States citizenship to the agency.
- Other document that was created at least 5 years before the application. Document must be one of the following and show a U.S. place of birth: Seneca Indian tribal census record; Bureau of Indian Affairs tribal census records of the Navaho Indians; U.S. State Vital Statistics official notification of birth registration; an amended or delayed U.S. public birth record that is amended more than 5 years after the person's birth; or statement signed by the physician or midwife who was in attendance at the time of birth.
- If other forms of documentation cannot be obtained, documentation may be provided by a written affidavit, signed under penalty of perjury, from two citizens, one of whom cannot be related to the person in question, who have specific knowledge of event(s) establishing the person in question's citizenship status. The person in question or another knowledgeable individual must also submit an affidavit stating why the documents are not available. Affidavits are only expected to be used in rare circumstances.
Secretory of State Instructions to County Boards of Registrars

As you know, all voter registration applications are checked against the information on file with the Georgia Department of Driver Services ("DDS") or the Social Security Administration ("SSA").

Any voter whose registration is facially complete but does not exactly match the information on file with the Georgia DDS or the SSA will remain in pending status and will not be cancelled before the November 8, 2016 general election.

Pending applicants whose information (other than citizenship status) did not match are eligible to vote during early voting or on Election Day and must be allowed to vote a regular ballot if they show one of the following forms of identification and there are no other issues that would require the voter to vote a provisional ballot (i.e. wrong county, wrong precinct, already voted, etc.):

1. A Georgia driver’s license (including an expired Georgia driver’s license);
2. A valid Georgia voter identification card or other valid photo identification card issued by a branch, department, agency, or entity of the State of Georgia, any other state, or the United States which is authorized by law to issue personal identification. This includes a valid student photo ID card issued by a Georgia public college, university, or technical school; a valid out-of-state driver’s license; public transit issued photo ID card; and any other federal or state agency or government issued photo ID card;
3. A valid United States passport;
4. A valid employee photo identification card issued by any branch, department, agency, or entity of the United States government, this state, or any county, municipality, board, authority, or other entity of this state;
5. A valid United States military photo identification card; or
6. A valid tribal photo identification card.

After the applicant shows an acceptable form of identification at the polling place or early voting site and casts a ballot, that elector should be given credit for voting and their eNet status should be updated from “pending” to “active.” The identification shown is not required to exactly match the information in ExpressPoll. Instead, you must simply confirm that the voter is the same person as the applicant.

Pending applicants whose registration did not match DDS records for citizenship status are eligible to vote a regular ballot during early voting or on Election Day for the November 8, 2016 general election if they provide one of the forms of identification above and one of the following forms of proof of citizenship and a deputy registrar is available to review the proof of citizenship:
(1) Birth certificate, issued by a U.S. State (if the person was born in the U.S.), or by the U.S. Department of State (if the person was born overseas and the parents registered the child's birth and U.S. citizenship at birth with the U.S. Embassy or Consulate).

(2) U.S. Passport, issued by the U.S. Department of State.

(3) Certificate of Citizenship, issued to a person born outside the U.S. who was still a U.S. citizen at birth, or to a person who later automatically became a U.S. citizen.

(4) Naturalization Certificate, issued to a person who became a U.S. citizen after birth through the naturalization process.


(6) A Certification of birth issued by the Department of State.

(7) A U.S. Citizen ID card.

(8) An American Indian Card issued by the Department of Homeland Security with the classification code "KIC" (Issued by DHS to identify U.S. citizen members of the Texas Band of Kickapoos living near the U.S./Mexican border).

(9) Final adoption decree showing the child's name and U.S. birthplace.

(10) Evidence of civil service employment by the U.S. government before June 1976.


(12) A Northern Mariana Identification Card (Issued by the INS to a collectively naturalized citizen of the U.S. who was born in the Northern Mariana Islands before November 4, 1986).

(13) Extract of U.S. hospital record of birth established at the time of the person's birth indicating a U.S. place of birth.

(14) Life or health or other insurance record which indicates a U.S. place of birth and which is dated at least 5 years before the initial application date.

(15) Federal or State census record which indicates U.S. citizenship or a U.S. place of birth (Generally for persons born 1900 through 1950).

(16) Institutional admission papers from a nursing home, skilled nursing care facility or other institution which indicates a U.S. place of birth.

(17) Medical (clinical, doctor, or hospital) record which indicates a U.S. place of birth and which is dated at least 5 years before the application date and.
(18) A driver's license or identification card issued by an agency of a U.S. state if that agency indicates on the driver's license or identification card that the applicant has provided satisfactory evidence of United States citizenship to the agency.

(19) Other document that was created at least 5 years before the application. Document must be one of the following and show a U.S. place of birth: Seneca Indian tribal census record; Bureau of Indian Affairs tribal census records of the Navajo Indians; U.S. State Vital Statistics official notification of birth registration; an amended or delayed U.S. public birth record that is amended more than 5 years after the person's birth; or statement signed by the physician or midwife who was in attendance at the time of birth.

(20) If other forms of documentation cannot be obtained, documentation may be provided by a written affidavit, signed under penalty of perjury, from two citizens, one of whom cannot be related to the person in question, who have specific knowledge of event(s) establishing the person in question's citizenship status. The person in question or another knowledgeable individual must also submit an affidavit stating why the documents are not available. Affidavits are only expected to be used in rare circumstances. [If a registrar is not available to review the proof of citizenship document, the applicant must be permitted to vote a provisional ballot and given instructions to provide the information to a registrar at a specific address within 3 days.]

If an applicant who is pending status due to citizenship verification does not present one of the acceptable forms of proof of citizenship when a ballot is requested during early voting or on Election Day or a deputy registrar is not present at the polling location when the applicant requests a ballot to review applicant's proof of citizenship, the applicant shall be offered the opportunity to cast a provisional ballot. The applicant shall be instructed that he or she will be required to present proof of citizenship in person, via fax, email or text to the county registrar before the close of the absentee ballot canvassing period on the Friday following the election in order for the provisional ballot to count as a vote.

Pending applicants may also present the various forms of ID (pending due to DDS or SSA verification) or proof of citizenship (pending due to citizenship verification) at County registrar offices before, on or after November 8, 2016. If a pending applicant produces the necessary ID or proof of citizenship and there are no other issues, their registration status must be updated in eNet to "active" status. If a pending applicant produces this information after the publication of the ExpressPoll for an election, that voter shall be included in any supplemental lists provided to polling locations.

For elections occurring after November 8, 2016, applicants who are in pending status due to citizenship verification shall be able to vote a regular ballot if they produce one of the forms of acceptable proof of citizenship to a deputy registrar when they appear to vote at a polling location during early voting or on Election Day. If a deputy registrar is not present at the time the applicant requests a ballot, the applicant may present the proof of citizenship to the poll manager who shall transmit a copy of the applicant's proof of citizenship to the county registrar's office via text message, email or fax, if said technology is available to the poll manager at the polling location. The county registrar shall immediately update the applicant's citizenship status so that
the applicant shall be permitted to cast a regular ballot and convey that information to the poll manager at the polling location. If that technology is not available to the poll manager, the applicant shall be offered the opportunity to cast a provisional ballot, the provisional ballot envelope shall be marked by the poll manager with [specifics of mark to be determined] to confirm that the applicant presented one of the forms of acceptable proof of citizenship and ID at the time the ballot was cast, and the provisional ballot shall be counted as a vote without requiring any further action on the part of the voter.
INFORMATION FOR VOTER REGISTRATION APPLICANTS WHO RECEIVE NOTICES THAT THEIR APPLICATION IS IN PENDING STATUS BECAUSE THE INFORMATION ON THEIR VOTER REGISTRATION FORM DID NOT MATCH INFORMATION ON FILE WITH THE GEORGIA DEPARTMENT OF DRIVERS SERVICES, SOCIAL SECURITY ADMINISTRATION OR DRIVERS SERVICES’ CITIZENSHIP STATUS RECORDS

If you applied to register to vote in Georgia and received a letter from your county board of registrars stating that your application is in pending status because the information on your application failed to match your information on file with the Georgia Department of Drivers Services or Social Security Administration, you will be able to vote by absentee ballot, during early voting or on Election Day if you show an acceptable form of identification when you go to vote or when you request an absentee ballot. The acceptable forms of identification for this purpose are:

(1) A Georgia driver's license (including an expired Georgia driver’s license);

(2) Any valid state or federal government issued photo ID, including:
   
   a. free Georgia voter identification card issued by your county’s registrars,
   b. Georgia State ID issued by the Georgia Department of Driver Services (DDS)
   c. valid student ID card issued by a Georgia public college, university or technical school
   d. a valid out-of-state driver’s license;
   e. public transit issued photo ID card; and
   f. any other federal or state agency or government issued photo ID card.

(3) A valid United States passport;

(4) A valid employee photo identification card issued by any branch, department, agency, or entity of the United States government, this state, or any county, municipality, board, authority, or other entity of this state;

(5) A valid United States military photo identification card; or,

(6) A valid tribal photo identification card.

Once you show an acceptable form of photo identification at your polling place or early voting site, cast a ballot and receive credit for voting, your application will be changed from pending to active status.

If you are a U.S. citizen who applied to register to vote in Georgia and received a letter from your county board of registrars stating that your application is in pending status because the Drivers Services’ Citizenship Status Records reflected that you are not a citizen, you will be able to vote by absentee ballot, during early voting or on Election Day if you show acceptable proof of citizenship when you go to vote or when you request an absentee ballot. This could include a U.S. birth certificate, passport, or naturalization papers, but there are other acceptable documents you can show as proof of your citizenship. Click here [link to the same complete list of documents as provided in guidance to county registrars] for a list of acceptable proof of citizenship you can show. For the November 8, 2016 election, you will need to show the proof of citizenship to a deputy registrar.
If you are in pending status, you can also choose to finalize your application now by providing the information requested in the letter you got from the registrar to your county board of registrars before you go to your polling location to vote. To confirm your current registration status, see your polling location, and get contact information for your county board of registrars, log in to the Georgia My Voter Page at www.mvp.sos.ga.gov.

If you have any questions, please contact your county board of registrars for assistance.
Attachment B
OFFICIAL ELECTION INFORMATION
November 4, 2016

TO: County Registrars and County Election Officials

FROM: Chris Harvey, Elections Director

RE: Processing “Pending” Voters on Election Day

Instructions for Processing Pending Voters on the ExpressPoll Units.
As the result of pending litigation, there will be an increased number of voters in Pending status on the voter rolls. Below you will find instructions on how a Poll Worker would process voters in Pending status in the ExpressPoll unit. This does not represent a change in the way that eNet or the ExpressPolls operate. The only difference is the potential number of cases.
There are two different indicators for voters in Pending status in ExpressPoll: V and X.

Pending Voters in V Status
- If a Poll Worker pulls up a voter and sees that the voter is in V status, it means that they failed verification with the Department of Driver Services or the Social Security Administration. When the Poll Worker selects the voter, they will be prompted with the following message:
  - “Voter is a first time registrant whose application has not been fully verified. Voter must show an acceptable form of ID before voting. If no acceptable ID is provided, send the voter to the provisional station.”
- If the voter is able to provide the proper identification outline in 21-2-417, the Poll Worker will selection the button marked “ID Provided Issue Voter Card” and create a voter access card.
- If the voter is unable to provide the required identification, they should be sent to the provisional ballot station.

Pending Voters in X Status
- If a Poll Worker pulls up a voter that is in X status, they will notice the record is highlighted in purple. When they select the voter they will see the following message, which will also be highlighted in purple:
  - “Voter has been flagged in the Voter Registration System as a possible Noncitizen. Issue the Voter a Challenged Ballot. Contact the County Registrar for individual’s current status.”
- At this point, the Poll Worker does not have the option to create a voter access card for this voter.
  - If the voter has proof of citizenship with them and there is a deputy registrar at the polling location that can verify the documents, the Poll Manager can override the X status for the voter using their supervisor password. They would change the voter status to A and then the Poll Worker could then issue that voter a voter access card.
  - If there is not a deputy registrar at the polling place, the voter can choose to go to the registrar’s office to present their citizenship document to a registrar. The registrar could then instruct the Poll Manager to override the X status and change the voter to A status in ExpressPoll. When the voter returns to the polling location, they could be granted a voter access card.
If the above two situations are not applicable, the voter should be directed to the provisional ballot station to cast a provisional ballot. The voter will need to present citizenship documentation in person, via fax, email, or text to the county registrar's office before Monday, 11/14/16 to resolve their provisional status.
Attachment C
OFFICIAL ELECTION BULLETIN
November 4, 2016

TO: County Election Officials and County Registrars
FROM: Chris Harvey, Elections Division Director
RE: More Details on Pending Voter Registration Processing

Secretary of State Instructions to County Boards of Registrars

As you know, all voter registration applications are checked against the information on file with the Georgia Department of Driver Services ("DDS") or the Social Security Administration ("SSA").

Any voter whose registration is facially complete but does not exactly match the information on file with the Georgia DDS or the SSA will remain in pending status and will not be cancelled before the November 8, 2016 general election.

Pending applicants whose information (other than citizenship status) did not match are eligible to vote during early voting or on Election Day and must be allowed to vote a regular ballot if they show one of the following forms of identification and there are no other issues that would require the voter to vote a provisional ballot (i.e. wrong county, wrong precinct, already voted, etc.):

(1) A Georgia driver’s license (including an expired Georgia driver’s license);

(2) A valid Georgia voter identification card or other valid photo identification card issued by a branch, department, agency, or entity of the State of Georgia, any other state, or the United States which is authorized by law to issue personal identification. This includes a valid student photo ID card issued by a Georgia public college, university, or technical school; a valid out-of-state driver’s license; public transit issued photo ID card; and any other federal or state agency or government issued photo ID card;

(3) A valid United States passport;

(4) A valid employee photo identification card issued by any branch, department, agency, or entity of the United States government, this state, or any county, municipality, board, authority, or other entity of this state;
(5) A valid United States military photo identification card; or

(6) A valid tribal photo identification card.

After the applicant shows an acceptable form of identification at the polling place or early voting site and casts a ballot, that elector should be given credit for voting and their eNet status should be updated from "pending" to "active." The identification shown is not required to exactly match the information in ExpressPoll. Instead, you must simply confirm that the voter is the same person as the applicant.

Pending applicants whose registration did not match DDS records for citizenship status are eligible to vote a regular ballot during early voting or on Election Day for the November 8, 2016 general election if they provide one of the forms of identification above and one of the following forms of proof of citizenship and a deputy registrar is available to review the proof of citizenship:

(1) Birth certificate, issued by a U.S. State (if the person was born in the U.S.), or by the U.S. Department of State (if the person was born overseas and the parents registered the child's birth and U.S. citizenship at birth with the U.S. Embassy or Consulate).

(2) U.S. Passport, issued by the U.S. Department of State.

(3) Certificate of Citizenship, issued to a person born outside the U.S. who was still a U.S. citizen at birth, or to a person who later automatically became a U.S. citizen.

(4) Naturalization Certificate, issued to a person who became a U.S. citizen after birth through the naturalization process.


(6) A Certification of birth issued by the Department of State.

(7) A U.S. Citizen ID card.

(8) An American Indian Card issued by the Department of Homeland Security with the classification code "KIC" (Issued by DHS to identify U.S. citizen members of the Texas Band of Kickapoos living near the U.S./Mexican border).

(9) Final adoption decree showing the child's name and U.S. birthplace.

(10) Evidence of civil service employment by the U.S. government before June 1976.


(12) A Northern Mariana Identification Card (Issued by the INS to a collectively naturalized citizen of the U.S. who was born in the Northern Mariana Islands before November 4, 1986).

(13) Extract of U.S. hospital record of birth established at the time of the person's birth indicating a U.S. place of birth.
(14) Life or health or other insurance record which indicates a U.S. place of birth and which is dated at least 5 years before the initial application date.

(15) Federal or State census record which indicates U.S. citizenship or a U.S. place of birth (Generally for persons born 1900 through 1950).

(16) Institutional admission papers from a nursing home, skilled nursing care facility or other institution which indicates a U.S. place of birth.

(17) Medical (clinical, doctor, or hospital) record which indicates a U.S. place of birth and which is dated at least 5 years before the application date.

(18) A driver’s license or identification card issued by an agency of a U.S. state if that agency indicates on the driver’s license or identification card that the applicant has provided satisfactory evidence of United States citizenship to the agency.

(19) Other document that was created at least 5 years before the application. Document must be one of the following and show a U.S. place of birth: Seneca Indian tribal census record; Bureau of Indian Affairs tribal census records of the Navajo Indians; U.S. State Vital Statistics official notification of birth registration; an amended or delayed U.S. public birth record that is amended more than 5 years after the person's birth; or statement signed by the physician or midwife who was in attendance at the time of birth.

(20) If other forms of documentation cannot be obtained, documentation may be provided by a written affidavit, signed under penalty of perjury, from two citizens, one of whom cannot be related to the person in question, who have specific knowledge of event(s) establishing the person in question’s citizenship status. The person in question or another knowledgeable individual must also submit an affidavit stating why the documents are not available. Affidavits are only expected to be used in rare circumstances. [If a registrar is not available to review the proof of citizenship document, the applicant must be permitted to vote a provisional ballot and given instructions to provide the information to a registrar at a specific address within 3 days.]

If an applicant who is pending status due to citizenship verification does not present one of the acceptable forms of proof of citizenship when a ballot is requested during early voting or on Election Day or a deputy registrar is not present at the polling location when the applicant requests a ballot to review applicant’s proof of citizenship, the applicant shall be offered the opportunity to cast a provisional ballot. The applicant shall be instructed that he or she will be required to present proof of citizenship in person, via fax, email or text to the county registrar before the close of the absentee ballot canvassing period on the Monday following the election (due to Friday being a holiday) in order for the provisional ballot to count as a vote.

Pending applicants may also present the various forms of ID (pending due to DDS or SSA verification) or proof of citizenship (pending due to citizenship verification) at County registrar.
offices before, on or after November 8, 2016. If a pending applicant produces the necessary ID or proof of citizenship and there are no other issues, their registration status must be updated in eNet to “active” status. If a pending applicant produces this information after the publication of the ExpressPoll for an election, that voter shall be included in any supplemental lists provided to polling locations.

For elections occurring after November 8, 2016, applicants who are in pending status due to citizenship verification shall be able to vote a regular ballot if they produce one of the forms of acceptable proof of citizenship to a deputy registrar when they appear to vote at a polling location during early voting or on Election Day. If a deputy registrar is not present at the time the applicant requests a ballot, the applicant may present the proof of citizenship to the poll manager who shall transmit a copy of the applicant’s proof of citizenship to the county registrar’s office via text message, email or fax, if said technology is available to the poll manager at the polling location. The county registrar shall immediately update the applicant’s citizenship status so that the applicant shall be permitted to cast a regular ballot and convey that information to the poll manager at the polling location. If that technology is not available to the poll manager, the applicant shall be offered the opportunity to cast a provisional ballot, the provisional ballot envelope shall be marked by the poll manager with [specifics of mark to be determined] to confirm that the applicant presented one of the forms of acceptable proof of citizenship and ID at the time the ballot was cast, and the provisional ballot shall be counted as a vote without requiring any further action on the part of the voter.
Attachment D
IMPORTANT VOTER REGISTRATION INFORMATION
FROM CLARKE COUNTY

April 27, 2018

REGISTRATION #: 11708491

Dear Applicant:

The CLARKE COUNTY BOARD OF REGISTRARS recently received your voter registration application.

The information you provided on your voter registration application is matched to information with the Department of Driver Services (DDS) for verification purposes. This process is required by state and federal law.

One of the pieces of information that did not match up was whether you are a U.S. citizen. When you registered to vote, you said that you were a citizen, but the Department of Driver Services record does not match that information. Under state and federal law, you must be a U.S. citizen in order to register to vote. Your application therefore remains in pending status. While in pending status, you are still able to vote by showing proper identification and proof of citizenship at your polling place, but you should immediately take the below steps to resolve this issue in order to improve your voting experience.

IF YOU DO NOT FINALIZE YOUR APPLICATION AS DESCRIBED IN THIS LETTER WITHIN 26 MONTHS, YOUR APPLICATION WILL BE REJECTED AND YOU WILL BE REQUIRED TO SUBMIT A NEW APPLICATION.

You can finalize your application now by providing our office with a document that shows you are a U.S. citizen. A list of the types of documents that you could use to show citizenship is included with this letter.

You may return a copy of documentary proof of citizenship by personal delivery, mail, email as an attachment, or facsimile to the following address, fax or email addresses:

CLARKE COUNTY VOTER REGISTRATION
P O BOX 1828
ATHENS GA 30603
706 - 613 - 3150 (Phone)
706 - 613 - 3840 (Fax)
Personal information such as the month and day of your date of birth, driver’s license number, and Social Security number is kept confidential and protected under state law. By providing correct information, you may avoid the possibility of a mismatch with other voter information within the statewide voter registration system. Your cooperation assures the accuracy of the registration process for all voters in Georgia.

While your application is in pending status, you are still able to vote by absentee ballot, during early voting, or on Election Day if you show (i) one of the acceptable forms of identification described below, and (ii) one of the forms of proof of citizenship described on the enclosed list when you go to vote or when you request an absentee ballot. The acceptable forms of photo ID are:

(1) A Georgia driver’s license (including an expired Georgia driver’s license);

(2) Any valid state or federal government issued photo ID, including:

   a. free Georgia voter identification card issued by your county’s registrars;
   b. Georgia State ID issued by the Georgia Department of Driver Services (DDS);
   c. valid student ID card issued by a Georgia public college, university or technical school;
   d. A valid out-of-state driver’s license;
   e. public transit issued photo ID card; and
   f. any other federal or state agency or government issued photo ID card.

(3) A valid United States passport;

(4) A valid employee photo identification card issued by any branch, department, agency, or entity of the United States government, this state, or any county, municipality, board, authority, or other entity of this state;

(5) A valid United States military photo identification card; or,

(6) A valid tribal photo identification card.

Once you show an acceptable form of photo identification and proof of citizenship at your polling place or early voting site, cast a ballot and receive credit for voting, your application will be changed from pending to active status.

Your Polling Place is:

PRECINCT NAME: 6B
POLLING PLACE: GEORGIA SQUARE MALL UPPER LEVEL (NEAR SEARS)
3700 ATLANTA HWY
ATHENS GA 30606 - 0000

Thank you for your interest in voting and elections in Georgia.

Sincerely,

CHARLOTTE SOSEBEE
DIRECTOR, ELECTIONS & VOTER REGISTRATION
List of acceptable documents to prove citizenship:

- Birth certificate, issued by a U.S. State (if the person was born in the U.S.), or by the U.S. Department of State (if the person was born overseas and the parents registered the child's birth and U.S. citizenship at birth with the U.S. Embassy or Consulate).
- U.S. Passport, issued by the U.S. Department of State.
- Certificate of Citizenship, issued to a person born outside the U.S. who was still a U.S. citizen at birth, or to a person who later automatically became a U.S. citizen.
- Naturalization Certificate, issued to a person who became a U.S. citizen after birth through the naturalization process.
- A Certification of birth issued by the Department of State.
- A U.S. Citizen ID card.
- An American Indian Card issued by the Department of Homeland Security with the classification code "KIC" (Issued by DHS to identify U.S. citizen members of the Texas Band of Kickapoo Indians living near the U.S./Mexican border).
- Final adoption decree showing the child's name and U.S. birthplace.
- Evidence of civil service employment by the U.S. government before June 1976.
- An official U.S. military record of service showing a U.S. place of birth.
- A Northern Mariana Identification Card (Issued by the INS to a collectively naturalized citizen of the U.S. who was born in the Northern Mariana Islands before November 4, 1986).
- Extract of U.S. hospital record of birth established at the time of the person's birth indicating a U.S. place of birth.
- Life or health or other insurance record showing a U.S. place of birth and was created at least 5 years before the initial application date.
- Federal or State census record showing U.S. citizenship or a U.S. place of birth (Generally for persons born 1900 through 1950).
- Institutional admission papers from a nursing home, skilled nursing care facility or other institution which indicates a U.S. place of birth.
- Medical (clinical, doctor, or hospital) record and was created at least 5 years before the application date and indicates a U.S. place of birth.
- A driver's license or identification card issued by an agency of a U.S. state if that agency indicates on the driver's license or identification card that the applicant has provided satisfactory evidence of United States citizenship to the agency.
- Other document that was created at least 5 years before the application. Document must be one of the following and show a U.S. place of birth: Seneca Indian tribal census record; Bureau of Indian Affairs tribal census records of the Navaho Indians; U.S. State Vital Statistics official notification of birth registration; an amended or delayed U.S. public birth record that is amended more than 5 years after the person's birth; or statement signed by the physician or midwife who was in attendance at the time of birth.
- If other forms of documentation cannot be obtained, documentation may be provided by a written affidavit, signed under penalty of perjury, from two citizens, one of whom cannot be related to the person in question, who have specific knowledge of event(s) establishing the person in question's citizenship status. The person in question or another knowledgeable individual must also submit an affidavit stating why the documents are not available. Affidavits are only expected to be used in rare circumstances.
Attachment E
October 3T

By: Holly Smith
Elections Training Coordinator
Topics of Discussion

A. Verifying Information in Voter Registration Applications
   1. Pending Verification Voters: In-Person Voting
   2. Pending Verification Voters: Absentee Voting by Mail
B. UOCAVA Ballot Transit Survey
C. ExpressPoll Pull/Card Run
D. Intent to Tabulate Early Survey
E. Weekend Voting
F. Election Night Reporting (ENR)
Verifying Information in Voter Registration Applications

What information does state law require for voter registration?

“Any person applying to register to vote shall provide his or her Georgia driver’s license number or identification card number for an identification card issued pursuant to Article 5 of Chapter 5 of Title 40 on the voter registration application. If a person does not have a Georgia driver’s license or identification card issued pursuant to Article 5 of Chapter 5 of Title 40, such person shall provide the last four digits of his or her social security number on the voter registration application.”

Source: O.C.G.A. § 21-2-220.1(a)
Verifying Information in Voter Registration Applications

What process does state law provide to verify an applicant’s identity using the information provided in the voter registration application?

1. By the board of registrars matching the Georgia driver’s license number, identification card number of an identification card issued pursuant to Article 5 of Chapter 5 of Title 40, or the last four digits of the social security number provided by the applicant with the applicant’s record on file with the Department of Driver Services or the federal Social Security Administration; or

2. By the applicant providing sufficient evidence to the county board of registrars to verify the applicant’s identity, which sufficient evidence includes, but is not limited to, providing one of the forms of identification listed in O.C.G.A. 21-2-417(a).

Source: O.C.G.A. § 21-2-220.1(c)
Verifying Information in Voter Registration Applications

**What should the registrars do if an application goes through the verification process and then the information provided cannot be verified?**

- When a voter registration application fails verification, always go back and ensure that all of the applicant’s information -- as provided by the applicant -- was typed in correctly. Carefully review the original application to ensure the provided date of birth and name were both entered accurately.

- If an error was made in entering the information, do a user correction to enter the correct information. By doing this, the application will go through the overnight verification process again with the new information. An application should not ever be in pending status due to a data entry error.

- Also, check to see if a copy of identification or citizenship documentation was included with the application. These documents may help with accurate data entry when the handwriting on the application is not clear. These documents may also be used to overcome verification issues.
Verifying Information in Voter Registration Applications

What does state law require when the information on the voter registration application cannot be verified?

"If a completed voter registration application has been received by the registration deadline set by Code Section 21-2-224 but the Georgia driver’s license number, the identification card number of an identification card issued pursuant to Article 5 of Chapter 5 of Title 40, or the last four of the social security number provided by the applicant cannot be verified, the applicant shall be notified that the number cannot be verified and that the applicant must provide sufficient evidence to the board of registrars to verify the applicant’s identity in order to have his or her application processed by the board of registrars."

Source: O.C.G.A. § 21-2-220.1(d)(2)
Verifying Information in Voter Registration Applications

What does state law require if "sufficient evidence" is not provided to verify the information in the voter registration application?

"The voter application shall be rejected if the Georgia driver’s license number, identification card number of an identification card issued pursuant to Article 5 of Chapter 5 of Title 40, or the last four digits of the social security number provided by the applicant is not verified and the applicant fails to present sufficient evidence to the board of registrars to verify the applicant’s identify within 26 months following the date of the application."

Source: O.C.G.A. § 21-2-220.1(d)(4)
Pending Verification Voters: In-Person Voting

How does state law allow an applicant vote in person if the voter registration application is pending (e.g. required information has not yet been verified)?

- "If the applicant provides such sufficient evidence on or before the date of the primary or election, and if the applicant is found eligible to vote, the applicant shall be added to the list of electors and shall be permitted to vote in the primary or election and any runoff resulting therefrom and subsequent primaries and elections."

- "If the applicant has not provided such sufficient evidence or such number has not otherwise been verified on or before the date of a primary or election, the applicant presenting himself or herself to vote shall be provided a provisional ballot."

- "[S]ufficient evidence includes, but is not limited to, providing one of the forms of identification listed in (O.C.G.A. § 21-2-417(a))."

Sources: O.C.G.A. §§ 21-2-220.1(c)(2) and 21-2-220.1(d)(2)-(3)
Pending Verification Voters: In-Person Voting

- Pending verification voters who arrive in person to vote will appear in the ExpressPoll with a “V” in the “Status” column.
- If pending verification voter has already voted during the advance in-person period, then “Ab Voter” will appear in the “Status” column of the ExpressPoll.
- Instructions on how to change the status of pending verification voters in ExpressPoll is on the county FTP server.
Pending Verification Voters: In-Person Voting

Changing the status of a pending verification voter in eNet:

- The registrar or deputy registrar can change the status of a voter in pending verification status when they arrive to vote.
  1. Access the voter record in eNet
  2. Click on “Site Override”
  3. Change the status from “Pending SSN or DDS” to “Active”
- The voter status will also change once credit for voting is give for all voters who voted on the DRE machines in the election.
Pending Verification Voters: Absentee Voting by Mail

In the Absentee Module, the status of the pending verification voter is displayed clearly on the absentee search screen and absentee home page of the person.
Pending Verification Voters: Absentee Voting by Mail

When issuing an absentee ballot to a pending verification voter, the ballot defaults to being marked as a “Provisional/Challenged” ballot.
Pending Verification Voters: Absentee Voting by Mail

If the registrar attempts to issue an absentee ballot to a pending verification voter, then eNet will alert the registrar and display the message below to address the status and reason for the "Provisional/Challenged" ballot.

![Message from webpage](image-url)
Pending Verification Voters: Absentee Voting by Mail

To issue the “Provisional/Challenged” ballot to a pending verification voter, the registrar will need to indicate in the status that the “challenge” HAS NOT been removed and select the appropriate reason.
Pending Verification Voters: Absentee Voting by Mail

If the registrar receives the voted absentee ballot back from the pending verification voter and then attempts to enter the ballot as accepted, eNet would alert the county registrar and ask them to address the "Provisional/Challenged" status and reason.
Pending Verification Voters: Absentee Voting by Mail

For eNet to accept an absentee ballot from a pending verification voter, the registrar will be required to update the “Provisional/Challenged Status” to indicate that the “challenge” has been removed.
UOCAVA Ballot Transit Survey

- The UOCAVA Ballot Transit Survey was sent out on Tuesday, October 2, 2018.
- All counties should return their surveys to our Military Liaison whose contact information is below:
  - Lisa Kinnemore
  - lkinnemore@sos.ga.gov
  - 404-654-6044
- Please contact your county liaison if you need assistance with the survey or a copy of the example survey.
ExpressPoll Pull/Card Run

- Center for Election Systems will conduct the ExpressPoll pull on Friday, October 19th at the close of business.
- All voter registration applications, received on or before the deadline of October 9th, should be processed before Friday.
- The investigators with the Secretary of State's Office will conduct the ExpressPoll Card Run on Friday, October 26th. Please contact Chief Investigator Russell Lewis directly at rlewis@sos.ga.gov regarding any questions or issues.
Intent to Tabulate Early

- Deadline to submit the notice of intent to tabulate early survey is Tuesday, October 30, 2018.

- All surveys should be sent to your Liaison:
  - Breanna Thomas – bthomas@sos.ga.gov
  - Ameika Pitts – apitts@sos.ga.gov
  - Melanie Frechette – mfrechette@sos.ga.gov
  - Melody Johnson – mjohnson@sos.ga.gov

- The survey is located on Firefly under Election Planner > Election Forms > Misc.
 Weekend Voting

• Mandatory Saturday voting is October 27, 2018.
• State law provides that “[v]oting shall be conducted during normal business hours on weekdays during such period and shall be conducted on the second Saturday prior to a primary or election during the hours of 9:00 A.M. through 4:00 P.M.”
• Additional weekend day(s)/hours during the period of advance voting are at discretion of each individual Board of Registrars Office.

Source: O.C.G.A. § 21-2-385(d)(1)
Election Night Reporting (ENR)

- Two-factor authentication is now active on all county election accounts for ENR.
- At least one person in your office should have an ENR account.
- If you need assistance in setting up additional accounts, contact your Liaison.
- ENR Test Uploads – Week before the election 10/29-11/2
  - We will request files without L&A data, commonly known as the Zero Upload.
  - We will request files that include the registered voter counts.
- John will create the registered voters report and post on Firefly toward the end of next week – around 10/25 or 10/26.
Any Questions?

That's all Folks!
### General Information

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<tr>
<th>Court</th>
<th>United States District Court for the Northern District of Georgia; United States District Court for the Northern District of Georgia</th>
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