



## **Statement by Vice-Chair Thomas Hicks**

**February 2, 2016**

The Executive Director of the United States Election Assistance Commission (EAC) issued letters to the states of Kansas, Georgia, and Alabama granting the states' request to amend the state instructions to the federal voter registration form, a decision that contradicts policy and precedent previously established by this Commission.

The Executive Director unilaterally moved to alter the federal voter registration form to reflect those states' proof of citizenship requirements through a proposed change to the form beyond a simple change of election office address or phone number. Any material change to the form should be at the guidance of the agency's Commissioners following a notice and public comment period.

In fact, the Commission's vote in early spring affirmed that agency staff does not have the authority to make policy decisions and further clarifying the role of the Executive Director in its Organizational Management Policy Statement by stating that the Executive Director in consultation with the Commissioners, may only "(1) prepare policy recommendations for commissioners approval, (2) implement policies once made, and (3) take responsibility for administrative matters."

The Commission has addressed this matter several times over the last decade and voted to decline requests to add conflicting language to the federal voter registration form. As such, I believe that this decision constitutes a change of policy, which can only be made following official adoption by at least three Commissioners.

Therefore, I ask that the letters be withdrawn. I will also ask that the Commission review this matter in a public forum to consider the acceptance or reject of the instructions.