



U.S. ELECTION ASSISTANCE COMMISSION  
633 3rd St. NW, Suite 200  
Washington, DC 20001

VIA EMAIL

April 11, 2025

Dear Chief Election Officials,

Consistent with 52 U.S.C. § 20508(a)(2), the U.S. Election Assistance Commission ("EAC") is seeking consultation on development of the national mail voter registration form.

Executive Order 14248 of March 25, 2025, "Preserving and Protecting the Integrity of American Elections" ("EO 14248") provides instruction to the EAC. Section 2 of EO 14248 instructs the following be required in the national mail voter registration form:

- (A) documentary proof of United States citizenship, consistent with 52 U.S.C. 20508(b)(3); and
- (B) a State or local official to record on the form the type of document that the applicant presented as documentary proof of United States citizenship, including the date of the document's issuance, the date of the document's expiration (if any), the office that issued the document, and any unique identification number associated with the document as required by the criteria in 52 U.S.C. 21083(a)(5)(A), while taking appropriate measures to ensure information security.

Section 2 of EO 14248 also instructs that "documentary proof of United States citizenship" shall include a copy of:

- (A) a United States passport;
- (B) an identification document compliant with the requirements of the REAL ID Act of 2005 (Public Law 109-13, Div. B) that indicates the applicant is a citizen of the United States;
- (C) an official military identification card that indicates the applicant is a citizen of the United States; or
- (D) 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.

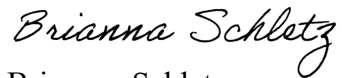
A current copy of the national mail voter registration form is available here:

[https://www.eac.gov/sites/default/files/eac\\_assets/1/6/Federal\\_Voter\\_Registration\\_ENG.pdf](https://www.eac.gov/sites/default/files/eac_assets/1/6/Federal_Voter_Registration_ENG.pdf).

The EAC is seeking consultation on how states would propose to implement Section 2 of EO 14248, if required. The EAC is also seeking feedback on the impact of implementation on voter registration in your state. As required by 52 U.S.C. § 20508, the EAC will consider responses in any amendments to the national mail voter registration form or EAC implementing regulations.

The EAC looks forward to your input. Comments may be sent to [NVRAUpdates@eac.gov](mailto:NVRAUpdates@eac.gov) or by mail at 633 3rd Street NW, Suite 200 Washington, DC 20001.

Thank you,

A handwritten signature in black ink that reads "Brianna Schletz". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Brianna Schletz  
EAC Executive Director



STATE OF NEW MEXICO

**MAGGIE TOULOUSE OLIVER**

SECRETARY OF STATE

## **Overview of Election-Related Executive Orders for New Mexico Election Officials**

This summary aims to provide New Mexico election administrators with an overview of recent federal executive actions and their potential impacts on state election processes. Issued in March 2025, the series of [executive orders](#) by President Trump targeting our nation's elections would have serious implications for New Mexico's election officials.

The stated purpose of the orders is to implement stricter federal election regulations, including: Mandating documentary proof of U.S. citizenship for voter registration; Requiring that all mail-in ballots be received by Election Day to be counted; Directing federal agencies to share data to identify non-citizens on voter rolls; Threatening to withhold federal funding from states that do not comply.

In April 2025, the State of New Mexico joined eighteen other states in a [lawsuit](#) challenging the constitutionality of these executive orders, claiming that they will interfere "with States' inherent sovereignty and their constitutional power to regulate the time, place, and manner of federal elections." Currently, this lawsuit has not yet been heard or acted upon by a court.

Please review the following information about the executive orders and contact our Office with any questions.

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### **Key Provisions of the Executive Orders Titled "Preserving and Protecting the Integrity of American Elections"**

#### **A. Proof of Citizenship Requirement**

- Voters must provide official documentation, such as a U.S. passport or birth certificate, to register for federal elections.
- Federal agencies, including the Department of Homeland Security, are instructed to share data to help states identify non-citizens on voter rolls.

#### **B. Mail-In Ballot Deadline**

- Only mail-in ballots received by Election Day will be counted.



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- States allowing post-Election Day receipt of ballots risk losing federal funding.

### **C. Voter Roll Maintenance**

- States are required to remove non-citizens from voter rolls.
- Federal agencies are granted access to state voter rolls to ensure compliance with federal requirements.

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## **Implications for New Mexico Election Administrators**

### **A. Administrative Challenges**

- Verification of citizenship documentation for all new voter registrations will increase administrative workload.
- Adjustments to mail-in ballot processing timelines will potentially be necessary to comply with the Election Day receipt requirement.
- Collaboration with federal agencies to cross-reference voter rolls will require additional resources and training.

### **B. Legal and Financial Considerations**

- Non-compliance could result in the loss of federal election funding.
- Potential legal challenges may arise, questioning the federal government's authority over state-managed elections.

### **C. Voter Impact**

- Voters without immediate access to required documentation, such as naturalized citizens or those who have changed their names, may face difficulties registering.
  - Increased risk of disenfranchisement for eligible voters due to stringent documentation requirements.
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### **Additional Information from the EAC (as of April 10, 2025)**

- The EAC is working to take action under the timelines in the EO, while also remaining consistent with relevant timelines under federal law.
- Regarding changes to the national mail voter registration form required under the EO, the EAC will be sending out consultation letters to chief election officials to initiate the process for updating the form under NVRA. A public comment period is also required under the Administrative Procedures Act.
  - The EAC's legal review of the EO determined that they have to comply with relevant federal law, including NVRA procedures for updating the form.
- The EAC interprets the EO as moving towards voting system compliance with VVSG 2.0. The EAC encourages election officials to talk with vendors about their plans for getting systems certified to VVSG 2.0, including upgrading VVSG 1.0 system components to 2.0, which can be done under current mechanisms. Some systems could be decertified under the EO, but the EAC's goal is to minimize the impact on election officials.
- Congress recently appropriated \$15 million in election security grants under a continuing resolution. Those funds are authorized under Section 101 of HAVA, and the EAC interprets Section 7(b) of the EO as applying to Section 251 requirements payments, so the \$15 million will not be impacted by the EO. The funds will be distributed in accordance with the FY 2024 election security funding. The EAC has determined the minimum payment amount to states will be \$272,727 based on a proportional allocation. The EAC has submitted the plans to OMB for approval and anticipates the funding will be available within 45 days.
- The EAC is working with DHS and FEMA to get clarification on the EO provisions pertaining to funding from DHS.
- The EO requires DHS to coordinate with the EAC on a review of the security of voter registration and voting systems, but the EAC is waiting for details from DHS on how the review will be conducted.

**From:** [Curtas, Alex, SOS](#)  
**To:** [lrodriguez@nmdoj.gov](mailto:lrodriguez@nmdoj.gov)  
**Cc:** [cpitvorec@nmdoj.gov](mailto:cpitvorec@nmdoj.gov)  
**Subject:** Re: [EXTERNAL] Draft release on EO order effecting elections  
**Date:** Friday, April 4, 2025 8:34:37 AM

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Hey Lauren,

Here's a quote you can use in the PR. Thanks for doing this!

“This unconstitutional executive order is blatant overreach by the federal government into our country’s decentralized system of voting that would weaken our elections and make it harder for eligible voters to make their voices heard,” said New Mexico Secretary of State Maggie Toulouse Oliver, the state’s chief elections officer. “I thank the New Mexico Department of Justice and Attorney General Torrez for joining this important lawsuit. My office will support this effort in any way we can as our state’s election administrators continue their work every day providing New Mexicans with the nation’s top-ranked elections.”

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**From:** Lauren Rodriguez <LRodriguez@nmdoj.gov>  
**Sent:** Thursday, April 3, 2025 3:07 PM  
**To:** Curtas, Alex, SOS <Alex.Curtas@sos.nm.gov>  
**Cc:** cpitvorec@nmdoj.gov <cpitvorec@nmdoj.gov>  
**Subject:** [EXTERNAL] Draft release on EO order effecting elections

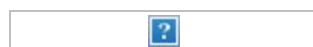
CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Hi Alex,

I just sent you a text about this effort. We are hoping to file and send tomorrow mid-morning. You will see two placeholders for a quote from the Secretary and any other information you think is helpful!

Thanks!  
Lauren

**Lauren Rodriguez**  
Chief of Staff  
**New Mexico Department of Justice**  
505-916-9205  
[lrodriguez@nmdoj.gov](mailto:lrodriguez@nmdoj.gov)



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Thank you.