



June 24, 2024

VIA EMAIL

Georgia Department of Driver Services
Attn: DDS Open Records Officer
2206 Eastview Parkway
Conyers, GA 30013
DDSopenrecords@dds.ga.gov

Re: Open Records Request

Dear Records Custodian:

Pursuant to the Georgia Open Records Law (O.C.G.A. §§ 50-18-70 et seq.), American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office produce the following within three business days:

1. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between (a) any of the Georgia Department of Driver Services officials listed below, and (b) any of the external entities or individuals listed below (including the listed email addresses and/or domains).

Georgia Department of Driver Services Officials:

- i. Spencer Moore, Commissioner
- ii. Ricky Rich, Deputy Commissioner
- iii. Angeliqe McClendon, General Counsel

External Entities and Individuals:

- a. America First Legal (aflegal.org, athospr.com)
- b. Andrew "Andy" Roth
- c. Cleta Mitchell (cleta@cletamitchell.com, cmitchell@foley.com)
- d. Conservative Partnership Institute (cpi.org, conservativepartnership.org)
- e. Election Integrity Network (whoscounting.us, ElectionIntegrity.Network)
- f. Election Transparency Initiative (electiontransparency.org)
- g. Federation for American Immigration Reform (FAIR) (fairus.org)
- h. Fair Election Fund (thefairelectionfund.com)
- i. Georgia Election Integrity Coalition
- j. Georgia Secretary of State (sos.ga.gov)
- k. Harry Haury



- l. Honest Elections Project (honestelections.org)
- m. Immigration Accountability Project (iaproject.org)
- n. Jenny Beth Martin
- o. Ken Cuccinelli (ktc21968@gmail.com)
- p. Marly Hornik
- q. New York Citizens Audit (NYCA.info@proton.me, auditny.com)
- r. Numbers USA (numbersusa.com)
- s. Only Citizens Vote Coalition (onlycitizensvotecoalition.com)
- t. Public Interest Legal Foundation (publicinterestlegal.org)
- u. Rosemary Jenks
- v. State Freedom Caucus Network (statefreedomcaucus.org)
- w. State Representative Jesse Petrea (jesse.petrea@house.ga.gov)
- x. Stephen Miller
- y. Tea Party Patriots (teapartypatriots.org)
- z. United Sovereign Americans (unite4freedom.com)
- aa. Virginia Institute of Public Policy (virginia institute.org)

For part 1 of this request, please note that American Oversight does not seek, and that this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications forwarding such emails are responsive to this request. In other words, for example, if an official received a mass-distribution news clip email from the Election Transparency Initiative, that initial email would not be responsive to this request. However, if the official forwarded that email to another individual with their own commentary, that subsequent message would be responsive to this request and should be produced.

- 2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by any of the officials listed above in part 1 and containing any of the key terms listed below.

Key Terms:

- a. “non citizen”
- b. non-citizen
- c. noncitizen
- d. “non-U.S.”

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 2 of this request to emails sent by the specified individuals. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means that both an individual’s response to an email and the initial received message are responsive to this request and should be produced.

- 3. Records reflecting any final formal or informal directives (including informal email communications), guidance, protocol, assessments, reports, analyses, or

recommendations regarding the motor voter or voter registration policies for non-citizens.

For all parts of this request, please provide all responsive records from June 1, 2023, through the date the search is conducted.

Please notify American Oversight of any anticipated fees or costs in excess of \$100 prior to incurring such costs or fees.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics.
- In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions.
- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.
- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages. Records of official business conducted using unofficial systems or stored outside of official files are subject to the Open Records Act.¹
- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.
- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this

¹ O.C.G.A. § 50-18-70(b)(2).

request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

Conclusion

American Oversight is a 501(c)(3) nonprofit with the mission to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and X (formerly Twitter).²

We share a common mission to promote transparency in government. American Oversight looks forward to working with you on this request. If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing

² American Oversight currently has approximately 16,000 followers on Facebook and 111,500 followers on X (formerly Twitter). American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited June 18, 2024); American Oversight (@weareoversight), X (formerly Twitter), <https://twitter.com/weareoversight> (last visited June 18, 2024).

the requested records, please contact Khahilia Shaw at records@americanoversight.org or 202.539.6507.

Sincerely,

/s/ Khahilia Shaw
Khahilia Shaw
on behalf of
American Oversight