



U. S. ELECTION ASSISTANCE COMMISSION  
1335 East West Highway, Suite 4300  
Silver Spring, MD 20910

January 17, 2014

Honorable Kris W. Kobach  
Secretary of State  
Office of the Kansas Secretary of State  
Memorial Hall, 1st Floor  
120 S.W. 10th Avenue  
Topeka, KS 66612-1594

**Re: Docket No. EAC-2013-004: State Requests to Include Additional Proof of  
Citizenship Instructions on the National Mail Voter Registration Form**

Dear Secretary Kobach:

I write in reference to your request dated August 9, 2012 for the U.S. Election Assistance Commission ("EAC") to modify the state-specific instructions of the National Mail Voter Registration Form ("Federal Form") to include instructions mandating that, as a precondition to registering to vote in federal elections in Kansas, applicants must provide additional proof of their United States citizenship not otherwise required by the Federal Form.

As you know, the EAC initially deferred consideration of your request pending the reestablishment of a quorum of EAC commissioners, in accordance with the EAC's internal procedures. On December 13, 2013, the EAC was ordered by the United States District Court for the District of Kansas to render final agency action in regard to your request by January 17, 2014. The EAC solicited public comments regarding your request, *see* 78 Fed. Reg. 77666 (Dec. 24, 2013), and has reviewed those comments, including the submission from Kansas.

For the reasons discussed in the attached Memorandum of Decision, the Commission denies your request to modify the Federal Form's state-specific instructions. The attached decision constitutes final agency action with respect to your request, in accordance with 5 U.S.C. § 704.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alice P. Miller".

Alice P. Miller  
Chief Operating Officer and  
Acting Executive Director