

KRIS W. KOBACH
Secretary of State



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STATE OF KANSAS

June 18, 2013

Ms. Alice Miller
Acting Executive Director
Election Assistance Commission
1201 New York Ave., NW
Washington, DC 20005

Dear Ms. Miller:

Our office is once again requesting that the EAC alter the federal form to include information that the State of Kansas deems necessary to determine eligibility to vote. We renew our request following the recent decision of the United States Supreme Court, *Arizona Et Al. v. Inter Tribal Council of Arizona, Inc Et Al.* Our office once again requests the following revision to the instructions for the State of Kansas in the National Voter Registration Mail Application Form. Our prior request correspondence to you was dated August 9, 2012. This revision will bring the NVRA instructions into compliance with Kansas statute.

1. Legislation that was enacted in 2011 amended K.S.A. 25-2309 by adding Subsection (l), which directs that any completed application for registration shall be accepted but the registration shall be in "suspense" status until the applicant has provided satisfactory evidence of United States citizenship. Subsection (u) of K.S.A. 25-2309 specifies the effective date of this provision as January 1, 2013. A voter in suspense may vote a provisional ballot which will not be counted until the voter's registration is taken out of suspense status.

We request the insertion of an additional bullet after the third bullet in the "Signature" section along with the following text: "To cast a regular ballot an applicant must provide qualifying evidence of U.S. citizenship prior to the first election day after applying to register to vote." Such a person may cast a provisional ballot if such person's registration is still in suspense on election day.

Again, please note this is not the first time our office has made this request. Your prompt consideration of the revisions and response is appreciated. Please contact me if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kris W. Kobach".

Kris W. Kobach
Secretary of State
Office of the Kansas Secretary of State