



KEN BENNETT
SECRETARY OF STATE
STATE OF ARIZONA



June 19, 2013

The U.S. Election Assistance Commission
Ms. Alice P. Miller
1201 New York Avenue, N.W., Suite 300
Washington, DC 20005

RECEIVED
U.S. ELECTION ASSISTANCE
COMMISSION
2013 JUN 26 AM 11:22

Re: State-specific identification requirements for Arizona.

Dear Acting Director Miller:

In the case of *Arizona v. Inter Tribal Council of Arizona, Inc.*, the United States Supreme Court held that "Arizona may ... request anew that the EAC include such a requirement [i.e., the state requirement that applicants submit some evidence of citizenship] among the federal form's state-specific instructions, and may seek judicial review of the EAC's decision under the Administrative Procedures Act." Opinion at 18. The Court also stated:

Since the power to establish voting requirements is of little value without the power to enforce those requirements, Arizona is correct that it would raise serious constitutional doubts if a federal statute precluded a State from obtaining the information necessary to enforce its voter qualification.

Opinion at 15.

In light of the Supreme Court's opinion, Arizona is renewing its request that you include Arizona-specific instructions in the federal form that instruct Arizona voters about Arizona's requirement in A.R.S. § 16-166(F) as follows:

If this is your first time registering to vote in Arizona or you have moved to another county in Arizona, your voter registration form must also include proof of citizenship or the form will be rejected. If you have an Arizona driver license or non-operating identification issued after October 1, 1996, write the number in box 6 on the front of the federal form. This will serve as proof of citizenship and no additional documents are needed. If not, you must attach proof of citizenship to the form. Only one acceptable form of proof is needed to register to vote.

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- A legible photocopy of a birth certificate that verifies citizenship and supporting legal documentation (i.e. marriage certificate) if the name on the birth certificate is not the same as your current legal name
- A legible photocopy of the pertinent pages of your passport
- Presentation to the County Recorder of U.S. naturalization documents or fill in your Alien Registration Number in box 6
- Your Indian Census Number, Bureau of Indian Affairs Card Number, Tribal Treaty Card Number, or Tribal Enrollment Number in box 6
- A legible photocopy of your Tribal Certificate of Indian Blood or Tribal or Bureau of Indian Affairs Affidavit of Birth.

Thank you in advance for your assistance in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Ken Bennett". The signature is stylized with a large, sweeping "K" and a cursive "Bennett".

Ken Bennett

Arizona Secretary of State