



VIA FACSIMILE: (573) 526-3242

August 30, 2006

Betsy Byers, Co-Director of Elections  
Kay Dinolfo, Co-Director of Elections  
Missouri Secretary of State's Office  
James C. Kirkpatrick State Information Center  
PO Box 1767  
Jefferson City, MO 65102-1767

Dear Ms. Byers and Ms. Dinolfo:

We write to advise you that the Missouri Secretary of State's Office may be failing to make Missouri Voter Registration forms available to third-party voter registration organizations that request the forms, as required by the National Voter Registration Act ("NVRA"), 42 U.S.C.S. 19733gg-4(b). We request that you inform us of the availability of these forms, and if they are unavailable, take immediate steps to reprint the forms, apprise voter registration organizations of their availability, and distribute the forms upon request.

Several voter registration organizations have reported to us that in recent weeks, they have attempted to request voter registration cards from your office on multiple occasions and were told that your office did not have cards to provide because they had not yet been printed. They were further advised that your office could not provide an estimated date of when the voter registration cards would be reprinted. We also noticed that your office has removed the digital version of the Missouri Voter Registration Form from the Secretary of State's official website.

If true, these reports raise concerns under the NVRA. Section 6 of the NVRA provides:

Sec. 6(b) AVAILABILITY OF FORMS- The chief State election official of a State shall make the forms described in subsection (a) [state and federal mail voter registration application forms] available for distribution through governmental and private entities, with particular emphasis on making them available for organized voter registration programs.

If the Secretary of State's Office has refused to provide forms to voter registration organizations upon their request, such conduct would appear to violate the plain language of NVRA Sec. 6(b).

Please let us know at once whether the Secretary of State's Office has Missouri Voter Registration forms currently available to provide to organizations that request them. Further, please advise of us: (a) whether your office has told voter registration organizations that their requests for voter registration cards could not be accommodated or would have to be delayed and if so, each and every reason for the unavailability of the cards; (b) when your office will reprint voter registration cards and make them available to voter registration organizations; and (c) why the Secretary of State has removed its digital voter registration form from its website, and when it will replace it.

As you know, voter registration deadlines are coming up soon for the November 2006 elections. We request that your office take immediate efforts to make voter registration cards available to organizations, agencies and the public. In light of the voter registration deadlines, we ask that you respond to our letter no later than close of business on September 6, 2006. Failure to do so will cause us to consider other options available under law for securing the rights of Missouri citizens to register to vote.

Thank you for your cooperation and attention to this important matter

Sincerely,

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cc: Jason Ramsey, Election Compliance Coordinator  
Missouri Secretary of State's Office