EXHIBIT 4
DECLARATION OF KEN BENNETT

I, Ken Bennett, hereby state, under penalty of perjury, that the following information is true to my knowledge, information, and belief:

1. I was appointed as the Arizona Secretary of State in 2009 when former Secretary Jan Brewer succeeded to the governorship after then-Governor Janet Napolitano was confirmed as Director of Homeland Security. I was then elected to the position in 2010. Before becoming Secretary, I spent approximately twenty years in public service, including eight years in the Arizona Senate, the last four as Senate President.

2. As Secretary, I oversee all facets of the state’s elections and work with the counties to promote uniformity throughout the state in election practices.

3. I am competent to testify as to the matters contained herein and make this declaration based upon my own personal knowledge and experience.

4. As is evident from the rest of this declaration, having two voter registration systems is not optimal. My office is in the unenviable position of being stuck between a valid federal law and a valid state law which say different things. Casting a ballot represents the exercise of a fundamental right and should be open to all qualified individuals. My office’s mission, with respect to elections, is to never stop searching for ways to improve on helping people choose their leaders through fair, honest, and accurate elections.


6. In 1993, the United States Congress passed the National Voter Registration Act ("NVRA"), which was codified as 42 U.S.C. § 1973gg et seq. The NVRA required the Elections Assistance Commission ("EAC") to develop a "Federal Form" in consultation with the chief election officers of the states.
the States. 42 U.S.C. § 1973gg-7(a)(2). The Federal Form does not require applicants to
provide evidence of citizenship, but requires merely an attestation by the applicant that he
or she is a citizen and the applicant’s signature under penalty of perjury. 42 U.S.C.
§ 1973gg-7(b)(2).

7. In 2004, Arizona voters passed Proposition 200, which was then codified as
Arizona Revised Statutes (“A.R.S.”) § 16-166(F). Under that provision, prospective
voters must provide satisfactory evidence of United States citizenship in order to register
to vote.

8. A.R.S. § 16-166(F) permits a variety of documents and identification
numbers to be used as evidence of citizenship, including an individual’s driver license
number or non-operating identification number. The proof-of-citizenship provisions
enable Arizona’s election officials to assess the eligibility of voter registration applicants.

9. On December 12, 2005, the Secretary of State’s Office, under then-
Secretary Jan Brewer, requested the EAC’s approval of State-specific instructions for the
Federal Form that would incorporate Arizona’s proof-of-citizenship requirement. On
March 6, 2006, Thomas Wilkey, then-Executive Director of the EAC, wrote to Secretary
Brewer, stating that the NVRA preempted Arizona’s proof-of-citizenship requirement
and refusing to include it in the Arizona-specific instructions. (See Doc. No. 1-10.)

10. Secretary Brewer then wrote to Paul DeGregorio, then-Chairman of the
EAC, to request reconsideration of Mr. Wilkey’s decision. (See Doc. No. 1-11.)

11. Shortly after Proposition 200 was enacted, the Secretary’s Office sought
approval from the Department of Defense (“DOD”) to include Arizona’s proof-of-
citizenship requirement in the Uniformed and Overseas Citizens Absentee Voting Act
(UOCAVA) materials for the Federal Post Card Application (FPCA). The DOD
approved inclusion of Arizona’s proof-of-citizenship requirement in the instructions. A
copy of the Arizona-specific instructions for filling out the FPCA is attached hereto as
Attachment I. This document is available online through the Federal Voting Assistance Program's website at http://www.fvap.gov/resources/media/vagAZ.pdf.

12. In mid-2006, two groups of plaintiffs filed lawsuits against the State of Arizona and its fifteen counties, asserting that Arizona’s proof-of-citizenship requirement could not be applied to the federal voter registration form created by the National Voter Registration Act ("NVRA"), 42 U.S.C. § 1973gg et seq., as administered by the Election Assistance Commission ("EAC"). The two cases were consolidated as Gonzalez v. Arizona, D. Ariz. Cause No. CV06-1268-PHX-ROS.

13. In that case, the court denied the plaintiffs’ request for a temporary restraining order in an opinion and order dated June 19, 2006. The order stated that “Arizona’s proof of citizenship requirement does not conflict with the plain language of the NVRA.”

14. After that order was issued, Secretary Brewer sent another letter to the EAC renewing the request that EAC approve inclusion of Arizona’s proof-of-citizenship requirement in the State-specific instructions. (See Doc. No. 1-12.) Then-EAC Chair DeGregorio submitted a Tally Vote to the Commissioners, which failed on a 2 to 2 tie. (See Doc. No. 1-13.)

15. The Gonzalez case proceeded through the courts, going twice to the Ninth Circuit and the United States Supreme Court. On June 17, 2013, the U.S. Supreme Court issued its Opinion in Arizona v. Inter Tribal Council, ___ U.S. ___, 133 S. Ct. 2247 (2013) ("Inter Tribal Council"), which is what the Gonzalez case ultimately became known as. The Court held that Arizona must accept and use the Federal Form to register voters for elections for federal office.

16. The Inter Tribal Council Opinion also provided that nothing precluded Arizona from renewing its request that the EAC include Arizona’s proof-of-citizenship requirement in the State-specific instructions and, if the EAC refused, challenging that rejection under the Administrative Procedures Act. Id. at 2259-60.
17. In light of the *Inter Tribal Council* Opinion, my staff and I conducted telephone conferences with the various county election officials multiple times to discuss what that decision meant with respect to state and local elections and whether voters who registered using the Federal Form without providing evidence of U.S. citizenship were eligible to vote in state and local elections.

18. In the meantime, on June 19, 2013, I wrote to Alice Miller, acting Executive Director of the EAC, to renew our request for approval of the Arizona-specific instructions. (See Doc. No. 1-14.)

19. On August 13, 2013, Ms. Miller responded to my letter, stating that the EAC staff could not process my request “due to a lack of a quorum on the Commission.” She attached a copy a memorandum authored by former EAC Executive Director Thomas Wilkey, which provided that “Requests that raise issues of broad policy concern to more than one State will be deferred until the re-establishment of a quorum.” (See Doc. No. 1-17.)

20. On August 20, 2013, I requested an official Opinion from Arizona Attorney General Tom Horne in accordance with A.R.S. § 41-193, on the following issue, among several others: are registrants who use the Federal Form without providing sufficient proof of citizenship eligible to vote in state and local issues? On October 7, 2013, the Attorney General issued Opinion No. 113-011, which answered my question in the negative. The Opinion stated that “Registrants who use the Federal Form and did not provide sufficient evidence of citizenship are not eligible to vote for state and local races.” Copies of the opinion request letter and the Opinion are attached hereto as Attachments 2 and 3.

21. Based on this Opinion, the State and counties must establish a dual registration system to keep track of voters who registered with evidence of citizenship and those who did not. The voters who provided evidence of citizenship will be able to vote in all elections, including races for federal, state, and local office, as well as ballot...
measures. The voters who did not provide evidence of citizenship will be able to vote in elections for federal offices only.

22. From the time that the question was raised in light of the Inter Tribal Council opinion through the present, my staff and I have been brainstorming to determine all the necessary steps that would have to take place in order to implement a dual registration system.

23. I believe that we need to proceed carefully with respect to implementing a dual registration system. There are competing interests involved, including compliance with the federal and state constitutions and statutes, encouraging uniformity across the state, and mitigating voter confusion.

24. Among the first steps is that the county recorders will have to identify the impacted voters and notify them that they have registered using the Federal Form without providing evidence of citizenship, that they are currently only eligible to vote in elections for federal offices, and that they are not eligible to vote in state or local elections, or to sign nomination petitions and petitions for initiatives, referenda, and recall.

25. We will modify the Election Procedures Manual to implement the dual registration system. The Election Procedures Manual is a publication that the my office is required to produce in order to achieve and maintain the maximum degree of correctness, impartiality, uniformity and efficiency on the procedures for early voting and voting, and of producing, distributing, collecting, counting, tabulating and storing ballots throughout the State’s fifteen counties. A.R.S. § 16-452(A). The Election Procedures Manual has the force and effect of law and violators may be prosecuted and found guilty of a class 2 misdemeanor for each violation.

26. Making changes to the Election Procedures Manual is a long process that involves seeking input from stakeholders such as interested voters, the counties, cities, and towns, voter outreach groups and others about suggested changes. The changes are then drafted and stakeholder meetings are held to discuss the suggestions. My office then
finalizes the draft manual and submits it to the Governor and Attorney General for review. A.R.S. § 16-452(B).

27. At a minimum, there will be changes to the following chapters:
   Chapter 2 - Qualification and Registration of Electors
   Chapter 3 - Early Voting
   Chapter 7 - Nominating Procedures
   Chapter 10 - Conduct of Elections
   Chapter 11 - Central Counting Place

28. I estimate that the changes to the Election Procedures Manual can be completed by March, 2014, and that it will take an estimate of thousands of dollars and hundreds of man-hours to complete this task. This estimate is based on the data from the efforts to produce an updated 2013 Election Procedures Manual, which was completed shortly before the Inter Tribal Council decision was issued and awaited only the Governor’s signature. I decided not to issue the 2013 Election Procedures Manual and instead to start the process over to take into account the dual registration system and other changes in Arizona election laws since the 2013 edition was completed.

29. My office administers a statewide database of voter registration information that contains the name and registration information of every registered voter in Arizona. This system will have to be enhanced in order to identify registrants who used a Federal Form, but did not provide proof of citizenship, and in some way indicate that those registrants are eligible to vote in federal races only.

30. The voter registration system will have to allow for special voter registration cards and special mailings for these voters who are eligible to vote in federal races only.

31. The voter registration system will also have to be enhanced in order to create the ability to run statistics for these federal-race-only voters by precinct for ballot ordering and to allow statistical tracking of these voters throughout the process.
32. The voter registration system must be enhanced so that ballot eligibility is clearly identifiable (1) on a signature roster; (2) to the early voting clerk and for early voting ballot preparation; (3) to the call center and customer service personnel; (4) on the county recorder websites for voter lookup tools; and (5) on voter registration lists so that candidates and challengers can identify eligibility for signing petitions.

33. The voter registration system must further be enhanced to enable a voter who is currently eligible to vote federal races only to submit evidence of citizenship and then demonstrate that voter’s eligibility to vote in all races.

34. With respect to elections themselves, there will have to be new federal-only ballot styles for each party for the primary election by precinct and new federal-only ballot styles for the general election by precinct. There will also have to be federal-only sample ballots. This will substantially increase the cost of each election.

35. The counties will have to be able to tabulate and report the federal-only ballots by precinct. My office will have to be able to receive that information and report it as well.

36. In addition to the practical changes, I, along with my staff, intend to work with the counties and other local jurisdictions in an education and outreach effort to the voters. Currently, we plan on holding a series of statewide meetings and producing advertisements and letters to individual voters.

37. Since the Attorney General’s Opinion was issued and released to the media, my office has received calls from angry and confused voters who are upset that the State is considering implementing a dual registration system. Many of these callers want to know if they have registered properly. My office and the county recorders offices will have to modify IT to make it easier for voters to determine which form they used to register and which elections they are eligible to vote in.
38. Uncertainty undermines the integrity of our electoral process. With voters being unsure of which races they will be allowed to vote on, the level of voter unhappiness is sure to increase.

39. In my opinion, Arizona is being forced to implement a dual registration system because both the NVRA and Proposition 200 are valid enforceable laws that must be given effect. But the dual registration system would be completely avoidable if the EAC would accept Arizona’s requirement into the state-specific instructions.

40. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 10/22/2013.

Ken Bennett
Arizona Secretary of State
Attachment 1
Registering and Requesting Your Absentee Ballot

The Federal Post Card Application registers you to vote and requests absentee ballots for all elections through the next two regularly scheduled general elections. The registration deadline is different for recently discharged and military living in Arizona. Contact the Arizona Secretary of State at 1-877-THE-VOTE for more information.

Complete the Following Blocks of the Federal Post Card Application (FPCA):

Block 1: Select the category that describes you.

Block 2: To vote in primary elections, you must enter your political party affiliation. If you are registered non-partisan, undeclared, or with a political party not recognized in Arizona, you must indicate which recognized party ballot you want to receive. If you want to change your political party affiliation, submit a completed FPCA indicating your new party preference to the local election official no later than 7 pm on Election Day. Political party affiliation is not required if you are requesting absentee ballots for general elections.

Block 3: Name (Last, First, Middle)

Block 4: Date of Birth

Your Arizona Driver's License number, Non-Operating Identification License number OR the last four digits of your Social Security number is required for voter registration. If you do not possess any of these identification numbers, the State shall assign a number that will serve to identify you for voter registration purposes.

Block 5: Recommended but not required. Provide your contact information to allow your local election official to follow up if more information is required.

Block 6: Arizona allows you to receive your ballot by mail, email, fax, or via Arizona's secured ballot upload system. Please rank your preference of how you would like to receive your absentee ballot. Provide your email address or fax number in Block 5. If you do not make a selection, then your local election official will mail your ballot to you.

Block 7: Complete street address of your Arizona voting residence. A post office box is not sufficient. If your address includes a rural route, describe its location in Block 9. For example, "3mi past Highway ___ across the street from the ___ gas station." This address must be within the county where you claim legal voting residence.

Block 8: Complete address where you want your ballot sent, usually where you live now.

Block 9: In addition to mailing a regular ballot, Arizona provides a State write-in early ballot which is available 36 days before the Presidential preference election, 60 days before all other primary elections and 50 days before the general election. This ballot allows you to vote for local, State and Federal offices. To request it, write in Block 6: "Due to military or other contingencies that preclude normal mail delivery, I cannot vote an early ballot during the normal early voting period. I request a special write-in early ballot."

Alternatively, you may request an early ballot online at www.eсос.gov.
Arizona 2012-13 Voting Assistance Guide

If you are not registered to vote in Arizona, or if you are registered and move to a different Arizona county, you must provide ONE of the following for proof of citizenship or your FPCA will be rejected:

- Arizona Driver’s License number or Non-Operating Identification License number issued after October 1, 1996.
- Alien Registration Number from Certificate of Naturalization.
- Indian Census Number, Bureau of Indian Affairs Card Number, Tribal Treaty Card Number, or Tribal Enrollment Number.
- 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 pertinent pages of a U.S. passport identifying the applicant.
- A legible photocopy of a Driver’s License or Non-Operating License from another State within the U.S. if the license indicates proof of citizenship.
- A legible photocopy of a Tribal Certificate of Indian Blood or Tribal/Bureau of Indian Affairs Affidavit of birth.

If you need to include a photocopy, mail or fax it along with your FPCA to your local election official. Do not send original documents. Photocopies will not be returned to you.

Provide any information that may assist the local election official in assessing this application.

Affirmation: Sign and date. No witness or notary required.

How and Where to Submit Your FPCA:

Arizona allows you to submit the FPCA by mail or fax. For additional registration options go to www.voteaz.gov.

If you choose to mail your FPCA, mail the form directly to your local election office. Addresses can be found at the end of this section.

If you choose to fax your FPCA, it is recommended that you fax the form directly to your local election official. Fax numbers can be found at http://www.voteaz.gov/elections/county.htm. You may also use the DoD Electronic Transmission Service to fax your FPCA toll-free. To use the Electronic Transmission Service, use the cover sheet available in Chapter 1 of www.fvap.gov, and fax to (703)693-5527, DSN 223-5527, or toll-free from the U.S., Canada, Guam, Puerto Rico, and the Virgin Islands to 1-800-368-3685. International toll-free numbers can be found on the inside back cover or at www.fvap.gov.

Follow-Up on Your FPCA

To find out the status of your registration/absentee ballot request, contact your local election office or refer to Arizona’s voter registration verification website at https://voter azt.gov.

Your jurisdiction will contact you if your registration is denied.

Late Registration

Arizona permits an overseas voter discharged from military service or overseas employment within 90 days of an election to register to vote up until 5 pm on the Friday before an election.

Arizona’s Secure Ballot System

Arizona also provides a secure ballot delivery system. To access the system go to https://www.voteaz.gov/election/military/default.aspx. You can request an early ballot in one process through this system. To upload a voted ballot, you must have first been authorized by the county to utilize the system. You can obtain authorization from the county by requesting an early ballot through this system or by contacting your county directly.

Voting By Citizens Who Have Never Lived in the U.S.

A U.S. citizen who has never resided in the U.S. and whose parent is qualified to vote in Arizona is eligible to register to vote and may vote in Arizona.

Voting Your Ballot

Local election officials mail ballots approximately 45 days before elections.

Voted Ballots must be received by the local election office by 7 pm on Election Day.

No witness or notary is required on voted ballots.

You may return the voted ballot and signed affidavit by mail, fax, or Arizona’s secure ballot upload system. Use FPCA mail and fax instructions under “How and Where to Submit Your FPCA.” To use the secure ballot upload system, you must have received a user ID and password from your local election official.

Overseas uniformed service members and their family members with access to the Military Postal Service, may

Brief in Support of Plaintiff’s Motion for Preliminary Injunctive Relief
Exhibit C-1 - 000003

EAC001714
use the "Presidential Election Mail-In Ballot 11-DOD". This label is available at APO/FPO locations and can only be used for the general election. It provides expedited mail service up to seven days prior to the election. You can return your ballot with this label attached at any APO/FPO, American embassy or consulate. A portion of the label is retained by you for mailing your ballot through the U.S. Postal Service.

Tracking your Ballot

You may track the status of your ballot by contacting your county recorder. Contact information is available at: https://www.azsos.gov/elections/Military.htm.

Recommended Mailing Dates for the November 2012 General Election

Send your FPCA by August 15, 2012 to ensure that you receive your ballot in time to vote and return it to be counted.

- Voters in Iraq, Afghanistan, ships at sea, and other overseas locations without access to the military postal system should send voted ballots by October 6, 2012.
- Voters in other overseas military installations should send voted ballots by October 13, 2012.
- Servicemembers should send voted ballots by October 29, 2012.

If you do not receive your State absentee ballot by October 2, 2013, use the Federal Write-In Absentee Ballot. If you receive your State absentee ballot, vote and return it. If both ballots are received by the deadline, only the State ballot will be counted.

Haven't Received Your Ballot?
Don't Wait Until It's Too Late...
Use the Federal Write-In Absentee Ballot!

Arizona allows you to use the Federal Write-In Absentee Ballot (FWAB) for both registration and voting in primary, general, and special elections for Federal office. Feel free to use the FWAB to vote anytime before an election.

Complete the Following Blocks of the FWAB's Voter Declaration/Affirmation:

Block 1: Arizona allows you to use this form for registration only if you are eligible to register and vote in the State, and if you provide proof of citizenship as described in the instructions for Block 6 of the FPCA.

If you need to include a photocopy, mail or fax it to your local election office along with your FWAB. Do not send original documents. Photocopies will not be returned to you.

Block 2: Select the category that describes you

Block 3: Name (Last, First, Middle)

Block 4: Date of Birth

Your Arizona Driver's License number, Non-Operating Identification License number or the last four digits of your Social Security number is required for voter registration. If you do not possess any of these identification numbers, the State shall assign a number that will serve to identify you for voter registration purposes.

Block 5: Recommended but not required. Provide your contact information to allow your local election official to follow up if more information is required.

Block 6: If using this form to register, enter your political party affiliation or write undeclared or non-partisan. If you are a registered non-partisan or undeclared, you must indicate which party ballot you want to receive in the future.

Blocks 7: Complete street address of your Arizona voting residence. A post office box is not sufficient. If your address includes a rural route, describe its location in Block 9. For example, "2mi past Highway ___ across the street from the ___ gas station." This address must be within the county where you claim legal voting residence.

Block 8: Enter your current mailing address.

Block 9: If you are using this form to register in Arizona, or if you are registered and move to a different Arizona county, you must provide ONE of the following for proof of citizenship or your FWAB will be rejected:

- Arizona Driver's License number or Non-Operating Identification License number issued after October 1, 1996
- Alien Registration Number from Certificate of Naturalization
- Indian Census Number, Bureau of Indian Affairs Card Number, Tribal Treaty Card Number, or Tribal Enrollment Number
- A legal photocopy of a birth certificate that verifies citizenship and supporting legal documentation (i.e.,
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Marriage certificate: If the name on the birth certificate is not the same as your current legal name.

- A legible photocopy of pertinent pages of a U.S. passport identifying the applicant.
- A legible photocopy of a Driver's License or Non-Operating License from another State within the U.S., if the license indicates proof of citizenship.
- A legible photocopy of a Tribal Certificate of Indian Blood or Tribal/Bureau of Indian Affairs Affidavit of birth.

If you need to include a photocopy, mail or fax it along with your FWAB to your local election official. Do not send original documents. Photocopies will not be returned to you.

Provide any information that may assist the local election official in accepting this application.

Affirmation: Sign and date. No witness or notary required.

Vote Your FWAB:

To find out the races and candidates for which you can vote, go to www.elections.arizona.gov. For each office for which you vote, write in either a candidate's name or a political party designation. Once the ballot is complete, fold and place it in the security envelope and seal. Place only the voted ballot in the security envelope and do not write on the security envelope.

How and Where to Submit Your FWAB:

The deadlines for submitting the FWAB are the same as for regular State absentee ballots. If you receive the State ballot after submitting the voted FWAB, you may also vote and return the State ballot. If both ballots are received by the deadline, only the State ballot will be counted.

Arizona allows you to submit the FWAB by mail, fax, or Arizona's secure ballot upload system.

If you choose to mail your FWAB, insert the sealed security envelope and the Voter's Declaration/Affirmation into the mailing envelope and mail the form directly to your local election office. Addresses can be found below.

If you choose to fax your FWAB, it is recommended that you fax the form directly to your local election official. Fax numbers can be found at http://www.elections.arizona.gov/elections/county.htm. Include ballot, voter affirmation, and cover sheet with secrecy waiver. You may also use the DoD Electronic Transmission Service to fax your FWAB toll-free. To use the Electronic Transmission Service, use the cover sheet available in Chapter 1 or at www.vap.gov, and fax to: (703)693-4537, ISSN 233-5557, or toll free from the U.S., Canada, Guam, Puerto Rico, and the Virgin Islands to 1-800-368-3683. International toll-free numbers can be found on the inside back cover or at www.vap.gov.

If you choose to submit your FWAB using Arizona's secure ballot upload system, you must have received a user ID and password from your local election official. Local election official contact information can be found at: http://www.elections.arizona.gov/elections/county.htm.

Local Election Office Contacts

<table>
<thead>
<tr>
<th>County</th>
<th>Mailing Address</th>
<th>Phone</th>
<th>Fax</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cochise</td>
<td>Cochise County Recorder</td>
<td>(520) 422-8028</td>
<td></td>
<td><a href="mailto:mustcid@co.cochise.az">mustcid@co.cochise.az</a></td>
</tr>
<tr>
<td>Maricopa</td>
<td>Maricopa County Recorder</td>
<td>(602) 362-4207</td>
<td></td>
<td><a href="mailto:maricopa@co.maricopa.az">maricopa@co.maricopa.az</a></td>
</tr>
<tr>
<td>Pima</td>
<td>Pima County Recorder</td>
<td>(520) 799-5566</td>
<td></td>
<td><a href="mailto:pima@co.pima.az">pima@co.pima.az</a></td>
</tr>
<tr>
<td>Yavapai</td>
<td>Yavapai County Recorder</td>
<td>(928) 772-2700</td>
<td></td>
<td><a href="mailto:yavapai@co.yavapai.az">yavapai@co.yavapai.az</a></td>
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Brief in Support of Plaintiffs' Motion for Preliminary Injunctive Relief
Exhibit C-1 - 000005

EAC001716
<table>
<thead>
<tr>
<th>County</th>
<th>Mailing Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apache</td>
<td>1111 County Building, 510 E. DeGraff St., Apache Junction, AZ 85601-2427</td>
</tr>
<tr>
<td>Coconino</td>
<td>401 N. Main St., Suite 200, Flagstaff, AZ 86004-6004</td>
</tr>
<tr>
<td>Pima</td>
<td>111 W. Congress St., Tucson, AZ 85701</td>
</tr>
<tr>
<td>Navajo</td>
<td>2200 E. Cortez Tres Steet, Window Rock, AZ 86514</td>
</tr>
<tr>
<td>Yavapai</td>
<td>Yavapai County Recorder</td>
</tr>
<tr>
<td></td>
<td>1916 Fair St., Suite 238, Prescott, AZ 86303-1827</td>
</tr>
<tr>
<td></td>
<td>Phone: 928-771-3448, Fax: 928-771-3448, Email: <a href="mailto:webregistration@co.yavapai.az.us">webregistration@co.yavapai.az.us</a></td>
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Arizona 2012-13 Voting Assistance Guide
Attachment 2
August 20, 2013

Office of the Attorney General
Mr. Tom Horne
1275 West Washington St.
Phoenix, AZ 85007-2925

Dear Attorney General Horne:

The United States Supreme Court issued its opinion in Arizona v. Inter-Tribal Council of Arizona, Inc., on June 17, 2013. While affirming the 9th Circuit Court of Appeals decision finding presumptive, the Court made it abundantly clear that the National Voter Registration Act of 1993 (NVRA) requires states to permit prospective voters to register to vote in elections for Federal office (emphasis added) "using the federal form."

In 2004, Arizona voters approved the initiative measure Proposition 200. Among other things, Proposition 200 requires Recorders to "reject any application for registration that is not accompanied by satisfactory evidence of United States citizenship."

While Arizona may be presumed from asking voters to attach additional documentation to the federal form that demonstrates citizenship approved EAC approval, using the federal form does not preclude Arizona from using information in our possession to establish eligibility for state elections. Indeed, approximately 90 percent of applicants using the federal form provide an Arizona driver license number or social security number that is compared against databases and establishes satisfactory evidence of citizenship.

Could you answer the following questions per 41-193, Arizona Revised Statutes:

1) For the other ten percent of applicants, who use the federal form and who do not provide sufficient information to determine citizenship, are those applicants permitted, under Arizona law, to be registered to vote in state and local elections?

2) If the answer to question 1 is "no" then is there sufficient authority and is the state required, per Proposition 200 and the recent Supreme Court opinion, to issue "federal election only" ballots to those applicants?

3) If the answer to question 1 is "no" then are individuals who registered using the federal form, and who failed to provide a driver license number or SSN, qualified to sign candidate, initiative, referendum and recall petitions for state and local matters?

Sincerely,

Ken Bennett
Secretary of State

1700 W. Washington Street, 7th Floor
Phoenix, Arizona 85007-2808
Telephone (602) 542-6285 Fax (602) 542-1575
www.azsos.gov

Brief in Support of Plaintiffs’ Motion for Preliminary Injunctive Relief
Exhibit C-2 - 000002

EAC001719
Attachment 3
STATE OF ARIZONA
OFFICE OF THE ATTORNEY GENERAL

ATTORNEY GENERAL OPINION

by
THOMAS C. HORNE
ATTORNEY GENERAL

October 7, 2013

No. 113-611
(R13-016)

Re: Voter Registration

To: Ken Bennett
Arizona Secretary of State

Question Presented

In light of the recent decision in Arizona v. Inter Tribal Council of Arizona, Inc., ___ U.S. ___ 133 S. Ct. 2247 (2013), you have asked the following questions regarding the implementation of the evidence-of-citizenship requirements contained within Proposition 200:

1. Approximately ten percent of applicants who use the Federal Form do not provide sufficient information to enable the county recorders to determine citizenship. Does Arizona law permit those applicants to vote in state and local elections?

2. If the answer to question number 1 is no, does Arizona law authorize the issuance of “federal election only” ballots to those applicants?

3. If the answer to question number 1 is no, are those individuals qualified to sign candidate, initiative, referendum, and recall petitions for state and local matters?
Summary Answer

1. No. Registrants who used the Federal Form and did not provide sufficient evidence of citizenship are not eligible to vote for state and local races. For state and local matters, registration is contingent on each applicant’s providing evidence of citizenship.

2. Yes. Arizona law authorizes the issuance of ballots containing only the federal races to the registrants described in the previous question.

3. No. Under Arizona law, only registered voters are qualified to sign candidate, initiative, referendum, and recall petitions.

Background

Since statehood, the State of Arizona has conditioned the right to vote on citizenship:

No person shall be entitled to vote at any general election, or for any office that now is, or hereafter may be, elective by the people, or upon any question which may be submitted to a vote of the people, unless such person be a citizen of the United States of the age of eighteen years or over, and shall have resided in the State for the period of time preceding such election as prescribed by law, provided that qualifications for voters at a general election for the purpose of electing presidential electors shall be prescribed by law. The word “citizen” shall include persons of the male and female sex.

Ariz. Const. art. VII, § 2(A). The Arizona Constitution further provides that “[t]here shall be enacted registration and other laws to secure the purity of elections and guard against abuses of the elective franchise.” Ariz. Const. art. VII, § 12. The Legislature was and is authorized to enact all necessary laws to effectuate the Constitution’s provisions. Ariz. Const. art. XX, § 21.

The Legislature enacted numerous statutes that govern voter qualifications and the voter-registration process. Every resident of the State is qualified to register to vote if he or she is a citizen of the United States and meets other requirements. A.R.S. § 16-101(A). No elector shall vote in an election unless the elector has been registered to vote in the particular election district.
for which the election is being conducted. A.R.S. § 16-120. A qualified elector is defined as someone who has been properly registered to vote and who is at least eighteen years of age on or before the election date. A.R.S. § 16-121. Registration is a prerequisite to voting. A.R.S. § 16-122.

In 1993, Congress passed the National Voter Registration Act ("NVRA"), which requires each State to permit prospective voters to register to vote in elections for federal office by any of three methods: simultaneously with a driver's license application, in person, or by mail. 42 U.S.C. § 1973gg-2(a). The Election Assistance Commission ("EAC") administers the NVRA. The NVRA's primary stated purpose is to "establish procedures that will increase the number of eligible citizens who register to vote in elections for federal office." 42 U.S.C. § 1973gg(b)(1).

Under the NVRA, the federal mail registration form (the "Federal Form") includes a statement that specifies each eligibility requirement, including citizenship, contains an attestation that the applicant meets each such requirement, and requires the applicant's signature under penalty of perjury. 42 U.S.C. § 1973gg-7(a)(2). The EAC is required to work in consultation with the chief election officers of the States to develop the Federal Form, and the form is to include state-specific instructions. 42 U.S.C. § 1973gg-7(a).

In 2004, Arizona voters passed Proposition 200, a citizens' initiative that was designed in part "to combat voter fraud by requiring voters to present proof of citizenship when they register to vote and to present identification when they vote on election day." Purcell v. Gonzales, 549 U.S. 1, 2 (2006). One of Proposition 200's provisions, codified as A.R.S. § 16-152(A)(22), requires county recorders to reject voter registration forms that are not accompanied by sufficient evidence of citizenship. Another provision of Proposition 200, codified as A.R.S. § 16-156(F), sets forth the following acceptable methods or documents to prove citizenship:

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1. The number of the applicant's driver license or nonoperating identification license, if issued after October 1, 1996.

2. A photocopy of the applicant's birth certificate.

3. A photocopy of pertinent pages of the applicant's United States passport.

4. A presentation to the county recorder of the applicant's naturalization documents or the number of the certificate of naturalization.

5. Other documents or methods of proof that are established pursuant to the immigration reform and control act of 1986.

6. The applicant's Bureau of Indian Affairs card number, tribal treaty card number or tribal enrollment number.

Once a registrant submits sufficient evidence of citizenship, the registrant need not do so again unless he or she changes his or her residence to a different county. A.R.S. § 16-166(G). You and former Secretary of State Jan Brewer have both asked the EAC to include information regarding Proposition 200 in the state-specific instructions for the Federal Form, but have not received EAC's approval. EAC issued a prompt denial, which is now being appealed in court.

In 2006, two groups of plaintiffs filed suit against the State of Arizona seeking to enjoin the Proposition 200's voting provisions. After years of litigation, the United States Supreme Court issued its Opinion in Arizona v. Inter Tribal Council of Arizona, Inc. (hereinafter “Inter Tribal Council”), ___ U.S. ___, 133 S. Ct. 2247 (2013) on June 17, 2013. The Court held that Arizona must accept and use the Federal Form to register voters for elections for federal office. Id. at 2259–60. The Court held that the NVRA "precludes Arizona from requiring a Federal Form applicant to submit information beyond that required by the form itself." Id. at 2260. In that decision, the United States Supreme Court noted that determining qualifications for voters in federal elections is a state, not a federal function. The Court stated that "Arizona is correct that it

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1 The plaintiffs also named election officials from Arizona's fifteen counties as defendants. For brevity, this Opinion refers to all of the defendants collectively as the State.
would raise serious constitutional doubts if a federal statute precluded a state from obtaining the
information necessary to enforce its voter qualifications.” Id. at 2259–60.

The Supreme Court stated that Arizona could apply to the Elections Assistance
Commission for a state-specific requirement that potential registrants, using the federal as well as
the state form, furnish evidence of citizenship, and if the EAC did not grant the state’s specific
requirements, to pursue the constitutional issues in court. Arizona, as instructed by the U.S.
Supreme Court, is now in court pursuing those constitutional issues.

In the meantime, although the Court did not specifically address whether a Federal Form
applicant could vote in state or local elections, the Court noted that state-developed voter
registration forms could be used “in both state and federal elections” and that the Federal Form
guarantees that a simple means of registering to vote in federal elections will be available. Id. at
2255 (emphasis added).

The Ninth Circuit Court of Appeals, in its preceding decisions, noted that the NVRA did
not preclude Arizona from enforcing its evidence-of-citizenship requirement in state election
registrations. *Gonzalez v. Arizona*, 677 F.3d 383, 404 n.30 (9th Cir. 2012); *Gonzalez v. State of
Arizona*, 624 F.3d 1162, 1191 n.20 (9th Cir. 2010).

After the Supreme Court issued its mandate, the District Court for the District of Arizona
centered its final judgment in the *Gonzalez* matter, stating the following:

> For each voter registration applicant who submits a Federal Form that meets the requirement of the Federal Form, but does not contain information required by A.R.S. § 16-160(F), Defendants shall create a record for a successful registration of that individual and promptly notify that registrant of his or her eligibility to vote in elections for Federal office.


(emphasis supplied).
Analysis

A. To implement the provisions of Proposition 200 and the NVRA, Arizona's election officials must establish two distinct voter registration rolls.

Because Arizona law requires a registration applicant to provide evidence of citizenship, registrants who have not provided sufficient evidence of citizenship should not be permitted to vote in state and local elections unless such a dual registration system is invalid under the federal or state constitution. The courts that have examined dual registration systems have not specifically addressed an evidence-of-citizenship requirement. Instead, the courts have disapproved dual registration systems for reasons distinguishable from the situation presented here.

1. The U.S. Supreme Court has not foreclosed the possibility of a constitutionally acceptable dual registration system.

In Young v. Fordice, 520 U.S. 273 (1997), the Supreme Court analyzed Mississippi's conversion to a dual registration system after the NVRA's enactment. Mississippi, a covered jurisdiction subject to the Voting Rights Act's preclearance requirements, submitted a plan referred to as the "Provisional Plan," as opposed the "Old System" in place before the NVRA's effective date. Id. at 277. The Department of Justice precleared the Provisional Plan. Id. at 279.

Between January 1, 1995, and February 10, 1995, the Mississippi election officials registered 4,000 new voters under the Provisional Plan. Id. at 278. Thereafter, the state attorney general concluded that the Provisional Plan registrations did not meet state requirements and state

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2 In addition to the cases discussed below in subsections A.1 through A.3, a district court in Mississippi examined the State's dual registration system, which required voters to register separately for county and municipal elections. Miss. State Ch. ofr, Operation Push v. Allain, 674 F. Supp. 1245 (N.D. Miss. 1987). Because the case involved allegations of purposeful racial discrimination with significant findings of disparate impact after a full trial and did not involve separate state and federal voter-registration rolls, it is distinguishable from the current scenario. In that case, the court concluded that the Mississippi dual registration system violated Section 2 of the Voting Rights Act. Id. at 1248.

officials were then asked to notify those 4,000 registrants that they were not registered to vote in state or local elections. \textit{Id.} On February 10, 1995, Mississippi began using what was called the "New System" to register people for federal elections and went back to the Old System for registration for state elections. \textit{Id.} The State did not seek preclearance of the change from the Provisional Plan to the hybrid Old System/New System plan. \textit{Id.} at 280.

The question presented to the Supreme Court was whether Mississippi's changes required preclearance, not whether dual registration that differentiates between registration for state and federal elections violated any constitutional provisions. \textit{Id.} at 275. With respect to the propriety of a dual registration system, the Court stated as follows:

\begin{quote}
Finally, Mississippi argues that the NVRA, because it specifically applies only to registration for federal elections, 42 U.S.C. § 1973gg-2(a), automatically authorizes it to maintain separate voting procedures; hence § 5 cannot be used to force it to implement the NVRA for all elections. If Mississippi means that the NVRA does not forbid two systems and that § 5 of the VRA does not categorically—\textit{without more}—forbid a State to maintain a dual system, we agree... The question here is "preclearance...."
\end{quote}

\textit{Id.} at 280–91 (emphasis in original).

In \textit{Shelby County, Alabama v. Holder}, \textit{__ U.S. __}, 133 S. Ct. 2612, 2631 (2013), the Supreme Court struck down the Voting Rights Act's coverage formula. Consequently, Arizona is no longer subject to the preclearance requirement of the Voting Rights Act's Section 5. The Supreme Court has not addressed another dual registration scenario since \textit{Young}. Justice Alito noted in his dissent in \textit{Inter Tribal Council} that it would be "bureaucratic for a State to maintain separate federal and state registration processes with separate federal and state voter rolls." 133 S. Ct. at 2272. Nevertheless, the Supreme Court has not prohibited a State from doing so.
2. If adopted, Arizona's dual registration system will not be based on an unconstitutional distinction.

In *Haskins v. Davis*, 253 F. Supp. 642 (R.D. Va. 1966), the court considered Virginia's enactment of a dual registration system in response to the Twenty-Fourth Amendment's prohibition against poll taxes as a qualification for voting in a federal election. The court noted that Virginia's poll tax on state and local elections had been held to violate the Equal Protection Clause shortly before the court considered the *Haskins* matter. *Id.* at 642-43 (citing *Harper v. Va. State Bd. of Elections*, 383 U.S. 663 (1966)). Because the basis of the dual registration system was an unconstitutional distinction, the *Haskins* court held that the dual registration system violated the Equal Protection Clause. *Id.* at 643 ("No rational basis exists for distinction between persons registered to vote only in federal elections and those registered to vote in all elections.")

Here, unlike in *Haskins*, there is a legitimate reason for the distinction between state and federal registration systems. The NVRA requires Arizona election officials to accept and use the Federal Form to register voters for federal elections and thereby preempts Proposition 200 with respect to federal elections. But the NVRA does not apply to state and local elections. See, e.g.,

4 The Twenty-Fourth Amendment to the U.S. Constitution, which was ratified on January 23, 1964, provides as follows:

> The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

5 The *Harper* Court addressed Virginia's argument that it could exact fees from citizens for many different kinds of licenses and that voting was no different:

> But we must remember that the interest of the State, when it comes to voting, is limited to the power to fix qualifications. Wealth, like race, creed, or color, is not germane to one's ability to participate intelligently in the electoral process. To introduce wealth or payment of a fee as a measure of a voter's qualifications is to introduce a capricious or irrelevant factor.

*Harper*, 383 U.S. at 668.
42 U.S.C. § 1973gg-2(a) ("[I]n addition to any other method of voter registration provided for under State law, each State shall establish procedures to register to vote in elections for Federal office...") (emphasis supplied). As the courts repeatedly held in the Gonzales cases, requiring registrants to provide evidence of citizenship does not violate their constitutional rights.

First, the Ninth Circuit Court of Appeals held that Proposition 209 is not a poll tax even though some Arizonans may be required to spend money to obtain the necessary documents. Gonzales v. Arizona, 485 F.3d 1041, 1048 (9th Cir. 2007). This case therefore differs from Haskins on that basis alone.

Second, in denying the Plaintiffs' request for a permanent injunction, the district court made numerous significant findings of fact and conclusions of law. The district court held that the plaintiffs had failed to demonstrate that Proposition 200's evidence-of-citizenship requirement excessively burdened their right to vote. Gonzalez v. Arizona, Case No. CV06-1268-PHX-ROS (Dkt. 1041 at 29-34) (D. Ariz. Aug. 20, 2008). The court also held that the State had demonstrated important regulatory interests and actual instances of previous voter fraud. Id. at 34-35. The court concluded that "Proposition 209 enhances the accuracy of Arizona's voter rolls and ensures that the rights of lawful voters are not debased by unlawfully cast ballots," and held that as a result, Proposition 209 did not violate the Equal Protection Clause as an undue burden on the fundamental right to vote. Id. at 35. The district court further held that Proposition 200's registration provisions did not violate the Equal Protection Clause with respect to naturalized citizens, did not violate Section 2 of the Voting Rights Act, did not violate the plaintiffs' First Amendment speech and associational rights, and did not violate Title VI of the Civil Rights Act of 1964. Id. at 35-45.
Unlike the fees invalidated in *Haskins*, Proposition 200 has been upheld as serving a legitimate purpose and only minimally burdening voters. Proposition 200 must be implemented because it does not violate the Equal Protection Clause under the undisturbed district court and Ninth Circuit *Gonzales* holdings.

3. **The Arizona Constitution does not preclude a dual registration system.**

In *Orr v. Edger*, 670 N.E.2d 1243 (Ill. App. 1996), the Appellate Court of Illinois considered whether the State's dual registration system violated the Illinois Constitution. *Id.* at 1245. The Illinois Constitution provides that “[a]ll elections shall be free and equal.” Ill. Const. art. III, § 3. The *Orr* court stated that this provision “guarantees the right to vote in Illinois and reflects a broad public policy to expand the opportunity to vote.” *Id.* at 1252. The court concluded that the clause prohibited the State's creation of a “confusing system of dual and separate electorates for state and federal elections.”

Arizona's Constitution contains a similar provision, but for the reasons set forth below, we believe that Arizona courts would not apply the provision the same way that the *Orr* court did. Article II, § 21 provides as follows: “All elections shall be free and equal, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.” Ariz. Const. art. II, § 21.


> This provision underscores the importance of open and free elections and is effectively implemented by the more specific provisions found in Article VII. What is meant by “equal” elections is unclear. Perhaps it is a more expansive form of the prohibition of discrimination in voting on account of race, color, or

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previous condition of servitude contained in section 7 of Article XX; or perhaps it incorporates a notion of equally weighted individual votes, as in a "one person/one vote" formula.

Id. at 66.

Arizona courts rarely cite, much less interpret, this provision. In Chavez v. Brewer, 222 Ariz. 309, 214 P.3d 397 (App. 2009), the Arizona Court of Appeals addressed a claim by various electors against then Secretary of State Jan Brewer and the election officials in the fifteen counties that the voting machines certified for use did not satisfy Arizona's statutory requirements for accuracy and disability access. Id. at 313, ¶ 8, 214 P.3d at 401. Among other theories, the plaintiffs alleged that the machines violated Article 2, Section 21 because they are not accessible to individuals with disabilities in a manner that provides them the same opportunity for access and participation, including privacy and independence, as nondisabled voters. Id. at 319, ¶ 20, 214 P.3d at 407. They further argued that "requiring some voters to vote on such a flawed and insecure system while others vote on a safer, more accurate system would result in a drastically unequal election." Id.

The Arizona Court of Appeals noted that no previous Arizona cases interpreted the constitutional provision and looked to other States with similar provisions:

Other states with similar constitutional provisions have generally interpreted a "free and equal" election as one in which the voter is not prevented from casting a ballot by intimidation or threat of violence, or any other influence that would deter the voter from exercising free will, and in which each vote is given the same weight as every other ballot.

Id. at 319, ¶ 33, 214 P.3d at 407. The Court then concluded that "Arizona's constitutional right to a 'free and equal' election is implicated when votes are not properly counted" and that the appellants might therefore be entitled to relief if they could demonstrate that a significant number of votes would not be counted. Id. at 320, ¶ 34, 214 P.3d at 408.
Shortly after the Court of Appeals issued 
Chaves,
the Ninth Circuit adjudicated a case in 
which multiple felons challenged Arizona's disenfranchisement scheme under various provisions 
of the United States and Arizona Constitutions. Harvey v. Brewer, 605 F.3d 1057 (9th Cir. 
2010). The court rejected the plaintiffs' argument that requiring them to pay off their criminal 
fines and restitution orders violated the Free and Equal Elections Clause, stating that "the best 
reading of the [ provision] is that it does not apply to disenfranchised felons, but only to those 
who are otherwise qualified to vote." Id. at 1081.

These two cases demonstrate that the Free and Equal Elections Clause requires equality 
for all people who are qualified to vote in a particular election. Proposition 200 requires 
evidence of citizenship to be a qualified elector for state and local elections. A.R.S. § 16-166(F). 
Persons who have not provided that evidence are not qualified to vote in the state and local 
elections. The Free and Equal Elections Clause does not provide such individuals with a cause 
of action.

Other legal arguments against dual registration systems that parties have raised in other 
jurisdictions would be inapplicable. Neither the United States Constitution nor the Arizona 
Constitution forbids dual registration. The only way to give effect to Proposition 200's 
evidence-of-citizenship requirement is to establish separate voter rolls—one for those who have 
taken the additional step of providing evidence of citizenship, and another for those who have 
not. The NVRA requires applicants using the Federal Form to be registered to vote in elections 
for federal office, but it does not require them to be registered to vote in elections for state 
and local offices.
B. Arizona election statutes do not preclude a separate ballot containing federal offices only.

Arizona's election statutes contain many provisions regarding the specific requirements for ballots, including their design, printing, handling, and tabulation. The Legislature has defined the word "ballot" as follows:

[In its relation to a voting machine, means that portion of the cardboard, paper or other material within the ballot frames containing the name of the candidate, party designation or a statement of a proposed constitutional amendment, or other question, proposition or measure with the word "yes" for voting in favor of any proposed constitutional amendment, question, proposition or measure, or the word "no" for voting against any thereof.]

A.R.S. § 16-422(A)(1). It also is defined as "a paper ballot on which votes are recorded, or alternatively may mean ballot cards and ballot labels." A.R.S. § 16-444. The Legislature has not defined the term “ballot” in a way that requires a combined single ballot for all federal, state, and local elections for candidates and ballot measures.

When the Legislature enacted laws pertaining to ballots for primary elections, it included requirements such as different color designations for political parties, the use of columns, the use of instructions to guide voters regarding how many candidates can be selected for each office, and whether the candidates should be listed in alphabetical order, or rotated, etc. A.R.S. §§ 16-462 to -468. The Legislature provided comparably specific requirements for general election ballots. A.R.S. §§ 16-501 to -507. None of these statutes provide that a single ballot must contain federal, state, and local offices together. And although A.R.S. § 16-502 provides the specific order for listing candidates and ballot measures for a general election ballot, it does not mandate that there can be only one form of ballot.
Although the Legislature has not expressly authorized separate ballots, there is no existing statutory barrier to having one form of ballot containing only federal offices and a second form containing the federal, state, and local offices and ballot measures.

C. Persons who have registered using the Federal Form without providing evidence of citizenship are not qualified electors for purposes of signing petitions for state and local matters.

Under Arizona law, only registered voters are qualified electors eligible to sign candidate, initiative, referendum, and recall petitions. As set forth above, for state and local matters, registration is contingent on each applicant’s providing evidence of citizenship. All of the relevant constitutional provisions and statutes concerning the collection of petition signatures require the signers to be qualified electors. Ariz. Const. art. 4, pt. 1, § 1(7) (qualified electors required to sign a petition for initiative or referendum); Ariz. Const. art. VIII, § 1 (recall of public officers); A.R.S. § 16-314 (candidate nomination petitions); A.R.S. § 19-101 (referendum petitions); A.R.S. § 19-102 (initiative petitions); A.R.S. § 19-115(A) (requiring signers of initiative or referendum petitions to be “legally entitled to vote upon” the proposed measure); A.R.S. § 19-201 (recall petitions).

The Arizona Supreme Court has held that registration is a prerequisite to being a qualified elector for the purposes of signing petitions. First, in *Ahrens v. Kerby*, 44 Ariz. 337, 37 P.2d 375 (1934), the court considered the qualification for signatures on an initiative petition. The court examined all of the Arizona constitutional provisions that mentioned the words “elector” or “qualified elector” and concluded that it was clear that both refer “not to persons who merely have the qualifications entitling them to register, but to those who have registered and by doing so placed themselves in a position to discharge the duty to the state that possession of these qualifications imposes.” *Id.* at 345, 37 P.2d at 378. The court then looked at the statutory language concerning qualifications of signers for an initiative or referendum petition.
and noted that the Legislature must have felt that every person who had not registered to vote should be denied the right to sign a petition for a ballot measure, and that the registration requirement was in harmony "with the very nature of democratic government itself, because under it the individual is sovereign and exercises his power through the ballot." Id. at 346, 37 P.2d at 379. The court held that it was therefore reasonable to presume that unregistered electors were ineligible to "set in motion the machinery of the law by which measures upon which they themselves could not vote might be brought before those who could." Id.

The Court reiterated this point in *Whitman v. Moore*, stating "[i]t is, of course, absolutely necessary that every petitioner shall be a qualified elector who is entitled to vote" for or against the measure. 59 Ariz. 211, 223, 125 P.2d 445, 452 (1942). There, the Court affirmed the trial court's findings that signatures by petitioners who were not registered in the correct county or precinct were properly stricken. Id. at 227-28, 125 P.2d at 453-54.

The general rule applicable to all types of petitions is that a person who is qualified to vote for the candidate or ballot measure at issue is qualified to sign the petition to help get that candidate or ballot measure on the ballot in the first place. As set forth above, to be a qualified elector for state and local elections, a person must comply with the evidence-of-citizenship requirement established by Proposition 200. Persons who use the Federal Form to register but do not provide evidence of citizenship cannot, as a matter of law, be qualified electors for the purposes of signing state or local candidate, initiative, referendum, or recall petitions.

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Brief in Support of Plaintiffs' Motion for Preliminary Injunctive Relief
Exhibit C-3 - 800916

EAC001735
Conclusion

Proposition 200 being upheld as a legitimate means of improving the accuracy of Arizona's voter rolls and preventing voter fraud. Those registering only with the federal form, which does not include evidence of citizenship, should not vote in state elections or sign petitions. Persons seeking to register to vote must comply with Proposition 200's evidence-of-citizenship requirement in order to become a qualified elector eligible to vote in state and local elections and to sign candidate, initiative, referendum, or recall petitions. Persons using the Federal Form to register without providing evidence of citizenship are registered and qualified electors for federal offices. Arizona law does not preclude using one form of ballots for federal offices only and another form for all state offices and measures.

Thomas C. Horne
Attorney General
EXHIBIT 5
DECLARATION OF KAREN OSBORNE

I, Karen Osborne, hereby state, under penalty of perjury, that the following information is true to my knowledge, information, and belief:

1. I am employed by the Elections Department of the Maricopa County (Arizona) Recorder’s Office as the Director of Elections for Maricopa County, and I have held that position since 1996. I also serve as a deputy to the Maricopa County Recorder, Helen Purcell.

2. Just prior to my employment as the Maricopa County Director of Elections, I was the Maricopa County Assistant Director of Elections from 1991 to 1995. Prior to that, I served as the Assistant Secretary of State from 1978 to 1991. As a result, I have over 35 years of experience in elections and voter registration. In all, I have worked in Arizona state and county government since 1969.

3. In my capacity as the Director of Elections for Maricopa County, I am responsible for voter registration as well as the administration of the elections process in Maricopa County. In that capacity, my duties involve directly overseeing the voter registration process in the County including (1) ensuring that state mail-in voter registration forms are distributed throughout Maricopa County, (2) designating proper places throughout the County to receive completed voter registration forms, (3) reviewing completed voter registration forms, (4) notifying applicants if their registration is incomplete or illegible, (5) transmitting evidence of voter registration fraud or confusion to the proper enforcement authority, and (6) adding properly completed voter registrations to the County register.

4. I am competent to testify as to the matters contained herein and make this declaration based upon my own personal knowledge, experience, and analysis.

5. In November 2004, Arizona voters passed through an initiative Proposition 200, which was then codified as A.R.S. § 16-166(F). Under that provision, which went
into effect on January 24, 2008, prospective voters in Arizona must provide satisfactory
evidence of United States citizenship in order to register to vote.

6. In 2006, two groups of plaintiffs filed lawsuits against the State of Arizona
and its fifteen counties, asserting that Arizona's evidence-of-citizenship requirement
could not be applied to the federal voter registration form created by the National Voter
Registration Act, 42 U.S.C. § 1973gg et seq., as administered by the Election Assistance
Commission. After years of litigation, the U.S. Supreme Court issued its opinion in
Arizona v. Inter Tribal Council, 133 S. Ct. 2247 (2013) ("Inter Tribal Council") on June
17, 2013. The U.S. Supreme Court held that Arizona must accept and use the Federal
Form to register voters for elections for federal office.

7. I was deposed in the litigation in the Gonzalez v. Arizona case, which
ultimately resulted in the Inter Tribal Council opinion. In that litigation, I testified as to
the various instances in which the Maricopa County Recorder’s Office determined that,
through voter registration fraud or mistake, non-U.S. citizens had managed to register and
or vote in Maricopa County. I testified to the following instances and figures in that
litigation.

8. As I understand it, at some point in the early 2000s, the U.S. Immigration
and Naturalization Service (INS) implemented a process by which it required certain
people applying for U.S. citizenship to get a letter from the county recorder’s office in the
county in which they resided that affirmed that the applicant had never registered to vote
or voted. Beginning in 2003, people began coming into the Maricopa County Recorder’s
Office asking for a letter that said they had never registered to vote or actually voted in
Maricopa County. In responding to these requests, as of July 11, 2006, we identified at
least 37 individuals who were applying for U.S. citizenship but had either voted or
registered to vote in Maricopa County.

9. Leading up to the 2004 election, the Maricopa County Recorder’s Office
received multiple voter registration forms, delivered by private organizations that ran
voter registration drives, that failed to indicate that the registrant was a U.S. citizen.
When we contacted the individual registrants, many of them did not appear to understand
that they had to be a U.S. citizen to register to vote and appeared to have been persuaded
to register by the organization running the voter registration drive.

10. To the best of my recollection, in 2005, the Maricopa County Recorder's
Office referred 159 matters to the then-Maricopa County Attorney, Andrew Thomas, in
which it was determined that there was evidence that non-citizens had registered to vote.
A large number of these individuals had sworn to the Maricopa County Jury
Commissioner that they were not U.S. citizens and therefore could not perform their jury
duties. In August of 2005, the Maricopa County Attorney's Office announced that ten
non-citizens had been charged in felony criminal complaints for falsely filing voter
registration forms claiming they were in fact U.S. citizens. Some of those individuals
were identified as having voted in an election under falsely filed voter registrations.

11. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the
laws of the United States of America that the foregoing is true and correct.

Executed on ______________, 2013.

Karen Osborne
Maricopa County Director of Elections
& Deputy Maricopa County Recorder

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EXHIBIT 6
DECLARATION OF TAMMY PATRICK

I, Tammy Patrick, hereby state, under penalty of perjury, that the following information is true to my knowledge, information, and belief:

1. I am employed with the Maricopa County Elections Department as the Federal Compliance Officer and have held this position since 2005. I have been responsible for the Election Department's Voting Rights Act Section 5 submissions to the Department of Justice and for otherwise ensuring that Maricopa County's elections comply with federal law. These responsibilities include, but are not limited to, voter assistance in compliance with the Americans with Disabilities Act and the Help America Vote Act, minority language outreach and bilingual pollworker education as required under Sections 203 and 464 of the Voting Rights Act, and data analysis and development of programs to service military and overseas voters as it relates to the Uniform Overseas Citizens Absentee Voting Act.

2. In my current position, I collaborate with community and political organizations to create a productive working relationship with the goal of voter participation. In that capacity, I have testified before Congress regarding the role of election audits. I have worked with the Brennan Center for Justice, the Pew Election Initiatives, the Uniform Law Commission, the Election Assistance Commission, and the National Conference of State Legislatures to study numerous changes in election administration and efforts to improve voter participation and confidence. I have also served on the Election Center's National Task Force on Education and Training, their Election Administration Benchmarking Task Force, and their Legislative Committee. In 2012, I was appointed by the Election Center to represent them on the Mailing's Technical Advisory Committee (MTAC) to the United States Postal Service and serve as the co-chair of the Postal Task Force for the Election Center. Most recently, I was appointed by President Obama to serve as one of ten Commissioners on the Presidential Commission on Election Administration. My reputation for sound data collection and analysis

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afforded my inclusion in The Democracy Index by Yale law professor Heather Gerkin, and has been recognized nationally by the Kennedy School of Governance at Harvard, the National Association of Counties, the Election Center, and the National Association County Recorders Election Officials and Clerks. I currently participate in active working groups with the National Institute of Science and Technology and the Industrial Electrical and Electronics Engineers P1622 Common Data Format for Election Results Reporting.

3. I am competent to testify as to the matters contained herein and make this declaration based upon my own personal knowledge, experience, and analysis.

4. In 2004, Arizona voter passed Proposition 200, which was then codified as A.R.S. § 16-166(F). Under that provision, prospective voters must provide satisfactory evidence of United States citizenship in order to register to vote.

5. In 2006, two groups of plaintiffs filed lawsuits against the State of Arizona and its fifteen counties, asserting that Arizona's evidence-of-citizenship requirement could not be applied to the federal voter registration form created by the National Voter Registration Act ("NVRA"), 42 U.S.C. § 1973gg et seq., as administered by the Election Assistance Commission ("EAC"). After years of litigation, the U.S. Supreme Court issued its Opinion in Arizona v. Inter Tribal Council, __ U.S. __, 133 S. Ct. 2247 (2013) ("Inter Tribal Council") on June 17, 2013. The Court held that Arizona must accept and use the Federal Form to register voters for elections for federal office.

6. In light of the Inter Tribal Council Opinion, the various county election officials and the Arizona Secretary of State began discussing what that decision means with respect to state and local elections and whether voters who registered using the Federal Form without providing evidence of U.S. citizenship were eligible to vote in state and local elections.

7. Secretary Bennett requested an official Opinion from Arizona Attorney General Tom Horne, in which he asked that very question. On October 7, 2013, the Attorney General issued Opinion No. 113-011, which answered Secretary Bennett’s
question in the negative. The Opinion stated that "Registrants who use the Federal Form and did not provide sufficient evidence of citizenship are not eligible to vote for state and local races."

**Dual Voter Registration Systems.**

8. Based on this Opinion, the State and counties must establish a dual registration system to keep track of voters who registered with evidence of citizenship and those who did not. The voters who provided evidence of citizenship will be able to vote in all elections, including races for federal, state, and local office, as well as ballot measures. The voters who did not provide evidence of citizenship will be able to vote in elections for federal offices only.

9. In anticipation of Attorney General’s Opinion and in response after it was officially issued, Maricopa County Elections Department began brainstorming as to what would be encompassed in implementing a dual registration system and how much it would cost.

10. Maricopa County Elections Department serves 1.9 million registered voters in the greater Phoenix Valley. Maricopa County is divided into 724 voting precincts. The annual budget for the Elections Department is approximately $18 million.

**Applicants that Submitted a Federal Form**

11. From August 1, 2012 to October 7, 2013 Maricopa County received 426,766 voter registration forms: both state and federal forms for new, and existing, voters.

12. Approximately 3% of voter registration forms received by Maricopa County each year are Federal Voter Registration forms. During the period from August 6, 2012 to the morning of October 17, 2013, Maricopa County received 12,651 Federal Voter Registration forms. The dispositions of those forms are as follows:
a. 4,697, or 37%, were existing voters on the voter file using the Federal Form to update their information.

b. 3,020, or 24%, were new applicants who provided their Arizona driver’s license number.

c. 180, or 1%, provided other information which satisfied the proof of citizenship requirement for the voter.

d. 378, or 3%, were not residents of Maricopa County either listing addresses in another county in Arizona, or in another state in the Union.

e. 4,264, or 34%, did not provide identifying information in the field for a driver’s license number, which would have satisfied the proof of citizenship requirement, when first submitting their application and were placed on suspense. Since the Elections Department notified these registrants they were on suspense, the status of these registrations are as follows:

i. 3,159, or 74%, of these voters later provided the necessary information to satisfy the proof of citizenship requirement.

ii. 151, or 4%, of these registrants provided insufficient information, such as a nonexistent address, incomplete date of birth, or lack of signature, which prevented the Elections Department from adding the new registration or modifying an existing record.

iii. 954, or 22%, of the registrants are still on suspense awaiting information to satisfy the proof of citizenship requirement. This pool of voters who would be required to vote a Federal Only ballot. These 954 registrants who submitted a
federal form without satisfying the satisfactory proof of citizenship requirement represent 0.2% of all voter registration forms submitted.

Costs of Dual Voter Registration Systems

13. The Elections Department has determined that the cost of implementing a dual registration system, including printing federal only ballots, will exceed $250,000, which has not already been budgeted and will need to be requisitioned. This figure of $250,000 is based on an estimate of $236,662.08 for additional printing and mailing costs, which are summarized below.

14. For the primary election, there will have to be new federal-only ballot styles prepared for the 724 precincts and 5 recognized parties, resulting in a calculation of 3,620 additional ballot styles. For each additional ballot style, there is a fee of $43.32, which results in a total cost of $156,818.40.

15. For a minimum of 25 ballots per precinct, the total number of additional ballots that will have to be printed is 90,500. At a printing cost of $0.40 per ballot, the printing cost will total $36,200.00.

16. For the general election, there will be 724 new ballot styles, accounting for one new federal-only ballot style for each of the 724 precincts, resulting in a design cost of $31,363.68. To print a minimum of 25 ballots per precinct, the printing cost will be $7,240.00.

17. The printing costs for the primary and general election therefore will be increased by a total of $231,622.08.

18. The Elections Department is also planning two additional mailings to go out to each voter who is currently registered using the Federal Form without providing evidence of citizenship. Currently, there are approximately 954 registered voters in this
The Elections Department estimated that the cost for these mailings will be $5,040 based on the cost of printing the letters and envelopes and applying postage for an estimated 1,000 voters.

19. In addition to these estimated costs, the Elections Department will also have to print additional ballots for the logic and accuracy testing done by the Secretary of State’s Office before the primary and general elections. Also, the Elections Department performs logic and accuracy testing on each precinct’s optical scan machines and will have to print ballots for these tests as well.

20. Additional ballots will have to be printed for the duplication process as well. The County uses duplication boards comprised of at least two members of different political party affiliation, in accordance with the Secretary of State’s Election Procedures Manual, to duplicate damaged ballots or ballots that were not marked according to instructions if the voter has indicated his or her clear intent by marking the ballot in a consistent manner. Thus, for each precinct and each ballot style and for both the primary election and the general election, additional ballots will be printed for that process.

21. The Elections Department has also not yet estimated costs that will be needed to update the IT. The Election Management System (EMS) is a computer system that implements election management software. The Elections Department’s IT unit will have to find a way within the EMS to designate impacted voters, make restrictions on their abilities to request ballots in local races, and generate reports. The EMS is also used to designate which voters receive which mailings from the Election Department and will have to be updated to include the new special mailings going to impacted federal-only voters. The IT unit will also have to revise the intranet and internet voter-registration look-up tools.

22. The Elections Department has also not yet estimated costs for the following:
   • Additional staffing costs for layout of thousands of additional ballot styles.
Additional staffing costs for proofing thousands of additional ballot styles;

Additional staffing costs for logic and accuracy testing of thousands of additional ballot styles;

Additional training of poll workers, Election Day field troubleshooters, temporary and permanent staff at front counters and the call center; and

Increases costs related to provisional ballot processing.

23. These additional costs may be as much as $75,000 to $100,000 on top of the previous estimate of $250,000 for the additional printing and mailing.

24. Because the Arizona Attorney General’s Opinion regarding a dual registration system was just issued this month, the Elections Department may not yet have discovered or thought of all of the implications of such a decision and there may still be additional costs that have not been considered.

25. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October, 22 2013.

Tammy Patrick
Federal Compliance Officer
Maricopa County Elections Department
EXHIBIT 7
I, KRISTINA KINGSMORE, hereby state, under penalty of perjury, that the
following information is true to my knowledge, information, and belief:

1. I am an employee of the Arizona Secretary of State’s Office. I serve as the
Assistant State Election Director for the Secretary of State Ken Bennett (“Secretary”) and
have served in this position since 2003.

2. I am competent to testify as to the matters contained herein and make this
declaration based upon my own personal knowledge and review of records maintained in
the regular course of business at the Arizona Secretary of State’s Office.

3. In 2004, Arizona voters passed Proposition 200, a citizens’ initiative, which
was codified in part as Arizona Revised Statutes (“A.R.S.”) 16-166(F). That provision
requires prospective voters to provide satisfactory evidence of United States citizenship
in order to register to vote and permits a variety of documents and identification numbers
to be used as evidence of citizenship.

4. The Federal Voting Assistance Program (“FVAP”) administers the
Uniformed and Overseas Citizens Absentee Voting Act (“UOCAVA”) on behalf of the
Department of Defense. The UOCAVA requires that the states and territories allow
certain U.S. citizens to register and vote absentee in elections for federal office, including
members of the military and other U.S. citizens residing outside of the United States. See
www.fvap.gov.

5. The FVAP created a Federal Post Card Application (“FPCA”) to enable
applicants to register to vote. The FPCA has specific instructions for each state.

6. In 2005, the Secretary’s Office sought and received approval from the
FVAP for inclusion of Arizona’s proof-of-citizenship requirement in the Arizona-specific
instructions for the FPCA.

7. The Secretary’s Office maintained copies of the correspondence with the
FVAP in connection with its request for modification of the Arizona-specific instructions.
These letters and e-mails were kept in the ordinary course of business of the Secretary’s
Office. It is a regular practice of the Secretary's Office to maintain copies of correspondence with federal agencies that relate to voter registration.

8. The following documents are true and accurate copies of the letters and e-mails that were sent and received between the Secretary's Office and the FVAP in connection with the 2005 request to modify the Arizona-specific instructions:

   a. June 27, 2005 letter from Arizona State Election Director Joseph Kanefield to P.K. Brunelli, Director of the FVAP, and attachments;

   b. July 14, 2005 e-mail from Ken McClenton of FVAP to Joseph Kanefield and attachments;

   c. July 19, 2005 e-mail from Robert Flores, former Voter Outreach Coordinator for the Secretary's Office, to various personnel at FVAP and attachment; and

   d. E-mail correspondence from September 9, 2005 through September 12, 2005 between Joseph Kanefield and Betty Collins of FVAP.

9. I declare under penalty of perjury that the foregoing is true and correct.

    Executed this 25\textsuperscript{th} day of January, 2014.

\[\text{Signature}\]

KRISTINA KINGSMORE
Assistant State Election Director

#3659943
Attachment A
From: Kanefield, Joe  
Sent: Monday, September 12, 2005 8:39 AM  
To: Waite, Kris  
Subject: FW: Draft Instructions

FYI

Joseph Kanefield  
State Election Director  
Arizona Secretary of State's Office  
1700 West Washington, 7th Floor  
Phoenix, Arizona 85007  
(602) 542-6167 (direct)  
(602) 542-6172 (fax)  
jkanefield@azsos.gov

-----Original Message-----
From: Collins, Betty, Ms, OSD P&R/FVAP <mailto:collinsb@fvap.azer.gov>  
Sent: Monday, September 12, 2005 7:04 AM  
To: Kanefield, Joe  
Subject: RE: Draft Instructions

Mr. Kanefield:  
Thanks for your telephone call. I have made the change to the Arizona Guide pages. Arizona has passed a lot of really good things for UOCAVA voters. Thanks again for looking at the Guide pages once again.

Betty Collins

-----Original Message-----
From: Kanefield, Joe <mailto:jkanefield@azsos.gov>  
Sent: Friday, September 09, 2005 4:28 PM  
To: Collins, Betty, Ms, OSD P&R/FVAP  
Cc: Atkinson, Liz  
Subject: RE: Draft Instructions

Betty, we still haven't received the fax. Why don't you try faxing them to (602) 542-1575.

Joseph Kanefield  
State Election Director  
Arizona Secretary of State's Office  
1700 West Washington, 7th Floor  
Phoenix, Arizona 85007  
(602) 542-6167 (direct)  
(602) 542-6172 (fax)  
jkanefield@azsos.gov
-----Original Message-----
From: Collins, Betty, Ms, OSD P&R/FVAP [mailto:collinsb@fvap.ncr.gov]
Sent: Friday, September 09, 2005 10:37 AM
To: Kanefield, Joe
Subject: RE: Draft Instructions

I did fax it, but will re-fax immediately.

Thanks, Mr. Kanefield

-----Original Message-----
From: Kanefield, Joe [mailto:jkanefield@azsos.gov]
Sent: Friday, September 09, 2005 1:27 PM
To: collinsb@fvap.ncr.gov
Cc: Waite, Kris
Subject: Draft Instructions

Betty, we never got the draft faxed to us. Can you fax it again so we can review it today and get it back to you? Our fax number is below. Thanks.

Joseph Kanefield
State Election Director
Arizona Secretary of State's Office
1700 West Washington, 7th Floor
Phoenix, Arizona 85007
(602) 542-6167 (direct)
(602) 542-6172 (fax)
jkanefield@azsos.gov
Attachment B
June 27, 2005

P.K. Brunelli, Director
Federal Voting Assistance Program
1777 N. Kent St., Suite 14003
Arlington, VA 22209-2162

RE: 2006-07 Voting Assistance Guide – Arizona Instructions

Dear Mr. Brunelli:

Thank you for your letter dated June 2, 2005, addressed to Arizona Secretary of State Jan Brewer, requesting assistance in drafting the Arizona Instructions contained in the new 2006-07 Voting Assistance Guide.

Our office sent an e-mail copy of our suggested changes to your office on June 17, 2005. Upon closer review, we have determined a few small changes are in order to clarify the instructions. The changes are noted on the attached document. An electronic version of this document has also been sent by email to Betty Collins.

Our proposed instructions reflect many of the changes made to Arizona law during the past year. Proposition 200, passed by the voters last November, requires newly registered voters and voters moving to a new county to establish proof of citizenship. In addition, HB 2288 passed by the Legislature earlier this year contains many of the changes requested by FVAP to make it easier for military and overseas citizens to vote.

Enclosed are copies of both pieces of legislation for your review. Please note that although Proposition 200 has been precleared by the Department of Justice, we are still awaiting preclearance on HB 2288. That is expected on or before August 1, 2005.

If you have any questions regarding our instructions, please contact Robert Flores, Voting Outreach Coordinator, at (602) 364-4700 or by email at rflores@azsos.gov.

Sincerely,

Joseph Kanefield
State Election Director

Enclosures

cc: Betty Collins

State Capitol: 1700 W. Washington Street, 7th Floor
Phoenix, Arizona 85007-2888
Telephone (602) 542-4285 Fax (602) 542-1575
ARIZONA

Absentee Voting Guide

FOR UNIFORMED SERVICES AND U.S. CITIZENS OVERSEAS

I. Application Instructions for FPCA

II. Uniformed Services
   A. Who Can Do It
   B. Registering and Requesting an Absentee Ballot
   C. Casting Your Vote
   D. Notary/Witness Requirements
   E. Electronic Transmission of FPCAs and Ballots
   F. Special Write-In Early Ballot
   G. Federal Write-In Absentee Ballot (FWAB)

III. Civilians Outside U.S.
   A. Who Can Do It
   B. Registering and Requesting an Absentee Ballot
   C. Casting Your Vote
   D. Notary/Witness Requirements
   E. Electronic Transmission of FPCAs and Ballots
   F. Special Write-In Early Ballot
   G. Federal Write-In Absentee Ballot

IV. Uniformed Services & Civilians Outside U.S.
   A. Bars to Registration and Voting
   B. Action on Registration Request
   C. Action If Registration is Denied
   D. Voting By Citizens Who Have Never Lived in the U.S. Where To Send It
   E. Where To Send It

EAC001757
I. APPLICATION INSTRUCTIONS
FOR FPCA

A. Your Arizona Driver License number or Non-operating Identification License number or
the last four digits of your Social Security number is required for voter registration. If you do not
possess either of these identifications, the State shall
assign a unique number that will serve to identify you for voter registration purposes. See new
Citizenship requirement registration in E below.

B. Provide the complete street address of your Arizona voting residence. A post office box is
not sufficient. If your address includes a rural route, describe its location in Item 6. For example:
"2 miles past Highway ______, across the street from the ______ gas station." This address
must be different from the one provided in Item 4 and must be within the county where you claim
legal voting residence.

C. Print the complete address where you want your ballot sent — usually your current
mailing address. Your current mailing address must be different from the address you provided in
Item 3.

D. If you do not list a party affiliation in Item 5 or if you register as independent or with a
party that does not have primary election ballot status, you may designate the ballot of a party
that does have representation on the ballot and vote that ballot (Example: Democrat,
Republican). Please designate the party ballot you wish to request for the primary in Item 6
(Additional Information).

If you are currently registered and want to change your political party affiliation or you have
previously declined to indicate a political party you must submit a completed FPCA to the local
election official not later than 29 days before Election Day.

E. A completed voter registration form must also contain proof of citizenship or the Federal
Post Card Application will be rejected. If you have an Arizona driver license or non-operating
identification license issued after October 1, 1996, the license number in Item 2(a) this will serve
as your proof of citizenship. If not, you must enclose proof of citizenship with the FPCA. The
following is a list of acceptable documents to establish your citizenship:
• 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 pertinent pages of a United States passport identifying the
applicant
• Presentation to the County Recorder of the United States naturalization documents or
enter the number of the certificate of naturalization in Item 6
• The applicant’s Bureau of Indian Affairs Card Number, Tribal Treaty Card Number, or
Tribal Enrollment Number, (enter in Item 6)
• A legible photocopy of a driver license or nonoperating license from another state within
the United States if the license indicates that the applicant has provided satisfactory proof
of citizenship
• A legible photocopy of a Tribal Certificate of Indian Blood or Tribal or Bureau of Indian
Affairs Affidavit of Birth.

If you need to include a photocopy of proof of citizenship, please fold the proof along with the
FPCA, place both items in an envelope, and mail them to your County Recorder. Send
legible photocopies and not the originals. Photocopies will not be returned to you. If
you are registered in Arizona and use this FPCA because you move within a county, change your name, or change your political party affiliation, you do not need to provide photocopies of proof of citizenship. If you move to a different Arizona county, you will need to provide proof of citizenship.

F. You must sign and date the FPCA. When signing, you are swearing or affirming that the information is true and correct. It is not necessary to have a witness or notary sign the FPCA.

II. UNIFORMED SERVICES

A. Who Can Do It

These procedures apply to persons who are U.S. citizens, residents of Arizona and members of the Uniformed Services and their family members. Uniformed Services are defined as the U.S. Armed Forces, merchant marine, commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration.

Any U.S. citizen who has never resided in the U.S. and whose parent is a U.S. citizen who is registered to vote in Arizona is eligible to register to vote and may vote in Arizona.

B. Registering and Requesting an Absentee Ballot

You should send an FPCA to your local election official early every year and whenever you change your mailing address (see Chapter 2).

If you are a registered citizen, the County Recorder must receive your FPCA request by 7 p.m. on Election Day.

If you are an unregistered citizen residing temporarily outside the state, the County Recorder must receive your FPCA request for both registration and a regular early ballot by 7 p.m. on Election Day.

If you are an unregistered citizen residing within the state, the County Recorder must receive your FPCA request for registration not later than 29 days before the election.

C. Casting Your Vote

Ballot Return Deadline: Return your voted ballot so that it arrives at the County Recorder's office or Arizona Secretary of State's office by 7 p.m. on Election Day.

Local election officials mail regular early ballots approximately 15 days before the Presidential Preference Election. Regular early ballots are mailed approximately 53 days before all other elections.

If you have not received your state ballot in a timely manner, use the Federal Write-In Absentee Ballot (FWAB) Instructions in G, and below. See instructions in Chapter 2, page 12 as well.

D. Notary/Witness Requirements

No registration or voting materials are notarized or witnessed.

E. Electronic Transmission of FPCAs and Ballots
Arizona allows you to send the FPCA application for registration and absentee ballot requests by fax. After faxing, submit the FPCA by mail.

Arizona allows you to receive the blank ballot by fax.

Arizona allows you to return the voted ballot by fax. Please refer to Appendix C for specific instructions when transmitting election materials electronically. Use the following numbers:

DSN 223-5627
(703) 693-5627
1-800-368-8883

Additional international toll-free fax numbers are listed on the inside back cover.

F. Special Write-In Early Ballot

Arizona provides a state special write-in early ballot available 36 days before the Presidential preference election, 60 days before all other primary elections and 60 days before the general election if you are a member of the Armed Forces, merchant marine, or a spouse or dependent of these and cannot vote an early ballot during the normal voting period.

You may use an FPCA to request this state special write-in ballot. In item 6 of the FPCA, place one of the state special write-in labels from Section III.E. If no labels are available, in item 6 write: "Due to military or other contingencies that preclude normal mail delivery, I cannot vote an early ballot during the normal voting period. I request a special write-in early ballot." You may vote the ballot by writing in the names of specific candidates. Instructions continue in Section III: Uniformed Services & Civilians Outside U.S.

G. Federal Write-In Absentee Ballot (FWAB)

Arizona allows the federal write-in absentee ballot (FWAB) to be used in a primary, general or special election where federal offices will be elected. In order to be eligible to use the FWAB the county recorder must receive the voter’s request for a regular early ballot before 7 p.m. Election Day and the voter must not have received that ballot.

A FWAB will not be counted if the application for the regular early ballot is received after 7 p.m. Election Day or if the voter's regular early ballot is received by the county recorder by 7 p.m. on Election Day.

The FWAB transmission envelope can be used as a voter registration form in Arizona if:

- The voter is eligible to register and vote in the state.
- The voter provides proof of citizenship as described in Arizona's Application Instructions for the FPCA. (See Section I, Application for Instructions For FPCA)
- The County Recorder receives the transmission envelope by 7 p.m. on Election Day.

III CIVILIANS OUTSIDE U.S.

A. Who Can Do It

These procedures apply to persons, who are U.S. citizens, residents of Arizona and overseas citizens. The term "overseas citizen(s)" means a U.S. citizen who resides outside the U.S., and
who was qualified to register, except for age, in Arizona immediately prior to his/her departure from Arizona.

☐ Arizona residents temporarily residing outside the U.S.

☐ overseas citizens

Any U.S. Citizen who has never resided in the U.S. and whose parent is a U.S. Citizen who is registered to vote in Arizona is eligible to register to vote in Arizona and may vote in Arizona.

B. Registering and Requesting an Absentee Ballot

You should send an FPCA to your local election official early every year and whenever you change your mailing address (see Chapter 2).
If you are a registered Arizona resident temporarily residing outside the U.S., the County Recorder must receive your FPCA request not later than 7 p.m. on the second Friday before the election.

If you are an unregistered Arizona resident temporarily residing outside the U.S., the County Recorder must receive your FPCA request for both registration and a regular early ballot by 7 p.m. on Election Day.

If you are an overseas citizen who is currently registered to vote in Arizona, the County Recorder must receive your FPCA early ballot request by 7 p.m. on Election Day.

C. Casting Your Vote

Ballot Return Deadline: Return your voted ballot so that it arrives at the County Recorder or Arizona Secretary of State’s office by 7 p.m. on Election Day.

Local election officials mail regular early ballots approximately 15 days before the Presidential Preference Election. Ballots are mailed approximately 33 days before all other elections.

If you have not received your state ballot in a timely manner, use the Federal Write-In Absentee Ballot Instructions in G below. See instructions in Chapter 2, page 12 as well.

D. Notary/Witness Requirements

No registration or voting materials are notarized or witnessed.

E. Electronic Transmission of FPCAs and Ballots

☐ Arizona allows you to send the FPCA application for registration and early ballot requests by fax. After faxing, submit the FPCA by mail.

☐ Arizona allows you to receive the blank ballot by fax.

☐ Arizona allows you to return the voted ballot by fax.

Please refer to Appendix C for specific instructions when transmitting election materials electronically. Use the following numbers:

DSN 223-5527
(703) 693-5527
1-800-368-8683
Additional international toll-free fax numbers are listed on the inside back cover.

F. Special Write-In Early Ballot

Arizona provides you with a state special write-in early ballot available 36 days before the Presidential Preference Election, 60 days before all other primary elections and 50 days before the general election if you are overseas and cannot vote an early ballot during the normal voting period.

You may use an FPCA to request this state special write-in ballot. In item 6 of the FPCA, place one of the state special write-in labels from Section III. If no labels are available, in item 6 write: "Due to military or other contingencies that preclude normal mail delivery, I cannot vote an early ballot during the normal early voting period. I request a special write-in early ballot."

You may vote the ballot by writing in the names of specific candidates.

Instructions continue in Section III: Uniformed Services & Civilians Outside U.S.

G. Federal Write-In Absentee Ballot (FWAB)

Arizona allows the federal write-in absentee ballot (FWAB) to be used in a primary, general or special election where federal offices will be elected. In order to be eligible to use the FWAB the county recorder must receive the voter's request for a regular early ballot before 7 p.m. Election Day and the voter must not have received that ballot.

A FWAB will not be counted if the application for the regular early ballot is received after 7 p.m. Election Day or if the voter's regular early ballot is received by the county recorder by 7 p.m. on Election Day.

The FWAB transmission envelope can be used as a voter registration form in Arizona if:

- The voter is eligible to register and vote in the state.
- The voter provides proof of citizenship as described in Arizona's Application Instructions for the FPCA. (See Section I, Application for Instructions For FPCA)

The county recorder receives the transmission envelope by 7 p.m. on Election Day.

IV. UNIFORMED SERVICES & CIVILIANS OUTSIDE U.S.

A. Bars to Registration and Voting

Persons convicted of treason or a felony (unless civil rights restored), and persons adjudicated as incapacitated as defined in A.R.S. 14-5101, may not register or vote.

B. Action on Registration Requests

Notice of registration is sent. The County Recorder must notify the applicant within 10 business days of receipt if his or her application cannot be read or is missing required information.

C. Action If Registration Is Denied
No formal appeal process exists. If denied registration, consult a legal assistance officer or civilian counsel. Upon denial of your voter registration application or absentee ballot request, Arizona shall provide you with the reason(s) for the rejection.

D. Voting By Citizens Who Have Never Lived in the U.S.

A U.S. citizen has never resided in the U.S. and whose parent is a U.S. citizen who is registered to vote in Arizona is eligible to register to vote and may vote in Arizona.

D. Where To Send It

For further information and website links to your County Recorder, please visit www.azsos.gov or call 1.877.THE VOTE (1.877.843.6683).

Mail the FPCA to the County Recorder, county of voting residence, as listed below:

<table>
<thead>
<tr>
<th>County</th>
<th>County Seat</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apache</td>
<td>County Recorder</td>
<td>85938-0425</td>
</tr>
<tr>
<td></td>
<td>PO Box 425</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Saint Johns, AZ</td>
<td></td>
</tr>
<tr>
<td>Cochise</td>
<td>County Recorder</td>
<td>85603-0164</td>
</tr>
<tr>
<td></td>
<td>1415 Melody Ln. Bldg B</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bisbee, AZ</td>
<td></td>
</tr>
<tr>
<td>Coconino</td>
<td>County Recorder</td>
<td>86001-4696</td>
</tr>
<tr>
<td></td>
<td>110 East Cherry Avenue</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Flagstaff, AZ</td>
<td></td>
</tr>
<tr>
<td>Gila</td>
<td>County Recorder</td>
<td>85501-1400</td>
</tr>
<tr>
<td></td>
<td>1400 East Ash Street</td>
<td></td>
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E. STATE SPECIAL WRITE-IN LABELS

If needed, place one of the following stick-on labels in item 7 of the FPCA:

ARIZONA
"Due to military or other contingencies that preclude normal mail delivery, I cannot vote an early ballot during the normal early voting period. I request a special write-in early ballot."

ARIZONA
"Due to military or other contingencies that preclude normal mail delivery, I cannot vote an early ballot during the normal early voting period. I request a special write-in early ballot."

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EAC001764
State of Arizona
House of Representatives
Forty-seventh Legislature
First Regular Session
2005

CHAPTER 271

HOUSE BILL 2288

AN ACT

AMENDING SECTIONS 16-103, 16-542, 16-543 AND 16-543.02, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS AND ELECTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Subject to the requirements of article IV, part 1, section 1, subsection (6) or subsection (14), Constitution of Arizona, section 16-103, Arizona Revised Statutes, is amended to read:

16-103. Qualified person temporarily absent from state; persons in the service of the United States

A. A qualified person temporarily absent from the state may register by filling out an affidavit of registration which shall be furnished upon request of the registrant by the county recorder of the county in which the registrant has residence pursuant to section 16-593. The registrant shall execute the affidavit of registration and administer the oath himself and shall return the affidavit to the county recorder.


C. Any other provisions of law to the contrary notwithstanding, registration for any person covered under subsection B of this section may be accomplished at any time prior to 7:00 p.m. of an election day. This subsection applies only to persons temporarily absent from this state.

D. A PERSON WHO WAS AN OVERSEAS VOTER AS DEFINED IN THE UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT OF 1986 (P.L. 99-410; 42 UNITED STATES CODE SECTION 1973), AS AMENDED BY THE RONALD W. REAGAN NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005, (P.L. 108-375), IMMEDIATELY BEFORE BEING DOMICILED IN THIS STATE AND WHO HAS BEEN DISCHARGED OR SEPARATED FROM THAT SERVICE OR EMPLOYMENT IN THE NINETY DAYS BEFORE ELECTION DAY MAY REGISTER AND IS ELIGIBLE TO VOTE IN THAT ELECTION IF THE REGISTRATION IS RECEIVED BY 5:00 P.M. ON THE FRIDAY BEFORE ELECTION DAY.

E. ANY UNITED STATES CITIZEN WHO HAS NEVER RESIDED IN THE UNITED STATES AND WHOSE PARENT IS A UNITED STATES CITIZEN WHO IS REGISTERED TO VOTE IN THIS STATE IS ELIGIBLE TO REGISTER TO VOTE AND MAY VOTE IN THIS STATE USING A FEDERAL WRITE-IN EARLY BALLOT AS PRESCRIBED BY SECTION 16-543.02.

Sec. 2. Section 16-542, Arizona Revised Statutes, is amended to read:

16-542. Request for ballot

A. Within ninety days next preceding the Saturday before any election called pursuant to the laws of this state, an elector may make a verbal or signed request to the county recorder, or other officer in charge of elections for the applicable political subdivision of this state in whose jurisdiction the elector is registered to vote, for an official early ballot. In addition to name and address, the requesting elector shall provide the date of birth and state or country of birth or other information that if compared to the voter registration information on file would confirm the identity of the elector. If the request indicates that the elector needs a primary election ballot and a general election ballot, the county recorder or other officer in charge of elections shall honor the request. For any
partisan primary election, if the elector is not registered as a member of a political party that is entitled to continued representation on the ballot pursuant to section 16-804, the elector shall designate the ballot of only one of the political parties that is entitled to continued representation on the ballot and the elector may receive and vote the ballot of only that one political party. The county recorder may establish on-site early voting locations at the recorder's office or any other locations in the county the recorder deems necessary.

B. Notwithstanding subsection A of this section, a request for an official early ballot from an absent uniformed services voter or overseas voter as defined in the uniformed and overseas citizens absentee voting act of 1986 (P.L. 99-410; 42 United States Code section 1973) or a voter whose information is protected pursuant to section 16-153 that is received by the county recorder or other officer in charge of elections more than ninety days next preceding the Saturday before the election is valid. If requested by the absent uniformed services or overseas voter, or a voter whose information is protected pursuant to section 16-153, the county recorder or other officer in charge of elections shall provide to the requesting voter early ballot materials through the next two regularly scheduled general elections for federal office immediately following receipt of the request.

C. The county recorder or other officer in charge of elections shall mail postage prepaid to the address provided by the requesting elector, which address shall be the elector's residence address or the location where the elector is temporarily residing while absent from the precinct, the early ballot and the envelope for its return within five days after receipt of the official early ballots from the officer charged by law with the duty of preparing ballots pursuant to section 16-545. If a statewide voter registration database is not yet operational and if the requesting elector registered to vote for the first time in this state after January 1, 2003 and has not yet voted in this state or is reregistering after January 1, 2003 after moving from one county in this state to another county in this state and is voting for the first time at the new registration address, the early ballot materials shall include notice that the person shall submit a photocopy of a current form of identification that bears a photograph of the person and the name of the person or a photocopy of a current utility bill, bank statement, paycheck, government issued check or other government document that shows the name and registration address of the person and notice that if the person does not submit photocopies of the required documents, the person may only vote a provisional ballot.

D. Only the elector may be in possession of that elector's unvoted early ballot. If a complete and correct request is made by the elector within thirty days next preceding the Saturday before the election, the request must be made within forty-eight hours after receipt of the request. Saturdays, Sundays and other legal holidays are excluded from the computation of the forty-eight hour period prescribed by this subsection. If
a complete and correct request is made by an absent uniformed services voter
or an overseas voter more than ninety days next preceding the Saturday before
the election, the mailing REGULAR EARLY BALLOT shall be made TRANSMITTED BY
MAIL, FAX OR BY OTHER ELECTRONIC FORMAT APPROVED BY THE SECRETARY OF STATE
within twenty-four hours after the early ballots are delivered pursuant to
section 16-545, subsection B, excluding Sundays.

E. In order to be complete and correct and to receive an early ballot
by mail, an elector’s request that an early ballot be mailed to the elector’s
residence or temporary address must include all of the information prescribed
by subsection A of this section and must be received by the county recorder
or other officer in charge of elections no later than 5:00 p.m. on the
eleventh day preceding the election. An elector who appears personally no
later than 5:00 p.m. on the Friday preceding the election at an on-site early
voting location that is established by the county recorder or other officer
in charge of elections shall be given a ballot and permitted to vote at the
on-site location. If an elector’s request to receive an early ballot is not
complete and correct but complies with all other requirements of this
section, the county recorder or other officer in charge of elections shall
attempt to notify the elector of the deficiency of the request.

F. Unless an elector specifies that the address to which an early
ballot is to be sent is a temporary address, the recorder may use the
information from an early ballot request form to update voter registration
records.

G. The county recorder or other officer in charge of early balloting
shall provide an alphabetized list of all voters in the precinct who have
requested and have been sent an early ballot to the election board of the
precinct in which the voter is registered not later than the day prior to the
election.

H. As a result of an emergency occurring between 5:00 p.m. on the
second Friday preceding the election and 5:00 p.m. on the Monday preceding
the election, qualified electors may request to vote early in the manner
prescribed by the county recorder of their respective county. For the
purposes of this subsection, “emergency” means any unforeseen circumstances
which THAT would prevent the elector from voting at the polls.

I. A candidate or political committee may distribute early ballot
request forms to voters. If the early ballot request forms include a printed
address for return to an addressee other than a political subdivision, the
addressee shall be the candidate or political committee that paid for the
printing and distribution of the request forms. All early ballot request
forms that are received by a candidate or political committee shall be
transmitted as soon as practicable to the political subdivision that will
conduct the election.
sec. 3. Section 16-543, Arizona Revised Statutes, is amended to read:

16-543. Application for ballot; United States service; emergency procedures

A. Any absent uniformed services voter or overseas voter as defined in the uniformed and overseas citizens absentee voting act of 1986 (P.L. 99-410; 42 United States Code section 1973), as amended by the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (P.L. 108-375), may request an early ballot with a federal postcard application that contains both an early voter registration application and an early ballot application. The secretary of state shall provide for a centralized system for receiving federal postcard applications by way of the internet or facsimile fax and shall provide for transmitting appropriate ballot materials in response to facsimile fax, telephone and internet requests for federal postcard applications. On receipt of such application, the county recorder or other officer in charge of elections shall determine whether or not the elector is registered. If the applicant is so registered, the recorder or other officer in charge of elections shall forward to the applicant an official early ballot. If the applicant is not registered, and the request is for a ballot for use in a county election but the federal postcard application is complete, the recorder shall forward an official early ballot to the applicant. If the applicant is not registered to vote and the federal postcard application is not used or complete, the recorder shall forward an affidavit of registration as provided in section 16-103 and shall forward at the same time forward to the unregistered applicant an official early ballot and affidavit.

B. The county recorder or other officer in charge of elections shall transmit by fax or by other electronic format approved by the secretary of state early ballot request forms, unvoted ballots and ballot information to eligible absent uniformed services voters and overseas voters. The county recorder or other officer in charge of elections shall provide for receipt of completed early ballot requests and voted early ballots by fax as prescribed by the secretary of state in the instructions and procedures manual issued pursuant to section 16-452.

Sec. 4. Subject to the requirements of article IV, part 1, section 1, subsection (6) or subsection (14), Constitution of Arizona, section 16-543.02, Arizona Revised Statutes, is amended to read:

16-543.02. Federal write-in early ballots: procedure:
registration form

A. An overseas voter as defined in the uniformed and overseas citizens absentee voting act of 1986 (P.L. 99-410; 42 United States Code section 1973), as amended by the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (P.L. 108-375), who is absent from the place of residence in this state where he THE VOTER is otherwise qualified to vote may use a federal write-in early ballot in a PRIMARY, general OR SPECIAL election for the offices of presidential elector and United States senator and representative in Congress if the voter applies for a regular AN early ballot at least thirty-days before the general BY 7:00 P.M. ON election DAY and does not receive that early ballot.

B. A federal write-in early ballot of an overseas voter shall not be counted if any EITHER of the following conditions are met:

1. The ballot is submitted from any location in the United States.
2. 1. The application of the overseas voter for a regular AN early ballot is received by the county recorder or other officer in charge of elections less than thirty-days before the general AFTER 7:00 P.M. ON election DAY.
3. 2. A regular AN early ballot from the overseas voter is received by the county recorder or other officer in charge of elections not later than BY 7:00 p.m. on election day.

C. An overseas voter who completes a federal write-in early ballot may designate a candidate by writing in the name of the candidate or by writing in the name of a political party, in which case the ballot shall be counted for the candidate of that political party. In the case of the offices of president and vice-president, a vote for a named candidate or in the name of the political party shall be counted as a vote for that candidate's or party's presidential electors. Any abbreviation, misspelling or other minor variation in the form of the name of a candidate or political party shall be disregarded in determining the validity of the ballot if the intention of the voter can be ascertained.

D. FOR AN OVERSEAS VOTER WHO COMPLETES A FEDERAL WRITE-IN EARLY BALLOT TRANSMISSION ENVELOPE WITH THE FEDERAL WRITE-IN EARLY BALLOT REQUEST, THE TRANSMISSION ENVELOPE SHALL SERVE AS A VOTER REGISTRATION FORM AND THE VOTER IS REGISTERED TO VOTE ON COMPLETION AND RECEIPT OF THE TRANSMISSION ENVELOPE, AND THE FEDERAL WRITE-IN EARLY BALLOT IF ALL OF THE FOLLOWING APPLY:

- 5 -

EAC001771
H.B. 2288

1. THE INFORMATION SUBMITTED ON THE TRANSMISSION ENVELOPE INCLUDES THE
2. INFORMATION PRESCRIBED IN SECTION 16-121.01.
3. THE VOTER IS OTHERWISE ELIGIBLE TO REGISTER AND VOTE IN THIS STATE.
4. THE REQUEST IS RECEIVED BY THE COUNTY RECORDER BY 7:00 P.M. ON
5. ELECTION DAY.

Sec. 5. Requirements for enactment: three-fourths vote
Pursuant to article 4, part 1, section 1, subsection (6) or subsection
(14), Constitution of Arizona, sections 16-103 and 16-543,02, Arizona Revised
Statutes, as amended by this act are effective only on the affirmative vote
of at least three-fourths of the members of each house of the legislature.

APPROVED BY THE GOVERNOR MAY 9, 2005.

PROPOSITION 200
OFFICIAL TITLE
AMENDING SECTIONS 16-152, 16-166 AND 16-579, ARIZONA REVISED STATUTES; AMENDING TITLE 46, CHAPTER 1, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 46-140.01; RELATING TO THE ARIZONA TAXPAYER AND CITIZEN PROTECTION ACT.

TEXT OF PROPOSED AMENDMENT

Be it enacted by the People of the State of Arizona:

Section 1. Short title.
This act may be cited as the "Arizona Taxpayer and Citizen Protection Act".

Sec. 2. Findings and declaration.
This state finds that illegal immigration is causing economic hardship to this state and that illegal immigration is encouraged by public agencies within this state that provide public benefits without verifying immigration status. This state further finds that illegal immigrants have been given a safe haven in this state with the aid of identification cards that are issued without verifying immigration status, and that this conduct contradicts federal immigration policy, undermines the security of our borders and devalues the value of citizenship. Therefore, the people of this state declare that the public interest of this state requires all public agencies within this state to cooperate with federal immigration authorities to discourage illegal immigration.

Sec. 3. Section 16-152, Arizona Revised Statutes, is amended to read:
16-152. Registration form
A. The form used for the registration of electors shall contain:
1. The date the registrant signed the form.
2. The given name of the registrant, middle name, if any, and surname.
3. Complete address of actual place of residence, including street name and number, apartment or space number, city or town and zip code, or such description of the location of the residence that it can be readily ascertained or identified.
4. Complete mailing address, if different from residence address, including post office address, city or town, zip code or other designation used by the registrant for receiving mail.
5. Party preference.
6. Telephone number, unless unlisted.
7. State or country of birth.
8. Date of birth.
10. Indian census name (optional to registrant).
11. Father’s name or mother’s maiden name.
12. The last four digits of the registrant’s social security number (optional to registrant).
13. A statement as to whether or not the registrant is currently registered in another state, county or precinct, and if so, the name, address, county and state of previous registration.
14. A statement that the registrant is a citizen of the United States.
15. A statement that the registrant will be eighteen years of age on or before the date of the next general election.
16. A statement that the registrant has not been convicted of treason or a felony, or if so, that the registrant’s civil rights have been restored.
17. A statement that the registrant is a resident of this state and of the county in which the registrant is registering.
18. A statement that executing a false registration is a class 6 felony.
19. The signature of the registrant.
20. If the registrant is unable to sign the form, a statement that the affidavit was completed according to the registrant’s direction.
21. A statement that if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes.
22. A statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes.
23. A STATEMENT THAT THE APPLICANT SHALL SUBMIT EVIDENCE OF UNITED STATES CITIZENSHIP WITH THE APPLICATION AND THAT THE REGISTRAR SHALL REJECT THE APPLICATION IF NO EVIDENCE OF CITIZENSHIP IS ATTACHED.
B. A duplicate voter receipt shall be provided with the form that provides space for the name, street address and city of residence of the applicant, party preference and the date of signing. The voter receipt is evidence of valid registration for the purpose of casting a ballot to be verified as prescribed in section 16-584, subsection 8.
C. The state voter registration form shall be printed in a form prescribed by the secretary of state.
D. The county recorder may establish procedures to verify whether a registrant has successfully petitioned the court for an injunction against harassment pursuant to section 12-1809 or an order of protection pursuant to section 42-1419 or 13-3602 and, if verified, to protect the registrant’s residence address, telephone number or voting precinct number, if appropriate, from public disclosure.

Sec. 4. Section 16-166, Arizona Revised Statutes, is amended to read:
16-166. Verification of registration
A. Except for the mailing of sample ballots, a county recorder who mails an item to any elector shall send the mailing by nonforwardable first class mail marked with the statement required by the postmaster to receive an address correction notification. If the item is returned unopened, the county recorder shall send a follow-up notice to that elector within three weeks of receipt of the returned notice. The county recorder shall send the follow-up notice to the address that appears on the general county register or to the forwarding address provided by the United States postal service. The follow-up notice shall include a registration...
Proposition 200

1. THE NUMBER OF THE APPLICANT'S DRIVER LICENSE OR NONOPERATING IDENTIFICATION LICENSE ISSUED AFTER OCTOBER 1, 1966 BY THE DEPARTMENT OF TRANSPORTATION OR THE EQUIVALENT GOVERNMENTAL AGENCY OF ANOTHER STATE WITHIN THE UNITED STATES IF THE AGENCY INDICATES ON THE APPLICANT'S DRIVER LICENSE OR NONOPERATING IDENTIFICATION LICENSE THAT THE PERSON HAS PROVIDED SATISFACTORY PROOF OF UNITED STATES CITIZENSHIP.

2. A LEGIBLE PHOTOCOPY OF THE APPLICANT'S BIRTH CERTIFICATE THAT VERIFIES CITIZENSHIP TO THE SATISFACTION OF THE COUNTY RECORDER.

3. A LEGIBLE PHOTOCOPY OF PERTINENT PAGES OF THE APPLICANT'S UNITED STATES PASSPORT IDENTIFYING THE APPLICANT AND THE APPLICANT'S PASSPORT NUMBER OR PRESENTATION TO THE COUNTY RECORDER OF THE APPLICANT'S UNITED STATES PASSPORT.


5. OTHER DOCUMENTS OR METHODS OF PROOF THAT ARE ESTABLISHED PURSUANT TO THE IMMIGRATION REFORM AND CONTROL ACT OF 1986.

6. THE APPLICANT'S BUREAU OF INDIAN AFFAIRS CARD NUMBER, TRIBAL TREATY CARD NUMBER OR TRIBAL ENROLLMENT NUMBER.

G. NOTWITHSTANDING SUBSECTION F OF THIS SECTION, ANY PERSON WHO IS REGISTERED IN THIS STATE ON THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION IS DEEMED TO HAVE PROVIDED SATISFACTORY EVIDENCE OF CITIZENSHIP AND SHALL NOT BE REQUIRED TO RESUBMIT EVIDENCE OF CITIZENSHIP UNLESS THE PERSON IS CHANGING VOTER REGISTRATION FROM ONE COUNTY TO ANOTHER.

H. FOR THE PURPOSES OF THIS SECTION, PROOF OF VOTER REGISTRATION FROM ANOTHER STATE OR COUNTY IS NOT SATISFACTORY EVIDENCE OF CITIZENSHIP.

I. A PERSON WHO MODIFIES VOTER REGISTRATION RECORDS WITH A NEW RESIDENCE BALLOT SHALL NOT BE REQUIRED TO SUBMIT EVIDENCE OF CITIZENSHIP AFTER CITIZENSHIP HAS BEEN DEMONSTRATED TO THE COUNTY RECORDER, THE PERSON IS NOT REQUIRED TO RESUBMIT SATISFACTORY EVIDENCE OF CITIZENSHIP IN THAT COUNTY.

J. AFTER A PERSON HAS SUBMITTED SATISFACTORY EVIDENCE OF CITIZENSHIP, THE COUNTY RECORDER SHALL INDICATE THIS INFORMATION IN THE PERSON'S PERMANENT VOTER FILE. AFTER TWO YEARS THE COUNTY RECORDER MAY DESTROY ALL DOCUMENTS THAT WERE SUBMITTED AS EVIDENCE OF CITIZENSHIP.
2004 Ballot Propositions

Sec. 5, Section 16-579, Arizona Revised Statutes, is amended to read:

16-579. Procedure for obtaining ballot by elector
A. Every qualified elector, before receiving his ballot, shall announce his name and place of residence in a clear, audible tone of voice to the election official in charge of the signature roster or present his name and residence in writing and shall present one form of identification that bears the name, address and photograph of the elector or two different forms of identification that bear the name and address of the elector. If the name is found upon the precinct registry by the election officer having charge thereof, or the qualified elector presents a certificate from the county recorder showing that he is entitled by law to vote in the precinct, the election official in charge of the signature roster shall repeat the name and the qualified elector shall be allowed within the voting area.
B. Any qualified elector who is listed as having applied for an early ballot but who states that he has not voted and will not vote an early ballot for this election or surrenders the early ballot to the precinct inspector on election day shall be allowed to vote pursuant to the procedure set forth in section 16-584.
C. Each qualified elector's name shall be numbered consecutively by the clerks, with the number upon the stub of the ballot delivered to him, and in the order of applications for ballots. The election judge having charge of the ballots shall also write his initials upon the stub and the number of the qualified elector as it appears upon the precinct register. The judge shall give the qualified elector only one ballot, and his name shall be immediately checked on the precinct register.
D. Each qualified elector shall sign his name in the signature roster prior to receiving his ballot, but an inspector or judge may sign the roster for an elector who is unable to sign because of physical disability, and in that event the name of the elector shall be written with red ink, and no attestation or other proof shall be necessary. The provisions of this subsection relating to signing the signature roster shall not apply to electors casting a ballot using early voting procedures.
E. A person offering to vote at a special district election for which no special district register has been supplied shall sign an affidavit stating his address and that he resides within the district boundaries or proposed district boundaries and swearing that he is a qualified elector and has not already voted at the election being held.

Sec. 6, Title 46, chapter 1, article 3, Arizona Revised Statutes, is amended by adding section 46-140.01, to read:

46-140.01 Verifying applicants for public benefits; violation; classification; citizen suits.
A. AN AGENCY OF THIS STATE AND ALL OF ITS POLITICAL SUBDIVISIONS, INCLUDING LOCAL GOVERNMENTS, THAT ARE RESPONSIBLE FOR THE ADMINISTRATION OF STATE AND LOCAL PUBLIC BENEFITS THAT ARE NOT FEDERALLY MANDATED SHALL DO ALL OF THE FOLLOWING:
1. VERIFY THE IDENTITY OF EACH APPLICANT FOR THOSE BENEFITS AND VERIFY THAT THE APPLICANT IS ELIGIBLE FOR BENEFITS AS PRESCRIBED BY THIS SECTION.
2. PROVIDE ANY OTHER EMPLOYEE OF THIS STATE OR ANY OF ITS POLITICAL SUBDIVISIONS WITH INFORMATION TO VERIFY THE IMMIGRATION STATUS OF ANY APPLICANT FOR THOSE BENEFITS AND ASSIST THE EMPLOYEE IN OBTAINING THAT INFORMATION FROM FEDERAL IMMIGRATION AUTHORITIES.
3. REFUSE TO ACCEPT ANY IDENTIFICATION CARD ISSUED BY THE STATE OR ANY POLITICAL SUBDIVISION OF THIS STATE, INCLUDING A DRIVER LICENSE, TO ESTABLISH IDENTITY OR DETERMINE ELIGIBILITY FOR THOSE BENEFITS UNLESS THE ISSUING AUTHORITY HAS VERIFIED THE IMMIGRATION STATUS OF THE APPLICANT.
4. REQUIRE ALL EMPLOYEES OF THE STATE AND ITS POLITICAL SUBDIVISIONS TO MAKE A WRITTEN REPORT TO FEDERAL IMMIGRATION AUTHORITIES FOR ANY VIOLATION OF FEDERAL IMMIGRATION LAW BY ANY APPLICANT FOR BENEFITS AND THAT IS DISCOVERED BY THE EMPLOYEE.
B. FAILURE TO REPORT DISCOVERED VIOLATIONS OF FEDERAL IMMIGRATION LAW BY AN EMPLOYEE IS A CLASS 2 MISDEMEANOR. IF THAT EMPLOYEE'S SUPERVISOR KNEW OF THE FAILURE TO REPORT AND FAILED TO DIRECT THE EMPLOYEE TO MAKE THE REPORT, THE SUPERVISOR IS GUILTY OF A CLASS 2 MISDEMEANOR.
C. THIS SECTION SHALL BE ENFORCED WITHOUT REGARD TO RACE, RELIGION, GENDER, ETHNICITY OR NATIONAL ORIGIN. ANY PERSON WHO IS A RESIDENT OF THIS STATE SHALL HAVE STANDING IN ANY COURT OF RECORD TO BRING SUIT AGAINST ANY AGENT OR AGENCY OF THIS STATE OR ITS POLITICAL SUBDIVISIONS TO REMEDY ANY VIOLATION OF ANY PROVISION OF THIS SECTION, INCLUDING AN ACTION FOR MANDAMUS. COURTS SHALL GIVE PREFERENCE TO ACTIONS BROUGHT UNDER THIS SECTION OVER OTHER CIVIL ACTIONS OR PROCEEDING PENDING IN THE COURT.

Sec. 7. Severability
If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

ANALYSIS BY LEGISLATIVE COUNCIL
Proposition 200 would require that evidence of United States citizenship be presented by every person to register to vote, that proof of identification be presented by every voter at the polling place prior to voting, that state and local governments verify the identity of all applicants for certain public benefits and that government employees report United States immigration law violations by applicants for public benefits.

Proposition 200 provides that for purposes of registering to vote, satisfactory evidence of United States citizenship would be required. Spelling, grammar, and punctuation were reproduced as submitted in the "for" and "against" arguments.

GENERAL ELECTION NOVEMBER 2, 2004
Attachment C
-----Original Message-----
From: Kanefield, Joe
Sent: Friday, July 15, 2005 1:27 PM
To: Flores, Robert
Cc: Waite, Kris; Stender, Craig; Fontes, Mary
Subject: FW: Arizona Guide Pages Final Review!

Robert, will you please work with Kris, Craig & Mary next week to review the final draft of the Arizona instructions for the FPCA. They need to know our final comments by July 22, 2005.

Joseph Kanefield
State Election Director
Arizona Secretary of State's Office
1700 West Washington, 7th Floor
Phoenix, Arizona 85007
(602) 542-6167 (direct)
(602) 542-6172 (fax)
jkanefield@azsos.gov

-----Original Message-----
From: McClelton, Ken, Mr., CTR, OSD P&R/FVAP [mailto:McClelton.kctr@fvap.nca.gov]
Sent: Thursday, July 14, 2005 3:01 PM
To: Kanefield, Joe
Cc: Collins, Betty, Ms, OSD P&R/FVAP
Subject: Arizona Guide Pages Final Review!

Dear Mr. Kanefield:

The Federal Voting Assistance Program (FVAP) requests your assistance in publishing the 2006-07 Voting Assistance Guide. The Guide outlines absentee voting procedures for Arizona citizens covered by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)-members of the uniformed Services, the merchant marine, their family members and all U.S. civilian citizens overseas. This e-mail serves as a subsequent notice and provides you with the electronic version of the original document. Attached you will find:

Attachment 1: A letter transmitting the final draft of your state pages for the 2006-07 Voting Assistance Guide (VAG). Please read instructions provided in this letter.

Attachment 2: Final VAG Checklist. The checklist can be used in reviewing this final draft.
Attachment 3: Final draft of your state pages for your review and signature.

Attachment 4: Election Dates Calendar for your review and initial next to your state.

After your review, we request that you, or the chief election officer, sign the first page of the coordination and submit your modifications to this office not later than July 22, 2005. Please send us the signed report either as a scanned PDF file attached to an e-mail response to vote@fvap.ncr.gov, or fax the signed report to 703-696-1352.

After submitting the report electronically, please mail the original to the Federal Voting Assistance Program, 1777 North Kent Street, Suite 14003, Arlington, VA 22209-2162. We will incorporate changes as applicable and prepare the Guide for publication.

FVAP appreciates your continued support to our Uniformed Service members, their eligible dependents, and U.S. citizens overseas residents of your state. Your prompt attention to this matter is also appreciated. Please contact us should you need additional assistance.

Sincerely,
Betty Collins
Program Analyst
Federal Voting Assistance Program
800-438-8683
703-588-1584

July 12, 2005

Mr. Joseph Kanefield
Director of Elections
State Capitol, West Wing, 7th Floor,
Phoenix, AZ 85001-2808

Dear Mr. Kanefield:

Thank you for your feedback on the first coordination of the 2006-07 Voting Assistance Guide pages for Arizona. Please review the enclosed final draft of these pages. It is critical that all blocks of the new Federal Post Card Application form that require information from the applicant are shaded and that the supplemental instructions and deadlines on subsequent pages are accurate.

Please review the entire text in Enclosure 1, including the addresses in Section III under “Where To Send It.” The final draft should reflect any recent legislation, established administrative procedures or local election official address changes that will be in effect for future elections.

Enclosure 2 is a copy of the 2005 Election Dates calendar. Please review the election dates, make changes if needed and initial next to your state. Please enclose with the final coordination of your state pages.

As you know, accuracy is imperative to ensure citizens are not disenfranchised. If the instructions and addresses are correct as drafted, please fax your signed response to (703) 696-1352 and return your signed original copy by mail. Your signature, or the signature of the chief election official, will represent approval of the complete contents of this final coordination for Arizona.

This coordination will be considered the final version for publication. We would appreciate your comments no later than July 22, 2005. It is imperative that FVAP receive a response confirming that all information is correct for inclusion in the 2006-07 Voting Assistance Guide.

The Federal Voting Assistance Program sincerely appreciates your support and assistance in updating this essential source of information for citizens covered by the Uniformed and Overseas Citizens Absentee Voting Act. Please call my deputy, Scott Wiedemann, at (800) 438-8683, if you have any questions or further comments.

Sincerely,

P. K. Hinnell
Director

Enclosures (as stated)
cc: Principal State Election Official

EAC001779
2006-07 Voting Assistance Guide
FINAL COORDINATION Check List

_____ Ensure the required areas of the Federal Post Card Application (FPCA) are shaded on the first page to include changes resulting from the latest state and Federal law, and that the “Application Instructions” language under the form accurately reflects procedures for your state.

_____ Please notify us of any additional absentee voting procedures or alternatives, which are available to UOCAVA citizens (e.g., ballot requests by fax, email, telephone, handwritten letter, or proxy.)

_____ Review all procedures for conformance with state law and administrative instructions.

_____ If a modification to the pages is necessary, please include with your comments a citation of the appropriate section in the state election code or copy of the Administrative Instruction that apply (Title, Chapter, Section number).

_____ Proof addresses for local election officials under “Where To Send It,” and include the street address or post office box and the “zip+4 codes”. (On-line, zip + 4 designations are available at the U.S. Postal Service site on the World Wide Web at www.usps.com/zip4).

_____ Please add any new procedures brought about by recent state election reforms affecting UOCAVA citizens.

_____ If applicable for your state, proof the enclosed copy of the label page for accuracy.

_____ Ensure an authorized signature and date appear on the first page of the coordination after the draft is reviewed.

_____ Return your coordination and comments no later than July 22, 2005 to the FVAP by email (vote@fvap.nvr.gov) or fax 703.696.1352. As a follow-up, please send the original in the mail.

Thank you for continuing to help facilitate the voting process for the more than 6 million citizens voting under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)
ARIZONA
Website: www.azsos.gov

Absentee Voting Guide
FOR UNIFORMED SERVICES AND U.S. CITIZENS OVERSEAS

I. Application Instructions for FPCA

II. Uniformed Services
   A. Who Can Do It
   B. Registering and Requesting an Absentee Ballot
   C. Casting Your Vote
   D. Notary/Witness Requirements
   E. Electronic Transmission of FPCAs and Ballots
   F. Special Write-In Early Ballot
   G. Federal Write-In Absentee Ballot

III. Civilians Outside U.S.
   A. Who Can Do It
   B. Registering and Requesting an Absentee Ballot
   C. Casting Your Vote
   D. Notary/Witness Requirements
   E. Electronic Transmission of FPCAs and Ballots
   F. Special Write-In Early Ballot
   G. Federal Write-In Absentee Ballot (FWAB)

IV. Uniformed Services & Civilians Outside U.S.
   A. Bars to Registration and Voting
   B. Action on Registration Requests
   C. Action If Registration Is Denied
   D. Voting By Citizens Who Have Never Lived in the U.S.
   E. Where To Send It
   F. State Special Write-In Labels

21
ARIZONA

The Federal Post Card Application (FPCA) is the primary form for requesting registration and/or an absentee ballot from your local election official. Read all instructions printed below and on the FPCA before completing and signing your application.

### FEDERAL POST CARD APPLICATION

#### REGISTRATION AND ABSENTEE BALLOT REQUEST - FEDERAL POST CARD APPLICATION (FPCA)

1. **REQUEST ABSENTEE BALLOTS FOR ALL ELECTIONS IN WHICH I AM ELIGIBLE TO VOTE AND IF I AM (mark only one):**
   - [x] A MEMBER OF THE UNIFORMED SERVICES OR MERCHANT MARINE ON ACTIVE DUTY
   - [ ] A U.S. CITIZEN RESIDING OUTSIDE THE U.S. TEMPORARILY
   - [ ] A U.S. CITIZEN RESIDING OUTSIDE THE U.S. PERMANENTLY

2. **MY INFORMATION**
   - **NAME:**
     - TYPED OR PRINTED NAME (first, last, middle)
   - **SEX:**
   - **RACE:**
   - **DATE OF BIRTH:**
   - **SOCIAL SECURITY NUMBER:**
   - **STAFF DRIVER'S LICENSE OR I.D. NUMBER:**
   - **PREVIOUS NAME (if applicable):**
   - **MILITARY NUMBER** (if OPM number, include 1 international prefix)
   - **FAX NUMBER** (optional number, include all international prefixes)

3. **FAX ADDRESS**

4. **MY VOTING RESIDENCE ADDRESS** (For military, use legal residence. For overseas citizens, use last legal residence in U.S.)
   - **CITY, TOWN OR VILLAGE:**
   - **CITY:**
   - **COUNTY:**
   - **STATE:**
   - **ZIP CODE:**

5. **WHERE TO SEND MY VOTING MATERIALS**
   - **MY CURRENT ADDRESS (where I live now)** (Required)
   - **MY FORWARDING ADDRESS** (Optional) only if you do not want your ballot mailed to the address in Box 4.3.

6. **I PREFER TO RECEIVE MY ABSENTEE BALLOT, AS PERMITTED BY MY STATE, BY:**
   - [ ] MAIL
   - [ ] FAX
   - [ ] EMAIL

7. **MY POLITICAL PARTY PREFERENCE (Optional), but may be required by state to register to vote in primary elections:**

8. **ADDITIONAL INFORMATION** (See Instructions and consult the Voting Assistance Guide for specific state Instructions.)

9. **AFFIRMATION**
   - I swear or affirm, under penalty of perjury, that
   - I am a member of the Uniformed Services or merchant marine on active duty or an eligible spouse or dependent of such a member, or a U.S. citizen temporarily residing outside the U.S., or other U.S. citizen residing outside the U.S., and
   - I am a U.S. citizen of at least 18 years of age (or will be on the day of the election), eligible to vote in the requested jurisdiction, and
   - I have not been convicted of a felony or other disqualifying offense, or been adjudged mentally incompetent, or if so, my voting rights have been restored, and
   - I have signed this form in my own handwriting, or on behalf of another by authority in the U.S., and
   - I have signed and dated this form when I completed this document, and
   - The information on this form is true to the best of my knowledge
   - I understand that a material misstatement of fact in completion of this document may constitute a violation of federal law.

The information contained herein is for official use only. Any unauthorized release of this information may be punishable by law.

Circled letters on the form above correspond to the instructions on the following page. You must complete all shaded areas.
I. APPLICATION INSTRUCTIONS FOR FPCA

A. Your Arizona Driver’s License or Non-operating Identification License or the last four digits of your Social Security number is required for voter registration. If you do not possess either of these identifications, the State shall assign a unique number that will serve to identify you for voter registration purposes. See new citizenship requirement in E below.

B. Provide the complete street address of your Arizona voting residence. A post office box is not sufficient. If your address includes a rural route, describe its location in Item 6. For example: “2 miles past Highway ____ , across the street from the ____ gas station.” This address must be different from the one provided in Item 4 and must be within the county where you claim legal voting residence.

C. Print the complete address where you want your ballot sent — usually your current mailing address. Your current mailing address must be different from the address you provided in Item 3.

D. See Section II.E or II.E.

E. If you do not list a party affiliation in Item 5 or if you register as independent or with a party that does not have primary election ballot status you may designate the ballot of a party that does have representation on the ballot and vote that ballot (Example: Democrat, Republican). Please designate the party ballot you wish to request for the primary in Item 6 (Additional Information.)

If you are currently registered and want to change your political party affiliation or you have previously declined to indicate a political party, you must submit a completed FPCA to the local election official not later than 29 days before election day.

F. A completed voter registration form must also contain proof of citizenship or the Federal Post Card Application will be rejected. If you have an Arizona driver license or non-operating Identification license issued after October 1, 1996, the license number in Item 2.g will serve as your proof of citizenship. If not, you must enclose proof of citizenship with the FPCA. Following is a list of acceptable documents to establish your citizenship:

- A legible photocopy of a birth certificate that verifies citizenship and supporting legal documentation (l.e. marriage certificate) If the name on the birth certificate is not the same as your current legal name

- A legible photocopy of pertinent pages of a U.S. passport identifying the applicant.

- Presentation to the County Recorder of the U.S. naturalization documents or enter the number of the certificate of naturalization in Item 6.

- The applicant’s Bureau of Indian Affairs Card Number, Tribal Treaty Card Number, or Tribal Enrollment Number, enter in Item 6.

- A legible photocopy of a driver license or nonoperating license from another state within the U.S. If the license indicates that the applicant has provided satisfactory proof of citizenship

- A legible photocopy of a Tribal Certificate of Indian Blood or Tribal or Bureau of Indian Affairs Affidavit of birth.

If you need to include a photocopy of proof of citizenship, please fold the proof along with the FPCA, place both items in an envelope, and mail them to your County Recorder. Send legible photocopies and not the originals. Photocopies will not be returned to you. If you are registered in Arizona and use this FPCA because you move within a county, change your name, or change your political party affiliation, you do not need to provide photocopies of proof of citizenship. If you move to a different Arizona county, you will need to provide proof of citizenship.

You must sign and date the FPCA. When signing, you are swearing or affirming that the information is true and correct.

II. UNIFORMED SERVICES

A. Who Can Do It

These procedures apply to persons who are U.S. citizens, residents of Arizona and members of the Uniformed Services and their family members. Uniformed Services are defined as the U.S. Armed Forces, merchant marine, commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration.

B. Registering and Requesting an Absentee Ballot

You should send an FPCA to your local election official early every year and whenever you change your mailing address (see Chapter 2).

If you are a registered citizen, the County Recorder must receive your FPCA request not later than 7 p.m. on election day.

If you are an unregistered citizen residing temporarily outside the state, the County Recorder must receive your FPCA request for both registration and a regular early ballot by 7 p.m. on election day.
If you are an unregistered citizen residing within the state, the County Recorder must receive your FPCA request for registration not later than 29 days before the election.

C. Casting Your Vote
Ballot Return Deadline: Return your voted ballot so that it arrives at the County Recorder’s office or Arizona Secretary of State’s office by 7 p.m. on election day.

Local election officials mail regular early ballots approximately 15 days before the Presidental Preference Election. Regular early ballots are mailed approximately 33 days before all other elections.

If you have not received your state ballot in a timely manner, use the Federal Write-In Absentee Ballot. See Item G and Chapter 2, page 12.

D. Notary/Witness Requirements
No registration or voting materials are notarized or witnessed.

E. Electronic Transmission of FPCAs and Ballots
- Arizona allows you to send the FPCA application for registration and absentee ballot requests by fax. After faxing, submit the FPCA by mail.
- Arizona allows you to receive the blank ballot by fax.
- Arizona allows you to return the voted ballot by fax.

Please refer to Appendix C for specific instructions when transmitting election materials electronically. Use the following numbers:

DSN 223-5527
(703) 693-5527
1-800-368-8683
(from U.S., Canada, Guam, Puerto Rico, Virgin Islands only)
International toll-free fax numbers
(See inside back cover)

F. Special Write-In Early Ballot
Arizona provides a state special write-in early ballot available 46 days before the Presidential Preference Election, 90 days before all other primary elections and 90 days before the general election if you are a member of the Armed Forces, merchant marine, or a spouse or dependent of these and cannot vote an early ballot during the normal voting period.

You may use an FPCA to request this state special write-in ballot. In Item 6 of the FPCA, place one of the state special write-in labels from Section III.E. If no labels are available, in Item 6 write: “Due to military or other contingencies that preclude normal mail delivery, I cannot vote an early ballot during the normal early voting period. I request a special write-in early ballot.”

You may vote the ballot by writing in the names of specific candidates.

Instructions continue in Section III: Uniformed Services & Civilians Outside U.S.

G. Federal Write-In Absentee Ballot (FWAB)
Arizona allows the Federal write-in absentee ballot (FWAB) to be used in a primary, general or special election where federal offices will be elected. In order to be eligible to use the FWAB the county recorder must receive the voter’s request for a regular early ballot before 7 p.m. election day and the voter must not have received that ballot.

A FWAB will not be counted if the application for the regular early ballot is received after 7 p.m. election day or if the voter’s regular ballot is received by the county recorder by 7 p.m. on election day.

The FWAB can be used as a voter registration form in Arizona if:
- The voter is eligible to register and vote in the state.
- The voter provides proof of citizenship as described in Arizona’s Application Instructions for the FPCA (see Section 1.e, Application for Instructions).
- The County Recorder receives the FWAB by 7 p.m. on election day.

III. CIVILIANS OUTSIDE U.S.

A. Who Can Do It
These procedures apply to persons who are U.S. citizens, residents of Arizona and overseas citizens. The term “overseas citizen(s) means a U.S. citizen who resides outside the U.S., and who was qualified to register, except for age, in Arizona immediately prior to his/her departure from Arizona.

- Arizona residents temporarily residing outside the U.S.
- overseas citizens

B. Registering and Requesting an Absentee Ballot
You should send an FPCA to your local election official every year and whenever you change your mailing address (see Chapter 2).

If you are a registered Arizona resident temporarily residing outside the U.S., the County Recorder must receive your FPCA request not later than 7 p.m. on the second Friday before the election.
If you are an unregistered Arizona resident temporarily residing outside the U.S., the County Recorder must receive your FPCA request for both registration and a regular early ballot by 7 p.m. on election day.

If you are an overseas citizen who is currently registered to vote in Arizona, the County Recorder must receive your FPCA early ballot request by 7 p.m. on election day.

C. Casting Your Vote
Ballot Return Deadline: Return your voted ballot so that it arrives at the County Recorder’s office or Arizona Secretary of State’s office by 7 p.m. on election day.

Local election officials mail ballots approximately 15 days before the Presidential Preference Election. Ballots are mailed approximately 33 days before all other elections.

If you have not received your state ballot in a timely manner, use the Federal Write-In Absentee Ballot. See Item G and Chapter 2, page 12.

D. Notary/Witness Requirements
No registration or voting materials are notarized or witnessed.

E. Electronic Transmission of FPCAs and Ballots
- Arizona allows you to send the FPCA application for registration and early ballot requests by fax. After faxing, submit the FPCA by mail.
- Arizona allows you to receive the blank ballot by fax.
- Arizona allows you to return the voted ballot by fax.

Please refer to Appendix C for specific instructions when transmitting election materials electronically. Use the following numbers:

DSN 223-5527
(703) 693-5527
1-800-368-8683
(from U.S., Canada, Guam, Puerto Rico, Virgin Islands only)

International toll-free fax numbers
(See inside back cover)

F. Special Write-In Early Ballot
Arizona provides you with a state special write-in early ballot available 36 days before the Presidential Preference Election, 60 days before all other primary elections and 50 days before the general election if you are overseas and cannot vote an early ballot during the normal voting period.

You may use an FPCA to request this state special write-in ballot. In Item 6 of the FPCA, place one of the state special write-in labels from Section III. If no labels are available, in Item 6 write: “Due to military or other contingencies that preclude normal mail delivery, I cannot vote an early ballot during the normal early voting period. I request a special write-in early ballot.”

You may vote the ballot by writing in the names of specific candidates.

Instructions continue in Section III: Uniformed Services & Civilians Outside U.S.

G. Federal Write-In Absentee Ballot (FWAB)
Arizona allows the Federal write-in absentee ballot (FWAB) to be used in a primary, general or special election where federal offices will be elected. In order to be eligible to use the FWAB the county recorder must receive the voter’s request for a regular early ballot before p.m. election day and the voter must not have received that ballot.

A FWAB will not be counted if the application for the regular early ballot is received after 7 p.m. election day or if the voter’s regular ballot is received by the county recorder by 7 p.m. on election day.

The FWAB can be used as a voter registration form in Arizona if:
- The voter is eligible to register and vote in the state
- The voter provides proof of citizenship as described in Arizona’s Application Instructions for the FPCA (see Section I.E, Application for Instructions.)
- The County Recorder receives the FWAB by 7 p.m. on election day.

IV. UNIFORMED SERVICES & CIVILIANS OUTSIDE U.S.

A. Bars to Registration and Voting
Persons convicted of treason or a felony (unless civil rights restored), and persons adjudicated as incapacitated as defined in A.R.S. 14-5101, may not register or vote.

B. Action on Registration Requests
Notice of registration is sent. The County Recorder must notify the applicant within 10 business days of receipt if his or her application cannot be read or is missing required information.

C. Action If Registration Is Denied
No formal appeal process exists. If denied registration, consult a legal assistance officer or civilian counsel. Upon denial of your voter registration application or absentee ballot request, Arizona shall provide you with the reason(s) for the rejection.
D. Voting By Citizens Who Have Never Lived in the U.S.
A U.S. citizen who has never resided in the U.S. and whose parent is a U.S. citizen who is registered to vote in Arizona is eligible to register to vote and may vote in Arizona.

E. Where To Send It
Mail the PPCA to the County Recorder, county of voting residence, as listed below:

<table>
<thead>
<tr>
<th>County</th>
<th>County Seat</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apache</td>
<td>County Recorder</td>
<td>85930-0426</td>
</tr>
<tr>
<td>Cochise</td>
<td>County Recorder</td>
<td>85603-0184</td>
</tr>
<tr>
<td>Coconino</td>
<td>County Recorder</td>
<td>85001-4698</td>
</tr>
<tr>
<td>Gila</td>
<td>County Recorder</td>
<td>85501-1496</td>
</tr>
<tr>
<td>Graham</td>
<td>County Recorder</td>
<td>85546-2859</td>
</tr>
<tr>
<td>Greenlee</td>
<td>County Recorder</td>
<td>85533-1625</td>
</tr>
<tr>
<td>La Paz</td>
<td>County Recorder</td>
<td>85344-5765</td>
</tr>
<tr>
<td>Maricopa</td>
<td>County Recorder</td>
<td>85003-2225</td>
</tr>
<tr>
<td>Mohave</td>
<td>County Recorder</td>
<td>86402-0070</td>
</tr>
<tr>
<td>Navajo</td>
<td>County Recorder</td>
<td>86025-0688</td>
</tr>
<tr>
<td>Pima</td>
<td>County Recorder</td>
<td>85702-3145</td>
</tr>
<tr>
<td>Pinal</td>
<td>County Recorder</td>
<td>85232-0848</td>
</tr>
<tr>
<td>Santa Cruz</td>
<td>County Recorder</td>
<td>85621-1090</td>
</tr>
<tr>
<td>Yavapai</td>
<td>County Recorder</td>
<td>86305-1852</td>
</tr>
<tr>
<td>Yuma</td>
<td>County Recorder</td>
<td>85364-2311</td>
</tr>
</tbody>
</table>

2006-07 Voting Assistance Guide
F. STATE SPECIAL WRITE-IN LABELS

If needed, place one of the following stick-on labels in Item 7 of the FPCA:

ARIZONA

"Due to military or other contingencies that preclude normal mail delivery, I cannot vote an early ballot during the normal early voting period. I request a special write-in early ballot."

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EAC001787
# Election Dates

This chart lists the 2006 State primary election dates in all the States/Territories and the District of Columbia, primary runoff dates (if applicable), states with U.S. Senate and Governor races, and the number of U.S. Representative seats up for reelection.

The General Election is Tuesday, November 7, 2006.

<table>
<thead>
<tr>
<th>State</th>
<th>State Primary</th>
<th>State Runoff Primary (if necessary)</th>
<th>General Election</th>
</tr>
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<tr>
<td>American Samoa</td>
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</tr>
<tr>
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<tr>
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<td>Colorado</td>
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<tr>
<td>Wyoming</td>
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</tbody>
</table>

This election information is current as of August 2005. Contact your Voting Assistance Office or check the Federal Voting Assistance Program (FVAP) website at www.fvap.gov for updates.
Attachment D
From: Flores, Robert  
Sent: Tuesday, July 19, 2005 3:29 PM  
To: 'McClentonk.ctr@fvap.ncr.gov'; 'collinsb@fvap.ncr.gov'; 'vote@fvap.ncr.gov'  
Cc: Kanefield, Joe; Waite, Kris  
Subject: 2006-07 Voting Assistance Guide-Arizona Instructions

Ladies and Gentlemen,

I have faxed on July 19, 2005, the subject final completed attachment with our changes to be incorporated per the instructions to:
Ms. Betty Collins fax telephone number: (703) 696-1352.

The original with a cover letter has been mailed on July 19, 2005, to:
Ms. P.K. Brunelli, Director
Federal Voting Assistance Program
1777 N. Kent St. Suite 14003
Arlington, VA 22209-2162

The attachment with changes is forwarded for appropriate action:

Arizona-AVG-In...

Robert A. Flores  
Voter Outreach Coordinator  
Arizona Secretary of State's office  
(602) 364-4700
ARIZONA
Website: www.azsos.gov

Absentee Voting Guide
FOR UNIFORMED SERVICES AND U.S. CITIZENS OVERSEAS

I. Application Instructions for FPCA
II. Uniformed Services
   A. Who Can Do It
   B. Registering and Requesting an Absentee Ballot
   C. Casting Your Vote
   D. Notary/Witness Requirements
   E. Electronic Transmission of FPCA and Ballots
   F. Special Write-In Early Ballot
   G. Federal Write-In Absentee Ballot (FWAB)

III. Civilians Outside U.S.
    A. Who Can Do It
    B. Registering and Requesting an Absentee Ballot

C. Casting Your Vote
D. Notary/Witness Requirements
E. Electronic Transmission of FPCA and Ballots
F. Special Write-In Early Ballot
G. Federal Write-In Absentee Ballot (FWAB)

IV. Uniformed Services & Civilians Outside U.S.
   A. Bars to Registration and Voting
   B. Action on Registration Requests
   C. Action If Registration Is Denied
   D. Voting By Citizens Who Have Never Lived in the U.S.
   E. Where To Send It
   F. State Special Write-In Labels

2006-07 Voting Assistance Guide Arizona
I. APPLICATION INSTRUCTIONS

FOR FPCA

A Your Arizona Driver’s License or Non-operating Identification License or the last four digits of your Social Security number is required for voter registration. If you do not possess either of these identifications, the State shall assign a unique number that will serve to identify you for voter registration purposes. See new citizenship requirement in II.E below.

B Provide the complete street address of your Arizona voting residence. A post office box is not sufficient. If your address includes a rural route, describe its location in Item 6. For example: “2 miles past Highway 50, across the street from the gas station.” This address must be different from the one provided in Item 4 and must be within the county where you claim legal voting residence.

C Print the complete address where you want your ballot sent — usually your current mailing address. Your current mailing address must be different from the address you provided in Item 3.

D See Section II.E or III.E.

E If you do not list a party affiliation in Item 5 or if you register as independent or with a party that does not have primary election ballot status you may designate the ballot of a party that does have representation on the ballot and vote that ballot (Example: Democrat, Republican). Please designate the party ballot you wish to request for the primary in Item 6 (Additional Information.)

If you are currently registered and want to change your political party affiliation or you have previously declined to indicate a political party, you must submit a completed FPCA to the local election official not later than 29 days before election day.

F A completed voter registration form must also contain proof of citizenship or the Federal Post Card Application will be rejected. If you have an Arizona driver license or non-operating identification license issued after October 1, 1986, the license number in Item 2.G.1 will serve as your proof of citizenship. If not, you must enclose proof of citizenship with the FPCA. Following is a list of acceptable documents to establish your citizenship:

- 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 pertinent pages of a U.S. passport identifying the applicant.

• The applicant's Bureau of Indian Affairs Card Number, Tribal Treaty Card Number, or Tribal Enrollment Number, enter in Item 6.

• A legible photocopy of a driver license or nonoperating license from another state within the U.S. if the license indicates that the applicant has provided satisfactory proof of citizenship.

• A legible photocopy of a Tribal Certificate of Indian Blood or Tribal or Bureau of Indian Affairs Affidavit of birth.

If you need to include a photocopy of proof of citizenship, please fold the proof along with the FPCA, place both items in an envelope, and mail them to your County Recorder, or you may also fax those documents to your County Recorder.

Send legible photocopies and not the originals. Photocopies will not be returned to you. If you are registered in Arizona and use this FPCA because you move within a county, change your name, or change your political party affiliation, you do not need to provide photocopies of proof of citizenship. If you move to a different Arizona county, you will need to provide proof of citizenship.

G You must sign and date the FPCA. When signing, you are swearing or affirming that the information is true and correct.

II. UNIFORMED SERVICES

A. Who Can Do It

These procedures apply to persons who are U.S. citizens, residents of Arizona and members of the Uniformed Services and their family members. Uniformed Services are defined as the U.S. Armed Forces, merchant marines, commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration.

B. Registering and Requesting an Absentee Ballot

You should send an FPCA to your local election official early every year and whenever you change your mailing address (see Chapter 2).

If you are a registered citizen, the County Recorder must receive your FPCA request by not later than 7 p.m. on election day.

If you are an unregistered citizen residing temporarily outside the state, the County Recorder must receive your FPCA request for both registration and a regular early ballot by 7 p.m. on election day.
If you are an unregistered citizen residing within the state, the County Recorder must receive your FPCA request for registration not later than 29 days before the election.

C. Casting Your Vote

Ballot Return Deadline: Return your voted ballot so that it arrives at the County Recorder's office or Arizona Secretary of State's office by 7 p.m. on election day.

Local election officials mail regular early ballots approximately 15 days before the Presidential Preference Election. Regular early ballots are mailed approximately 33 days before all other elections.

If you have not received your state ballot in a timely manner, use the Federal Write-In Absentee Ballot. See Item G and Chapter 2, page 12.

D. Notary/Witness Requirements

No registration or voting materials are notarized or witnessed.

E. Electronic Transmission of FPCAs and Ballots

- Arizona allows you to send the FPCA application for registration and absentee ballot requests by fax. After faxing, submit the FPCA by mail.
- Arizona allows you to receive the blank ballot by fax.
- Arizona allows you to return the voted ballot by fax.

Please refer to Appendix C for specific instructions when transmitting election materials electronically. Use the following numbers:

DSN 223-5527
(703) 693-5527

1-800-366-8683
(from U.S., Canada, Guam, Puerto Rico, Virgin Islands only)

International toll-free fax numbers
(See inside back cover)

F. Special Write-In Early Ballot

Arizona provides a state special write-in early ballot available 38 days before the Presidential Preference Election, 60 days before all other primary elections and 50 days before the general election if you are a member of the Armed Forces, merchant marine, or a spouse or dependent of these and cannot vote an early ballot during the normal voting period.
You may use an FPCA to request this state special write-in ballot. In item 6 of the FPCA, place one of the state special write-in labels from Section III.E. If no labels are available, in item 6 write: "Due to military or other contingencies that preclude normal mail delivery, I cannot vote an early ballot during the normal early voting period. I request a special write-in early ballot."

2006-07 Voting Assistance Guide

You may vote the ballot by writing in the names of specific candidates.

Instructions continue in Section III: Uniformed Services & Civilians Outside U.S.

G. Federal Write-In Absentee Ballot (FWAB)

Arizona allows the Federal write-in absentee ballot (FWAB) to be used in a primary, general or special election where federal offices will be elected. In order to be eligible to use the FWAB the County Recorder must receive the voter’s request for a regular early ballot before 7 p.m. election day and the voter must not have received that ballot.

A FWAB will not be counted if the application for the regular early ballot is received after 7 p.m. election day or if the voter’s regular early ballot is received by the County Recorder by 7 p.m. on election day.

The FWAB can be used as a voter registration form in Arizona if:

- The voter is eligible to register and vote in the state
- The voter provides proof of citizenship as described in Arizona’s Application Instructions for the FPCA (see Section 4.e.f. Application for Instructions.)
- The County Recorder receives the FWAB by 7 p.m. on election day.

III. CIVILIANS OUTSIDE U.S.

A. Who Can Do It

These procedures apply to persons who are U.S. citizens, residents of Arizona and overseas citizens. The term "overseas citizen(s)" means a U.S. citizen who resides outside the U.S., and who was qualified to register, except for age, in Arizona immediately prior to his/her departure from Arizona.

- Arizona residents temporarily residing outside the U.S.
B. Registering and Requesting an Absentee Ballot

You should send an FPCA to your local election official early every year and whenever you change your mailing address (see Chapter 2).

If you are a registered Arizona resident temporarily residing outside the U.S., the County Recorder must receive your FPCA request not later than by 7 p.m. on the second Friday before the election day.

2006-07 Voting Assistance Guide

If you are an unregistered Arizona resident temporarily residing outside the U.S., the County Recorder must receive your FPCA request for both registration and a regular early ballot by 7 p.m. on election day.

If you are an overseas citizen who is currently registered to vote in Arizona, the County Recorder must receive your FPCA early ballot request by 7 p.m. on election day.

C. Casting Your Vote

Ballot Return Deadline: Return your voted ballot so that it arrives at the County Recorder’s office or Arizona Secretary of State’s office by 7 p.m. on election day.

Local election officials mail ballots approximately 15 days before the Presidential Preference Election. Ballots are mailed approximately 35 days before all other elections.

If you have not received your state ballot in a timely manner, use the Federal Write-In Absentee Ballot. See Item G and Chapter 2, page 12.

D. Notary/Witness Requirements

No registration or voting materials are notarized or witnessed.

E. Electronic Transmission of FPCAs and Ballots

- Arizona allows you to send the FPCA application for registration and early ballot requests by fax. After faxing, submit the FPCA by mail.

- Arizona allows you to receive the blank ballot by fax.

- Arizona allows you to return the voted ballot by fax. Please refer to Appendix C for specific instructions when transmitting election materials electronically. Use the following numbers:
F. Special Write-In Early Ballot

Arizona provides you with a state special write-in early ballot available 36 days before the Presidential Preference Election, 60 days before all other primary elections and 50 days before the general election if you are overseas and cannot vote an early ballot during the normal voting period.

You may use an FPCA to request this state special write-in ballot. In Item 6 of the FPCA, place one of the state special write-in labels from Section III. If no labels are available, in Item 6 write: "Due to military or other contingencies that preclude normal mail delivery, I cannot vote an early ballot during the normal early voting period. I request a special write-in early ballot."

You may vote the ballot by writing in the names of specific candidates.

Instructions continue in Section III: Uniformed Services & Civilians Outside U.S.

G. Federal Write-In Absentee Ballot (FWAB)

Arizona allows the Federal write-in absentee ballot (FWAB) to be used in a primary, general or special election where federal offices will be elected. In order to be eligible to use the FWAB the County Recorder must receive the voter's request for a regular early ballot before 7 p.m. election day and the voter must not have received that ballot.

A FWAB will not be counted if the application for the regular early ballot is received after 7 p.m. election day or if the voter's regular early ballot is received by the County Recorder by 7 p.m. on election day.

The FWAB can be used as a voter registration form in Arizona if:

- The voter is eligible to register and vote in the state
- The voter provides proof of citizenship as described in Arizona's Application Instructions for the FPCA (see Section 1.B.I.F., Application for instructions.)
- The County Recorder receives the FWAB by 7 p.m. on
IV. UNIFORMED SERVICES & CIVILIANS OUTSIDE U.S.

A. Bars to Registration and Voting
Persons convicted of treason or a felony (unless civil rights restored), and persons adjudicated as incapacitated as defined in A.R.S. 14-5101, may not register or vote.

B. Action on Registration Requests
Notice of registration is sent. The County Recorder must notify the applicant within 10 business days of receipt if his or her application cannot be read or is missing required information.

C. Action If Registration Is Denied
No formal appeal process exists. If denied registration, consult a legal assistance officer or civilian counsel. Upon denial of your voter registration application or absentee ballot request, Arizona shall provide you with the reason(s) for the rejection.

Arizona 2006-07 Voting Assistance Guide

D. Voting By Citizens Who Have Never Lived In the U.S.
A US citizen who has never resided in the U.S. and whose parent is a US citizen who is registered to vote in Arizona is eligible to register to vote and may vote in Arizona.

E. Where To Send It
For further information and website links to your County Recorder, please visit www.azsos.gov or call 1.877.THE.VOTE (1.877.843.8683).

Mail the FPCA to the County Recorder, county of voting residence, as listed below:

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<th>County</th>
<th>County Seat Zip</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apache</td>
<td>County Recorder PO Box 425 Safford, AZ</td>
<td>85546-2858</td>
</tr>
<tr>
<td>Cochise</td>
<td>County Recorder 1415 Melody Lane, Building B Bisbee, AZ</td>
<td>85603-0184</td>
</tr>
<tr>
<td>Coconino</td>
<td>County Recorder 110 East Cherry Avenue Flagstaff, AZ</td>
<td>86001-4696</td>
</tr>
<tr>
<td>Gila</td>
<td>County Recorder 1400 East Ash Street Globe, AZ</td>
<td>85501-1406</td>
</tr>
<tr>
<td>Graham</td>
<td>County Recorder 921 Thatcher Boulevard Safford, AZ</td>
<td>85546-2858</td>
</tr>
</tbody>
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Field Code Changed
F. STATE SPECIAL WRITE-IN LABELS

If needed, place one of the following stick-on labels in Item 67 of the FPCA:

ARIZONA
"Due to military or other contingencies that preclude normal mail delivery, I cannot vote an early ballot during the normal early voting period. I request a special write-in early ballot."

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