



April 12, 2021

VIA EMAIL

Director of Administrative Services
Kansas Secretary of State's Office
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka, KS 66612
kora@ks.gov

Re: Kansas Open Records Act Request

Dear Records Custodian:

Pursuant to the Kansas Open Records Act (KORA), Kan. Stat. §§ 45-215 et seq., American Oversight makes the following request for records.

On March 23, 2021, Missouri Secretary of State Jay Ashcroft participated in a panel discussion with John Fund and Hans von Spakovsky on H.R. 1 as part of a conference held by Regent University.¹ Former Kansas Secretary of State Kris Kobach also participated in the conference.² This request seeks to shed light on any collaboration and influence in policymaking that may exist amongst these parties.

Requested Records

American Oversight requests that the Kansas Secretary of State's Office produce the following records within three business days:

All communications (including emails, email attachments, text messages, calendar invitations/entries, letters, memoranda, or other communication records) between (a) Secretary of State Scott Schwab, or anyone acting as his chief of staff, scheduler, or assistant, and (b) any of the following individuals:

- i. Kris Kobach (including, but not limited to, communications with the email addresses kkobach@gmail.com or kris@kriskobach.com)
- ii. Hans von Spakovsky (including, but not limited to, communications with an email address ending in @heritage.org)
- iii. John Fund

¹ John Fund et al., *Panel: HR1 – An Effort to Correct the Irregularities, or Institutionalize Them?*, Analyzing American Election Integrity, Regent University, Mar. 23, 2021, <https://www.regent.edu/misc/analyzing-american-election-integrity/>.

² Kris Kobach et al., *Panel: Is Voter ID a Solution?*, Analyzing American Election Integrity, Regent University, Mar. 23, 2021, <https://www.regent.edu/misc/analyzing-american-election-integrity/>.



- iv. Michele Bachmann (including, but not limited to, communications with the email address mbachmann@regent.edu)
- v. Missouri Secretary of State Jay Ashcroft

Please provide all responsive records from January 1, 2021, through date of search.

Please notify American Oversight of any anticipated fees or costs in excess of \$100 prior to incurring such costs or fee.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.
- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages.
- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.
- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

Conclusion

American Oversight is a 501(c)(3) nonprofit with the mission to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.³

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Mehreen Rasheed at records@americanoversight.org or (202) 848-1320.

Sincerely,

/s/ Mehreen Rasheed
Mehreen Rasheed
on behalf of
American Oversight

³ American Oversight currently has approximately 15,700 page likes on Facebook and 106,200 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Apr. 12, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Apr. 12, 2021).