



**AMERICANS FOR
PROSPERITY**
FOUNDATION

2111 Wilson Blvd., Ste 350 | Arlington, VA 22201 | p: (866) 730-0150 | f: (703) 224-3201

September 29, 2014

Kimberly Westbrook Strach
Executive Director
North Carolina State Board of Elections
P.O. Box 27255
Raleigh, NC 27611-7255

Dear Ms. Strach:

Thank you for meeting with my colleague, Peter Schalestock, earlier today. We very much appreciated the opportunity to explain our goals and discuss ideas with you about improving our processes and communications moving forward.

At this time I also would like to use this opportunity to provide you with additional information regarding the mail sent by Americans for Prosperity Foundation to citizens of North Carolina encouraging them to register to vote. As my colleague informed your staff and you today, our intent in sending our mail was and remains to encourage as many North Carolinians as possible to register and vote in upcoming elections. Toward that end, we identified individuals who appeared to be eligible to vote but had not yet registered and then we sent them the official North Carolina voter registration form along with additional information on how to register.

Regrettably, some of the additional information we included in our mail contained errors. While we do not believe any of this information in any way interfered with a person's ability to register and vote using the form we sent them, a belief confirmed by our records which suggest some 3,700 North Carolina citizens have returned forms already using our postage-paid mail, we recognize that our errors may have created some confusion for some individuals.

The genesis of our errors in North Carolina was entirely inadvertent and resulted from the size and scope of our ambitious voter registration effort which involves multiple states. More specifically, our North Carolina mail was drawn from a similar document previously sent to Arkansas residents. To register to vote by mail in Arkansas, an applicant submits a registration form to the Office of the Secretary of State, and the deadline to apply is 30 days before the election (see enclosed Arkansas voter registration application form). Our mistake was in taking our Arkansas form and applying it to North Carolina without re-vetting every detail to ensure it reflected North Carolina's latest voter registration procedures prior to its release. In addition, while our staff did contact your office, we still incorrectly assumed your office was a part of the Secretary of State's office rather than a separate body of the government. Naturally our review process is not foolproof and we have now updated and strengthened our approach to protect against future mistakes.

Please note that as part of our effort to encourage and facilitate registration by new voters, we chose to pay the postage cost for those voters to submit their registration forms. Initially we sought to establish business reply mail accounts allowing applications to be returned postage-paid to each of North Carolina's 99 county elections offices. The U.S. Postal Service declined to establish such a large number of accounts that were required to accomplish this. Instead, we established a single account with the U.S. Postal Service for applications to be mailed postage-paid to the Board, a process endorsed by your staff who advised us that all applications sent to the Board's post office box would be forwarded to the appropriate county. Accordingly, the U.S. Postal Service created for us a unique ZIP+4 code that would cause mail to be delivered to the State Board of Elections post office box and billed to Americans for Prosperity Foundation. This procedure ensures we pay the postage for all returned applications and also allows us to know with great precision exactly how many citizens have returned the forms we provided.

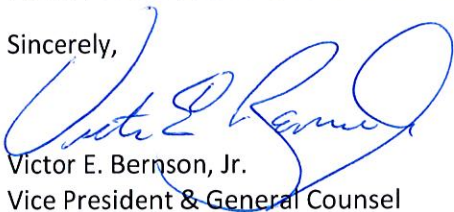
Of course I would be remiss if I neglected to acknowledge that our mail in some cases inadvertently was sent to certain deceased persons which unintentionally caused emotional pain to their families, and for this I sincerely apologize. Americans for Prosperity Foundation made every effort to mail applications only to individuals who would be eligible to vote and were not currently registered. To the extent applications went to other individuals, our error most certainly was not intentional but reflected bad data, a not uncommon occurrence you likely would agree. We appreciate any information your office or members of the public provides to help us identify the applications that were sent in error and to prevent repeat occurrences.

In sum, please know that throughout this process we sought to minimize the possibility of confusion or error in the voter registration process. We included a clear statement that individuals already registered to vote in North Carolina would not need to register again and we also provided instructions on how citizens could check their registration status. While we acknowledge the errors we made, we also note that our errors have not prevented anyone from registering to vote, and anyone who followed the instructions on our mail and was otherwise eligible will be successfully registered. Because of the confusion surrounding our mail and concerns raised by your office, we stopped a final set of notices that were to be delivered this week.

Ultimately, your office and our organization share the exact same goal – to encourage as many North Carolinians as possible to participate in the process of selecting their elected officials.

Thank you for your kind consideration of this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Victor E. Bernson, Jr.", is written over the typed name and title.

Victor E. Bernson, Jr.
Vice President & General Counsel

ARKANSAS VOTER REGISTRATION APPLICATION

Check all that apply: <input type="checkbox"/> This is a new registration. <input type="checkbox"/> This is a name change. <input type="checkbox"/> This is an address change. <input type="checkbox"/> This is a party change.				Office Use Only			
				Assigned ID			
1	Mr. Mrs. Miss Ms.	Last Name	Jr. Sr. II. III. IV.	First Name	Middle Name		
2	Address Where You Live (See Section "C" Below) (Rural addresses must draw map.)			Apt. or Lot #	City/Town		
				County	State		
				Zip Code			
3	Address Where You Receive Mail If Different From Above			Apt. or Lot #	City/Town		
				County	State		
				Zip Code			
4	Date of Birth _____ Month / Day / Year		5	Home & Work Phone Numbers (Optional) (H) (W)			
			6	Party Affiliation (Optional)			
7	E-mail Address (Optional)				8		
					Have you ever voted in a federal election in this State? <input type="checkbox"/> Yes <input type="checkbox"/> No		
9	ID Number - Check the applicable box and provide the appropriate number. <input type="checkbox"/> Arkansas Driver's license number <input type="checkbox"/> If you do not have a driver's license provide the last 4 digits of social security number <input type="checkbox"/> I have neither a driver's license nor social security number.				Signature of elector - Please sign full name or put mark.		
10	(A) Are you a citizen of the United States of America and an Arkansas resident? <input type="checkbox"/> Yes <input type="checkbox"/> No (B) Will you be eighteen (18) years of age or older on or before election day? <input type="checkbox"/> Yes <input type="checkbox"/> No (C) Are you presently adjudged mentally incompetent by a court of competent jurisdiction? <input type="checkbox"/> Yes <input type="checkbox"/> No (D) Have you ever been convicted of a felony without your sentence having been discharged or pardoned? <input type="checkbox"/> Yes <input type="checkbox"/> No If you checked No in response to either questions A or B, do not complete this form. If you checked Yes in response to either questions C or D, do not complete this form.				The information I have provided is true to the best of my knowledge. I do not claim the right to vote in another county or state. If I have provided false information, I may be subject to a fine of up to \$10,000 and/or imprisonment of up to 10 years under state and federal laws.		
					11		
					Date: _____ Month / Day / Year If applicant is unable to sign his/her name , provide name, address and phone number of the person providing assistance: Name _____ Address: _____ City: _____ State: _____ Phone#: _____		

Please complete the sections below if:

MAIL REGISTRANTS: PLEASE SEE SECTION D.

- You were previously registered in another county or state, or
- You wish to change the name or address on your current registration.

Agency Code (For Official Use Only)

A	Mr. Mrs. Miss Ms.	Previous Last Name	Jr. Sr. II. III. IV.	First Name	Middle Name(s)
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Date of Birth _____
Month / Day / Year

B	Previous House Number and Street Name	Apt. or Lot #	City or Town	State	Zip Code
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If you live in a rural area but do not have a house or street number, or if you have no address, please show on the map where you live.

C	<ul style="list-style-type: none"> • Write in the names of the crossroads (or streets) nearest where you live. • Draw an "X" to show where you live. • Use a dot to show any schools, churches, stores or other landmarks near where you live and write the name of the landmark. 															
Example	<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; border: 1px solid black;"></td> <td style="width:10%; border: 1px solid black;">• Grocery Store</td> <td style="width:10%; border: 1px solid black;"></td> <td style="width:10%; border: 1px solid black;"></td> <td style="width:10%; border: 1px solid black; text-align: center;">NORTH ↑</td> </tr> <tr> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black;">Woodchuck Road</td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black;"></td> </tr> <tr> <td style="border: 1px solid black;">• Public School</td> <td style="border: 1px solid black; text-align: center;">X</td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black;"></td> </tr> </table>		• Grocery Store			NORTH ↑		Woodchuck Road				• Public School	X			
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	Woodchuck Road															
• Public School	X															

IDENTIFICATION REQUIREMENTS
<p>IMPORTANT: If your voter registration application form is submitted by mail and you are registering for the first time, and you do not have a valid Arkansas driver's license number or social security number, in order to avoid the additional identification requirements upon voting for the first time you must submit with the mailed registration form: (a) a current and valid photo identification; or (b) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows your name and address.</p>

Arkansas Secretary of State
ATTN: Voter Registration
P. O. Box 8111
Little Rock, Arkansas 72203-8111

First
Class
Postage
Required

From:

Deadline Information

To qualify to vote in the next election, you must apply to register to vote 30 days before the election. If you mail this form, it must be postmarked by that date. You may also present it to a voter registration agency representative by that date. If you miss the deadline you will not be registered in time to vote in that election. *Please don't delay. Make sure your vote counts.*

If you are qualified and the information on your form is complete, you will be notified of your voting precinct by your local County Clerk.

To Mail

Fold form on middle perforation, remove plastic strip, seal at bottom, stamp and mail.

Questions?
Call your local County Clerk
or
Arkansas Secretary of State
Mark Martin
Elections Division – Voter Services
1-800-482-1127

Contact your County Clerk if you have not received confirmation of this application within two weeks.