

Congress of the United States
Washington, DC 20515

October 02, 2012

Reince Priebus
Chairman
Republican National Committee
310 First Street, SE
Washington, DC 20003

Mr. Priebus:

We write to you regarding reports that Strategic Allied Consulting, a firm that the Republican National Committee (RNC) hired for campaign work, had engaged in voter registration fraud in at least ten counties across Florida.¹ The firm's head, Nathan Sproul, has been accused of similar activities repeatedly over more than eight years and these latest revelations are consistent with his reputation. We want to know what you plan to do now and where the RNC stands on such behavior.

Your party has an unfortunate history of voter suppression. Years of illicit and unethical behavior led to the 1982 consent decree under which the RNC agreed to "refrain from undertaking any ballot security activities" or anything else that might "deter qualified voters from voting", especially for "racial or ethnic populations".² Despite your party's requests over the past thirty years, federal courts have repeatedly declined to lift that decree. The United States Court of Appeals for the Third Circuit on December 13, 2010, pointed to violations as recent as 2004 and found no evidence of "any significant change that renders prospective application of the Decree inequitable."³

This legal status makes the evidence that a company directly employed by the RNC in Nevada – and hired by Republican Party organizations in other states, including Colorado, Florida, Virginia, North Carolina, and Ohio⁴ – could be engaged in voter registration fraud of a type that would deter or prevent qualified voters from voting in the upcoming election. We are concerned that the actions of Mr. Sproul's company in Florida may violate the terms of the consent decree. Further, while it has been reported that the RNC and state Republican parties have ended your existing contracts with Strategic Allied Consulting, one of Mr.

¹ Gary Fineout, "Voter registration problems widening in Florida", *The Associated Press*, September 28, 2012 (<http://news.yahoo.com/voter-registration-problems-widening-florida-154156242--election.html>); Matea Gold, Joseph Tanfani & Melanie Mason, "Suspicious voter registration forms found in 10 Florida counties", *The Los Angeles Times*, September 28, 2012 (<http://www.latimes.com/news/politics/la-pn-voter-registration-florida-republicans-20120928,0,7654954.story>).

² Consent Order, United States District Court for the District of New Jersey, November 01, 1982 (http://brennan.3cdn.net/484c0b5d69fb0379c1_kzm6b9f2t.pdf).

³ *Democratic National Committee v. Republican National Committee*, 673 F.3d 192, 198, 220. (<http://electionlawblog.org/wp-content/uploads/rncvdnc.pdf>).

⁴ Michael C. Bender, "Republicans End Swing-State Voter Sign-Up After Firing Company", *Bloomberg*, October 01, 2012. (<http://www.bloomberg.com/news/2012-10-01/republicans-end-swing-state-voter-sign-up-after-firing-company.html>).

Sproul's companies, it is not clear whether the committee or state parties have ended your relationships with Mr. Sproul entirely or merely distanced itself from these specific revelations.

Nathan Sproul also has an unfortunate history of voter suppression. During the 2004 campaign, operating as Sproul & Associates, it was reported that his firm fraudulently altered and destroyed voter registration forms in at least two states.⁵ The firm was paid at least \$8 million for its work, although the precise amount is unclear from the RNC's confusing financial disclosures.⁶ Apparently, the RNC was not dissatisfied with their work nor put off by their reputation because, in 2008, operating under the new name "Lincoln Strategy Group", the RNC again employed Mr. Sproul.⁷ In June of this year, the Romney campaign hired Mr. Sproul during the primary and has paid him at least \$70,000.⁸ The RNC hired Mr. Sproul's firm, under yet a third name, as your "only vendor signing up new voters."⁹ This repeated affiliation of the RNC with a man of Mr. Sproul's reputation for voter registration fraud and other forms of electoral skullduggery is deeply disturbing.

The reports out of Florida are deeply troubling. At least ten counties have reported receiving fraudulent ballots, at least 106 in Palm Beach County alone.¹⁰ Mr. Sproul has defended himself and his company by blaming and firing "one individual".¹¹ Your party has never accepted such a response when your members were condemning such allegations against others¹² nor is it clear that this claim is even accurate. Strategic itself soon changed its

⁵ Charles A. Gonzalez, "Voter ID Laws Lead to Less Voting, Not Less Fraud", Testimony Before the Senate Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights Hearing: "New State Voting Laws: Barriers to the Ballot?" September 08, 2011, p. 9.

(<http://democrats.cha.house.gov/sites/democrats.cha.house.gov/files/110908%20-%20Gonzalez%20Testimony%20-%20Voter%20ID%20Laws%20Lead%20to%20Less%20Voting.pdf>).

⁶ "There are oddities, moreover, in the RNC's filings with the FEC, with nine expenditures, totaling well over \$1 million, incurred somehow in 2005, suggesting an attempt to minimize the sum spent on Sproul's services." Mark C. Miller, Testimony before the House Committee of the Judiciary Subcommittee on Commercial and Administrative Law and the Subcommittee on Crime, Terrorism, and Homeland Security on "Allegations of Selective Prosecution Part II: The Erosion of Public Confidence in Our Federal Justice System" May 14, 2008. (<http://judiciary.house.gov/hearings/pdf/051408miller.pdf>).

⁷ Sam Stein, "McCain Employing GOP Operative Accused Of Voter Registration Fraud", *The Huffington Post*, October 20, 2008. (http://www.huffingtonpost.com/2008/10/20/mccain-employing-gop-oper_n_136254.html).

⁸ Lee Fang, "Romney Quietly Hires Consulting Firm with Sordid History of Destroying Democratic Voter Registration Forms", *Republic Report*, June 06, 2012 (<http://www.republicreport.org/2012/romney-nathan-sproul/>).

⁹ Bender, "Republicans End Swing-State Voter Sign-Up After Firing Company", at note 4, *supra*.

¹⁰ Lizette Alvarez, "More Suspicious Voter Forms Are Found", *The New York Times*, September 29, 2012 (<http://www.nytimes.com/2012/09/30/us/politics/suspicious-voter-forms-found-in-10-florida-counties.html>).

¹¹ Michael Isikoff, "RNC cuts ties with firm over voter fraud allegations", *NBC First Read*, September 27, 2012. (http://firstread.nbcnews.com/_news/2012/09/27/14126789-rnc-cuts-ties-with-firm-over-voter-fraud-allegations).

¹² When, for example, the group ACORN took steps to ensure the integrity of our voter registration process, examining the forms it submitted and reporting to state and local election officials which registration cards it believed to be invalid – steps not taken by Mr. Sproul's company – the RNC and your members insisted that the mere existence of invalid forms was indicative of insidious motivations.

claim to one individual in “each county”¹³ and then backed off still further.¹⁴ Regardless, your contractor not only did not alert local election officials to the potential fraud, the fraud alleged could also have serious implications for real people. When a voter registration form is submitted for fictitious people like “Mickey Mouse”, they never actually collect a ballot let alone casts a vote. In contrast, the fraud which your contractor is alleged to have committed could have disfranchised eligible Floridians. As explained by Palm Beach (FL) County Elections Supervisor Susan Bucher:

If they’re changing your address from your real address, and you did not submit that, somebody was submitting it on your behalf in a false manner, then on Election Day you will not appear on the voter rolls and you’re going to have vote a provisional ballot and the law says that if you don’t go to the correct polling location on Election Day and you vote a provisional ballot, we can’t open the envelope and count your ballot.¹⁵

There now appears to be a direct conflict about the RNC’s role in hiring Mr. Sproul’s company. Last week, Mr. Sproul “criticized Florida and national Republican officials for dumping him.”¹⁶ He claimed that the RNC was aware of similar allegations against him in the past, including some dating back to 2004 that his companies registered Democratic voters in Nevada and Oregon “and then destroyed their forms.”¹⁷ Instead of the RNC having “zero tolerance” for voter registration fraud, Mr. Sproul claimed that RNC officials asked him to form Strategic Allied Consulting in June to conceal his connections to these previous allegations. He stated that he “created Strategic Allied Consulting at the request of the Republican National Committee because of the bad publicity stemming from past allegations.”¹⁸ In contrast, an article yesterday in the Los Angeles Times reported that “RNC spokesman Sean Spicer disputed that contention.”¹⁹

¹³ Brad Friedman, “Nationwide GOP Voter Registration Fraud Scandal Widens, Becomes Criminal Matter in Florida”, *The Brad Blog*, September 30, 2012 (<http://www.bradblog.com/?p=9598>).

¹⁴ The sole page on Strategic Allied Consulting’s website spoke, as of 09:07 EDT on October 02, 2012, of its commitment “to working with state officials and law enforcement agencies to identify and prosecute **those individuals responsible** for voter registration fraud.”(emphasis added)(<http://strategicallyalliedconsulting.com/>).

¹⁵ Brad Friedman, “Palm Beach Election Supervisor Says FL Sec. of State Yet to Return Call About GOP Voter Registration Fraud Scandal”, *The Brad Blog*, September 27, 2012 (<http://www.bradblog.com/?p=9590>).

¹⁶ Michael Isikoff, “RNC Cuts Ties with Firm Over Voter Fraud Allegations,” NBC News, September 27, 2012 (http://firstread.nbcnews.com/_news/2012/09/27/14126789-rnc-cuts-ties-with-firm-over-voter-fraud-allegations?lite).

¹⁷ Joseph Tanfani, Melanie Mason, and Matea Gold, “RNC Cuts Ties to Firm After Voter Fraud Allegations,” Los Angeles Times, September 27, 2012 (<http://www.latimes.com/news/politics/la-pn-republicans-voter-fraud-florida-20120927,0,5472858.story>).

¹⁸ Id.

¹⁹ Matea Gold, Melanie Mason and Joseph Tanfani, “House Democrat Starts Inquiry Into GOP Firm Linked to Bad Voter Forms,” Los Angeles Times, October 1, 2012 (<http://www.latimes.com/news/nationworld/nation/la-na-voter-registration-20121002,0,3461999.story>).

In light of all of these facts and the continuing revelations about what happened in Florida, we have several questions for you.

- 1) Why did the RNC and your state affiliates hire a company run by a man with such a long history of improper behavior?
- 2) Was the Republican National Committee involved in the decision to change the name of Mr. Sproul's company as he has alleged? Was this change in identity made in order to escape scrutiny for your decision to employ them?
- 3) For what other activities and in which states is Mr. Sproul or Strategic Allied Consulting engaged by or for the RNC or your affiliates?
- 4) Is Mr. Sproul doing business with the RNC under any other names?
- 5) What steps are you or the RNC taking with your present and future contractors to ensure that neither this alleged fraud or abuse, nor anything similar, occurs again or elsewhere?

Since becoming chairman of the RNC, you have made a number of claims about voter fraud. Echoing the statements of many of your party's leaders, you have said, "I come from a state in Wisconsin that was absolutely riddled with voter fraud, okay?"²⁰ You have supported groups like True the Vote, which has spread unfounded tales of massive, in-person voter fraud and used these conspiracy theories to threaten or deny the rights of eligible voters to participate in our elections.²¹ The use of such unjustified claims to threaten eligible voters' rights is not new: the Bush Administration had the Department of Justice spend five years and millions of dollars searching for such fraud and couldn't find any.²² Every time Republican governors have claimed to have found, at last, proof of fraud – whether in Colorado²³, Florida²⁴, Ohio²⁵, or South Carolina²⁶ – their claims have crumbled under even the most

²⁰ Scott Keyes, "Despite A 0.0002 Percent Rate Of Voter Fraud, Reince Priebus Claims Wisconsin Is 'Riddled With Voter Fraud'", *ThinkProgress*, December 02, 2011

(<http://thinkprogress.org/justice/2011/12/02/381172/reince-priebus-voter-fraud>); Patrick Marley & Lee Bergquist, "RNC chairman Priebus alleges rampant vote fraud;

But lawyer who challenged ID law disputes that claim", *Milwaukee Wisconsin Journal Sentinel*, May 30, 2012 (<http://www.jsonline.com/news/statepolitics/rnc-chairman-priebus-alleges-rampant-vote-fraud-2f5jud3-155817075.html>).

²¹ Mariah Blake, "The Ballot Cops", *The Atlantic*, October, 2012 (<http://www.theatlantic.com/magazine/archive/2012/10/the-ballot-cops/309085/>)

²² Eric Lipton and Ian Urbina, "In 5-Year Effort, Scant Evidence of Voter Fraud", *The New York Times*, April 12, 2007 (<http://www.nytimes.com/2007/04/12/washington/12fraud.html>)

²³ House Committee on House Administration Democratic Office, "Gonzalez Condemns Reckless Accusations That Threaten Citizens' Voting Rights", September 12, 2012 (<http://democrats.cha.house.gov/press-release/subcommittee-elections-ranking-member-charles-gonzalez-condemns-reckless-accusations>).

²⁴ Judd Legum, "Florida Officially Restarts Voter Purge, Revised List Still Appears To Be Inaccurate", *ThinkProgress*, September 26, 2012 (<http://thinkprogress.org/justice/2012/09/26/918971/florida-officially-restarts-voter-purge-revised-list-still-appears-to-be-inaccurate>).

cursory examination. The fact is, despite the Republican Party's efforts to use claims of fraud to restrict access to the ballot²⁷, no evidence has been provided detailing organized voter fraud, although there have been convictions for electoral misconduct in recent years by Republican officials and your operatives and affiliates.²⁸

Election Day 2012 is now barely one month away. This makes the fears that the Republican National Committee, its operatives, or the Romney campaign may have returned to the deceptive practices and fraud of the past particularly pressing. We need answers that can assure the American people that our election will not be tainted by fraud. For this reason, we hope to hear from you by October 16, 2012.

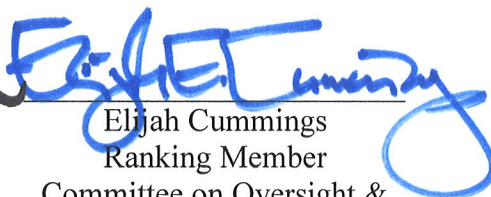
Sincerely,



Charles A. Gonzalez
Ranking Member
Subcommittee on Elections



John Conyers, Jr.
Ranking Member
Committee on the Judiciary



Elijah Cummings
Ranking Member
Committee on Oversight &
Government Reform

²⁵ Charles A. Gonzalez, "Gonzalez Praises Protecting Voting Rights; Condemns Misleading Critics", August 08, 2012 (http://gonzalez.house.gov/index.php?option=com_content&task=view&id=695&Itemid=43); Nicole Flatow, "How The Tea Party Hopes To Purge Thousands of Ohio Voters", *ThinkProgress*, September 27, 2012 (<http://thinkprogress.org/justice/2012/09/27/921421/how-the-tea-party-hopes-to-purge-thousands-of-ohio-voters>).

²⁶ Pam Fessler, "In South Carolina, Dead-Voter Fraud Doesn't Quite Live Up To Fears", *NPR*, February 07, 2012 (<http://www.npr.org/blogs/itsallpolitics/2012/02/07/146546046/in-south-carolina-dead-voter-fraud-doesnt-live-up-to-suspensions>).

²⁷ See Gonzalez, "Voter ID Laws Lead to Less Voting, Not Less Fraud", note 5, *supra*.

²⁸ *Id.* at 3, notes 9 & 10, and following.