

EXHIBIT 10



STATE OF MICHIGAN
TERRI LYNN LAND, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

August 29, 2008

Mr. Bradley E. Heard, Senior Attorney
Advancement Project
1730 M Street, NW, Suite 910
Washington, DC 20036

Dear Mr. Heard:

I am responding to your letter of July 8, 2008 concerning your assertions about the conduct of elections in Michigan.

As you are aware we have just completed the conduct of the August primary, canvassing statewide ballot proposal petitions, programming AutoMark Voter Assist Terminals for voters with disabilities, training Michigan election officials and rolling out our electronic poll book to a number of pilot jurisdictions.

I will respond to each of your assertions.

Confirmation Notices Sent to Michigan Voters in August 2006

There was no 'purge' of voters by the Department of State in 2006. All voters who were sent a confirmation notice on August 8, 2006 remain in the Michigan Qualified Voter File (QVF), will appear on the precinct voter lists in August and November elections and are eligible to vote in November 2008 unless they have been canceled for an unrelated reason (such as death or registration in another state). Your statement that any voter who was sent a confirmation notice in August 2008 "and who does not respond to the notice, vote or otherwise confirm his or her identity prior to the November 4, 2008, federal general election, is subject to being automatically purged on or after November 5, 2008." is false. None of these voters who vote on November 4, 2008 will be canceled. Nothing prior to November 4, 2008 is required of any of these voters.

The issuance of the confirmation notice in August 2008 was in full compliance with federal and state election laws. Confirmation notices were only sent when the United States Postal Service (USPS) endorsement met the reliable information threshold. A confirmation notice was not sent to every voter whose mailing was returned as undeliverable.

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The Bureau of Elections has fully complied with the record keeping requirements of the National Voter Registration Act (NVRA). As explained in our response to your Freedom of Information

Act (FOIA) request we do not maintain the database in the format you desire. In an effort to be responsive we have since created a program to extract the data you have requested. The data will be e-mailed to you with an appropriate charge.

Cancellation of Voters Who Surrender Their Michigan Drivers License in Another State in Order to Receive a Driver License in their New State of Residence

The procedure by which voters are canceled when they surrender their Michigan drivers license to a Department of Motor Vehicles in another because they are no longer a resident of Michigan and have applied for a drivers license in their new State of residency is fully compliant with the NVRA. Under federal law, a change address for purpose of a state motor vehicle driver license serves as a notification of change of address for voter registration. This is not a voter removal program. The Bureau instructs local election officials to send a notice by forwardable mail to these canceled voters providing them an opportunity to correct the record, if necessary.

Rejection of Original Voter Registration Application When Voter Identification Card Is Returned as Undeliverable

These individuals are not subject to cancellation because they never become registered voters under Michigan law. This provision applies only to original applications of electors who have never registered in Michigan. As you note in your footnote 10, this provision of Michigan Election Law was challenged in Federal District Court by the U.S. Department of Justice and assorted other plaintiffs and upheld by Judge Hillman. None of the plaintiffs chose to take this up on appeal. Consequently, we shall continue to abide by Judge Hillman's decision that these provisions of Michigan law are valid.

Taking the Extra Step to Qualify Voters to Vote When Voter's Identity Cannot be Verified by Picture Identification Presented

The purpose of the picture identification provision of Michigan Election Law is to identify the voter before issuing a ballot. If the picture identification does not identify the voter after all of the precautions imposed by our instruction upon the precinct inspector, asking for a second piece of identification is preferable to offering the voter a provisional ballot. Under Michigan Election Law the voter would have to make a trip to the clerk's office within six days after the election. Likewise, it is contrary to law to issue a ballot to a voter who has not been properly identified. As to your suggestion that the voter cast a challenged ballot, it is contrary to Michigan Election Law per the Michigan Supreme Court to challenge a voter solely on the basis that the voter does not have proper identification and signs an affidavit before voting. Also, a challenged ballot is counted just like a regular ballot and cannot be reasonably retrieved. Finally, a review of the Help America Vote Act clearly states that a person who claims to be eligible, whether her name is on the list or not, and who is not issued a regular ballot is entitled to a provisional ballot. It only makes sense to ask for a second piece of identification in the very rare instance where the first piece of identification does not identify the voter.

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Public Access to Election Administration Materials

No steps have been taken to restrict public access to "Election News" or "News You Can Use" publications.

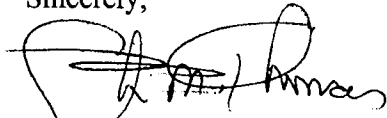
Collaboration between Department of State and Advancement Project

As previously noted, we are willing to review any materials that you believe would be beneficial to training of election inspectors. We are certainly open to suggestion on improvements to our training materials. Please note that we do not permit this material to be used by the inspectors in a polling place on election day.

We do not have a program to provide organizations direct on line access to the QVF. However, if a third party voter registration organization retains copies of the applications, they can verify the registration of the voter using the Michigan Voter Information Center at www.michigan.gov/vote.

This constitutes our response to your letter of July 8, 2008.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher M. Thomas". The signature is stylized and somewhat cursive, with a large initial "C" and "T".

Christopher M. Thomas
Director of Elections