

Janice K. Brewer
Governor

Thomas M. Collins
Executive Director



Timothy J. Reckart
Chair

Louis J. Hoffman
Thomas J. Koester
Mitchell C. Laird
Steve M. Titla
Commissioners

State of Arizona
Citizens Clean Elections Commission

1616 W. Adams - Suite 110 - Phoenix, Arizona 85007 - Tel (602) 364-3477 - Fax (602) 364-3487 - www.azcleelections.gov

Via Federal Express

December 5, 2014

Eric H. Spencer
Snell & Wilmer
One Arizona Center
400 East Van Buren Street, Ste. 1900
Phoenix, AZ 85004-2202

RE: CCEC MUR No. 14-016

Dear Mr. Spencer,

This letter is to notify you that on August 22, 2014, the Citizens Clean Elections Commission received your complaint regarding Steve Smith. Mr. Smith provided the Commission with a response to the complaint on September 12, 2014 (enclosed). At this time, the Commission will not take any action or make any finding in this matter based on the information that is available.

Please contact me if you have any questions at (602) 364-3477 or by e-mail at sara.larsen@azcleelections.gov.

Sincerely,

Sara A. Larsen
Financial Affairs & Compliance Officer
Citizens Clean Elections Commission

cc: Steve Smith
Christina Estes-Werther, State Election Director

Enclosure

Sara Larsen

From: Steve Smith <smithsteve8@yahoo.com>
Sent: Friday, September 12, 2014 1:27 PM
To: Sara Larsen
Subject: Re: Complaint Received - CCEC MUR14-016
Attachments: Eberle Statement.pdf

Sara,

I believe Eberle may have sent you this notarized letter (attached) in response to the complaint filed against me by my Primary election opponent (RE: CCEC MUR No. 14-016).

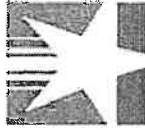
Simply put, Eberle is a fundraising firm in Virginia that I have been working with since last year in an effort to raise money to assist legislation passed and signed by the Governor Brewer in 2011.

In no way, shape, or form is Eberle or anyone else associated with this fundraising effort associated with my campaign. Eberle sets its own schedule and methodology on to whom they send information to and when.

Once again, please find the attached notarized letter from the President of Eberle as sufficient evidence affirming their non-involvement with this matter. I respectfully ask that this complaint be dismissed.

Thank you and please let me know if there is any additional information needed relating to this concern.

Steve Smith



Eberle Associates

September 12, 2014

To Whom It May Concern:

RE: Complaint against Elect Steve Smith and Secure America's Border

Please be advised that Eberle Associates, Inc. entered into an agreement to serve as Fund Raising Counsel for Secure America's Border on December 11, 2013.

It is the spirit of that relationship that we respond to the complaint filed against Mr. Smith and Secure America's Border on August 26, 2014.

- 1) Secure America's Border direct mail fundraising program has not made a contribution to any candidate or candidate's committee running for the State Senate in Legislative District 11.
- 2) Secure America's Border direct mail fundraising program has not made any contributions to Representative Steve Smith's campaign.
- 3) It is our understanding that Secure America's Border is a registered 501 (c) (4) non-profit organization in the state of Arizona.
- 4) Since Secure America's Border is designated by the IRS as 501 (c) (4) organization the "paid for by" disclosure is not applicable.

Respectfully,

Tammy Cali, President
Eberle Associates

I hereby certify under oath that the above statements given by me are true and correct without reservation of any kind.

09/12/14

President

Tammy Cali

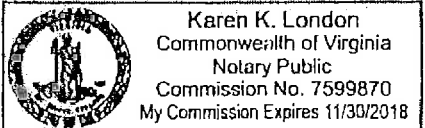
State of Virginia

County of Fairfax

Subscribed and sworn to before me this 12th day of September, 2014 (Year)

My Commission Expires 11-30-2018

Notary Public Karen K. London



Eberle Associates, Inc.
1420 Spring Hill Road, Suite 490, Tysons Corner, VA 22102-3006
voice: 703-821-1550 fax: 703-821-0920 email: info@eberle1.com
www.eberleassociates.com

One Arizona Center
400 East Van Buren Street
Suite 1900
Phoenix, Arizona 85004-2202
602.382.6000
602.382.6070 (Fax)
www.swlaw.com

Eric H. Spencer
602.382-6573
espencer@swlaw.com

*14AUG22 P 12:07 CCEC

DENVER
LAS VEGAS
LOS ANGELES
LOS CABOS
ORANGE COUNTY
PHOENIX
RENO
SALT LAKE CITY
TUCSON

August 21, 2014

VIA EMAIL AND U.S. MAIL

Christina Estes-Werther
Election Director
Secretary of State's Office
1700 West Washington, 7th Floor
Phoenix, AZ 85007
cwerther@azsos.gov

Thomas M. Collins
Executive Director
Citizens Clean Elections Commission
1616 West Adams, Suite 110
Phoenix, AZ 85007
Thomas.Collins@azcleelections.gov

**Re: Illegal Corporate Contribution/Coordination Involving Secure America's
Border and Representative Steve Smith**

Dear Ms. Estes-Werther and Mr. Collins:

This firm represents Scott Bartle, a candidate for State Senate in Legislative District 11. This is a campaign finance complaint against Secure America's Border ("SAB"), which purports to be a "nationwide group of concerned citizens whose mission is to secure our southern border and defend our sovereignty," and Representative Steve Smith, who is also a candidate for State Senate in Legislative District 11. See "No Amnesty Petition," attached as Exhibit A.

Recently SAB sent a mailing to Arizona residents, which upon information and belief, included registered Republican voters in Legislative District 11 who intend to vote in the forthcoming August 26, 2014 primary election. The mail piece purports to solicit recipients to "become a *Secure America's Border Sponsor*" by making a financial contribution, and to sign and return a "No Amnesty" petition to U.S. House Speaker John Boehner. The letter states it was "not printed or paid for by the government." The letter also provides a P.O. Box in Pueblo, Colorado and directs recipients to www.secureamericasborder.com. However, there is no such website in operation. A domain search reveals the website expired in August 2014, and originally had been registered by "Eberle Communications Group"—a Virginia-based political fundraising firm. See Exhibit B; see also <http://www.eberleassociates.com/case-studies.asp#SJ>.

However, the letterhead is captioned "Representative Steve Smith (R-AZ), Author of Legislation to Build Secure Fencing with Private Funding." The letter goes on to prominently set forth Rep. Smith's position on illegal immigration and amnesty, including:

Christina Estes-Werther
Thomas M. Collins
August 21, 2014
Page 2

“I am fed up with President Obama’s unwillingness to secure our borders and deport illegal aliens as required by law. That’s why I authored an Arizona law that secures our southern border with private funding from patriotic citizens like you. Arizona is ground zero for the illegal alien invasion – which is exactly why we are starting here. My legislation calls for using prison inmates in Arizona to build secure fencing and for the installation of other technology that will replace vehicle barriers and barbed wire on the border.”

Moreover, the mail piece predominantly features endorsements of Representative Smith by Maricopa County Sheriff Joe Arpaio, and displays an article about Governor Jan Brewer’s support for Rep. Smith’s border fence bill. All references in this context involve Representative Smith, not SAB or its fundraising efforts.

Finally, all funds raised by this letter are to be sent to “Attention: Representative Steve Smith.” *See Exhibit A.*

Until six weeks ago, however, SAB was a defunct organization: the Arizona Corporation Commission only reinstated SAB as a corporation on July 7, 2014. *See Exhibit C.* Corporation Commission records also demonstrate that Representative Smith is a director with SAB and serves as its President. *See Exhibit D.* Until three weeks ago, Representative Smith was also identified as SAB’s statutory agent as well. *See Exhibit E.* Thus, Representative Smith ostensibly signed a fundraising letter for a non-profit corporation that he personally controls, which in turn paid for a mail piece that touted Representative Smith’s credentials just weeks before his name would appear on the ballot for State Senator.

For the reasons set forth below, the complainant alleges that SAB has made an illegal in-kind corporate contribution to Representative Smith’s campaign committee for State Senate; has acted as a political committee while failing to register as one in accordance with Arizona law; and has failed to include a proper disclaimer in its mail pieces. In addition, Representative Smith allegedly violated the corporate ban as well by signing his name to the fundraising letter and thereby accepting the in-kind corporate contribution.

Accordingly, we ask that this matter be referred to the Arizona Attorney General’s office for investigation and potential civil and criminal enforcement.

Christina Estes-Werther
Thomas M. Collins
August 21, 2014
Page 3

**The letter from “Secure America’s Border” constitutes an illegal corporate contribution.
(A.R.S. §§ 16-901.01, 16-911, 16-914.02, 16-919)**

Pursuant to Arizona law, “it is unlawful for a corporation . . . to make an expenditure or any contribution of money or anything of value for the purpose of influencing an election.” A.R.S. §§ 16-901(5); 16-919(A).¹ This includes an in-kind contribution. A.R.S. § 16-901(15).² Arizona courts have described such efforts to influence an election as “express advocacy.” See *Kromko v. City of Tucson*, 202 Ariz. 499, 502-03, 47 P.3d 1137, 1140-41 (App. 2002) (discussing the test for determining whether a communication is designed to influence the outcome of an election and therefore constitutes express advocacy); see also *Committee for Justice & Fairness v. Arizona Secretary of State’s Office, et al*, No. 1 CA-CV 13-0037, at n.11 (App. Div. 1 Aug. 7, 2014) (citing with approval the Arizona Supreme Court’s rejection of a requirement that “magic words” must be present to establish express advocacy).

Arizona law defines express advocacy to include public communications that advocate the election of a particular candidate:

(A) For the purposes of this [campaign finance] chapter, “expressly advocates” means:

...

(2) Making a general public communication, such as in . . . a direct mailer referring to one or more clearly identified candidates and targeted to the electorate of that candidate(s) that in context can have no reasonable meaning other than to advocate the election or defeat of the candidate(s), as evidenced by factors such as the presentation of the candidate(s) in a favorable . . . light, the targeting, placement or timing of the communication or the inclusion of statements of the candidate[.]

¹ A.R.S. § 16-919(A), and its prohibition on corporate expenditures or contributions made for the purpose of influencing an election, does not apply to “political committees that are incorporated pursuant to title 10, chapters 24 through 40.” A.R.S. 16-919(A). This carve-out does not save SAB, however, as it has failed to register as a political committee.

² While A.R.S. § 16-901(5)(b)(vi) excludes “independent expenditures” from the definition of “contribution,” that exception is inapplicable here since it requires that the expenditure be made “without cooperation or consultation with any candidate or committee or agent of the candidate and that is not made in concert with or at the request or suggestion of a candidate.” A.R.S. § 16-901(14). Where the communication itself is signed (and perhaps written) by the candidate, and the candidate controls the non-profit corporation responsible for the communication, there can be no reasonable argument that SAB’s mail piece constituted an independent expenditure.

Christina Estes-Werther
Thomas M. Collins
August 21, 2014
Page 4

A.R.S. 16-901.01(A)(2).³

Here, the mail piece not only refers to Representative Smith, it includes a letter signed by Representative Smith himself, contains an endorsement by Sheriff Arpaio, and requests that funds be sent to the attention of Representative Smith. The mailing repeatedly touts Representative Smith's position on immigration and border security and his corresponding criticisms of the Obama Administration, which are key issues in the Legislative District 11 race. Furthermore, the timing reflects that this mail piece was intended to have an electoral impact: SAB was reauthorized to operate in Arizona on July 7, 2014, the mailer hit Arizona mailboxes just in time for the August primary, and now the website is no longer functional. It is clear that this public communication constituted express advocacy that was intended to influence an election.

Express advocacy by a corporation (outside the context of an independent expenditure) constitutes an in-kind contribution to the benefitted candidate, which is illegal under Arizona law. A.R.S. § 16-919(A). The penalty for violating this statute are harsh, as "[a] corporation . . . that violates this section is guilty of a class 2 misdemeanor." A.R.S. § 16-919(D).

**Representative Smith allegedly violated Arizona law by accepting SAB's contribution.
(A.R.S. § 16-919)**

A.R.S. 16-919 not only prohibits SAB's in-kind contribution, it also makes it illegal for "a candidate or a candidate's campaign committee to accept any contribution of money or anything of value from a corporation or a limited liability company for the purpose of influencing an election."

The same analysis set forth above applies here and mandates a finding that Representative Smith has violated the statute as well. It is axiomatic that Representative Smith "accepted" SAB's in-kind contribution because he signed the letter. Furthermore, he personally controls SAB and therefore also "effected" the in-kind contribution on SAB's behalf. Arizona law provides that "[t]he person through whom the violation is effected is guilty of a class 6 felony." A.R.S. § 16-919(E).

³ The statute contains an exception for communications that present information about the voting record or position on a campaign issue, but only if the information pertains to "three or more candidates" and "is not made in coordination with a candidate . . . [or] agent of the candidate." A.R.S. § 16-901.01(B).

Christina Estes-Werther
Thomas M. Collins
August 21, 2014
Page 5

**“Secure America’s Border” acted as a political committee but failed to register as one
(A.R.S. §§ 16-902, 16-902.01, 16-901)**

In the alternative, by engaging in express advocacy for the purpose of influencing Representative Smith’s election, SAB violated Arizona law by failing to register as a political committee and filing campaign finance reports. A.R.S. § 16-901(19) defines a “political committee” as “any association or combination of persons that is organized, conducted, or combined for the purpose of influencing the result of any election . . . that receives contributions or makes expenditures of more than two hundred fifty dollars in connection therewith.”⁴ Among other things, political committee status requires proper organization, registration with the Secretary of State, and the necessity to file campaign finance reports (including disclosure of donors). A.R.S. §§ 16-902, 16-902.01, and 16-913. A political committee that fails to file the requisite reports is subject to the civil penalties outlined in A.R.S. § 16-918. *See* A.R.S. §§ 16-913(J). Since SAB has failed to register and report as a political committee, the complainant requests that you investigate this matter and, if warranted, initiate the process of assessing civil penalties.

**“Secure America’s Border” failed to place a proper disclaimer on its mailing
(A.R.S. § 16-912)**

A.R.S. § 16-912(A) provides that a “political committee that makes an expenditure for campaign literature or advertisements that expressly advocate the election . . . of any candidate . . . shall be registered pursuant to this chapter at the time of distribution [and] placement . . . shall include on the literature or advertisement the words “paid for by” following the name of the committee that appears on the statement of organization or five hundred dollar exemption statement.” “A person who violates this section is subject to a civil penalty of up to three times the cost of producing and distributing the literature or advertisement.” A.R.S. § 16-912(E).

SAB failed to comply with this requirement, stating only that the communication was “[n]ot printed or paid for by the government.” This disclaimer is inadequate under Arizona law.

⁴ SAB meets the definition of an association or combination of persons because it has at least two directors. *See* Exhibit D. Upon information and belief, SAB expended more than \$250 to design, produce and mail the public communication at issue.

Christina Estes-Werther
Thomas M. Collins
August 21, 2014
Page 6

Conclusion

There is reason to believe that SAB has violated the statutes identified in this complaint. The complainant therefore respectfully asks for the following relief:

1. That the Secretary of State refer this matter to the Attorney General without delay; and
2. That the Citizens Clean Elections Commission find reasonable cause that a campaign finance violation has occurred.⁵

Very truly yours,

Snell & Wilmer



Eric H. Spencer

EHS/jt
Enclosures

⁵ Representative Smith is a traditionally-funded candidate and therefore presumptively is not within the jurisdiction of the Citizens Clean Elections Commission; however, to the extent the Commission retains concurrent jurisdiction over campaign finance matters pursuant to A.R.S. §§ 16-941, 16-956, 16-957, or A.A.C. Title 2, Chapter 20, Article 2, the complainant files this complaint with the Commission out of an abundance of caution.

Christina Estes-Werther
Thomas M. Collins
August 21, 2014
Page 7

VERIFICATION

State of Arizona)
 Prinal) ss.
County of Maricopa)

I, Scott Bartle, the complainant in this action, affirm the following:

1. I am a candidate for State Senate in Legislative District 11. My contact address is P.O. Box 1018, Maricopa, Arizona 85139 and my residential address is 44272 W. Eddie Way, Maricopa, Arizona 85138.

2. I have read the complaint directed to Christina Estes-Werther and Thomas M. Collins and, to the best of my personal knowledge, the information contained in said complaint is true and correct;

3. For those statements not based upon my personal knowledge, I believe them to be true and correct based upon my information and belief.

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

Scott Bartle

Scott Bartle

Subscribed and sworn to before me this 21 day of August, 2014, by Scott Bartle.

Ericka E Cruz

Notary Public

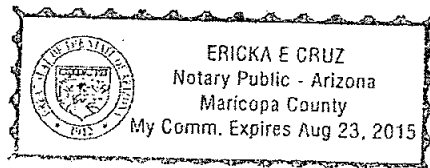


EXHIBIT A

Pro Amnestiy Petition
To the Speaker of the House

The Petition Registered To:



Secure America's Border

Post Office Box 9137

Pueblo, CO 81008-0137

Not Printed or Paid for by the Government



"Securing America's southern border is of utmost importance and I support Rep. Steve Smith's efforts in helping to do this."

Sheriff Joe Arpaio, Maricopa County, Arizona

CENTRAL AMERICA NEWSPAPERS TOUT OPEN U.S. DOOR FOR ILLEGAL MINORS

Wednesday, 11 Jun 2014 08:47 AM
By Todd Beamon Newsmax.com

Newspapers in El Salvador and Honduras are promoting policies by the Obama administration that defer deportation to minors brought to the United States as children by their parents — known as "Dreamers" — and those that are housing illegal children at military bases in the South and West.

Fellow American:

Our borders are being overwhelmed today by a massive tide of young illegal aliens from Central America who have been promised a "permisos" or "free pass."

Don Ray, Executive Director of the Texas Border Sheriffs Coalition, likens this recent influx of illegal aliens to Hurricane Katrina.

Will you sign and return the enclosed ~~No Amnesty~~ petition to Speaker of the House John Boehner? Your petition is needed because Speaker Boehner is under immense pressure from DC special interests to pass amnesty.

In addition, news reports claim that Speaker Boehner has promised Nancy Pelosi and DC lobbyists to hold a vote on the amnesty bill this year.

Please sign and return your ~~No Amnesty~~ petition to Speaker Boehner today!

And please join *Secure America's Borders*, a nationwide group of concerned citizens whose mission is to secure our southern border and defend our sovereignty.

Your support today is vital because the Obama Administration's unwillingness to enforce our immigration laws ~ combined with the potential for amnesty ~ has resulted in a surge of illegal aliens this year that is overwhelming border agents.

Like you, I am fed up with President Obama's unwillingness to secure our borders and deport illegal aliens as required by law.

That's why I authored an Arizona law that secures our southern border with
Secure America's Border, P.O. Box 9137, Pueblo, CO 81008-0137, www.secureamericasborder.com

BORDER AGENT ISSUES DESPERATE PLEA FOR HELP, SAYS U.S. COMPLETELY OVERRUN BY CRIMINAL ALIENS

ADAN SALAZAR, INFOWARS 6/10/14

"The ones we are losing are convicted felons, aliens from special interest countries, and other high risk individuals..." A U.S. Border Patrol agent stationed in South Texas has reached out to Infowars in a desperate plea for help, stating more than half of immigrants crossing the border end up doing so successfully and that many of those are the most criminal types.

private funding from patriotic citizens like you. Arizona is ground zero for the illegal alien invasion - which is exactly why we are starting here.

My legislation calls for using prison inmates in Arizona to build secure fencing and for the installation of other technology that will replace vehicle barriers and barbed wire on the border.

Will you join with *Secure America's Border* in installing fencing and other border security measures to keep out illegal aliens and human traffickers?

You and I can no longer wait for the federal government to secure the border as promised by the Secure Fence Act of 2006.

On June 18th, 2013, the U.S. Senate rejected building a secure fence as part of an amnesty or "immigration reform" bill that the Senate passed.

Ironically, President Obama voted for the Secure Fence Act of 2006 when he was a U.S. Senator. But his administration has done everything in its power to undermine and delay its construction.

And now that the U.S. Senate has voted for amnesty and reneged on the law it passed to build a fence, you and I have no choice but to act. Today, much of the border is blocked by basic vehicle barriers that do not deter illegal aliens from entering our country.

Amazingly, the Obama Administration continues to spread the lie that "the border is more secure than ever before." When a secure double-layer fence was built and other border security measures were implemented near San Diego and Yuma, Arizona, the apprehension of illegal aliens by the U.S. Border Patrol dropped by

AZ GOV JAN BREWER BLASTS OBAMA DROPPING OFF ILLEGALS AT AZ BUS STATIONS

TONY LEE: Breitbart, 2 June 2014

On Monday, Arizona Governor Jan Brewer called on the Obama Administration to end its "dangerous" policy of dropping off hundreds of illegal immigrants apprehended in Texas in Arizona. She also blasted the federal government for not giving Arizona a heads up, saying state officials first found out about the "unconscionable" policy through media reports.

more than 90%!

Yuma County Chief Deputy Leon Wilmot stated, "reports of robberies, smuggling, rape and killings have decreased significantly since the wall's construction."

While I'm pleased by the success of secure fencing in certain areas, I don't believe it is sufficient to secure part of the border and leave the rest with barbed wire, vehicle barriers or simply nothing.

Will you become a *Secure America's Border* Sponsor by making a gift of \$27 or more today?

Why \$27? It's just \$2.50 a month for a whole year - an amount most people can afford. Is securing our border worth just two and a half dollars a month to you?

Better yet, will you give \$50, just over \$4 a month, to protect our nation and citizens? The number 50 is symbolic for every state in the nation that is being impacted by the flood of illegal aliens who overwhelm our schools, prisons, welfare rolls, and emergency rooms. Illegal aliens are a huge drain on our economy.

Of course, given that we must raise a sizeable amount of money to protect the entire border in Arizona, I hope you will consider making a gift of \$100, \$250, \$500 or even \$1,000. The truth is that we will fall short of our goal if we don't have some large gifts to jump start border security measures.

But gifts of all sizes are appreciated and will be put to good use securing the border. Truly, no gift is too small to help. The most important thing is that you send your gift of \$27, \$50 or more today so we can begin securing the border as soon as possible.

In 2009, the U.S. Border Patrol arrested 248,619 illegal aliens in Arizona or



Frustrated by President Obama's unwillingness to build a fence as promised by law, Arizona Gov. Jan Brewer has signed a law to secure the border with private funding using prison inmates for labor.

Brewer signs bill authorizing construction of privately funded border fence

PHOENIX - Governor Jan Brewer signed into law Monday morning a bill authorizing the construction of a border fence between Arizona and Mexico.

The bill, SB 1406, permits Arizona to work with other border states in constructing a privately funded border fence, hailed as a major step in enforcing national security.

"The federal government has put states like Arizona on the backburner for far too long, making flawed claims that the border has never been more secure," said Sen. Steve Smith, sponsor of SB 1406. "

For proof that a well-built fence really works, all you need to do is look at the progress in Yuma County. In 2006, Yuma built a triple-layered, 20-foot-tall wall, reinforced by cement-filled steel piping and wire. Yuma County Chief Deputy Leon Wilnot said reports of robberies, smuggling, rape and killings have decreased significantly since the wall construction. A website will be launched immediately by the Joint Border Security Committee and be used to gather donations in order to fund the construction of a border fence.

Volunteers and inmate labor will be used to construct the fence. According to a report, there are currently 6,000 prison inmates available and qualified to assist in building the fence.

about 45% of all those arrested. Clearly, Arizona is ground zero in the fight to secure our borders.

While it's true that we also need better interior enforcement, the construction of secure fencing in certain sectors of Arizona and California has already had a huge impact in reducing illegal alien traffic.

Please rush your gift of \$27 or more to become a *Secure America's Border Sponsor*.

Given that the U.S. Senate has already passed an amnesty bill, and the House of Representatives will be voting on the legislation soon according to media reports, it's vital that you also sign and return your *No Amnesty* petition today.

Thank you and God bless you for being a partner in our mission to protect the rule of law. I look forward to hearing from you. Thank you so much.

For America,
STEVE SMITH

Representative Steve Smith, (R-AZ 11th District)

Author of Arizona Law to Secure the Border with Private Funding

P.S. You are one of the first to receive this call to action. Please sign and return the enclosed *No Amnesty* petition to Speaker of the House John Boehner, who is under immense pressure from powerful lobbyists to support President Obama's amnesty bill. Our goal is to submit 100,000 *No Amnesty* petitions to Speaker Boehner. The amnesty vote could come at any time. Will you help us meet our goal?

Not printed or paid for by the government.

No Amnesty Petition To the Speaker of the House

The Petition Registered To:

The Honorable John Boehner
H-232 The Capitol
Washington, DC 20515
Dear Speaker Boehner,

Whereas, I am concerned by news reports that say you have promised Minority Leader Nancy Pelosi and powerful Washington, D.C. lobbyists a vote on the amnesty bill.

Whereas, I've lost faith in the Obama Administration's ability to secure the border and deport illegal aliens caught committing felonies.

Whereas, history has shown that giving amnesty to illegal aliens is like waving a red flag at a bull. Every time amnesty passes or is seriously considered by Congress, a surge in illegal alien traffic follows.

Therefore, I urge you to uphold the rule of law and America's sovereignty by opposing the Senate's amnesty bill.

Sincerely,

Dear Speaker Boehner,

Whereas, I am concerned by news reports that say you have promised Minority Leader Nancy Pelosi and powerful Washington, D.C. lobbyists a vote on the amnesty bill.

Whereas, I've lost faith in the Obama Administration's ability to secure the border and deport illegal aliens caught committing felonies.

Whereas, history has shown that giving amnesty to illegal aliens is like waving a red flag at a bull. Every time amnesty passes or is seriously considered by Congress, a surge in illegal alien traffic follows.

Therefore, I urge you to uphold the rule of law and America's sovereignty by opposing the Senate's amnesty bill.

Sincerely,

(Print)

(Signature)

(City/State)

(Date)

1/ /2014

DO NOT DETACH

Secure America's Border
P.O. Box 9137 * Pueblo, CO 81008
www.secureamericasborder.com

"Securing America's southern border is of utmost importance and I support Rep. Steve Smith's efforts in helping to do this".
Sheriff Joe Arpaio, Maricopa County, Arizona



Dear Representative Smith:

I want to help Secure America's Borders and the State of Arizona build a secure fence and install other border security measures with private funding. I understand that about 45% or more of the arrests of illegal aliens are made in Arizona--so securing Arizona's border will help protect our entire nation.

I also agree that we must stop amnesty. That's why I've signed my 120 Amnesty petition to Speaker Boehner above and am including a donation to *Secure America's Border* of:

\$1,000 \$500 \$250 \$100 \$50 \$27 \$ Other _____

Please make checks payable to: *Secure America's Border*.

**Petition to Speaker of the House
John Boehner Enclosed**

Secure America's Border

Attention: Representative Steve Smith

National Processing Center

P.O. Box 9137

Pueblo, CO 81008-0137

EXHIBIT B

This domain report for secureamericasborder.com. To know about any other domain, search in the search box above.

▲ 0
▼ secureamericasborder.com (/redirect-nf?url=aHR0cDovL3NIY3VyZWVtZXJpY2FzYm9yZGVyLmNvt)

📍

f 4 | g+ 0 | t 0 | 1 views

Comcast Business Internet

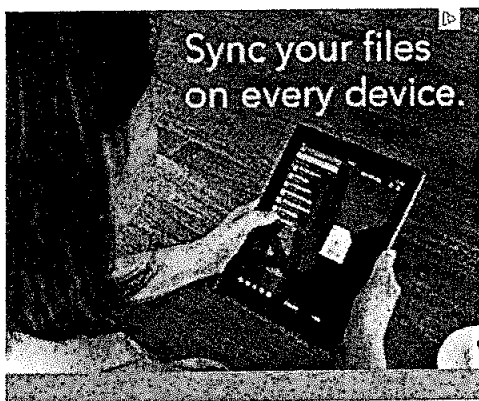
business.comcast.com/Internet

Is Your Internet Slowing You Down? Switch & Get Speeds Up to 100 Mbps!

Secureamericasborder.com seems to be quite trustworthy website , it is 1 year old . The site doesn't have big presence on the social networks. With around 0 face book likes, it is most successful on facebook, while doing equally well on other social networking sites, for example it has 0 tweets, and 0 google plus ones The website was registered by EBERLE COMMUNICATIONS GROUP (ff4es6tr2q5@networksolutionsprivateregistration.com) and has its servers in United States . The site has a Pagerank of 0, which suggests that it is not so well connected on the internet.

This report was last updated on March 08, 2014, 09:07 AM (5 months ago)

Update Report



Statistics

Country	United States
Website Age	1 year 16 days
Pagerank	0
Family Safe	Yes
Malware safe	Yes
IP Address	205.178.189.131

Domains with same owners

Social statistics

% change from last month

4
facebook likes

Whois details

The whois data for secureamericasborder.com was last updated on March 08, 2014, 09:07 AM . To check for latest data, click the update button on the right.

[Update Whois](#)

Registrar Network Solutions
Created 05 Aug 2013 (1 year ago)
Updated 05 Aug 2013
Expiration 05 Aug 2014 (16 days left)
Privacy Locked No
Registrant Name EBERLE COMMUNICATIONS GROUP
Organization EBERLE COMMUNICATIONS GROUP
City Drums
State PA
Postal Code 18222
Country United States
Whois Status clientTransferProhibited
Nameservers ns31.worldnic.com, ns32.worldnic.com, ns31.worldnic.com, ns32.worldnic.com

Server Properties

Location 12808 Gran Bay Parkway West, Jacksonville, FL, United States
Country United States
Web Host Network Solutions, LLC
IP Address 205.178.189.131

DNS Lookup

The DNS records of the domain are handled by worldnic.com.

Host	Record Type	TTL (in seconds)	Address/Data
secureamericasborder.com	A	7200	205.178.189.131
secureamericasborder.com	SOA	7200	rname: namehost.WORLDNIC.COM retry: 3600 mname: NS31.WORLDNIC.COM refresh: 10800 minimum: 3600 expire: 604800 serial: 113080508
secureamericasborder.com	NS	7200	ns31.worldnic.com ns32.worldnic.com

Keywords



Internet Explorer cannot display the webpage

What you can try:

[Diagnose Connection Problems](#)

[More information](#)

EXHIBIT C

AZ CORP. Commission



04735361

STATE OF ARIZONA



Office of the
CORPORATION COMMISSION

CERTIFICATE OF REINSTATEMENT

SECURE AMERICA'S BORDER
File Number 1711263

Effective this date, the ARIZONA CORPORATION COMMISSION, pursuant to Arizona Revised Statutes, Section 10-2442, hereby REINSTATES the Articles of Incorporation for **Beorn named corporation.**

BE WITNESSE: WHEREFORE, I have hereunto set my hand and affixed the official seal of the Arizona Corporation Commission, Done at Phoenix, the Capital, this 7th Day of July, 2014, A. D.



David L. Jensen
David A. Jensen, Executive Director

By: _____

EXHIBIT D

08/21/2014

Arizona Corporation Commission
State of Arizona Public Access System

7:05 AM

Jump To...

[Annual Reports](#)

[Scanned Documents](#)

[Amendments](#)

[Notices of Pending Administrative Dissolution](#)

[Administrative Dissolutions and Reinstatements](#)

[E-FILE An Annual Report Online << Click Here](#)

[FORMS For Annual Reports To Be Printed And Mailed](#)

NEW

[Subscribe to Annual Report Email Reminder](#)

NEW

Corporate Inquiry	
File Number: -1711124-3	Check Corporate Status
Corp. Name: SECURE AMERICA'S BORDER	

Domestic Address

C/O ADAM M TRENK
7144 E STETSON DR STE 300
SCOTTSDALE, AZ 85251

Statutory Agent Information

Agent Name: ADAM M TRENK
Agent Mailing/Physical Address:
7144 E STETSON DR STE 300
SCOTTSDALE, AZ 85251
Agent Status: APPOINTED 09/17/2012
Agent Last Updated: 08/13/2014

Additional Corporate Information

Corporation Type: NON-PROFIT	Business Type: CIVIC
Incorporation Date: 09/29/2011	Corporate Life Period: PERPETUAL
Domicile: ARIZONA	County: MARICOPA
Approval Date: 10/07/2011	Original Publish Date: 11/02/2011

Officer Information

STEVE SMITH OTHER OFFICER 17818 N SMITH DR MARICOPA, AZ 85139 Date of Taking Office: 09/29/2011 Last Updated: 07/07/2014	STEVE SMITH PRESIDENT 17818 N SMITH DR MARICOPA, AZ 85139 Date of Taking Office: 09/29/2011 Last Updated: 07/07/2014
---	---

Director Information

GEORGE FARRELL DIRECTOR 40260 W HELEN CT MARICOPA, AZ 85138 Date of Taking Office: 09/29/2011 Last Updated: 07/07/2014	STEVE SMITH DIRECTOR 17818 N SMITH DR MARICOPA, AZ 85139 Date of Taking Office: 09/29/2011 Last Updated: 07/07/2014
---	--

Annual Reports

Next Annual Report Due: 09/29/2014	E-FILE An Annual Report Online << Click Here
FORMS For Annual Reports To Be Printed And Mailed	NEW Subscribe to Annual Report Email Reminder NEW

File Year	File Month	Date Received	Reason Returned	Date Returned	Extension
2013	09	06/13/2014			
2012	09	09/20/2012			

[Back To Top](#)

Scanned Documents

(Click on gray button - if present - to view document - will open in a new window.)
 (If gray button is not present, please check back later.)

Document Number	Description	Date Received
03639348	ARTICLES	10/06/2011
03668492	PUB OF ARTICLES	11/02/2011
04002852	AGENT APPOINTMENT	09/17/2012
04007058	12 ANNUAL REPORT	09/20/2012
04343797	AMENDMENT	07/19/2013
04372924	PUB OF AMENDMENT	08/05/2013

04715453	13 ANNUAL REPORT	06/13/2014
04735361	CERTIFICATE OF REINSTATEMENT	07/07/2014
04764344	CHANGE(S)	07/28/2014

[Back To Top](#)

Amendments

Amendment Date	Amendment Type	Publish Date	Publish Exception
07/16/2013	NAME CHANGE	08/05/2013	

[Back To Top](#)

Notices of Pending Administrative Dissolution

(Click on gray button - if present - to view notice - will open in a new window)

Date	Reason
01/02/2014	DELINQUENT ANNUAL REPORT

[Back To Top](#)

Administrative Dissolutions and Reinstatements

(Click on gray button - if present - to view notice - will open in a new window)

Administrative Dissolution Date	Administrative Dissolution Reason	Reinstatement Date
03/10/2014	AD-DISSOLVED - FILE A/R	06/13/2014

[Back To Top](#)

Name Changes / Mergers

Description	Corporation Name	Date
CHANGED FROM	BUILD AMERICAS FENCE	07/16/2013

- [Corporate Name Search Instructions](#)
- [General Web Site Usage Instructions](#)
- [STARPAS Main Menu](#)
- [A.C.C. Corporations Division Main Page](#)
- [Arizona Corporation Commission Home Page](#)

EXHIBIT E

AZ CORPORATION COMMISSION
FILED



JUL 19 2013

JUL 1 8 2013

FILE NO. 17111943 FILE NO. 17111943

AZ CORPORATION COMMISSION
FILED
MAY 07 2013
MAY 07 2013
AZ CORPORATION COMMISSION
FILED
MAY 07 2013

1. ENTITY NAME - give the exact name of the corporation as currently shown in A.C. Records of said Arizona State

2. A.C.C.F. FILE NUMBER: 17111943
FILE NO. 17111943

3. Date the proposed amendment was adopted: 7/2/2013

4. Check A1 or A2, or both - also check A3 if applicable:

A1 The Amendment was fully adopted by act of the Board of Directors.

A2 The Amendment was duly adopted by act of the Members.

A3 The Amendment was approved by the person or persons required by the Articles of Incorporation.

5. A copy of the corporation's independent report has attached to these Articles.

RESOLUTIONS

By adopting the heretofore recited "I enclose" above, I acknowledge under penalty of perjury that the document together with any attachments is submitted in accordance with Arizona law.

[Signature]

I AGREE

Sherrin Smith

07/15/2013

Individuals - check by role:

<input checked="" type="checkbox"/> I am the Chairman of the Board of Directors of the corporation.	<input type="checkbox"/> I am a duly authorized officer of the corporation.	<input type="checkbox"/> I am a duly authorized managing member, partner, or other person acting for the corporation.
---	---	---

Name: Sherrin Smith Designation: Secretary Address: 1000 N. Central Expressway, Suite 1000, Phoenix, AZ 85004 Phone: 602-258-4100	Title: Secretary Address: 1000 N. Central Expressway, Suite 1000, Phoenix, AZ 85004 Phone: 602-258-4100
--	--

00000

Arizona Secretary of State - Corporate Services
Page 1 of 1

ARTICLES OF AMENDMENT

NON-PROFIT CORPORATION Pursuant A.R.S. §10-11006

Pursuant to the provisions of Arizona Revised Statutes §10-11006, the undersigned non-profit corporation adopts the following Articles of Amendment to its Articles of Incorporation:


1. The name of the non-profit corporation was
BUILD AMERICAS FENCE
2. The name of the non-profit corporation is now:
SECURE AMERICA'S BORDER
3. The initial Articles of Incorporation of Build America's Fence were filed and subsequently approved by the Arizona Corporation Commission on October 7, 2011.
4. Article 1 of the Articles of Incorporation is hereby deleted in its entirety and replaced with the following language:

NAME AND ADDRESS

The name of the corporation is SECURE AMERICA'S BORDER (the "Corporation"). Its principal place of business shall be 6613 N Scottsdale Road, Suite 200, Scottsdale, Arizona, 85250, but its Board of Directors may meet for the transaction of business at such other places within or without the State of Arizona as the Directors see, from time to time, designate. The corporation's initial mailing address shall be 6613 N Scottsdale Road, Suite 200, Scottsdale, Arizona, 85250.

5. Pursuant to the Bylaws of Secure America's Border, an Arizona non-profit corporation, the Board of Directors duly adopted these Articles of Amendment to its Articles of Incorporation on the 12th day of July, 2013.

In witness whereof the foregoing Articles of Amendment is executed as of 12th day of July, 2013, by Steve Smith, Chairman and President of Secure America's Border (formerly known as Build America's Fence).

By: 
 Name: Steve Smith
 In: Chairman and President