

COMPLAINT PURSUANT TO HELP AMERICA VOTE ACT

The Public Interest Legal Foundation, Inc. (“Foundation”) files this complaint against the North Carolina State Board of Elections (“NCSBE”) alleging that a violation of Title III of the Help America Vote Act of 2002 (“HAVA”) has occurred, is occurring, and will continue to occur absent relief. Specifically, North Carolina is not complying with the requirement to eliminate duplicate names from the official list of eligible voters, 52 U.S.C. § 21083(a)(2)(B)(iii).

HAVA Requires Elimination of Duplicated Registration Records

1. HAVA requires states receiving HAVA grant money to implement “a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level that contains the name and registration information of every legally registered voter in the State and assigns a unique identifier to each legally registered voter in the State.” 52 U.S.C. § 21083(a)(1)(A).

2. This “computerized list shall serve as the single system for storing and managing the official list of registered voters throughout the State.” 52 U.S.C. § 21083(a)(1)(A)(i). The computerized voter registration list further serves as the “official voter registration list for the conduct of all elections for Federal office in the State.” 52 U.S.C. § 21083(a)(1)(A)(viii).

3. The NCSBE “shall develop and implement a statewide computerized voter registration system to facilitate voter registration and to provide a central database containing voter registration information for each county.” N.C. Gen. Stat. § 163-82.11(a). The state voter registration system serves as “the official voter registration list for the conduct of all elections in the State.” N.C. Gen. Stat. § 163-82.10(a).

4. Pursuant to HAVA, the authorized officials must maintain the state voter registration system so that “voter registration records in the State are accurate and are updated regularly.” 52 U.S.C. § 21083(a)(4).

5. HAVA further specifies that the list maintenance performed should ensure that: “(i) the name of each registered voter appears in the computerized list; (ii) only voters who are not registered or who are not eligible to vote are removed from the computerized list; and (iii) duplicate names are *eliminated* from the computerized list.” 52 U.S.C. § 21083(a)(2)(B) (emphasis added).

6. HAVA imposes its voter list maintenance requirements on the “appropriate State or local election official.” 52 U.S.C. § 21083(a)(2)(A).

7. In North Carolina, the NCSBE “and county boards of elections shall maintain the list of eligible voters in the State by providing for the following: (1) The removal of the names of ineligible voters from the official lists of eligible voters. (2) Updates to the addresses and other necessary data of persons who remain on the official lists of eligible voters.” N.C. Gen. Stat. § 163-82.14(a). Under North Carolina law, the NCSBE “has the authority to perform list maintenance under this section with the same authority as a county board.” N.C. Gen. Stat. § 163-82.14(e).

8. NCSBE is subject to HAVA and must comply with its voter list maintenance requirements, including the requirement to eliminate duplicate names from the statewide voter registration system.

9. The Foundation obtained an official copy of the statewide voter registration system from the NCSBE’s website (<https://www.ncsbe.gov/results-data/voter-registration-data>) and reviewed a portion of it for duplicated records on September 21, 2026. The Foundation

identified more than 1,200 instances of apparent duplicated registration records where variations in name spelling, nicknames, phonetic variants, first name diminutives, and truncations have generated duplications with matching residential addresses and years of birth. The Foundation reviewed only the ten (10) largest counties by voter registration totals for this analysis. Of those counties, Guilford and Cumberland Counties account for more than 50 percent of the flagged registrations.

10. The Foundation's Research Director identified the more than 1,200 apparent duplicated records by implementing the following five different queries: (1) identification of all records that share the exact same address information, and also have the exact same last name, first name, and year of birth; (2) identification of all records that share the exact same address information and also have the exact same first name and year of birth and have the last name of one record fully incorporated into the last name of the other record; (3) identification of all records that share the exact same address information and also have the exact same first name and year of birth and have the last name of one record be 2 characters or fewer different than the last name of the other record; (4) all records that share the exact same address information and also have the exact same last name and year of birth and have the first name of one record be 2 characters or fewer different than the first name of the other record; and, (5) all records that share the exact same address information, date of birth, and last names but have common nickname, diminutive, phonetic, or punctuation conflicts in name fields (*e.g.*, William versus Bill, Jacqueline versus Jackie, Bedingfield versus Bedingfiled, O'Donnell versus Odonnell, respectively).

11. The Foundation notified the NCSBE of its findings by letter on September 29, 2026, copying each of the 10 counties included in the study. The Foundation requested a response on its findings by October 13, 2026. The Foundation did not receive a response.

12. To confirm its findings, the Foundation obtained a copy of the statewide voter registration system from the NCSBE's website (<https://www.ncsbe.gov/results-data/voter-registration-data>) and reviewed the entire state for duplicated records on October 19, 2026. The Foundation identified 3,674 apparent duplicated and triplicated voter registration record sets across 94 counties. *See* Exhibit 1 – List of Voter ID Numbers.

13. The Foundation's Research Director identified the 3,674 apparent duplicated records statewide by implementing the following six different queries: (1) identification of all records that share the exact same address information, and also have the exact same last name, first name, and year of birth; (2) identification of all records that share the exact same address information and also have the exact same first name and year of birth and have the last name of one record fully incorporated into the last name of the other record; (3) identification of all records that share the exact same address information and also have the exact same first name and year of birth and have the last name of one record be 2 characters or fewer different than the last name of the other record; (4) all records that share the exact same address information and also have the exact same last name and year of birth and have the first name of one record be 2 characters or fewer different than the first name of the other record; (5) all records that share the exact same address information, date of birth, and last names but have common nickname, diminutive, phonetic, or punctuation conflicts in name fields (*e.g.*, William versus Bill, Jacqueline versus Jackie, Bedingfield versus Bedingfiled, O'Donnell versus Odonnell, respectively); and, (6) all records that share matching names and address fields, yet contain

apparent typographical errors in year of birth fields demonstrating year-shift errors (e.g. 1991 versus 1992).

14. North Carolina is not eliminating duplicate names as HAVA requires. 52 U.S.C. § 21083(a)(2)(B)(iii).

15. North Carolina is therefore violating Title III of HAVA.

16. Absent relief, the November 3, 2026, General Election in North Carolina will be conducted using an inaccurate voter registration list.

17. As a state subject to HAVA, North Carolina must establish an administrative complaint procedure to remedy violations of HAVA's Title III. 52 U.S.C. § 21112(a)(1). North Carolina has established such an administrative complaint procedure. *See* N.C. Gen. Stat. § 163-91.

18. This complaint is filed against NCSBE pursuant to HAVA and North Carolina's HAVA complaint procedure.

19. The Foundation does not request a hearing.

Prayer for Relief

20. The Foundation respectfully requests an order:

- A. Declaring that North Carolina is violating Title III of HAVA by not eliminating duplicate names from the official list of eligible voters;
- B. Ordering North Carolina to review the data submitted with this Complaint and take all corrective action consistent with HAVA as is necessary to eliminate duplicate names from the official list of eligible voters;
- C. Ordering North Carolina to develop and implement a remedial plan to bring the State into compliance with HAVA now and in the future, including, but not

limited to, a procedure for verifying correct registration data when a registrant with duplicated registration records appears to vote in person; and,

D. Granting the Foundation all further relief deemed just and proper.