Message

From: von Spakovsky, Hans [Hans.VonSpakovsky@heritage.org]
Sent: 8/31/2017 10:10:42 PM
To: Kossack, Andrew J. EOP/OVP [Andrew.J.Kossack@ovp.eop.gov]

>http://dailysignal.com/2017/08/31/spewing-outrage-at-voter-fraud-commission-judge-and-media-miss-facts/<

Spewing Outrage at Voter Fraud Commission, Judge and Media Miss Facts

Katrina Trinko / August 31, 2017

Once you know the facts, the latest narrative painting President Donald Trump's Election Integrity Advisory Commission as a shady group refusing to make its documents public falls apart.
Let me backtrack.
Here is the key section from a Washington Post article published Aug. 30:

> *U.S. District Judge Colleen Kollar-Kotelly of Washington said the Election Integrity Commission released only an agenda and proposed bylaws before its first meeting at the White House complex last month.*
> *But once gathered, commissioners had thick binders that included documents the public had not seen, including a specially prepared report and a 381-page 'database' purporting to show 1,100 cases of voter fraud, both from the think tank Heritage Foundation.*

Ah, yes, those scary thick binders. (What *is* it with the left and binders? Maybe Mitt Romney could give me some insight.)
Well, as exciting as it would be if there were a top-secret Heritage Foundation voter fraud database … there isn't one. You can peruse the entire *public* Heritage voter fraud database right here.
The existence of the 2-year-old database has hardly been a secret. In fact, we've run two Daily Signal articles just this summer that mention it:"Growing Pile of Data Shows That Voter Fraud Is a Real and Vast Problem" and "Voter Fraud Database Tops 1,000 Proven Cases."
If we were trying to keep it a secret, we'd be doing a lousy job of it.
So, far from being "documents the public had not seen," these are documents The Heritage Foundation and The Daily Signal—the multimedia news arm of the organization—have been pushing out to the public and encouraging wide readership of.
And no, the database isn't "purporting to show," as the Post put it, over 1,000 cases of voter fraud. It's just, well, showing around 1,100 cases of clear voter fraud.
As the introduction to the database puts it, "The Heritage Foundation is providing a list of election fraud cases from across the country, broken down by state, where individuals were either convicted of vote fraud, or where a judge overturned the results of an election."
And that "specially prepared report" also cited?
My Heritage Foundation colleague Hans von Spakovsky, who is a member of the Election Integrity Commission, thinks the Post might be referring "to a report that was provided to members of the commission by U.S. Election Assistance Commissioner Christy McCormick, not The Heritage Foundation."

AMERICAN OVERSIGHT

"'The Election Administration and Voting Survey – 2016 Comprehensive Report' is an official report of the [Election Assistance Commission]," explains von Spakovsky. "It is also a report available to the public on the [commission] website here. This report was filed by the [Election Integrity Commission] with Congress at the end of June, several weeks before the July 19 meeting of the commission."
So yeah, that was also available to the public.
"If the judge or the reporters had spent 10 seconds on the internet doing a Google search, they could have easily found the hyperlinks to these documents that individual commissioners on their own brought to the commission to provide to their fellow commissioners," says von Spakovsky.
Huffington Post also reported on the judge's remarks about the commission:

> *Those documents included prepared opening statements, a Heritage Foundation study on alleged incidents of voter fraud, a voting surveyby the U.S. Election Assistance Commission and an article from the Yale Law & Policy Review. The commission did post the documents after the meeting.*

So those opening statements?
Well, if you're looking for a way to fall asleep, you can watch the full 2 hours and 18 minutes of the commission's meeting, at which the opening statements were read out loud, here on the White House's YouTube channel.
And the Yale article?
Well, granted, we live in busy times, but anyone who's interested has had a full eight years to peruse that—it's been available since 2009.
You'd think it would be relatively uncontroversial to have a commission study how to ensure the integrity of our election process. But apparently not.
But misleading statements by judge and media aside, it's clear that there's no hidden, secret packet of information that was read by those on the commission when they met July 19.

> Now if only the left could spend as much energy on actually eliminating voter fraud, cleaning up voter rolls, and ensuring that only eligible Americans are voting.

Hans von Spakovsky
Manager, Election Law Reform Initiative and Senior Legal Fellow
Institute for Constitutional Government
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
202-608-6207
heritage.org

AMERICAN OVERSIGHT

From: von Spakovsky, Hans
To: Nancy Eisenhart
Cc: Kossack, Andrew J. EOP/OVP
Subject: [EXTERNAL] RE: California Advisory Committee to the USCCR
Date: Wednesday, November 01, 2017 10:48:09 AM
Attachments: image001.jpg

Ms. Eisenhart,

I am cc'ing Andrew Kossack on this reply. He is the counsel in the Office of the Vice President handling work of the advisory commission. He can tell you how to submit your report.

Hans von Spakovsky
Manager, Election Law Reform Initiative and Senior Legal Fellow
Institute for Constitutional Government
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
202-608-6207
heritage.org

From: Nancy Eisenhart [mailto:[redacted]
Sent: Monday, October 30, 2017 3:44 PM
To: von Spakovsky, Hans <Hans.VonSpakovsky@heritage.org>
Subject: California Advisory Committee to the USCCR

Good afternoon, Hans -

The Western Regional Office of the California Advisory Committee to the U. S. Civil Rights Commission, at my request, is going to send an official notice of our *Voting Integrity in California* report to the *Presidential Advisory Committee on Election Integrity* of which you are a member.

Please provide me with the best email or snail-mail address and Attention to: I should give the office, in the hope the report doesn't get lost or buried unnecessarily.

If you have any other recommendations as to individuals, agencies, officials or organizations who would be more than ordinarily interested in our report, please let me know anytime something occurs to you. The election and voting issues we cover are on-going.

Thanks for all your help.

Warm regards,

Nancy Eisenhart

CA SAC USCCR Member

--

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

From: Ken Block
To: Kossack, Andrew J. EOP/OVP
Subject: [EXTERNAL] update on something new we have tried
Date: Friday, October 06, 2017 2:05:26 PM

Andrew -

Just want to keep you up to date on different approaches and techniques were are working on to identify voter fraud.

We took a look at small samples of voters who as a group were interesting here in Rhode Island. For example, we looked at the 50,000 newly registered voters who voted in RI in 2016, and the 500 voters in Central Falls who voted in 2016 without PII in the voter registration database, and also the 13,000 mail ballot voters who voted in 2016 without PII in the voter registration database.

In every circumstance, a large number of each of these sets of voters could NOT be found having a social security number in our commercial database vendor's database. We then looked to see if we could find these people in several different marketing databases. It is not really possible to live in today's society and not leave an electronic trail. While a good number in each set of data did not have social security numbers, for more than half of those without SSNs we could find those folks in marketing data. This set of people could very well be illegals. And the really worrisome ones are those that we could not find in either the SSN database OR the marketing database. These folks are invisible electronically, and very likely do not exist.

We are just playing with this right now, but the number here are substantial enough (9,000 out of 50,000) that they are very, very interesting.

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Thursday, July 20, 2017 5:24 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: travel reimbursements

For those of you submitting travel expenses for reimbursement, please send them to Kris Palmer at GSA (kris.palmer@gsa.gov). Kris will process your receipts and the approved funds will be reimbursed into the account you provided in your EFT form.

Please scan all of your receipts into a single document file and send them via email to kris.palmer@gsa.gov. According to GSA, when in doubt, you should err on the side of providing the receipt. Receipts are required for the following:

- Hotel bill
- Airport parking
- Taxis/metro for travel to/from airport and committee meetings
- Airline baggage fees

If you have any questions, just let me know.

Many thanks to each of you for your time and contributions to yesterday's meeting. It was a pleasure being with you and an inspiring kickoff. If you haven't seen it already, the full video is now posted here: https://www.whitehouse.gov/featured-videos/video/2017/07/19/presidential-advisory-commission-election-integrity-part-2.

Thanks,
Andrew

AMERICAN OVERSIGHT

Presidential Commission

PANELIST

Parking Permit

9/12

SAINT ANSELM
COLLEGE

NEW HAMPSHIRE
INSTITUTE OF POLITICS

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Thursday, August 24, 2017 1:03 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: September Meeting - 9/12 in Manchester, New Hampshire

Dear Members,

Thank you for holding September 12th for our next meeting, and for your patience as we worked through some logistical details. I am excited to share that Secretary Gardner has kindly offered to host the Commission in New Hampshire at the New Hampshire Institute of Politics at St. Anselm College. The meeting will begin at 10:00 a.m. Eastern on Tuesday, September 12th, and we expect to finish no later than 4:00 p.m.

Please feel free to proceed with making your travel arrangements. As a reminder, here are the instructions for booking travel through GSA's travel services:

Booking Travel to New Hampshire Instructions
Members or their support staff who have established traveler accounts with GSA can call the travel agent directly to book their travel.

ADTRAV (GSA travel agent): 877-472-6716, available 24/7

Key Information when calling the travel agent:

- ADTRAV will recognize members by first and last name and agency--which is the General Services Administration (GSA) for the purposes of this travel.
- Have a personal credit card available--hotel will be booked using a personal card. Members can choose their hotel and will be reimbursed up to the maximum per diem rate for Manchester, NH ($108/night) (keep hotel receipts)
- The committee has budgeted for travel for up to 3 days per member between 9/11 and 9/13. Arrangements should be made within those parameters.
- Members (or their staff) should tell the agent the traveler's date of birth if making airline reservations. This is a requirement in order for tickets to be issued.

Travelers will need to follow federal regulations governing travel. Key points:

- Hotel: Max lodging per diem rate reimbursed for Manchester, NH in September: $108 (keep hotel receipts--reimbursed up to $108. Lodging taxes will be reimbursed separately as well.) The travel agent can help members find rooms at or below per diem.
- Airfare: Must use coach class and the contract carrier fare (booked by travel agent)
  - Exceptions to contract fare must be documented/justified--e.g., Timing of contract fare flights do not allow traveler to meet mission or non-contract fare is less expensive
- Meals & Incidental Expenses (MI&E): reimbursed $64 per day for Manchester; $48 on first & last day of travel (no receipts needed, reimbursed $64 for full day and $48 for first and last day of travel)
- Rental cars: Receipt required for all expenses
- Taxis/metro: reimbursed for official business related to the committee--e.g., to/from airport, to/from committee meetings (keep receipts)
- Other (i.e. airline baggage fees): Reimbursed (keep receipts)

Airfare will be booked through the travel agent and paid directly by GSA. All other approved travel expenses (hotel; MI&E; taxis) will be paid for using the member's personal card and will subsequently be reimbursed. Details on reimbursement process will be provided upon completion of the travel.

AMERICAN OVERSIGHT

If members or their staff have questions regarding the above that the travel agent can't answer, please don't hesitate to have the members' staff reach out to Valerie Whittington or Kris Palmer.

valerie.whittington@gsa.gov - [redacted]
kris.palmer@gsa.gov - [redacted]

We will share more information about the meeting and agenda soon. If you have any questions in the meantime, please let me know.

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Thursday, August 24, 2017 1:03 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: September Meeting - 9/12 in Manchester, New Hampshire

Dear Members,

Thank you for holding September 12th for our next meeting, and for your patience as we worked through some logistical details. I am excited to share that Secretary Gardner has kindly offered to host the Commission in New Hampshire at the New Hampshire Institute of Politics at St. Anselm College. The meeting will begin at 10:00 a.m. Eastern on Tuesday, September 12th, and we expect to finish no later than 4:00 p.m.

Please feel free to proceed with making your travel arrangements. As a reminder, here are the instructions for booking travel through GSA's travel services:

Booking Travel to New Hampshire Instructions
Members or their support staff who have established traveler accounts with GSA can call the travel agent directly to book their travel.

ADTRAV (GSA travel agent): 877-472-6716, available 24/7

Key Information when calling the travel agent:

- ADTRAV will recognize members by first and last name and agency--which is the General Services Administration (GSA) for the purposes of this travel.
- Have a personal credit card available--hotel will be booked using a personal card. Members can choose their hotel and will be reimbursed up to the maximum per diem rate for Manchester, NH ($108/night) (keep hotel receipts)
- The committee has budgeted for travel for up to 3 days per member between 9/11 and 9/13. Arrangements should be made within those parameters.
- Members (or their staff) should tell the agent the traveler's date of birth if making airline reservations. This is a requirement in order for tickets to be issued.

Travelers will need to follow federal regulations governing travel. Key points:

- Hotel: Max lodging per diem rate reimbursed for Manchester, NH in September: $108 (keep hotel receipts--reimbursed up to $108. Lodging taxes will be reimbursed separately as well.) The travel agent can help members find rooms at or below per diem.
- Airfare: Must use coach class and the contract carrier fare (booked by travel agent)
  - Exceptions to contract fare must be documented/justified--e.g., Timing of contract fare flights do not allow traveler to meet mission or non-contract fare is less expensive
- Meals & Incidental Expenses (MI&E): reimbursed $64 per day for Manchester; $48 on first & last day of travel (no receipts needed, reimbursed $64 for full day and $48 for first and last day of travel)
- Rental cars: Receipt required for all expenses
- Taxis/metro: reimbursed for official business related to the committee--e.g., to/from airport, to/from committee meetings (keep receipts)
- Other (i.e. airline baggage fees): Reimbursed (keep receipts)

Airfare will be booked through the travel agent and paid directly by GSA. All other approved travel expenses (hotel; MI&E; taxis) will be paid for using the member's personal card and will subsequently be reimbursed. Details on reimbursement process will be provided upon completion of the travel.

AMERICAN OVERSIGHT

If members or their staff have questions regarding the above that the travel agent can't answer, please don't hesitate to have the members' staff reach out to Valerie Whittington or Kris Palmer.

valerie.whittington@gsa.gov - [redacted]
kris.palmer@gsa.gov - [redacted]

We will share more information about the meeting and agenda soon. If you have any questions in the meantime, please let me know.

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Presidential Advisory Commission on Election Integrity

August 30, 2017

Dear Fellow Commissioners,

I look forward to seeing you on September 12th in New Hampshire. Once again, I would like to thank Secretary Gardner for hosting us.

I wanted to contact you with a request regarding any written materials for the September 12th meeting. We want to ensure we operate with the highest level of transparency and in a way that allows the public to be fully informed of our Commission's work.

To that end, if you intend to share written materials with the other Commission members at the meeting, I ask that you please submit such materials to the Commission staff no later than 10 a.m. Eastern Time on Monday, September 11th. Materials that are not received by this time, or that staff is unable to post to the website by Monday, September 11th at 7:00 p.m. due to technical or other issues, will not be used at the September 12th meeting, so I encourage you to submit your materials by Friday, September 8th, if possible. We also will ask presenters for the meeting to meet these same deadlines for their materials they intend to share with the Commission.

This approach is intended to ensure a transparent meeting on September 12th. Consistent with that goal, the Commission has represented in ongoing litigation that materials that you intend to share with your fellow Commission members will be shared with the public in advance of meetings, where possible. I do not want to undermine our Commission's discussion or limit the free flow of information, and I understand unexpected issues could arise and members could desire to introduce other documents at the meeting. I would ask that other documents be shared at the meeting only under extraordinary circumstances that could not have been foreseen with sufficient time to send them to Commission staff by the deadline. Should this occur, however, please coordinate with Commission staff to ensure that sufficient copies are available to distribute to meeting participants and the public.

I look forward to a great meeting on September 12th.

Sincerely,

Kris Kobach

Kris W. Kobach
Vice Chair

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Wednesday, August 30, 2017 9:13 AM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: letter from Vice Chair Kobach regarding submission of meeting materials
Attachments: Vice Chair Kobach letter re meeting material deadline.pdf; Litigation Hold

Dear Members,

Please see the attached letter from Vice Chair Kobach regarding the submission of meeting materials for the September 12th meeting.

Also, attached as a reminder is the litigation hold letter from August 7th. Please review this letter and ensure you are preserving materials accordingly.

As always, if you have any questions, please let me know.

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000013

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Wednesday, August 30, 2017 9:13 AM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: letter from Vice Chair Kobach regarding submission of meeting materials
Attachments: Vice Chair Kobach letter re meeting material deadline.pdf; Litigation Hold

Dear Members,

Please see the attached letter from Vice Chair Kobach regarding the submission of meeting materials for the September 12th meeting.

Also, attached as a reminder is the litigation hold letter from August 7th. Please review this letter and ensure you are preserving materials accordingly.

As always, if you have any questions, please let me know.

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Friday, July 14, 2017 5:20 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted]; Mark Rhodes; von Spakovsky, Hans; Christian Adams; King, Alan
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: RE: updates on July 19th meeting: schedule and travel arrangements
Attachments: Agenda for July 19, 2017 Initial Meeting.pdf

Please see the attached agenda for next week's public meeting. As you can see, we hope each of you will take about five minutes to introduce yourself and talk about your vision for your role on the commission. During the discussion portion of the meeting, there will be time to explore and decide what topics the commission will address.

If you have any questions, please let me know.

Andrew J. Kossack
Designated Federal Officer
Presidential Advisory Commission on Election Integrity

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Friday, July 14, 2017 10:43 AM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; King, Alan
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: FW: Travel Instructions - Members Can Begin Booking

Importance: High

Please see the below note from GSA with instructions for booking travel. I've highlighted the telephone number for the travel agent, which is available 24/7 to help you book.

As a reminder on our schedule, please plan on being at the Eisenhower Executive Office Building (just west of the White House) by about 8:00 a.m. on Wednesday morning. Feel free to travel to D.C. on Tuesday and depart either later on Wednesday or anytime Thursday. We expect the meeting to adjourn by mid-afternoon. I will share a full agenda with you soon.

If you have any questions or concerns, just let me know.

Thanks,
Andrew

From: Jonathan Clinton - M [mailto:jonathan.clinton@gsa.gov]
Sent: Friday, July 14, 2017 10:30 AM
To: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Cc: Kris Palmer - M <kris.palmer@gsa.gov>; Valerie Whittington (M) <valerie.whittington@gsa.gov>; elizabeth.cain@gsa.gov; Christine Courter - H1CT <christine.courter@gsa.gov>; katherine_purucker@ovp.eop.gov
Subject: Travel Instructions - Members Can Begin Booking

Andrew --

All traveling members' accounts have been established (with the exceptions of Ms. McCormick and Mr. Adams, who we understand are DC based).

The members or their support staff can now call our travel agent directly to book their travel.

ADTRAV (GSA travel agent): 877-472-6716, available 24/7

Key Information when calling the travel agent:

- ADTRAV will recognize members by first and last name and agency--which is the General Services Administration (GSA) for the purposes of this travel.
- Have a personal credit card available--hotel will be booked using a personal card. Members can choose their hotel and will be reimbursed at the maximum per diem rate for DC ($172/night) (keep hotel receipts)
- The committee has budgeted for travel for up to 3 days per member between 7/18 and 7/20. Arrangements should be made within those parameters.

AMERICAN OVERSIGHT

- Members (or their staff) should tell the agent the traveler's date of birth if making airline reservations. This is a requirement in order for tickets to be issued.

Travelers will need to follow federal regulations governing travel. Key points:

- Hotel: Max lodging per diem rate reimbursed for Washington, DC in July: $172 (keep hotel receipts--reimbursed for max of $172. Lodging taxes will be reimbursed separately as well.)
- Airfare: Must use coach class and the contract carrier fare (booked by travel agent)
  - Exceptions to contract fare must be documented/justified--e.g., Timing of contract fare flights do not allow traveler to meet mission or non-contract fare is less expensive
- Meals & Incidental Expenses (MI&E): reimbursed $69 per day for DC; $51.75 on first & last day of travel (no receipts needed, reimbursed full amount regardless of expenses--above or below)
- Rental cars: Receipt required for all expenses
- Taxis/metro: reimbursed for official business related to the committee--e.g., to/from airport, to/from committee meetings (keep receipts)
- Other (i.e. airline baggage fees): Reimbursed (keep receipts)

Airfare will be booked through the travel agent and paid directly by GSA. All other approved travel expenses (hotel; MI&E; taxis) will be paid for using the member's personal card and will subsequently be reimbursed. Details on reimbursement process will be provided upon completion of the travel.

If members or their staff have questions regarding the above that the travel agent can't answer, please don't hesitate to have the members' staff reach out to Valerie Whittington or Kris Palmer.

valerie.whittington@gsa.gov - [redacted]
kris.palmer@gsa.gov - [redacted]

Best,

Jon
--
Jon Clinton
Chief of Staff
Office of Government-wide Policy
U.S. General Services Administration
[redacted]

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Monday, July 17, 2017 8:01 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: updates and requests
Attachments: EOP-Campus-Map.pdf

Importance: High

Dear Members,

Thank you for your responsiveness over the last few days. We know travel and financial disclosure processes can be tedious, so we really appreciate your time and efforts to get them completed.

I have a few updates and requests for you.

1. Please plan to **arrive at the EEOB by 8:00 a.m. Eastern on Wednesday morning**. This will give you time to get through security so we can begin the required pre-briefings at 8:30 a.m. Attached is a map of the EEOB campus. You'll want to enter at 17th and State Streets (at the Southwest Screening Facility).

2. So that we can clear you through security, please fill out the online form at the following link: https://events.whitehouse.gov/form?rid=7GVJRFQ466. Please be sure to enter your information **exactly** as it appears on your government-issued identification. If your information does not match, the Secret Service will not grant you access. If you have any questions or trouble submitting your information through the hyperlink, just let me know.

3. If you are bringing any staff members or anyone else with you, please let me know as soon as possible. We'll want to ensure we get your guests cleared through security as well. I would plan on guests attending only the public session at 11:00 a.m. due to limited space in our morning briefing room.

4. I also want to draw your attention to the Commission's webpage, on which we've posted a number of documents and public comments. Again, the webpage is available here: https://www.whitehouse.gov/blog/2017/07/13/presidential-advisory-commission-election-integrity. Public comments and other documents submitted to the Commission are available for your review here: https://www.whitehouse.gov/presidential-advisory-commission-election-integrity-resources. This page will be updated periodically, so please check back from time to time.

5. Ethics questions: Our ethics team needs your responses to the following questions. These will expedite review of your OGE 450 forms and help ensure you're cleared of conflicts by Wednesday's meeting. Please respond to this email **to me only** with a simple "no," if the answer to both question one and two is, in fact, no. Otherwise, please explain any affirmative answers.
    a. Do you own any stock or financial interest in public or private companies that manufacture voting machines, advise on voting procedures, or do any business that relates to the election process?
    b. Are you a member of or have a fiduciary relationship to a non-profit or profit-making organization whose focus is election integrity or voting processes? This question does not include state and federal governments.

AMERICAN OVERSIGHT

c. If the answer to either of these questions is "yes," please explain in detail your financial interest and/or association.

As always, if you have any questions or concerns, please call me anytime.

Thanks,
Andrew

Andrew J. Kossack
Executive Director and Designated Federal Officer
Presidential Advisory Commission on Election Integrity

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Tuesday, July 18, 2017 4:19 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: updated agenda; draft by-laws
Attachments: draft PACEI By-Laws FINAL.PDF; Revised Agenda - Presidential Advisory Commission on Election Integrity ....pdf

Dear Members,

As you can see from the attached revised agenda, the schedule has been adjusted slightly to ensure we have sufficient time for the public meeting. The ceremonial swearing in will no longer happen at the public meeting. Instead, you will be sworn in following the required briefings in the morning and just prior to proceeding to the public meeting room.

Vice Chair Kobach has asked me to send the attached draft set of by-laws for your review. During tomorrow's meeting, the Commission will adopt by-laws to govern the Commission's operations, and the Vice Chair thought it would be helpful to share with you his proposed draft by-laws. These by-laws were modeled after sample by-laws published by the General Services Administration on its website.

If you plan to bring any documents with you tomorrow to distribute to the other members, please send me an electronic copy so that we can make copies for you here. Having the documents in advance will help us ensure we can make them available in a timely manner to the public on the webpage.

Last thing: A scheduling note. The Vice President needs to depart the meeting at noon. **Therefore, we ask that you limit your opening remarks to no more than five minutes each.** We'll have more flexibility with timing during the discussion session after the break.

Thank you,
Andrew

Andrew J. Kossack
Executive Director and Designated Federal Officer
Presidential Advisory Commission on Election Integrity

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Tuesday, June 27, 2017 7:46 PM
To: [redacted] luis.borunda@maryland.gov; Mark Rhodes; Christy McCormick
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: tomorrow's call
Attachments: Organizational Conference Call 6.28.2017.pdf; oge450 (June 2015) (fillable).pdf; bkServeHonor.pdf

Dear Members,

I just updated the calendar invitation for tomorrow, but wanted to send the call-in information via email as well to ensure you receive it:

> **Call Procedure**: Beginning as early as 11:00am, Signal via the White House Communications Agency **will call you directly on the either of the numbers you provided below**. This process is done to ensure that all conferees are in the conference on time, and line quality is validated before adding the Vice President into the conference last at 11:30 am. If you have any difficulties connecting, please call: 202-757-6000.

	Commission Member	Primary Phone	Secondary Phone
1	Michael R. Pence	[redacted]	
2	Kris Kobach		
3	Connie Lawson		
4	Bill Gardner		
5	Matt Dunlap		
6	Ken Blackwell		
7	Christy McCormick		
8	David Dunn		
9	Luis Borunda		
10	Mark Rhodes		

I've attached a copy of the agenda to this email for your convenience as well.

Also attached are two documents related to ethics standards for special government employees. We will discuss these in more detail during the call, but feel free to review them in advance of the call if you are able.

We look forward to speaking with you tomorrow.

Thanks,
Andrew

Andrew J. Kossack
Associate Counsel
Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Tuesday, June 27, 2017 7:46 PM
To: [redacted] luis.borunda@maryland.gov; Mark Rhodes; Christy McCormick
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: tomorrow's call
Attachments: Organizational Conference Call 6.28.2017.pdf; oge450 (June 2015) (fillable).pdf; bkServeHonor.pdf

Dear Members,

I just updated the calendar invitation for tomorrow, but wanted to send the call-in information via email as well to ensure you receive it:

> **Call Procedure**: Beginning as early as 11:00am, Signal via the White House Communications Agency **will call you directly on the either of the numbers you provided below**. This process is done to ensure that all conferees are in the conference on time, and line quality is validated before adding the Vice President into the conference last at 11:30 am. If you have any difficulties connecting, please call: 202-757-6000.

	Commission Member	Primary Phone	Secondary Phone
1	Michael R. Pence	n/a	n/a
2	Kris Kobach	[redacted]	[redacted]
3	Connie Lawson		
4	Bill Gardner		
5	Matt Dunlap		
6	Ken Blackwell		
7	Christy McCormick		
8	David Dunn		
9	Luis Borunda		
10	Mark Rhodes		

I've attached a copy of the agenda to this email for your convenience as well.

Also attached are two documents related to ethics standards for special government employees. We will discuss these in more detail during the call, but feel free to review them in advance of the call if you are able.

We look forward to speaking with you tomorrow.

Thanks,
Andrew

Andrew J. Kossack
Associate Counsel
Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000022

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Friday, September 01, 2017 6:29 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan; David Dunn
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: Updates

Dear Members,

A couple quick updates. First, we anticipate sending you a proposed agenda this Tuesday. As I've discussed with each of you, we have a fairly full agenda with a number of distinguished panelists. There will be time for Q&A after each panel, as well as a discussion period towards the end of the meeting, but we do not anticipate allocating time for opening statements from each of the members so there's no need for you to prepare opening remarks.

By way of follow up to Vice Chair Kobach's letter, we would like to request that you **please make every effort to submit any written materials that you plan to share at the meeting by Thursday, September 7th by 6:00 p.m**. This will ensure that we can provide all of the materials, including the presenters materials, to you by Friday so that you can adequate time to review the material before our meeting. It will also help ensure that we are able to post everything on our webpage prior to our meeting so that the public is also able to review all material before the meeting This would include any presentations, reports, or similar written materials for the meeting. If you have any concerns with this timing, please call me any time to discuss further.

If you have any other questions, please let me know. Hope you all have a great Labor Day weekend!

Thanks,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000023

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Friday, September 01, 2017 6:29 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan; David Dunn
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: Updates

Dear Members,

A couple quick updates. First, we anticipate sending you a proposed agenda this Tuesday. As I've discussed with each of you, we have a fairly full agenda with a number of distinguished panelists. There will be time for Q&A after each panel, as well as a discussion period towards the end of the meeting, but we do not anticipate allocating time for opening statements from each of the members so there's no need for you to prepare opening remarks.

By way of follow up to Vice Chair Kobach's letter, we would like to request that you **please make every effort to submit any written materials that you plan to share at the meeting by Thursday, September 7th by 6:00 p.m**. This will ensure that we can provide all of the materials, including the presenters materials, to you by Friday so that you can adequate time to review the material before our meeting. It will also help ensure that we are able to post everything on our webpage prior to our meeting so that the public is also able to review all material before the meeting This would include any presentations, reports, or similar written materials for the meeting. If you have any concerns with this timing, please call me any time to discuss further.

If you have any other questions, please let me know. Hope you all have a great Labor Day weekend!

Thanks,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000024

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Wednesday, September 06, 2017 2:54 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan; David Dunn
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: Updated Agenda
Attachments: Agenda for Sept. 12th Meeting.pdf

Please see the attached updated agenda. The only change is the addition of former Gov. John H. Sununu, who will welcome the Commission at the start of the meeting.

Thanks,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Wednesday, September 06, 2017 2:54 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan; David Dunn
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: Updated Agenda
Attachments: Agenda for Sept. 12th Meeting.pdf

Please see the attached updated agenda. The only change is the addition of former Gov. John H. Sununu, who will welcome the Commission at the start of the meeting.

Thanks,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Friday, September 08, 2017 6:21 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan; David Dunn
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP; Passantino, Stefan C. EOP/WHO; Gast, Scott F. EOP/WHO
Subject: RE: Meeting Materials for September 12th

If anyone did not receive my email below due to the large file sizes, the meeting materials are now posted here: https://www.whitehouse.gov/presidential-advisory-commission-election-integrity-resources. Please check to confirm that any materials you plan to present or distribute at the meeting are posted here. If you have any questions, just let me know.

Thanks again,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

-----Original Message-----
From: Kossack, Andrew J. EOP/OVP
Sent: Friday, September 8, 2017 2:15 PM
To: 'Kris Kobach' [redacted]; 'cwlawson@sos.in.gov' <cwlawson@sos.in.gov>; [redacted] 'Christy McCormick' [redacted] 'Mark Rhodes' [redacted] 'von Spakovsky, Hans' [redacted] 'Christian Adams' [redacted] 'Alan L. King' [redacted]; 'matthew.dunlap@maine.gov' <matthew.dunlap@maine.gov>; 'King, Alan' [redacted]; 'David Dunn' [redacted]
Cc: Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>; Williams, Ronald E. EOP/OVP <Ronald.E.Williams@ovp.eop.gov>; Passantino, Stefan C. EOP/WHO <Stefan.C.Passantino@who.eop.gov>; Gast, Scott F. EOP/WHO <Scott.F.Gast@who.eop.gov>
Subject: Meeting Materials for September 12th

Members,

Attached are materials for next week's meeting. My apologies for the large file sizes.

We are in the process of posting these materials on our webpage for public viewing. I will let you know once they are available there.

Many thanks to all of you for your hard work and flexibility on the timeline for submitting these materials.

AMERICAN OVERSIGHT

17-2361-A-000027

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Friday, September 08, 2017 6:21 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan; David Dunn
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP; Passantino, Stefan C. EOP/WHO; Gast, Scott F. EOP/WHO
Subject: RE: Meeting Materials for September 12th

If anyone did not receive my email below due to the large file sizes, the meeting materials are now posted here: https://www.whitehouse.gov/presidential-advisory-commission-election-integrity-resources. Please check to confirm that any materials you plan to present or distribute at the meeting are posted here. If you have any questions, just let me know.

Thanks again,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

-----Original Message-----
From: Kossack, Andrew J. EOP/OVP
Sent: Friday, September 8, 2017 2:15 PM
To: 'Kris Kobach' [redacted] 'cwlawson@sos.in.gov' <cwlawson@sos.in.gov>; [redacted] 'Christy McCormick' [redacted] Mark Rhodes' [redacted] 'von Spakovsky, Hans' [redacted]; 'Christian Adams' [redacted] 'Alan L. King' [redacted] 'matthew.dunlap@maine.gov' <matthew.dunlap@maine.gov>; 'King, Alan' [redacted] 'David Dunn' [redacted]
Cc: Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>; Williams, Ronald E. EOP/OVP <Ronald.E.Williams@ovp.eop.gov>; Passantino, Stefan C. EOP/WHO <Stefan.C.Passantino@who.eop.gov>; Gast, Scott F. EOP/WHO <Scott.F.Gast@who.eop.gov>
Subject: Meeting Materials for September 12th

Members,

Attached are materials for next week's meeting. My apologies for the large file sizes.

We are in the process of posting these materials on our webpage for public viewing. I will let you know once they are available there.

Many thanks to all of you for your hard work and flexibility on the timeline for submitting these materials.

AMERICAN OVERSIGHT

17-2361-A-000029

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Monday, September 11, 2017 7:34 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan; David Dunn
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP; Passantino, Stefan C. EOP/WHO; Gast, Scott F. EOP/WHO
Subject: Tomorrow's Meeting
Attachments: RESERVED COMM PARKINGPERMIT.PDF

Dear Members,

Welcome to New Hampshire! Here are a few details for tomorrow's meeting.

Please try to arrive at St. Anselm's by 8:00 a.m. The address is 8 St. Anselm Drive, Manchester, NH 03102. The Institute's auditorium is near the corner of St. Anselm Drive and Rockland Avenue.

Parking is limited, so please make every effort to use cabs, other public transportation, or carpool. I have attached a parking pass for those who will be driving. If you do not have the ability to print this parking pass, please call me or Ron Williams (Ron's cell is [redacted]) when you arrive and we can bring one out to you.

As a reminder, the Commission continues to voluntarily comply with the Federal Advisory Committee Act, which states the commission must hold a public meeting if members are going to "deliberat[e] on . . . substantive matters," such as what final recommendations the Commission might provide in its report. However, FACA allows discussion of the following without requiring an open meeting:

> Preparatory work. Meetings of two or more advisory committee or subcommittee members convened solely to gather information, conduct research, or analyze relevant issues and facts in preparation for a meeting of the advisory committee, or to draft position papers for deliberation by the advisory committee; and
>
> Administrative work. Meetings of two or more advisory committee or subcommittee members convened solely to discuss administrative matters of the advisory committee or to receive administrative information from a Federal officer or agency.

Please be cognizant of this framework when interacting with other commissioners before, after, or between open sessions of the Commission. We want to ensure any substantive deliberations occur in the open meeting itself.

Again, for your reference, meeting materials are posted here: https://www.whitehouse.gov/presidential-advisory-commission-election-integrity-resources.

If you have any questions or concerns, please call.

Thanks,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity

AMERICAN OVERSIGHT

17-2361-A-000031

Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Wednesday, July 26, 2017 5:20 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: Letter from Vice Chair Kobach
Attachments: July 26, 2017 Letter from Vice Chair Kris Kobach.pdf

Dear Members,

Please see the attached letters from Vice Chair Kobach, which will be transmitted to states soon.

Thank you,
Andrew

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Wednesday, June 28, 2017 3:43 PM
To: [redacted] luis.borunda@maryland.gov; Mark Rhodes; Christy McCormick
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: letters to chief election officials
Attachments: SOS Letters.pdf

Dear Members,

Please see the attached letters to secretaries of state and chief state election officials. These will be transmitted soon.

Thanks,
Andrew

Andrew J. Kossack
Associate Counsel
Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000034

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Wednesday, June 28, 2017 3:43 PM
To: [redacted]; luis.borunda@maryland.gov; Mark Rhodes; Christy McCormick
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: letters to chief election officials
Attachments: SOS Letters.pdf

Dear Members,

Please see the attached letters to secretaries of state and chief state election officials. These will be transmitted soon.

Thanks,
Andrew

Andrew J. Kossack
Associate Counsel
Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Monday, August 07, 2017 11:03 AM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted]; Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: Litigation Hold
Attachments: Commission Lit Hold Ltr FINAL (8-4-17).pdf; 1. Compl.pdf; Complaint.pdf; 33 - Second Amended Complaint.pdf; 1 - Complaint.pdf; LDF-Complaint-071817.pdf; 1. Compl (002).pdf

Importance: High

Dear Members:

Please see the attached litigation hold letter from our Department of Justice attorney. This letter details record retention requirements associated with the litigation pending against the Commission, so please review it carefully. The complaints from each of the pending lawsuits are also attached for your reference. If you have any questions, please let me know.

Also, we are close to finalizing details for the September meeting. I will be back in touch soon with more information.

As always, please call anytime if you have any questions or concerns.

Thanks,
Andrew

Andrew J. Kossack
Executive Director & Designated Federal Officer
Presidential Advisory Commission on Election Integrity

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Monday, August 07, 2017 11:03 AM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted]; Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: Litigation Hold
Attachments: Commission Lit Hold Ltr FINAL (8-4-17).pdf; 1. Compl.pdf; Complaint.pdf; 33 - Second Amended Complaint.pdf; 1 - Complaint.pdf; LDF-Complaint-071817.pdf; 1. Compl (002).pdf

Importance: High

Dear Members:

Please see the attached litigation hold letter from our Department of Justice attorney. This letter details record retention requirements associated with the litigation pending against the Commission, so please review it carefully. The complaints from each of the pending lawsuits are also attached for your reference. If you have any questions, please let me know.

Also, we are close to finalizing details for the September meeting. I will be back in touch soon with more information.

As always, please call anytime if you have any questions or concerns.

Thanks,
Andrew

Andrew J. Kossack
Executive Director & Designated Federal Officer
Presidential Advisory Commission on Election Integrity

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Wednesday, August 02, 2017 9:28 AM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted]; Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Baykan, Deniz M. EOP/OVP
Subject: FW: Commission SGEs and the Hatch Act – Point of Clarification

Dear Members,

Please see the follow-up communication below from GSA legal regarding the Hatch Act. If you have any questions, please let me know. We are happy to provide you with any additional information or clarification you need.

Thanks,
Andrew

Andrew J. Kossack
Executive Director & Designated Federal Officer
Presidential Advisory Commission on Election Integrity

Hi Andrew,

This is a follow-up to our ethics briefing on July 19, 2017. I wanted to provide the members of the Presidential Commission on Election Integrity (the "Commission") with additional information on the Hatch Act and clarify what "duty hours" for the Commission means since they are in a non-pay status.

Under the Hatch Act, 5 C.F.R. § 734.601, Subpart F—Employees Who Work on An Irregular or Occasional Basis Employees, "[a] employee who works on an irregular or occasional basis or is a **special Government employee**…is subject to the [Hatch Act] when he or she is on duty."

The Hatch Act governs the political activities of federal employees, including special government employees. Political activity is defined as an activity directed at the success or failure of a political party, candidate for partisan political office or partisan political group.

For purposes of the Hatch Act, because the Commission members are special government employees and are not in a pay status, "on duty" means the hours each member performs government business (i.e., Commission business). A Commission members duty hours include, but are not limited to: 1) attendance at official meetings; 2) attendance at sub-committee meetings; 3) research performed on behalf of the Commission; and 4) the review of research/preparation to attend meetings.

For example, "[a]n employee appointed to a special commission or task force who does not have a regular tour of duty may run as a partisan political candidate, but may actively campaign only when he or she is not on duty." 5 C.F.R. § 734.601.

An example of "on duty" for Commission members is: a Commission member attends a committee meeting from 8:00 a.m. - 1:00 p.m., during this time the Commission member is prohibited from engaging in political activity, including but not limited to sending a tweet about a candidate for partisan political office or send out emails asking for donations to his or her campaign for partisan political office. On the very same day, from 3:00 p.m. to 7 p.m., the Commission member is not prohibited from attending a political fundraiser and even soliciting political contributions from the attendees, because the event is not during the Commission member's duty hours.

AMERICAN OVERSIGHT

Please note that based on the heightened level of interest this Commission has received, to alleviate potential appearance concerns, when possible, Commission members may not want to engage in political activities on days where the Commission member has or will perform work on behalf of the Commission.

Best Regards,

Shana

--
Shana T. Vinson
Assistant General Counsel
Ethics Law Staff - General Law Division
U.S. General Services Administration

CONFIDENTIALITY NOTICE:

This email message and any attachments to this email message may contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity to whom it is addressed. Please do not forward this message without permission. If you are not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmission is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone or return email and delete and destroy the original email message, any attachments thereto and all copies thereof.

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Tuesday, September 05, 2017 4:42 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP; Baykan, Deniz M. EOP/OVP
Subject: ethics reminder regarding teaching, speaking, and writing

Members,

I want to remind you of the ethics rules that govern teaching, speaking, and writing while serving on the Presidential Advisory Committee on Election Integrity.

During your appointment, you may continue to receive fees, Honoria, and other compensation for teaching, speaking, and writing undertaken in your personal capacity on topics that are not directly related to your position as a Special Government Employee. However, you may not receive fees, Honoria, and other compensation for teaching, speaking, and writing that specifically focuses on the Presidential Advisory Committee on Election Integrity itself.

If you use your government position as one of several biographical details given to introduce yourself in connection with your personal teaching, speaking, or writing, and the subject deals in significant part with the Presidential Advisory Committee on Election Integrity (i.e., voting processes and voting integrity), you MUST use a disclaimer (at the beginning of your speech or prominently placed for written material), stating,

"The views expressed herein are solely those of the author and do not necessarily represent the views, opinions, or positions of the White House, the Trump Administration, or the U.S. Government."

If you are asked to speak on behalf of the Presidential Advisory Committee on Election Integrity, please contact me first and our office will coordinate directly with WH Communications.

I am also sharing a link to the presentation from GSA's ethics attorneys, which we would encourage you to review from time to time as a refresher: https://www.whitehouse.gov/sites/whitehouse.gov/files/docs/PACEI-GSA-Ethics-Summary.pdf.

If you have any questions or concerns, please let me know.

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Tuesday, September 05, 2017 4:42 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP; Baykan, Deniz M. EOP/OVP
Subject: ethics reminder regarding teaching, speaking, and writing

Members,

I want to remind you of the ethics rules that govern teaching, speaking, and writing while serving on the Presidential Advisory Committee on Election Integrity.

During your appointment, you may continue to receive fees, Honoria, and other compensation for teaching, speaking, and writing undertaken in your personal capacity on topics that are not directly related to your position as a Special Government Employee. However, you may not receive fees, Honoria, and other compensation for teaching, speaking, and writing that specifically focuses on the Presidential Advisory Committee on Election Integrity itself.

If you use your government position as one of several biographical details given to introduce yourself in connection with your personal teaching, speaking, or writing, and the subject deals in significant part with the Presidential Advisory Committee on Election Integrity (i.e., voting processes and voting integrity), you MUST use a disclaimer (at the beginning of your speech or prominently placed for written material), stating,

"The views expressed herein are solely those of the author and do not necessarily represent the views, opinions, or positions of the White House, the Trump Administration, or the U.S. Government."

If you are asked to speak on behalf of the Presidential Advisory Committee on Election Integrity, please contact me first and our office will coordinate directly with WH Communications.

I am also sharing a link to the presentation from GSA's ethics attorneys, which we would encourage you to review from time to time as a refresher: https://www.whitehouse.gov/sites/whitehouse.gov/files/docs/PACEI-GSA-Ethics-Summary.pdf.

If you have any questions or concerns, please let me know.

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Tuesday, July 11, 2017 5:57 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; King, Alan
Subject: updates on July 19th meeting: schedule and travel arrangements
Attachments: EFT_Enrollment_Form.pdf; OGE450 (Jan2017) (fillable).pdf

Dear Members,

First, I'd like welcome our two newest members, Judge Alan King and J. Christian Adams, whom the President appointed yesterday. We are grateful for their willingness to serve and excited to have them. Congratulations, and welcome!

Thanks for your patience as we've coordinated with the General Services Administration on your travel arrangements. We've been waiting for our commission's budget to be allocated so that we can start approving expenditures. We expect final approval and dedication of funds soon, so we wanted to go ahead and initiate some of the travel processes so you can begin planning accordingly. The most urgent step is to please fill out the attached form titled "EFT Enrollment Form," and then scan and email it back to me as soon as possible.

Related to travel, I also wanted to make you aware of a scheduling note. The meeting on the 19th will begin at 11:00 a.m., but we will need all members present at the Eisenhower Executive Office Building by about 8:15 a.m. to orient you and conduct required ethics training and Federal Advisory Committee Act training. For those of you traveling from outside Washington, D.C., you are welcome to fly in the day before and stay in town overnight. We expect the meeting to adjourn by mid-afternoon at the latest, so you may plan to fly out in the evening on Wednesday or anytime on Thursday if you care to remain in D.C. Wednesday night.

So that we can begin the process of getting your travel arrangements booked, please reply to me only and let me know if you'll be flying in for the meeting. If so, I'll also need your full name as it appears on your government-issued ID, your date of birth, and your TSA Pre-Check number (if you have one).

Also, if you have not yet submitted your financial disclosure form, please send that back to me as soon as possible. It's critical we get these reviewed as soon as possible, so please try to send them within the next day or so if you can.

I'll be back in touch soon with more information, but please don't hesitate to email or call me anytime if you have any questions or concerns.

Thanks,
Andrew

Andrew J. Kossack
Designated Federal Officer
Presidential Advisory Commission on Election Integrity
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Thursday, July 13, 2017 6:51 PM
To: 'Kris Kobach'; cwlawson@sos.in.gov; [redacted]; Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; King, Alan
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: RE: updates on July 19th meeting: schedule and travel arrangements

Thanks again for your patience on travel arrangements. The interagency funding agreement was signed this evening, which was the last roadblock to allowing GSA to start booking your travel. I'll be back in touch either sometime this evening or tomorrow morning with detailed instructions on next steps. The process will be fairly simple: GSA will connect you directly with their White Glove travel service, which is a 24/7 service that you can call and book airfare, hotels, rental cars, and whatever else you'll need.

I also wanted to let you know that the Commission's webpage is now live on WhiteHouse.gov. You can view it here: https://www.whitehouse.gov/blog/2017/07/13/presidential-advisory-commission-election-integrity.

Last, if you haven't yet sent in your 450 Financial Disclosure form, please get that to me as soon as you can so we can clear you before the meeting.

I'll be in touch again soon, but please reach out anytime if you have any questions.

Thanks,
Andrew

Andrew J. Kossack
Executive Director and Designated Federal Officer
Presidential Advisory Commission on Election Integrity
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

From: Kossack, Andrew J. EOP/OVP
Sent: Tuesday, July 11, 2017 5:57 PM
To: 'Kris Kobach' [redacted] 'cwlawson@sos.in.gov' <cwlawson@sos.in.gov>; '[redacted] 'Christy McCormick' <cacm@aol.com>; [redacted] 'Mark Rhodes' <[redacted]; 'von Spakovsky, Hans' [redacted] 'Christian Adams' <[redacted] King, Alan [redacted]
Subject: updates on July 19th meeting: schedule and travel arrangements

Dear Members,

First, I'd like welcome our two newest members, Judge Alan King and J. Christian Adams, whom the President appointed yesterday. We are grateful for their willingness to serve and excited to have them. Congratulations, and welcome!

Thanks for your patience as we've coordinated with the General Services Administration on your travel arrangements. We've been waiting for our commission's budget to be allocated so that we can start approving expenditures. We expect final approval and dedication of funds soon, so we wanted to go ahead and initiate some of the travel processes so you

AMERICAN OVERSIGHT

can begin planning accordingly. The most urgent step is to please fill out the attached form titled "EFT Enrollment Form," and then scan and email it back to me as soon as possible.

Related to travel, I also wanted to make you aware of a scheduling note. The meeting on the 19th will begin at 11:00 a.m., but we will need all members present at the Eisenhower Executive Office Building by about 8:15 a.m. to orient you and conduct required ethics training and Federal Advisory Committee Act training. For those of you traveling from outside Washington, D.C., you are welcome to fly in the day before and stay in town overnight. We expect the meeting to adjourn by mid-afternoon at the latest, so you may plan to fly out in the evening on Wednesday or anytime on Thursday if you care to remain in D.C. Wednesday night.

So that we can begin the process of getting your travel arrangements booked, please reply to me only and let me know if you'll be flying in for the meeting. If so, I'll also need your full name as it appears on your government-issued ID, your date of birth, and your TSA Pre-Check number (if you have one).

Also, if you have not yet submitted your financial disclosure form, please send that back to me as soon as possible. It's critical we get these reviewed as soon as possible, so please try to send them within the next day or so if you can.

I'll be back in touch soon with more information, but please don't hesitate to email or call me anytime if you have any questions or concerns.

Thanks,
Andrew

Andrew J. Kossack
Designated Federal Officer
Presidential Advisory Commission on Election Integrity
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000044

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Monday, June 26, 2017 9:50 AM
To: [redacted] cmccormick@eac.gov; [redacted] luis.borunda@maryland.gov; Mark Rhodes
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: Welcome; Initial Organizational Call

Dear Members,

Congratulations for your appointment to the Presidential Advisory Commission on Election Integrity ("Commission"). We appreciate your leadership and look forward to working with you.

The General Services Administration filed the Commission's charter this past Friday, which officially establishes the Commission as a Presidential advisory committee and permits the Commission to commence its official duties under Executive Order 13799. As the Commission's Designated Federal Officer ("DFO"), I will support the Commission's work and its members with administrative needs and ensure the Commission complies with the Federal Advisory Committee Act ("FACA").

To update you, begin preparing for the Commission's first meeting, and answer any questions you have at this time, we would like to hold a conference call this Wednesday at 11:30 a.m. Eastern. Please let me know if you cannot participate in this call. I will send a calendar invitation with call-in information soon.

Please also hold July 19th on your calendars. This is the date we are tracking for the Commission's first meeting.

Please note that FACA requires public meetings and 15-day advance notices for "[a]ny gathering of advisory committee members (whether in person or through electronic means) held with the approval of an agency for the purpose of deliberating on the substantive matters upon which the advisory committee provides advice or recommendations." Thus, on this call the Commission may not "deliberat[e] on . . . substantive matters" such as what final recommendations the Commission might provide in its report. However, FACA allows discussion of the following without requiring an open meeting:

> Preparatory work. Meetings of two or more advisory committee or subcommittee members convened solely to gather information, conduct research, or analyze relevant issues and facts in preparation for a meeting of the advisory committee, or to draft position papers for deliberation by the advisory committee; and
>
> Administrative work. Meetings of two or more advisory committee or subcommittee members convened solely to discuss administrative matters of the advisory committee or to receive administrative information from a Federal officer or agency.

In other words, we may freely discuss administrative matters and issues related to meeting preparation on this call, but we must be careful not to engage in deliberation on substantive matters.

With that said, please let me know if you have any questions or items you want to discuss during this call. And if you have any other questions in the meantime, please do not hesitate to let me know.

Again, thank you for your service. We look forward to speaking with you this week.

AMERICAN OVERSIGHT

Best regards,
Andrew

Andrew J. Kossack
Associate Counsel
Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Monday, June 26, 2017 9:50 AM
To: [redacted]; cmccormick@eac.gov; [redacted]; luis.borunda@maryland.gov; Mark Rhodes
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: Welcome; Initial Organizational Call

Dear Members,

Congratulations for your appointment to the Presidential Advisory Commission on Election Integrity ("Commission"). We appreciate your leadership and look forward to working with you.

The General Services Administration filed the Commission's charter this past Friday, which officially establishes the Commission as a Presidential advisory committee and permits the Commission to commence its official duties under Executive Order 13799. As the Commission's Designated Federal Officer ("DFO"), I will support the Commission's work and its members with administrative needs and ensure the Commission complies with the Federal Advisory Committee Act ("FACA").

To update you, begin preparing for the Commission's first meeting, and answer any questions you have at this time, we would like to hold a conference call this Wednesday at 11:30 a.m. Eastern. Please let me know if you cannot participate in this call. I will send a calendar invitation with call-in information soon.

Please also hold July 19th on your calendars. This is the date we are tracking for the Commission's first meeting.

Please note that FACA requires public meetings and 15-day advance notices for "[a]ny gathering of advisory committee members (whether in person or through electronic means) held with the approval of an agency for the purpose of deliberating on the substantive matters upon which the advisory committee provides advice or recommendations." Thus, on this call the Commission may not "deliberat[e] on . . . substantive matters" such as what final recommendations the Commission might provide in its report. However, FACA allows discussion of the following without requiring an open meeting:

> Preparatory work. Meetings of two or more advisory committee or subcommittee members convened solely to gather information, conduct research, or analyze relevant issues and facts in preparation for a meeting of the advisory committee, or to draft position papers for deliberation by the advisory committee; and
>
> Administrative work. Meetings of two or more advisory committee or subcommittee members convened solely to discuss administrative matters of the advisory committee or to receive administrative information from a Federal officer or agency.

In other words, we may freely discuss administrative matters and issues related to meeting preparation on this call, but we must be careful not to engage in deliberation on substantive matters.

With that said, please let me know if you have any questions or items you want to discuss during this call. And if you have any other questions in the meantime, please do not hesitate to let me know.

Again, thank you for your service. We look forward to speaking with you this week.

AMERICAN OVERSIGHT

Best regards,
Andrew

Andrew J. Kossack
Associate Counsel
Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Gray, James [redacted]
Sent: Sunday, September 10, 2017 10:35 AM
To: Mark Rhodes
Subject: Lee Creek Wood County WV

Mr. Mark Rhodes

I hope to be able to chat with you on Tuesday at St. Anselm College. My mother, [redacted], was born in the area around the North Branch of Lee Creek and Rockport. I have not gotten a chance to visit my relatives in WV in several years.

I live in Rochester NH which is about 50 miles from St Anselm but if I can assist you during your trip to NH please call or text my cell phone.

Jim
James P Gray
NH State Senator
District 6
Cell [redacted]

AMERICAN OVERSIGHT

Mark Rhodes

From: Mark Rhodes
Sent: Monday, September 11, 2017 5:38 PM
To: Gray, James
Subject: Re: Lee Creek Wood County WV

Mr. Gray,
Unfortunately WV is having the required election training today and tomorrow and a special election on 10/7 so I will not be able to attend the meeting in Manchester.
I received most of the presentation material Friday evening and have been trying to review.
Sorry I missed the opportunity to meet you.
Mark.
Sent from my iPhone

On Sep 10, 2017, at 10:35, Gray, James [redacted] wrote:

> Mr. Mark Rhodes
>
> I hope to be able to chat with you on Tuesday at St. Anselm College. My mother, [redacted] was born in the area around the North Branch of Lee Creek and Rockport. I have not gotten a chance to visit my relatives in WV in several years.
>
> I live in Rochester NH which is about 50 miles from St Anselm but if I can assist you during your trip to NH please call or text my cell phone.
>
> Jim
> James P Gray
> NH State Senator
> District 6
> Cell [redacted]

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Friday, July 07, 2017 12:38 PM
To: Mark Rhodes
Subject: RE: FDS

Thank you, Mark! I'll be back in touch soon with more specifics for the meeting on the 19th. If you have any questions or concerns in the meantime, please call anytime.

Thanks again for your service.

Andrew

Andrew J. Kossack
Associate Counsel
Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

From: Mark Rhodes [redacted]
Sent: Friday, July 7, 2017 12:32 PM
To: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Subject: FDS

Andrew,

Attached is the completed and signed FDS. If you need anything further please let me know.

Mark Rhodes, Clerk
Wood County Commission

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Friday, July 07, 2017 12:38 PM
To: Mark Rhodes
Subject: RE: FDS

Thank you, Mark! I'll be back in touch soon with more specifics for the meeting on the 19th. If you have any questions or concerns in the meantime, please call anytime.

Thanks again for your service.

Andrew

Andrew J. Kossack
Associate Counsel
Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

From: Mark Rhodes [mailto:mrhodes@woodcountywv.com]
Sent: Friday, July 7, 2017 12:32 PM
To: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Subject: FDS

Andrew,

Attached is the completed and signed FDS. If you need anything further please let me know.

Mark Rhodes, Clerk
Wood County Commission

AMERICAN OVERSIGHT

CANCELLED VOTERS - WOOD COUNTY

SELECTION CRITERIA

If no selection is displayed, everything is selected
District Type :County
Status:
Gender:
Start Date: 01/01/2017
End Date : 07/17/2017
Voting Precinct:
08,10,13,16,19,27,29,32,33,34A,35,36,36B,37,37A,38,40,40A,41,41U,42A,43A,45,45A,46,46B,47,48,49,49A,50,51,52,53,53A,54,54A,56,56A,57,57A,58,60,61,62,62A,63,63A,63B,64,67,67A,
Party: All

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
IND	[redacted]	[redacted]	WASHINGTON	26181	Authorized Cancellation	62	01/18/2017
R	[redacted]	[redacted]	VIENNA	26105	Authorized Cancellation	43A	01/18/2017
R	[redacted]	[redacted]	VIENNA	26105	Authorized Cancellation	43A	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	10	01/18/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45	01/18/2017
D	[redacted]	[redacted]	WALKER	26180 -3085	Authorized Cancellation	60	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -6820	Inactive 2 Federal Elections +	74C	01/18/2017
R	[redacted]	[redacted]	WASHINGTON	26181 -9722	Inactive 2 Federal Elections +	67A	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	08	01/18/2017
D	[redacted]	[redacted]	WALKER	26180	Inactive 2 Federal Elections +	61	01/18/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Authorized Cancellation	13	04/17/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Authorized Cancellation	08	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	64	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	57	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -1729	Inactive 2 Federal Elections +	35	01/18/2017
N	[redacted]	[redacted]	WAVERLY	26184	Authorized Cancellation	54A	01/18/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	48	01/18/2017
D	[redacted]	[redacted]	WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	48	01/18/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	01/18/2017
N	[redacted]	[redacted]	DAVISVILLE	26142	Inactive 2 Federal Elections +	57A	01/18/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150 -6552	Inactive 2 Federal Elections +	85	01/18/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
N	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	85	01/18/2017
D	[redacted]	[redacted]	VIENNA	26105	DOC	45	03/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	33	06/05/2017
N	[redacted]	[redacted]	DAVISVILLE	26142 -9721	Inactive 2 Federal Elections +	57A	01/18/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	40A	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	13	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	77	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	77	01/18/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	77	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	74B	01/18/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187 -1132	Inactive 2 Federal Elections +	51	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -3701	Inactive 2 Federal Elections +	32	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -8052	VITAL	36B	05/31/2017
N	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	88	01/18/2017
R	[redacted]	[redacted]	WASHINGTON	26181	Inactive 2 Federal Elections +	62	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	34A	03/20/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	County Clerk	34A	04/04/2017
R	[redacted]	[redacted]	BELLEVILLE	26133	Inactive 2 Federal Elections +	82	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	67	01/18/2017
N	[redacted]	[redacted]	PARKERSBURG	26101 -3719	Inactive 2 Federal Elections +	13	01/18/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	WASHINGTON	26181	Deceased	62	02/24/2017
D			WASHINGTON	26181	County Clerk	62	03/08/2017
D			VIENNA	26105 -3174	County Clerk	46	01/25/2017
R			WALKER	26180	Inactive 2 Federal Elections +	61	01/18/2017
R			DAVISVILLE	26142 -4231	Inactive 2 Federal Elections +	57	01/18/2017
N			PARKERSBURG	26101 -7422	Inactive 2 Federal Elections +	67	01/18/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	63	01/18/2017
R			VIENNA	26105 -1242	Inactive 2 Federal Elections +	42A	01/18/2017
N			DAVISVILLE	26142	Inactive 2 Federal Elections +	57A	01/18/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	78A	01/18/2017
D			WILLIAMSTOWN	26187 -9777	Inactive 2 Federal Elections +	48	01/18/2017
D			WILLIAMSTOWN	26187 -8206	Inactive 2 Federal Elections +	48	01/18/2017
N			MINERAL WELLS	26150 -3029	Inactive 2 Federal Elections +	78	01/18/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	10	01/18/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	19	01/18/2017
D			DAVISVILLE	26142 -8779	Inactive 2 Federal Elections +	57A	01/18/2017
D			DAVISVILLE	26142	Inactive 2 Federal Elections +	57A	01/18/2017
R			WASHINGTON	26181	Inactive 2 Federal Elections +	62	01/18/2017
R			MINERAL WELLS	26150 -8507	Inactive 2 Federal Elections +	88	01/18/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
R			WASHINGTON	26181	Inactive 2 Federal Elections +	62	01/18/2017
N			PARKERSBURG	26101 -8707	Inactive 2 Federal Elections +	63	01/18/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
N	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	56A	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -1015	Inactive 2 Federal Elections +	35	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	DOC	74	03/31/2017
D	[redacted]	[redacted]	WILLIAMSTOWN	26187	VITAL	52	05/31/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187 -9766	Inactive 2 Federal Elections +	48	01/18/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	27	01/18/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	Deceased	89	01/19/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -6821	Inactive 2 Federal Elections +	74C	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -6522	Inactive 2 Federal Elections +	75	01/18/2017
D	[redacted]	[redacted]	BELLEVILLE	26133	Inactive 2 Federal Elections +	82	01/18/2017
R	[redacted]	[redacted]	WASHINGTON	26181	Inactive 2 Federal Elections +	67	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	74C	01/17/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Moved out of state	19	07/03/2017
D	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	01/18/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	74C	01/18/2017
N	[redacted]	[redacted]	WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	54A	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -7367	Inactive 2 Federal Elections +	77	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	64	05/31/2017
G	[redacted]	[redacted]	WILLIAMSTOWN	26187 -0000	Inactive 2 Federal Elections +	50	01/18/2017
R	[redacted]	[redacted]	WILLIAMSTO	26187	Inactive 2 Federal Elections +	52	01/18/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]		WN				
N			DAVISVILLE	26142	Inactive 2 Federal Elections +	58	01/18/2017
D			WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	52	01/18/2017
D			PARKERSBURG	26101 -9306	Inactive 2 Federal Elections +	78A	01/18/2017
R			WAVERLY	26184	VITAL	53	05/31/2017
N			DAVISVILLE	26142 -9734	Inactive 2 Federal Elections +	57A	01/18/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	43A	01/18/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	13	01/18/2017
N			PARKERSBURG	26104	Inactive 2 Federal Elections +	56	01/18/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	19	01/18/2017
D			PARKERSBURG	26101	Deceased	64	04/17/2017
D			PARKERSBURG	26101	County Clerk	64	05/19/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	33	01/18/2017
D			PARKERSBURG	26104 -1801	Inactive 2 Federal Elections +	32	01/18/2017
R			WASHINGTON	26181	Inactive 2 Federal Elections +	67A	01/18/2017
D			PARKERSBURG	26101	Deceased	64	04/11/2017
D			PARKERSBURG	26101	County Clerk	64	04/26/2017
D			PARKERSBURG	26101 -5930	Deceased	69	03/01/2017
D			PARKERSBURG	26101 -5930	County Clerk	69	03/15/2017
D			MINERAL WELLS	26150	Inactive 2 Federal Elections +	79	01/18/2017
D			PARKERSBURG	26101 -2602	Inactive 2 Federal Elections +	16	01/18/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	PARKERSBURG	26101 -2602	County Clerk	16	02/21/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -2602	County Clerk	16	03/08/2017
D	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	43A	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -6710	Inactive 2 Federal Elections +	75	01/18/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	48	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -8409	Inactive 2 Federal Elections +	74B	01/18/2017
D	[redacted]	[redacted]	WALKER	26180 -9775	Inactive 2 Federal Elections +	61	01/18/2017
D	[redacted]	[redacted]	WALKER	26180	Inactive 2 Federal Elections +	58	01/18/2017
D	[redacted]	[redacted]	WALKER	26180	Inactive 2 Federal Elections +	58	01/18/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	01/18/2017
D	[redacted]	[redacted]	WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	48	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	32	01/18/2017
R	[redacted]	[redacted]	WASHINGTON	26181 -9677	Inactive 2 Federal Elections +	63A	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -7177	Inactive 2 Federal Elections +	63A	01/18/2017
R	[redacted]	[redacted]	ROCKPORT	26169	Inactive 2 Federal Elections +	84	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -3762	Deceased	19	07/11/2017
R	[redacted]	[redacted]	WASHINGTON	26181	Inactive 2 Federal Elections +	63A	01/18/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	13	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	32	03/01/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	32	03/08/2017
R	[redacted]	[redacted]	PARKERSBUR	26101	Deceased	37	01/24/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]	[redacted]	G				
D	[redacted]	[redacted]	WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	52	01/18/2017
D	[redacted]	[redacted]	DAVISVILLE	26142	Inactive 2 Federal Elections +	57A	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -7640	Inactive 2 Federal Elections +	63B	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	64	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	32	01/18/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	27	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	40A	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -6548	Inactive 2 Federal Elections +	75	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -6548	Inactive 2 Federal Elections +	75	01/18/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	33	01/18/2017
N	[redacted]	[redacted]	DAVISVILLE	26142	Inactive 2 Federal Elections +	57A	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D	[redacted]	[redacted]	BELLEVILLE	26133 -8363	Inactive 2 Federal Elections +	81	01/18/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	74C	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D	[redacted]	[redacted]	WASHINGTON	26181 -3551	Inactive 2 Federal Elections +	67A	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	49A	01/18/2017
N	[redacted]	[redacted]	PARKERSBURG	26104 -9234	Inactive 2 Federal Elections +	49A	01/18/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -9234	Inactive 2 Federal Elections +	49A	01/18/2017
D	[redacted]	[redacted]	VIENNA	26105 -3314	Inactive 2 Federal Elections +	42A	01/18/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]		WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	51	01/18/2017
D			WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	51	01/18/2017
N			DAVISVILLE	26142	Inactive 2 Federal Elections +	57A	01/18/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	40A	01/18/2017
R			PARKERSBURG	26104	Deceased	37	01/25/2017
D			PARKERSBURG	26101 -6117	Deceased	69	03/22/2017
D			PARKERSBURG	26101 -6117	County Clerk	69	04/04/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	19	01/18/2017
D			PARKERSBURG	26101 -6605	Inactive 2 Federal Elections +	71U	01/18/2017
ILT1			VIENNA	26105	Inactive 2 Federal Elections +	45A	01/18/2017
N			VIENNA	26105	Inactive 2 Federal Elections +	40A	01/18/2017
N			DAVISVILLE	26142 -8897	Inactive 2 Federal Elections +	56	01/18/2017
N			PARKERSBURG	26104	Inactive 2 Federal Elections +	53A	01/18/2017
R			WILLIAMSTOWN	26187 -9723	Inactive 2 Federal Elections +	54A	01/18/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	32	02/08/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	75	01/19/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	42A	01/19/2017
D			WALKER	26180	Inactive 2 Federal Elections +	60	01/19/2017
R			VIENNA	26105 -3334	Inactive 2 Federal Elections +	42A	01/19/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	67	01/19/2017
D			DAVISVILLE	26142 -8854	Inactive 2 Federal Elections +	57A	01/19/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
N	[redacted]		WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	48	01/19/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	42A	01/19/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	53A	01/19/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	77	01/19/2017
D			PARKERSBURG	26101 -7306	Inactive 2 Federal Elections +	77	01/19/2017
R			PARKERSBURG	26104	Inactive 2 Federal Elections +	53A	01/19/2017
N			PARKERSBURG	26104	Inactive 2 Federal Elections +	38	02/08/2017
D			PARKERSBURG	26101 -6114	Inactive 2 Federal Elections +	74B	01/19/2017
R			PARKERSBURG	26104 -2618	Deceased	37	04/27/2017
R			PARKERSBURG	26104 -2618	County Clerk	37	05/10/2017
D			VIENNA	26105 -2316	Inactive 2 Federal Elections +	43A	01/19/2017
D			PARKERSBURG	26104 -1656	Inactive 2 Federal Elections +	34A	01/19/2017
R			PARKERSBURG	26101 -6913	Inactive 2 Federal Elections +	75	01/19/2017
R			VIENNA	26105 -3348	Inactive 2 Federal Elections +	43A	01/19/2017
R			PARKERSBURG	26104	Inactive 2 Federal Elections +	56A	01/19/2017
R			WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	51	01/19/2017
N			PARKERSBURG	26101 -4039	Inactive 2 Federal Elections +	13	01/19/2017
R			PARKERSBURG	26104 -2025	Deceased	36B	05/04/2017
R			PARKERSBURG	26104 -2025	County Clerk	36B	05/19/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	MINERAL WELLS	26150	Deceased	79	02/06/2017
D	[redacted]	[redacted]	VIENNA	26105	Deceased	40A	01/30/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	74	02/08/2017
D	[redacted]	[redacted]	WALKER	26180	Deceased	61	06/07/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	40A	01/19/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -7017	Inactive 2 Federal Elections +	77	01/19/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45	01/19/2017
D	[redacted]	[redacted]	ELIZABETH	26143	Inactive 2 Federal Elections +	87	01/19/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187 -9524	Inactive 2 Federal Elections +	54	01/19/2017
D	[redacted]	[redacted]	WILLIAMSTOWN	26187 -9524	Inactive 2 Federal Elections +	54	01/19/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	37	01/19/2017
D	[redacted]	[redacted]	VIENNA	26105 -2558	DOC	45	07/03/2017
N	[redacted]	[redacted]	WASHINGTON	26181	Inactive 2 Federal Elections +	63B	01/19/2017
N	[redacted]	[redacted]	WASHINGTON	26181	Inactive 2 Federal Elections +	67A	01/19/2017
N	[redacted]	[redacted]	WASHINGTON	26181	Inactive 2 Federal Elections +	81	01/19/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150 -9483	Inactive 2 Federal Elections +	86	01/19/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	DOC	08	03/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	32	01/19/2017
N	[redacted]	[redacted]	PARKERSBURG	26104 -7563	Inactive 2 Federal Elections +	53A	01/19/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	27	01/19/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	64	01/19/2017
R	[redacted]	[redacted]	DAVISVILLE	26142	VITAL	57A	05/31/2017
D	[redacted]	[redacted]	PARKERSBUR	26101	Inactive 2 Federal Elections +	74C	01/19/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]	[redacted]	G				
N	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	36B	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	79	01/19/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -7237	Inactive 2 Federal Elections +	78	01/19/2017
N	[redacted]	[redacted]	VIENNA	26105 -3235	Inactive 2 Federal Elections +	46B	01/19/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	16	05/31/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187 -8142	Inactive 2 Federal Elections +	50	01/19/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187 -8142	Deceased	50	04/17/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	77	01/19/2017
D	[redacted]	[redacted]	VIENNA	26105 -2467	Inactive 2 Federal Elections +	43A	01/19/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	77	01/19/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -3738	Deceased	19	04/07/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -3738	County Clerk	19	04/18/2017
N	[redacted]	[redacted]	DAVISVILLE	26142	Inactive 2 Federal Elections +	58	01/19/2017
R	[redacted]	[redacted]	WALKER	26180	Inactive 2 Federal Elections +	58	01/19/2017
N	[redacted]	[redacted]	DAVISVILLE	26142 -9780	Inactive 2 Federal Elections +	58	01/19/2017
R	[redacted]	[redacted]	WASHINGTON	26181	Inactive 2 Federal Elections +	67A	01/19/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	49	01/19/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	29	05/19/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	57	01/19/2017
D	[redacted]	[redacted]	PARKERSBUR	26101	Inactive 2 Federal Elections +	57	01/19/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]		G				
R			WASHINGTON	26181	Inactive 2 Federal Elections +	67A	01/19/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	77	01/19/2017
N			PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	01/19/2017
R			MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	01/19/2017
D			WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	51	01/19/2017
D			WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	51	01/19/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	77	01/19/2017
D			WAVERLY	26184 -3424	Inactive 2 Federal Elections +	54	01/19/2017
D			VIENNA	26105	Inactive 2 Federal Elections +	45A	02/08/2017
R			PARKERSBURG	26101 -6546	Inactive 2 Federal Elections +	75	01/19/2017
N			WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	51	01/19/2017
N			MINERAL WELLS	26150	Inactive 2 Federal Elections +	88	01/19/2017
R			WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	49	01/19/2017
D			WASHINGTON	26181	Deceased	67A	02/15/2017
R			MINERAL WELLS	26150	Inactive 2 Federal Elections +	86	01/19/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	74B	01/19/2017
R			WASHINGTON	26181	Inactive 2 Federal Elections +	62	01/19/2017
D			WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	48	01/19/2017
IND			WASHINGTON	26181	Inactive 2 Federal Elections +	67A	01/19/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	74	01/19/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
N	[redacted]		MINERAL WELLS	26150 -3099	Inactive 2 Federal Elections +	86	01/19/2017
N			PARKERSBURG	26104	Inactive 2 Federal Elections +	49	01/19/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
N			MINERAL WELLS	26150 -3099	Inactive 2 Federal Elections +	86	01/19/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	74C	01/19/2017
N			ROCKPORT	26169	Inactive 2 Federal Elections +	84	01/19/2017
N			PARKERSBURG	26101 -6747	Inactive 2 Federal Elections +	75	01/19/2017
D			WASHINGTON	26181	Inactive 2 Federal Elections +	67A	01/19/2017
D			ROCKPORT	26169	Inactive 2 Federal Elections +	84	01/19/2017
D			PARKERSBURG	26101 -9038	Inactive 2 Federal Elections +	74C	01/19/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	29	01/19/2017
N			PARKERSBURG	26104	Inactive 2 Federal Elections +	49A	01/19/2017
D			PARKERSBURG	26104 -9233	Inactive 2 Federal Elections +	49A	01/19/2017
D			PARKERSBURG	26101 -5738	VITAL	74	05/31/2017
D			PARKERSBURG	26104	Deceased	36	04/26/2017
R			PARKERSBURG	26101 -5868	Deceased	69	03/06/2017
R			PARKERSBURG	26101 -5868	County Clerk	69	03/22/2017
R			PARKERSBURG	26101 -5868	County Clerk	69	03/22/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	29	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]		PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
R			PARKERSBURG	26104	Deceased	37A	02/07/2017
R			PARKERSBURG	26101	Deceased	69	01/31/2017
R			PARKERSBURG	26101	County Clerk	69	02/15/2017
R			VIENNA	26105 -0000	Deceased	45A	04/12/2017
D			VIENNA	26105 -1042	Deceased	41	03/20/2017
D			VIENNA	26105 -1042	County Clerk	41	04/04/2017
D			PARKERSBURG	26101 -6526	Deceased	77	05/31/2017
D			VIENNA	26105	VITAL	46B	05/31/2017
R			PARKERSBURG	26101	Deceased	67	04/20/2017
R			PARKERSBURG	26101	County Clerk	67	05/02/2017
D			WILLIAMSTOWN	26187 -8272	VITAL	48	05/31/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
D			DAVISVILLE	26142	Deceased	57A	01/05/2017
D			VIENNA	26105 -1719	Inactive 2 Federal Elections +	45A	02/08/2017
D			PARKERSBURG	26104	VITAL	34A	05/31/2017
R			WASHINGTON	26181	Deceased	67A	07/13/2017
D			WAVERLY	26184	Deceased	54	04/20/2017
D			VIENNA	26105 -1328	Deceased	42A	07/06/2017
D			WAVERLY	26184	Deceased	54	07/11/2017
D			WILLIAMSTOWN	26187 -8249	Deceased	48	01/11/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	13	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]		VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
R			DAVISVILLE	26142	Authorized Cancellation	57A	04/24/2017
D			PARKERSBURG	26104 -1316	Deceased	36B	07/10/2017
D			VIENNA	26105	Deceased	47	01/03/2017
R			PARKERSBURG	26101 -6016	Deceased	69	05/10/2017
R			VIENNA	26105 -3313	Deceased	42A	04/20/2017
R			VIENNA	26105 -3313	County Clerk	42A	05/10/2017
R			PARKERSBURG	26104 -9714	Deceased	53	05/31/2017
R			PARKERSBURG	26101 -3100	Deceased	37A	06/23/2017
D			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
D			MINERAL WELLS	26150	VITAL	89	05/31/2017
D			ELIZABETH	26143 -7004	Deceased	87	05/19/2017
D			ELIZABETH	26143 -7004	County Clerk	87	06/05/2017
D			PARKERSBURG	26101 -5857	Deceased	69	05/23/2017
D			PARKERSBURG	26101 -5857	County Clerk	69	06/05/2017
R			MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
N			BELLEVILLE	26133	Deceased	81	02/07/2017
D			PARKERSBURG	26101	Deceased	63B	07/14/2017
R			PARKERSBURG	26104 -8054	Deceased	56A	07/13/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
R			PARKERSBURG	26104	Inactive 2 Federal Elections +	53A	02/08/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]		WILLIAMSTOWN	26187	VITAL	51	05/31/2017
D			MINERAL WELLS	26150	Deceased	79	03/07/2017
D			MINERAL WELLS	26150	County Clerk	79	03/29/2017
D			MINERAL WELLS	26150	Deceased	79	05/22/2017
D			MINERAL WELLS	26150	County Clerk	79	05/31/2017
D			PARKERSBURG	26104 -2229	Deceased	37	07/11/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	47	02/08/2017
N			PARKERSBURG	26104	Inactive 2 Federal Elections +	35	02/08/2017
R			ROCKPORT	26169	Deceased	84	02/03/2017
D			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	13	02/08/2017
D			VIENNA	26105 -3314	Deceased	42A	05/16/2017
D			VIENNA	26105	DOC	45	05/10/2017
D			PARKERSBURG	26101 -6854	Deceased	74	05/30/2017
D			PARKERSBURG	26101 -6854	County Clerk	74	06/15/2017
D			PARKERSBURG	26104 -1437	VITAL	36B	05/31/2017
R			PARKERSBURG	26101	Deceased	77	03/22/2017
R			PARKERSBURG	26101	County Clerk	77	04/04/2017
D			WALKER	26180	Deceased	58	05/31/2017
D			PARKERSBURG	26101	Deceased	74C	03/23/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	74C	04/04/2017
D	[redacted]	[redacted]	WILLIAMSTOWN	26187	Deceased	52	05/09/2017
D	[redacted]	[redacted]	WASHINGTON	26181	VITAL	63A	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -4899	VITAL	13	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -4899	County Clerk	13	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	29	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	29	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -2905	VITAL	40	05/31/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187	VITAL	54	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	10	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	37A	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -5539	Inactive 2 Federal Elections +	69	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -7454	Deceased	67	02/22/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -7454	County Clerk	67	03/01/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -7202	Deceased	77	03/30/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -7202	County Clerk	77	04/18/2017
N	[redacted]	[redacted]	WALKER	26180	VITAL	60	05/31/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
D	[redacted]	[redacted]	PARKERSBUR	26101	Deceased	78	02/06/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]		G				
D			PARKERSBURG	26101	County Clerk	78	02/15/2017
D			PARKERSBURG	26104 -1901	Deceased	36	02/13/2017
D			PARKERSBURG	26104 -1901	County Clerk	36	02/13/2017
R			PARKERSBURG	26101	Deceased	08	05/31/2017
R			PARKERSBURG	26101 -3599	Inactive 2 Federal Elections +	29	02/08/2017
R			VIENNA	26105 -3102	Deceased	46	06/13/2017
R			VIENNA	26105 -3102	County Clerk	46	06/23/2017
D			PARKERSBURG	26101 -3329	Inactive 2 Federal Elections +	16	02/08/2017
R			PARKERSBURG	26104	Deceased	40	07/11/2017
R			BELLEVILLE	26133	Deceased	82	01/27/2017
R			BELLEVILLE	26133	County Clerk	82	02/15/2017
D			PARKERSBURG	26104 -2706	Inactive 2 Federal Elections +	37A	02/08/2017
D			PARKERSBURG	26101	VITAL	74C	05/31/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
R			PARKERSBURG	26101	Deceased	77	04/27/2017
R			PARKERSBURG	26101	County Clerk	77	05/10/2017
D			PARKERSBURG	26101 -7357	Deceased	77	03/08/2017
N			VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	WAVERLY	26184	Deceased	53	03/07/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	Moved out of state	49	06/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	10	05/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	32	05/31/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	37	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	19	03/28/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	19	04/12/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	34A	03/13/2017
N	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	86	04/19/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	74C	04/04/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -8155	Deceased	53A	05/19/2017
D	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105 -3107	Deceased	46	03/13/2017
R	[redacted]	[redacted]	VIENNA	26105 -3107	County Clerk	46	03/22/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]		VIENNA	26105 -3107	County Clerk	46	03/22/2017
R			PARKERSBURG	26101 -9677	Deceased	67	05/02/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	32	02/08/2017
N			PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
R			PARKERSBURG	26104 -2628	Inactive 2 Federal Elections +	37	02/08/2017
N			PARKERSBURG	26104 -2301	Deceased	40	03/14/2017
N			PARKERSBURG	26104 -2301	County Clerk	40	03/29/2017
D			PARKERSBURG	26104	VITAL	34A	05/31/2017
R			VIENNA	26105 -0000	Inactive 2 Federal Elections +	46	02/08/2017
D			PARKERSBURG	26101	County Clerk	16	01/13/2017
D			PARKERSBURG	26101	Voter	16	01/26/2017
N			MINERAL WELLS	26150	VITAL	89	05/31/2017
R			PARKERSBURG	26101 -4249	VITAL	27	05/31/2017
D			PARKERSBURG	26101 -2915	Deceased	37	03/16/2017
D			PARKERSBURG	26101 -2915	County Clerk	37	03/29/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
D			VIENNA	26105	Deceased	42A	05/25/2017
R			PARKERSBURG	26101	Deceased	69	06/08/2017
R			PARKERSBURG	26101	County Clerk	69	06/28/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]		PARKERSBURG	26101	DOC	69	03/31/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D			PARKERSBURG	26101	County Clerk	08	01/13/2017
D			VIENNA	26105 -3320	Deceased	42A	05/31/2017
R			PARKERSBURG	26101	Deceased	16	05/31/2017
D			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
D			PARKERSBURG	26104	Deceased	32	02/07/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
N			VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
N			WASHINGTON	26181	VITAL	67A	05/31/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
D			VIENNA	26105	VITAL	45	06/01/2017
D			PARKERSBURG	26101	VITAL	74	05/31/2017
N			MINERAL WELLS	26150	Inactive 2 Federal Elections +	86	02/07/2017
R			DAVISVILLE	26142	VITAL	57A	05/31/2017
R			MINERAL WELLS	26150	Inactive 2 Federal Elections +	86	02/08/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
R			MINERAL WELLS	26150	Moved out of state	89	02/27/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]		VIENNA	26105 -3247	Deceased	46B	03/01/2017
N			WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	52	02/08/2017
R			PARKERSBURG	26101	VITAL	74B	05/31/2017
R			PARKERSBURG	26104	Deceased	37A	05/22/2017
R			PARKERSBURG	26104	County Clerk	37A	06/07/2017
N			VIENNA	26105	DOC	46	03/31/2017
R			PARKERSBURG	26101	DOC	63	03/31/2017
R			PARKERSBURG	26101	Moved out of state	64	06/12/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	74	02/08/2017
N			DAVISVILLE	26142	Deceased	58	02/07/2017
R			WAVERLY	26184	Deceased	53	05/25/2017
R			WAVERLY	26184	County Clerk	53	06/15/2017
D			VIENNA	26105 -1430	Deceased	42A	04/12/2017
D			VIENNA	26105 -1430	County Clerk	42A	04/12/2017
N			VIENNA	26105 -2007	VITAL	46	05/31/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D			WASHINGTON	26181	VITAL	62	05/31/2017
N			PARKERSBURG	26101	Authorized Cancellation	10	04/12/2017
R			VIENNA	26105 -0000	VITAL	45A	05/31/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]		PARKERSBURG	26101 -6017	Deceased	69	04/19/2017
D			PARKERSBURG	26101 -6017	County Clerk	69	04/26/2017
D			PARKERSBURG	26101	VITAL	29	05/31/2017
D			VIENNA	26105 -2549	Inactive 2 Federal Elections +	45	02/08/2017
R			WILLIAMSTOWN	26187	DOC	48	05/10/2017
D			PARKERSBURG	26104	VITAL	35	05/31/2017
D			PARKERSBURG	26104	Deceased	40A	06/23/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	63A	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	10	02/08/2017
N			VIENNA	26105	Deceased	46B	01/31/2017
R			WILLIAMSTOWN	26187	Deceased	51	06/14/2017
D			PARKERSBURG	26101 -8291	Deceased	78A	01/27/2017
D			PARKERSBURG	26101 -8291	County Clerk	78A	02/15/2017
R			PARKERSBURG	26101 -6735	Moved out of state	77	05/17/2017
N			PARKERSBURG	26104	Deceased	56A	04/19/2017
N			PARKERSBURG	26104	County Clerk	56A	05/10/2017
D			PARKERSBURG	26101 -4926	VITAL	10	05/31/2017
N			PARKERSBURG	26104	Deceased	36B	02/06/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
N	[redacted]	[redacted]	PARKERSBURG	26104	County Clerk	36B	02/22/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	37	02/06/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	33	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	64	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105	Authorized Cancellation	45	04/20/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	DOC	32	05/30/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150 -0000	Deceased	87	05/02/2017
IND	[redacted]	[redacted]	PARKERSBURG	26101 -4713	Deceased	08	05/23/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -9325	Deceased	74B	02/07/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	DOC	36B	03/31/2017
D	[redacted]	[redacted]	WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	52	02/08/2017
N	[redacted]	[redacted]	MINERAL WELLS	26150	Deceased	86	06/26/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	74	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	37	03/29/2017
D	[redacted]	[redacted]	VIENNA	26105 -3162	Authorized Cancellation	46B	01/25/2017
D	[redacted]	[redacted]	VIENNA	26105 -3162	Authorized Cancellation	46B	01/25/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	29	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	DOC	71	03/31/2017
D	[redacted]	[redacted]	ELIZABETH	26143	Deceased	87	06/23/2017
D	[redacted]	[redacted]	ELIZABETH	26143	County Clerk	87	07/11/2017
L	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	78	03/21/2017
L	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	78	03/29/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Moved out of state	34A	07/03/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	67	02/08/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187 -1304	Moved out of state	52	06/05/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	DOC	74	03/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	VITAL	34A	05/31/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	36B	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -8508	Deceased	36B	04/03/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -7056	Deceased	57	05/02/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -6604	County Clerk	75	03/01/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -5909	Deceased	69	06/19/2017
R	[redacted]	[redacted]	ROCKPORT	26169	Deceased	85	01/24/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
N	[redacted]	[redacted]	PARKERSBUR	26101 -6746	Deceased	75	04/21/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]	[redacted]	G				
N			PARKERSBURG	26101 -6746	County Clerk	75	05/02/2017
R			WILLIAMSTOWN	26187	Deceased	50	05/19/2017
R			WILLIAMSTOWN	26187	County Clerk	50	05/31/2017
D			PARKERSBURG	26101 -9373	Deceased	74C	05/31/2017
R			PARKERSBURG	26104 -0000	VITAL	34A	05/31/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	29	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
D			PARKERSBURG	26101 -3342	VITAL	16	05/31/2017
R			PARKERSBURG	26101	DOC	34A	07/03/2017
N			PARKERSBURG	26104	Deceased	35	02/09/2017
N			PARKERSBURG	26104	County Clerk	35	02/22/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	74C	02/08/2017
L			PARKERSBURG	26101	Inactive 2 Federal Elections +	32	02/08/2017
D			PARKERSBURG	26104	Authorized Cancellation	36	01/25/2017
D			PARKERSBURG	26101	VITAL	16	05/31/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	37	02/08/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	36B	02/08/2017
R			PARKERSBURG	26104	VITAL	49A	05/31/2017
D			PARKERSBUR	26101 -2622	Deceased	29	07/12/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]	[redacted]	G				
D	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -2943	VITAL	40	05/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	49	01/25/2017
D	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	46	02/08/2017
D	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	46	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105 -3310	VITAL	43A	05/31/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Moved out of state	08	06/19/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -8415	Deceased	74B	01/25/2017
D	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	29	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -9055	Deceased	74C	03/30/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -9055	County Clerk	74C	04/12/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -2614	Deceased	36	01/06/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	37	02/08/2017
D	[redacted]	[redacted]	VIENNA	26105	VITAL	45	05/31/2017
D	[redacted]	[redacted]	WILLIAMSTOWN	26187	Deceased	50	06/28/2017
R	[redacted]	[redacted]	VIENNA	26105 -2814	VITAL	45A	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	19	05/31/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]		VIENNA	26105 -1851	Deceased	41	02/07/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
D			PARKERSBURG	26101	Deceased	32	04/20/2017
D			PARKERSBURG	26101	County Clerk	32	05/10/2017
D			PARKERSBURG	26104 -1627	VITAL	34A	05/31/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D			VIENNA	26105	Deceased	47	02/15/2017
D			VIENNA	26105	County Clerk	47	02/15/2017
N			PARKERSBURG	26104	Deceased	57A	02/17/2017
N			PARKERSBURG	26104	County Clerk	57A	03/22/2017
N			PARKERSBURG	26104	County Clerk	57A	03/22/2017
N			PARKERSBURG	26101	DOC	27	03/31/2017
D			PARKERSBURG	26104 -9229	Moved out of state	49A	02/27/2017
D			PARKERSBURG	26104 -9229	Moved out of state	49A	02/27/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	46	02/08/2017
D			WILLIAMSTOWN	26187 -1607	Deceased	52	06/12/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
R			PARKERSBURG	26104	DOC	57A	03/31/2017
N			VIENNA	26105	Deceased	45A	05/25/2017
R			PARKERSBURG	26101	VITAL	32	05/31/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
N	[redacted]	[redacted]	PARKERSBURG	26101	DOC	29	03/31/2017
R	[redacted]	[redacted]	VIENNA	26105 -2225	Deceased	42A	05/16/2017
R	[redacted]	[redacted]	VIENNA	26105 -2225	County Clerk	42A	05/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -1747	VITAL	34A	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -2733	Deceased	37A	02/03/2017
N	[redacted]	[redacted]	WILLIAMSTOWN	26187	VITAL	49	05/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	37	02/15/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	74C	05/02/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	VITAL	34A	05/31/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187 -1644	Deceased	52	03/20/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187 -1644	County Clerk	52	04/04/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	56A	03/29/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -9386	Deceased	74B	03/30/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -9386	County Clerk	74B	04/12/2017
D	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	DOC	78A	03/31/2017
D	[redacted]	[redacted]	VIENNA	26105	Deceased	45A	04/18/2017
D	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26133	Deceased	49A	01/27/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]	[redacted]	WILLIAMSTOWN	26187	Deceased	49	06/29/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187	County Clerk	49	07/11/2017
L	[redacted]	[redacted]	PARKERSBURG	26101	DOC	29	03/31/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	DOC	35	05/10/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	Deceased	78	05/15/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	37	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -7228	VITAL	57A	05/31/2017
D	[redacted]	[redacted]	WILLIAMSTOWN	26187 -1128	Moved out of state	51	02/15/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -2633	Deceased	37	04/19/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -2633	County Clerk	37	05/02/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	74	02/08/2017
D	[redacted]	[redacted]	DAVISVILLE	26142 -6320	Deceased	57A	07/05/2017
D	[redacted]	[redacted]	DAVISVILLE	26142 -6320	County Clerk	57A	07/11/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -5909	Deceased	69	04/26/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -5909	County Clerk	69	05/19/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	DOC	32	07/03/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -7592	Deceased	67	06/30/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]		PARKERSBURG	26101	Deceased	32	03/10/2017
R			PARKERSBURG	26101	County Clerk	32	03/22/2017
R			PARKERSBURG	26104	Moved out of state	53	02/27/2017
R			MINERAL WELLS	26150	Deceased	78	01/09/2017
R			PARKERSBURG	26101 -5056	Authorized Cancellation	13	05/05/2017
D			PARKERSBURG	26101 -2916	VITAL	37	05/31/2017
D			PARKERSBURG	26101	Deceased	64	03/08/2017
R			PARKERSBURG	26104 -2614	Deceased	36	03/01/2017
N			PARKERSBURG	26104	VITAL	49A	05/31/2017
R			PARKERSBURG	26104	Moved out of state	53	02/13/2017
D			VIENNA	26105 -1037	Inactive 2 Federal Elections +	41	02/08/2017
R			PARKERSBURG	26101	VITAL	78	05/31/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
R			PARKERSBURG	26101 -3509	Deceased	29	05/31/2017
R			PARKERSBURG	26101 -3509	County Clerk	29	06/15/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
IND			WASHINGTON	26181	Inactive 2 Federal Elections +	67A	02/08/2017
D			WASHINGTON	26181	VITAL	67A	05/31/2017
N			PARKERSBURG	26104 -2015	Deceased	36	04/04/2017
N			PARKERSBURG	26104 -2015	County Clerk	36	04/12/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]		ROCKPORT	26169	Deceased	85	06/05/2017
R			ROCKPORT	26169	County Clerk	85	06/15/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	74	02/08/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	32	02/08/2017
R			PARKERSBURG	26101 -4808	Deceased	10	03/01/2017
R			PARKERSBURG	26101 -4808	County Clerk	10	03/15/2017
R			VIENNA	26105 -1609	Deceased	47	06/29/2017
R			PARKERSBURG	26101	Deceased	64	02/07/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
D			PARKERSBURG	26101 -3736	Deceased	19	01/23/2017
R			PARKERSBURG	26104 -1235	Deceased	36B	02/09/2017
R			PARKERSBURG	26104 -1235	County Clerk	36B	02/22/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
R			WAVERLY	26184	Moved out of state	54A	07/10/2017
D			VIENNA	26105	VITAL	42A	05/31/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
R			PARKERSBURG	26101	Deceased	74	01/04/2017
D			PARKERSBURG	26101 -9531	VITAL	67	05/31/2017
R			PARKERSBURG	26104 -1404	Deceased	36B	03/22/2017
R			PARKERSBURG	26104 -1404	County Clerk	36B	04/04/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
N	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	78	01/09/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -1340	Deceased	36B	04/13/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -1340	County Clerk	36B	04/26/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -2628	Deceased	37	02/14/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -2628	County Clerk	37	03/01/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -3329	Inactive 2 Federal Elections +	16	02/08/2017
D	[redacted]	[redacted]	VIENNA	26105	Deceased	41	04/19/2017
D	[redacted]	[redacted]	VIENNA	26105 -1736	Inactive 2 Federal Elections +	45A	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -6443	Inactive 2 Federal Elections +	74	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -7362	County Clerk	77	02/07/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -7405	Deceased	67	04/14/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -7405	County Clerk	67	04/26/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	Deceased	88	05/25/2017
R	[redacted]	[redacted]	PARKERSBURG	26105	Deceased	34A	03/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -5830	Deceased	74	02/07/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	13	03/31/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]	[redacted]	PARKERSBURG	26101 -3903	VITAL	08	05/31/2017
D	[redacted]	[redacted]	WASHINGTON	26181 -4601	Deceased	62	06/27/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -7242	DOC	74C	03/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	10	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	VITAL	57A	05/31/2017
D	[redacted]	[redacted]	VIENNA	26105	Deceased	45	05/09/2017
D	[redacted]	[redacted]	VIENNA	26105	County Clerk	45	05/25/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	36B	02/08/2017
N	[redacted]	[redacted]	VIENNA	26105	Deceased	46	03/15/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	74C	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26105	Deceased	34A	02/03/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	40A	03/28/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	County Clerk	40A	05/10/2017
D	[redacted]	[redacted]	PARKERSBURG	26105	Deceased	34A	05/25/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	35	03/15/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	County Clerk	35	03/29/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	19	03/22/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	19	04/04/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -2511	County Clerk	16	02/22/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	71	01/04/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -2724	VITAL	37A	05/31/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187 -1123	VITAL	51	05/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -4046	VITAL	16	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	53	02/13/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150	Deceased	79	06/07/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150	County Clerk	79	06/23/2017
N	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	DOC	79	03/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	34A	05/16/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	County Clerk	34A	05/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	19	04/17/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -1427	Inactive 2 Federal Elections +	36B	02/08/2017
D	[redacted]	[redacted]	WALKER	26180	VITAL	61	05/31/2017
N	[redacted]	[redacted]	DAVISVILLE	26142	Inactive 2 Federal Elections +	56	03/14/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	74	02/08/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	10	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	37A	03/10/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	37A	03/22/2017
D	[redacted]	[redacted]	WILLIAMSTOWN	26187 -9802	VITAL	48	05/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -3660	VITAL	19	05/31/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	47	02/08/2017
N	[redacted]	[redacted]	WAVERLY	26184	Deceased	53	02/03/2017
N	[redacted]	[redacted]	WAVERLY	26184	Deceased	53	02/03/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -6818	Inactive 2 Federal Elections +	74	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	40	02/07/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150 -2302	Deceased	89	01/09/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	37	02/08/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26105	VITAL	34A	05/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	56A	02/08/2017
D	[redacted]	[redacted]	PETROLEUM	26161	DOC	61	03/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	32	04/12/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	74	05/31/2017
D	[redacted]	[redacted]	PARKERSBUR	26104	Deceased	36B	02/14/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]		G				
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	34A	02/08/2017
D			PARKERSBURG	26104 -1929	Deceased	36	01/03/2017
D			PARKERSBURG	26101	Moved out of state	08	06/19/2017
M			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D			PARKERSBURG	26101 -4352	VITAL	08	05/31/2017
D			PARKERSBURG	26101	Deceased	37A	03/07/2017
D			PARKERSBURG	26101	County Clerk	37A	03/22/2017
R			WILLIAMSTOWN	26187	Moved out of state	52	03/23/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	10	02/08/2017
L			PARKERSBURG	26101	DOC	32	05/30/2017
R			PARKERSBURG	26101	County Clerk	74	04/10/2017
D			PARKERSBURG	26101	Deceased	63	01/30/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
N			PARKERSBURG	26101	VITAL	29	05/31/2017
N			WALKER	26180 -3364	Deceased	61	06/26/2017
D			WASHINGTON	26181	Moved out of state	67A	03/16/2017
D			WASHINGTON	26181	County Clerk	67A	06/28/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	WASHINGTON	26181	Moved out of state	67A	03/16/2017
D	[redacted]	[redacted]	WASHINGTON	26181	County Clerk	67A	06/28/2017
N	[redacted]	[redacted]	VIENNA	26105 -2221	Inactive 2 Federal Elections +	41	02/08/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -5907	VITAL	69	05/31/2017
N	[redacted]	[redacted]	VIENNA	26105	Deceased	45A	02/07/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	71	04/10/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	DOC	16	03/31/2017
R	[redacted]	[redacted]	WASHINGTON	26181	VITAL	67	05/31/2017
D	[redacted]	[redacted]	VIENNA	26105	Deceased	42A	05/16/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -9041	VITAL	74C	05/31/2017
N	[redacted]	[redacted]	WILLIAMSTOWN	26187	Deceased	52	01/30/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	VITAL	40	05/31/2017
R	[redacted]	[redacted]	VIENNA	26105 -2507	Deceased	45	04/26/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	VITAL	35	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	08	02/27/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	08	03/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	VITAL	57A	05/31/2017
D	[redacted]	[redacted]	WALKER	26180	Deceased	60	01/11/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	DOC	63	03/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	71	01/09/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]	[redacted]	PARKERSBURG	26105	VITAL	34A	05/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	DOC	79	03/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105 -1647	Deceased	45A	06/28/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -6159	Deceased	69	03/08/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187	Deceased	52	04/27/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187	County Clerk	52	05/10/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	Deceased	86	07/10/2017
R	[redacted]	[redacted]	DAVISVILLE	26142	Deceased	57A	04/13/2017
R	[redacted]	[redacted]	DAVISVILLE	26142	County Clerk	57A	04/26/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	VITAL	34A	05/31/2017
N	[redacted]	[redacted]	VIENNA	26105 -1231	Inactive 2 Federal Elections +	41	02/08/2017
N	[redacted]	[redacted]	VIENNA	26105 -1231	Inactive 2 Federal Elections +	41	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	34A	02/08/2017
D	[redacted]	[redacted]	VIENNA	26105 -1820	Authorized Cancellation	45A	05/30/2017
D	[redacted]	[redacted]	VIENNA	26105 -1820	Authorized Cancellation	45A	05/30/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	VITAL	56A	05/31/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -5018	VITAL	13	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	74C	05/31/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	74C	05/31/2017
R	[redacted]	[redacted]	VIENNA	26105 -2451	VITAL	45	05/31/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150	Deceased	89	02/22/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150	County Clerk	89	02/22/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	13	02/08/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	74	02/07/2017
N	[redacted]	[redacted]	PARKERSBURG	26104 -2246	Inactive 2 Federal Elections +	37	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	34A	05/03/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	County Clerk	34A	05/19/2017
D	[redacted]	[redacted]	VIENNA	26105 -1033	Inactive 2 Federal Elections +	41	02/08/2017
N	[redacted]	[redacted]	WAVERLY	26184	911	54	02/27/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -6446	VITAL	74	05/31/2017
N	[redacted]	[redacted]	WAVERLY	26184	Moved out of state	54A	01/03/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	74C	06/13/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	74C	06/23/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -1804	Deceased	74	06/23/2017
N	[redacted]	[redacted]	PARKERSBUR	26104	Deceased	53	04/26/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]	[redacted]	G				
N			PARKERSBURG	26101	Deceased	33	02/03/2017
D			MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
N			VIENNA	26105	Inactive 2 Federal Elections +	47	02/08/2017
R			PARKERSBURG	26104	Deceased	53A	02/07/2017
L			PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
N			PARKERSBURG	26101	DOC	40A	03/31/2017
D			VIENNA	26105 -1215	Deceased	41	04/27/2017
D			VIENNA	26105 -1215	County Clerk	41	05/25/2017
N			MINERAL WELLS	26150	Deceased	78	02/07/2017
D			WASHINGTON	26181	Deceased	67A	04/10/2017
D			WASHINGTON	26181	County Clerk	67A	04/26/2017
N			VIENNA	26105 -1231	Inactive 2 Federal Elections +	45	02/08/2017
D			WASHINGTON	26181	Deceased	63A	02/02/2017
D			WASHINGTON	26181	County Clerk	63A	02/15/2017
D			PARKERSBURG	26101	Deceased	67A	06/05/2017
N			VIENNA	26105 -2234	Deceased	41	04/06/2017
N			VIENNA	26105 -2234	County Clerk	41	04/18/2017
D			PARKERSBURG	26101	Deceased	19	03/09/2017
N			PARKERSBURG	26101	County Clerk	27	05/04/2017
R			VIENNA	26105 -2717	Inactive 2 Federal Elections +	45	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	PARKERSBURG	26101	DOC	16	03/31/2017
N	[redacted]	[redacted]	VIENNA	26105	VITAL	42A	05/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	19	01/11/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	77	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	33	03/15/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	37A	02/08/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	46	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	Moved out of state	37A	07/03/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	63	05/09/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	63	05/25/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	32	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	10	02/08/2017
N	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Moved out of state	37A	07/03/2017
R	[redacted]	[redacted]	VIENNA	26105 -3246	Deceased	46B	04/04/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
N	[redacted]	[redacted]	VIENNA	26105	Authorized Cancellation	46B	01/20/2017
IND	[redacted]	[redacted]	PARKERSBURG	26101	DOC	74C	07/03/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	78	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	67	03/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
N	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	27	05/31/2017
D	[redacted]	[redacted]	VIENNA	26105	Deceased	46B	06/23/2017
D	[redacted]	[redacted]	VIENNA	26105	County Clerk	46B	06/28/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
N	[redacted]	[redacted]	WASHINGTON	26181	Deceased	67	03/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -2100	VITAL	37	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	74B	05/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -5953	Deceased	69	02/03/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	75	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Moved out of state	34A	06/05/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	78A	05/30/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	78A	06/15/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -6832	Inactive 2 Federal Elections +	74	02/08/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	78	02/08/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	48	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -1003	Deceased	34A	03/27/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -1003	County Clerk	34A	04/12/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	79	02/08/2017
D	[redacted]	[redacted]	ELIZABETH	26143	Deceased	87	01/30/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -9037	Deceased	74C	03/15/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -2711	Inactive 2 Federal Elections +	37A	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -7320	DOC	77	03/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	DOC	40A	03/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -3506	Inactive 2 Federal Elections +	29	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	43A	02/08/2017
D	[redacted]	[redacted]	WALKER	26180	Inactive 2 Federal Elections +	58	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	63	05/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -2702	Inactive 2 Federal Elections +	37A	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -9215	Deceased	35	01/25/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -1613	Deceased	35	01/25/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	71U	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105	Deceased	45A	01/30/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	34A	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	75	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105	Deceased	40A	05/05/2017
R	[redacted]	[redacted]	VIENNA	26105	County Clerk	40A	05/25/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	47	02/08/2017
D	[redacted]	[redacted]	VIENNA	26105	VITAL	47	05/31/2017
D	[redacted]	[redacted]	PARKERSBUR	26104	Inactive 2 Federal Elections +	34A	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]	[redacted]	G				
D			PARKERSBURG	26104	DOC	36	05/10/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	13	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	74	02/08/2017
R			PARKERSBURG	26104	Inactive 2 Federal Elections +	37A	02/08/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	74	02/08/2017
D			MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
R			PARKERSBURG	26104	VITAL	57	05/31/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	78A	02/08/2017
D			PARKERSBURG	26101	Deceased	16	02/03/2017
IND			PARKERSBURG	26101	Deceased	29	04/11/2017
IND			PARKERSBURG	26101	County Clerk	29	04/18/2017
D			PARKERSBURG	26101 -6654	Deceased	71	04/04/2017
D			VIENNA	26105 -2912	Deceased	45A	04/10/2017
D			VIENNA	26105 -2912	County Clerk	45A	04/18/2017
R			PARKERSBURG	26101 -4772	DOC	08	03/31/2017
D			WASHINGTON	26181	Deceased	62A	05/11/2017
D			WASHINGTON	26181	County Clerk	62A	05/25/2017
R			WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	51	02/08/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	49	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	49	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	75	01/18/2017
N	[redacted]	[redacted]	VIENNA	26105	VITAL	42A	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	37	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	56A	02/08/2017
IND	[redacted]	[redacted]	PARKERSBURG	26101 -9051	Deceased	74C	02/07/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	74C	06/07/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	74C	06/23/2017
R	[redacted]	[redacted]	VIENNA	26105 -2714	Deceased	45	04/07/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -6511	Deceased	75	02/27/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -6511	County Clerk	75	03/15/2017
N	[redacted]	[redacted]	MINERAL WELLS	26150	Deceased	78	05/10/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	40	06/16/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	County Clerk	40	06/28/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	75	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	67	05/31/2017
N	[redacted]	[redacted]	DAVISVILLE	26142	Deceased	57A	01/03/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	County Clerk	56	03/22/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	74	05/31/2017
D	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
D	[redacted]	[redacted]	PARKERSBUR	26101 -4318	Deceased	08	05/09/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]		G				
D			PARKERSBURG	26101 -4318	County Clerk	08	05/25/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
D			MINERAL WELLS	26150	Deceased	87	02/27/2017
D			MINERAL WELLS	26150	County Clerk	87	04/10/2017
D			PARKERSBURG	26101	DOC	69	03/31/2017
R			PARKERSBURG	26104	Deceased	35	04/12/2017
D			VIENNA	26105	911	46	01/26/2017
D			VIENNA	26105	911	46	01/26/2017
D			DAVISVILLE	26142	Deceased	57A	02/17/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
N			PARKERSBURG	26104	Inactive 2 Federal Elections +	37	02/08/2017
R			PARKERSBURG	26104	Deceased	56A	02/17/2017
R			PARKERSBURG	26104	County Clerk	56A	03/01/2017
R			PARKERSBURG	26104 -9233	Deceased	49A	02/16/2017
R			PARKERSBURG	26104 -9233	County Clerk	49A	03/01/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	74B	02/08/2017
N			PARKERSBURG	26104 -2545	Deceased	34A	04/24/2017
N			PARKERSBURG	26104 -2545	County Clerk	34A	05/10/2017
R			VIENNA	26105 -2362	Deceased	42A	04/25/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]		VIENNA	26105 -2362	County Clerk	42A	05/02/2017
N			PARKERSBURG	26101 -4849	VITAL	10	05/31/2017
R			PARKERSBURG	26104	Deceased	40	02/03/2017
D			VIENNA	26105	VITAL	46B	05/31/2017
R			PARKERSBURG	26101	DOC	19	05/10/2017
R			WALKER	26180	Deceased	60	04/26/2017
R			WALKER	26180	County Clerk	60	05/04/2017
N			VIENNA	26105 -1220	Inactive 2 Federal Elections +	41	02/08/2017
D			MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
D			PARKERSBURG	26104	VITAL	35	05/31/2017
R			PARKERSBURG	26101	Deceased	69	05/10/2017
N			PARKERSBURG	26104	Inactive 2 Federal Elections +	40A	02/08/2017
N			MINERAL WELLS	26150	Deceased	86	03/30/2017
R			PARKERSBURG	26104	Deceased	57A	06/27/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D			VIENNA	26105	Inactive 2 Federal Elections +	45A	02/08/2017
N			VIENNA	26105	Inactive 2 Federal Elections +	40A	02/08/2017
R			MINERAL WELLS	26150	County Clerk	79	01/25/2017
R			PARKERSBURG	26101 -7102	Authorized Cancellation	74C	02/21/2017
R			PARKERSBURG	26101 -3723	Deceased	19	05/01/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]	[redacted]	PARKERSBURG	26101 -3723	County Clerk	19	05/19/2017
N	[redacted]	[redacted]	BELLEVILLE	26133	Deceased	82	03/20/2017
N	[redacted]	[redacted]	BELLEVILLE	26133	County Clerk	82	04/04/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -7215	Deceased	77	02/06/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
N	[redacted]	[redacted]	WAVERLY	26184	DOC	54	03/31/2017
IND	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
N	[redacted]	[redacted]	VIENNA	26105 -3144	Inactive 2 Federal Elections +	46	02/08/2017
D	[redacted]	[redacted]	WILLIAMSTOWN	26187	VITAL	49	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	27	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	47	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -2513	Inactive 2 Federal Elections +	16	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	DOC	40	05/10/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	74	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	29	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	37	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	37	02/08/2017
D	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
R	[redacted]	[redacted]	BELLEVILLE	26133	Deceased	82	02/27/2017
R	[redacted]	[redacted]	BELLEVILLE	26133	County Clerk	82	03/15/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	43A	02/08/2017
N	[redacted]	[redacted]	WILLIAMSTO	26187	Deceased	52	01/10/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]		WN				
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	74	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	29	02/08/2017
D			WASHINGTON	26181	Deceased	67	04/13/2017
D			WASHINGTON	26181	County Clerk	67	04/26/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	40A	02/08/2017
D			PARKERSBURG	26101 -4051	VITAL	10	05/31/2017
D			WILLIAMSTOWN	26187	VITAL	50	05/31/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	63	02/08/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	10	02/08/2017
D			WILLIAMSTOWN	26187	Deceased	54A	04/04/2017
N			PARKERSBURG	26104	Moved out of state	56A	01/03/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	63	02/08/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	33	02/08/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
N			VIENNA	26105 -3204	VITAL	46B	05/31/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	74C	02/08/2017
R			VIENNA	26105 -2805	Deceased	45A	05/11/2017
R			VIENNA	26105 -2805	County Clerk	45A	05/25/2017
D			PARKERSBURG	26101	DOC	29	03/31/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]		WILLIAMSTOWN	26187	VITAL	48	05/31/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	56A	01/18/2017
R			PARKERSBURG	26105	Deceased	34A	04/12/2017
R			PARKERSBURG	26105	County Clerk	34A	04/12/2017
N			WASHINGTON	26181	VITAL	82	05/31/2017
N			VIENNA	26105	Authorized Cancellation	42A	05/03/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	40A	02/08/2017
D			VIENNA	26105	Inactive 2 Federal Elections +	46	02/08/2017
R			PARKERSBURG	26104	Inactive 2 Federal Elections +	37	02/08/2017
N			PARKERSBURG	26101	DOC	08	03/31/2017
R			WASHINGTON	26181	Inactive 2 Federal Elections +	79	02/08/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	74B	02/08/2017
N			PARKERSBURG	26104	Inactive 2 Federal Elections +	36	02/08/2017
R			PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
N			PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
D			PARKERSBURG	26101 -9037	VITAL	74C	05/31/2017
D			PARKERSBURG	26101 -9037	Deceased	74C	07/10/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	64	02/08/2017
D			BELLEVILLE	26133 -8338	Inactive 2 Federal Elections +	81	02/08/2017
N			PARKERSBUR	26101	DOC	74	03/31/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]		G				
R			PARKERSBURG	26104 -1712	VITAL	35	05/31/2017
N			VIENNA	26105	Inactive 2 Federal Elections +	45A	02/08/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
R			PARKERSBURG	26101 -4821	VITAL	10	05/31/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	33	02/08/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	37	02/08/2017
R			PARKERSBURG	26101	Deceased	37A	06/21/2017
N			MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
N			PARKERSBURG	26101	DOC	08	03/31/2017
D			PARKERSBURG	26104 -2808	VITAL	37A	05/31/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
R			PARKERSBURG	26104	Inactive 2 Federal Elections +	53	02/08/2017
IND			PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
N			PARKERSBURG	26104	Deceased	57A	01/03/2017
R			PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
D			WILLIAMSTOWN	26187 -1531	VITAL	51	05/31/2017
R			PARKERSBURG	26101 -0000	Inactive 2 Federal Elections +	08	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
			G				
R	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	53A	01/11/2017
D	[redacted]	[redacted]	WASHINGTON	26181	Inactive 2 Federal Elections +	62A	02/08/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	Deceased	86	02/27/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	County Clerk	86	03/15/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	19	05/09/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -2419	Deceased	34A	06/26/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -2419	County Clerk	34A	07/11/2017
R	[redacted]	[redacted]	VIENNA	26105	VITAL	43A	05/31/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	29	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187	VITAL	50	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	DOC	64	03/31/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	78A	01/20/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45A	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	67	05/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	67	03/15/2017
D	[redacted]	[redacted]	DAVISVILLE	26142	Inactive 2 Federal Elections +	58	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	46	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	29	02/08/2017
D	[redacted]	[redacted]	WILLIAMSTOWN	26187	Deceased	48	03/16/2017
D	[redacted]	[redacted]	WILLIAMSTOWN	26187	County Clerk	48	04/04/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -2942	Deceased	40	02/21/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
R	[redacted]	[redacted]	WAVERLY	26184	Deceased	53	03/24/2017
R	[redacted]	[redacted]	WAVERLY	26184	County Clerk	53	04/10/2017
N	[redacted]	[redacted]	WASHINGTON	26181	DOC	62A	05/10/2017
N	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	40A	03/15/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	40A	04/12/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Moved out of state	34A	06/05/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	63	02/03/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -1623	VITAL	33	05/31/2017
R	[redacted]	[redacted]	VIENNA	26105 -9319	Inactive 2 Federal Elections +	41	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	69	05/03/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	29	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -9336	Deceased	78A	05/02/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
D	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	46	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	PARKERSBURG	26104 -2033	VITAL	37	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	33	07/07/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	DOC	35	03/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	DOC	34A	07/03/2017
D	[redacted]	[redacted]	BELLEVILLE	26133	Deceased	81	04/04/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187	Deceased	54A	05/25/2017
R	[redacted]	[redacted]	VIENNA	26105 -3267	Deceased	46	02/27/2017
R	[redacted]	[redacted]	VIENNA	26105 -3267	Deceased	46	06/14/2017
R	[redacted]	[redacted]	VIENNA	26105 -3267	County Clerk	46	06/14/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	VITAL	57	05/31/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	37A	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26104 -9497	Deceased	40A	01/18/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	DOC	10	03/31/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	DOC	40	03/31/2017
N	[redacted]	[redacted]	VIENNA	26105	Deceased	40A	01/06/2017
R	[redacted]	[redacted]	VIENNA	26105 -1840	Inactive 2 Federal Elections +	46	02/08/2017
D	[redacted]	[redacted]	WASHINGTON	26181	County Clerk	67A	06/28/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -2949	VITAL	40	05/31/2017
N	[redacted]	[redacted]	WILLIAMSTOWN	26187	VITAL	50	05/31/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	53	04/20/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
N	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	40A	02/08/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	37A	01/09/2017
N	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105 -3113	Deceased	46	02/03/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -6172	Deceased	69	05/30/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	74	05/01/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	74	05/19/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Moved out of state	36	03/23/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	40A	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -6354	VITAL	71	05/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	32	01/04/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	Deceased	86	04/24/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	County Clerk	86	05/19/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -7120	Deceased	74C	05/12/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -7120	County Clerk	74C	05/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
N	[redacted]		PARKERSBURG	26101	DOC	77	03/31/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	74	02/08/2017
R			RAVENSWOOD	26164	Deceased	82	03/24/2017
R			PARKERSBURG	26101	Deceased	63	02/06/2017
R			PARKERSBURG	26101	County Clerk	63	05/19/2017
D			VIENNA	26105	Deceased	43A	04/12/2017
D			PARKERSBURG	26104	DOC	35	03/31/2017
R			PARKERSBURG	26101	Deceased	67	01/18/2017
N			VIENNA	26105	Inactive 2 Federal Elections +	47	02/08/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	27	02/08/2017
N			PARKERSBURG	26101	DOC	74C	03/31/2017
R			ROCKPORT	26169	DOC	84	03/31/2017
D			WILLIAMSTOWN	26187	Deceased	49	01/23/2017
N			PARKERSBURG	26104	DOC	40	03/31/2017
D			PARKERSBURG	26104 -2628	Deceased	37	01/26/2017
D			PARKERSBURG	26104	VITAL	37	05/31/2017
N			PARKERSBURG	26104	Moved out of state	56A	01/03/2017
R			PARKERSBURG	26101	DOC	78	03/31/2017
R			VIENNA	26105 -1757	VITAL	45A	05/31/2017
R			WASHINGTON	26181	VITAL	62A	05/31/2017
D			PARKERSBUR	26101 -6301	Deceased	71	04/04/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]		G				
D			PARKERSBURG	26104 -1350	Deceased	36B	02/22/2017
D			PARKERSBURG	26104 -1350	County Clerk	36B	03/08/2017
D			VIENNA	26105	VITAL	45A	05/31/2017
R			VIENNA	26105 -3348	Deceased	43A	07/13/2017
R			PARKERSBURG	26101	VITAL	33	05/31/2017
D			PARKERSBURG	26101 -3628	Deceased	19	06/28/2017
D			PARKERSBURG	26101 -3628	County Clerk	19	07/11/2017
D			PARKERSBURG	26101 -4546	Deceased	10	02/03/2017
N			VIENNA	26105	Authorized Cancellation	40A	04/28/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	10	02/08/2017
R			WILLIAMSTOWN	26187 -1101	VITAL	51	05/31/2017
D			MINERAL WELLS	26150	Inactive 2 Federal Elections +	79	02/08/2017
D			WASHINGTON	26181	Deceased	67A	06/02/2017
D			VIENNA	26105 -1431	Deceased	42A	06/23/2017
D			PARKERSBURG	26101	Deceased	69	03/27/2017
N			PARKERSBURG	26104 -1205	Deceased	36B	05/11/2017
N			PARKERSBURG	26104 -1205	County Clerk	36B	05/25/2017
D			PARKERSBURG	26101	VITAL	08	05/31/2017
D			PARKERSBURG	26101 -3330	Inactive 2 Federal Elections +	16	02/08/2017
D			WASHINGTON	26181	Deceased	67A	04/21/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]		WASHINGTON	26181	County Clerk	67A	05/10/2017
D			PARKERSBURG	26104	VITAL	34A	05/31/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D			PARKERSBURG	26104	County Clerk	35	02/15/2017
N			WASHINGTON	26181	County Clerk	62A	06/14/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	10	02/08/2017
D			WALKER	26180	Deceased	58	03/23/2017
N			PARKERSBURG	26101	DOC	08	03/31/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
D			PARKERSBURG	26104 -2659	Deceased	32	04/03/2017
D			MINERAL WELLS	26150	Deceased	89	03/03/2017
R			PARKERSBURG	26104 -9174	VITAL	53A	05/31/2017
R			PARKERSBURG	26104	Inactive 2 Federal Elections +	37A	02/08/2017
N			VIENNA	26105	Deceased	45A	05/11/2017
N			VIENNA	26105	County Clerk	45A	05/25/2017
N			MINERAL WELLS	26150	Deceased	88	02/27/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	32	02/08/2017
D			PARKERSBURG	26101 -9037	VITAL	74C	05/31/2017
R			BELLEVILLE	26133	Deceased	82	04/10/2017
R			BELLEVILLE	26133	County Clerk	82	04/18/2017
D			VIENNA	26105	Deceased	47	05/01/2017
D			VIENNA	26105	County Clerk	47	05/10/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	WASHINGTON	26181	VITAL	63B	05/31/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	DOC	33	03/31/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	13	06/01/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	74	04/11/2017
IND	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	29	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	63A	07/13/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	78	06/01/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	74C	04/12/2017
N	[redacted]	[redacted]	PARKERSBURG	26101 -6771	Deceased	75	05/03/2017
N	[redacted]	[redacted]	PARKERSBURG	26101 -6771	County Clerk	75	05/19/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -1147	VITAL	35	06/01/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	36B	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -1934	County Clerk	36	04/18/2017
N	[redacted]	[redacted]	MINERAL WELLS	26150	Deceased	78	04/12/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	36B	02/08/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
N	[redacted]	[redacted]	PARKERSBUR	26101	DOC	08	03/31/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]		G				
R			MINERAL WELLS	26150	DOC	79	03/31/2017
D			WASHINGTON	26181 -6324	Deceased	62A	02/09/2017
D			WASHINGTON	26181 -6324	County Clerk	62A	02/22/2017
D			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	10	02/08/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	13	02/08/2017
R			MINERAL WELLS	26150	Deceased	79	03/31/2017
R			MINERAL WELLS	26150	County Clerk	79	04/12/2017
D			WILLIAMSTOWN	26187 -1531	DOC	51	05/10/2017
D			PARKERSBURG	26104	Deceased	49	05/30/2017
D			PARKERSBURG	26104	County Clerk	49	06/15/2017
R			WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	52	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
N			PARKERSBURG	26101	DOC	10	07/03/2017
N			MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
D			PARKERSBURG	26104	Deceased	37A	05/09/2017
R			PARKERSBURG	26101	DOC	13	03/31/2017
R			PARKERSBURG	26101	DOC	74C	05/10/2017
D			PARKERSBURG	26101 -6807	Deceased	74	04/19/2017
D			PARKERSBUR	26101 -6807	County Clerk	74	05/10/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
			G				
IND			PARKERSBURG	26101	Deceased	27	03/08/2017
IND			PARKERSBURG	26101	County Clerk	27	03/15/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	46	02/08/2017
D			PARKERSBURG	26104	Deceased	34A	03/22/2017
N			PARKERSBURG	26104	Inactive 2 Federal Elections +	35	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	37A	02/08/2017
D			PARKERSBURG	26104 -1016	VITAL	34A	06/01/2017
D			VIENNA	26105 -3174	Inactive 2 Federal Elections +	46	02/08/2017
D			ELIZABETH	26143	VITAL	87	06/01/2017
D			WASHINGTON	26181	Deceased	81	03/28/2017
D			WASHINGTON	26181	County Clerk	81	04/04/2017
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D			WASHINGTON	26181	Deceased	79	04/18/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
N			PARKERSBURG	26101	DOC	71U	05/10/2017
R			VIENNA	26105	Moved out of state	42A	07/03/2017
R			VIENNA	26105	Moved out of state	42A	07/03/2017
L			PARKERSBURG	26104	Moved out of state	49A	02/27/2017
R			PARKERSBURG	26101	Deceased	64	01/30/2017
R			PARKERSBURG	26101	County Clerk	64	02/15/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]		PARKERSBURG	26101 -9354	VITAL	74B	06/01/2017
D			PARKERSBURG	26101	County Clerk	71	05/04/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
N			PARKERSBURG	26101 -2877	VITAL	32	06/01/2017
R			MINERAL WELLS	26150	Deceased	89	05/25/2017
N			WAVERLY	26184	Deceased	61	02/03/2017
D			VIENNA	26105	Deceased	43A	05/15/2017
D			PARKERSBURG	26101 -5640	Deceased	69	06/06/2017
R			WALKER	26180	Deceased	58	04/12/2017
R			WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	54A	02/07/2017
D			PARKERSBURG	26101 -4366	VITAL	08	06/01/2017
R			VIENNA	26105 -1940	Deceased	46	03/23/2017
R			VIENNA	26105 -1940	County Clerk	46	04/10/2017
D			PARKERSBURG	26101 -2603	Inactive 2 Federal Elections +	16	02/08/2017
D			VIENNA	26105 -1746	Inactive 2 Federal Elections +	45A	02/08/2017
N			VIENNA	26105	VITAL	41U	06/01/2017
N			PARKERSBURG	26101	DOC	16	03/31/2017
R			VIENNA	26105	Deceased	46	02/06/2017
D			WILLIAMSTOWN	26187	Deceased	52	01/23/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D			PARKERSBURG	26104 -2108	Inactive 2 Federal Elections +	37	02/08/2017
R			PARKERSBUR	26104	Deceased	36	06/05/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]		G				
N			PARKERSBURG	26101	911	08	01/03/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	29	02/08/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
R			PARKERSBURG	26101	VITAL	13	06/01/2017
N			VIENNA	26105	Authorized Cancellation	41	01/25/2017
D			PARKERSBURG	26101	Deceased	69	05/04/2017
N			VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
R			PARKERSBURG	26104	Inactive 2 Federal Elections +	40A	02/08/2017
R			PARKERSBURG	26104	Deceased	37	03/01/2017
R			PARKERSBURG	26104	County Clerk	37	03/08/2017
D			MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
D			MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
R			PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
N			PARKERSBURG	26101	DOC	78A	05/10/2017
D			WILLIAMSTOWN	26187	Deceased	52	02/28/2017
D			WILLIAMSTOWN	26187	County Clerk	52	03/15/2017
D			PARKERSBURG	26104	Deceased	32	03/15/2017
R			PARKERSBUR	26101	County Clerk	29	04/26/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]		G				
R			PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
IND			PARKERSBURG	26101	VITAL	29	06/01/2017
R			PARKERSBURG	26101	VITAL	19	06/01/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	33	02/08/2017
R			PARKERSBURG	26101	Moved out of state	32	06/12/2017
R			PARKERSBURG	26104	VITAL	35	06/01/2017
D			PARKERSBURG	26104	DOC	37	03/31/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	74	02/08/2017
N			PARKERSBURG	26101	DOC	75	03/31/2017
R			PARKERSBURG	26104	Inactive 2 Federal Elections +	36	01/25/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
R			WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	52	02/08/2017
D			VIENNA	26105 -8025	Inactive 2 Federal Elections +	45A	02/08/2017
D			VIENNA	26105	Inactive 2 Federal Elections +	45A	02/08/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	47	02/08/2017
R			PARKERSBURG	26101	Moved out of state	69	04/04/2017
D			PARKERSBURG	26101 -9540	Deceased	63B	06/13/2017
D			PARKERSBURG	26101 -9540	County Clerk	63B	06/23/2017
N			PARKERSBURG	26104	Inactive 2 Federal Elections +	36B	02/09/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]		BELLEVILLE	26133	VITAL	84	06/01/2017
R			PARKERSBURG	26104	Inactive 2 Federal Elections +	40A	02/08/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
D			VIENNA	26105	Deceased	45A	02/21/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	29	02/08/2017
D			BELLEVILLE	26133	Inactive 2 Federal Elections +	81	02/08/2017
D			PARKERSBURG	26101	Deceased	13	04/11/2017
D			PARKERSBURG	26101	County Clerk	13	04/26/2017
D			PARKERSBURG	26101	VITAL	74	06/01/2017
D			PARKERSBURG	26101	DOC	10	03/31/2017
D			PARKERSBURG	26101 -3525	VITAL	32	06/01/2017
D			PARKERSBURG	26101 -7620	Deceased	67	03/20/2017
D			PARKERSBURG	26101 -7620	County Clerk	67	04/04/2017
N			WALKER	26180	Inactive 2 Federal Elections +	61	02/08/2017
R			PARKERSBURG	26104	VITAL	53	06/01/2017
R			PARKERSBURG	26101 -4753	Deceased	10	03/29/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	10	02/08/2017
R			VIENNA	26105	Deceased	46	01/03/2017
D			PARKERSBURG	26104 -1540	Inactive 2 Federal Elections +	37A	02/08/2017
R			PARKERSBURG	26101 -3813	VITAL	37A	06/01/2017
R			PARKERSBUR	26101 -1250	VITAL	34A	06/01/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
			G				
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	74	02/08/2017
R			VIENNA	26105 -1652	Inactive 2 Federal Elections +	45	02/08/2017
R			VIENNA	26105 -1652	Inactive 2 Federal Elections +	45	02/08/2017
D			PARKERSBURG	26105	Deceased	34A	05/10/2017
D			VIENNA	26105	Deceased	47	04/19/2017
D			VIENNA	26105	County Clerk	47	05/10/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
D			PARKERSBURG	26101	Deceased	64	02/07/2017
D			WILLIAMSTOWN	26187	Deceased	52	04/20/2017
D			WILLIAMSTOWN	26187	County Clerk	52	05/10/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D			PARKERSBURG	26101 -6453	Deceased	74	02/03/2017
N			WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	51	02/08/2017
N			PARKERSBURG	26105	Authorized Cancellation	47	01/13/2017
IND			PARKERSBURG	26104	Deceased	40	05/10/2017
IND			PARKERSBURG	26104	County Clerk	40	05/19/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	74	02/08/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	47	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	MINERAL WELLS	26150	Deceased	88	01/31/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150	County Clerk	88	02/15/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	78A	02/03/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	46	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	36	02/08/2017
D	[redacted]	[redacted]	VIENNA	26105	VITAL	46B	06/01/2017
D	[redacted]	[redacted]	WAVERLY	26184	VITAL	54A	06/01/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	32	04/28/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	County Clerk	32	05/10/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -7174	VITAL	74C	06/01/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	69	06/01/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	32	05/15/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	County Clerk	32	05/31/2017
N	[redacted]	[redacted]	WASHINGTON	26181	Deceased	62A	01/11/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	DOC	33	07/03/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	37A	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	DOC	78	03/31/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	Moved out of state	37	06/16/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	08	06/01/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
N	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	63	06/01/2017
R	[redacted]	[redacted]	VIENNA	26105 -3313	County Clerk	42A	02/27/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -3915	VITAL	16	06/01/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	DOC	19	03/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	VITAL	34A	06/01/2017
N	[redacted]	[redacted]	PARKERSBURG	26104 -2750	Deceased	32	02/15/2017
R	[redacted]	[redacted]	DAVISVILLE	26142	Deceased	57A	07/10/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	32	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	64	02/15/2017
D	[redacted]	[redacted]	VIENNA	26105 -2604	Deceased	43A	01/04/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	DOC	78A	03/31/2017
R	[redacted]	[redacted]	VIENNA	26105 -1757	Moved out of state	45A	05/18/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45A	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -7573	Deceased	67	03/28/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -7573	County Clerk	67	04/12/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	36B	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	36B	02/08/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	Authorized Cancellation	86	01/25/2017
N	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	69	06/01/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]		VIENNA	26105	Deceased	47	03/24/2017
R			VIENNA	26105	County Clerk	47	04/12/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
D			PARKERSBURG	26101 -5247	Deceased	10	02/03/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	74	02/08/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
N			MINERAL WELLS	26150 -9448	VITAL	89	06/01/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	13	02/08/2017
N			MINERAL WELLS	26150 -6706	Deceased	79	03/14/2017
N			MINERAL WELLS	26150 -6706	County Clerk	79	03/22/2017
R			MINERAL WELLS	26150	Deceased	86	05/22/2017
R			MINERAL WELLS	26150	Deceased	86	05/23/2017
R			MINERAL WELLS	26150	County Clerk	86	06/05/2017
R			MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	69	02/08/2017
R			PARKERSBURG	26101 -6044	Deceased	74B	05/09/2017
R			PARKERSBURG	26101 -6044	County Clerk	74B	05/25/2017
D			WASHINGTON	26181 -8233	DOC	62A	03/31/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]		WAVERLY	26184	Deceased	54A	02/27/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	29	02/08/2017
D			PARKERSBURG	26105	VITAL	34A	06/01/2017
D			MINERAL WELLS	26150	VITAL	79	06/01/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	32	02/08/2017
R			PARKERSBURG	26104	VITAL	35	06/01/2017
D			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
N			VIENNA	26105	Deceased	42A	04/19/2017
R			WASHINGTON	26181	Deceased	67	03/15/2017
R			PARKERSBURG	26101	County Clerk	74C	03/08/2017
N			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
N			PARKERSBURG	26101	DOC	29	03/31/2017
D			PARKERSBURG	26104	Deceased	36	05/19/2017
N			PARKERSBURG	26101	VITAL	74	06/01/2017
R			PARKERSBURG	26104 -1710	Deceased	35	02/03/2017
N			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
D			PARKERSBURG	26101	VITAL	71	06/01/2017
D			PARKERSBURG	26101	DOC	10	05/10/2017
R			PARKERSBURG	26101 -6252	County Clerk	71	05/25/2017
N			PARKERSBURG	26101 -4547	VITAL	10	06/01/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	10	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
D	[redacted]	[redacted]	WALKER	26180	VITAL	61	06/01/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	DOC	08	03/31/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	10	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	78	06/01/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105	VITAL	43A	06/01/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150	VITAL	89	06/01/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
D	[redacted]	[redacted]	DAVISVILLE	26142	Deceased	57A	04/13/2017
D	[redacted]	[redacted]	DAVISVILLE	26142	County Clerk	57A	04/26/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -6006	VITAL	69	06/01/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	DOC	16	05/10/2017
R	[redacted]	[redacted]	VIENNA	26105	Deceased	49	03/01/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -2506	Deceased	34A	04/12/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -3321	Deceased	16	04/12/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	40A	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	69	06/01/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	47	02/08/2017
IND	[redacted]	[redacted]	WASHINGTON	26181	Deceased	67A	02/07/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]		DAVISVILLE	26142	Deceased	56	05/30/2017
D			DAVISVILLE	26142	County Clerk	56	06/15/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	10	02/08/2017
D			VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	49A	02/08/2017
R			PARKERSBURG	26104	Inactive 2 Federal Elections +	49A	02/08/2017
N			PARKERSBURG	26104	Moved out of state	57A	02/13/2017
D			PARKERSBURG	26101 -6809	VITAL	71	06/01/2017
D			VIENNA	26105	DOC	43A	05/10/2017
D			PARKERSBURG	26104	Deceased	32	04/04/2017
R			PARKERSBURG	26101	DOC	29	03/31/2017
D			VIENNA	26105 -2948	Deceased	45A	04/18/2017
D			VIENNA	26105 -2948	County Clerk	45A	04/18/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
D			PARKERSBURG	26101	DOC	10	03/31/2017
D			VIENNA	26105 -1226	Deceased	42A	02/22/2017
R			PARKERSBURG	26104	VITAL	34A	06/01/2017
R			PARKERSBURG	26101	Authorized Cancellation	67	04/12/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	35	02/08/2017
R			DAVISVILLE	26142	Deceased	56	04/03/2017
R			DAVISVILLE	26142	County Clerk	56	04/12/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	PARKERSBURG	26101	DOC	32	03/31/2017
D	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45A	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	46	02/08/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187 -0000	Deceased	51	01/26/2017
D	[redacted]	[redacted]	VIENNA	26105	Deceased	41	01/27/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	49A	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105	Deceased	47	03/13/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	69	02/21/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	10	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	08	01/13/2017
L	[redacted]	[redacted]	PARKERSBURG	26104	DOC	34A	03/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -6870	Inactive 2 Federal Elections +	74	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	74B	02/08/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -2702	Deceased	37A	07/13/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187	VITAL	50	06/01/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	78A	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -2238	Inactive 2 Federal Elections +	37A	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	29	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	74B	02/08/2017
R	[redacted]	[redacted]	PARKERSBUR	26104	Inactive 2 Federal Elections +	49A	02/08/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
	[redacted]		G				
N			PARKERSBURG	26101	DOC	16	03/31/2017
R			PARKERSBURG	26104	Inactive 2 Federal Elections +	37A	02/08/2017
D			WASHINGTON	26181	VITAL	67A	06/01/2017
R			PARKERSBURG	26105 -8121	Deceased	40A	01/27/2017
R			VIENNA	26105	VITAL	47	06/01/2017
N			PARKERSBURG	26101	DOC	75	03/31/2017
D			PARKERSBURG	26104	Inactive 2 Federal Elections +	37A	02/08/2017
N			VIENNA	26105	Deceased	41	03/08/2017
D			PARKERSBURG	26104 -9805	Deceased	37	02/07/2017
D			PARKERSBURG	26101	Deceased	19	06/26/2017
R			PARKERSBURG	26104	Deceased	37A	05/10/2017
R			PARKERSBURG	26101	Deceased	69	06/05/2017
R			PARKERSBURG	26101	County Clerk	69	06/15/2017
N			VIENNA	26105 -9518	Inactive 2 Federal Elections +	41	02/08/2017
R			WAVERLY	26184 -3315	Deceased	53	05/11/2017
R			WAVERLY	26184 -3315	County Clerk	53	06/05/2017
D			PARKERSBURG	26101	Deceased	74C	05/19/2017
D			PARKERSBURG	26104	Deceased	40	04/27/2017
D			PARKERSBURG	26104	County Clerk	40	05/19/2017
D			PARKERSBURG	26104 -1634	Deceased	35	04/25/2017
D			PARKERSBUR	26104 -1634	County Clerk	35	05/02/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
			G				
N			PARKERSBURG	26101	VITAL	10	06/01/2017
D			PARKERSBURG	26104	VITAL	35	06/01/2017
D			PARKERSBURG	26104	Deceased	40A	01/10/2017
D			MINERAL WELLS	26150	Authorized Cancellation	89	04/20/2017
N			PARKERSBURG	26101	Authorized Cancellation	69	02/06/2017
D			PARKERSBURG	26101 -9038	VITAL	74C	06/01/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
N			PARKERSBURG	26101 -4329	VITAL	08	06/01/2017
R			PARKERSBURG	26101	Deceased	37	02/03/2017
R			PARKERSBURG	26101	911	19	03/22/2017
R			PARKERSBURG	26101	911	19	03/22/2017
D			PARKERSBURG	26101 -9382	Deceased	74C	02/21/2017
D			PARKERSBURG	26101 -9382	County Clerk	74C	03/01/2017
R			PARKERSBURG	26101	Deceased	78	06/15/2017
D			PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
N			PARKERSBURG	26101	VITAL	78A	06/01/2017
D			ROCKPORT	26169	Deceased	85	02/06/2017
D			PARKERSBURG	26101 -6910	County Clerk	77	05/31/2017
R			PARKERSBURG	26104 -7156	Deceased	57	04/25/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
R	[redacted]	[redacted]	PARKERSBURG	26104 -7156	County Clerk	57	05/02/2017
D	[redacted]	[redacted]	WALKER	26180	Deceased	61	07/10/2017
D	[redacted]	[redacted]	WALKER	26180 -3000	VITAL	61	06/01/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	DOC	29	03/31/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	County Clerk	33	03/29/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Authorized Cancellation	36	04/20/2017
D	[redacted]	[redacted]	VIENNA	26105	VITAL	42A	06/01/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -6170	Deceased	74	02/10/2017
D	[redacted]	[redacted]	PARKERSBURG	26101 -6170	County Clerk	74	03/01/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150 -9418	Deceased	78	02/01/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150 -9418	County Clerk	78	02/15/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	Deceased	32	02/03/2017
R	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	40A	02/08/2017
D	[redacted]	[redacted]	WALKER	26180	Deceased	58	07/10/2017
N	[redacted]	[redacted]	PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26104	VITAL	34A	06/01/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150	Deceased	86	03/06/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150	County Clerk	86	03/15/2017
R	[redacted]	[redacted]	PARKERSBURG	26101	Deceased	69	01/04/2017
D	[redacted]	[redacted]	WALKER	26180	Deceased	61	06/15/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
N	[redacted]	[redacted]	MINERAL WELLS	26150	DOC	89	03/31/2017
R	[redacted]	[redacted]	PARKERSBURG	26101 -4318	Inactive 2 Federal Elections +	08	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
D	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	VITAL	27	06/01/2017
D	[redacted]	[redacted]	PARKERSBURG	26104 -1619	VITAL	34A	06/01/2017
R	[redacted]	[redacted]	PARKERSBURG	26104 -2749	VITAL	37A	06/01/2017
N	[redacted]	[redacted]	WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	52	02/08/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	08	02/08/2017
R	[redacted]	[redacted]	WILLIAMSTOWN	26187 -1123	Deceased	51	04/28/2017
D	[redacted]	[redacted]	WALKER	26180	Deceased	58	03/20/2017
D	[redacted]	[redacted]	WALKER	26180	County Clerk	58	03/29/2017
N	[redacted]	[redacted]	PARKERSBURG	26101	Inactive 2 Federal Elections +	19	02/08/2017
D	[redacted]	[redacted]	PARKERSBURG	26101	DOC	32	05/10/2017
R	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	45A	02/08/2017
R	[redacted]	[redacted]	MINERAL WELLS	26150	Inactive 2 Federal Elections +	89	02/08/2017
N	[redacted]	[redacted]	VIENNA	26105	Inactive 2 Federal Elections +	41	02/08/2017
R	[redacted]	[redacted]	VIENNA	26105 -2221	Deceased	41	02/03/2017

AMERICAN OVERSIGHT

Party	Name	Residence Address	City	Zip	Cancel	Precinct	Canc. Date
D	[redacted]		WASHINGTON	26181	VITAL	67	06/01/2017
N			PARKERSBURG	26104 -9224	Moved out of state	49A	02/27/2017
D			PARKERSBURG	26104	Deceased	40	02/06/2017
D			PARKERSBURG	26104	County Clerk	40	02/22/2017
R			VIENNA	26105	Inactive 2 Federal Elections +	45	02/08/2017
D			PARKERSBURG	26101	VITAL	75	06/01/2017
D			PARKERSBURG	26101	Deceased	32	02/03/2017
R			PARKERSBURG	26101	Deceased	74C	03/14/2017
R			PARKERSBURG	26101	County Clerk	74C	03/29/2017
D			PARKERSBURG	26101 -2106	VITAL	32	06/01/2017
N3			PARKERSBURG	26101	Authorized Cancellation	10	02/03/2017
R			WASHINGTON	26181	Deceased	81	06/23/2017
N			PARKERSBURG	26101	Inactive 2 Federal Elections +	16	02/08/2017
N			PARKERSBURG	26104	Inactive 2 Federal Elections +	34A	02/08/2017
R			WILLIAMSTOWN	26187	Inactive 2 Federal Elections +	52	02/08/2017

Total Printed: 1612

CODE	PARTY NAME	# VOTERS
D	DEMOCRAT	676
G	GREEN	1
ILTI	INDEPENDENT LEANING TOWARDS	1
IND	INDEPENDENT	17
L	LIBERTARIAN	8
M	MOUNTAIN	1
N	NO PARTY AFFILIATION	358

AMERICAN OVERSIGHT

CODE	PARTY NAME	# VOTERS
N3	NEUTRAL	1
R	REPUBLICAN	549

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Diana Garrett

From: David Tackett [redacted]
Sent: Tuesday, April 15, 2014 2:59 PM
To: [redacted]
Cc:
Subject: *** 2013 NCOA Update - April 15, 2014 *** (The Elephant in the Room)

Importance: High

All

You are receiving this email because you were identified in the 2013 NCOA survey as the primary contact for the project. Please let me know as soon as possible if the contact for your County has changed.
In a previous email, I referred to this NCOA as "the big pink elephant in the middle of the room." That was not entirely correct. The correct saying would have been just "the elephant in the room", which is an idiom for "*an obvious truth that is either being ignored or going unaddressed.*" That's not completely accurate in this case, either, but it is my way of illustrating the fact that this particular elephant has never been far from my desk. It has troubled me more than you know, but you must lay the responsibility for the delays at my feet. I am not being noble; simply stated, it is my project and it is behind, and I apologize. We will get into the hows and whys, but later in our discussions. I know you have many questions and I am very aware of where we are in the Primary Election timeline, but I believe I can address the questions and account for the layer of complexity this project might add to that timeline.

For now, I think it best to move the project forward in small, attainable steps.
The first step is this email. Its primary purpose is to derive an answer from each of you to one question:

"How would you categorize your knowledge of the NCOA process?"

(this refers to your comfort level with the confirmation mailing process, record maintenance in SVRS, etc.)

BEGINNER – you have little or no understanding of or experience with the process
INTERMEDIATE – you have experience with maybe one aspect, but not the other, or need a refresher
ADVANCED – you are experienced in all aspects of the process

AMERICAN OVERSIGHT

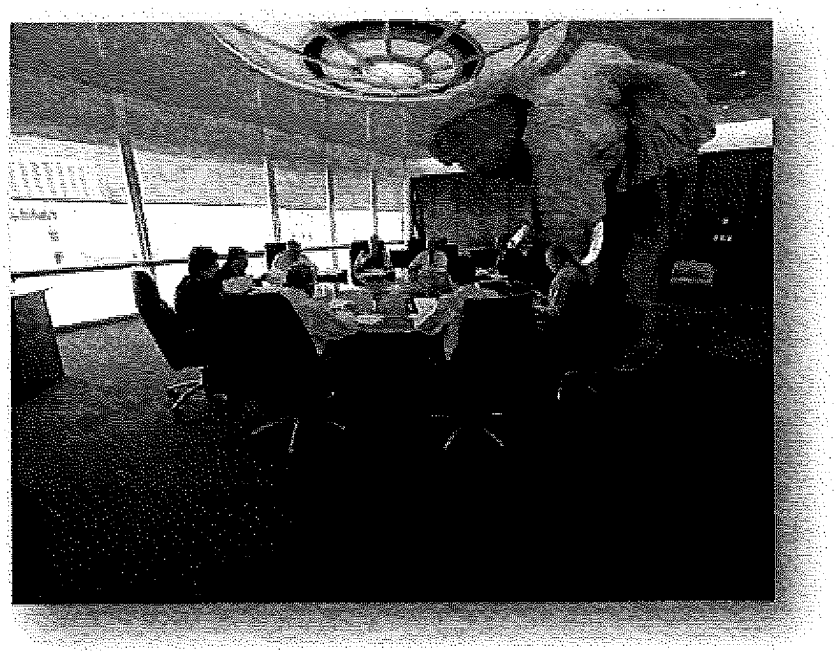
Please reply to this email with the one word classification that best describes your level of experience (Beginner, Intermediate, or Advanced). This will help me group you into online training classes, which I will schedule and publish shortly (plenty of times and taking into account your election preparations). These classes shouldn't take long and should be fairly simple, but it is important to me that I speak with each and every one of you before I send the elephant out of the room.

NOTE: for those of you that reply with "ADVANCED", please also let me know if you would like to participate in a test session of my online training mechanism. I would appreciate the experienced among you who can attend. We can also take that time to discuss the project in detail in an advisory capacity.

My very best to each of you, hope all is well ... and, as always, thank you for your patience.
More to come ...

Dave

Dave Tackett
Coordinator, Statewide Voter Registration System (SVRS)
West Virginia Secretary of State's Office
[redacted]
www.sos.wv.gov



AMERICAN OVERSIGHT

Diana Garrett

From: David Tackett [redacted]
Sent: Tuesday, July 15, 2014 4:56 PM
Cc: [redacted]
Subject: *** 2013 NCOA Update - July 15, 2014 ***
Importance: High

Folks

Once again, you are receiving this email because you were identified in the 2013 NCOA survey as the primary contact for the project. If the contact has changed, please let me know or forward this information to the appropriate person.

I am still trying to finalize some aspects of this project, but in the midst of several of you already working in different stages and patterns ... so, instead of waiting until my tasks are completed, I thought I should send out a small update to quell some questions, as well as answer some, and provide guidance on what to expect in the near future.

Taken from the SUMMARY page of the in-progress documentation, to bring some definition to the Additional Notes below:

National Change of Address, or "NCOA", is the familiar name of the Systematic Purge Process outlined in West Virginia election code. (*§3-2-25, §3-2-26, §3-2-27*)

The process requires that the WV Secretary of State (SOS) contract with an NCOA vendor every odd-numbered year to compare all statewide 'active' voters against the U.S. Postal Service National Change of Address database, for the purpose of identifying voters who appear to have moved.
The results are provided to the Counties for voter registration record maintenance.

- Counties are required to mail proscribed confirmation notices to the "movers".
- Counties take action upon the voter registration records based on how the confirmation cards are returned or not returned.
- Counties are required to maintain a record of these transactions.

In addition to the NCOA comparison process, in each year following a presidential election, "idle" voters (voters who have not updated their records or voted in the previous four years) are identified and presented to the Counties for maintenance through the same confirmation notice process.

The NCOA Module of the SVRS is a tool designed to help accomplish this process.

Additional Notes:

SUPPLIES
I believe all of you (if ordered) should have received your labels from Lorton Data by now. These are typically used by Counties in conjunction with cards ordered from Casto & Harris. If you have not received your cards from C&H, you

AMERICAN OVERSIGHT

should be receiving them shortly; they (C&H) would be the contact for the status. If you ordered pre-printed cards from Lorton Data, a final proof was approved and cards are printing as of this writing; shipping will commence as early as tomorrow.

TRAINING

Several of you have never used the NCOA Module of the SVRS to track the activity during the process, others need a refresher course. I will be publishing an online training schedule in the next day or so, as I believe I have come up with a training mechanism that will suit the masses. For those of you that have used or are using the NCOA Module, there are several changes/corrections to the module that will be affected, also in the next day or so. You can use this quick checklist to either reassure your current process or to plan your intended process.

a) NCOA History Report – content corrections (header page info, voter address info)
b) 3 additional "Return Codes" (Confirmed SVRS Address, Changed Mailing Address, New Out of County Address)
c) "GoTo Page" function to assist in navigating the "Assign NCOA Code" list
d) user function to populate ALL unmarked "Notice Sent Date" values
e) user function to populate ALL unmarked IDLE voters' "Reason for Notice" as 'Idle 2 Federal Generals'
f) user function to apply 'No Response' as "Return Code" for all unmarked NCOA assigned voters
g) user function to INACTIVATE "No Response" NCOA voters, adding change audit and type 'NCOA'
h) logic stop and warning if change is attempted on a voter with recent (since NCOA upload, on 1/26/14) activity

PROCESS

In regards to item h) above, many of you are requesting (or have developed) a method for identifying this group of NCOA voters who have updated their records (by making a change or voting, etc.) since the upload date ... my thoughts are that this is an item that can be discussed during the training sessions or one-on-one offline, to best suit the specific user and their process preference, and to allow some of you to share your procedures. The goal, obviously, is to keep from sending unnecessary confirmation cards, and I'll help as much as I can to advise. And speaking of sending cards, admittedly, my biggest weakness is the postal process. I will be looking for experienced users to assist the novice users on what is or is not possible and practical when it comes to handling the mailing of these cards. Changes at the U.S. Postal Service in handling and addressing have been difficult to navigate. My biggest concern, because of the additional volume the IDLE voters have added, is cost and effort savings.

One last note on the process: inactivation for "No Response" happens 30 days after the notices are mailed ... more on this in the training discussions.

I hope this helps some of you, as intended.

If NONE of this makes any sense to you, rest assured, we'll get you caught up during the training sessions or individual conversations.

You can expect more emails in the coming days, so please check back frequently.

Thanks to all of you and hope to speak to you very soon.

Best,

Dave

Dave Tackett
Coordinator, Statewide Voter Registration System (SVRS)
West Virginia Secretary of State's Office
[redacted]
www.sos.wv.gov

AMERICAN OVERSIGHT

Diana Garrett

From: David Tackett [redacted]
Sent: Thursday, July 17, 2014 3:38 PM
Cc: [redacted]
Subject: RE: *** 2013 NCOA Update - July 15, 2014 ***
Importance: High

*** UPDATE ***
For those users who are already using the NCOA Module, please note: outlined in the TRAINING category from the July 15 update below, items a) through c) have been corrected/implemented in production.
If you have any questions (to be addressed outside the upcoming training sessions), feel free to get in touch.
Thanks.

Dave

From: David Tackett
Sent: Tuesday, July 15, 2014 4:56 PM
To: [redacted]san
Cc: [redacted]
Subject: *** 2013 NCOA Update - July 15, 2014 ***
Importance: High

Folks

Once again, you are receiving this email because you were identified in the 2013 NCOA survey as the primary contact for the project. If the contact has changed, please let me know or forward this information to the appropriate person.

I am still trying to finalize some aspects of this project, but in the midst of several of you already working in different stages and patterns … so, instead of waiting until my tasks are completed, I thought I should send out a small update to quell some questions, as well as answer some, and provide guidance on what to expect in the near future.

Taken from the SUMMARY page of the in-progress documentation, to bring some definition to the Additional Notes below:

National Change of Address, or "NCOA", is the familiar name of the Systematic Purge Process outlined in West Virginia election code. (*§3-2-25, §3-2-26, §3-2-27*)

AMERICAN OVERSIGHT

The process requires that the WV Secretary of State (SOS) contract with an NCOA vendor every odd-numbered year to compare all statewide 'active' voters against the U.S. Postal Service National Change of Address database, for the purpose of identifying voters who appear to have moved.
The results are provided to the Counties for voter registration record maintenance.

- Counties are required to mail proscribed confirmation notices to the "movers".
- Counties take action upon the voter registration records based on how the confirmation cards are returned or not returned.
- Counties are required to maintain a record of these transactions.

In addition to the NCOA comparison process, in each year following a presidential election, "idle" voters (voters who have not updated their records or voted in the previous four years) are identified and presented to the Counties for maintenance through the same confirmation notice process.

The NCOA Module of the SVRS is a tool designed to help accomplish this process.

Additional Notes:

SUPPLIES
I believe all of you (if ordered) should have received your labels from Lorton Data by now. These are typically used by Counties in conjunction with cards ordered from Casto & Harris. If you have not received your cards from C&H, you should be receiving them shortly; they (C&H) would be the contact for the status. If you ordered pre-printed cards from Lorton Data, a final proof was approved and cards are printing as of this writing; shipping will commence as early as tomorrow.

TRAINING
Several of you have never used the NCOA Module of the SVRS to track the activity during the process, others need a refresher course. I will be publishing an online training schedule in the next day or so, as I believe I have come up with a training mechanism that will suit the masses. For those of you that have used or are using the NCOA Module, there are several changes/corrections to the module that will be affected, also in the next day or so. You can use this quick checklist to either reassure your current process or to plan your intended process.
a) NCOA History Report – content corrections (header page info, voter address info)
b) 3 additional "Return Codes" (Confirmed SVRS Address, Changed Mailing Address, New Out of County Address)
c) "GoTo Page" function to assist in navigating the "Assign NCOA Code" list
d) user function to populate ALL unmarked "Notice Sent Date" values
e) user function to populate ALL unmarked IDLE voters' "Reason for Notice" as 'Idle 2 Federal Generals'
f) user function to apply 'No Response' as "Return Code" for all unmarked NCOA assigned voters
g) user function to INACTIVATE "No Response" NCOA voters, adding change audit and type 'NCOA'
h) logic stop and warning if change is attempted on a voter with recent (since NCOA upload, on 1/26/14) activity

PROCESS
In regards to item h) above, many of you are requesting (or have developed) a method for identifying this group of NCOA voters who have updated their records (by making a change or voting, etc.) since the upload date … my thoughts are that this is an item that can be discussed during the training sessions or one-on-one offline, to best suit the specific user and their process preference, and to allow some of you to share your procedures. The goal, obviously, is to keep from sending unnecessary confirmation cards, and I'll help as much as I can to advise. And speaking of sending cards, admittedly, my biggest weakness is the postal process. I will be looking for experienced users to assist the novice users

AMERICAN OVERSIGHT

on what is or is not possible and practical when it comes to handling the mailing of these cards. Changes at the U.S. Postal Service in handling and addressing have been difficult to navigate. My biggest concern, because of the additional volume the IDLE voters have added, is cost and effort savings.
One last note on the process: inactivation for "No Response" happens 30 days after the notices are mailed ... more on this in the training discussions.

I hope this helps some of you, as intended.
If NONE of this makes any sense to you, rest assured, we'll get you caught up during the training sessions or individual conversations.
You can expect more emails in the coming days, so please check back frequently.
Thanks to all of you and hope to speak to you very soon.
Best,

Dave

Dave Tackett
Coordinator, Statewide Voter Registration System (SVRS)
West Virginia Secretary of State's Office
[redacted]
www.sos.wv.gov

AMERICAN OVERSIGHT

Diana Garrett

From: David Tackett [redacted]
Sent: Monday, July 21, 2014 4:42 PM
To: [redacted]
Subject: *** 2013 NCOA Update - July 21, 2014 - Training Schedule ***
Attachments: County_Training_Schedule.pdf

Importance: High

All

Please find attached the planned training schedule for the NCOA Module of SVRS and guidelines on the NCOA process. It is somewhat short notice for those of you scheduled for tomorrow (Tuesday, July 22) ... but, as indicated, there will be make-up sessions scheduled, most likely at the start of next week. I should also be available for some one-on-one sessions, if necessary.
You will be receiving an invitation to attend your scheduled session in a separate email. If you want more than one person from your County to attend, that should be fine, there should be plenty of room ... but, I would recommend using separate computers/phones for each attendee (speaker phones do not work well in these training environments). Also, if you wish to attend another session, other than your scheduled one, please let me know and I will try to accommodate you.
If you have any questions or need additional help, please let me know.
Many thanks.

Dave

Dave Tackett
Coordinator, Statewide Voter Registration System (SVRS)
West Virginia Secretary of State's Office
[redacted]
www.sos.wv.gov

AMERICAN OVERSIGHT

2013 NCOA Training Schedule

two	three	four	five	six
[redacted]				

---

one
Monday, July 21, 3:00pm (TEST)

two
Tuesday, July 22, 10:30am

three
Tuesday, July 22, 1:30pm

four
Wednesday, July 23, 10:30am

five
Wednesday, July 23, 1:30pm

six
Thursday, July 24, 10:30am

NOTE:
*** for those unable to attend assigned dates and times, make-up sessions will be scheduled ***

- You will receive an invitation to attend the training via the *primary NCOA contact email* that you provided in response to the NCOA survey.
- Instructions on how to attend will be included in the email invitation, but *please note* that there are two steps to attend:
    - 1) click on the link in the email and follow the instructions to view the presentation
    - 2) dial in to the conference call number provided

AMERICAN OVERSIGHT

Diana Garrett

From: David Tackett [redacted]
Sent: Tuesday, July 29, 2014 1:27 PM
Cc: [redacted]
Subject: *** 2013 NCOA Update - July 29 , 2014 ***
Importance: High

NOTE: You are receiving this email because you were identified in the 2013 NCOA survey as the primary contact for the project. If the contact has changed, please let me know or forward this information to the appropriate person. Thanks.

Folks

After the training sessions last week, Friday and yesterday I became inundated with a hodgepodge of NCOA and non-NCOA related calls and emails, so if I'm late in replying to or interacting with anyone, forgive me ... my plate is almost completely full.
Trying not to lose momentum on NCOA, I wanted to pass along some updates in the midst of the work left to do:

POSTAGE
For those of you that ordered cards from Casto & Harris, if our Charleston permit (No. 1943) was placed on the card, reports lead us to believe that your local post office might hold those cards and not deliver them to your address. You will have to pay the postage on these cards to retrieve them, unless you have a funding account set up at your local post office from which they can draw. If this is a change from the way it has been in the past, it is most likely due to changes within the U.S. Postal Service itself. We are exploring options for the future, to allow us to associate your addresses with our permit, but at this time it is not possible.

ACTIVITY REPORT
A quick definition: a list of your NCOA/IDLE voters that have had activity since the results were uploaded. As soon as I can retreat to a quiet space, I'll try to craft this report/spreadsheet. Several of you have requested it and I know you need it sooner than later; if it becomes something useful for the lot of you, I will pass it along to all. Meanwhile, the best investment on your own would be to run Voter History on the Primary 2014, Cancellations segregated by type (deceased, etc.), or Change Audit reports. You can mark any identified voter as "No Action Required" and move on.

ISSUES/FUNCTIONS
Besides the above 'activity report', I now have a rather long list of items to define and/or review. I will work to do so as quickly as possible, as many are aids to your progress on this project. Some of the items I covered in training, others are new suggestions or revelations. When each is ready, I will send an update about it. One of the most important, one that can/will affect those already working in the module is, when making changes to addresses through NCOA, the mailing zip code is not saving to the voter record – should have that fixed today, and again, will send an update when it is corrected. SOME of these items are County-specific, so if you and I have had a dialogue about a particular request (Kanawha Co, Tyler Co, et. al.), know that you are included on this task list.

MAKEUP TRAINING SESSION(s)
I plan to have the first makeup training session tomorrow (Wednesday, July 30) at 1:30pm. I've had to push it back because of the laundry list of things to do, so to those of you still awaiting an opportunity to attend, I will send a separate email invitiation to you. If I don't get everyone that is left in tomorrow's, I'll schedule another later in the week.

AMERICAN OVERSIGHT

Hope that helps at least a little.
As always, my thanks for your efforts.

Dave

Dave Tackett
Coordinator, Statewide Voter Registration System (SVRS)
West Virginia Secretary of State's Office
[redacted]
www.sos.wv.gov

AMERICAN OVERSIGHT

Diana Garrett

Subject:	NCOA two
Location:	Online Presentation and Conference Call
Start:	Tue 07/22/2014 10:30 AM
End:	Tue 07/22/2014 11:30 AM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	David Tackett
Required Attendees:	[redacted]
Importance:	High

Click the link below and follow the instructions to attend the presentation:
(please note: the link will not be active until the scheduled start time)

http://support.sos.wv.gov/?ak=54ebb9c2bd37cc4ec0d2440ad49b31c7

- AND –

Join by phone:

[redacted]

Conference ID: **97505**

AMERICAN OVERSIGHT

Diana Garrett

From: David Tackett [redacted]
Sent: Thursday, August 07, 2014 11:04 AM
Cc: [redacted]
Subject: *** 2013 NCOA Update - August 7, 2014 ***
Importance: High

NOTE: You are receiving this email because you were identified in the 2013 NCOA survey as the primary contact for the project. If the contact has changed, please let me know or forward this information to the appropriate person. Thanks.

Folks

The following update might be a little tricky, so I encourage you to read carefully, and let me know if you have questions.

UPDATE NOTICE SENT DATE

This function has now been released into production and you will find it on the menu under Activities → NCOA. With this function, you can enter the date you mailed your confirmation cards *one time*, and it will populate that notice sent date for all of your NCOA voters *that do not have that date assigned*. This is a nice, powerful function that should be a time and effort saver. It will not overwrite a Notice Sent Date that has already been entered.

*****
There is one important thing to note in relation to this new function. I have decided, after reviewing the proposed design, that a function to allow you to post "Idle for 2 Federal Generals" as the Reason for Notice for all **idle** NCOA voters is not as much of a help as anticipated. Therefore, I will be asking the developers to do that on the backend *for you*. However, for this time, that action will not be possible until you have posted the Notice Sent Date for your NCOA voters. The reason for this is that once the Reason for Notice is assigned, the NCOA voter moves out of that Assign NCOA Code queue.

In summary, once you have used the new Update Notice Sent Date function and posted that date for all NCOA voters, we can populate "Idle for 2 Federal Generals" as the Reason for Notice for all of your idle NCOA voters. Again, it will not overwrite any codes applied. I will be monitoring this over the coming days to see when we can post that for you, but if you want to send me a quick note letting me know that you've completed your Notice Sent Date, it might reconcile quicker. *For example:* just something short like "Dave, notice sent date done, July 31", or whatever ... even simpler, just respond to this email with the date, I'll know what you mean.

FYI, in the future, I plan to make this automatic (idle NCOA voters will upload from the beginning with "Idle for 2 Federal Generals" as the Reason for Notice).

UPCOMING UPDATES

- Still owe several of you an Activity Report.
- Will most likely have another make-up training session at the start of next week.
- Will be adding "Date of Change" to the NCOA voter change screen, as is in the normal voter change screen.
- Will be adding a "PRINT" function to the "NCOA voters that need to be Inactivated" review on the System Reminders page.

AMERICAN OVERSIGHT

As with this update, when the above items are complete, I'll send out a note of guidance and/or explanation.

Thanks, all. As always, I appreciate your efforts.

Dave

AMERICAN OVERSIGHT

Hide email

WOODCancelled.xlsx

Brittany Westfall
Wed 3/29, 11:02 AM
Wood County

WOODCancelled.xlsx
23 KB

Download

Attached is a list of voters that appears to have been cancelled too soon. Voters must have Inactive status through two federal general elections before they are eligible to be cancelled, but these voters were not made Inactive until after the General 2014. Please review and let me know if you would like to turn them back to Inactive on your own, or whether you would like PCC to put them back to Inactive.

Thanks!

Brittany D. Westfall
SVRS Coordinator
Elections
West Virginia Secretary of State
[redacted]
www.wvsos.com

AMERICAN OVERSIGHT

COUNTY	VOTER_ID	LAST_NAME	FIRST_NAME	MIDDLE_NAM	SUFFIX	DOB	PCT
WOOD	[redacted]						74C
WOOD							67A
WOOD							64
WOOD							57
WOOD							61
WOOD							45
WOOD							35
WOOD							10
WOOD							48
WOOD							89
WOOD							48
WOOD							85
WOOD							85
WOOD							57A
WOOD							40A
WOOD							13
WOOD							77
WOOD							77
WOOD							77
WOOD							74B
WOOD							51
WOOD							32
WOOD							88
WOOD							62
WOOD							67
WOOD							82
WOOD							13
WOOD							61
WOOD							78A
WOOD							48
WOOD							48
WOOD							78
WOOD							10
WOOD							42A
WOOD							67
WOOD							63
WOOD							19
WOOD							57
WOOD							57A
WOOD							57A
WOOD							57A
WOOD							62
WOOD							62
WOOD							88
WOOD							63
WOOD							56A
WOOD							35
WOOD							48
WOOD							27
WOOD							74C
WOOD							75
WOOD							82
WOOD							67
WOOD							41
WOOD							77
WOOD							74C
WOOD							54A

AMERICAN OVERSIGHT

17-2361-A-000150

WOOD	[redacted]	56
WOOD		50
WOOD		52
WOOD		58
WOOD		52
WOOD		78A
WOOD		57A
WOOD		43A
WOOD		13
WOOD		19
WOOD		33
WOOD		32
WOOD		67A
WOOD		79
WOOD		16
WOOD		75
WOOD		48
WOOD		74B
WOOD		61
WOOD		58
WOOD		58
WOOD		63A
WOOD		48
WOOD		32
WOOD		63A
WOOD		63A
WOOD		89
WOOD		84
WOOD		13
WOOD		52
WOOD		57A
WOOD		32
WOOD		63B
WOOD		64
WOOD		27
WOOD		40A
WOOD		75
WOOD		75
WOOD		33
WOOD		74C
WOOD		81
WOOD		67A
WOOD		49A
WOOD		49A
WOOD		49A
WOOD		42A
WOOD		51
WOOD		51
WOOD		57A
WOOD		71U
WOOD		45A
WOOD		40A
WOOD		40A
WOOD		56
WOOD		53A
WOOD		54A
WOOD		75
WOOD		42A

AMERICAN OVERSIGHT

WOOD	[redacted]	69
WOOD		67A
WOOD		67
WOOD		42A
WOOD		48
WOOD		42A
WOOD		53A
WOOD		53A
WOOD		77
WOOD		77
WOOD		40A
WOOD		43A
WOOD		34A
WOOD		43A
WOOD		56A
WOOD		51
WOOD		45
WOOD		77
WOOD		13
WOOD		74B
WOOD		87
WOOD		54
WOOD		54
WOOD		81
WOOD		63B
WOOD		08
WOOD		67A
WOOD		86
WOOD		32
WOOD		53A
WOOD		27
WOOD		64
WOOD		74C
WOOD		79
WOOD		78
WOOD		58
WOOD		58
WOOD		58
WOOD		67A
WOOD		67A
WOOD		57
WOOD		77
WOOD		50
WOOD		49
WOOD		77
WOOD		77
WOOD		46B
WOOD		43A
WOOD		57
WOOD		34A
WOOD		89
WOOD		77
WOOD		51
WOOD		51
WOOD		54
WOOD		75
WOOD		51
WOOD		88
WOOD		49

AMERICAN OVERSIGHT

WOOD	[redacted]	74B
WOOD		86
WOOD		62
WOOD		48
WOOD		74
WOOD		67A
WOOD		74C
WOOD		86
WOOD		49
WOOD		86
WOOD		84
WOOD		67A
WOOD		75
WOOD		84
WOOD		74C
WOOD		49A
WOOD		49A

191

AMERICAN OVERSIGHT

17-2361-A-000153

Mark Rhodes

From: Mark Rhodes
Sent: Friday, July 28, 2017 4:32 PM
To: 'Lloyd, Jonathan'
Subject: RE: Public Records Request Regarding Policies for List Maintenance
Attachments: 20170727073216690.pdf; 20170728161720517.pdf; 20170717125611534.pdf

Mr. Lloyd,
Attached are the emails kept by one of staff concerning NCOA processes. The second attachment is the email and list that SOS sent us to verify. We had PCC to make Inactive. The list has already been sent.
We have cancelled registration for normal activity, such as death or someone moving to another State or County, but have not cancelled because of the 2013 NCOA.
I attached the previously provided list of cancelled that shows everyone cancelled from January 1, 2017 to July 17, 2017.
Mark Rhodes, Clerk
Wood County Commission

From: Lloyd, Jonathan [redacted]
Sent: Friday, July 28, 2017 11:11 AM
To: Mark Rhodes [redacted]
Subject: RE: Public Records Request Regarding Policies for List Maintenance

Mr. Rhodes,

Thank you for providing this information, including the additional email that you indicated you would provide as follows "The conversation was on the phone concerning making the voters from cancelled to inactive and I attached the list of people that was changed and emailed to us. I don't have access to the email at this time, but should be able to send it to you tomorrow. The email was sent to one of my staff." If you could send me that at your earliest convenience, I'd greatly appreciate it.

Separately, can you please confirm my understanding that, due to the date of the 2013 NCOA mailing, and the subsequent 2017 cancellation-and-reversal-to-inactive issue you described below, that your office has not actually cancelled any voter registrations in 2017? If that's not correct, and you have cancelled some voter registrations (beyond the ones that were returned to inactive status), can you please send me the list of those cancelled voter registrations?

Thanks,
Jonathan

Jonathan Lloyd | Davis Wright Tremaine LLP
[redacted]

From: Mark Rhodes [redacted]
Sent: Wednesday, July 26, 2017 2:55 PM
To: Lloyd, Jonathan
Subject: RE: Public Records Request Regarding Policies for List Maintenance

AMERICAN OVERSIGHT

Mr. Lloyd,
Sorry for the delay in answering but I took a couple days off last week. I have attached the NCOA card that was used for the 2011 NCOA. The card was pre-printed with the person's information. I did not like the card because I thought it was more confusing than the card we previously and currently use. I am adding information below each question.

From: Lloyd, Jonathan [redacted]
Sent: Tuesday, July 18, 2017 12:17 PM
To: Mark Rhodes [redacted]
Subject: RE: Public Records Request Regarding Policies for List Maintenance

Mr. Rhodes,

Thank you very much for providing the materials below. I have reviewed them, along with the explanation in your email below, and have a few follow-up questions, as follows:

- I'm not clear from your explanation which voters have actually had their registrations cancelled. If I'm understanding correctly, your office started cancelling voter registrations at some point in 2017, but then realized that the relevant time period prior to cancellation had not run, and therefore had the SOS IT department reverse those cancellations. Is that correct, and if so, which of the documents you attached to your email below identify (1) the voters whose registrations were cancelled and are still cancelled, if any; and (2) the voters whose registrations were cancelled, but then reversed, and are now currently identified as inactive (but not cancelled)?

The 2013 NCOA information was not received by us until March 2014, two months from the Primary Election. After the General of 2014 we proceeded with the NCOA. We reviewed the voter record of the persons on the NCOA list to see if they had voted or updated their information. If they had, we did not send a card. If they still had no activity we sent the verification card. My thoughts were if we could update the addresses it would cut down on the number of NCOA hits for the 2015 data match. January 2017 we started cancelling the people that were made inactive from the 2013 NCOA. After the process was started we realized that time frame of between making someone inactive and cancellation would be shortened because we sent the cards out late. We contacted the SOS IT staff and ask if they could change the status of the voters that were cancelled during those two days from cancelled to inactive. They were able, and sent us a list of voter that were change for us to verify. That is the list in the next item.

- Virtually all of the voters included on the "CanceltoInactiveList.pdf" document have last names beginning with A, B or C. Can you please confirm that this list is comprehensive of the voters who fall into this category, as well as confirming my understanding that this document identifies those voters whose registrations were cancelled, but then reversed, and are now currently identified as inactive (but not cancelled)?

The list explained above.

- It's not clear from your email what the following attached documents are: (1) DeceasedList.pdf; (2) DocList.pdf; and (3) DupVoter.pdf. Can you please briefly explain what each of those documents is?

Deceased list is the list of Deceased Persons received from Vital Records, DOC list is the list of felonies from the Department of Corrections and DupVoter is a list of possible duplicate registrations.

- I appreciate you providing us with a copy of an NCOA Card. Can you please confirm that is a representative sample of the cards your office sent out, and assuming so, what time period it is representative of? And can you provide samples of the NCOA Cards your office sent out during earlier

AMERICAN OVERSIGHT

time periods? I understand from my communications with other West Virginia county clerks' offices that the form of those cards has varied over time and from county to county.

Sample is attached.

- Can you please provide an explanation of the meaning of the following entries in the "Cancel" column of the "CancelList.pdf" document you provided: VITAL; County Clerk; DOC; and Authorized Cancellation?

Vital means listing from Vital Registration Death Records, County Clerk is when we obtain the information from the obituary or Death Certificate recorded with us, DOC is Department of Corrections and Authorized is when we received something from the Voter.

Separately, there are several categories of documents or information that we had requested in our letter that are still outstanding, including:

(i) Documents sufficient to identify the mail confirmation procedures, if any, the Wood County Clerk's office used pursuant to West Virginia Code § 3-2-25, in connection with the recent cancellation of any Wood County voter registrations in connection with the cancellation of "47,000 outdated or ineligible voter files from the state's voter registration system," as described in the Secretary of State's press release dated April 19, 2017 (http://www.sos.wv.gov/News-Center/Pages/Secretary-Warner-announces-the-elimination-of-more-than-47,000-outdated-voter-files.aspx) (the "April 19, 2017 Press Release") and the "over 1,100 invalid names [you have] removed from [Wood] county's voter rolls since February", as described in the Secretary of State's press release dated June 22, 2017 (http://www.sos.wv.gov/News-Center/Pages/Secretary-Warner-Pleased-with-President-Trump%E2%80%99s-Appointment-of-Wood-County-Clerk-Rhodes-to-National-Election-Integrity-Task.aspx) (the "June 22, 2017 Press Release" and together with the April 19, 2017 Press Release, the "Press Releases").

I am not sure what you are asking other than the State Code we follow.

(ii) Documents or information sufficient to show, for each voter whose voter registration was cancelled in 2017, as identified in request (ii) above, the date on which the Wood County Clerk's office (or other West Virginia government official or office) mailed that voter a confirmation notice pursuant to West Virginia Code §§ 3-2-25 to 3-2-26, as recorded pursuant to West Virginia Code § 3-2-25(f);

The NCOA that is returned is attached to the voter's record. They are available Monday – Friday 8:30AM to 4:30PM for someone to inspect.

(iii) Documents or information sufficient to show, for each voter whose voter registration was cancelled in 2017, as identified in request (ii) above, the reason for identifying that voter record for potential purging pursuant to West Virginia Code § 3-2-25, specifically whether that voter was identified for potential purging based on registration or updating of a voter registration in another county, pursuant to § 3-2-25(b); comparison of data records of the Division of Motor Vehicles, pursuant to § 3-2-25(c); a match of records against the United States Postal Service National Change of Address System, pursuant to § 3-2-25(d); in the year following a presidential election, records indicating the voter had not voted or updated his or her voter registration record in four years, pursuant to § 3-2-25(j); or for any other reason;

Same as ii

(iv) Documents or information sufficient to show, for each voter whose voter registration was cancelled in 2017 for being ""Inactive for 2 Federal Elections+", as identified in request (ii) above, why that voter was originally identified as inactive and/or selected to have a postcard notice sent to him or her;

AMERICAN OVERSIGHT

Same as ii

(v) Documents sufficient to show (or a narrative explanation of) how the Wood County Clerk's office has identified voters to receive confirmation notices for list maintenance purposes, pursuant to or in connection with West Virginia Code § 3-2-23 through § 3-2-28, including but not limited to copies of any "confirmation notices" sent pursuant to § 3-2-25(j);

Same as ii

(vi) To the extent the Wood County Clerk's office identified any voters for potential or actual registration cancellation based on a designation or classification of that voter as "Inactive 2 Federal Elections+" (or a similar classification), documents sufficient to identify (or a narrative explanation of) the meaning of that designation; and

Same as ii

(vii) Copies of any written policy, explanation, guidance or instructions (from the West Virginia Secretary of State or any other West Virginia government official or office) regarding designation of a registered voter as "Inactive 2 Federal Elections+"; and

I am sure there has been instructions concerning use of the software on the Statewide Voter Registration System from when it was implemented, but we follow State Code concerning voter records. No need for another written policy.

(viii) Copies of any communications with the West Virginia Secretary of State or his office, or any other West Virginia government official or office (including other County Clerks or their offices), in connection with the recent cancellation of voter files identified in the April 19, 2017 Press Release.

I have attached two emails and technical bulletin.

The final category listed immediately above would include any correspondence your office has had with the SOS or other West Virginia government officials or employees regarding the apparently erroneous cancellations, late 2013 NCOA notice and cancelled-to-inactive changes you describe in your email below. The conversation was on the phone concerning making the voters from cancelled to inactive and I attached the list of people that was changed and emailed to us. I don't have access to the email at this time, but should be able to send it to you tomorrow. The email was sent to one of my staff.

Please let me know if you have any questions with respect to the issues identified above, and thank you for your assistance with this request.

We don't keep the NCOA or verification cards as a separate file. Everything that is returned is attached the persons voter card. It is easy to pull on card and have all documentation. Don't take offense to my answers above that the records are available for inspection concerning the cards. If you want to do a sampling by sending me names that could probably be arranged. It would be a time consuming, and expensive, task to provide all the cards and verifications.

Please contact me if you have any questions.
Mark Rhodes, Clerk
Wood County Commission
[redacted]

Regards,
Jonathan

AMERICAN OVERSIGHT

Jonathan Lloyd | Davis Wright Tremaine LLP
[redacted]

From: Mark Rhodes [redacted]
Sent: Monday, July 17, 2017 3:25 PM
To: Lloyd, Jonathan
Subject: RE: Public Records Request Regarding Policies for List Maintenance

Mr. Lloyd,

Attached are several reports concerning you FOIA request. One list title Cancel to Inactive were cancelled in error. We received the 2013 NCOA information late. Several Clerks around the State did not act upon the information. We did send out the cards and move the deadline dates forward. Until it came time to cancel. After we started thru the list and we figured out the time frame was not up. The SOS IT staff changed the people from cancelled back to inactive. If you need anything else or if I skipped something please contact me. The is a public record and you or your staff are welcome to come to the office anytime we are open. If you have any question please contact me or Melody in the Election Office at 304-424-1860.

Respectfully,

Mark Rhodes, Clerk
Wood County Commission

From: Lloyd, Jonathan [redacted]
Sent: Tuesday, July 11, 2017 11:15 AM
To: Mark Rhodes [redacted]
Subject: Public Records Request Regarding Policies for List Maintenance

Dear Mr. Rhodes:

Please see the attached letter, which is also being sent to you via Federal Express.

Regards,
Jonathan

Jonathan Lloyd | Davis Wright Tremaine LLP
[redacted]

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Monday, August 21, 2017 9:28 AM
To: Mark Rhodes
Subject: RE: please HOLD for next meeting

Great! Thanks, Mark. I'll be back in touch with more details soon.

Hope you're doing well.

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

-----Original Message-----
From: Mark Rhodes [redacted]
Sent: Monday, August 21, 2017 7:32 AM
To: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Subject: RE: please HOLD for next meeting

Andrew,
I can make a meeting on the 12th.
Mark Rhodes, Clerk
Wood County Commission

-----Original Message-----
From: Kossack, Andrew J. EOP/OVP [mailto:Andrew.J.Kossack@ovp.eop.gov]
Sent: Friday, August 18, 2017 5:49 PM
To: 'Kris Kobach' [redacted] cwlawson@sos.in.gov; [redacted] Christy McCormick [redacted] Mark Rhodes [redacted] von Spakovsky, Hans [redacted] Christian Adams [redacted] Alan L. King [redacted] matthew.dunlap@maine.gov
Cc: Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>; Williams, Ronald E. EOP/OVP <Ronald.E.Williams@ovp.eop.gov>
Subject: please HOLD for next meeting

Dear Members,

Please mark your calendars for Tuesday, September 12th for our next meeting. You'll likely want to plan to travel the afternoon/evening of the 11th. We'll be back in touch early next week with additional details. Thanks for your patience as we lock down all the logistics.

If you have any questions or concerns at this point, please let me know.

Thanks,
Andrew

AMERICAN OVERSIGHT

17-2361-A-000159

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Monday, August 21, 2017 9:28 AM
To: Mark Rhodes
Subject: RE: please HOLD for next meeting

Great! Thanks, Mark. I'll be back in touch with more details soon.

Hope you're doing well.

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

-----Original Message-----
From: Mark Rhodes [redacted]
Sent: Monday, August 21, 2017 7:32 AM
To: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Subject: RE: please HOLD for next meeting

Andrew,
I can make a meeting on the 12th.
Mark Rhodes, Clerk
Wood County Commission

-----Original Message-----
From: Kossack, Andrew J. EOP/OVP [mailto:Andrew.J.Kossack@ovp.eop.gov]
Sent: Friday, August 18, 2017 5:49 PM
To: 'Kris Kobach' [redacted] cwlawson@sos.in.gov; [redacted] Christy McCormick [redacted] Mark Rhodes [redacted] von Spakovsky, Hans [redacted] Christian Adams [redacted] Alan L. King [redacted] matthew.dunlap@maine.gov
Cc: Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>; Williams, Ronald E. EOP/OVP <Ronald.E.Williams@ovp.eop.gov>
Subject: please HOLD for next meeting

Dear Members,

Please mark your calendars for Tuesday, September 12th for our next meeting. You'll likely want to plan to travel the afternoon/evening of the 11th. We'll be back in touch early next week with additional details. Thanks for your patience as we lock down all the logistics.

If you have any questions or concerns at this point, please let me know.

Thanks,
Andrew

AMERICAN OVERSIGHT

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Mark Rhodes
Sent: Monday, August 21, 2017 7:32 AM
To: 'Kossack, Andrew J. EOP/OVP'
Subject: RE: please HOLD for next meeting

Andrew,
I can make a meeting on the 12th.
Mark Rhodes, Clerk
Wood County Commission

-----Original Message-----
From: Kossack, Andrew J. EOP/OVP [mailto:Andrew.J.Kossack@ovp.eop.gov]
Sent: Friday, August 18, 2017 5:49 PM
To: 'Kris Kobach' [redacted] cwlawson@sos.in.gov; [redacted] Christy McCormick [redacted] Mark Rhodes [redacted] von Spakovsky, Hans [redacted] Christian Adams [redacted]; Alan L. King [redacted] matthew.dunlap@maine.gov
Cc: Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>; Williams, Ronald E. EOP/OVP <Ronald.E.Williams@ovp.eop.gov>
Subject: please HOLD for next meeting

Dear Members,

Please mark your calendars for Tuesday, September 12th for our next meeting. You'll likely want to plan to travel the afternoon/evening of the 11th. We'll be back in touch early next week with additional details. Thanks for your patience as we lock down all the logistics.

If you have any questions or concerns at this point, please let me know.

Thanks,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Mark Rhodes
Sent: Monday, June 26, 2017 11:44 AM
To: Kossack, Andrew J. EOP/OVP
Subject: Accepted: HOLD: Organizational Call - PCEI

AMERICAN OVERSIGHT

17-2361-A-000164

Mark Rhodes

From: Ken Blackwell [redacted]
Sent: Tuesday, June 27, 2017 11:24 AM
To: Kossack, Andrew J. EOP/OVP
Cc: [redacted]
Christy McCormick; [redacted] luis.borunda@maryland.gov; Mark Rhodes; Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: Re: HOLD: Organizational Call - PCEI

Great. I'm a day early anyway!
Call in details for

On Mon, Jun 26, 2017 at 11:37 AM, Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov> wrote:

AMERICAN OVERSIGHT

Mark Rhodes

From: David Dunn [redacted]
Sent: Tuesday, June 27, 2017 4:14 PM
To: Kossack, Andrew J. EOP/OVP
Cc: Ken Blackwell; [redacted] Christy McCormick; luis.borunda@maryland.gov; Mark Rhodes; Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: Re: HOLD: Organizational Call - PCEI

Look forward to it

David K Dunn
[redacted]

On Jun 27, 2017, at 11:53 AM, Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov> wrote:

> Attached is the agenda for tomorrow's call. Once we have the call-in information, I'll send an updated calendar invitation and attach this to that message as well, but we wanted you to have this in advance.
>
> Thanks,
> Andrew
>
> Andrew J. Kossack
> Associate Counsel
> Office of the Vice President
> Cell: [redacted]
> Email: Andrew.J.Kossack@ovp.eop.gov
>
> **From:** Ken Blackwell [redacted]
> **Sent:** Tuesday, June 27, 2017 11:24 AM
> **To:** Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
> **Cc:** [redacted] Christy McCormick [redacted] luis.borunda@maryland.gov; [redacted] Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>
> **Subject:** Re: HOLD: Organizational Call - PCEI
>
> 😷Great. I'm a day early anyway!
>
> Call in details for
>
> On Mon, Jun 26, 2017 at 11:37 AM, Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov> wrote:

AMERICAN OVERSIGHT

<Organizational Conference Call 6.28.2017.docx>

AMERICAN OVERSIGHT

17-2361-A-000167

Mark Rhodes

From: David Dunn [redacted]
Sent: Tuesday, June 27, 2017 4:14 PM
To: Kossack, Andrew J. EOP/OVP
Cc: Ken Blackwell; [redacted] Christy McCormick; luis.borunda@maryland.gov; Mark Rhodes; Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: Re: HOLD: Organizational Call - PCEI

Look forward to it

David K Dunn
[redacted]

On Jun 27, 2017, at 11:53 AM, Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov> wrote:

> Attached is the agenda for tomorrow's call. Once we have the call-in information, I'll send an updated calendar invitation and attach this to that message as well, but we wanted you to have this in advance.
>
> Thanks,
> Andrew
>
> Andrew J. Kossack
> Associate Counsel
> Office of the Vice President
> Cell: [redacted]
> Email: Andrew.J.Kossack@ovp.eop.gov
>
> **From:** Ken Blackwell [redacted]
> **Sent:** Tuesday, June 27, 2017 11:24 AM
> **To:** Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
> **Cc:** [redacted] Christy McCormick [redacted] luis.borunda@maryland.gov; [redacted] Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>
> **Subject:** Re: HOLD: Organizational Call - PCEI
>
> 😂Great. I'm a day early anyway!
>
> Call in details for
>
> On Mon, Jun 26, 2017 at 11:37 AM, Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov> wrote:

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

17-2361-A-000169

Mark Rhodes

From: Almeida Cassidy, Christina [redacted]
Sent: Wednesday, August 23, 2017 2:57 PM
To: Mark Rhodes
Subject: election integrity commission

Good afternoon, Mr. Rhodes.

I wanted to take a moment to introduce myself. I am a reporter with The Associated Press, and I work on national projects. Voting issues, particularly voter fraud and voter ID, were key coverage areas for me in the lead up to the 2016 election. I have been out much of the year on maternity leave, but I am back now and wanted to check in with you about your role on the Presidential Advisory Commission on Election Integrity.

Would you have time for a phone call sometime this week or next?

I also wanted to let you know that I have submitted a records request to your county administrator related to your emails with other members of the commission. This request is aimed at helping us understand the discussion prior to the various letters being sent to states requesting certain voter information as well as other information that has been shared among commissioners. My apologies in advance if this creates work for you. My hope is that a few email searches would suffice.

I look forward to speaking with you. Best number for me is my cell, [redacted]

Christina Cassidy

AP ASSOCIATED PRESS

Christina Almeida Cassidy
AP State Government Team
[redacted]
[redacted]

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

AMERICAN OVERSIGHT

Mark Rhodes

From: Allison McCann [redacted]
Sent: Friday, August 25, 2017 3:27 PM
To: Mark Rhodes
Subject: Media inquiry for Vice News

Dear Mr. Rhodes,

My name is Allison McCann and I'm a reporter with Vice News. I was hoping you might have some time to speak with me ahead of the Election Integrity Commission meeting in a few weeks, which I am planning to attend (should my registration be approved!)

I was hoping to discuss more broadly the goals of the commission, as well as the varied responses from secretaries of state across the country to the commission's request for voter information.

Please let me know if you might be able to speak briefly over the phone. Thanks for your time, I look forward to hearing from you.

Best,
Allison

--

Allison McCann
Data Reporter
VICE News
[redacted]

AMERICAN OVERSIGHT

Mark Rhodes

From: Ethan Oberman <eoberman@wnyc.org>
Sent: Sunday, July 02, 2017 11:53 AM
To: Mark Rhodes
Subject: Interview Request from The Takeaway with WNYC Radio

Hi Mark,

My name's Ethan Oberman and I'm a producer for "The Takeaway," a national morning radio show broadcast with Public Radio International and WNYC. Our program reaches more than 2 million listeners across 280 stations nationwide.

We're doing a segment tomorrow morning on the White House's voter fraud commission and why many states are unwilling to comply with the commission's voter information requests. Are you available to come on our show to discuss your participation on the commission and these recent developments related to it? This would be a 10-15 minute pre-recorded interview with our guest host Todd Zwillich and could tape anytime between 7am and 8:15am ET.

Please tell me if you're interested and available.

Best,
Ethan

AMERICAN OVERSIGHT

Mark Rhodes

From: Mattox, Kuae <Kuae.Mattox@turner.com>
Sent: Monday, July 03, 2017 9:51 PM
To: Mark Rhodes
Subject: RE: CNN/NEW DAY Interview Request for Wednesday, July 5

Hi Mr. Rhodes,

Thanks for getting back to me. Sorry that you are unavailable. Please let me know if things change.

Thanks again,

Kuae

From: Mark Rhodes [mailto:mrhodes@woodcountywv.com]
Sent: Monday, July 03, 2017 9:48 PM
To: Mattox, Kuae <Kuae.Mattox@turner.com>
Subject: Re: CNN/NEW DAY Interview Request for Wednesday, July 5

Ms. Mattox,

Thank you for the offer, but I am declining at this time.

Mark Rhodes, Clerk

Wood County Commission

From: Mattox, Kuae <Kuae.Mattox@turner.com>
Sent: Monday, July 3, 2017 6:19:14 PM
To: Mark Rhodes
Subject: CNN/NEW DAY Interview Request for Wednesday, July 5

Greetings Mr. Rhodes,

This is Kuae Mattox at CNN's morning show New Day. Hope all is well. Reaching out to see if you are available to join us on our show Wednesday morning, July 5 to talk about President Trump's Advisory Commission on Voter Integrity on which we understand you serve. Please let me know at your earliest convenience if you can join us. We air live from 6am-9am and can interview you from a studio in your location.

Thanks and I look forward to hearing from you.

Kuae Mattox

AMERICAN OVERSIGHT

Mark Rhodes

From: Mark Rhodes
Sent: Monday, July 03, 2017 9:48 PM
To: Mattox, Kuae
Subject: Re: CNN/NEW DAY Interview Request for Wednesday, July 5

Ms. Mattox,
Thank you for the offer, but I am declining at this time.
Mark Rhodes, Clerk
Wood County Commission

From: Mattox, Kuae <Kuae.Mattox@turner.com>
Sent: Monday, July 3, 2017 6:19:14 PM
To: Mark Rhodes
Subject: CNN/NEW DAY Interview Request for Wednesday, July 5

Greetings Mr. Rhodes,

This is Kuae Mattox at CNN's morning show New Day. Hope all is well. Reaching out to see if you are available to join us on our show Wednesday morning, July 5 to talk about President Trump's Advisory Commission on Voter Integrity on which we understand you serve. Please let me know at your earliest convenience if you can join us. We air live from 6am-9am and can interview you from a studio in your location.

Thanks and I look forward to hearing from you.

Kuae Mattox

AMERICAN OVERSIGHT

Mark Rhodes

From: Samuel Levine <samuel.levine@huffpost.com>
Sent: Monday, July 17, 2017 11:30 AM
To: Mark Rhodes
Subject: Schedule in DC?

Mark,

Wanted to see what your schedule in DC is like this week. If I came down, would you have time for coffee or a quick chat?

Thanks,
Sam Levine

--
Sam Levine
Associate Politics Editor | HuffPost
212 402 7250 (desk)
samuel.levine@huffpost.com
@srl

AMERICAN OVERSIGHT

Mark Rhodes

From: Been, Sam (NBCUniversal) <Sam.Been@nbcuni.com>
Sent: Wednesday, July 19, 2017 4:27 PM
To: Mark Rhodes
Subject: Mark Rhodes on MSNBC Sunday

Hi Mark,

We'd love to have you on MSNBC's Politics Nation this Sunday for a live tv interview with Rev. Al Sharpton. Might you be free at 8amET?

Thanks!
Sam

MSNBC
Samantha Been | Politics Nation | Booking Producer | *Mobile: 646.303.2878* | *Office: 212.664.4736*

AMERICAN OVERSIGHT

Mark Rhodes

From: Mark Rhodes
Sent: Wednesday, July 19, 2017 5:56 PM
To: Been, Sam (NBCUniversal)
Subject: Re: Mark Rhodes on MSNBC Sunday

Sam,
Thank you for the invite but no thank you.
Mark

Sent from my iPhone

On Jul 19, 2017, at 16:27, Been, Sam (NBCUniversal) <Sam.Been@nbcuni.com> wrote:

> Hi Mark,
>
> We'd love to have you on MSNBC's Politics Nation this Sunday for a live tv interview with Rev. Al Sharpton. Might you be free at 8amET?
>
> Thanks!
> Sam
>
> <image001.png>
> **Samantha Been** | Politics Nation | Booking Producer | *Mobile: 646.303.2878* | *Office: 212.664.4736*

AMERICAN OVERSIGHT

Mark Rhodes

From: Joynt, Carol (NBCUniversal) <Carol.Joynt@nbcuni.com>
Sent: Wednesday, July 19, 2017 3:13 PM
To: Mark Rhodes
Subject: RE: Request for interview from Meet The Press Daily for today

I appreciate the quick follow up.

Carol

From: Mark Rhodes [mailto:mrhodes@woodcountywv.com]
Sent: Wednesday, July 19, 2017 3:11 PM
To: Joynt, Carol (NBCUniversal)
Subject: Re: Request for interview from Meet The Press Daily for today

Carol,
Thank you for the offer but I am not available.

Mark

Sent from my iPhone

On Jul 19, 2017, at 13:33, Joynt, Carol (NBCUniversal) <Carol.Joynt@nbcuni.com> wrote:

> Good afternoon, Mark –
>
> Would you be available for an interview today about the Commission meeting that occurred at the White House today? We are live at 5pm, the actual hit time would be 5:30, and we could arrange for a studio here in Washington or our camera on the WH North Lawn. Our host this evening is Katy Tur, who is filling in for Chuck.
>
> I hope you can join us.
>
> Best regards
>
> Carol

Carol Ross Joynt
Meet The Press Daily with Chuck Todd
Booking Producer
MSNBC/NBC News
4001 Nebraska Ave NW | DC 20016
Mobile 202-597-0442 Office: 202-885-4793

Irorz#p h@ **Twitter**

AMERICAN OVERSIGHT

Mark Rhodes

From: Mark Rhodes
Sent: Wednesday, July 19, 2017 3:11 PM
To: Joynt, Carol (NBCUniversal)
Subject: Re: Request for interview from Meet The Press Daily for today

Carol,
Thank you for the offer but I am not available.

Mark

Sent from my iPhone

On Jul 19, 2017, at 13:33, Joynt, Carol (NBCUniversal) <Carol.Joynt@nbcuni.com> wrote:

> Good afternoon, Mark –
>
> Would you be available for an interview today about the Commission meeting that occurred at the White House today? We are live at 5pm, the actual hit time would be 5:30, and we could arrange for a studio here in Washington or our camera on the WH North Lawn. Our host this evening is Katy Tur, who is filling in for Chuck.
>
> I hope you can join us.
>
> Best regards
>
> Carol

Carol Ross Joynt
Meet The Press Daily with Chuck Todd
Booking Producer
MSNBC/NBC News
4001 Nebraska Ave NW | DC 20016
Mobile 202-597-0442 Office: 202-885-4793

Irorz#p h@ **Twitter**

AMERICAN OVERSIGHT

Mark Rhodes

From: Aidan Quigley [redacted]
Sent: Wednesday, July 19, 2017 4:57 PM
To: Mark Rhodes
Subject: Question from Newsweek

Dear Mr. Rhodes,

This is Aidan Quigley from Newsweek.

I was wondering if you have a response to Kris Kobach's statement that "we may never know" if Hillary Clinton won the popular vote in 2016 and that the votes for Trump that led him to win the election are "absolutely" in doubt as well.

Do you agree with that statement? Please give me a call when you get the chance at [redacted] Thanks much.

Aidan Quigley

--
Newsweek
[redacted]

AMERICAN OVERSIGHT

Mark Rhodes

From: Alexander Thomas <alexander.thomas@wvradio.com>
Sent: Wednesday, July 19, 2017 5:56 PM
To: Mark Rhodes
Cc: woodcounty@wvsos.com; Mark Rhodes
Subject: Possible interview

Dear Mr. Rhodes:

My name is Alex Thomas, and I am a reporter with West Virginia MetroNews in Charleston, West Virginia. I was wondering if you would be interested in doing an interview regarding your involvement with the President's Advisory Commission on Election Integrity.

If you could contact me back with some times that best work for a phone interview, that would be greatly appreciated. My email and cellphone number are listed below.

Thank you!

Regards,

Alex Thomas
Reporter/Anchor
West Virginia MetroNews
alexander.thomas@wvradio.com
980-219-4876

AMERICAN OVERSIGHT

Mark Rhodes

From: Jeramie Scott <jscott@epic.org>
Sent: Wednesday, July 26, 2017 11:30 AM
To: Mark Rhodes
Subject: Invitation to Privacy Coalition Meeting (July 28 from 12-1pm)

Dear Mr. Rhodes,

I am writing on behalf of the Privacy Coalition to ask if you would be available for a meeting at EPIC this Friday, July 28* from 12-1pm to discuss your work and priorities as a Commissioner on the Presidential Advisory Commission on Election Integrity.

The Privacy Coalition provides an important opportunity for representatives of privacy, civil liberty, and consumer organizations to meet with key government decision makers whose work affects privacy. Past speakers at the Privacy Coalition include FTC Acting Chairman Maureen Ohlhausen, DOJ Inspector General Michael Horowitz, and FBI General Counsel James A. Baker. We would greatly appreciate an opportunity to meet with you.

More information about the Privacy Coalition is available here:

http://privacycoalition.org/

EPIC is located at 1718 Connecticut Ave., NW Suite 200 in Washington, DC. The meetings are informal and off the record. The session would run from noon to 1 pm with time for your remarks and then a question and answer period.

We would be happy to take care of any travel-related expenses.

We look forward to hearing from you. Please let me know if you have any questions.

Best regards,
Jeramie

*Although a meeting this Friday is the preference, we can offer Friday, August 4 as an alternative date for a meeting with the Privacy Coalition if that works better for your schedule.

Jeramie D. Scott
National Security Counsel
Director, EPIC Domestic Surveillance Project
Privacy Coalition Coordinator

Electronic Privacy Information Center
202.483.1140 x108

AMERICAN OVERSIGHT

17-2361-A-000182

Mark Rhodes

From: Jeramie Scott <jscott@epic.org>
Sent: Thursday, July 27, 2017 10:12 AM
To: Mark Rhodes
Subject: Re: Invitation to Privacy Coalition Meeting (July 28 from 12-1pm)

Mr. Rhodes,

Thank you for responding. I'm sorry you won't be able to join us.

Best regards,
Jeramie

Jeramie D. Scott
National Security Counsel
Director, EPIC Domestic Surveillance Project
Privacy Coalition Coordinator

Electronic Privacy Information Center
202.483.1140 x108

> On Jul 27, 2017, at 7:42 AM, Mark Rhodes <mrhodes@woodcountywv.com> wrote:
>
> Jeramie,
>
> Thank you for the offer, but I will not be able to attend the meeting on either date.
>
> Mark Rhodes, Clerk
> Wood County Commission
>
> ---
>
> **From:** Jeramie Scott [mailto:jscott@epic.org]
> **Sent:** Wednesday, July 26, 2017 11:30 AM
> **To:** Mark Rhodes <mrhodes@woodcountywv.com>
> **Subject:** Invitation to Privacy Coalition Meeting (July 28 from 12-1pm)
>
> Dear Mr. Rhodes,
>
> I am writing on behalf of the Privacy Coalition to ask if you would be available for a meeting at EPIC this Friday, July 28* from 12-1pm to discuss your work and priorities as a Commissioner on the Presidential Advisory Commission on Election Integrity.
>
> The Privacy Coalition provides an important opportunity for representatives of privacy, civil liberty, and consumer organizations to meet with key government decision makers whose work affects privacy. Past speakers at the Privacy Coalition include FTC Acting Chairman Maureen Ohlhausen, DOJ Inspector General Michael Horowitz, and FBI General Counsel James A. Baker. We would greatly appreciate an opportunity to meet with you.
>
> More information about the Privacy Coalition is available here:

AMERICAN OVERSIGHT

http://privacycoalition.org/

EPIC is located at 1718 Connecticut Ave., NW Suite 200 in Washington, DC. The meetings are informal and off the record. The session would run from noon to 1 pm with time for your remarks and then a question and answer period.

We would be happy to take care of any travel-related expenses.

We look forward to hearing from you. Please let me know if you have any questions.

Best regards,
Jeramie

*Although a meeting this Friday is the preference, we can offer Friday, August 4 as an alternative date for a meeting with the Privacy Coalition if that works better for your schedule.

Jeramie D. Scott
National Security Counsel
Director, EPIC Domestic Surveillance Project
Privacy Coalition Coordinator

Electronic Privacy Information Center
202.483.1140 x108

AMERICAN OVERSIGHT

17-2361-A-000184

Mark Rhodes

From: Mark Rhodes
Sent: Thursday, July 27, 2017 7:43 AM
To: 'Jeramie Scott'
Subject: RE: Invitation to Privacy Coalition Meeting (July 28 from 12-1pm)

Jeramie,

Thank you for the offer, but I will not be able to attend the meeting on either date.

Mark Rhodes, Clerk
Wood County Commission

From: Jeramie Scott [mailto:jscott@epic.org]
Sent: Wednesday, July 26, 2017 11:30 AM
To: Mark Rhodes <mrhodes@woodcountywv.com>
Subject: Invitation to Privacy Coalition Meeting (July 28 from 12-1pm)

Dear Mr. Rhodes,

I am writing on behalf of the Privacy Coalition to ask if you would be available for a meeting at EPIC this Friday, July 28* from 12-1pm to discuss your work and priorities as a Commissioner on the Presidential Advisory Commission on Election Integrity.

The Privacy Coalition provides an important opportunity for representatives of privacy, civil liberty, and consumer organizations to meet with key government decision makers whose work affects privacy. Past speakers at the Privacy Coalition include FTC Acting Chairman Maureen Ohlhausen, DOJ Inspector General Michael Horowitz, and FBI General Counsel James A. Baker. We would greatly appreciate an opportunity to meet with you.

More information about the Privacy Coalition is available here:

http://privacycoalition.org/

EPIC is located at 1718 Connecticut Ave., NW Suite 200 in Washington, DC. The meetings are informal and off the record. The session would run from noon to 1 pm with time for your remarks and then a question and answer period.

We would be happy to take care of any travel-related expenses.

We look forward to hearing from you. Please let me know if you have any questions.

Best regards,
Jeramie

*Although a meeting this Friday is the preference, we can offer Friday, August 4 as an alternative date for a meeting with the Privacy Coalition if that works better for your schedule.

Jeramie D. Scott
National Security Counsel
Director, EPIC Domestic Surveillance Project
Privacy Coalition Coordinator

AMERICAN OVERSIGHT

Electronic Privacy Information Center
202.483.1140 x108

AMERICAN OVERSIGHT

17-2361-A-000186

Mark Rhodes

From: Mark Rhodes
Sent: Sunday, July 02, 2017 10:33 PM
To: Ethan Oberman
Subject: Re: Interview Request from The Takeaway with WNYC Radio

Ethan,
I am not interested at this time.
Thank you.
Mark

From: Ethan Oberman <eoberman@wnyc.org>
Sent: Sunday, July 2, 2017 11:52:56 AM
To: Mark Rhodes
Subject: Interview Request from The Takeaway with WNYC Radio

Hi Mark,

My name's Ethan Oberman and I'm a producer for "The Takeaway," a national morning radio show broadcast with Public Radio International and WNYC. Our program reaches more than 2 million listeners across 280 stations nationwide.

We're doing a segment tomorrow morning on the White House's voter fraud commission and why many states are unwilling to comply with the commission's voter information requests. Are you available to come on our show to discuss your participation on the commission and these recent developments related to it? This would be a 10-15 minute pre-recorded interview with our guest host Todd Zwillich and could tape anytime between 7am and 8:15am ET.

Please tell me if you're interested and available.

Best,
Ethan

AMERICAN OVERSIGHT

Mark Rhodes

From: Kira Lerner <klerner@americanprogress.org>
Sent: Thursday, June 22, 2017 11:15 AM
To: Mark Rhodes
Subject: RE: ThinkProgress follow up

Also, would you be able to send me a photo to use in my reporting? Your headshot or a photo of you working? Thanks!

From: Kira Lerner
Sent: Thursday, June 22, 2017 10:49 AM
To: 'mrhodes@woodcountywv.com' <mrhodes@woodcountywv.com>
Subject: ThinkProgress follow up

Hi Mark,

Thanks again for taking the time to talk this morning about the Election Integrity Commission. If you could keep me updated as you learn more and when you find out when the first meeting will occur, I'd appreciate it!

Best,

Kira Lerner *Political Reporter, ThinkProgress*
202-741-6353 | 301-633-1989 | klerner@thinkprogress.org | thinkprogress.org

AMERICAN OVERSIGHT

Mark Rhodes

From: Samuel Levine <samuel.levine@huffingtonpost.com>
Sent: Thursday, June 22, 2017 10:54 AM
To: Mark Rhodes
Subject: HuffPost inquiry

Mark,

Was hoping to talk to you at some point today about your appointment to the presidential commission on election integrity. Please give me a call if you have a few minutes.

Thanks!
Sam
--
Sam Levine
Associate Politics Editor | HuffPost
212-402-7250 (desk)
samuel.levine@huffingtonpost.com
@srl

AMERICAN OVERSIGHT

Mark Rhodes

From: Samuel Levine <samuel.levine@huffpost.com>
Sent: Wednesday, June 28, 2017 11:36 AM
To: Mark Rhodes
Subject: HuffPost inquiry

Hi Mark,

I saw that Sec. Kobach told The Washington Times the commission would compare voter rolls with a federal immigration database. Wondering you think that's something that could produce reliable results?

Thanks!
Sam

From Washington Times:

> One part of the commission's work will be to compare the federal government's database of noncitizens — green card holders, temporary visa holders and illegal immigrants who've been arrested, for example — and check them against state voter registration rolls.

--
Sam Levine
Associate Politics Editor | HuffPost
212 402 7250 (desk)
samuel.levine@huffpost.com
@srl

AMERICAN OVERSIGHT

Mark Rhodes

From: Clark, Dartunorro (NBCUniversal) [redacted]
Sent: Wednesday, September 13, 2017 4:12 PM
To: Mark Rhodes
Subject: Election Integrity Commission

Hi Mr. Rhodes,

I'm a reporter with NBC News. I'm reaching out regarding the news that your fellow commissioner Hans von Spakovsky expressed dissatisfaction with Democrats and "mainstream Republicans" in an email to DOJ officials in February, which came to light yesterday toward the end of the commission's meeting. I wanted to know if you provide any reaction to this and how you feel about the commission makeup and work thus far?

You can send you response via email or we can chat over the phone at [redacted]

I'm working on an immediate deadline and would really appreciate your response.

Thanks!

Sent from my iPhone

AMERICAN OVERSIGHT

Mark Rhodes

From: Mark Rhodes
Sent: Monday, August 28, 2017 2:56 PM
To: 'ccassidy@ap.org'
Subject: FOIA
Attachments: 1 - Complaint.pdf; 1. Compl (002).pdf; 1. Compl.pdf; 33 - Second Amended Complaint.pdf; Agenda for July 19 2017 Initial Meeting.pdf; August7Email.pdf; August18Email_Redacted.pdf; August21Email_Redacted.pdf; Commission Lit Hold Ltr FINAL (8-4-17).pdf; Complaint.pdf; draft PACEI By-Laws FINAL.pdf; July 26 2017 Letter from Vice Chair Kris Kobach.pdf; July10Email_Redacted.pdf; July14Email-Agenda.pdf; July18Email-Agenda-ByLaws.pdf

Ms. Cassidy,

I am breaking the reply in two separate file due to the size. Your server rejected when I tried to attach all documents on one email.

I did redact the cell phone number of Andrew Kossack from some of the emails.

Please let me know if this satisfies your request.

If you have any questions please contact me.

Mark Rhodes, Clerk
Wood County Commission
304-424-1850

AMERICAN OVERSIGHT

Mark Rhodes

From: Mark Rhodes
Sent: Monday, August 28, 2017 2:57 PM
To: 'ccassidy@ap.org'
Subject: FOIA
Attachments: July21Email.pdf; July25Email.pdf; July26Email.pdf; June28Email_Redacted.pdf; LDF-Complaint-071817.pdf; Public Official Responses Received July 14 2017.pdf; Reply Letter to PACEI.pdf; Revised Agenda - Presidential Advisory Commission on Election Integrity ..._.pdf; SOS Letters.pdf

Ms. Cassidy,

I am breaking the reply in two separate file due to the size. Your server rejected when I tried to attach all documents on one email.

I did redact the cell phone number of Andrew Kossack from some of the emails.

Please let me know if this satisfies your request.

If you have any questions please contact me.

Mark Rhodes, Clerk
Wood County Commission
304-424-1850

AMERICAN OVERSIGHT

Mark Rhodes

From: Mark Rhodes
Sent: Monday, August 28, 2017 2:59 PM
To: 'ccassidy@ap.org'
Subject: FOIA
Attachments: 1 - Complaint.pdf

Ms. Cassidy,

I am breaking the reply in two separate file due to the size. Your server rejected when I tried to attach all documents on one email.

I did redact the cell phone number of Andrew Kossack from some of the emails.

Please let me know if this satisfies your request.

If you have any questions please contact me.

Mark Rhodes, Clerk
Wood County Commission
304-424-1850

PS – three file, one just got kicked back

AMERICAN OVERSIGHT

Mark Rhodes

From: Mark Rhodes
Sent: Monday, August 28, 2017 3:00 PM
To: 'ccassidy@ap.org'
Subject: FOIA
Attachments: 1. Compl (002).pdf; 1. Compl.pdf; 33 - Second Amended Complaint.pdf; Agenda for July 19 2017 Initial Meeting.pdf; August7Email.pdf; August18Email_Redacted.pdf; August21Email_Redacted.pdf; Commission Lit Hold Ltr FINAL (8-4-17).pdf; Complaint.pdf; draft PACEI By-Laws FINAL.pdf; July 26 2017 Letter from Vice Chair Kris Kobach.pdf; July10Email_Redacted.pdf; July14Email-Agenda.pdf; July18Email-Agenda-ByLaws.pdf

Ms. Cassidy,

I am breaking the reply in two separate file due to the size. Your server rejected when I tried to attach all documents on one email.

I did redact the cell phone number of Andrew Kossack from some of the emails.

Please let me know if this satisfies your request.

If you have any questions please contact me.

Mark Rhodes, Clerk
Wood County Commission
304-424-1850

Part 3 and hopefully last

AMERICAN OVERSIGHT

Mark Rhodes

From: Mark Rhodes
Sent: Monday, August 28, 2017 2:09 PM
To: 'ccassidy@ap.org'
Subject: FOIA
Attachments: 1 - Complaint.pdf; 1. Compl (002).pdf; 1. Compl.pdf; 33 - Second Amended Complaint.pdf; Agenda for July 19 2017 Initial Meeting.pdf; August7Email.pdf; Commission Lit Hold Ltr FINAL (8-4-17).pdf; Complaint.pdf; draft PACEI By-Laws FINAL.pdf; July14Email-Agenda.pdf; July18Email-Agenda-ByLaws.pdf; July21Email.pdf; July25Email.pdf; July26Email.pdf; LDF-Complaint-071817.pdf; Public Official Responses Received July 14 2017.pdf; Reply Letter to PACEI.pdf; Revised Agenda - Presidential Advisory Commission on Election Integrity .._.pdf; SOS Letters.pdf; June28Email_Redacted.pdf; July10Email_Redacted.pdf; August21Email_Redacted.pdf; August18Email_Redacted.pdf; July 26 2017 Letter from Vice Chair Kris Kobach.pdf

Ms. Cassidy,

The attached email and documents are in response to your FOIA. I redacted the cell phone number for Andrew Kossack from a four of the email. The email are labeled redacted.
Please let me know if this satisfies your request.

Mark Rhodes, Clerk
Wood County Commission
304-424-1850

AMERICAN OVERSIGHT

Mark Rhodes

From: Mark Rhodes
Sent: Wednesday, August 30, 2017 7:44 AM
To: 'Almeida Cassidy, Christina'
Subject: RE: FOIA

Ms. Cassidy,
Call 304-424-1850. That is the main line and will transfer it to whatever department I am working in at the time.

Mark

From: Almeida Cassidy, Christina [mailto:calmeida@ap.org]
Sent: Monday, August 28, 2017 4:49 PM
To: Mark Rhodes <mrhodes@woodcountywv.com>
Subject: RE: FOIA

Mr. Rhodes, thank you so much for this and for your fast reply. I am always grateful when officials and agencies are so responsive. I will review these now and let you know if I have any questions. I would also love to chat ahead of next month's meeting. Are there certain days and times that work best for you?
Many thanks,
Christina

Christina Almeida Cassidy | AP State Government Team | O: (404) 522-8971 | C: (404) 326-8407

From: Mark Rhodes [mailto:mrhodes@woodcountywv.com]
Sent: Monday, August 28, 2017 2:58 PM
To: Almeida Cassidy, Christina
Subject: FOIA

Ms. Cassidy,

I am breaking the reply in two separate file due to the size. Your server rejected when I tried to attach all documents on one email.

I did redact the cell phone number of Andrew Kossack from some of the emails.

Please let me know if this satisfies your request.

If you have any questions please contact me.

Mark Rhodes, Clerk
Wood County Commission
304-424-1850

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly

AMERICAN OVERSIGHT

prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

AMERICAN OVERSIGHT

Message

From: Kossack, Andrew J. EOP/OVP [Andrew.J.Kossack@ovp.eop.gov]
Sent: 7/26/2017 2:14:56 PM
To: Kris Kobach [redacted]
Subject: 12:00/11:00 call

What's a good number for us to reach you then?

Andrew J. Kossack
Associate Counsel
Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Mark Rhodes

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Wednesday, September 13, 2017 5:28 PM
To: Mark Rhodes
Subject: Update and request for litigation
Attachments: Letter to Commissioners v.09.08.docx

Hi Mark,

We missed you yesterday, but hope your training went well. The video of yesterday's meeting is now posted here: https://www.youtube.com/watch?v=gSXN-uq2Ju8. It is broken into a few different clips due to the length. It was a great hearing overall with a lot of interesting information and discussion, so I hope you'll have time at some point to watch it.

I also wanted to share the attached request from DOJ, which we gave to members in person yesterday in hard copies. Please call me at your earliest convenience so I can explain what is needed for this. Unfortunately, it's on an expedited timeline, but it should be manageable.

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

NASS
National Association of Secretaries of State

Last Updated: July 21, 2017

ISSUE BRIEFING: Securing Future Elections Against Cyber Threats

What Are the Threats? Concerns have been raised about foreign attempts to compromise our nation's election systems through cyberattacks. In January 2017, the U.S. Department of Homeland Security designated state and local voting systems as ***critical infrastructure*** in order to offer a federal response to such threats. Secretaries of State are bolstering cybersecurity and resilience levels for future elections by focusing on key digital components of their state systems: voter registration databases, election management systems, election night reporting systems and electronic voting machines.

States Taking a Proactive Approach. Secretaries of State are committed to working with their federal, state and local partners on a voluntary basis, including the U.S. Election Assistance Commission (EAC) and the U.S. Department of Homeland Security, to solicit input on threats and share information on risk assessment and threat mitigation in our elections. Additional steps may be taken based upon credible or specific threats that are identified. Secretaries of State are also working in collaboration via the NASS Election Security Task Force, created for sharing resources, best practices and technical advice between states. Areas of shared state interest include:

- Establishing clear and effective structures for threat and intelligence information-sharing, victim notification processes and cyber incident response
- Identifying threat mitigation practices and state legislation/policy trends for consideration
- Conducting risk assessments and implementing continuous vulnerability assessments
- Ensuring that election offices have sufficient equipment, technical support and resources to maintain a sound security posture for their computer-based systems
- Fostering a culture of risk awareness with strong cyber hygiene practices

Areas of Shared State Interest

1) *Establishing clear and effective structures for threat and intelligence information-sharing, victim notification processes and cyber incident response, including:*

    - Obtaining federal government security clearances for Secretaries of State/Chief State Election Officials in order to access timely threat information to protect election systems.
    - Improving government processes for notifications regarding system attacks and breaches.
    - Establishing a Critical Infrastructure State Government Coordinating Council to interface with federal agencies regarding election security issues.
    - Leveraging MS-ISAC/State Fusion Centers for continuous monitoring, threat detection and incident awareness/response.
    - Developing state-specific frameworks for cyber incident response, in the event of a major attack.

2) Identifying threat mitigation practices and state policy trends for consideration, including:

- Under a risk-based model like the NIST Cybersecurity Framework, some states are trying to develop more of an enterprise mentality to improving cybersecurity coordination and response.

AMERICAN OVERSIGHT

- Reviewing/updating policies for back-up paper ballots and equipment, paper printouts/records for polling place use, post-election audits, back-up voter lists (paper and electronic) and voter data security.

3) Conducting risk assessments and implementing continuous vulnerability assessments, including:

- Regularly monitoring election system threats and vulnerabilities to defend any related cyber networks against attacks, including phishing scams, malware, denial-of-service attacks and other common practices employed by malicious actors.
- Working with in-house IT advisors, private security partners, state CIOs/CISOs, Homeland Security Advisors, the Department of Homeland Security and others to ensure that state election systems are secured with technologies and standard operating practices that can successfully diagnose potential cyber threats, track cyberattacks, provide mitigation options and enhance the resilience of state systems.
- Documenting and reviewing all security procedures/systems, including pre- and post-election protocols and testing procedures, physical security and chain of custody policies and response to reported hardware/software issues.

4) Ensuring that election offices have sufficient equipment, technical support and resources to maintain a sound security posture for their computer-based systems, including:

- Consulting with key stakeholders (ie. Members of Congress, Governor, state legislators, state CIO/CISO) regarding current levels of investment in state and local election infrastructure. Request cybersecurity briefing from Governor/State CIO or CISO.
- Replacing aging voting equipment that is nearing end of life, no longer meets state testing and certification requirements, or will soon fail to meet such requirements due to lack of technical support/replacement parts.
- Bringing laws and policies guiding election administration into compliance with existing legal exemptions for critical infrastructure information-sharing under federal law.

5) Fostering a culture of risk awareness with strong cyber hygiene practices, including:

- Training or guidance on cyber hygiene protocols for elections officials, along with establishing clear communication protocols between state-local officials.
- Providing guidance on procedures for reporting election issues and security-related incidents (i.e. state hotlines, poll worker guidance, state task force, DHS/FBI coordination, state fusion center with law enforcement).

What Else Will Combat Foreign Threats? Keeping elections state and locally-run (decentralized), keeping voting equipment offline and leaving voting machines unnetworked, keeping voter lists clean and up-to-date and convincing more Americans to simply take part in voting and volunteering at the polls.

For additional questions on this briefing, please contact NASS: (202) 624-3525 or nass@sso.org.

AMERICAN OVERSIGHT

Mark Rhodes

From: Chuck Flannery <CFlannery@wvsos.com>
Sent: Saturday, July 22, 2017 5:55 AM
To: Mark Rhodes
Subject: Fwd: NASS Communications Alert: Election Cybersecurity Info, DHS Letter and More
Attachments: nass-letter-urgent-items-sec-kelly-072017.doc.pdf; ATT00001.htm; briefing-election-cybersecurity-preps-2017-2018.pdf; ATT00002.htm; 354227068-Russia-Hacking-President-Obama-s-Previously-Undisclosed-Election-Day-Plan.pdf; ATT00003.htm

Sent from my iPhone

Begin forwarded message:

> **From:** "nass" <kstimson@sso.org>
> **To:** "nass" <kstimson@sso.org>
> **Subject: NASS Communications Alert: Election Cybersecurity Info, DHS Letter and More**
>
> Dear NASS Communications Contacts & Members:
>
> We have a summertime sharknado of information to share regarding NASS elections-related outreach and media items. Let me know if you have any questions.
>
> **Time Magazine Article**
> We want to make sure that you have a chance to see the linked *Time* piece from this week, which has generated some media calls to NASS for response: http://time.com/4865982/secret-plan-stop-vladimir-putin-election-plot/. We are unable to verify the accuracy of the piece and its various claims, and we have received some conflicting SOS office feedback. The article also references a White House plan that was developed under the former administration for response to major election-related incidents. If you are interested in reading this document, that downloaded file is attached (SEE 354337068…).
>
> **FOIA Requests for Election Cybersecurity Info Disclosures**
> HT to the state member office that brought to the attention of NASS another area of federal guidance on disclosures regarding cybersecurity. Specifically,
> provisions in 6 USC 1503(d)(4)(b) and 1504(d)(3), governing cybersecurity information sharing, which states that cyber threat indicators or defensive measures shared by or with a state under those sections are exempt from disclosure under state open records laws. This is a separate framework from the protected critical infrastructure provisions. When we asked our DHS legal contacts about it, they noted, "…we do have a whole team of cyber lawyers, but we'd need more specific questions about the Cybersecurity Information Sharing Act and then [we] can make the connections for you if needed." Please reach out to Leslie Reynolds at reynolds@sso.org if you need that contact info for follow-ups. As part of our follow-up questions, the DHS team also noted that their PCII classification is solely a DHS designation and does not cover FBI-sourced information.
>
> **NASS Letter to Homeland Secretary Kelly**
> The attached letter to Sec. Kelly is a record of the requests that NASS has submitted to DHS since the critical infrastructure designation was put into place in January 2017. Please feel free to share with your state and federal stakeholders.

AMERICAN OVERSIGHT

Securing Future Elections Against Cyber Threats
We have attached a NASS issue briefing entitled, "Securing Future Elections Against Cyber Threats." The issue briefing covers general topics that are being addressed by the NASS Election Security Task Force and areas of shared state interest for 2017 and beyond. Please feel free to share it with media, elected officials and interested stakeholders. We designed it to be a resource for SOS outreach when asked what states are doing to prepare for future elections.

Voting Machine Hacking Event Next Week in Las Vegas, NV | July 27-30
DEFCON, the world's largest underground hacking conference, will be featuring a voting machine hacking village where "hackers will attempt to compromise voting machines from a variety of perspectives: remote attacks, hardware and software vulnerabilities and potentials available to insiders with physical access to the equipment." The event will also feature panelists from the former Obama Administration, NIST, National Governors Association, MS-ISAC and the cybersecurity academic community. More details here: https://forum.defcon.org/forum/defcon/dc25-official-unofficial-parties-social-gatherings-events-contests/dc25-villages/voting-machine-hacking-village/226138-new-for-def-con-25-voting-machine-hacking-village/page2

The U.S. Election Assistance Commission will also be in attendance. Feel free to send any media inquiries about this event to the attention of their press office at: Brenda Bowser Soder at bsoder@eac.gov or 202-897-9285.

Have a nice weekend!

Kay

Kay Stimson
Director of Communications & Special Projects
Natl Assoc of Secretaries of State (NASS) | Hall of the States
444 N. Capitol Street, NW, Suite 401 | Washington, DC 20001
p: 202-624-3528 | **c:** 703-869-5868 | **e:** kstimson@sso.org

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more Click Here.

AMERICAN OVERSIGHT

Mark Rhodes

From: Mark Rhodes
Sent: Thursday, June 22, 2017 2:01 PM
To: 'Chuck Flannery'
Subject: RE: DRAFT - Election integrity commission release

Chuck,
I was appointed Clerk in Aug 2013 and elected in 2014 and reelected in 2016. I began working with the Clerk's Office in 2005.

Mark

From: Chuck Flannery [mailto:[redacted]
Sent: Thursday, June 22, 2017 1:25 PM
To: Mark Rhodes [redacted]
Subject: DRAFT - Election integrity commission release

Press Release

Secretary of State Warner pleased with President Trump's appointment of Wood County Clerk Mark Rhodes to National Election Integrity Task Force

Charleston, W.Va. On Wednesday, President Donald Trump announced three additional appointments to the President's task force to promote fair and honest elections. One of those appointments to the Presidential Advisory Commission on Election Integrity is Wood County Clerk, Mark Rhodes, a Democrat who has served as clerk since 2005.

West Virginia Secretary of State Mac Warner strongly recommended Rhodes for this position, citing Rhodes' experience as a hands on clerk who runs elections at the ground level.

"With Clerk Mark Rhodes, President Trump has selected one of the most dedicated local elections officials in the entire country," Warner said. "Having first won his elected position by a mere five votes, Mark Rhodes knows the importance of every vote, and he fights for election integrity at every step in the process."

Luis Borunda, a Republican and the Deputy Secretary of State in Maryland and David K. Dunn, a Democrat and a former member of the Arkansas legislature, were also nominated on Wednesday.

Warner noted that it is quite an honor for a small state like West Virginia to have a member on this 15-person Commission. "Mark Rhodes will insure that local county clerks across America will have a strong, competent voice on this very important Commission," Warner continued. "There are 3,144 counties in the United States, and Wood County, West Virginia, can be used as an example of how to use a small budget and hard work to conduct fair and accurate elections."

Regarding the appointment, Rhodes said, "In West Virginia, voter registration accessibility and accuracy is paramount for local elections officials, and I am enthused to bring West Virginia's perspective to the national stage." Rhodes continued, "As a County Clerk for the past 12 years, I am proud to represent West Virginia and the nation's local election officials to ensure election integrity."

When referring to over 1,100 invalid names Rhodes has removed from his county's voter rolls since February, Rhodes said, "Using the tools provided by Secretary of State Warner, I was able to do in 10 minutes what it would have taken me

AMERICAN OVERSIGHT

3 weeks to do before." Rhodes cited the tools now being provided by the Secretary of State's office to assist clerks in their roll maintenance.

President Trump established the Presidential Advisory Commission on Election Integrity by Executive Order on May 11th. https://www.whitehouse.gov/the-press-office/2017/05/11/presidential-executive-order-establishment-presidential-advisory

Vice President Mike Pence will serve as the Chairman. Kansas Secretary of State Chris Kobach was appointed to serve as vice chairman. The commission also includes Indiana Secretary of State Connie Lawson (R), New Hampshire Secretary of State Bill Gardner (D), Maine Secretary of State Matthew Dunlap (D), former Ohio Secretary of State Ken Blackwell (R), and Commissioner of the Election Assistance Commission Christy McCormick.

End of Release

Chuck Flannery
Deputy Secretary of State –
Chief of Staff
West Virginia Secretary of State
State Capitol
Charleston, WV 25305
[redacted]
www.wvsos.com

NOTICE: Email correspondence to and from this email address is subject to the West Virginia Freedom of Information Act and may be disclosed, in whole or in part, to third parties by an authorized State official. It may also be privileged or otherwise protected by work product immunity or other legal rules. Unauthorized disclosure of health, legally privileged, or otherwise confidential information, is prohibited by law. If you have received this email in error, please notify the sender immediately and delete all records of this email.

AMERICAN OVERSIGHT

Mark Rhodes

From: The West Virginia Secretary of State's Office <sadams=wvsos.com@mail92.suw17.mcsv.net> on behalf of The West Virginia Secretary of State's Office <sadams@wvsos.com>
Sent: Thursday, June 22, 2017 4:05 PM
To: Mark Rhodes
Subject: PRESS RELEASE: Secretary Warner Pleased with President Trump's Appointment of Wood County Clerk Rhodes to National Election Integrity Task Force

View this email in your browser

MEDIA ADVISORY

June 22, 2017

CONTACT: Steven Allen Adams
Assistant Communications Director
PHONE: 304-558-6000
CELL: 304-549-4270
EMAIL: sadams@wvsos.com

Secretary Warner Pleased with President Trump's Appointment of Wood County Clerk Rhodes to National Election Integrity Task Force

CHARLESTON, W.Va. - On Wednesday, President Donald Trump announced three additional appointments to the President's task force to promote fair and honest elections. One of those appointments to the Presidential Advisory Commission on Election Integrity is Wood County Clerk Mark Rhodes, a Democrat who has served as county clerk since 2014.

AMERICAN OVERSIGHT

West Virginia Secretary of State Mac Warner strongly recommended Rhodes for this position, citing Rhodes' experience as a hands-on clerk who runs elections at the ground level.

"With Clerk Mark Rhodes, President Trump has selected one of the most dedicated local elections officials in the entire country," Warner said. "Having first won his elected position by a mere five votes, Mark Rhodes knows the importance of every vote, and he fights for election integrity at every step in the process."

Luis Borunda, a Republican and the Deputy Secretary of State in Maryland, and David K. Dunn, a Democrat and a former member of the Arkansas legislature, were also nominated on Wednesday.

Warner noted that it is quite an honor for a small state like West Virginia to have a member on this 15-person Commission. "Mark Rhodes will insure that local county clerks all across America will have a strong, competent voice on this very important Commission," Warner continued. "There are 3,144 counties in the United States, and Wood County can be used as an example of how to combine a small budget and hard work to conduct fair and accurate elections."

Regarding the appointment, Rhodes said, "In West Virginia, voter registration accessibility and accuracy is paramount for local elections officials, and I am enthused to bring West Virginia's perspective to the national stage." Rhodes continued, "As a County Clerk working at the local level, I'm proud to represent West Virginia and the nation's local election officials to ensure election integrity."

When referring to over 1,100 invalid names Rhodes has removed from his county's voter rolls since February, Rhodes said, "Using the tools provided by Secretary of State Warner, I was able to do in 10 minutes what it would have taken me 3 weeks to do before." Rhodes cited the tools and technology now being provided by the Secretary of State's office to assist clerks in their roll maintenance.

AMERICAN OVERSIGHT

President Trump established the Presidential Advisory Commission on Election Integrity by Executive Order on May 11th. *Click here to read the May 11th press release from the White House*.

Vice President Mike Pence will serve as the Chairman. Kansas Secretary of State Chris Kobach was appointed to serve as vice chairman. The commission also includes Indiana Secretary of State Connie Lawson (R), New Hampshire Secretary of State Bill Gardner (D), Maine Secretary of State Matthew Dunlap (D), former Ohio Secretary of State Ken Blackwell (R), and Commissioner of the Election Assistance Commission Christy McCormick.

- End of Release -

Wood County Clerk Mark Rhodes

Copyright © 2017 West Virginia Secretary of State's Office, All rights reserved.
You are receiving this email because you are a media outlet, a member of a media outlet, or someone who opted to be a part of this mailing list.

Our mailing address is:
West Virginia Secretary of State's Office
Bldg. 1, Suite 157-K
1900 Kanawha Blvd. East
Charleston, WV 25305

Add us to your address book

Want to change how you receive these emails?

AMERICAN OVERSIGHT
17-2361-A-000209

You can update your preferences or unsubscribe from this list

AMERICAN OVERSIGHT

Mark Rhodes

From: Mark Rhodes
Sent: Friday, August 11, 2017 9:11 AM
To: 'Beeson, Mac'
Subject: RE: iVotronic security

Mac,
Thanks for the info. I searched around last night and did not find anything else on the web.
Thanks,
Mark

From: Beeson, Mac [mailto:dmbeeson@essvote.com]
Sent: Thursday, August 10, 2017 5:42 PM
To: Mark Rhodes <mrhodes@woodcountywv.com>
Subject: iVotronic security

Hi Mark,

It was good talking to you today. I have attached two documents for your review.

Also based on what we have read or been told about the DEF CON event that we believe the following to be accurate statements regarding the iVotronic units:

1. No votes were changed
2. They were unable to access the systems without breaching the physical security.

Please let me know if you have any questions. Thanks.

Mac Beeson
Regional Sales Manager
Election Systems and Software
[redacted]
mbeeson@essvote.com

AMERICAN OVERSIGHT

Mark Rhodes

From: Chuck Flannery <CFlannery@wvsos.com>
Sent: Saturday, July 22, 2017 5:53 AM
To: Mark Rhodes
Subject: Wheeling Editorial

https://www.theintelligencer.net/opinion/editorials/2017/07/dont-shut-states-out-on-security/

Wheeling Intelligencer. July 22, 2017

Don't Shut States Out on Security

Computerized segments of West Virginia's voting system were among those in 21 states Russian hackers tried to infiltrate last year. Yet then-Secretary of State Natalie Tennant was not told. Until earlier this month, neither was her successor, Mac Warner.

It is not difficult to understand why federal intelligence officials did not inform state election officers of the hacking attempt. Often — too often, one sometimes suspects — the spy agencies keep secrets because they do not want our adversaries to know their efforts have been detected. Frequently, the justification is that if cyber-saboteurs learn they have been detected, they also will gain knowledge of our security methods.

Still, the fact state election officials were kept in the dark is more than a little disturbing. Those in positions such as Warner's are charged with ensuring elections are fair and honest, after all.

Federal officials told Warner of the hacking earlier this month. The revelation prompted him to seek national security clearance for himself and at least one other person in the secretary of state's office. Presumably, Warner expects the clearance would allow him to be given information that otherwise might be kept from him.

Clearly, some means of letting state election officers in on the matter of election security is imperative, for several reasons. Not the least important is that they have far more knowledge of the voting processes in their states than do federal cybersecurity operatives. One cannot make any system truly secure unless one understands all its nuts and bolts.

Secrecy regarding the mere fact of hacking attempts by the Russians raises another concern: Though inquiries in general about the matter have drawn the response that no state's election systems were compromised, is that the full truth?

Or, instead, did Moscow have some success in tampering with U.S. elections? Did the Kremlin's hackers learn enough to disable computerized voting equipment and/or systems?

Failure to get Warner and other state election officials in the loop on this one was more than rude — it could have dangerous ramifications. Making election security a partnership rather than solely the realm of federal intelligence agencies should be a priority.

AMERICAN OVERSIGHT

Sent from my iPhone

AMERICAN OVERSIGHT

Columns A-E are from the precinct results on the Chicago Board of Elections website:
http://www.chicagoelections.com/en/election-results.asp?election=4

Ward	Precinct	Register Voters	Ballots Cast	Turnout %
1	1	894	637	71.25%
1	2	837	601	71.80%
1	3	1001	749	74.83%
1	4	921	721	78.28%
1	5	939	715	76.14%
1	6	845	648	76.69%
1	7	556	455	81.83%
1	8	795	622	78.24%
1	9	658	551	83.74%
1	10	985	798	81.02%
1	11	919	716	77.91%
1	12	1042	748	71.79%
1	13	411	286	69.59%
1	14	855	660	77.19%
1	15	799	591	73.97%
1	16	729	606	83.13%
1	17	768	558	72.66%
1	18	936	674	72.01%
1	19	998	795	79.66%
1	20	697	507	72.74%
1	21	972	770	79.22%
1	22	588	411	69.90%
1	23	1103	837	75.88%
1	24	913	579	63.42%
1	25	864	604	69.91%
1	26	706	441	62.46%
1	27	919	673	73.23%
1	28	331	227	68.58%
1	29	794	630	79.35%
1	30	990	727	73.43%
1	31	910	647	71.10%
1	32	823	629	76.43%
1	33	972	719	73.97%
1	34	716	561	78.35%
1	35	1009	810	80.28%
1	36	884	688	77.83%
1	37	845	655	77.51%
1	38	841	660	78.48%
1	39	807	563	69.76%
1	40	875	650	74.29%
1	41	443	347	78.33%
1	42	251	192	76.49%
1	43	568	425	74.82%
1	44	677	533	78.73%
2	1	979	716	73.14%
2	2	653	533	81.62%
2	3	914	781	85.45%
2	4	825	602	72.97%
2	5	996	793	79.62%
2	6	910	657	72.20%
2	7	960	651	67.81%
2	8	1085	801	73.82%
2	9	776	623	80.28%
2	10	715	597	83.50%
2	11	797	673	84.44%
2	12	789	618	78.33%
2	13	704	616	87.50%
2	14	907	688	75.85%
2	15	870	651	74.83%
2	16	868	622	71.66%
2	17	1001	745	74.43%
2	18	767	670	87.35%
2	19	576	488	84.72%
2	20	1058	786	74.29%
2	21	878	655	74.60%
2	22	827	715	86.46%
2	23	566	462	81.63%
2	24	772	647	83.81%
2	25	909	762	83.83%
2	26	806	615	76.30%
2	27	752	666	88.56%
2	28	912	770	84.43%
2	29	886	745	84.09%
2	30	720	581	80.69%
2	31	995	831	83.52%
2	32	739	622	84.17%
2	33	1121	980	87.42%
2	34	631	545	86.37%
2	35	1096	909	82.94%
2	36	649	562	86.59%
2	37	673	590	87.67%
2	38	725	645	88.97%
2	39	654	495	75.69%
2	40	985	826	83.86%
2	41	1032	744	72.09%
2	42	923	789	85.48%
2	43	1098	951	86.61%
2	44	493	442	89.66%
2	45	870	660	75.86%
2	46	534	421	78.84%
3	1	1081	743	68.73%
3	2	808	684	84.65%
3	3	838	615	73.39%
3	4	880	640	72.73%
3	5	710	463	65.21%
3	6	942	773	82.06%
3	7	590	430	72.88%
3	8	884	627	70.93%
3	9	841	602	71.58%
3	10	645	363	56.28%
3	11	855	626	73.22%
3	12	756	567	75.00%
3	13	862	742	86.08%
3	14	876	690	78.77%
3	15	878	651	74.15%
3	16	900	602	66.89%
3	17	997	784	78.64%
3	18	1306	912	69.83%
3	19	871	749	85.99%
3	20	923	646	69.99%
3	21	843	710	84.22%
3	22	1097	888	80.95%
3	23	842	574	68.17%
3	24	832	583	70.07%
3	25	1255	1040	82.87%
3	26	866	737	85.10%
3	27	976	802	82.17%
3	28	637	384	60.28%
3	29	1081	725	67.07%
3	30	800	579	72.38%
3	31	966	775	80.23%
3	32	927	781	84.25%
3	33	955	800	83.77%
3	34	1010	822	81.39%
3	35	610	316	51.80%
3	36	665	404	60.75%
3	37	841	573	68.13%
3	38	658	502	76.29%
3	39	1056	874	82.77%
3	40	909	714	78.55%

Columns G-I are a rollup of data from the file of voters who voted in the 2016 election
provided by the CBOE. Column K is the difference between the number of voters in the file and the number of ballots cast.

Ward	Precinct	Votercount	difference
1	1	638	-1
1	2	600	1
1	3	740	9
1	4	720	1
1	5	713	2
1	6	635	13
1	7	444	11
1	8	557	65
1	9	548	3
1	10	784	14
1	11	715	1
1	12	749	-1
1	13	291	-5
1	14	655	5
1	15	596	-5
1	16	603	3
1	17	553	5
1	18	672	2
1	19	748	47
1	20	499	8
1	21	768	2
1	22	412	-1
1	23	823	14
1	24	569	10
1	25	576	28
1	26	439	2
1	27	671	2
1	28	214	13
1	29	625	5
1	30	712	15
1	31	633	14
1	32	622	7
1	33	707	12
1	34	555	6
1	35	781	29
1	36	699	-11
1	37	651	4
1	38	645	15
1	39	564	-1
1	40	650	0
1	41	345	2
1	42	189	3
1	43	424	1
1	44	529	4
2	1	711	5
2	2	534	-1
2	3	770	11
2	4	609	-7
2	5	787	6
2	6	634	23
2	7	560	91
2	8	800	1
2	9	613	10
2	10	602	-5
2	11	663	10
2	12	607	11
2	13	611	5
2	14	684	4
2	15	641	10
2	16	619	3
2	17	746	-1
2	18	655	15
2	19	488	0
2	20	781	5
2	21	660	-5
2	22	719	-4
2	23	460	2
2	24	649	-2
2	25	764	-2
2	26	612	3
2	27	639	27
2	28	764	6
2	29	745	0
2	30	582	-1
2	31	815	16
2	32	617	5
2	33	980	0
2	34	541	4
2	35	906	3
2	36	560	2
2	37	577	13
2	38	622	23
2	39	489	6
2	40	783	43
2	41	735	9
2	42	783	6
2	43	950	1
2	44	435	7
2	45	645	15
2	46	412	9
3	1	729	14
3	2	689	-5
3	3	617	-2
3	4	639	1
3	5	463	0
3	6	753	20
3	7	425	5
3	8	622	5
3	9	609	-7
3	10	365	-2
3	11	628	-2
3	12	545	22
3	13	742	0
3	14	674	16
3	15	661	-10
3	16	594	8
3	17	779	5
3	18	899	13
3	19	745	4
3	20	645	1
3	21	695	15
3	22	873	15
3	23	563	11
3	24	586	-3
3	25	994	46
3	26	736	1
3	27	783	19
3	28	376	8
3	29	732	-7
3	30	581	-2
3	31	757	18
3	32	764	17
3	33	786	14
3	34	808	14
3	35	315	1
3	36	395	9
3	37	561	12
3	38	489	13
3	39	866	8
3	40	713	1

AMERICAN OVERSIGHT

3	41	800	535	66.88%
4	1	949	797	83.98%
4	2	948	800	84.39%
4	3	826	607	73.49%
4	4	1129	838	74.22%
4	5	786	597	75.95%
4	6	934	734	78.59%
4	7	942	725	76.96%
4	8	891	688	77.22%
4	9	815	647	79.39%
4	10	920	687	74.67%
4	11	932	700	75.11%
4	12	955	682	71.41%
4	13	898	744	82.85%
4	14	832	641	77.04%
4	15	1002	760	75.85%
4	16	1042	945	90.69%
4	17	944	862	91.31%
4	18	827	573	69.29%
4	19	933	633	67.85%
4	20	708	587	82.91%
4	21	1046	895	85.56%
4	22	826	631	76.39%
4	23	999	818	81.88%
4	24	834	577	69.18%
4	25	846	744	87.94%
4	26	834	626	75.06%
4	27	928	738	79.53%
4	28	714	581	81.37%
4	29	884	639	72.29%
4	30	1211	879	72.58%
4	31	700	602	86.00%
4	32	931	672	72.18%
4	33	879	683	77.70%
4	34	758	572	75.46%
4	35	988	731	73.99%
4	36	901	683	75.80%
4	37	1212	1041	85.89%
4	38	793	629	79.32%
5	1	845	570	67.46%
5	2	811	518	63.87%
5	3	772	658	85.23%
5	4	925	732	79.14%
5	5	810	587	72.47%
5	6	763	513	67.23%
5	7	701	581	82.88%
5	8	724	632	87.29%
5	9	854	691	80.91%
5	10	789	550	69.71%
5	11	780	629	80.64%
5	12	828	491	59.30%
5	13	787	525	66.71%
5	14	628	468	74.52%
5	15	734	588	80.11%
5	16	914	628	68.71%
5	17	831	570	68.59%
5	18	680	569	83.68%
5	19	706	586	83.00%
5	20	787	658	83.61%
5	21	776	644	82.99%
5	22	726	648	89.26%
5	23	1213	1049	86.48%
5	24	830	670	80.72%
5	25	766	543	70.89%
5	26	812	634	78.08%
5	27	785	871	110.96%
5	28	796	609	76.51%
5	29	926	658	71.06%
5	30	800	502	62.75%
5	31	722	506	70.08%
5	32	780	624	80.00%
5	33	845	624	73.85%
5	34	869	783	90.10%
5	35	739	619	83.76%
5	36	705	403	57.16%
5	37	737	623	84.53%
5	38	823	599	72.78%
5	39	624	506	81.09%
5	40	634	477	75.24%
5	41	354	299	84.46%
6	1	702	520	74.07%
6	2	704	518	73.58%
6	3	708	521	73.59%
6	4	673	449	66.72%
6	5	741	410	55.33%
6	6	685	475	69.34%
6	7	751	515	68.58%
6	8	687	508	73.94%
6	9	860	589	68.49%
6	10	681	401	58.88%
6	11	786	493	62.72%
6	12	807	467	57.87%
6	13	599	396	66.11%
6	14	792	517	65.28%
6	15	965	545	56.48%
6	16	697	495	71.02%
6	17	742	453	61.05%
6	18	693	436	62.91%
6	19	729	495	67.90%
6	20	705	388	55.04%
6	21	634	367	57.89%
6	22	686	404	58.89%
6	23	686	366	53.35%
6	24	582	322	55.33%
6	25	639	348	54.46%
6	26	781	466	59.67%
6	27	681	371	54.48%
6	28	675	331	49.04%
6	29	685	508	74.16%
6	30	783	497	63.47%
6	31	684	489	71.49%
6	32	714	485	67.93%
6	33	715	512	71.61%
6	34	727	531	73.04%
6	35	669	461	68.91%
6	36	688	524	76.16%
6	37	672	481	71.58%
6	38	710	509	71.69%
6	39	788	492	62.44%
6	40	679	449	66.13%
6	41	735	508	69.12%
6	42	810	563	69.51%
6	43	694	463	66.71%
6	44	815	568	69.69%
6	45	742	567	76.42%
6	46	553	364	65.82%
6	47	619	430	69.47%
6	48	772	517	66.97%
7	1	763	502	65.79%
7	2	898	546	60.80%
7	3	637	463	72.68%
7	4	684	455	66.52%
7	5	716	441	61.59%
7	6	784	632	80.61%

3	41	518	17
4	1	792	5
4	2	799	1
4	3	600	7
4	4	846	-8
4	5	576	21
4	6	737	-3
4	7	724	1
4	8	668	20
4	9	651	-4
4	10	700	-13
4	11	698	2
4	12	679	3
4	13	741	3
4	14	647	-6
4	15	764	-4
4	16	931	14
4	17	829	33
4	18	591	-18
4	19	616	17
4	20	581	6
4	21	881	14
4	22	643	-12
4	23	818	0
4	24	575	2
4	25	749	-5
4	26	640	-14
4	27	741	-3
4	28	584	-3
4	29	623	16
4	30	874	5
4	31	586	16
4	32	673	-1
4	33	680	3
4	34	590	-18
4	35	746	-15
4	36	692	-9
4	37	1033	8
4	38	630	-1
5	1	565	5
5	2	523	-5
5	3	652	6
5	4	721	11
5	5	594	-7
5	6	505	8
5	7	572	9
5	8	621	11
5	9	689	2
5	10	531	19
5	11	633	-4
5	12	474	17
5	13	514	11
5	14	462	6
5	15	574	14
5	16	589	39
5	17	572	-2
5	18	557	12
5	19	580	6
5	20	662	-4
5	21	627	17
5	22	629	19
5	23	1033	16
5	24	668	2
5	25	534	9
5	26	629	5
5	27	586	285
5	28	611	-2
5	29	629	29
5	30	487	15
5	31	495	11
5	32	627	-3
5	33	609	15
5	34	775	8
5	35	613	6
5	36	435	-32
5	37	611	12
5	38	582	17
5	39	506	0
5	40	462	15
5	41	299	0
6	1	511	9
6	2	517	1
6	3	516	5
6	4	422	27
6	5	394	16
6	6	484	-9
6	7	517	-2
6	8	508	0
6	9	572	17
6	10	392	9
6	11	486	7
6	12	434	33
6	13	390	6
6	14	506	11
6	15	544	1
6	16	495	0
6	17	448	5
6	18	424	12
6	19	499	-4
6	20	395	-7
6	21	351	16
6	22	402	2
6	23	340	26
6	24	316	6
6	25	333	15
6	26	449	17
6	27	370	1
6	28	320	11
6	29	500	8
6	30	489	8
6	31	480	9
6	32	460	25
6	33	498	14
6	34	518	13
6	35	450	11
6	36	515	9
6	37	479	2
6	38	507	2
6	39	470	22
6	40	438	11
6	41	492	16
6	42	570	-7
6	43	448	15
6	44	555	13
6	45	553	14
6	46	347	17
6	47	409	21
6	48	499	18
7	1	482	20
7	2	560	-14
7	3	455	8
7	4	459	-4
7	5	423	18
7	6	601	31

AMERICAN OVERSIGHT

7	7	816	550	67.40%
7	8	700	418	59.71%
7	9	1067	798	74.79%
7	10	717	513	71.55%
7	11	882	609	69.05%
7	12	797	521	65.37%
7	13	529	330	62.38%
7	14	842	555	65.91%
7	15	710	484	68.17%
7	16	796	461	57.91%
7	17	674	444	65.88%
7	18	770	488	63.38%
7	19	733	473	64.53%
7	20	680	395	58.09%
7	21	728	434	59.62%
7	22	749	447	59.68%
7	23	650	456	70.15%
7	24	735	441	60.00%
7	25	827	487	58.89%
7	26	567	380	67.02%
7	27	652	412	63.19%
7	28	637	391	61.38%
7	29	661	416	62.93%
7	30	787	426	54.13%
7	31	572	331	57.87%
7	32	785	602	76.69%
7	33	779	551	70.73%
7	34	790	532	67.34%
7	35	804	492	61.19%
7	36	786	561	71.37%
7	37	725	503	69.38%
7	38	696	451	64.80%
7	39	679	429	63.18%
7	40	662	433	65.41%
7	41	737	469	63.64%
7	42	685	447	65.26%
7	43	720	478	66.39%
7	44	732	447	61.07%
7	45	837	538	64.28%
7	46	289	202	69.90%
8	1	705	427	60.57%
8	2	857	515	60.09%
8	3	686	494	72.01%
8	4	656	505	76.98%
8	5	682	496	72.73%
8	6	779	494	63.41%
8	7	767	562	73.27%
8	8	651	445	68.36%
8	9	469	335	71.43%
8	10	724	557	76.93%
8	11	652	455	69.79%
8	12	619	449	72.54%
8	13	892	582	65.25%
8	14	752	491	65.29%
8	15	731	509	69.63%
8	16	296	188	63.51%
8	17	545	398	73.03%
8	18	976	569	58.30%
8	19	753	504	66.93%
8	20	760	523	68.82%
8	21	941	660	70.14%
8	22	662	456	68.88%
8	23	700	449	64.14%
8	24	393	303	77.10%
8	25	771	520	67.44%
8	26	792	526	66.41%
8	27	718	517	72.01%
8	28	732	511	69.81%
8	29	868	578	66.59%
8	30	796	552	69.35%
8	31	597	392	65.66%
8	32	578	417	72.15%
8	33	717	492	68.62%
8	34	675	444	65.78%
8	35	709	496	69.96%
8	36	743	520	69.99%
8	37	510	389	76.27%
8	38	542	332	61.25%
8	39	739	509	68.88%
8	40	565	392	69.38%
8	41	741	544	73.41%
8	42	898	674	75.06%
8	43	440	285	64.77%
8	44	526	347	65.97%
8	45	805	549	68.20%
8	46	600	424	70.67%
8	47	629	415	65.98%
8	48	736	495	67.26%
8	49	682	454	66.57%
8	50	697	492	70.59%
8	51	704	530	75.28%
8	52	853	610	71.51%
8	53	397	278	70.03%
8	54	740	497	67.16%
8	55	534	386	72.28%
8	56	710	511	71.97%
9	1	785	502	63.95%
9	2	683	452	66.18%
9	3	823	500	60.75%
9	4	626	401	64.06%
9	5	689	425	61.68%
9	6	708	472	66.67%
9	7	687	397	57.79%
9	8	872	549	62.96%
9	9	765	539	70.46%
9	10	689	413	59.94%
9	11	639	397	62.13%
9	12	746	532	71.31%
9	13	715	489	68.39%
9	14	793	569	71.75%
9	15	1066	623	58.44%
9	16	676	422	62.43%
9	17	695	462	66.47%
9	18	649	367	56.55%
9	19	700	455	65.00%
9	20	744	484	65.05%
9	21	694	441	63.54%
9	22	682	493	72.29%
9	23	729	509	69.82%
9	24	690	473	68.55%
9	25	698	481	68.91%
9	26	1015	679	66.90%
9	27	710	466	65.63%
9	28	687	367	53.42%
9	29	751	516	68.71%
9	30	665	420	63.16%
9	31	735	413	56.19%
9	32	698	473	67.77%
9	33	719	417	58.00%
9	34	763	454	59.50%
9	35	651	454	69.74%
9	36	715	443	61.96%
9	37	843	608	72.12%
9	38	739	495	66.98%

7	7	546	4
7	8	409	9
7	9	792	6
7	10	505	8
7	11	579	30
7	12	526	-5
7	13	317	13
7	14	536	19
7	15	476	8
7	16	469	-8
7	17	433	11
7	18	487	1
7	19	469	4
7	20	379	16
7	21	432	2
7	22	431	16
7	23	453	3
7	24	442	-1
7	25	483	4
7	26	358	22
7	27	404	8
7	28	394	-3
7	29	422	-6
7	30	406	20
7	31	339	-8
7	32	604	-2
7	33	552	-1
7	34	536	-4
7	35	483	9
7	36	556	5
7	37	502	1
7	38	451	0
7	39	427	2
7	40	434	-1
7	41	453	16
7	42	451	-4
7	43	442	36
7	44	387	60
7	45	508	30
7	46	203	-1
8	1	411	16
8	2	522	-7
8	3	488	6
8	4	503	2
8	5	493	3
8	6	492	2
8	7	543	19
8	8	443	2
8	9	334	1
8	10	557	0
8	11	453	2
8	12	439	10
8	13	574	8
8	14	450	41
8	15	514	-5
8	16	182	6
8	17	396	2
8	18	584	-15
8	19	515	-11
8	20	481	42
8	21	637	23
8	22	448	8
8	23	439	10
8	24	301	2
8	25	504	16
8	26	501	25
8	27	516	1
8	28	504	7
8	29	576	2
8	30	544	8
8	31	394	-2
8	32	402	15
8	33	478	14
8	34	453	-9
8	35	490	6
8	36	517	3
8	37	390	-1
8	38	326	6
8	39	510	-1
8	40	397	-5
8	41	539	5
8	42	661	13
8	43	276	9
8	44	344	3
8	45	533	16
8	46	416	8
8	47	412	3
8	48	491	4
8	49	455	-1
8	50	495	-3
8	51	516	14
8	52	610	0
8	53	276	2
8	54	482	15
8	55	374	12
8	56	493	18
9	1	498	4
9	2	455	-3
9	3	482	18
9	4	397	4
9	5	418	7
9	6	464	8
9	7	390	7
9	8	530	19
9	9	539	0
9	10	410	3
9	11	399	-2
9	12	527	5
9	13	479	10
9	14	573	-4
9	15	615	8
9	16	419	3
9	17	414	48
9	18	354	13
9	19	451	4
9	20	482	2
9	21	440	1
9	22	481	12
9	23	507	2
9	24	475	-2
9	25	466	15
9	26	677	2
9	27	459	7
9	28	360	7
9	29	504	12
9	30	416	4
9	31	419	-6
9	32	462	11
9	33	402	15
9	34	457	-3
9	35	448	6
9	36	441	2
9	37	585	23
9	38	469	26

AMERICAN OVERSIGHT

9	39	758	512	67.55%
9	40	773	493	63.78%
9	41	619	402	64.94%
9	42	698	466	66.76%
9	43	855	515	60.23%
9	44	597	402	67.34%
9	45	687	454	66.08%
9	46	786	523	66.54%
9	47	712	498	69.94%
9	48	726	507	69.83%
9	49	724	504	69.61%
9	50	811	587	72.38%
9	51	648	462	71.30%
10	1	683	457	66.91%
10	2	700	456	65.14%
10	3	772	466	60.36%
10	4	814	470	57.74%
10	5	671	408	60.80%
10	6	677	428	63.22%
10	7	639	373	58.37%
10	8	651	411	63.13%
10	9	721	461	63.94%
10	10	731	502	68.67%
10	11	1012	608	60.08%
10	12	552	353	63.95%
10	13	895	549	61.34%
10	14	955	628	65.76%
10	15	1356	910	67.11%
10	16	678	392	57.82%
10	17	909	612	67.33%
10	18	645	345	53.49%
10	19	786	518	65.90%
10	20	792	507	64.02%
10	21	859	505	58.79%
10	22	566	312	55.12%
10	23	741	461	62.21%
10	24	715	499	69.79%
10	25	275	165	60.00%
10	26	818	414	50.61%
10	27	1045	545	52.15%
10	28	885	561	63.39%
10	29	759	466	61.40%
10	30	836	480	57.42%
10	31	739	386	52.23%
10	32	793	479	60.40%
10	33	624	365	58.49%
10	34	697	378	54.23%
10	35	776	517	66.62%
10	36	202	117	57.92%
11	1	874	584	66.82%
11	2	1040	90	8.65%
11	3	717	519	72.38%
11	4	817	520	63.65%
11	5	1153	730	63.31%
11	6	1030	802	77.86%
11	7	1130	961	85.04%
11	8	882	540	61.22%
11	9	879	496	56.43%
11	10	945	530	56.08%
11	11	915	604	66.01%
11	12	1043	729	69.89%
11	13	1018	672	66.01%
11	14	587	364	62.01%
11	15	397	230	57.93%
11	16	735	440	59.86%
11	17	883	646	73.16%
11	18	813	477	58.67%
11	19	1040	714	68.65%
11	20	614	391	63.68%
11	21	914	677	74.07%
11	22	1075	699	65.02%
11	23	436	322	73.85%
11	24	781	602	77.08%
11	25	816	628	76.96%
11	26	894	634	70.92%
11	27	487	245	50.31%
11	28	474	271	57.17%
11	29	860	631	73.37%
11	30	642	333	51.87%
11	31	780	546	70.00%
11	32	377	278	73.74%
11	33	825	656	79.52%
11	34	312	229	73.40%
11	35	243	173	71.19%
11	36	468	267	57.05%
11	37	364	208	57.14%
11	38	422	274	64.93%
12	1	745	516	69.26%
12	2	756	428	56.61%
12	3	880	626	71.14%
12	4	770	515	66.88%
12	5	795	461	57.99%
12	6	909	521	57.32%
12	7	919	518	56.37%
12	8	906	530	58.50%
12	9	728	447	61.40%
12	10	964	576	59.75%
12	11	868	527	60.71%
12	12	899	539	59.96%
12	13	923	545	59.05%
12	14	920	483	52.50%
12	15	887	493	55.58%
12	16	906	510	56.29%
12	17	954	575	60.27%
12	18	899	468	52.06%
12	19	822	507	61.68%
12	20	999	621	62.16%
12	21	858	549	63.99%
12	22	993	497	50.05%
12	23	803	520	64.76%
13	1	472	366	77.54%
13	2	462	362	78.35%
13	3	501	358	71.46%
13	4	611	469	76.76%
13	5	696	513	73.71%
13	6	495	401	81.01%
13	7	520	364	70.00%
13	8	443	347	78.33%
13	9	631	453	71.79%
13	10	484	369	76.24%
13	11	583	445	76.33%
13	12	602	395	65.61%
13	13	527	416	78.94%
13	14	601	441	73.38%
13	15	858	651	75.87%
13	16	448	334	74.55%
13	17	555	407	73.33%
13	18	493	364	73.83%
13	19	754	548	72.68%
13	20	384	284	73.96%
13	21	618	481	77.83%
13	22	600	457	76.17%
13	23	506	374	73.91%
13	24	544	410	75.37%

9	39	509	3
9	40	496	-3
9	41	403	-1
9	42	467	-1
9	43	522	-7
9	44	397	5
9	45	443	11
9	46	497	26
9	47	494	4
9	48	502	5
9	49	497	7
9	50	588	-1
9	51	443	19
10	1	435	22
10	2	455	1
10	3	467	-1
10	4	461	9
10	5	397	11
10	6	417	11
10	7	373	0
10	8	399	12
10	9	465	-4
10	10	504	-2
10	11	611	-3
10	12	348	5
10	13	549	0
10	14	629	-1
10	15	903	7
10	16	393	-1
10	17	612	0
10	18	344	1
10	19	513	5
10	20	508	-1
10	21	503	2
10	22	313	-1
10	23	459	2
10	24	495	4
10	25	168	-3
10	26	408	6
10	27	529	16
10	28	556	5
10	29	459	7
10	30	476	4
10	31	374	12
10	32	475	4
10	33	367	-2
10	34	371	7
10	35	514	3
10	36	117	0
11	1	585	-1
11	2	89	1
11	3	516	3
11	4	505	15
11	5	726	4
11	6	798	4
11	7	957	4
11	8	541	-1
11	9	499	-3
11	10	526	4
11	11	603	1
11	12	728	1
11	13	667	5
11	14	363	1
11	15	223	7
11	16	434	6
11	17	639	7
11	18	468	9
11	19	707	7
11	20	391	0
11	21	353	324
11	22	694	5
11	23	320	2
11	24	599	3
11	25	626	2
11	26	637	-3
11	27	241	4
11	28	271	0
11	29	619	12
11	30	335	-2
11	31	536	10
11	32	279	-1
11	33	654	2
11	34	96	133
11	35	172	1
11	36	266	1
11	37	210	-2
11	38	272	2
12	1	513	3
12	2	422	6
12	3	624	2
12	4	513	2
12	5	462	-1
12	6	514	7
12	7	494	24
12	8	525	5
12	9	445	2
12	10	572	4
12	11	520	7
12	12	523	16
12	13	537	8
12	14	458	25
12	15	496	-3
12	16	513	-3
12	17	576	-1
12	18	466	2
12	19	505	2
12	20	618	3
12	21	546	3
12	22	492	5
12	23	518	2
13	1	364	2
13	2	362	0
13	3	359	-1
13	4	467	2
13	5	505	8
13	6	398	3
13	7	364	0
13	8	345	2
13	9	445	8
13	10	366	3
13	11	445	0
13	12	394	1
13	13	420	-4
13	14	442	-1
13	15	647	4
13	16	335	-1
13	17	405	2
13	18	364	0
13	19	546	2
13	20	285	-1
13	21	478	3
13	22	456	1
13	23	371	3
13	24	409	1

AMERICAN OVERSIGHT

13	25	629	453	72.02%
13	26	630	449	71.27%
13	27	544	397	72.98%
13	28	490	343	70.00%
13	29	477	383	80.29%
13	30	434	342	78.80%
13	31	656	459	69.97%
13	32	513	367	71.54%
13	33	504	393	77.98%
13	34	617	490	79.42%
13	35	486	380	78.19%
13	36	378	273	72.22%
13	37	645	484	75.04%
13	38	485	374	77.11%
13	39	558	437	78.32%
13	40	469	347	73.99%
13	41	661	508	76.85%
13	42	561	411	73.26%
13	43	602	442	73.42%
13	44	657	470	71.54%
13	45	654	476	72.78%
13	46	735	545	74.15%
13	47	685	521	76.06%
13	48	482	385	79.88%
14	1	692	522	75.43%
14	2	925	635	68.65%
14	3	778	550	70.69%
14	4	634	463	73.03%
14	5	1030	707	68.64%
14	6	360	254	70.56%
14	7	903	592	65.56%
14	8	867	583	67.24%
14	9	772	551	71.37%
14	10	548	337	61.50%
14	11	424	304	71.70%
14	12	724	509	70.30%
14	13	575	399	69.39%
14	14	679	481	70.84%
14	15	776	564	72.68%
14	16	602	360	59.80%
14	17	619	411	66.40%
14	18	291	195	67.01%
14	19	672	483	71.88%
14	20	555	348	62.70%
14	21	686	462	67.35%
14	22	927	626	67.53%
14	23	569	380	66.78%
14	24	727	547	75.24%
14	25	489	310	63.39%
14	26	561	370	65.95%
14	27	714	500	70.03%
14	28	582	386	66.32%
14	29	598	432	72.24%
14	30	440	285	64.77%
14	31	392	280	71.43%
15	1	857	491	57.29%
15	2	642	347	54.05%
15	3	662	355	53.63%
15	4	879	483	54.95%
15	5	910	478	52.53%
15	6	923	534	57.85%
15	7	751	406	54.06%
15	8	784	432	55.10%
15	9	1024	617	60.25%
15	10	1022	673	65.85%
15	11	970	586	60.41%
15	12	897	574	63.99%
15	13	872	478	54.82%
15	14	867	449	51.79%
15	15	817	447	54.71%
15	16	882	532	60.32%
15	17	660	379	57.42%
15	18	727	393	54.06%
15	19	825	435	52.73%
15	20	736	332	45.11%
15	21	616	326	52.92%
15	22	753	428	56.84%
15	23	783	420	53.64%
15	24	726	408	56.20%
16	1	889	554	62.32%
16	2	808	461	57.05%
16	3	695	395	56.83%
16	4	745	429	57.58%
16	5	722	366	50.69%
16	6	736	422	57.34%
16	7	729	413	56.65%
16	8	619	339	54.77%
16	9	776	468	60.31%
16	10	739	415	56.16%
16	11	767	446	58.15%
16	12	747	386	51.67%
16	13	806	502	62.28%
16	14	693	411	59.31%
16	15	794	456	57.43%
16	16	708	419	59.18%
16	17	866	524	60.51%
16	18	733	457	62.35%
16	19	729	413	56.65%
16	20	694	382	55.04%
16	21	708	386	54.52%
16	22	787	417	52.99%
16	23	866	484	55.89%
16	24	452	266	58.85%
16	25	747	473	63.32%
16	26	677	386	57.02%
16	27	673	420	62.41%
16	28	743	402	54.10%
16	29	774	418	54.01%
16	30	686	405	59.04%
16	31	720	434	60.28%
16	32	833	513	61.58%
16	33	722	408	56.51%
16	34	660	401	60.76%
16	35	882	522	59.18%
16	36	610	331	54.26%
17	1	716	455	63.55%
17	2	795	475	59.75%
17	3	795	517	65.03%
17	4	872	635	72.82%
17	5	676	400	59.17%
17	6	814	474	58.23%
17	7	795	459	57.74%
17	8	809	486	60.07%
17	9	581	385	66.27%
17	10	932	632	67.81%
17	11	681	429	63.00%
17	12	988	664	67.21%
17	13	733	463	63.17%
17	14	810	535	66.05%
17	15	862	573	66.47%
17	16	790	499	63.16%
17	17	817	462	56.55%
17	18	733	492	67.12%
17	19	632	340	53.80%

13	25	452	1
13	26	444	5
13	27	398	-1
13	28	344	-1
13	29	384	-1
13	30	340	2
13	31	462	-3
13	32	364	3
13	33	392	1
13	34	485	5
13	35	380	0
13	36	272	1
13	37	485	-1
13	38	370	4
13	39	436	1
13	40	344	3
13	41	510	-2
13	42	403	8
13	43	441	1
13	44	468	2
13	45	473	3
13	46	545	0
13	47	522	-1
13	48	383	2
14	1	519	3
14	2	629	6
14	3	547	3
14	4	463	0
14	5	706	1
14	6	247	7
14	7	576	16
14	8	582	1
14	9	552	-1
14	10	339	-2
14	11	301	3
14	12	500	9
14	13	397	2
14	14	484	-3
14	15	533	31
14	16	364	-4
14	17	399	12
14	18	195	0
14	19	481	2
14	20	348	0
14	21	459	3
14	22	620	6
14	23	382	-2
14	24	546	1
14	25	310	0
14	26	365	5
14	27	497	3
14	28	384	2
14	29	430	2
14	30	278	7
14	31	278	2
15	1	469	22
15	2	346	1
15	3	357	-2
15	4	488	-5
15	5	484	-6
15	6	535	-1
15	7	404	2
15	8	427	5
15	9	603	14
15	10	640	33
15	11	595	-9
15	12	559	15
15	13	473	5
15	14	449	0
15	15	445	2
15	16	526	6
15	17	359	20
15	18	396	-3
15	19	432	3
15	20	361	-29
15	21	309	17
15	22	421	7
15	23	416	4
15	24	401	7
16	1	555	-1
16	2	451	10
16	3	392	3
16	4	422	7
16	5	344	22
16	6	414	8
16	7	414	-1
16	8	330	9
16	9	448	20
16	10	413	2
16	11	447	-1
16	12	389	-3
16	13	475	27
16	14	372	39
16	15	441	15
16	16	418	1
16	17	509	15
16	18	455	2
16	19	438	-25
16	20	373	9
16	21	377	9
16	22	409	8
16	23	479	5
16	24	255	11
16	25	454	19
16	26	374	12
16	27	406	14
16	28	392	10
16	29	382	36
16	30	382	23
16	31	434	0
16	32	496	17
16	33	381	27
16	34	400	1
16	35	524	-2
16	36	326	5
17	1	452	3
17	2	473	2
17	3	513	4
17	4	639	-4
17	5	393	7
17	6	476	-2
17	7	445	14
17	8	435	51
17	9	381	4
17	10	625	7
17	11	414	15
17	12	648	16
17	13	456	7
17	14	535	0
17	15	548	25
17	16	498	1
17	17	455	7
17	18	463	29
17	19	345	-5

AMERICAN OVERSIGHT

17	20	819	564	68.86%
17	21	768	523	68.10%
17	22	745	444	59.60%
17	23	596	330	55.37%
17	24	783	544	69.48%
17	25	716	397	55.45%
17	26	883	570	64.55%
17	27	787	484	61.50%
17	28	681	408	59.91%
17	29	731	493	67.44%
17	30	698	438	62.75%
17	31	663	352	53.09%
17	32	741	432	58.30%
17	33	690	366	53.04%
17	34	696	381	54.74%
17	35	712	421	59.13%
17	36	751	497	66.18%
17	37	706	421	59.63%
17	38	890	540	60.67%
17	39	712	493	69.24%
17	40	730	476	65.21%
17	41	775	545	70.32%
18	1	657	453	68.95%
18	2	753	486	64.54%
18	3	618	424	68.61%
18	4	679	488	71.87%
18	5	576	362	62.85%
18	6	582	433	74.40%
18	7	745	517	69.40%
18	8	656	470	71.65%
18	9	609	451	74.06%
18	10	771	572	74.19%
18	11	628	407	64.81%
18	12	633	463	73.14%
18	13	718	506	70.47%
18	14	691	478	69.18%
18	15	808	561	69.43%
18	16	658	444	67.48%
18	17	695	488	70.22%
18	18	622	385	61.90%
18	19	672	462	68.75%
18	20	586	405	69.11%
18	21	746	560	75.07%
18	22	703	509	72.40%
18	23	687	458	66.67%
18	24	713	480	67.32%
18	25	704	527	74.86%
18	26	702	531	75.64%
18	27	622	395	63.50%
18	28	632	471	74.53%
18	29	729	512	70.23%
18	30	786	559	71.12%
18	31	679	494	72.75%
18	32	703	491	69.84%
18	33	589	380	64.52%
18	34	704	534	75.85%
18	35	670	497	74.18%
18	36	712	509	71.49%
18	37	721	507	70.32%
18	38	648	426	65.74%
18	39	689	430	62.41%
18	40	726	555	76.45%
18	41	709	530	74.75%
18	42	698	456	65.33%
18	43	587	395	67.29%
18	44	652	432	66.26%
18	45	738	486	65.85%
18	46	744	526	70.70%
18	47	604	400	66.23%
18	48	604	396	65.56%
18	49	581	339	58.35%
18	50	653	406	62.17%
19	1	578	463	80.10%
19	2	791	645	81.54%
19	3	522	409	78.35%
19	4	730	590	80.82%
19	5	637	536	84.14%
19	6	666	531	79.73%
19	7	597	488	81.74%
19	8	755	590	78.15%
19	9	471	405	85.99%
19	10	737	602	81.68%
19	11	674	533	79.08%
19	12	565	452	80.00%
19	13	732	602	82.24%
19	14	746	580	77.75%
19	15	888	692	77.93%
19	16	676	542	80.18%
19	17	568	479	84.33%
19	18	558	460	82.44%
19	19	767	638	83.18%
19	20	626	437	69.81%
19	21	725	551	76.00%
19	22	637	536	84.14%
19	23	639	517	80.91%
19	24	474	388	81.86%
19	25	588	491	83.50%
19	26	636	539	84.75%
19	27	622	488	78.46%
19	28	746	579	77.61%
19	29	737	558	75.71%
19	30	622	485	77.97%
19	31	523	465	88.91%
19	32	576	458	79.51%
19	33	677	536	79.17%
19	34	568	481	84.68%
19	35	549	457	83.24%
19	36	919	724	78.78%
19	37	593	482	81.28%
19	38	576	462	80.21%
19	39	320	228	71.25%
19	40	668	545	81.59%
19	41	634	508	80.13%
19	42	484	396	81.82%
19	43	917	706	76.99%
19	44	740	591	79.86%
19	45	619	506	81.74%
19	46	665	530	79.70%
19	47	871	716	82.20%
19	48	904	661	73.12%
19	49	754	598	79.31%
19	50	553	442	79.93%
19	51	696	564	81.03%
19	52	788	607	77.03%
19	53	588	484	82.31%
19	54	549	435	79.23%
19	55	600	473	78.83%
19	56	611	537	87.89%
19	57	530	424	80.00%
20	1	727	546	75.10%
20	2	455	237	52.09%
20	3	697	425	60.98%
20	4	529	271	51.23%
20	5	920	547	59.46%

17	20	560	4
17	21	520	3
17	22	444	0
17	23	334	-4
17	24	535	9
17	25	400	-3
17	26	562	8
17	27	475	9
17	28	408	0
17	29	494	-1
17	30	436	2
17	31	359	-7
17	32	422	10
17	33	367	-1
17	34	374	7
17	35	419	2
17	36	484	13
17	37	418	3
17	38	526	14
17	39	455	38
17	40	469	7
17	41	528	17
18	1	448	5
18	2	477	9
18	3	424	0
18	4	479	9
18	5	356	6
18	6	431	2
18	7	516	1
18	8	469	1
18	9	435	16
18	10	568	4
18	11	405	2
18	12	460	3
18	13	506	0
18	14	471	7
18	15	567	-6
18	16	441	3
18	17	489	-1
18	18	385	0
18	19	467	-5
18	20	401	4
18	21	560	0
18	22	508	1
18	23	457	1
18	24	474	6
18	25	446	81
18	26	534	-3
18	27	403	-8
18	28	458	13
18	29	498	14
18	30	562	-3
18	31	475	19
18	32	488	3
18	33	382	-2
18	34	531	3
18	35	488	9
18	36	497	12
18	37	503	4
18	38	425	1
18	39	427	3
18	40	546	9
18	41	530	0
18	42	456	0
18	43	391	4
18	44	437	-5
18	45	483	3
18	46	524	2
18	47	396	4
18	48	418	-22
18	49	337	2
18	50	403	3
19	1	459	4
19	2	659	-14
19	3	410	-1
19	4	588	2
19	5	532	4
19	6	527	4
19	7	487	1
19	8	573	17
19	9	405	0
19	10	591	11
19	11	528	5
19	12	449	3
19	13	598	4
19	14	580	0
19	15	686	6
19	16	543	-1
19	17	476	3
19	18	459	1
19	19	638	0
19	20	437	0
19	21	323	228
19	22	536	0
19	23	516	1
19	24	388	0
19	25	492	-1
19	26	536	3
19	27	483	5
19	28	584	-5
19	29	555	3
19	30	485	0
19	31	457	8
19	32	458	0
19	33	554	-18
19	34	480	1
19	35	451	6
19	36	725	-1
19	37	486	-4
19	38	456	6
19	39	222	6
19	40	544	1
19	41	495	13
19	42	396	0
19	43	705	1
19	44	583	8
19	45	501	5
19	46	526	4
19	47	712	4
19	48	661	0
19	49	599	-1
19	50	428	14
19	51	562	2
19	52	613	-6
19	53	484	0
19	54	433	2
19	55	464	9
19	56	534	3
19	57	425	-1
20	1	520	26
20	2	246	-9
20	3	438	-13
20	4	262	9
20	5	514	33

AMERICAN OVERSIGHT

20	6	508	285	56.10%
20	7	910	560	61.54%
20	8	720	479	66.53%
20	9	845	671	79.41%
20	10	689	440	63.86%
20	11	939	664	70.71%
20	12	633	439	69.35%
20	13	1014	639	63.02%
20	14	381	284	74.54%
20	15	986	543	55.07%
20	16	743	552	74.29%
20	17	673	343	50.97%
20	18	674	432	64.09%
20	19	837	552	65.95%
20	20	722	457	63.30%
20	21	761	451	59.26%
20	22	778	500	64.27%
20	23	823	619	75.21%
20	24	673	516	76.67%
20	25	728	426	58.52%
20	26	705	535	75.89%
20	27	504	312	61.90%
20	28	567	325	57.32%
20	29	912	595	65.24%
20	30	445	265	59.55%
20	31	868	620	71.43%
20	32	889	533	59.96%
20	33	559	364	65.12%
20	34	888	765	86.15%
20	35	895	542	60.56%
20	36	362	199	54.97%
20	37	297	188	63.30%
20	38	385	222	57.66%
20	39	100	69	69.00%
21	1	762	477	62.60%
21	2	658	412	62.61%
21	3	779	511	65.60%
21	4	840	511	60.83%
21	5	757	533	70.41%
21	6	674	448	66.47%
21	7	683	488	71.45%
21	8	753	531	70.52%
21	9	726	509	70.11%
21	10	716	463	64.66%
21	11	713	472	66.20%
21	12	702	469	66.81%
21	13	828	509	61.47%
21	14	828	552	66.67%
21	15	720	465	64.58%
21	16	724	452	62.43%
21	17	745	466	62.55%
21	18	817	536	65.61%
21	19	777	505	64.99%
21	20	682	482	70.67%
21	21	693	407	58.73%
21	22	693	463	66.81%
21	23	659	446	67.68%
21	24	715	468	65.45%
21	25	642	436	67.91%
21	26	815	542	66.50%
21	27	728	469	64.42%
21	28	887	625	70.46%
21	29	762	540	70.87%
21	30	682	434	63.64%
21	31	460	333	72.39%
21	32	711	474	66.67%
21	33	729	487	66.80%
21	34	778	523	67.22%
21	35	738	495	67.07%
21	36	718	504	70.19%
21	37	586	429	73.21%
21	38	741	521	70.31%
21	39	604	422	69.87%
21	40	667	444	66.57%
21	41	720	460	63.89%
21	42	786	535	68.07%
21	43	810	503	62.10%
21	44	757	476	62.88%
21	45	722	446	61.77%
21	46	787	547	69.50%
21	47	743	497	66.89%
21	48	726	468	64.46%
21	49	755	535	70.86%
21	50	670	411	61.34%
21	51	724	458	63.26%
21	52	774	511	66.02%
21	53	586	384	65.53%
21	54	678	439	64.75%
22	1	462	292	63.20%
22	2	787	562	71.41%
22	3	1162	680	58.52%
22	4	726	408	56.20%
22	5	855	505	59.06%
22	6	854	481	56.32%
22	7	588	362	61.56%
22	8	843	618	73.31%
22	9	776	454	58.51%
22	10	1021	684	66.99%
22	11	828	447	53.99%
22	12	656	429	65.40%
22	13	884	485	54.86%
22	14	879	425	48.35%
22	15	729	425	58.30%
22	16	698	424	60.74%
22	17	932	519	55.69%
22	18	845	477	56.45%
22	19	467	288	61.67%
22	20	837	462	55.20%
22	21	964	565	58.61%
22	22	887	444	50.06%
22	23	939	616	65.60%
22	24	1023	571	55.82%
22	25	867	492	56.75%
23	1	571	451	78.98%
23	2	610	472	77.38%
23	3	604	437	72.35%
23	4	657	501	76.26%
23	5	678	491	72.42%
23	6	724	529	73.07%
23	7	642	457	71.18%
23	8	747	544	72.82%
23	9	611	418	68.41%
23	10	774	554	71.58%
23	11	762	546	71.65%
23	12	581	440	75.73%
23	13	652	415	63.65%
23	14	552	412	74.64%
23	15	644	434	67.39%
23	16	564	422	74.82%
23	17	625	356	56.96%
23	18	586	413	70.48%
23	19	661	420	63.54%
23	20	596	347	58.22%
23	21	595	454	76.30%

20	6	286	-1
20	7	552	8
20	8	473	6
20	9	298	373
20	10	428	12
20	11	635	29
20	12	409	30
20	13	598	41
20	14	272	12
20	15	500	43
20	16	550	2
20	17	343	0
20	18	405	27
20	19	540	12
20	20	453	4
20	21	158	293
20	22	502	-2
20	23	545	74
20	24	472	44
20	25	429	-3
20	26	533	2
20	27	298	14
20	28	322	3
20	29	589	6
20	30	271	-6
20	31	593	27
20	32	492	41
20	33	300	64
20	34	744	21
20	35	544	-2
20	36	187	12
20	37	181	7
20	38	170	52
20	39	61	8
21	1	474	3
21	2	411	1
21	3	508	3
21	4	517	-6
21	5	520	13
21	6	433	15
21	7	482	6
21	8	510	21
21	9	511	-2
21	10	463	0
21	11	468	4
21	12	465	4
21	13	505	4
21	14	550	2
21	15	450	15
21	16	448	4
21	17	402	64
21	18	528	8
21	19	505	0
21	20	466	16
21	21	418	-11
21	22	458	5
21	23	441	5
21	24	469	-1
21	25	431	5
21	26	527	15
21	27	462	7
21	28	619	6
21	29	521	19
21	30	429	5
21	31	329	4
21	32	470	4
21	33	405	82
21	34	527	-4
21	35	488	7
21	36	505	-1
21	37	405	24
21	38	500	21
21	39	404	18
21	40	438	6
21	41	464	-4
21	42	532	3
21	43	495	8
21	44	471	5
21	45	451	-5
21	46	527	20
21	47	497	0
21	48	461	7
21	49	535	0
21	50	413	-2
21	51	452	6
21	52	502	9
21	53	385	-1
21	54	431	8
22	1	291	1
22	2	562	0
22	3	664	16
22	4	406	2
22	5	503	2
22	6	483	-2
22	7	363	-1
22	8	597	21
22	9	440	14
22	10	681	3
22	11	440	7
22	12	419	10
22	13	478	7
22	14	430	-5
22	15	421	4
22	16	423	1
22	17	512	7
22	18	473	4
22	19	279	9
22	20	466	-4
22	21	549	16
22	22	441	3
22	23	613	3
22	24	571	0
22	25	491	1
23	1	448	3
23	2	467	5
23	3	431	6
23	4	498	3
23	5	484	7
23	6	518	11
23	7	455	2
23	8	537	7
23	9	417	1
23	10	555	-1
23	11	547	-1
23	12	439	1
23	13	406	9
23	14	409	3
23	15	434	0
23	16	414	8
23	17	352	4
23	18	414	-1
23	19	417	3
23	20	340	7
23	21	449	5

AMERICAN OVERSIGHT

23	22	655	459	70.08%
23	23	588	446	75.85%
23	24	625	406	64.96%
23	25	750	481	64.13%
23	26	677	476	70.31%
23	27	543	409	75.32%
23	28	627	453	72.25%
23	29	536	375	69.96%
23	30	737	536	72.73%
23	31	592	393	66.39%
23	32	679	470	69.22%
23	33	759	507	66.80%
23	34	724	465	64.23%
23	35	492	371	75.41%
23	36	575	438	76.17%
23	37	558	415	74.37%
23	38	547	407	74.41%
23	39	669	463	69.21%
24	1	757	424	56.01%
24	2	890	479	53.82%
24	3	930	524	56.34%
24	4	596	386	64.77%
24	5	494	307	62.15%
24	6	786	452	57.51%
24	7	485	281	57.94%
24	8	463	227	49.03%
24	9	818	495	60.51%
24	10	443	226	51.02%
24	11	984	566	57.52%
24	12	540	308	57.04%
24	13	540	306	56.67%
24	14	839	481	57.33%
24	15	524	309	58.97%
24	16	875	513	58.63%
24	17	629	388	61.69%
24	18	748	462	61.76%
24	19	860	550	63.95%
24	20	625	405	64.80%
24	21	446	251	56.28%
24	22	1004	645	64.24%
24	23	850	483	56.82%
24	24	1130	651	57.61%
24	25	777	360	46.33%
24	26	906	609	67.22%
24	27	807	486	60.22%
24	28	598	347	58.03%
24	29	509	309	60.71%
24	30	392	264	67.35%
24	31	893	524	58.68%
24	32	419	279	66.59%
24	33	506	290	57.31%
24	34	797	448	56.21%
24	35	699	450	64.38%
24	36	955	557	58.32%
24	37	514	301	58.56%
24	38	568	357	62.85%
24	39	874	525	60.07%
24	40	836	528	63.16%
24	41	531	332	62.52%
25	1	732	485	66.26%
25	2	857	565	65.93%
25	3	1002	794	79.24%
25	4	801	580	72.41%
25	5	893	592	66.29%
25	6	711	229	32.21%
25	7	905	560	61.88%
25	8	916	625	68.23%
25	9	945	616	65.19%
25	10	1073	908	84.62%
25	11	958	580	60.54%
25	12	825	526	63.76%
25	13	960	636	66.25%
25	14	833	436	52.34%
25	15	814	512	62.90%
25	16	1104	867	78.53%
25	17	902	616	68.29%
25	18	943	534	56.63%
25	19	994	620	62.37%
25	20	826	487	58.96%
25	21	1166	982	84.22%
25	22	871	555	63.72%
25	23	880	629	71.48%
25	24	961	596	62.02%
25	25	765	615	80.39%
25	26	868	532	61.29%
25	27	1062	810	76.27%
25	28	861	580	67.36%
25	29	784	553	70.54%
25	30	906	562	62.03%
25	31	1321	1069	80.92%
25	32	813	506	62.24%
26	1	702	478	68.09%
26	2	667	424	63.57%
26	3	711	520	73.14%
26	4	633	369	58.29%
26	5	604	407	67.38%
26	6	655	383	58.47%
26	7	544	423	77.76%
26	8	450	243	54.00%
26	9	653	406	62.17%
26	10	622	418	67.20%
26	11	622	419	67.36%
26	12	692	485	70.09%
26	13	480	296	61.67%
26	14	540	344	63.70%
26	15	517	292	56.48%
26	16	506	283	55.93%
26	17	501	373	74.45%
26	18	562	362	64.41%
26	19	487	334	68.58%
26	20	638	406	63.64%
26	21	892	569	63.79%
26	22	517	297	57.45%
26	23	500	299	59.80%
26	24	648	433	66.82%
26	25	611	417	68.25%
26	26	561	335	59.71%
26	27	743	474	63.80%
26	28	732	573	78.28%
26	29	442	262	59.28%
26	30	496	340	68.55%
26	31	384	233	60.68%
26	32	708	541	76.41%
26	33	674	441	65.43%
26	34	661	499	75.49%
26	35	666	414	62.16%
26	36	612	443	72.39%
26	37	725	500	68.97%
26	38	411	262	63.75%
26	39	671	475	70.79%
26	40	482	304	63.07%
26	41	710	529	74.51%
26	42	517	352	68.09%
26	43	484	286	59.09%

23	22	442	17
23	23	444	2
23	24	399	7
23	25	479	2
23	26	475	1
23	27	403	6
23	28	444	9
23	29	376	-1
23	30	538	-2
23	31	383	10
23	32	464	6
23	33	515	-8
23	34	464	1
23	35	327	44
23	36	439	-1
23	37	413	2
23	38	403	4
23	39	450	13
24	1	414	10
24	2	473	6
24	3	509	15
24	4	386	0
24	5	298	9
24	6	450	2
24	7	282	-1
24	8	227	0
24	9	476	19
24	10	227	-1
24	11	565	1
24	12	302	6
24	13	308	-2
24	14	485	-4
24	15	301	8
24	16	493	20
24	17	382	6
24	18	464	-2
24	19	541	9
24	20	371	34
24	21	247	4
24	22	628	17
24	23	475	8
24	24	635	16
24	25	471	-111
24	26	599	10
24	27	485	1
24	28	348	-1
24	29	310	-1
24	30	275	-11
24	31	492	32
24	32	247	32
24	33	275	15
24	34	426	22
24	35	444	6
24	36	553	4
24	37	300	1
24	38	351	6
24	39	513	12
24	40	513	15
24	41	326	6
25	1	490	-5
25	2	544	21
25	3	777	17
25	4	565	15
25	5	580	12
25	6	232	-3
25	7	558	2
25	8	632	-7
25	9	604	12
25	10	898	10
25	11	574	6
25	12	529	-3
25	13	627	9
25	14	435	1
25	15	515	-3
25	16	861	6
25	17	616	0
25	18	529	5
25	19	611	9
25	20	477	10
25	21	963	19
25	22	545	10
25	23	631	-2
25	24	585	11
25	25	610	5
25	26	537	-5
25	27	812	-2
25	28	572	8
25	29	553	0
25	30	543	19
25	31	1042	27
25	32	505	1
26	1	474	4
26	2	426	-2
26	3	518	2
26	4	367	2
26	5	405	2
26	6	387	-4
26	7	433	-10
26	8	235	8
26	9	401	5
26	10	412	6
26	11	416	3
26	12	449	36
26	13	296	0
26	14	341	3
26	15	293	-1
26	16	282	1
26	17	375	-2
26	18	363	-1
26	19	313	21
26	20	408	-2
26	21	568	1
26	22	291	6
26	23	297	2
26	24	423	10
26	25	408	9
26	26	350	-15
26	27	472	2
26	28	559	14
26	29	259	3
26	30	341	-1
26	31	229	4
26	32	546	-5
26	33	427	14
26	34	175	324
26	35	406	8
26	36	432	11
26	37	488	12
26	38	259	3
26	39	474	1
26	40	305	-1
26	41	522	7
26	42	350	2
26	43	283	3

AMERICAN OVERSIGHT

26	44	444	274	61.71%
26	45	437	243	55.61%
26	46	444	317	71.40%
26	47	557	325	58.35%
26	48	582	426	73.20%
26	49	489	296	60.53%
27	1	903	782	86.60%
27	2	804	620	77.11%
27	3	615	337	54.80%
27	4	482	309	64.11%
27	5	817	400	48.96%
27	6	734	559	76.16%
27	7	942	750	79.62%
27	8	797	472	59.22%
27	9	353	293	83.00%
27	10	858	551	64.22%
27	11	768	644	83.85%
27	12	499	410	82.16%
27	13	970	686	70.72%
27	14	505	332	65.74%
27	15	650	390	60.00%
27	16	855	682	79.77%
27	17	767	551	71.84%
27	18	671	413	61.55%
27	19	684	356	52.05%
27	20	701	508	72.47%
27	21	692	572	82.66%
27	22	635	319	50.24%
27	23	599	403	67.28%
27	24	801	429	53.56%
27	25	728	496	68.13%
27	26	636	408	64.15%
27	27	971	676	69.62%
27	28	342	275	80.41%
27	29	794	441	55.54%
27	30	438	280	63.93%
27	31	659	438	66.46%
27	32	689	453	65.75%
27	33	778	556	71.47%
27	34	724	485	66.99%
27	35	746	596	79.89%
27	36	600	396	66.00%
27	37	801	635	79.28%
27	38	1025	816	79.61%
27	39	543	353	65.01%
27	40	951	739	77.71%
27	41	734	492	67.03%
27	42	474	382	80.59%
27	43	682	451	66.13%
27	44	742	439	59.16%
27	45	1244	1059	85.13%
27	46	504	406	80.56%
27	47	509	405	79.57%
27	48	1176	908	77.21%
27	49	666	392	58.86%
27	50	731	519	71.00%
28	1	711	442	62.17%
28	2	652	444	68.10%
28	3	660	429	65.00%
28	4	616	427	69.32%
28	5	335	241	71.94%
28	6	278	235	84.53%
28	7	875	536	61.26%
28	8	658	505	76.75%
28	9	870	481	55.29%
28	10	847	607	71.66%
28	11	1352	923	68.27%
28	12	845	511	60.47%
28	13	683	470	68.81%
28	14	753	451	59.89%
28	15	248	168	67.74%
28	16	565	333	58.94%
28	17	720	437	60.69%
28	18	480	355	73.96%
28	19	613	419	68.35%
28	20	673	473	70.28%
28	21	661	401	60.67%
28	22	619	429	69.31%
28	23	1010	605	59.90%
28	24	788	451	57.23%
28	25	909	587	64.58%
28	26	913	566	61.99%
28	27	664	493	74.25%
28	28	723	544	75.24%
28	29	678	280	41.30%
28	30	98	72	73.47%
28	31	1024	609	59.47%
28	32	799	492	61.58%
28	33	911	561	61.58%
28	34	1340	923	68.88%
28	35	965	580	60.10%
28	36	493	284	57.61%
28	37	1090	649	59.54%
28	38	469	232	49.47%
28	39	627	379	60.45%
28	40	1007	612	60.77%
28	41	593	373	62.90%
28	42	865	551	63.70%
28	43	1006	634	63.02%
28	44	606	357	58.91%
28	45	645	526	81.55%
28	46	1198	849	70.87%
29	1	826	636	77.00%
29	2	1180	777	65.85%
29	3	1000	641	64.10%
29	4	940	610	64.89%
29	5	810	522	64.44%
29	6	858	486	56.64%
29	7	689	507	73.58%
29	8	906	537	59.27%
29	9	747	579	77.51%
29	10	785	622	79.24%
29	11	517	343	66.34%
29	12	860	633	73.60%
29	13	894	605	67.67%
29	14	801	510	63.67%
29	15	869	611	70.31%
29	16	909	596	65.57%
29	17	763	521	68.28%
29	18	877	552	62.94%
29	19	873	597	68.38%
29	20	1133	742	65.49%
29	21	1196	749	62.63%
29	22	694	448	64.55%
29	23	798	570	71.43%
29	24	738	521	70.60%
29	25	871	612	70.26%
29	26	755	537	71.13%
29	27	682	482	70.67%
29	28	1070	680	63.55%
29	29	849	557	65.61%
29	30	802	620	77.31%
29	31	870	559	64.25%
29	32	830	535	64.46%

26	44	262	12
26	45	237	6
26	46	312	5
26	47	327	-2
26	48	426	0
26	49	292	4
27	1	766	16
27	2	606	14
27	3	333	4
27	4	305	4
27	5	408	-8
27	6	553	6
27	7	754	-4
27	8	457	15
27	9	289	4
27	10	541	10
27	11	400	244
27	12	408	2
27	13	676	10
27	14	312	20
27	15	378	12
27	16	651	31
27	17	541	10
27	18	407	6
27	19	357	-1
27	20	496	12
27	21	555	17
27	22	303	16
27	23	380	23
27	24	420	9
27	25	495	1
27	26	404	4
27	27	680	-4
27	28	276	-1
27	29	434	7
27	30	269	11
27	31	418	20
27	32	445	8
27	33	559	-3
27	34	468	17
27	35	583	13
27	36	393	3
27	37	602	33
27	38	803	13
27	39	359	-6
27	40	735	4
27	41	499	-7
27	42	371	11
27	43	446	5
27	44	429	10
27	45	1062	-3
27	46	398	8
27	47	384	21
27	48	872	36
27	49	388	4
27	50	460	59
28	1	408	34
28	2	438	6
28	3	411	18
28	4	406	21
28	5	235	6
28	6	235	0
28	7	534	2
28	8	504	1
28	9	472	9
28	10	573	34
28	11	937	-14
28	12	512	-1
28	13	471	-1
28	14	422	29
28	15	163	5
28	16	328	5
28	17	445	-8
28	18	346	9
28	19	417	2
28	20	468	5
28	21	393	8
28	22	408	21
28	23	570	35
28	24	445	6
28	25	560	27
28	26	555	11
28	27	498	-5
28	28	543	1
28	29	259	21
28	30	71	1
28	31	582	27
28	32	492	0
28	33	543	18
28	34	752	171
28	35	564	16
28	36	274	10
28	37	637	12
28	38	229	3
28	39	374	5
28	40	611	1
28	41	359	14
28	42	549	2
28	43	616	18
28	44	355	2
28	45	516	10
28	46	829	20
29	1	628	8
29	2	769	8
29	3	488	153
29	4	605	5
29	5	520	2
29	6	484	2
29	7	503	4
29	8	532	5
29	9	577	2
29	10	620	2
29	11	307	36
29	12	626	7
29	13	590	15
29	14	507	3
29	15	609	2
29	16	597	-1
29	17	521	0
29	18	554	-2
29	19	575	22
29	20	740	2
29	21	723	26
29	22	430	18
29	23	570	0
29	24	513	8
29	25	611	1
29	26	530	7
29	27	472	10
29	28	682	-2
29	29	548	9
29	30	608	12
29	31	555	4
29	32	527	8

AMERICAN OVERSIGHT

29	33	528	389	73.67%
29	34	497	340	68.41%
29	35	694	413	59.51%
29	36	681	452	66.37%
29	37	795	506	63.65%
29	38	825	541	65.58%
29	39	846	507	59.93%
29	40	870	612	70.34%
29	41	703	474	67.43%
29	42	933	603	64.63%
29	43	807	607	75.22%
29	44	1051	680	64.70%
30	1	850	597	70.24%
30	2	859	542	63.10%
30	3	558	396	70.97%
30	4	826	532	64.41%
30	5	747	471	63.05%
30	6	672	424	63.10%
30	7	835	569	68.14%
30	8	876	582	66.44%
30	9	745	470	63.09%
30	10	973	625	64.23%
30	11	812	509	62.68%
30	12	820	541	65.98%
30	13	748	486	64.97%
30	14	648	384	59.26%
30	15	586	435	74.23%
30	16	456	277	60.75%
30	17	815	527	64.66%
30	18	929	613	65.98%
30	19	939	538	57.29%
30	20	831	559	67.27%
30	21	655	411	62.75%
30	22	1008	689	68.35%
30	23	949	607	63.96%
30	24	1042	655	62.86%
30	25	1083	713	65.84%
30	26	572	363	63.46%
30	27	544	355	65.26%
30	28	778	561	72.11%
30	29	596	376	63.09%
30	30	426	255	59.86%
30	31	506	351	69.37%
30	32	556	413	74.28%
31	1	635	364	57.32%
31	2	525	304	57.90%
31	3	556	364	65.47%
31	4	653	476	72.89%
31	5	568	377	66.37%
31	6	495	321	64.85%
31	7	725	556	76.69%
31	8	522	288	55.17%
31	9	657	417	63.47%
31	10	610	361	59.18%
31	11	496	334	67.34%
31	12	539	338	62.71%
31	13	659	396	60.09%
31	14	556	355	63.85%
31	15	558	337	60.39%
31	16	661	448	67.78%
31	17	603	354	58.71%
31	18	559	336	60.11%
31	19	504	313	62.10%
31	20	547	360	65.81%
31	21	554	371	66.97%
31	22	579	360	62.18%
31	23	571	356	62.35%
31	24	598	375	62.71%
31	25	589	355	60.27%
31	26	584	393	67.29%
31	27	673	404	60.03%
31	28	606	345	56.93%
31	29	625	378	60.48%
31	30	507	304	59.96%
31	31	538	367	68.22%
31	32	545	339	62.20%
31	33	562	368	65.48%
31	34	600	389	64.83%
31	35	637	389	61.07%
31	36	549	368	67.03%
31	37	541	341	63.03%
31	38	620	396	63.87%
31	39	645	408	63.26%
31	40	672	407	60.57%
31	41	630	359	56.98%
32	1	1061	765	72.10%
32	2	880	758	86.14%
32	3	861	704	81.77%
32	4	793	633	79.82%
32	5	841	690	82.05%
32	6	914	752	82.28%
32	7	924	724	78.35%
32	8	999	805	80.58%
32	9	880	682	77.50%
32	10	938	722	76.97%
32	11	733	604	82.40%
32	12	663	490	73.91%
32	13	922	721	78.20%
32	14	826	674	81.60%
32	15	792	645	81.44%
32	16	806	648	80.40%
32	17	833	646	77.55%
32	18	774	646	83.46%
32	19	820	639	77.93%
32	20	830	642	77.35%
32	21	798	682	85.46%
32	22	1055	852	80.76%
32	23	810	678	83.70%
32	24	729	575	78.88%
32	25	811	651	80.27%
32	26	844	674	79.86%
32	27	792	658	83.08%
32	28	845	633	74.91%
32	29	864	711	82.29%
32	30	796	682	85.68%
32	31	875	721	82.40%
32	32	793	662	83.48%
32	33	853	697	81.71%
32	34	869	720	82.85%
32	35	821	692	84.29%
32	36	863	716	82.97%
32	37	875	660	75.43%
32	38	809	665	82.20%
32	39	910	745	81.87%
32	40	829	724	87.33%
32	41	824	688	83.50%
32	42	780	613	78.59%
32	43	734	581	79.16%
33	1	948	685	72.26%
33	2	1155	863	74.72%
33	3	1009	780	77.30%
33	4	1117	866	77.53%
33	5	859	603	70.20%
33	6	842	612	72.68%

29	33	379	10
29	34	343	-3
29	35	411	2
29	36	452	0
29	37	501	5
29	38	541	0
29	39	509	-2
29	40	599	13
29	41	476	-2
29	42	580	23
29	43	604	3
29	44	680	0
30	1	595	2
30	2	539	3
30	3	393	3
30	4	529	3
30	5	466	5
30	6	419	5
30	7	566	3
30	8	581	1
30	9	459	11
30	10	629	-4
30	11	514	-5
30	12	536	5
30	13	465	21
30	14	387	-3
30	15	436	-1
30	16	273	4
30	17	531	-4
30	18	616	-3
30	19	513	25
30	20	555	4
30	21	404	7
30	22	680	9
30	23	601	6
30	24	648	7
30	25	712	1
30	26	349	14
30	27	354	1
30	28	559	2
30	29	371	5
30	30	228	27
30	31	349	2
30	32	414	-1
31	1	360	4
31	2	311	-7
31	3	368	-4
31	4	470	6
31	5	371	6
31	6	320	1
31	7	557	-1
31	8	290	-2
31	9	414	3
31	10	362	-1
31	11	330	4
31	12	340	-2
31	13	393	3
31	14	350	5
31	15	335	2
31	16	448	0
31	17	355	-1
31	18	340	-4
31	19	316	-3
31	20	339	21
31	21	373	-2
31	22	332	28
31	23	343	13
31	24	375	0
31	25	358	-3
31	26	391	2
31	27	403	1
31	28	342	3
31	29	378	0
31	30	302	2
31	31	303	64
31	32	335	4
31	33	369	-1
31	34	383	6
31	35	387	2
31	36	366	2
31	37	339	2
31	38	388	8
31	39	408	0
31	40	402	5
31	41	361	-2
32	1	770	-5
32	2	752	6
32	3	699	5
32	4	627	6
32	5	680	10
32	6	744	8
32	7	737	-13
32	8	799	6
32	9	677	5
32	10	728	-6
32	11	602	2
32	12	491	-1
32	13	710	11
32	14	667	7
32	15	646	-1
32	16	642	6
32	17	644	2
32	18	623	23
32	19	632	7
32	20	645	-3
32	21	683	-1
32	22	782	70
32	23	668	10
32	24	569	6
32	25	652	-1
32	26	680	-6
32	27	653	5
32	28	629	4
32	29	697	14
32	30	675	7
32	31	724	-3
32	32	662	0
32	33	696	1
32	34	718	2
32	35	686	6
32	36	713	3
32	37	662	-2
32	38	663	2
32	39	733	12
32	40	738	-14
32	41	688	0
32	42	598	15
32	43	573	8
33	1	689	-4
33	2	849	14
33	3	788	-8
33	4	856	10
33	5	611	-8
33	6	583	29

AMERICAN OVERSIGHT

33	7	1020	744	72.94%
33	8	970	805	82.99%
33	9	951	740	77.81%
33	10	816	612	75.00%
33	11	983	732	74.47%
33	12	932	689	73.93%
33	13	851	651	76.50%
33	14	494	356	72.06%
33	15	985	737	74.82%
33	16	1205	904	75.02%
33	17	1001	748	74.73%
33	18	1204	863	71.68%
33	19	1031	725	70.32%
33	20	982	773	78.72%
33	21	936	709	75.75%
33	22	832	623	74.88%
33	23	881	702	79.68%
33	24	964	800	82.99%
33	25	1083	807	74.52%
33	26	681	537	78.85%
33	27	991	737	74.37%
33	28	823	625	75.94%
34	1	758	512	67.55%
34	2	697	386	55.38%
34	3	824	550	66.75%
34	4	723	422	58.37%
34	5	682	448	65.69%
34	6	787	547	69.50%
34	7	751	524	69.77%
34	8	704	432	61.36%
34	9	786	454	57.76%
34	10	726	467	64.33%
34	11	798	449	56.27%
34	12	794	523	65.87%
34	13	756	523	69.18%
34	14	741	431	58.16%
34	15	839	491	58.52%
34	16	777	453	58.30%
34	17	921	628	68.19%
34	18	765	401	52.42%
34	19	893	631	70.66%
34	20	776	542	69.85%
34	21	781	534	68.37%
34	22	658	449	68.24%
34	23	651	412	63.29%
34	24	760	470	61.84%
34	25	778	524	67.35%
34	26	823	534	64.88%
34	27	727	459	63.14%
34	28	678	383	56.49%
34	29	684	405	59.21%
34	30	604	422	69.87%
34	31	806	457	56.70%
34	32	779	484	62.13%
34	33	738	473	64.09%
34	34	744	521	70.03%
34	35	849	557	65.61%
34	36	668	443	66.32%
34	37	716	364	50.84%
34	38	661	302	45.69%
34	39	754	388	51.46%
34	40	807	562	69.64%
34	41	635	365	57.48%
34	42	681	461	67.69%
34	43	605	427	70.58%
34	44	722	478	66.20%
34	45	752	503	66.89%
34	46	481	316	65.70%
34	47	823	514	62.45%
34	48	742	494	66.58%
34	49	881	578	65.61%
34	50	725	453	62.48%
34	51	707	505	71.43%
34	52	518	352	67.95%
34	53	667	388	58.17%
35	1	809	588	72.68%
35	2	759	554	72.99%
35	3	805	544	67.58%
35	4	767	551	71.84%
35	5	721	521	72.26%
35	6	805	539	66.96%
35	7	785	574	73.12%
35	8	785	600	76.43%
35	9	801	583	72.78%
35	10	930	728	78.28%
35	11	865	609	70.40%
35	12	778	427	54.88%
35	13	785	438	55.80%
35	14	782	475	60.74%
35	15	930	662	71.18%
35	16	751	408	54.33%
35	17	876	665	75.91%
35	18	742	469	63.21%
35	19	757	382	50.46%
35	20	782	547	69.95%
35	21	822	522	63.50%
35	22	938	669	71.32%
35	23	798	577	72.31%
35	24	761	527	69.25%
35	25	877	706	80.50%
35	26	751	491	65.38%
35	27	765	535	69.93%
35	28	808	543	67.20%
35	29	879	568	64.62%
35	30	864	588	68.06%
35	31	809	625	77.26%
36	1	803	557	69.36%
36	2	803	532	66.25%
36	3	645	466	72.25%
36	4	886	533	60.16%
36	5	825	526	63.76%
36	6	796	466	58.54%
36	7	794	577	72.67%
36	8	685	428	62.48%
36	9	812	491	60.47%
36	10	876	587	67.01%
36	11	663	427	64.40%
36	12	727	355	48.83%
36	13	632	366	57.91%
36	14	784	543	69.26%
36	15	790	543	68.73%
36	16	774	520	67.18%
36	17	812	548	67.49%
36	18	776	503	64.82%
36	19	938	621	66.20%
36	20	789	508	64.39%
36	21	829	500	60.31%
36	22	772	479	62.05%
36	23	812	488	60.10%
36	24	856	550	64.25%
36	25	861	517	60.05%
36	26	782	484	61.89%
36	27	731	498	68.13%
36	28	786	492	62.60%

33	7	737	7
33	8	803	2
33	9	739	1
33	10	616	-4
33	11	732	0
33	12	679	10
33	13	648	3
33	14	349	7
33	15	734	3
33	16	897	7
33	17	746	2
33	18	868	-5
33	19	717	8
33	20	769	4
33	21	705	4
33	22	621	2
33	23	706	-4
33	24	800	0
33	25	794	13
33	26	535	2
33	27	741	-4
33	28	625	0
34	1	506	6
34	2	379	7
34	3	547	3
34	4	418	4
34	5	431	17
34	6	542	5
34	7	519	5
34	8	434	-2
34	9	447	7
34	10	469	-2
34	11	439	10
34	12	525	-2
34	13	515	8
34	14	431	0
34	15	486	5
34	16	448	5
34	17	618	10
34	18	434	-33
34	19	617	14
34	20	536	6
34	21	513	21
34	22	444	5
34	23	400	12
34	24	457	13
34	25	690	-166
34	26	514	20
34	27	456	3
34	28	375	8
34	29	412	-7
34	30	393	29
34	31	458	-1
34	32	482	2
34	33	468	5
34	34	522	-1
34	35	550	7
34	36	441	2
34	37	363	1
34	38	296	6
34	39	389	-1
34	40	556	6
34	41	352	13
34	42	460	1
34	43	429	-2
34	44	478	0
34	45	505	-2
34	46	314	2
34	47	500	14
34	48	493	1
34	49	408	170
34	50	460	-7
34	51	507	-2
34	52	343	9
34	53	365	23
35	1	431	157
35	2	547	7
35	3	545	-1
35	4	549	2
35	5	516	5
35	6	540	-1
35	7	569	5
35	8	590	10
35	9	582	1
35	10	733	-5
35	11	610	-1
35	12	423	4
35	13	435	3
35	14	477	-2
35	15	655	7
35	16	395	13
35	17	662	3
35	18	470	-1
35	19	374	8
35	20	550	-3
35	21	518	4
35	22	666	3
35	23	575	2
35	24	510	17
35	25	707	-1
35	26	490	1
35	27	528	7
35	28	547	-4
35	29	573	-5
35	30	586	2
35	31	626	-1
36	1	546	11
36	2	533	-1
36	3	455	11
36	4	532	1
36	5	527	-1
36	6	463	3
36	7	577	0
36	8	420	8
36	9	471	20
36	10	568	19
36	11	416	11
36	12	357	-2
36	13	355	11
36	14	547	-4
36	15	540	3
36	16	522	-2
36	17	541	7
36	18	498	5
36	19	616	5
36	20	499	9
36	21	486	14
36	22	479	0
36	23	461	27
36	24	548	2
36	25	516	1
36	26	471	13
36	27	501	-3
36	28	491	1

AMERICAN OVERSIGHT

36	29	866	566	65.36%	36	29	565	1
36	30	789	516	65.40%	36	30	515	1
37	1	798	444	55.64%	37	1	435	9
37	2	686	404	58.89%	37	2	407	-3
37	3	737	423	57.39%	37	3	424	-1
37	4	731	440	60.19%	37	4	425	15
37	5	815	516	63.31%	37	5	522	-6
37	6	784	510	65.05%	37	6	518	-8
37	7	708	372	52.54%	37	7	373	-1
37	8	745	411	55.17%	37	8	404	7
37	9	885	565	63.84%	37	9	546	19
37	10	882	582	65.99%	37	10	582	0
37	11	778	436	56.04%	37	11	436	0
37	12	748	416	55.61%	37	12	405	11
37	13	687	402	58.52%	37	13	390	12
37	14	881	546	61.98%	37	14	537	9
37	15	865	534	61.73%	37	15	532	2
37	16	848	546	64.39%	37	16	535	11
37	17	764	462	60.47%	37	17	458	4
37	18	819	483	58.97%	37	18	486	-3
37	19	811	453	55.86%	37	19	444	9
37	20	783	443	56.58%	37	20	428	15
37	21	782	469	59.97%	37	21	465	4
37	22	836	466	55.74%	37	22	436	30
37	23	738	495	67.07%	37	23	489	6
37	24	807	534	66.17%	37	24	510	24
37	25	787	483	61.37%	37	25	476	7
37	26	853	586	68.70%	37	26	584	2
37	27	829	532	64.17%	37	27	522	10
37	28	694	455	65.56%	37	28	456	-1
37	29	810	520	64.20%	37	29	520	0
37	30	841	489	58.15%	37	30	489	0
37	31	840	547	65.12%	37	31	546	1
37	32	755	474	62.78%	37	32	470	4
37	33	871	580	66.59%	37	33	568	12
37	34	832	511	61.42%	37	34	499	12
37	35	805	518	64.35%	37	35	506	12
37	36	820	516	62.93%	37	36	510	6
37	37	950	592	62.32%	37	37	589	3
37	38	847	536	63.28%	37	38	531	5
37	39	815	502	61.60%	37	39	498	4
37	40	800	526	65.75%	37	40	516	10
37	41	740	488	65.95%	37	41	489	-1
38	1	732	475	64.89%	38	1	481	-6
38	2	757	559	73.84%	38	2	561	-2
38	3	832	571	68.63%	38	3	567	4
38	4	760	513	67.50%	38	4	512	1
38	5	799	560	70.09%	38	5	558	2
38	6	867	559	64.48%	38	6	558	1
38	7	788	522	66.24%	38	7	520	2
38	8	777	511	65.77%	38	8	511	0
38	9	839	581	69.25%	38	9	581	0
38	10	715	501	70.07%	38	10	500	1
38	11	686	479	69.83%	38	11	477	2
38	12	797	549	68.88%	38	12	542	7
38	13	862	571	66.24%	38	13	569	2
38	14	822	566	68.86%	38	14	567	-1
38	15	731	501	68.54%	38	15	499	2
38	16	775	553	71.35%	38	16	552	1
38	17	860	618	71.86%	38	17	610	8
38	18	803	548	68.24%	38	18	548	0
38	19	855	602	70.41%	38	19	598	4
38	20	826	574	69.49%	38	20	577	-3
38	21	772	466	60.36%	38	21	464	2
38	22	715	498	69.65%	38	22	496	2
38	23	798	563	70.55%	38	23	559	4
38	24	818	596	72.86%	38	24	598	-2
38	25	681	462	67.84%	38	25	464	-2
38	26	779	548	70.35%	38	26	540	8
38	27	824	575	69.78%	38	27	573	2
38	28	877	636	72.52%	38	28	640	-4
38	29	793	509	64.19%	38	29	507	2
38	30	847	536	63.28%	38	30	534	2
38	31	713	532	74.61%	38	31	520	12
38	32	801	515	64.29%	38	32	506	9
38	33	805	546	67.83%	38	33	544	2
38	34	762	527	69.16%	38	34	530	-3
38	35	782	533	68.16%	38	35	531	2
38	36	721	479	66.44%	38	36	481	-2
38	37	783	532	67.94%	38	37	529	3
38	38	766	482	62.92%	38	38	480	2
38	39	816	570	69.85%	38	39	566	4
38	40	754	524	69.50%	38	40	523	1
38	41	672	487	72.47%	38	41	480	7
39	1	645	527	81.71%	39	1	531	-4
39	2	708	558	78.81%	39	2	561	-3
39	3	779	583	74.84%	39	3	584	-1
39	4	648	505	77.93%	39	4	501	4
39	5	738	567	76.83%	39	5	564	3
39	6	867	555	64.01%	39	6	538	17
39	7	648	468	72.22%	39	7	470	-2
39	8	872	621	71.22%	39	8	613	8
39	9	802	576	71.82%	39	9	538	38
39	10	356	264	74.16%	39	10	264	0
39	11	719	510	70.93%	39	11	513	-3
39	12	1064	745	70.02%	39	12	727	18
39	13	778	519	66.71%	39	13	511	8
39	14	729	530	72.70%	39	14	530	0
39	15	849	616	72.56%	39	15	607	9
39	16	797	541	67.88%	39	16	544	-3
39	17	761	553	72.67%	39	17	584	-31
39	18	776	530	68.30%	39	18	530	0
39	19	743	539	72.54%	39	19	538	1
39	20	874	653	74.71%	39	20	651	2
39	21	729	516	70.78%	39	21	513	3
39	22	724	536	74.03%	39	22	530	6
39	23	722	542	75.07%	39	23	542	0
39	24	852	679	79.69%	39	24	677	2
39	25	791	495	62.58%	39	25	473	22
39	26	730	543	74.38%	39	26	543	0
39	27	116	97	83.62%	39	27	97	0
39	28	842	631	74.94%	39	28	630	1
39	29	489	317	64.83%	39	29	315	2
39	30	918	696	75.82%	39	30	675	21
39	31	792	509	64.27%	39	31	509	0
39	32	783	515	65.77%	39	32	510	5
39	33	923	666	72.16%	39	33	656	10
39	34	893	627	70.21%	39	34	647	-20
39	35	756	547	72.35%	39	35	560	-13
39	36	350	193	55.14%	39	36	193	0
39	37	643	524	81.49%	39	37	528	-4
39	38	360	296	82.22%	39	38	297	-1
39	39	449	337	75.06%	39	39	336	1
39	40	690	486	70.43%	39	40	486	0
39	41	763	591	77.46%	39	41	431	160
39	42	686	582	84.84%	39	42	575	7
39	43	738	576	78.05%	39	43	575	1
39	44	550	434	78.91%	39	44	434	0
39	45	649	505	77.81%	39	45	506	-1
40	1	827	571	69.04%	40	1	564	7
40	2	785	580	73.89%	40	2	576	4
40	3	923	750	81.26%	40	3	747	3
40	4	553	347	62.75%	40	4	354	-7
40	5	836	619	74.04%	40	5	620	-1

AMERICAN OVERSIGHT

40	6	869	717	82.51%
40	7	713	595	83.45%
40	8	895	730	81.56%
40	9	728	544	74.73%
40	10	964	678	70.33%
40	11	753	604	80.21%
40	12	600	491	81.83%
40	13	1005	901	89.65%
40	14	830	548	66.02%
40	15	878	550	62.64%
40	16	900	749	83.22%
40	17	702	525	74.79%
40	18	825	577	69.94%
40	19	1032	762	73.84%
40	20	927	620	66.88%
40	21	839	682	81.29%
40	22	747	592	79.25%
40	23	914	679	74.29%
40	24	833	591	70.95%
40	25	838	714	85.20%
40	26	737	595	80.73%
40	27	1060	805	75.94%
40	28	836	653	78.11%
40	29	765	573	74.90%
40	30	671	520	77.50%
40	31	806	668	82.88%
40	32	828	657	79.35%
40	33	692	596	86.13%
40	34	787	552	70.14%
40	35	771	495	64.20%
40	36	685	565	82.48%
40	37	878	663	75.51%
40	38	857	743	86.70%
40	39	349	225	64.47%
41	1	705	525	74.47%
41	2	752	595	79.12%
41	3	728	515	70.74%
41	4	700	563	80.43%
41	5	874	660	75.51%
41	6	784	637	81.25%
41	7	788	642	81.47%
41	8	726	569	78.37%
41	9	777	581	74.77%
41	10	738	597	80.89%
41	11	852	642	75.35%
41	12	866	606	69.98%
41	13	902	695	77.05%
41	14	774	640	82.69%
41	15	918	702	76.47%
41	16	762	558	73.23%
41	17	752	584	77.66%
41	18	682	532	78.01%
41	19	775	631	81.42%
41	20	693	461	66.52%
41	21	754	541	71.75%
41	22	793	598	75.41%
41	23	870	627	72.07%
41	24	792	532	67.17%
41	25	976	604	61.89%
41	26	703	543	77.24%
41	27	850	559	65.76%
41	28	1067	714	66.92%
41	29	826	535	64.77%
41	30	780	569	72.95%
41	31	794	613	77.20%
41	32	638	473	74.14%
41	33	742	554	74.66%
41	34	684	502	73.39%
41	35	855	656	76.73%
41	36	723	559	77.32%
41	37	839	634	75.57%
41	38	767	530	69.10%
41	39	776	610	78.61%
41	40	770	619	80.39%
41	41	788	587	74.49%
41	42	750	604	80.53%
41	43	804	620	77.11%
41	44	772	603	78.11%
41	45	765	559	73.07%
41	46	746	577	77.35%
41	47	771	567	73.54%
42	1	748	646	86.36%
42	2	1068	832	77.90%
42	3	926	766	82.72%
42	4	1576	1292	81.98%
42	5	738	587	79.54%
42	6	786	665	84.61%
42	7	985	836	84.87%
42	8	800	640	80.00%
42	9	1110	796	71.71%
42	10	1060	918	86.60%
42	11	604	492	81.46%
42	12	705	579	82.13%
42	13	680	578	85.00%
42	14	1076	903	83.92%
42	15	819	652	79.61%
42	16	872	740	84.86%
42	17	1153	1017	88.20%
42	18	1098	921	83.88%
42	19	1092	925	84.71%
42	20	1008	819	81.25%
42	21	885	741	83.73%
42	22	501	408	81.44%
42	23	915	781	85.36%
42	24	839	718	85.58%
42	25	997	804	80.64%
42	26	1025	861	84.00%
42	27	588	509	86.56%
42	28	896	810	90.40%
42	29	916	773	84.39%
42	30	668	579	86.68%
42	31	1065	906	85.07%
42	32	977	807	82.60%
42	33	926	792	85.53%
42	34	788	645	81.85%
42	35	1229	984	80.07%
42	36	1470	1190	80.95%
42	37	680	546	80.29%
42	38	864	696	80.56%
42	39	1016	852	83.86%
42	40	1193	982	82.31%
42	41	878	743	84.62%
42	42	1295	1149	88.73%
43	1	453	370	81.68%
43	2	839	717	85.46%
43	3	844	694	82.23%
43	4	1111	942	84.79%
43	5	738	617	83.60%
43	6	646	528	81.73%
43	7	563	464	82.42%
43	8	678	559	82.45%
43	9	875	711	81.26%
43	10	970	802	82.68%
43	11	832	682	81.97%

40	6	721	-4
40	7	592	3
40	8	727	3
40	9	535	9
40	10	675	3
40	11	603	1
40	12	488	3
40	13	885	16
40	14	539	9
40	15	549	1
40	16	765	-16
40	17	525	0
40	18	572	5
40	19	764	-2
40	20	616	4
40	21	684	-2
40	22	596	-4
40	23	674	5
40	24	589	2
40	25	712	2
40	26	595	0
40	27	801	4
40	28	650	3
40	29	565	8
40	30	527	-7
40	31	672	-4
40	32	659	-2
40	33	598	-2
40	34	546	6
40	35	488	7
40	36	562	3
40	37	646	17
40	38	740	3
40	39	221	4
41	1	517	8
41	2	593	2
41	3	517	-2
41	4	560	3
41	5	658	2
41	6	637	0
41	7	642	0
41	8	571	-2
41	9	580	1
41	10	598	-1
41	11	643	-1
41	12	611	-5
41	13	689	6
41	14	623	17
41	15	701	1
41	16	559	-1
41	17	584	0
41	18	528	4
41	19	626	5
41	20	463	-2
41	21	542	-1
41	22	598	0
41	23	628	-1
41	24	531	1
41	25	589	15
41	26	545	-2
41	27	559	0
41	28	699	15
41	29	536	-1
41	30	570	-1
41	31	605	8
41	32	471	2
41	33	555	-1
41	34	501	1
41	35	658	-2
41	36	567	-8
41	37	632	2
41	38	524	6
41	39	596	14
41	40	619	0
41	41	591	-4
41	42	603	1
41	43	617	3
41	44	618	-15
41	45	553	6
41	46	584	-7
41	47	323	244
42	1	639	7
42	2	819	13
42	3	767	-1
42	4	1290	2
42	5	593	-6
42	6	658	7
42	7	827	9
42	8	639	1
42	9	794	2
42	10	903	15
42	11	492	0
42	12	579	0
42	13	580	-2
42	14	876	27
42	15	652	0
42	16	740	0
42	17	1016	1
42	18	916	5
42	19	883	42
42	20	819	0
42	21	729	12
42	22	408	0
42	23	776	5
42	24	719	-1
42	25	801	3
42	26	860	1
42	27	507	2
42	28	809	1
42	29	776	-3
42	30	570	9
42	31	904	2
42	32	787	20
42	33	786	6
42	34	643	2
42	35	974	10
42	36	1197	-7
42	37	547	-1
42	38	690	6
42	39	836	16
42	40	981	1
42	41	736	7
42	42	1124	25
43	1	370	0
43	2	712	5
43	3	694	0
43	4	942	0
43	5	615	2
43	6	527	1
43	7	466	-2
43	8	552	7
43	9	700	11
43	10	798	4
43	11	674	8

AMERICAN OVERSIGHT

43	12	568	504	88.73%
43	13	801	685	85.52%
43	14	789	661	83.78%
43	15	886	788	88.94%
43	16	1024	825	80.57%
43	17	676	582	86.09%
43	18	899	775	86.21%
43	19	871	749	85.99%
43	20	897	764	85.17%
43	21	945	745	78.84%
43	22	595	502	84.37%
43	23	606	503	83.00%
43	24	730	605	82.88%
43	25	624	548	87.82%
43	26	514	441	85.80%
43	27	778	675	86.76%
43	28	1115	890	79.82%
43	29	817	701	85.80%
43	30	1042	892	85.60%
43	31	870	708	81.38%
43	32	892	775	86.88%
43	33	824	703	85.32%
43	34	561	502	89.48%
43	35	943	797	84.52%
43	36	478	414	86.61%
43	37	1000	825	82.50%
43	38	745	599	80.40%
43	39	906	779	85.98%
43	40	684	562	82.16%
43	41	1044	900	86.21%
43	42	816	665	81.50%
43	43	863	733	84.94%
43	44	801	665	83.02%
43	45	480	415	86.46%
43	46	488	412	84.43%
44	1	1269	1135	89.44%
44	2	937	714	76.20%
44	3	501	443	88.42%
44	4	822	694	84.43%
44	5	940	802	85.32%
44	6	1085	942	86.82%
44	7	605	529	87.44%
44	8	1072	942	87.87%
44	9	852	690	80.99%
44	10	910	741	81.43%
44	11	961	798	83.04%
44	12	865	783	90.52%
44	13	790	644	81.52%
44	14	797	695	87.20%
44	15	813	672	82.66%
44	16	935	797	85.24%
44	17	1072	943	87.97%
44	18	958	745	77.77%
44	19	999	874	87.49%
44	20	912	769	84.32%
44	21	967	866	89.56%
44	22	906	767	84.66%
44	23	852	743	87.21%
44	24	620	539	86.94%
44	25	871	735	84.39%
44	26	996	834	83.73%
44	27	938	822	87.63%
44	28	875	760	86.86%
44	29	997	833	83.55%
44	30	988	844	85.43%
44	31	836	660	78.95%
44	32	1020	856	83.92%
44	33	824	748	90.78%
44	34	915	760	83.06%
44	35	996	860	86.35%
44	36	920	775	84.24%
44	37	896	798	89.06%
44	38	958	754	78.71%
44	39	893	735	82.31%
44	40	857	735	85.76%
44	41	1098	966	87.98%
45	1	535	464	86.73%
45	2	659	472	71.62%
45	3	636	503	79.09%
45	4	817	649	79.44%
45	5	730	543	74.38%
45	6	856	664	77.57%
45	7	1018	768	75.44%
45	8	782	571	73.02%
45	9	828	581	70.17%
45	10	840	599	71.31%
45	11	648	438	67.59%
45	12	790	536	67.85%
45	13	631	470	74.48%
45	14	1031	711	68.96%
45	15	867	653	75.32%
45	16	663	456	68.78%
45	17	864	626	72.45%
45	18	890	577	64.83%
45	19	466	325	69.74%
45	20	584	435	74.49%
45	21	704	495	70.31%
45	22	761	537	70.57%
45	23	770	537	69.74%
45	24	680	437	64.26%
45	25	483	353	73.08%
45	26	437	310	70.94%
45	27	738	522	70.73%
45	28	650	472	72.62%
45	29	564	379	67.20%
45	30	712	524	73.60%
45	31	645	442	68.53%
45	32	721	471	65.33%
45	33	545	371	68.07%
45	34	837	571	68.22%
45	35	782	556	71.10%
45	36	769	549	71.39%
45	37	748	522	69.79%
45	38	746	476	63.81%
45	39	810	543	67.04%
45	40	742	534	71.97%
45	41	735	521	70.88%
45	42	707	530	74.96%
45	43	759	558	73.52%
45	44	722	531	73.55%
45	45	534	377	70.60%
45	46	613	446	72.76%
45	47	579	414	71.50%
45	48	634	445	70.19%
46	1	781	509	65.17%
46	2	739	593	80.24%
46	3	882	791	89.68%
46	4	770	602	78.18%
46	5	1039	830	79.88%
46	6	863	668	77.40%
46	7	816	723	88.60%
46	8	761	519	68.20%
46	9	835	708	84.79%
46	10	1256	1090	86.78%

43	12	501	3
43	13	680	5
43	14	664	-3
43	15	777	11
43	16	787	38
43	17	581	1
43	18	778	-3
43	19	739	10
43	20	760	4
43	21	735	10
43	22	499	3
43	23	500	3
43	24	599	6
43	25	542	6
43	26	436	5
43	27	674	1
43	28	892	-2
43	29	700	1
43	30	895	-3
43	31	708	0
43	32	755	20
43	33	700	3
43	34	501	1
43	35	791	6
43	36	410	4
43	37	753	72
43	38	599	0
43	39	763	16
43	40	542	20
43	41	896	4
43	42	632	33
43	43	738	-5
43	44	658	7
43	45	416	-1
43	46	405	7
44	1	1131	4
44	2	708	6
44	3	437	6
44	4	684	10
44	5	797	5
44	6	919	23
44	7	529	0
44	8	945	-3
44	9	694	-4
44	10	735	6
44	11	796	2
44	12	773	10
44	13	640	4
44	14	695	0
44	15	676	-4
44	16	786	11
44	17	937	6
44	18	738	7
44	19	865	9
44	20	774	-5
44	21	863	3
44	22	758	9
44	23	737	6
44	24	534	5
44	25	730	5
44	26	826	8
44	27	821	1
44	28	762	-2
44	29	826	7
44	30	812	32
44	31	657	3
44	32	858	-2
44	33	740	8
44	34	759	1
44	35	840	20
44	36	776	-1
44	37	797	1
44	38	758	-4
44	39	735	0
44	40	701	34
44	41	945	21
45	1	433	31
45	2	492	-20
45	3	473	30
45	4	633	16
45	5	548	-5
45	6	666	-2
45	7	767	1
45	8	573	-2
45	9	581	0
45	10	599	0
45	11	438	0
45	12	526	10
45	13	469	1
45	14	709	2
45	15	652	1
45	16	475	-19
45	17	626	0
45	18	577	0
45	19	322	3
45	20	427	8
45	21	493	2
45	22	533	4
45	23	533	4
45	24	452	-15
45	25	348	5
45	26	311	-1
45	27	522	0
45	28	472	0
45	29	374	5
45	30	521	3
45	31	441	1
45	32	458	13
45	33	374	-3
45	34	567	4
45	35	557	-1
45	36	548	1
45	37	523	-1
45	38	472	4
45	39	542	1
45	40	534	0
45	41	522	-1
45	42	532	-2
45	43	552	6
45	44	529	2
45	45	377	0
45	46	422	24
45	47	414	0
45	48	446	-1
46	1	498	11
46	2	591	2
46	3	786	5
46	4	597	5
46	5	820	10
46	6	659	9
46	7	720	3
46	8	504	15
46	9	706	2
46	10	1074	16

AMERICAN OVERSIGHT

46	11	865	685	79.19%
46	12	847	708	83.59%
46	13	793	672	84.74%
46	14	1047	769	73.45%
46	15	882	715	81.07%
46	16	864	717	82.99%
46	17	899	756	84.09%
46	18	945	760	80.42%
46	19	508	467	91.93%
46	20	848	566	66.75%
46	21	748	523	69.92%
46	22	774	532	68.73%
46	23	748	504	67.38%
46	24	866	729	84.18%
46	25	813	637	78.35%
46	26	863	675	78.22%
46	27	974	840	86.24%
46	28	725	647	89.24%
46	29	745	587	78.79%
46	30	842	709	84.20%
46	31	825	721	87.39%
46	32	950	701	73.79%
46	33	857	768	89.61%
46	34	1012	799	78.95%
46	35	963	811	84.22%
46	36	721	641	88.90%
46	37	632	509	80.54%
46	38	959	733	76.43%
46	39	806	671	83.25%
46	40	702	574	81.77%
47	1	563	424	75.31%
47	2	767	671	87.48%
47	3	779	649	83.31%
47	4	812	688	84.73%
47	5	848	714	84.20%
47	6	932	781	83.80%
47	7	763	614	80.47%
47	8	795	676	85.03%
47	9	726	626	86.23%
47	10	988	840	85.02%
47	11	811	696	85.82%
47	12	822	711	86.50%
47	13	712	611	85.81%
47	14	706	605	85.69%
47	15	963	794	82.45%
47	16	772	621	80.44%
47	17	806	634	78.66%
47	18	834	696	83.45%
47	19	1022	829	81.12%
47	20	750	621	82.80%
47	21	759	608	80.11%
47	22	829	736	88.78%
47	23	845	708	83.79%
47	24	794	693	87.28%
47	25	966	786	81.37%
47	26	1070	913	85.33%
47	27	707	611	86.42%
47	28	775	624	80.52%
47	29	834	697	83.57%
47	30	958	827	86.33%
47	31	798	649	81.33%
47	32	879	776	88.28%
47	33	806	673	83.50%
47	34	800	694	86.75%
47	35	829	682	82.27%
47	36	891	767	86.08%
47	37	807	725	89.84%
47	38	779	673	86.39%
47	39	787	666	84.63%
47	40	708	631	89.12%
47	41	861	762	88.50%
47	42	758	658	86.81%
47	43	773	664	85.90%
47	44	883	701	79.39%
47	45	770	636	82.60%
47	46	732	600	81.97%
47	47	928	815	87.82%
47	48	83	75	90.36%
48	1	708	587	82.91%
48	2	366	302	82.51%
48	3	966	788	81.57%
48	4	753	634	84.20%
48	5	402	340	84.58%
48	6	1003	803	80.06%
48	7	764	633	82.85%
48	8	443	357	80.59%
48	9	546	461	84.43%
48	10	981	845	86.14%
48	11	597	496	83.08%
48	12	895	743	83.02%
48	13	965	792	82.07%
48	14	441	358	81.18%
48	15	577	448	77.64%
48	16	851	680	79.91%
48	17	717	607	84.66%
48	18	682	463	67.89%
48	19	555	429	77.30%
48	20	844	687	81.40%
48	21	1101	830	75.39%
48	22	599	518	86.48%
48	23	873	724	82.93%
48	24	946	769	81.29%
48	25	678	544	80.24%
48	26	439	362	82.46%
48	27	1788	1280	71.59%
48	28	1007	810	80.44%
48	29	367	308	83.92%
48	30	620	546	88.06%
48	31	1181	943	79.85%
48	32	877	712	81.19%
48	33	403	356	88.34%
48	34	617	553	89.63%
48	35	859	457	53.20%
48	36	424	373	87.97%
48	37	833	665	79.83%
48	38	748	614	82.09%
48	39	613	523	85.32%
48	40	628	550	87.58%
48	41	999	823	82.38%
48	42	959	765	79.77%
48	43	861	661	76.77%
48	44	882	752	85.26%
48	45	583	482	82.68%
48	46	525	433	82.48%
49	1	765	478	62.48%
49	2	536	425	79.29%
49	3	953	707	74.19%
49	4	1087	803	73.87%
49	5	902	647	71.73%
49	6	811	613	75.59%
49	7	867	726	83.74%
49	8	726	556	76.58%
49	9	871	682	78.30%
49	10	834	626	75.06%

46	11	684	1
46	12	705	3
46	13	668	4
46	14	771	-2
46	15	696	19
46	16	720	-3
46	17	757	-1
46	18	754	6
46	19	461	6
46	20	570	-4
46	21	514	9
46	22	529	3
46	23	498	6
46	24	727	2
46	25	637	0
46	26	667	8
46	27	819	21
46	28	651	-4
46	29	584	3
46	30	709	0
46	31	717	4
46	32	692	9
46	33	770	-2
46	34	795	4
46	35	799	12
46	36	641	0
46	37	509	0
46	38	739	-6
46	39	665	6
46	40	570	4
47	1	444	-20
47	2	669	2
47	3	643	6
47	4	696	-8
47	5	715	-1
47	6	775	6
47	7	610	4
47	8	672	4
47	9	623	3
47	10	838	2
47	11	692	4
47	12	711	0
47	13	613	-2
47	14	604	1
47	15	789	5
47	16	614	7
47	17	637	-3
47	18	699	-3
47	19	832	-3
47	20	619	2
47	21	607	1
47	22	733	3
47	23	711	-3
47	24	686	7
47	25	788	-2
47	26	906	7
47	27	609	2
47	28	622	2
47	29	702	-5
47	30	823	4
47	31	644	5
47	32	775	1
47	33	676	-3
47	34	691	3
47	35	682	0
47	36	767	0
47	37	721	4
47	38	671	2
47	39	505	161
47	40	629	2
47	41	755	7
47	42	654	4
47	43	665	-1
47	44	677	24
47	45	636	0
47	46	601	-1
47	47	776	39
47	48	74	1
48	1	593	-6
48	2	304	-2
48	3	790	-2
48	4	611	23
48	5	344	-4
48	6	804	-1
48	7	630	3
48	8	352	5
48	9	450	11
48	10	849	-4
48	11	495	1
48	12	739	4
48	13	794	-2
48	14	352	6
48	15	451	-3
48	16	685	-5
48	17	598	9
48	18	469	-6
48	19	422	7
48	20	689	-2
48	21	837	-7
48	22	510	8
48	23	724	0
48	24	750	19
48	25	549	-5
48	26	349	13
48	27	1279	1
48	28	804	6
48	29	308	0
48	30	547	-1
48	31	949	-6
48	32	710	2
48	33	356	0
48	34	551	2
48	35	487	-30
48	36	373	0
48	37	654	11
48	38	617	-3
48	39	521	2
48	40	546	4
48	41	812	11
48	42	750	15
48	43	646	15
48	44	756	-4
48	45	484	-2
48	46	433	0
49	1	463	15
49	2	421	4
49	3	707	0
49	4	787	16
49	5	647	0
49	6	613	0
49	7	725	1
49	8	555	1
49	9	672	10
49	10	624	2

AMERICAN OVERSIGHT

	49	11	998	776	77.76%		49	11	773	3
	49	12	1121	928	82.78%		49	12	913	15
	49	13	959	788	82.17%		49	13	778	10
	49	14	753	555	73.71%		49	14	550	5
	49	15	703	525	74.68%		49	15	531	-6
	49	16	847	631	74.50%		49	16	627	4
	49	17	646	513	79.41%		49	17	509	4
	49	18	988	823	83.30%		49	18	807	16
	49	19	851	633	74.38%		49	19	621	12
	49	20	1149	935	81.38%		49	20	942	-7
	49	21	584	422	72.26%		49	21	423	-1
	49	22	908	679	74.78%		49	22	683	-4
	49	23	1011	773	76.46%		49	23	791	-18
	49	24	830	598	72.05%		49	24	588	10
	49	25	1094	882	80.62%		49	25	862	20
	49	26	1003	776	77.37%		49	26	777	-1
	49	27	1039	815	78.44%		49	27	832	-17
	49	28	1104	860	77.90%		49	28	858	2
	49	29	966	761	78.78%		49	29	748	13
	49	30	962	768	79.83%		49	30	729	39
	49	31	722	538	74.52%		49	31	537	1
	49	32	954	688	72.12%		49	32	673	15
	49	33	729	573	78.60%		49	33	565	8
	50	1	700	536	76.57%		50	1	526	10
	50	2	502	347	69.12%		50	2	347	0
	50	3	651	453	69.59%		50	3	448	5
	50	4	812	582	71.67%		50	4	585	-3
	50	5	592	410	69.26%		50	5	399	11
	50	6	895	597	66.70%		50	6	592	5
	50	7	742	588	79.25%		50	7	575	13
	50	8	777	565	72.72%		50	8	564	1
	50	9	667	452	67.77%		50	9	441	11
	50	10	912	617	67.65%		50	10	615	2
	50	11	562	404	71.89%		50	11	400	4
	50	12	298	246	82.55%		50	12	244	2
	50	13	1038	687	66.18%		50	13	686	1
	50	14	218	188	86.24%		50	14	189	-1
	50	15	737	571	77.48%		50	15	567	4
	50	16	225	187	83.11%		50	16	184	3
	50	17	868	546	62.90%		50	17	541	5
	50	18	156	127	81.41%		50	18	119	8
	50	19	658	420	63.83%		50	19	419	1
	50	20	778	577	74.16%		50	20	568	9
	50	21	676	475	70.27%		50	21	475	0
	50	22	773	531	68.69%		50	22	533	-2
	50	23	629	384	61.05%		50	23	382	2
	50	24	757	489	64.60%		50	24	482	7
	50	25	781	504	64.53%		50	25	499	5
	50	26	940	635	67.55%		50	26	626	9
	50	27	193	172	89.12%		50	27	163	9
	50	28	920	674	73.26%		50	28	670	4
	50	29	845	590	69.82%		50	29	549	41
	50	30	636	410	64.47%		50	30	408	2
	50	31	1027	689	67.09%		50	31	687	2
	50	32	971	701	72.19%		50	32	680	21
	50	33	585	453	77.44%		50	33	453	0
	50	34	899	696	77.42%		50	34	698	-2
	50	35	828	643	77.66%		50	35	638	5
	50	36	733	496	67.67%		50	36	495	1
	50	37	687	535	77.87%		50	37	524	11
	50	38	277	225	81.23%		50	38	227	-2
	50	39	659	431	65.40%		50	39	432	-1
	50	40	829	580	69.96%		50	40	581	-1
Total				1115664					1101178	14486
			14486		5310					

AMERICAN OVERSIGHT

Ward	Precinct	Register Voters	Ballots Cast	Turnout %	Ward	Precinct	Votercount	difference
20	9	845	671	79.41%	20	9	298	373
11	21	914	677	74.07%	11	21	353	324
26	34	661	499	75.49%	26	34	175	324
20	21	761	451	59.26%	20	21	158	293
5	27	785	871	110.96%	5	27	586	285
27	11	768	644	83.85%	27	11	400	244
41	47	771	567	73.54%	41	47	323	244
19	21	725	551	76.00%	19	21	323	228
28	34	1340	923	68.88%	28	34	752	171
34	49	881	578	65.61%	34	49	408	170
47	39	787	666	84.63%	47	39	505	161
39	41	763	591	77.46%	39	41	431	160
35	1	809	588	72.68%	35	1	431	157
29	3	1000	641	64.10%	29	3	488	153
11	34	312	229	73.40%	11	34	96	133
2	7	960	651	67.81%	2	7	560	91
21	33	729	487	66.80%	21	33	405	82
18	25	704	527	74.86%	18	25	446	81
20	23	823	619	75.21%	20	23	545	74
43	37	1000	825	82.50%	43	37	753	72
32	22	1055	852	80.76%	32	22	782	70
1	8	795	622	78.24%	1	8	557	65
20	33	559	364	65.12%	20	33	300	64
21	17	745	466	62.55%	21	17	402	64
31	31	538	367	68.22%	31	31	303	64
7	44	732	447	61.07%	7	44	387	60
27	50	731	519	71.00%	27	50	460	59
20	38	385	222	57.66%	20	38	170	52
17	8	809	486	60.07%	17	8	435	51
9	17	695	462	66.47%	9	17	414	48
1	19	998	795	79.66%	1	19	748	47
3	25	1255	1040	82.87%	3	25	994	46
20	24	673	516	76.67%	20	24	472	44

AMERICAN OVERSIGHT

23	35	492	371	75.41%	23	35	327	44
2	40	985	826	83.86%	2	40	783	43
20	15	986	543	55.07%	20	15	500	43
8	20	760	523	68.82%	8	20	481	42
42	19	1092	925	84.71%	42	19	883	42
8	14	752	491	65.29%	8	14	450	41
20	13	1014	639	63.02%	20	13	598	41
20	32	889	533	59.96%	20	32	492	41
50	29	845	590	69.82%	50	29	549	41
5	16	914	628	68.71%	5	16	589	39
16	14	693	411	59.31%	16	14	372	39
47	47	928	815	87.82%	47	47	776	39
49	30	962	768	79.83%	49	30	729	39
17	39	712	493	69.24%	17	39	455	38
39	9	802	576	71.82%	39	9	538	38
43	16	1024	825	80.57%	43	16	787	38
7	43	720	478	66.39%	7	43	442	36
16	29	774	418	54.01%	16	29	382	36
26	12	692	485	70.09%	26	12	449	36
27	48	1176	908	77.21%	27	48	872	36
29	11	517	343	66.34%	29	11	307	36
28	23	1010	605	59.90%	28	23	570	35
24	20	625	405	64.80%	24	20	371	34
28	1	711	442	62.17%	28	1	408	34
28	10	847	607	71.66%	28	10	573	34
44	40	857	735	85.76%	44	40	701	34
4	17	944	862	91.31%	4	17	829	33
6	12	807	467	57.87%	6	12	434	33
15	10	1022	673	65.85%	15	10	640	33
20	5	920	547	59.46%	20	5	514	33
27	37	801	635	79.28%	27	37	602	33
43	42	816	665	81.50%	43	42	632	33
24	31	893	524	58.68%	24	31	492	32
24	32	419	279	66.59%	24	32	247	32

AMERICAN OVERSIGHT

44	30	988	844	85.43%	44	30	812	32
7	6	784	632	80.61%	7	6	601	31
14	15	776	564	72.68%	14	15	533	31
27	16	855	682	79.77%	27	16	651	31
45	1	535	464	86.73%	45	1	433	31
7	11	882	609	69.05%	7	11	579	30
7	45	837	538	64.28%	7	45	508	30
20	12	633	439	69.35%	20	12	409	30
37	22	836	466	55.74%	37	22	436	30
45	3	636	503	79.09%	45	3	473	30
1	35	1009	810	80.28%	1	35	781	29
5	29	926	658	71.06%	5	29	629	29
17	18	733	492	67.12%	17	18	463	29
20	11	939	664	70.71%	20	11	635	29
28	14	753	451	59.89%	28	14	422	29
33	6	842	612	72.68%	33	6	583	29
34	30	604	422	69.87%	34	30	393	29
1	25	864	604	69.91%	1	25	576	28
31	22	579	360	62.18%	31	22	332	28
2	27	752	666	88.56%	2	27	639	27
6	4	673	449	66.72%	6	4	422	27
16	13	806	502	62.28%	16	13	475	27
16	33	722	408	56.51%	16	33	381	27
20	18	674	432	64.09%	20	18	405	27
20	31	868	620	71.43%	20	31	593	27
25	31	1321	1069	80.92%	25	31	1042	27
28	25	909	587	64.58%	28	25	560	27
28	31	1024	609	59.47%	28	31	582	27
30	30	426	255	59.86%	30	30	228	27
36	23	812	488	60.10%	36	23	461	27
42	14	1076	903	83.92%	42	14	876	27
6	23	686	366	53.35%	6	23	340	26
9	38	739	495	66.98%	9	38	469	26
9	46	786	523	66.54%	9	46	497	26

AMERICAN OVERSIGHT

20	1	727	546	75.10%	20	1	520	26
29	21	1196	749	62.63%	29	21	723	26
6	32	714	485	67.93%	6	32	460	25
8	26	792	526	66.41%	8	26	501	25
12	14	920	483	52.50%	12	14	458	25
17	15	862	573	66.47%	17	15	548	25
30	19	939	538	57.29%	30	19	513	25
42	42	1295	1149	88.73%	42	42	1124	25
12	7	919	518	56.37%	12	7	494	24
21	37	586	429	73.21%	21	37	405	24
37	24	807	534	66.17%	37	24	510	24
45	46	613	446	72.76%	45	46	422	24
47	44	883	701	79.39%	47	44	677	24
2	6	910	657	72.20%	2	6	634	23
2	38	725	645	88.97%	2	38	622	23
8	21	941	660	70.14%	8	21	637	23
9	37	843	608	72.12%	9	37	585	23
16	30	686	405	59.04%	16	30	382	23
27	23	599	403	67.28%	27	23	380	23
29	42	933	603	64.63%	29	42	580	23
32	18	774	646	83.46%	32	18	623	23
34	53	667	388	58.17%	34	53	365	23
44	6	1085	942	86.82%	44	6	919	23
48	4	753	634	84.20%	48	4	611	23
3	12	756	567	75.00%	3	12	545	22
6	39	788	492	62.44%	6	39	470	22
7	26	567	380	67.02%	7	26	358	22
10	1	683	457	66.91%	10	1	435	22
15	1	857	491	57.29%	15	1	469	22
16	5	722	366	50.69%	16	5	344	22
24	34	797	448	56.21%	24	34	426	22
29	19	873	597	68.38%	29	19	575	22
39	25	791	495	62.58%	39	25	473	22
4	5	786	597	75.95%	4	5	576	21

AMERICAN OVERSIGHT

6	47	619	430	69.47%	6	47	409	21
20	34	888	765	86.15%	20	34	744	21
21	8	753	531	70.52%	21	8	510	21
21	38	741	521	70.31%	21	38	500	21
22	8	843	618	73.31%	22	8	597	21
25	2	857	565	65.93%	25	2	544	21
26	19	487	334	68.58%	26	19	313	21
27	47	509	405	79.57%	27	47	384	21
28	4	616	427	69.32%	28	4	406	21
28	22	619	429	69.31%	28	22	408	21
28	29	678	280	41.30%	28	29	259	21
30	13	748	486	64.97%	30	13	465	21
31	20	547	360	65.81%	31	20	339	21
34	21	781	534	68.37%	34	21	513	21
39	30	918	696	75.82%	39	30	675	21
44	41	1098	966	87.98%	44	41	945	21
46	27	974	840	86.24%	46	27	819	21
50	32	971	701	72.19%	50	32	680	21
3	6	942	773	82.06%	3	6	753	20
4	8	891	688	77.22%	4	8	668	20
7	1	763	502	65.79%	7	1	482	20
7	30	787	426	54.13%	7	30	406	20
15	17	660	379	57.42%	15	17	359	20
16	9	776	468	60.31%	16	9	448	20
21	46	787	547	69.50%	21	46	527	20
24	16	875	513	58.63%	24	16	493	20
27	14	505	332	65.74%	27	14	312	20
27	31	659	438	66.46%	27	31	418	20
28	46	1198	849	70.87%	28	46	829	20
34	26	823	534	64.88%	34	26	514	20
36	9	812	491	60.47%	36	9	471	20
42	32	977	807	82.60%	42	32	787	20
43	32	892	775	86.88%	43	32	755	20
43	40	684	562	82.16%	43	40	542	20

AMERICAN OVERSIGHT

44	35	996	860	86.35%	44	35	840	20
49	25	1094	882	80.62%	49	25	862	20
3	27	976	802	82.17%	3	27	783	19
5	10	789	550	69.71%	5	10	531	19
5	22	726	648	89.26%	5	22	629	19
7	14	842	555	65.91%	7	14	536	19
8	7	767	562	73.27%	8	7	543	19
9	8	872	549	62.96%	9	8	530	19
9	51	648	462	71.30%	9	51	443	19
16	25	747	473	63.32%	16	25	454	19
18	31	679	494	72.75%	18	31	475	19
21	29	762	540	70.87%	21	29	521	19
24	9	818	495	60.51%	24	9	476	19
25	21	1166	982	84.22%	25	21	963	19
25	30	906	562	62.03%	25	30	543	19
36	10	876	587	67.01%	36	10	568	19
37	9	885	565	63.84%	37	9	546	19
46	15	882	715	81.07%	46	15	696	19
48	24	946	769	81.29%	48	24	750	19
3	31	966	775	80.23%	3	31	757	18
6	48	772	517	66.97%	6	48	499	18
7	5	716	441	61.59%	7	5	423	18
8	56	710	511	71.97%	8	56	493	18
9	3	823	500	60.75%	9	3	482	18
21	39	604	422	69.87%	21	39	404	18
28	3	660	429	65.00%	28	3	411	18
28	33	911	561	61.58%	28	33	543	18
28	43	1006	634	63.02%	28	43	616	18
29	22	694	448	64.55%	29	22	430	18
39	12	1064	745	70.02%	39	12	727	18
3	32	927	781	84.25%	3	32	764	17
3	41	800	535	66.88%	3	41	518	17
4	19	933	633	67.85%	4	19	616	17
5	12	828	491	59.30%	5	12	474	17

AMERICAN OVERSIGHT

5	21	776	644	82.99%	5	21	627	17
5	38	823	599	72.78%	5	38	582	17
6	9	860	589	68.49%	6	9	572	17
6	26	781	466	59.67%	6	26	449	17
6	46	553	364	65.82%	6	46	347	17
15	21	616	326	52.92%	15	21	309	17
16	32	833	513	61.58%	16	32	496	17
17	41	775	545	70.32%	17	41	528	17
19	8	755	590	78.15%	19	8	573	17
23	22	655	459	70.08%	23	22	442	17
24	22	1004	645	64.24%	24	22	628	17
25	3	1002	794	79.24%	25	3	777	17
27	21	692	572	82.66%	27	21	555	17
27	34	724	485	66.99%	27	34	468	17
34	5	682	448	65.69%	34	5	431	17
35	24	761	527	69.25%	35	24	510	17
39	6	867	555	64.01%	39	6	538	17
40	37	878	663	75.51%	40	37	646	17
41	14	774	640	82.69%	41	14	623	17
2	31	995	831	83.52%	2	31	815	16
3	14	876	690	78.77%	3	14	674	16
4	29	884	639	72.29%	4	29	623	16
4	31	700	602	86.00%	4	31	586	16
5	23	1213	1049	86.48%	5	23	1033	16
6	5	741	410	55.33%	6	5	394	16
6	21	634	367	57.89%	6	21	351	16
6	41	735	508	69.12%	6	41	492	16
7	20	680	395	58.09%	7	20	379	16
7	22	749	447	59.68%	7	22	431	16
7	41	737	469	63.64%	7	41	453	16
8	1	705	427	60.57%	8	1	411	16
8	25	771	520	67.44%	8	25	504	16
8	45	805	549	68.20%	8	45	533	16
10	27	1045	545	52.15%	10	27	529	16

AMERICAN OVERSIGHT

12	12	899	539	59.96%	12	12	523	16
14	7	903	592	65.56%	14	7	576	16
17	12	988	664	67.21%	17	12	648	16
18	9	609	451	74.06%	18	9	435	16
21	20	682	482	70.67%	21	20	466	16
22	3	1162	680	58.52%	22	3	664	16
22	21	964	565	58.61%	22	21	549	16
24	24	1130	651	57.61%	24	24	635	16
27	1	903	782	86.60%	27	1	766	16
27	22	635	319	50.24%	27	22	303	16
28	35	965	580	60.10%	28	35	564	16
40	13	1005	901	89.65%	40	13	885	16
42	39	1016	852	83.86%	42	39	836	16
43	39	906	779	85.98%	43	39	763	16
45	4	817	649	79.44%	45	4	633	16
46	10	1256	1090	86.78%	46	10	1074	16
49	4	1087	803	73.87%	49	4	787	16
49	18	988	823	83.30%	49	18	807	16
1	30	990	727	73.43%	1	30	712	15
1	38	841	660	78.48%	1	38	645	15
2	18	767	670	87.35%	2	18	655	15
2	45	870	660	75.86%	2	45	645	15
3	21	843	710	84.22%	3	21	695	15
3	22	1097	888	80.95%	3	22	873	15
5	30	800	502	62.75%	5	30	487	15
5	33	845	624	73.85%	5	33	609	15
5	40	634	477	75.24%	5	40	462	15
6	25	639	348	54.46%	6	25	333	15
6	43	694	463	66.71%	6	43	448	15
8	32	578	417	72.15%	8	32	402	15
8	54	740	497	67.16%	8	54	482	15
9	25	698	481	68.91%	9	25	466	15
9	33	719	417	58.00%	9	33	402	15
11	4	817	520	63.65%	11	4	505	15

AMERICAN OVERSIGHT

15	12	897	574	63.99%	15	12	559	15
16	15	794	456	57.43%	16	15	441	15
16	17	866	524	60.51%	16	17	509	15
17	11	681	429	63.00%	17	11	414	15
21	6	674	448	66.47%	21	6	433	15
21	15	720	465	64.58%	21	15	450	15
21	26	815	542	66.50%	21	26	527	15
24	3	930	524	56.34%	24	3	509	15
24	33	506	290	57.31%	24	33	275	15
24	40	836	528	63.16%	24	40	513	15
25	4	801	580	72.41%	25	4	565	15
27	8	797	472	59.22%	27	8	457	15
29	13	894	605	67.67%	29	13	590	15
32	42	780	613	78.59%	32	42	598	15
37	4	731	440	60.19%	37	4	425	15
37	20	783	443	56.58%	37	20	428	15
41	25	976	604	61.89%	41	25	589	15
41	28	1067	714	66.92%	41	28	699	15
42	10	1060	918	86.60%	42	10	903	15
46	8	761	519	68.20%	46	8	504	15
48	42	959	765	79.77%	48	42	750	15
48	43	861	661	76.77%	48	43	646	15
49	1	765	478	62.48%	49	1	463	15
49	12	1121	928	82.78%	49	12	913	15
49	32	954	688	72.12%	49	32	673	15
1	10	985	798	81.02%	1	10	784	14
1	23	1103	837	75.88%	1	23	823	14
1	31	910	647	71.10%	1	31	633	14
3	1	1081	743	68.73%	3	1	729	14
3	33	955	800	83.77%	3	33	786	14
3	34	1010	822	81.39%	3	34	808	14
4	16	1042	945	90.69%	4	16	931	14
4	21	1046	895	85.56%	4	21	881	14
5	15	734	588	80.11%	5	15	574	14

AMERICAN OVERSIGHT

6	33	715	512	71.61%	6	33	498	14
6	45	742	567	76.42%	6	45	553	14
8	33	717	492	68.62%	8	33	478	14
8	51	704	530	75.28%	8	51	516	14
15	9	1024	617	60.25%	15	9	603	14
16	27	673	420	62.41%	16	27	406	14
17	7	795	459	57.74%	17	7	445	14
17	38	890	540	60.67%	17	38	526	14
18	29	729	512	70.23%	18	29	498	14
19	50	553	442	79.93%	19	50	428	14
20	27	504	312	61.90%	20	27	298	14
22	9	776	454	58.51%	22	9	440	14
26	28	732	573	78.28%	26	28	559	14
26	33	674	441	65.43%	26	33	427	14
27	2	804	620	77.11%	27	2	606	14
28	41	593	373	62.90%	28	41	359	14
30	26	572	363	63.46%	30	26	349	14
32	29	864	711	82.29%	32	29	697	14
33	2	1155	863	74.72%	33	2	849	14
34	19	893	631	70.66%	34	19	617	14
34	47	823	514	62.45%	34	47	500	14
36	21	829	500	60.31%	36	21	486	14
41	39	776	610	78.61%	41	39	596	14
1	6	845	648	76.69%	1	6	635	13
1	28	331	227	68.58%	1	28	214	13
2	37	673	590	87.67%	2	37	577	13
3	18	1306	912	69.83%	3	18	899	13
3	38	658	502	76.29%	3	38	489	13
6	34	727	531	73.04%	6	34	518	13
6	44	815	568	69.69%	6	44	555	13
7	13	529	330	62.38%	7	13	317	13
8	42	898	674	75.06%	8	42	661	13
9	18	649	367	56.55%	9	18	354	13
17	36	751	497	66.18%	17	36	484	13

AMERICAN OVERSIGHT

18	28	632	471	74.53%	18	28	458	13
19	41	634	508	80.13%	19	41	495	13
21	5	757	533	70.41%	21	5	520	13
23	39	669	463	69.21%	23	39	450	13
27	35	746	596	79.89%	27	35	583	13
27	38	1025	816	79.61%	27	38	803	13
29	40	870	612	70.34%	29	40	599	13
31	23	571	356	62.35%	31	23	343	13
33	25	1083	807	74.52%	33	25	794	13
34	24	760	470	61.84%	34	24	457	13
34	41	635	365	57.48%	34	41	352	13
35	16	751	408	54.33%	35	16	395	13
36	26	782	484	61.89%	36	26	471	13
42	2	1068	832	77.90%	42	2	819	13
45	32	721	471	65.33%	45	32	458	13
48	26	439	362	82.46%	48	26	349	13
49	29	966	761	78.78%	49	29	748	13
50	7	742	588	79.25%	50	7	575	13
1	33	972	719	73.97%	1	33	707	12
3	37	841	573	68.13%	3	37	561	12
5	18	680	569	83.68%	5	18	557	12
5	37	737	623	84.53%	5	37	611	12
6	18	693	436	62.91%	6	18	424	12
8	55	534	386	72.28%	8	55	374	12
9	22	682	493	72.29%	9	22	481	12
9	29	751	516	68.71%	9	29	504	12
10	8	651	411	63.13%	10	8	399	12
10	31	739	386	52.23%	10	31	374	12
11	29	860	631	73.37%	11	29	619	12
14	17	619	411	66.40%	14	17	399	12
16	26	677	386	57.02%	16	26	374	12
18	36	712	509	71.49%	18	36	497	12
20	10	689	440	63.86%	20	10	428	12
20	14	381	284	74.54%	20	14	272	12

AMERICAN OVERSIGHT

20	19	837	552	65.95%	20	19	540	12
20	36	362	199	54.97%	20	36	187	12
24	39	874	525	60.07%	24	39	513	12
25	5	893	592	66.29%	25	5	580	12
25	9	945	616	65.19%	25	9	604	12
26	37	725	500	68.97%	26	37	488	12
26	44	444	274	61.71%	26	44	262	12
27	15	650	390	60.00%	27	15	378	12
27	20	701	508	72.47%	27	20	496	12
28	37	1090	649	59.54%	28	37	637	12
29	30	802	620	77.31%	29	30	608	12
32	39	910	745	81.87%	32	39	733	12
34	23	651	412	63.29%	34	23	400	12
37	13	687	402	58.52%	37	13	390	12
37	33	871	580	66.59%	37	33	568	12
37	34	832	511	61.42%	37	34	499	12
37	35	805	518	64.35%	37	35	506	12
38	31	713	532	74.61%	38	31	520	12
42	21	885	741	83.73%	42	21	729	12
46	35	963	811	84.22%	46	35	799	12
49	19	851	633	74.38%	49	19	621	12
1	7	556	455	81.83%	1	7	444	11
2	3	914	781	85.45%	2	3	770	11
2	12	789	618	78.33%	2	12	607	11
3	23	842	574	68.17%	3	23	563	11
5	4	925	732	79.14%	5	4	721	11
5	8	724	632	87.29%	5	8	621	11
5	13	787	525	66.71%	5	13	514	11
5	31	722	506	70.08%	5	31	495	11
6	14	792	517	65.28%	6	14	506	11
6	28	675	331	49.04%	6	28	320	11
6	35	669	461	68.91%	6	35	450	11
6	40	679	449	66.13%	6	40	438	11
7	17	674	444	65.88%	7	17	433	11

AMERICAN OVERSIGHT

9	32	698	473	67.77%	9	32	462	11
9	45	687	454	66.08%	9	45	443	11
10	5	671	408	60.80%	10	5	397	11
10	6	677	428	63.22%	10	6	417	11
16	24	452	266	58.85%	16	24	255	11
19	10	737	602	81.68%	19	10	591	11
23	6	724	529	73.07%	23	6	518	11
25	24	961	596	62.02%	25	24	585	11
26	36	612	443	72.39%	26	36	432	11
27	30	438	280	63.93%	27	30	269	11
27	42	474	382	80.59%	27	42	371	11
28	26	913	566	61.99%	28	26	555	11
30	9	745	470	63.09%	30	9	459	11
32	13	922	721	78.20%	32	13	710	11
36	1	803	557	69.36%	36	1	546	11
36	3	645	466	72.25%	36	3	455	11
36	11	663	427	64.40%	36	11	416	11
36	13	632	366	57.91%	36	13	355	11
37	12	748	416	55.61%	37	12	405	11
37	16	848	546	64.39%	37	16	535	11
43	9	875	711	81.26%	43	9	700	11
43	15	886	788	88.94%	43	15	777	11
44	16	935	797	85.24%	44	16	786	11
46	1	781	509	65.17%	46	1	498	11
48	9	546	461	84.43%	48	9	450	11
48	37	833	665	79.83%	48	37	654	11
48	41	999	823	82.38%	48	41	812	11
50	5	592	410	69.26%	50	5	399	11
50	9	667	452	67.77%	50	9	441	11
50	37	687	535	77.87%	50	37	524	11
1	24	913	579	63.42%	1	24	569	10
2	9	776	623	80.28%	2	9	613	10
2	11	797	673	84.44%	2	11	663	10
2	15	870	651	74.83%	2	15	641	10

AMERICAN OVERSIGHT

8	12	619	449	72.54%	8	12	439	10
8	23	700	449	64.14%	8	23	439	10
9	13	715	489	68.39%	9	13	479	10
11	31	780	546	70.00%	11	31	536	10
16	2	808	461	57.05%	16	2	451	10
16	28	743	402	54.10%	16	28	392	10
17	32	741	432	58.30%	17	32	422	10
22	12	656	429	65.40%	22	12	419	10
23	31	592	393	66.39%	23	31	383	10
24	1	757	424	56.01%	24	1	414	10
24	26	906	609	67.22%	24	26	599	10
25	10	1073	908	84.62%	25	10	898	10
25	20	826	487	58.96%	25	20	477	10
25	22	871	555	63.72%	25	22	545	10
26	24	648	433	66.82%	26	24	423	10
27	10	858	551	64.22%	27	10	541	10
27	13	970	686	70.72%	27	13	676	10
27	17	767	551	71.84%	27	17	541	10
27	44	742	439	59.16%	27	44	429	10
28	36	493	284	57.61%	28	36	274	10
28	45	645	526	81.55%	28	45	516	10
29	27	682	482	70.67%	29	27	472	10
29	33	528	389	73.67%	29	33	379	10
32	5	841	690	82.05%	32	5	680	10
32	23	810	678	83.70%	32	23	668	10
33	4	1117	866	77.53%	33	4	856	10
33	12	932	689	73.93%	33	12	679	10
34	11	798	449	56.27%	34	11	439	10
34	17	921	628	68.19%	34	17	618	10
35	8	785	600	76.43%	35	8	590	10
37	27	829	532	64.17%	37	27	522	10
37	40	800	526	65.75%	37	40	516	10
39	33	923	666	72.16%	39	33	656	10
42	35	1229	984	80.07%	42	35	974	10

AMERICAN OVERSIGHT

43	19	871	749	85.99%	43	19	739	10
43	21	945	745	78.84%	43	21	735	10
44	4	822	694	84.43%	44	4	684	10
44	12	865	783	90.52%	44	12	773	10
45	12	790	536	67.85%	45	12	526	10
46	5	1039	830	79.88%	46	5	820	10
49	9	871	682	78.30%	49	9	672	10
49	13	959	788	82.17%	49	13	778	10
49	24	830	598	72.05%	49	24	588	10
50	1	700	536	76.57%	50	1	526	10
1	3	1001	749	74.83%	1	3	740	9
2	41	1032	744	72.09%	2	41	735	9
2	46	534	421	78.84%	2	46	412	9
3	36	665	404	60.75%	3	36	395	9
5	7	701	581	82.88%	5	7	572	9
5	25	766	543	70.89%	5	25	534	9
6	1	702	520	74.07%	6	1	511	9
6	10	681	401	58.88%	6	10	392	9
6	31	684	489	71.49%	6	31	480	9
6	36	688	524	76.16%	6	36	515	9
7	8	700	418	59.71%	7	8	409	9
7	35	804	492	61.19%	7	35	483	9
8	43	440	285	64.77%	8	43	276	9
10	4	814	470	57.74%	10	4	461	9
11	18	813	477	58.67%	11	18	468	9
14	12	724	509	70.30%	14	12	500	9
16	8	619	339	54.77%	16	8	330	9
16	20	694	382	55.04%	16	20	373	9
16	21	708	386	54.52%	16	21	377	9
17	24	783	544	69.48%	17	24	535	9
17	27	787	484	61.50%	17	27	475	9
18	2	753	486	64.54%	18	2	477	9
18	4	679	488	71.87%	18	4	479	9
18	35	670	497	74.18%	18	35	488	9

AMERICAN OVERSIGHT

18	40	726	555	76.45%	18	40	546	9
19	55	600	473	78.83%	19	55	464	9
20	4	529	271	51.23%	20	4	262	9
21	52	774	511	66.02%	21	52	502	9
22	19	467	288	61.67%	22	19	279	9
23	13	652	415	63.65%	23	13	406	9
23	28	627	453	72.25%	23	28	444	9
24	5	494	307	62.15%	24	5	298	9
24	19	860	550	63.95%	24	19	541	9
25	13	960	636	66.25%	25	13	627	9
25	19	994	620	62.37%	25	19	611	9
26	25	611	417	68.25%	26	25	408	9
27	24	801	429	53.56%	27	24	420	9
28	9	870	481	55.29%	28	9	472	9
28	18	480	355	73.96%	28	18	346	9
29	29	849	557	65.61%	29	29	548	9
30	22	1008	689	68.35%	30	22	680	9
34	52	518	352	67.95%	34	52	343	9
36	20	789	508	64.39%	36	20	499	9
37	1	798	444	55.64%	37	1	435	9
37	14	881	546	61.98%	37	14	537	9
37	19	811	453	55.86%	37	19	444	9
38	32	801	515	64.29%	38	32	506	9
39	15	849	616	72.56%	39	15	607	9
40	9	728	544	74.73%	40	9	535	9
40	14	830	548	66.02%	40	14	539	9
42	7	985	836	84.87%	42	7	827	9
42	30	668	579	86.68%	42	30	570	9
44	19	999	874	87.49%	44	19	865	9
44	22	906	767	84.66%	44	22	758	9
46	6	863	668	77.40%	46	6	659	9
46	21	748	523	69.92%	46	21	514	9
46	32	950	701	73.79%	46	32	692	9
48	17	717	607	84.66%	48	17	598	9

AMERICAN OVERSIGHT

50	20	778	577	74.16%	50	20	568	9
50	26	940	635	67.55%	50	26	626	9
50	27	193	172	89.12%	50	27	163	9
1	20	697	507	72.74%	1	20	499	8
3	16	900	602	66.89%	3	16	594	8
3	28	637	384	60.28%	3	28	376	8
3	39	1056	874	82.77%	3	39	866	8
4	37	1212	1041	85.89%	4	37	1033	8
5	6	763	513	67.23%	5	6	505	8
5	34	869	783	90.10%	5	34	775	8
6	29	685	508	74.16%	6	29	500	8
6	30	783	497	63.47%	6	30	489	8
7	3	637	463	72.68%	7	3	455	8
7	10	717	513	71.55%	7	10	505	8
7	15	710	484	68.17%	7	15	476	8
7	27	652	412	63.19%	7	27	404	8
8	13	892	582	65.25%	8	13	574	8
8	22	662	456	68.88%	8	22	448	8
8	30	796	552	69.35%	8	30	544	8
8	46	600	424	70.67%	8	46	416	8
9	6	708	472	66.67%	9	6	464	8
9	15	1066	623	58.44%	9	15	615	8
12	13	923	545	59.05%	12	13	537	8
13	5	696	513	73.71%	13	5	505	8
13	9	631	453	71.79%	13	9	445	8
13	42	561	411	73.26%	13	42	403	8
16	6	736	422	57.34%	16	6	414	8
16	22	787	417	52.99%	16	22	409	8
17	26	883	570	64.55%	17	26	562	8
19	31	523	465	88.91%	19	31	457	8
19	44	740	591	79.86%	19	44	583	8
20	7	910	560	61.54%	20	7	552	8
20	39	100	69	69.00%	20	39	61	8
21	18	817	536	65.61%	21	18	528	8

AMERICAN OVERSIGHT

21	43	810	503	62.10%	21	43	495	8
21	54	678	439	64.75%	21	54	431	8
23	16	564	422	74.82%	23	16	414	8
24	15	524	309	58.97%	24	15	301	8
24	23	850	483	56.82%	24	23	475	8
25	28	861	580	67.36%	25	28	572	8
26	8	450	243	54.00%	26	8	235	8
26	35	666	414	62.16%	26	35	406	8
27	32	689	453	65.75%	27	32	445	8
27	46	504	406	80.56%	27	46	398	8
28	21	661	401	60.67%	28	21	393	8
29	1	826	636	77.00%	29	1	628	8
29	2	1180	777	65.85%	29	2	769	8
29	24	738	521	70.60%	29	24	513	8
29	32	830	535	64.46%	29	32	527	8
31	38	620	396	63.87%	31	38	388	8
32	6	914	752	82.28%	32	6	744	8
32	43	734	581	79.16%	32	43	573	8
33	19	1031	725	70.32%	33	19	717	8
34	13	756	523	69.18%	34	13	515	8
34	28	678	383	56.49%	34	28	375	8
35	19	757	382	50.46%	35	19	374	8
36	8	685	428	62.48%	36	8	420	8
38	17	860	618	71.86%	38	17	610	8
38	26	779	548	70.35%	38	26	540	8
39	8	872	621	71.22%	39	8	613	8
39	13	778	519	66.71%	39	13	511	8
40	29	765	573	74.90%	40	29	565	8
41	1	705	525	74.47%	41	1	517	8
41	31	794	613	77.20%	41	31	605	8
43	11	832	682	81.97%	43	11	674	8
44	26	996	834	83.73%	44	26	826	8
44	33	824	748	90.78%	44	33	740	8
45	20	584	435	74.49%	45	20	427	8

AMERICAN OVERSIGHT

46	26	863	675	78.22%	46	26	667	8
48	22	599	518	86.48%	48	22	510	8
49	33	729	573	78.60%	49	33	565	8
50	18	156	127	81.41%	50	18	119	8
1	32	823	629	76.43%	1	32	622	7
2	44	493	442	89.66%	2	44	435	7
4	3	826	607	73.49%	4	3	600	7
6	11	786	493	62.72%	6	11	486	7
8	28	732	511	69.81%	8	28	504	7
9	5	689	425	61.68%	9	5	418	7
9	7	687	397	57.79%	9	7	390	7
9	27	710	466	65.63%	9	27	459	7
9	28	687	367	53.42%	9	28	360	7
9	49	724	504	69.61%	9	49	497	7
10	15	1356	910	67.11%	10	15	903	7
10	29	759	466	61.40%	10	29	459	7
10	34	697	378	54.23%	10	34	371	7
11	15	397	230	57.93%	11	15	223	7
11	17	883	646	73.16%	11	17	639	7
11	19	1040	714	68.65%	11	19	707	7
12	6	909	521	57.32%	12	6	514	7
12	11	868	527	60.71%	12	11	520	7
14	6	360	254	70.56%	14	6	247	7
14	30	440	285	64.77%	14	30	278	7
15	22	753	428	56.84%	15	22	421	7
15	24	726	408	56.20%	15	24	401	7
16	4	745	429	57.58%	16	4	422	7
17	5	676	400	59.17%	17	5	393	7
17	10	932	632	67.81%	17	10	625	7
17	13	733	463	63.17%	17	13	456	7
17	17	817	462	56.55%	17	17	455	7
17	34	696	381	54.74%	17	34	374	7
17	40	730	476	65.21%	17	40	469	7
18	14	691	478	69.18%	18	14	471	7

AMERICAN OVERSIGHT

20	37	297	188	63.30%	20	37	181	7
21	27	728	469	64.42%	21	27	462	7
21	35	738	495	67.07%	21	35	488	7
21	48	726	468	64.46%	21	48	461	7
22	11	828	447	53.99%	22	11	440	7
22	13	884	485	54.86%	22	13	478	7
22	17	932	519	55.69%	22	17	512	7
23	5	678	491	72.42%	23	5	484	7
23	8	747	544	72.82%	23	8	537	7
23	20	596	347	58.22%	23	20	340	7
23	24	625	406	64.96%	23	24	399	7
26	41	710	529	74.51%	26	41	522	7
27	29	794	441	55.54%	27	29	434	7
29	12	860	633	73.60%	29	12	626	7
29	26	755	537	71.13%	29	26	530	7
30	21	655	411	62.75%	30	21	404	7
30	24	1042	655	62.86%	30	24	648	7
32	14	826	674	81.60%	32	14	667	7
32	19	820	639	77.93%	32	19	632	7
32	30	796	682	85.68%	32	30	675	7
33	7	1020	744	72.94%	33	7	737	7
33	14	494	356	72.06%	33	14	349	7
33	16	1205	904	75.02%	33	16	897	7
34	2	697	386	55.38%	34	2	379	7
34	9	786	454	57.76%	34	9	447	7
34	35	849	557	65.61%	34	35	550	7
35	2	759	554	72.99%	35	2	547	7
35	15	930	662	71.18%	35	15	655	7
35	27	765	535	69.93%	35	27	528	7
36	17	812	548	67.49%	36	17	541	7
37	8	745	411	55.17%	37	8	404	7
37	25	787	483	61.37%	37	25	476	7
38	12	797	549	68.88%	38	12	542	7
38	41	672	487	72.47%	38	41	480	7

AMERICAN OVERSIGHT

39	42	686	582	84.84%	39	42	575	7
40	1	827	571	69.04%	40	1	564	7
40	35	771	495	64.20%	40	35	488	7
42	1	748	646	86.36%	42	1	639	7
42	6	786	665	84.61%	42	6	658	7
42	41	878	743	84.62%	42	41	736	7
43	8	678	559	82.45%	43	8	552	7
43	44	801	665	83.02%	43	44	658	7
43	46	488	412	84.43%	43	46	405	7
44	18	958	745	77.77%	44	18	738	7
44	29	997	833	83.55%	44	29	826	7
47	16	772	621	80.44%	47	16	614	7
47	24	794	693	87.28%	47	24	686	7
47	26	1070	913	85.33%	47	26	906	7
47	41	861	762	88.50%	47	41	755	7
48	19	555	429	77.30%	48	19	422	7
50	24	757	489	64.60%	50	24	482	7
1	34	716	561	78.35%	1	34	555	6
2	5	996	793	79.62%	2	5	787	6
2	28	912	770	84.43%	2	28	764	6
2	39	654	495	75.69%	2	39	489	6
2	42	923	789	85.48%	2	42	783	6
4	20	708	587	82.91%	4	20	581	6
5	3	772	658	85.23%	5	3	652	6
5	14	628	468	74.52%	5	14	462	6
5	19	706	586	83.00%	5	19	580	6
5	35	739	619	83.76%	5	35	613	6
6	13	599	396	66.11%	6	13	390	6
6	24	582	322	55.33%	6	24	316	6
7	9	1067	798	74.79%	7	9	792	6
8	3	686	494	72.01%	8	3	488	6
8	16	296	188	63.51%	8	16	182	6
8	35	709	496	69.96%	8	35	490	6
8	38	542	332	61.25%	8	38	326	6

AMERICAN OVERSIGHT

9	35	651	454	69.74%	9	35	448	6
10	26	818	414	50.61%	10	26	408	6
11	16	735	440	59.86%	11	16	434	6
12	2	756	428	56.61%	12	2	422	6
14	2	925	635	68.65%	14	2	629	6
14	22	927	626	67.53%	14	22	620	6
15	16	882	532	60.32%	15	16	526	6
18	5	576	362	62.85%	18	5	356	6
18	24	713	480	67.32%	18	24	474	6
19	15	888	692	77.93%	19	15	686	6
19	35	549	457	83.24%	19	35	451	6
19	38	576	462	80.21%	19	38	456	6
19	39	320	228	71.25%	19	39	222	6
20	8	720	479	66.53%	20	8	473	6
20	29	912	595	65.24%	20	29	589	6
21	7	683	488	71.45%	21	7	482	6
21	28	887	625	70.46%	21	28	619	6
21	40	667	444	66.57%	21	40	438	6
21	51	724	458	63.26%	21	51	452	6
23	3	604	437	72.35%	23	3	431	6
23	27	543	409	75.32%	23	27	403	6
23	32	679	470	69.22%	23	32	464	6
24	2	890	479	53.82%	24	2	473	6
24	12	540	308	57.04%	24	12	302	6
24	17	629	388	61.69%	24	17	382	6
24	35	699	450	64.38%	24	35	444	6
24	38	568	357	62.85%	24	38	351	6
24	41	531	332	62.52%	24	41	326	6
25	11	958	580	60.54%	25	11	574	6
25	16	1104	867	78.53%	25	16	861	6
26	10	622	418	67.20%	26	10	412	6
26	22	517	297	57.45%	26	22	291	6
26	45	437	243	55.61%	26	45	237	6
27	6	734	559	76.16%	27	6	553	6

AMERICAN OVERSIGHT

27	18	671	413	61.55%	27	18	407	6
28	2	652	444	68.10%	28	2	438	6
28	5	335	241	71.94%	28	5	235	6
28	24	788	451	57.23%	28	24	445	6
30	23	949	607	63.96%	30	23	601	6
31	4	653	476	72.89%	31	4	470	6
31	5	568	377	66.37%	31	5	371	6
31	34	600	389	64.83%	31	34	383	6
32	2	880	758	86.14%	32	2	752	6
32	4	793	633	79.82%	32	4	627	6
32	8	999	805	80.58%	32	8	799	6
32	16	806	648	80.40%	32	16	642	6
32	24	729	575	78.88%	32	24	569	6
32	35	821	692	84.29%	32	35	686	6
34	1	758	512	67.55%	34	1	506	6
34	20	776	542	69.85%	34	20	536	6
34	38	661	302	45.69%	34	38	296	6
34	40	807	562	69.64%	34	40	556	6
37	23	738	495	67.07%	37	23	489	6
37	36	820	516	62.93%	37	36	510	6
39	22	724	536	74.03%	39	22	530	6
40	34	787	552	70.14%	40	34	546	6
41	13	902	695	77.05%	41	13	689	6
41	38	767	530	69.10%	41	38	524	6
41	45	765	559	73.07%	41	45	553	6
42	33	926	792	85.53%	42	33	786	6
42	38	864	696	80.56%	42	38	690	6
43	24	730	605	82.88%	43	24	599	6
43	25	624	548	87.82%	43	25	542	6
43	35	943	797	84.52%	43	35	791	6
44	2	937	714	76.20%	44	2	708	6
44	3	501	443	88.42%	44	3	437	6
44	10	910	741	81.43%	44	10	735	6
44	17	1072	943	87.97%	44	17	937	6

AMERICAN OVERSIGHT

44	23	852	743	87.21%	44	23	737	6
45	43	759	558	73.52%	45	43	552	6
46	18	945	760	80.42%	46	18	754	6
46	19	508	467	91.93%	46	19	461	6
46	23	748	504	67.38%	46	23	498	6
46	39	806	671	83.25%	46	39	665	6
47	3	779	649	83.31%	47	3	643	6
47	6	932	781	83.80%	47	6	775	6
48	14	441	358	81.18%	48	14	352	6
48	28	1007	810	80.44%	48	28	804	6
1	14	855	660	77.19%	1	14	655	5
1	17	768	558	72.66%	1	17	553	5
1	29	794	630	79.35%	1	29	625	5
2	1	979	716	73.14%	2	1	711	5
2	13	704	616	87.50%	2	13	611	5
2	20	1058	786	74.29%	2	20	781	5
2	32	739	622	84.17%	2	32	617	5
3	7	590	430	72.88%	3	7	425	5
3	8	884	627	70.93%	3	8	622	5
3	17	997	784	78.64%	3	17	779	5
4	1	949	797	83.98%	4	1	792	5
4	30	1211	879	72.58%	4	30	874	5
5	1	845	570	67.46%	5	1	565	5
5	26	812	634	78.08%	5	26	629	5
6	3	708	521	73.59%	6	3	516	5
6	17	742	453	61.05%	6	17	448	5
7	36	786	561	71.37%	7	36	556	5
8	41	741	544	73.41%	8	41	539	5
9	12	746	532	71.31%	9	12	527	5
9	44	597	402	67.34%	9	44	397	5
9	48	726	507	69.83%	9	48	502	5
10	12	552	353	63.95%	10	12	348	5
10	19	786	518	65.90%	10	19	513	5
10	28	885	561	63.39%	10	28	556	5

AMERICAN OVERSIGHT

11	13	1018	672	66.01%	11	13	667	5
11	22	1075	699	65.02%	11	22	694	5
12	8	906	530	58.50%	12	8	525	5
12	22	993	497	50.05%	12	22	492	5
13	26	630	449	71.27%	13	26	444	5
13	34	617	490	79.42%	13	34	485	5
14	26	561	370	65.95%	14	26	365	5
15	8	784	432	55.10%	15	8	427	5
15	13	872	478	54.82%	15	13	473	5
16	23	866	484	55.89%	16	23	479	5
16	36	610	331	54.26%	16	36	326	5
18	1	657	453	68.95%	18	1	448	5
19	11	674	533	79.08%	19	11	528	5
19	27	622	488	78.46%	19	27	483	5
19	45	619	506	81.74%	19	45	501	5
21	22	693	463	66.81%	21	22	458	5
21	23	659	446	67.68%	21	23	441	5
21	25	642	436	67.91%	21	25	431	5
21	30	682	434	63.64%	21	30	429	5
21	44	757	476	62.88%	21	44	471	5
23	2	610	472	77.38%	23	2	467	5
23	21	595	454	76.30%	23	21	449	5
25	18	943	534	56.63%	25	18	529	5
25	25	765	615	80.39%	25	25	610	5
26	9	653	406	62.17%	26	9	401	5
26	46	444	317	71.40%	26	46	312	5
27	43	682	451	66.13%	27	43	446	5
28	15	248	168	67.74%	28	15	163	5
28	16	565	333	58.94%	28	16	328	5
28	20	673	473	70.28%	28	20	468	5
28	39	627	379	60.45%	28	39	374	5
29	4	940	610	64.89%	29	4	605	5
29	8	906	537	59.27%	29	8	532	5
29	37	795	506	63.65%	29	37	501	5

AMERICAN OVERSIGHT

30	5	747	471	63.05%	30	5	466	5
30	6	672	424	63.10%	30	6	419	5
30	12	820	541	65.98%	30	12	536	5
30	29	596	376	63.09%	30	29	371	5
31	14	556	355	63.85%	31	14	350	5
31	40	672	407	60.57%	31	40	402	5
32	3	861	704	81.77%	32	3	699	5
32	9	880	682	77.50%	32	9	677	5
32	27	792	658	83.08%	32	27	653	5
34	6	787	547	69.50%	34	6	542	5
34	7	751	524	69.77%	34	7	519	5
34	15	839	491	58.52%	34	15	486	5
34	16	777	453	58.30%	34	16	448	5
34	22	658	449	68.24%	34	22	444	5
34	33	738	473	64.09%	34	33	468	5
35	5	721	521	72.26%	35	5	516	5
35	7	785	574	73.12%	35	7	569	5
36	18	776	503	64.82%	36	18	498	5
36	19	938	621	66.20%	36	19	616	5
37	38	847	536	63.28%	37	38	531	5
39	32	783	515	65.77%	39	32	510	5
40	18	825	577	69.94%	40	18	572	5
40	23	914	679	74.29%	40	23	674	5
41	19	775	631	81.42%	41	19	626	5
42	18	1098	921	83.88%	42	18	916	5
42	23	915	781	85.36%	42	23	776	5
43	2	839	717	85.46%	43	2	712	5
43	13	801	685	85.52%	43	13	680	5
43	26	514	441	85.80%	43	26	436	5
44	5	940	802	85.32%	44	5	797	5
44	24	620	539	86.94%	44	24	534	5
44	25	871	735	84.39%	44	25	730	5
45	25	483	353	73.08%	45	25	348	5
45	29	564	379	67.20%	45	29	374	5

AMERICAN OVERSIGHT

46	3	882	791	89.68%	46	3	786	5
46	4	770	602	78.18%	46	4	597	5
47	15	963	794	82.45%	47	15	789	5
47	31	798	649	81.33%	47	31	644	5
48	8	443	357	80.59%	48	8	352	5
49	14	753	555	73.71%	49	14	550	5
50	3	651	453	69.59%	50	3	448	5
50	6	895	597	66.70%	50	6	592	5
50	17	868	546	62.90%	50	17	541	5
50	25	781	504	64.53%	50	25	499	5
50	35	828	643	77.66%	50	35	638	5
1	37	845	655	77.51%	1	37	651	4
1	44	677	533	78.73%	1	44	529	4
2	14	907	688	75.85%	2	14	684	4
2	34	631	545	86.37%	2	34	541	4
3	19	871	749	85.99%	3	19	745	4
7	7	816	550	67.40%	7	7	546	4
7	19	733	473	64.53%	7	19	469	4
7	25	827	487	58.89%	7	25	483	4
8	48	736	495	67.26%	8	48	491	4
9	1	785	502	63.95%	9	1	498	4
9	4	626	401	64.06%	9	4	397	4
9	19	700	455	65.00%	9	19	451	4
9	30	665	420	63.16%	9	30	416	4
9	47	712	498	69.94%	9	47	494	4
10	24	715	499	69.79%	10	24	495	4
10	30	836	480	57.42%	10	30	476	4
10	32	793	479	60.40%	10	32	475	4
11	5	1153	730	63.31%	11	5	726	4
11	6	1030	802	77.86%	11	6	798	4
11	7	1130	961	85.04%	11	7	957	4
11	10	945	530	56.08%	11	10	526	4
11	27	487	245	50.31%	11	27	241	4
12	10	964	576	59.75%	12	10	572	4

AMERICAN OVERSIGHT

13	15	858	651	75.87%	13	15	647	4
13	38	485	374	77.11%	13	38	370	4
15	23	783	420	53.64%	15	23	416	4
17	3	795	517	65.03%	17	3	513	4
17	9	581	385	66.27%	17	9	381	4
17	20	819	564	68.86%	17	20	560	4
18	10	771	572	74.19%	18	10	568	4
18	20	586	405	69.11%	18	20	401	4
18	37	721	507	70.32%	18	37	503	4
18	43	587	395	67.29%	18	43	391	4
18	47	604	400	66.23%	18	47	396	4
19	1	578	463	80.10%	19	1	459	4
19	5	637	536	84.14%	19	5	532	4
19	6	666	531	79.73%	19	6	527	4
19	13	732	602	82.24%	19	13	598	4
19	46	665	530	79.70%	19	46	526	4
19	47	871	716	82.20%	19	47	712	4
20	20	722	457	63.30%	20	20	453	4
21	11	713	472	66.20%	21	11	468	4
21	12	702	469	66.81%	21	12	465	4
21	13	828	509	61.47%	21	13	505	4
21	16	724	452	62.43%	21	16	448	4
21	31	460	333	72.39%	21	31	329	4
21	32	711	474	66.67%	21	32	470	4
22	15	729	425	58.30%	22	15	421	4
22	18	845	477	56.45%	22	18	473	4
23	17	625	356	56.96%	23	17	352	4
23	38	547	407	74.41%	23	38	403	4
24	21	446	251	56.28%	24	21	247	4
24	36	955	557	58.32%	24	36	553	4
26	1	702	478	68.09%	26	1	474	4
26	31	384	233	60.68%	26	31	229	4
26	49	489	296	60.53%	26	49	292	4
27	3	615	337	54.80%	27	3	333	4

AMERICAN OVERSIGHT

27	4	482	309	64.11%	27	4	305	4
27	9	353	293	83.00%	27	9	289	4
27	26	636	408	64.15%	27	26	404	4
27	40	951	739	77.71%	27	40	735	4
27	49	666	392	58.86%	27	49	388	4
29	7	689	507	73.58%	29	7	503	4
29	31	870	559	64.25%	29	31	555	4
30	16	456	277	60.75%	30	16	273	4
30	20	831	559	67.27%	30	20	555	4
31	1	635	364	57.32%	31	1	360	4
31	11	496	334	67.34%	31	11	330	4
31	32	545	339	62.20%	31	32	335	4
32	28	845	633	74.91%	32	28	629	4
33	20	982	773	78.72%	33	20	769	4
33	21	936	709	75.75%	33	21	705	4
34	4	723	422	58.37%	34	4	418	4
35	12	778	427	54.88%	35	12	423	4
35	21	822	522	63.50%	35	21	518	4
37	17	764	462	60.47%	37	17	458	4
37	21	782	469	59.97%	37	21	465	4
37	32	755	474	62.78%	37	32	470	4
37	39	815	502	61.60%	37	39	498	4
38	3	832	571	68.63%	38	3	567	4
38	19	855	602	70.41%	38	19	598	4
38	23	798	563	70.55%	38	23	559	4
38	39	816	570	69.85%	38	39	566	4
39	4	648	505	77.93%	39	4	501	4
40	2	785	580	73.89%	40	2	576	4
40	20	927	620	66.88%	40	20	616	4
40	27	1060	805	75.94%	40	27	801	4
40	39	349	225	64.47%	40	39	221	4
41	18	682	532	78.01%	41	18	528	4
43	10	970	802	82.68%	43	10	798	4
43	20	897	764	85.17%	43	20	760	4

AMERICAN OVERSIGHT

43	36	478	414	86.61%	43	36	410	4
43	41	1044	900	86.21%	43	41	896	4
44	1	1269	1135	89.44%	44	1	1131	4
44	13	790	644	81.52%	44	13	640	4
45	22	761	537	70.57%	45	22	533	4
45	23	770	537	69.74%	45	23	533	4
45	34	837	571	68.22%	45	34	567	4
45	38	746	476	63.81%	45	38	472	4
46	13	793	672	84.74%	46	13	668	4
46	31	825	721	87.39%	46	31	717	4
46	34	1012	799	78.95%	46	34	795	4
46	40	702	574	81.77%	46	40	570	4
47	7	763	614	80.47%	47	7	610	4
47	8	795	676	85.03%	47	8	672	4
47	11	811	696	85.82%	47	11	692	4
47	30	958	827	86.33%	47	30	823	4
47	37	807	725	89.84%	47	37	721	4
47	42	758	658	86.81%	47	42	654	4
48	12	895	743	83.02%	48	12	739	4
48	40	628	550	87.58%	48	40	546	4
49	2	536	425	79.29%	49	2	421	4
49	16	847	631	74.50%	49	16	627	4
49	17	646	513	79.41%	49	17	509	4
50	11	562	404	71.89%	50	11	400	4
50	15	737	571	77.48%	50	15	567	4
50	28	920	674	73.26%	50	28	670	4
1	9	658	551	83.74%	1	9	548	3
1	16	729	606	83.13%	1	16	603	3
1	42	251	192	76.49%	1	42	189	3
2	16	868	622	71.66%	2	16	619	3
2	26	806	615	76.30%	2	26	612	3
2	35	1096	909	82.94%	2	35	906	3
4	12	955	682	71.41%	4	12	679	3
4	13	898	744	82.85%	4	13	741	3

AMERICAN OVERSIGHT

4	33	879	683	77.70%	4	33	680	3
7	23	650	456	70.15%	7	23	453	3
8	5	682	496	72.73%	8	5	493	3
8	36	743	520	69.99%	8	36	517	3
8	44	526	347	65.97%	8	44	344	3
8	47	629	415	65.98%	8	47	412	3
9	10	689	413	59.94%	9	10	410	3
9	16	676	422	62.43%	9	16	419	3
9	39	758	512	67.55%	9	39	509	3
10	35	776	517	66.62%	10	35	514	3
11	3	717	519	72.38%	11	3	516	3
11	24	781	602	77.08%	11	24	599	3
12	1	745	516	69.26%	12	1	513	3
12	20	999	621	62.16%	12	20	618	3
12	21	858	549	63.99%	12	21	546	3
13	6	495	401	81.01%	13	6	398	3
13	10	484	369	76.24%	13	10	366	3
13	21	618	481	77.83%	13	21	478	3
13	23	506	374	73.91%	13	23	371	3
13	32	513	367	71.54%	13	32	364	3
13	40	469	347	73.99%	13	40	344	3
13	45	654	476	72.78%	13	45	473	3
14	1	692	522	75.43%	14	1	519	3
14	3	778	550	70.69%	14	3	547	3
14	11	424	304	71.70%	14	11	301	3
14	21	686	462	67.35%	14	21	459	3
14	27	714	500	70.03%	14	27	497	3
15	19	825	435	52.73%	15	19	432	3
16	3	695	395	56.83%	16	3	392	3
17	1	716	455	63.55%	17	1	452	3
17	21	768	523	68.10%	17	21	520	3
17	37	706	421	59.63%	17	37	418	3
18	12	633	463	73.14%	18	12	460	3
18	16	658	444	67.48%	18	16	441	3

AMERICAN OVERSIGHT

18	32	703	491	69.84%	18	32	488	3
18	34	704	534	75.85%	18	34	531	3
18	39	689	430	62.41%	18	39	427	3
18	45	738	486	65.85%	18	45	483	3
18	50	653	406	62.17%	18	50	403	3
19	12	565	452	80.00%	19	12	449	3
19	17	568	479	84.33%	19	17	476	3
19	26	636	539	84.75%	19	26	536	3
19	29	737	558	75.71%	19	29	555	3
19	56	611	537	87.89%	19	56	534	3
20	28	567	325	57.32%	20	28	322	3
21	1	762	477	62.60%	21	1	474	3
21	3	779	511	65.60%	21	3	508	3
21	42	786	535	68.07%	21	42	532	3
22	10	1021	684	66.99%	22	10	681	3
22	22	887	444	50.06%	22	22	441	3
22	23	939	616	65.60%	22	23	613	3
23	1	571	451	78.98%	23	1	448	3
23	4	657	501	76.26%	23	4	498	3
23	14	552	412	74.64%	23	14	409	3
23	19	661	420	63.54%	23	19	417	3
26	11	622	419	67.36%	26	11	416	3
26	14	540	344	63.70%	26	14	341	3
26	29	442	262	59.28%	26	29	259	3
26	38	411	262	63.75%	26	38	259	3
26	43	484	286	59.09%	26	43	283	3
27	36	600	396	66.00%	27	36	393	3
28	38	469	232	49.47%	28	38	229	3
29	14	801	510	63.67%	29	14	507	3
29	43	807	607	75.22%	29	43	604	3
30	2	859	542	63.10%	30	2	539	3
30	3	558	396	70.97%	30	3	393	3
30	4	826	532	64.41%	30	4	529	3
30	7	835	569	68.14%	30	7	566	3

AMERICAN OVERSIGHT

31	9	657	417	63.47%	31	9	414	3
31	13	659	396	60.09%	31	13	393	3
31	28	606	345	56.93%	31	28	342	3
32	36	863	716	82.97%	32	36	713	3
33	13	851	651	76.50%	33	13	648	3
33	15	985	737	74.82%	33	15	734	3
34	3	824	550	66.75%	34	3	547	3
34	27	727	459	63.14%	34	27	456	3
35	13	785	438	55.80%	35	13	435	3
35	17	876	665	75.91%	35	17	662	3
35	22	938	669	71.32%	35	22	666	3
36	6	796	466	58.54%	36	6	463	3
36	15	790	543	68.73%	36	15	540	3
37	37	950	592	62.32%	37	37	589	3
38	37	783	532	67.94%	38	37	529	3
39	5	738	567	76.83%	39	5	564	3
39	21	729	516	70.78%	39	21	513	3
40	3	923	750	81.26%	40	3	747	3
40	7	713	595	83.45%	40	7	592	3
40	8	895	730	81.56%	40	8	727	3
40	10	964	678	70.33%	40	10	675	3
40	12	600	491	81.83%	40	12	488	3
40	28	836	653	78.11%	40	28	650	3
40	36	685	565	82.48%	40	36	562	3
40	38	857	743	86.70%	40	38	740	3
41	4	700	563	80.43%	41	4	560	3
41	43	804	620	77.11%	41	43	617	3
42	25	997	804	80.64%	42	25	801	3
43	12	568	504	88.73%	43	12	501	3
43	22	595	502	84.37%	43	22	499	3
43	23	606	503	83.00%	43	23	500	3
43	33	824	703	85.32%	43	33	700	3
44	21	967	866	89.56%	44	21	863	3
44	31	836	660	78.95%	44	31	657	3

AMERICAN OVERSIGHT

45	19	466	325	69.74%	45	19	322	3
45	30	712	524	73.60%	45	30	521	3
46	7	816	723	88.60%	46	7	720	3
46	12	847	708	83.59%	46	12	705	3
46	22	774	532	68.73%	46	22	529	3
46	29	745	587	78.79%	46	29	584	3
47	9	726	626	86.23%	47	9	623	3
47	22	829	736	88.78%	47	22	733	3
47	34	800	694	86.75%	47	34	691	3
48	7	764	633	82.85%	48	7	630	3
49	11	998	776	77.76%	49	11	773	3
50	16	225	187	83.11%	50	16	184	3
1	5	939	715	76.14%	1	5	713	2
1	18	936	674	72.01%	1	18	672	2
1	21	972	770	79.22%	1	21	768	2
1	26	706	441	62.46%	1	26	439	2
1	27	919	673	73.23%	1	27	671	2
1	41	443	347	78.33%	1	41	345	2
2	23	566	462	81.63%	2	23	460	2
2	36	649	562	86.59%	2	36	560	2
4	11	932	700	75.11%	4	11	698	2
4	24	834	577	69.18%	4	24	575	2
5	9	854	691	80.91%	5	9	689	2
5	24	830	670	80.72%	5	24	668	2
6	22	686	404	58.89%	6	22	402	2
6	37	672	481	71.58%	6	37	479	2
6	38	710	509	71.69%	6	38	507	2
7	21	728	434	59.62%	7	21	432	2
7	39	679	429	63.18%	7	39	427	2
8	4	656	505	76.98%	8	4	503	2
8	6	779	494	63.41%	8	6	492	2
8	8	651	445	68.36%	8	8	443	2
8	11	652	455	69.79%	8	11	453	2
8	17	545	398	73.03%	8	17	396	2

AMERICAN OVERSIGHT

8	24	393	303	77.10%	8	24	301	2
8	29	868	578	66.59%	8	29	576	2
8	53	397	278	70.03%	8	53	276	2
9	20	744	484	65.05%	9	20	482	2
9	23	729	509	69.82%	9	23	507	2
9	26	1015	679	66.90%	9	26	677	2
9	36	715	443	61.96%	9	36	441	2
10	21	859	505	58.79%	10	21	503	2
10	23	741	461	62.21%	10	23	459	2
11	23	436	322	73.85%	11	23	320	2
11	25	816	628	76.96%	11	25	626	2
11	33	825	656	79.52%	11	33	654	2
11	38	422	274	64.93%	11	38	272	2
12	3	880	626	71.14%	12	3	624	2
12	4	770	515	66.88%	12	4	513	2
12	9	728	447	61.40%	12	9	445	2
12	18	899	468	52.06%	12	18	466	2
12	19	822	507	61.68%	12	19	505	2
12	23	803	520	64.76%	12	23	518	2
13	1	472	366	77.54%	13	1	364	2
13	4	611	469	76.76%	13	4	467	2
13	8	443	347	78.33%	13	8	345	2
13	17	555	407	73.33%	13	17	405	2
13	19	754	548	72.68%	13	19	546	2
13	30	434	342	78.80%	13	30	340	2
13	44	657	470	71.54%	13	44	468	2
13	48	482	385	79.88%	13	48	383	2
14	13	575	399	69.39%	14	13	397	2
14	19	672	483	71.88%	14	19	481	2
14	28	582	386	66.32%	14	28	384	2
14	29	598	432	72.24%	14	29	430	2
14	31	392	280	71.43%	14	31	278	2
15	7	751	406	54.06%	15	7	404	2
15	15	817	447	54.71%	15	15	445	2

AMERICAN OVERSIGHT

16	10	739	415	56.16%	16	10	413	2
16	18	733	457	62.35%	16	18	455	2
17	2	795	475	59.75%	17	2	473	2
17	30	698	438	62.75%	17	30	436	2
17	35	712	421	59.13%	17	35	419	2
18	6	582	433	74.40%	18	6	431	2
18	11	628	407	64.81%	18	11	405	2
18	46	744	526	70.70%	18	46	524	2
18	49	581	339	58.35%	18	49	337	2
19	4	730	590	80.82%	19	4	588	2
19	51	696	564	81.03%	19	51	562	2
19	54	549	435	79.23%	19	54	433	2
20	16	743	552	74.29%	20	16	550	2
20	26	705	535	75.89%	20	26	533	2
21	14	828	552	66.67%	21	14	550	2
22	4	726	408	56.20%	22	4	406	2
22	5	855	505	59.06%	22	5	503	2
23	7	642	457	71.18%	23	7	455	2
23	23	588	446	75.85%	23	23	444	2
23	25	750	481	64.13%	23	25	479	2
23	37	558	415	74.37%	23	37	413	2
24	6	786	452	57.51%	24	6	450	2
25	7	905	560	61.88%	25	7	558	2
26	3	711	520	73.14%	26	3	518	2
26	4	633	369	58.29%	26	4	367	2
26	5	604	407	67.38%	26	5	405	2
26	23	500	299	59.80%	26	23	297	2
26	27	743	474	63.80%	26	27	472	2
26	42	517	352	68.09%	26	42	350	2
27	12	499	410	82.16%	27	12	408	2
28	7	875	536	61.26%	28	7	534	2
28	19	613	419	68.35%	28	19	417	2
28	42	865	551	63.70%	28	42	549	2
28	44	606	357	58.91%	28	44	355	2

AMERICAN OVERSIGHT

29	5	810	522	64.44%	29	5	520	2
29	6	858	486	56.64%	29	6	484	2
29	9	747	579	77.51%	29	9	577	2
29	10	785	622	79.24%	29	10	620	2
29	15	869	611	70.31%	29	15	609	2
29	20	1133	742	65.49%	29	20	740	2
29	35	694	413	59.51%	29	35	411	2
30	1	850	597	70.24%	30	1	595	2
30	28	778	561	72.11%	30	28	559	2
30	31	506	351	69.37%	30	31	349	2
31	15	558	337	60.39%	31	15	335	2
31	26	584	393	67.29%	31	26	391	2
31	30	507	304	59.96%	31	30	302	2
31	35	637	389	61.07%	31	35	387	2
31	36	549	368	67.03%	31	36	366	2
31	37	541	341	63.03%	31	37	339	2
32	11	733	604	82.40%	32	11	602	2
32	17	833	646	77.55%	32	17	644	2
32	34	869	720	82.85%	32	34	718	2
32	38	809	665	82.20%	32	38	663	2
33	8	970	805	82.99%	33	8	803	2
33	17	1001	748	74.73%	33	17	746	2
33	22	832	623	74.88%	33	22	621	2
33	26	681	537	78.85%	33	26	535	2
34	32	779	484	62.13%	34	32	482	2
34	36	668	443	66.32%	34	36	441	2
34	46	481	316	65.70%	34	46	314	2
35	4	767	551	71.84%	35	4	549	2
35	23	798	577	72.31%	35	23	575	2
35	30	864	588	68.06%	35	30	586	2
36	24	856	550	64.25%	36	24	548	2
37	15	865	534	61.73%	37	15	532	2
37	26	853	586	68.70%	37	26	584	2
38	5	799	560	70.09%	38	5	558	2

AMERICAN OVERSIGHT

38	7	788	522	66.24%	38	7	520	2
38	11	686	479	69.83%	38	11	477	2
38	13	862	571	66.24%	38	13	569	2
38	15	731	501	68.54%	38	15	499	2
38	21	772	466	60.36%	38	21	464	2
38	22	715	498	69.65%	38	22	496	2
38	27	824	575	69.78%	38	27	573	2
38	29	793	509	64.19%	38	29	507	2
38	30	847	536	63.28%	38	30	534	2
38	33	805	546	67.83%	38	33	544	2
38	35	782	533	68.16%	38	35	531	2
38	38	766	482	62.92%	38	38	480	2
39	20	874	653	74.71%	39	20	651	2
39	24	852	679	79.69%	39	24	677	2
39	29	489	317	64.83%	39	29	315	2
40	24	833	591	70.95%	40	24	589	2
40	25	838	714	85.20%	40	25	712	2
41	2	752	595	79.12%	41	2	593	2
41	5	874	660	75.51%	41	5	658	2
41	32	638	473	74.14%	41	32	471	2
41	37	839	634	75.57%	41	37	632	2
42	4	1576	1292	81.98%	42	4	1290	2
42	9	1110	796	71.71%	42	9	794	2
42	27	588	509	86.56%	42	27	507	2
42	31	1065	906	85.07%	42	31	904	2
42	34	788	645	81.85%	42	34	643	2
43	5	738	617	83.60%	43	5	615	2
44	11	961	798	83.04%	44	11	796	2
45	14	1031	711	68.96%	45	14	709	2
45	21	704	495	70.31%	45	21	493	2
45	44	722	531	73.55%	45	44	529	2
46	2	739	593	80.24%	46	2	591	2
46	9	835	708	84.79%	46	9	706	2
46	24	866	729	84.18%	46	24	727	2

AMERICAN OVERSIGHT

47	2	767	671	87.48%	47	2	669	2
47	10	988	840	85.02%	47	10	838	2
47	20	750	621	82.80%	47	20	619	2
47	27	707	611	86.42%	47	27	609	2
47	28	775	624	80.52%	47	28	622	2
47	38	779	673	86.39%	47	38	671	2
47	40	708	631	89.12%	47	40	629	2
48	32	877	712	81.19%	48	32	710	2
48	34	617	553	89.63%	48	34	551	2
48	39	613	523	85.32%	48	39	521	2
49	10	834	626	75.06%	49	10	624	2
49	28	1104	860	77.90%	49	28	858	2
50	10	912	617	67.65%	50	10	615	2
50	12	298	246	82.55%	50	12	244	2
50	23	629	384	61.05%	50	23	382	2
50	30	636	410	64.47%	50	30	408	2
50	31	1027	689	67.09%	50	31	687	2
1	2	837	601	71.80%	1	2	600	1
1	4	921	721	78.28%	1	4	720	1
1	11	919	716	77.91%	1	11	715	1
1	43	568	425	74.82%	1	43	424	1
2	8	1085	801	73.82%	2	8	800	1
2	43	1098	951	86.61%	2	43	950	1
3	4	880	640	72.73%	3	4	639	1
3	20	923	646	69.99%	3	20	645	1
3	26	866	737	85.10%	3	26	736	1
3	35	610	316	51.80%	3	35	315	1
3	40	909	714	78.55%	3	40	713	1
4	2	948	800	84.39%	4	2	799	1
4	7	942	725	76.96%	4	7	724	1
6	2	704	518	73.58%	6	2	517	1
6	15	965	545	56.48%	6	15	544	1
6	27	681	371	54.48%	6	27	370	1
7	18	770	488	63.38%	7	18	487	1

AMERICAN OVERSIGHT

7	37	725	503	69.38%	7	37	502	1
8	9	469	335	71.43%	8	9	334	1
8	27	718	517	72.01%	8	27	516	1
9	21	694	441	63.54%	9	21	440	1
10	2	700	456	65.14%	10	2	455	1
10	18	645	345	53.49%	10	18	344	1
11	2	1040	90	8.65%	11	2	89	1
11	11	915	604	66.01%	11	11	603	1
11	12	1043	729	69.89%	11	12	728	1
11	14	587	364	62.01%	11	14	363	1
11	35	243	173	71.19%	11	35	172	1
11	36	468	267	57.05%	11	36	266	1
13	12	602	395	65.61%	13	12	394	1
13	22	600	457	76.17%	13	22	456	1
13	24	544	410	75.37%	13	24	409	1
13	25	629	453	72.02%	13	25	452	1
13	33	504	393	77.98%	13	33	392	1
13	36	378	273	72.22%	13	36	272	1
13	39	558	437	78.32%	13	39	436	1
13	43	602	442	73.42%	13	43	441	1
14	5	1030	707	68.64%	14	5	706	1
14	8	867	583	67.24%	14	8	582	1
14	24	727	547	75.24%	14	24	546	1
15	2	642	347	54.05%	15	2	346	1
16	16	708	419	59.18%	16	16	418	1
16	34	660	401	60.76%	16	34	400	1
17	16	790	499	63.16%	17	16	498	1
18	7	745	517	69.40%	18	7	516	1
18	8	656	470	71.65%	18	8	469	1
18	22	703	509	72.40%	18	22	508	1
18	23	687	458	66.67%	18	23	457	1
18	38	648	426	65.74%	18	38	425	1
19	7	597	488	81.74%	19	7	487	1
19	18	558	460	82.44%	19	18	459	1

AMERICAN OVERSIGHT

19	23	639	517	80.91%	19	23	516	1
19	34	568	481	84.68%	19	34	480	1
19	40	668	545	81.59%	19	40	544	1
19	43	917	706	76.99%	19	43	705	1
21	2	658	412	62.61%	21	2	411	1
22	1	462	292	63.20%	22	1	291	1
22	16	698	424	60.74%	22	16	423	1
22	25	867	492	56.75%	22	25	491	1
23	9	611	418	68.41%	23	9	417	1
23	12	581	440	75.73%	23	12	439	1
23	26	677	476	70.31%	23	26	475	1
23	34	724	465	64.23%	23	34	464	1
24	11	984	566	57.52%	24	11	565	1
24	27	807	486	60.22%	24	27	485	1
24	37	514	301	58.56%	24	37	300	1
25	14	833	436	52.34%	25	14	435	1
25	32	813	506	62.24%	25	32	505	1
26	16	506	283	55.93%	26	16	282	1
26	21	892	569	63.79%	26	21	568	1
26	39	671	475	70.79%	26	39	474	1
27	25	728	496	68.13%	27	25	495	1
28	8	658	505	76.75%	28	8	504	1
28	28	723	544	75.24%	28	28	543	1
28	30	98	72	73.47%	28	30	71	1
28	40	1007	612	60.77%	28	40	611	1
29	25	871	612	70.26%	29	25	611	1
30	8	876	582	66.44%	30	8	581	1
30	25	1083	713	65.84%	30	25	712	1
30	27	544	355	65.26%	30	27	354	1
31	6	495	321	64.85%	31	6	320	1
31	27	673	404	60.03%	31	27	403	1
32	33	853	697	81.71%	32	33	696	1
33	9	951	740	77.81%	33	9	739	1
34	37	716	364	50.84%	34	37	363	1

AMERICAN OVERSIGHT

34	42	681	461	67.69%	34	42	460	1
34	48	742	494	66.58%	34	48	493	1
35	9	801	583	72.78%	35	9	582	1
35	26	751	491	65.38%	35	26	490	1
36	4	886	533	60.16%	36	4	532	1
36	25	861	517	60.05%	36	25	516	1
36	28	786	492	62.60%	36	28	491	1
36	29	866	566	65.36%	36	29	565	1
36	30	789	516	65.40%	36	30	515	1
37	31	840	547	65.12%	37	31	546	1
38	4	760	513	67.50%	38	4	512	1
38	6	867	559	64.48%	38	6	558	1
38	10	715	501	70.07%	38	10	500	1
38	16	775	553	71.35%	38	16	552	1
38	40	754	524	69.50%	38	40	523	1
39	19	743	539	72.54%	39	19	538	1
39	28	842	631	74.94%	39	28	630	1
39	39	449	337	75.06%	39	39	336	1
39	43	738	576	78.05%	39	43	575	1
40	11	753	604	80.21%	40	11	603	1
40	15	878	550	62.64%	40	15	549	1
41	9	777	581	74.77%	41	9	580	1
41	15	918	702	76.47%	41	15	701	1
41	24	792	532	67.17%	41	24	531	1
41	34	684	502	73.39%	41	34	501	1
41	42	750	604	80.53%	41	42	603	1
42	8	800	640	80.00%	42	8	639	1
42	17	1153	1017	88.20%	42	17	1016	1
42	26	1025	861	84.00%	42	26	860	1
42	28	896	810	90.40%	42	28	809	1
42	40	1193	982	82.31%	42	40	981	1
43	6	646	528	81.73%	43	6	527	1
43	17	676	582	86.09%	43	17	581	1
43	27	778	675	86.76%	43	27	674	1

AMERICAN OVERSIGHT

43	29	817	701	85.80%	43	29	700	1	
43	34	561	502	89.48%	43	34	501	1	
44	27	938	822	87.63%	44	27	821	1	
44	34	915	760	83.06%	44	34	759	1	
44	37	896	798	89.06%	44	37	797	1	
45	7	1018	768	75.44%	45	7	767	1	
45	13	631	470	74.48%	45	13	469	1	
45	15	867	653	75.32%	45	15	652	1	
45	31	645	442	68.53%	45	31	441	1	
45	36	769	549	71.39%	45	36	548	1	
45	39	810	543	67.04%	45	39	542	1	
46	11	865	685	79.19%	46	11	684	1	
47	14	706	605	85.69%	47	14	604	1	
47	21	759	608	80.11%	47	21	607	1	
47	32	879	776	88.28%	47	32	775	1	
47	48	83	75	90.36%	47	48	74	1	
48	11	597	496	83.08%	48	11	495	1	
48	27	1788	1280	71.59%	48	27	1279	1	
49	7	867	726	83.74%	49	7	725	1	
49	8	726	556	76.58%	49	8	555	1	
49	31	722	538	74.52%	49	31	537	1	
50	8	777	565	72.72%	50	8	564	1	
50	13	1038	687	66.18%	50	13	686	1	
50	19	658	420	63.83%	50	19	419	1	
50	36	733	496	67.67%	50	36	495	1	
1	40	875	650	74.29%	1	40	650	0	16672
2	19	576	488	84.72%	2	19	488	0	
2	29	886	745	84.09%	2	29	745	0	
2	33	1121	980	87.42%	2	33	980	0	
3	5	710	463	65.21%	3	5	463	0	
3	13	862	742	86.08%	3	13	742	0	
4	23	999	818	81.88%	4	23	818	0	
5	39	624	506	81.09%	5	39	506	0	
5	41	354	299	84.46%	5	41	299	0	

AMERICAN OVERSIGHT

6	8	687	508	73.94%	6	8	508	0
6	16	697	495	71.02%	6	16	495	0
7	38	696	451	64.80%	7	38	451	0
8	10	724	557	76.93%	8	10	557	0
8	52	853	610	71.51%	8	52	610	0
9	9	765	539	70.46%	9	9	539	0
10	7	639	373	58.37%	10	7	373	0
10	13	895	549	61.34%	10	13	549	0
10	17	909	612	67.33%	10	17	612	0
10	36	202	117	57.92%	10	36	117	0
11	20	614	391	63.68%	11	20	391	0
11	28	474	271	57.17%	11	28	271	0
13	2	462	362	78.35%	13	2	362	0
13	7	520	364	70.00%	13	7	364	0
13	11	583	445	76.33%	13	11	445	0
13	18	493	364	73.83%	13	18	364	0
13	35	486	380	78.19%	13	35	380	0
13	46	735	545	74.15%	13	46	545	0
14	4	634	463	73.03%	14	4	463	0
14	18	291	195	67.01%	14	18	195	0
14	20	555	348	62.70%	14	20	348	0
14	25	489	310	63.39%	14	25	310	0
15	14	867	449	51.79%	15	14	449	0
16	31	720	434	60.28%	16	31	434	0
17	14	810	535	66.05%	17	14	535	0
17	22	745	444	59.60%	17	22	444	0
17	28	681	408	59.91%	17	28	408	0
18	3	618	424	68.61%	18	3	424	0
18	13	718	506	70.47%	18	13	506	0
18	18	622	385	61.90%	18	18	385	0
18	21	746	560	75.07%	18	21	560	0
18	41	709	530	74.75%	18	41	530	0
18	42	698	456	65.33%	18	42	456	0
19	9	471	405	85.99%	19	9	405	0

AMERICAN OVERSIGHT

19	14	746	580	77.75%	19	14	580	0
19	19	767	638	83.18%	19	19	638	0
19	20	626	437	69.81%	19	20	437	0
19	22	637	536	84.14%	19	22	536	0
19	24	474	388	81.86%	19	24	388	0
19	30	622	485	77.97%	19	30	485	0
19	32	576	458	79.51%	19	32	458	0
19	42	484	396	81.82%	19	42	396	0
19	48	904	661	73.12%	19	48	661	0
19	53	588	484	82.31%	19	53	484	0
20	17	673	343	50.97%	20	17	343	0
21	10	716	463	64.66%	21	10	463	0
21	19	777	505	64.99%	21	19	505	0
21	47	743	497	66.89%	21	47	497	0
21	49	755	535	70.86%	21	49	535	0
22	2	787	562	71.41%	22	2	562	0
22	24	1023	571	55.82%	22	24	571	0
23	15	644	434	67.39%	23	15	434	0
24	4	596	386	64.77%	24	4	386	0
24	8	463	227	49.03%	24	8	227	0
25	17	902	616	68.29%	25	17	616	0
25	29	784	553	70.54%	25	29	553	0
26	13	480	296	61.67%	26	13	296	0
26	48	582	426	73.20%	26	48	426	0
28	6	278	235	84.53%	28	6	235	0
28	32	799	492	61.58%	28	32	492	0
29	17	763	521	68.28%	29	17	521	0
29	23	798	570	71.43%	29	23	570	0
29	36	681	452	66.37%	29	36	452	0
29	38	825	541	65.58%	29	38	541	0
29	44	1051	680	64.70%	29	44	680	0
31	16	661	448	67.78%	31	16	448	0
31	24	598	375	62.71%	31	24	375	0
31	29	625	378	60.48%	31	29	378	0

AMERICAN OVERSIGHT

31	39	645	408	63.26%	31	39	408	0
32	32	793	662	83.48%	32	32	662	0
32	41	824	688	83.50%	32	41	688	0
33	11	983	732	74.47%	33	11	732	0
33	24	964	800	82.99%	33	24	800	0
33	28	823	625	75.94%	33	28	625	0
34	14	741	431	58.16%	34	14	431	0
34	44	722	478	66.20%	34	44	478	0
36	7	794	577	72.67%	36	7	577	0
36	22	772	479	62.05%	36	22	479	0
37	10	882	582	65.99%	37	10	582	0
37	11	778	436	56.04%	37	11	436	0
37	29	810	520	64.20%	37	29	520	0
37	30	841	489	58.15%	37	30	489	0
38	8	777	511	65.77%	38	8	511	0
38	9	839	581	69.25%	38	9	581	0
38	18	803	548	68.24%	38	18	548	0
39	10	356	264	74.16%	39	10	264	0
39	14	729	530	72.70%	39	14	530	0
39	18	776	530	68.30%	39	18	530	0
39	23	722	542	75.07%	39	23	542	0
39	26	730	543	74.38%	39	26	543	0
39	27	116	97	83.62%	39	27	97	0
39	31	792	509	64.27%	39	31	509	0
39	36	350	193	55.14%	39	36	193	0
39	40	690	486	70.43%	39	40	486	0
39	44	550	434	78.91%	39	44	434	0
40	17	702	525	74.79%	40	17	525	0
40	26	737	595	80.73%	40	26	595	0
41	6	784	637	81.25%	41	6	637	0
41	7	788	642	81.47%	41	7	642	0
41	17	752	584	77.66%	41	17	584	0
41	22	793	598	75.41%	41	22	598	0
41	27	850	559	65.76%	41	27	559	0

AMERICAN OVERSIGHT

41	40	770	619	80.39%	41	40	619	0
42	11	604	492	81.46%	42	11	492	0
42	12	705	579	82.13%	42	12	579	0
42	15	819	652	79.61%	42	15	652	0
42	16	872	740	84.86%	42	16	740	0
42	20	1008	819	81.25%	42	20	819	0
42	22	501	408	81.44%	42	22	408	0
43	1	453	370	81.68%	43	1	370	0
43	3	844	694	82.23%	43	3	694	0
43	4	1111	942	84.79%	43	4	942	0
43	31	870	708	81.38%	43	31	708	0
43	38	745	599	80.40%	43	38	599	0
44	7	605	529	87.44%	44	7	529	0
44	14	797	695	87.20%	44	14	695	0
44	39	893	735	82.31%	44	39	735	0
45	9	828	581	70.17%	45	9	581	0
45	10	840	599	71.31%	45	10	599	0
45	11	648	438	67.59%	45	11	438	0
45	17	864	626	72.45%	45	17	626	0
45	18	890	577	64.83%	45	18	577	0
45	27	738	522	70.73%	45	27	522	0
45	28	650	472	72.62%	45	28	472	0
45	40	742	534	71.97%	45	40	534	0
45	45	534	377	70.60%	45	45	377	0
45	47	579	414	71.50%	45	47	414	0
46	25	813	637	78.35%	46	25	637	0
46	30	842	709	84.20%	46	30	709	0
46	36	721	641	88.90%	46	36	641	0
46	37	632	509	80.54%	46	37	509	0
47	12	822	711	86.50%	47	12	711	0
47	35	829	682	82.27%	47	35	682	0
47	36	891	767	86.08%	47	36	767	0
47	45	770	636	82.60%	47	45	636	0
48	23	873	724	82.93%	48	23	724	0

AMERICAN OVERSIGHT

48	29	367	308	83.92%	48	29	308	0
48	33	403	356	88.34%	48	33	356	0
48	36	424	373	87.97%	48	36	373	0
48	46	525	433	82.48%	48	46	433	0
49	3	953	707	74.19%	49	3	707	0
49	5	902	647	71.73%	49	5	647	0
49	6	811	613	75.59%	49	6	613	0
50	2	502	347	69.12%	50	2	347	0
50	21	676	475	70.27%	50	21	475	0
50	33	585	453	77.44%	50	33	453	0
1	1	894	637	71.25%	1	1	638	-1
1	12	1042	748	71.79%	1	12	749	-1
1	22	588	411	69.90%	1	22	412	-1
1	39	807	563	69.76%	1	39	564	-1
2	2	653	533	81.62%	2	2	534	-1
2	17	1001	745	74.43%	2	17	746	-1
2	30	720	581	80.69%	2	30	582	-1
4	32	931	672	72.18%	4	32	673	-1
4	38	793	629	79.32%	4	38	630	-1
7	24	735	441	60.00%	7	24	442	-1
7	33	779	551	70.73%	7	33	552	-1
7	40	662	433	65.41%	7	40	434	-1
7	46	289	202	69.90%	7	46	203	-1
8	37	510	389	76.27%	8	37	390	-1
8	39	739	509	68.88%	8	39	510	-1
8	49	682	454	66.57%	8	49	455	-1
9	41	619	402	64.94%	9	41	403	-1
9	42	698	466	66.76%	9	42	467	-1
9	50	811	587	72.38%	9	50	588	-1
10	3	772	466	60.36%	10	3	467	-1
10	14	955	628	65.76%	10	14	629	-1
10	16	678	392	57.82%	10	16	393	-1
10	20	792	507	64.02%	10	20	508	-1
10	22	566	312	55.12%	10	22	313	-1

AMERICAN OVERSIGHT

11	1	874	584	66.82%	11	1	585	-1
11	8	882	540	61.22%	11	8	541	-1
11	32	377	278	73.74%	11	32	279	-1
12	5	795	461	57.99%	12	5	462	-1
12	17	954	575	60.27%	12	17	576	-1
13	3	501	358	71.46%	13	3	359	-1
13	14	601	441	73.38%	13	14	442	-1
13	16	448	334	74.55%	13	16	335	-1
13	20	384	284	73.96%	13	20	285	-1
13	27	544	397	72.98%	13	27	398	-1
13	28	490	343	70.00%	13	28	344	-1
13	29	477	383	80.29%	13	29	384	-1
13	37	645	484	75.04%	13	37	485	-1
13	47	685	521	76.06%	13	47	522	-1
14	9	772	551	71.37%	14	9	552	-1
15	6	923	534	57.85%	15	6	535	-1
16	1	889	554	62.32%	16	1	555	-1
16	7	729	413	56.65%	16	7	414	-1
16	11	767	446	58.15%	16	11	447	-1
17	29	731	493	67.44%	17	29	494	-1
17	33	690	366	53.04%	17	33	367	-1
18	17	695	488	70.22%	18	17	489	-1
19	3	522	409	78.35%	19	3	410	-1
19	16	676	542	80.18%	19	16	543	-1
19	25	588	491	83.50%	19	25	492	-1
19	36	919	724	78.78%	19	36	725	-1
19	49	754	598	79.31%	19	49	599	-1
19	57	530	424	80.00%	19	57	425	-1
20	6	508	285	56.10%	20	6	286	-1
21	24	715	468	65.45%	21	24	469	-1
21	36	718	504	70.19%	21	36	505	-1
21	53	586	384	65.53%	21	53	385	-1
22	7	588	362	61.56%	22	7	363	-1
23	10	774	554	71.58%	23	10	555	-1

AMERICAN OVERSIGHT

23	11	762	546	71.65%	23	11	547	-1
23	18	586	413	70.48%	23	18	414	-1
23	29	536	375	69.96%	23	29	376	-1
23	36	575	438	76.17%	23	36	439	-1
24	7	485	281	57.94%	24	7	282	-1
24	10	443	226	51.02%	24	10	227	-1
24	28	598	347	58.03%	24	28	348	-1
24	29	509	309	60.71%	24	29	310	-1
26	15	517	292	56.48%	26	15	293	-1
26	18	562	362	64.41%	26	18	363	-1
26	30	496	340	68.55%	26	30	341	-1
26	40	482	304	63.07%	26	40	305	-1
27	19	684	356	52.05%	27	19	357	-1
27	28	342	275	80.41%	27	28	276	-1
28	12	845	511	60.47%	28	12	512	-1
28	13	683	470	68.81%	28	13	471	-1
29	16	909	596	65.57%	29	16	597	-1
30	15	586	435	74.23%	30	15	436	-1
30	32	556	413	74.28%	30	32	414	-1
31	7	725	556	76.69%	31	7	557	-1
31	10	610	361	59.18%	31	10	362	-1
31	17	603	354	58.71%	31	17	355	-1
31	33	562	368	65.48%	31	33	369	-1
32	12	663	490	73.91%	32	12	491	-1
32	15	792	645	81.44%	32	15	646	-1
32	21	798	682	85.46%	32	21	683	-1
32	25	811	651	80.27%	32	25	652	-1
34	31	806	457	56.70%	34	31	458	-1
34	34	744	521	70.03%	34	34	522	-1
34	39	754	388	51.46%	34	39	389	-1
35	3	805	544	67.58%	35	3	545	-1
35	6	805	539	66.96%	35	6	540	-1
35	11	865	609	70.40%	35	11	610	-1
35	18	742	469	63.21%	35	18	470	-1

AMERICAN OVERSIGHT

35	25	877	706	80.50%	35	25	707	-1
35	31	809	625	77.26%	35	31	626	-1
36	2	803	532	66.25%	36	2	533	-1
36	5	825	526	63.76%	36	5	527	-1
37	3	737	423	57.39%	37	3	424	-1
37	7	708	372	52.54%	37	7	373	-1
37	28	694	455	65.56%	37	28	456	-1
37	41	740	488	65.95%	37	41	489	-1
38	14	822	566	68.86%	38	14	567	-1
39	3	779	583	74.84%	39	3	584	-1
39	38	360	296	82.22%	39	38	297	-1
39	45	649	505	77.81%	39	45	506	-1
40	5	836	619	74.04%	40	5	620	-1
41	10	738	597	80.89%	41	10	598	-1
41	11	852	642	75.35%	41	11	643	-1
41	16	762	558	73.23%	41	16	559	-1
41	21	754	541	71.75%	41	21	542	-1
41	23	870	627	72.07%	41	23	628	-1
41	29	826	535	64.77%	41	29	536	-1
41	30	780	569	72.95%	41	30	570	-1
41	33	742	554	74.66%	41	33	555	-1
42	3	926	766	82.72%	42	3	767	-1
42	24	839	718	85.58%	42	24	719	-1
42	37	680	546	80.29%	42	37	547	-1
43	45	480	415	86.46%	43	45	416	-1
44	36	920	775	84.24%	44	36	776	-1
45	26	437	310	70.94%	45	26	311	-1
45	35	782	556	71.10%	45	35	557	-1
45	37	748	522	69.79%	45	37	523	-1
45	41	735	521	70.88%	45	41	522	-1
45	48	634	445	70.19%	45	48	446	-1
46	17	899	756	84.09%	46	17	757	-1
47	5	848	714	84.20%	47	5	715	-1
47	43	773	664	85.90%	47	43	665	-1

AMERICAN OVERSIGHT

47	46	732	600	81.97%	47	46	601	-1
48	6	1003	803	80.06%	48	6	804	-1
48	30	620	546	88.06%	48	30	547	-1
49	21	584	422	72.26%	49	21	423	-1
49	26	1003	776	77.37%	49	26	777	-1
50	14	218	188	86.24%	50	14	189	-1
50	39	659	431	65.40%	50	39	432	-1
50	40	829	580	69.96%	50	40	581	-1
2	24	772	647	83.81%	2	24	649	-2
2	25	909	762	83.83%	2	25	764	-2
3	3	838	615	73.39%	3	3	617	-2
3	10	645	363	56.28%	3	10	365	-2
3	11	855	626	73.22%	3	11	628	-2
3	30	800	579	72.38%	3	30	581	-2
5	17	831	570	68.59%	5	17	572	-2
5	28	796	609	76.51%	5	28	611	-2
6	7	751	515	68.58%	6	7	517	-2
7	32	785	602	76.69%	7	32	604	-2
8	31	597	392	65.66%	8	31	394	-2
9	11	639	397	62.13%	9	11	399	-2
9	24	690	473	68.55%	9	24	475	-2
10	10	731	502	68.67%	10	10	504	-2
10	33	624	365	58.49%	10	33	367	-2
11	30	642	333	51.87%	11	30	335	-2
11	37	364	208	57.14%	11	37	210	-2
13	41	661	508	76.85%	13	41	510	-2
14	10	548	337	61.50%	14	10	339	-2
14	23	569	380	66.78%	14	23	382	-2
15	3	662	355	53.63%	15	3	357	-2
16	35	882	522	59.18%	16	35	524	-2
17	6	814	474	58.23%	17	6	476	-2
18	33	589	380	64.52%	18	33	382	-2
20	22	778	500	64.27%	20	22	502	-2
20	35	895	542	60.56%	20	35	544	-2

AMERICAN OVERSIGHT

21	9	726	509	70.11%	21	9	511	-2
21	50	670	411	61.34%	21	50	413	-2
22	6	854	481	56.32%	22	6	483	-2
23	30	737	536	72.73%	23	30	538	-2
24	13	540	306	56.67%	24	13	308	-2
24	18	748	462	61.76%	24	18	464	-2
25	23	880	629	71.48%	25	23	631	-2
25	27	1062	810	76.27%	25	27	812	-2
26	2	667	424	63.57%	26	2	426	-2
26	17	501	373	74.45%	26	17	375	-2
26	20	638	406	63.64%	26	20	408	-2
26	47	557	325	58.35%	26	47	327	-2
29	18	877	552	62.94%	29	18	554	-2
29	28	1070	680	63.55%	29	28	682	-2
29	39	846	507	59.93%	29	39	509	-2
29	41	703	474	67.43%	29	41	476	-2
31	8	522	288	55.17%	31	8	290	-2
31	12	539	338	62.71%	31	12	340	-2
31	21	554	371	66.97%	31	21	373	-2
31	41	630	359	56.98%	31	41	361	-2
32	37	875	660	75.43%	32	37	662	-2
34	8	704	432	61.36%	34	8	434	-2
34	10	726	467	64.33%	34	10	469	-2
34	12	794	523	65.87%	34	12	525	-2
34	43	605	427	70.58%	34	43	429	-2
34	45	752	503	66.89%	34	45	505	-2
34	51	707	505	71.43%	34	51	507	-2
35	14	782	475	60.74%	35	14	477	-2
36	12	727	355	48.83%	36	12	357	-2
36	16	774	520	67.18%	36	16	522	-2
38	2	757	559	73.84%	38	2	561	-2
38	24	818	596	72.86%	38	24	598	-2
38	25	681	462	67.84%	38	25	464	-2
38	36	721	479	66.44%	38	36	481	-2

AMERICAN OVERSIGHT

39	7	648	468	72.22%	39	7	470	-2
40	19	1032	762	73.84%	40	19	764	-2
40	21	839	682	81.29%	40	21	684	-2
40	32	828	657	79.35%	40	32	659	-2
40	33	692	596	86.13%	40	33	598	-2
41	3	728	515	70.74%	41	3	517	-2
41	8	726	569	78.37%	41	8	571	-2
41	20	693	461	66.52%	41	20	463	-2
41	26	703	543	77.24%	41	26	545	-2
41	35	855	656	76.73%	41	35	658	-2
42	13	680	578	85.00%	42	13	580	-2
43	7	563	464	82.42%	43	7	466	-2
43	28	1115	890	79.82%	43	28	892	-2
44	28	875	760	86.86%	44	28	762	-2
44	32	1020	856	83.92%	44	32	858	-2
45	6	856	664	77.57%	45	6	666	-2
45	8	782	571	73.02%	45	8	573	-2
45	42	707	530	74.96%	45	42	532	-2
46	14	1047	769	73.45%	46	14	771	-2
46	33	857	768	89.61%	46	33	770	-2
47	13	712	611	85.81%	47	13	613	-2
47	25	966	786	81.37%	47	25	788	-2
48	2	366	302	82.51%	48	2	304	-2
48	3	966	788	81.57%	48	3	790	-2
48	13	965	792	82.07%	48	13	794	-2
48	20	844	687	81.40%	48	20	689	-2
48	45	583	482	82.68%	48	45	484	-2
50	22	773	531	68.69%	50	22	533	-2
50	34	899	696	77.42%	50	34	698	-2
50	38	277	225	81.23%	50	38	227	-2
3	24	832	583	70.07%	3	24	586	-3
4	6	934	734	78.59%	4	6	737	-3
4	27	928	738	79.53%	4	27	741	-3
4	28	714	581	81.37%	4	28	584	-3

AMERICAN OVERSIGHT

5	32	780	624	80.00%	5	32	627	-3
7	28	637	391	61.38%	7	28	394	-3
8	50	697	492	70.59%	8	50	495	-3
9	2	683	452	66.18%	9	2	455	-3
9	34	763	454	59.50%	9	34	457	-3
9	40	773	493	63.78%	9	40	496	-3
10	11	1012	608	60.08%	10	11	611	-3
10	25	275	165	60.00%	10	25	168	-3
11	9	879	496	56.43%	11	9	499	-3
11	26	894	634	70.92%	11	26	637	-3
12	15	887	493	55.58%	12	15	496	-3
12	16	906	510	56.29%	12	16	513	-3
13	31	656	459	69.97%	13	31	462	-3
14	14	679	481	70.84%	14	14	484	-3
15	18	727	393	54.06%	15	18	396	-3
16	12	747	386	51.67%	16	12	389	-3
17	25	716	397	55.45%	17	25	400	-3
18	26	702	531	75.64%	18	26	534	-3
18	30	786	559	71.12%	18	30	562	-3
20	25	728	426	58.52%	20	25	429	-3
25	6	711	229	32.21%	25	6	232	-3
25	12	825	526	63.76%	25	12	529	-3
25	15	814	512	62.90%	25	15	515	-3
27	33	778	556	71.47%	27	33	559	-3
27	45	1244	1059	85.13%	27	45	1062	-3
29	34	497	340	68.41%	29	34	343	-3
30	14	648	384	59.26%	30	14	387	-3
30	18	929	613	65.98%	30	18	616	-3
31	19	504	313	62.10%	31	19	316	-3
31	25	589	355	60.27%	31	25	358	-3
32	20	830	642	77.35%	32	20	645	-3
32	31	875	721	82.40%	32	31	724	-3
35	20	782	547	69.95%	35	20	550	-3
36	27	731	498	68.13%	36	27	501	-3

AMERICAN OVERSIGHT

37	2	686	404	58.89%	37	2	407	-3
37	18	819	483	58.97%	37	18	486	-3
38	20	826	574	69.49%	38	20	577	-3
38	34	762	527	69.16%	38	34	530	-3
39	2	708	558	78.81%	39	2	561	-3
39	11	719	510	70.93%	39	11	513	-3
39	16	797	541	67.88%	39	16	544	-3
42	29	916	773	84.39%	42	29	776	-3
43	14	789	661	83.78%	43	14	664	-3
43	18	899	775	86.21%	43	18	778	-3
43	30	1042	892	85.60%	43	30	895	-3
44	8	1072	942	87.87%	44	8	945	-3
45	33	545	371	68.07%	45	33	374	-3
46	16	864	717	82.99%	46	16	720	-3
47	17	806	634	78.66%	47	17	637	-3
47	18	834	696	83.45%	47	18	699	-3
47	19	1022	829	81.12%	47	19	832	-3
47	23	845	708	83.79%	47	23	711	-3
47	33	806	673	83.50%	47	33	676	-3
48	15	577	448	77.64%	48	15	451	-3
48	38	748	614	82.09%	48	38	617	-3
50	4	812	582	71.67%	50	4	585	-3
2	22	827	715	86.46%	2	22	719	-4
4	9	815	647	79.39%	4	9	651	-4
4	15	1002	760	75.85%	4	15	764	-4
5	11	780	629	80.64%	5	11	633	-4
5	20	787	658	83.61%	5	20	662	-4
6	19	729	495	67.90%	6	19	499	-4
7	4	684	455	66.52%	7	4	459	-4
7	34	790	532	67.34%	7	34	536	-4
7	42	685	447	65.26%	7	42	451	-4
9	14	793	569	71.75%	9	14	573	-4
10	9	721	461	63.94%	10	9	465	-4
13	13	527	416	78.94%	13	13	420	-4

AMERICAN OVERSIGHT

14	16	602	360	59.80%	14	16	364	-4
17	4	872	635	72.82%	17	4	639	-4
17	23	596	330	55.37%	17	23	334	-4
19	37	593	482	81.28%	19	37	486	-4
21	34	778	523	67.22%	21	34	527	-4
21	41	720	460	63.89%	21	41	464	-4
22	20	837	462	55.20%	22	20	466	-4
24	14	839	481	57.33%	24	14	485	-4
26	6	655	383	58.47%	26	6	387	-4
27	7	942	750	79.62%	27	7	754	-4
27	27	971	676	69.62%	27	27	680	-4
30	10	973	625	64.23%	30	10	629	-4
30	17	815	527	64.66%	30	17	531	-4
31	3	556	364	65.47%	31	3	368	-4
31	18	559	336	60.11%	31	18	340	-4
33	1	948	685	72.26%	33	1	689	-4
33	10	816	612	75.00%	33	10	616	-4
33	23	881	702	79.68%	33	23	706	-4
33	27	991	737	74.37%	33	27	741	-4
35	28	808	543	67.20%	35	28	547	-4
36	14	784	543	69.26%	36	14	547	-4
38	28	877	636	72.52%	38	28	640	-4
39	1	645	527	81.71%	39	1	531	-4
39	37	643	524	81.49%	39	37	528	-4
40	6	869	717	82.51%	40	6	721	-4
40	22	747	592	79.25%	40	22	596	-4
40	31	806	668	82.88%	40	31	672	-4
41	41	788	587	74.49%	41	41	591	-4
44	9	852	690	80.99%	44	9	694	-4
44	15	813	672	82.66%	44	15	676	-4
44	38	958	754	78.71%	44	38	758	-4
46	20	848	566	66.75%	46	20	570	-4
46	28	725	647	89.24%	46	28	651	-4
48	5	402	340	84.58%	48	5	344	-4

AMERICAN OVERSIGHT

48	10	981	845	86.14%	48	10	849	-4
48	44	882	752	85.26%	48	44	756	-4
49	22	908	679	74.78%	49	22	683	-4
1	13	411	286	69.59%	1	13	291	-5
1	15	799	591	73.97%	1	15	596	-5
2	10	715	597	83.50%	2	10	602	-5
2	21	878	655	74.60%	2	21	660	-5
3	2	808	684	84.65%	3	2	689	-5
4	25	846	744	87.94%	4	25	749	-5
5	2	811	518	63.87%	5	2	523	-5
7	12	797	521	65.37%	7	12	526	-5
8	15	731	509	69.63%	8	15	514	-5
8	40	565	392	69.38%	8	40	397	-5
15	4	879	483	54.95%	15	4	488	-5
17	19	632	340	53.80%	17	19	345	-5
18	19	672	462	68.75%	18	19	467	-5
18	44	652	432	66.26%	18	44	437	-5
19	28	746	579	77.61%	19	28	584	-5
21	45	722	446	61.77%	21	45	451	-5
22	14	879	425	48.35%	22	14	430	-5
25	1	732	485	66.26%	25	1	490	-5
25	26	868	532	61.29%	25	26	537	-5
26	32	708	541	76.41%	26	32	546	-5
28	27	664	493	74.25%	28	27	498	-5
30	11	812	509	62.68%	30	11	514	-5
32	1	1061	765	72.10%	32	1	770	-5
33	18	1204	863	71.68%	33	18	868	-5
35	10	930	728	78.28%	35	10	733	-5
35	29	879	568	64.62%	35	29	573	-5
41	12	866	606	69.98%	41	12	611	-5
43	43	863	733	84.94%	43	43	738	-5
44	20	912	769	84.32%	44	20	774	-5
45	5	730	543	74.38%	45	5	548	-5
47	29	834	697	83.57%	47	29	702	-5

AMERICAN OVERSIGHT

48	16	851	680	79.91%	48	16	685	-5
48	25	678	544	80.24%	48	25	549	-5
4	14	832	641	77.04%	4	14	647	-6
7	29	661	416	62.93%	7	29	422	-6
9	31	735	413	56.19%	9	31	419	-6
15	5	910	478	52.53%	15	5	484	-6
18	15	808	561	69.43%	18	15	567	-6
19	52	788	607	77.03%	19	52	613	-6
20	30	445	265	59.55%	20	30	271	-6
21	4	840	511	60.83%	21	4	517	-6
27	39	543	353	65.01%	27	39	359	-6
32	10	938	722	76.97%	32	10	728	-6
32	26	844	674	79.86%	32	26	680	-6
37	5	815	516	63.31%	37	5	522	-6
38	1	732	475	64.89%	38	1	481	-6
42	5	738	587	79.54%	42	5	593	-6
46	38	959	733	76.43%	46	38	739	-6
48	1	708	587	82.91%	48	1	593	-6
48	18	682	463	67.89%	48	18	469	-6
48	31	1181	943	79.85%	48	31	949	-6
49	15	703	525	74.68%	49	15	531	-6
2	4	825	602	72.97%	2	4	609	-7
3	9	841	602	71.58%	3	9	609	-7
3	29	1081	725	67.07%	3	29	732	-7
5	5	810	587	72.47%	5	5	594	-7
6	20	705	388	55.04%	6	20	395	-7
6	42	810	563	69.51%	6	42	570	-7
8	2	857	515	60.09%	8	2	522	-7
9	43	855	515	60.23%	9	43	522	-7
17	31	663	352	53.09%	17	31	359	-7
25	8	916	625	68.23%	25	8	632	-7
27	41	734	492	67.03%	27	41	499	-7
31	2	525	304	57.90%	31	2	311	-7
34	29	684	405	59.21%	34	29	412	-7

AMERICAN OVERSIGHT

34	50	725	453	62.48%	34	50	460	-7
40	4	553	347	62.75%	40	4	354	-7
40	30	671	520	77.50%	40	30	527	-7
41	46	746	577	77.35%	41	46	584	-7
42	36	1470	1190	80.95%	42	36	1197	-7
48	21	1101	830	75.39%	48	21	837	-7
49	20	1149	935	81.38%	49	20	942	-7
4	4	1129	838	74.22%	4	4	846	-8
7	16	796	461	57.91%	7	16	469	-8
7	31	572	331	57.87%	7	31	339	-8
18	27	622	395	63.50%	18	27	403	-8
23	33	759	507	66.80%	23	33	515	-8
27	5	817	400	48.96%	27	5	408	-8
28	17	720	437	60.69%	28	17	445	-8
33	3	1009	780	77.30%	33	3	788	-8
33	5	859	603	70.20%	33	5	611	-8
37	6	784	510	65.05%	37	6	518	-8
41	36	723	559	77.32%	41	36	567	-8
47	4	812	688	84.73%	47	4	696	-8
4	36	901	683	75.80%	4	36	692	-9
6	6	685	475	69.34%	6	6	484	-9
8	34	675	444	65.78%	8	34	453	-9
15	11	970	586	60.41%	15	11	595	-9
20	2	455	237	52.09%	20	2	246	-9
3	15	878	651	74.15%	3	15	661	-10
26	7	544	423	77.76%	26	7	433	-10
1	36	884	688	77.83%	1	36	699	-11
8	19	753	504	66.93%	8	19	515	-11
21	21	693	407	58.73%	21	21	418	-11
24	30	392	264	67.35%	24	30	275	-11
4	22	826	631	76.39%	4	22	643	-12
4	10	920	687	74.67%	4	10	700	-13
20	3	697	425	60.98%	20	3	438	-13
32	7	924	724	78.35%	32	7	737	-13

AMERICAN OVERSIGHT

39	35	756	547	72.35%	39	35	560	-13
4	26	834	626	75.06%	4	26	640	-14
7	2	898	546	60.80%	7	2	560	-14
19	2	791	645	81.54%	19	2	659	-14
28	11	1352	923	68.27%	28	11	937	-14
32	40	829	724	87.33%	32	40	738	-14
4	35	988	731	73.99%	4	35	746	-15
8	18	976	569	58.30%	8	18	584	-15
26	26	561	335	59.71%	26	26	350	-15
41	44	772	603	78.11%	41	44	618	-15
45	24	680	437	64.26%	45	24	452	-15
40	16	900	749	83.22%	40	16	765	-16
49	27	1039	815	78.44%	49	27	832	-17
4	18	827	573	69.29%	4	18	591	-18
4	34	758	572	75.46%	4	34	590	-18
19	33	677	536	79.17%	19	33	554	-18
49	23	1011	773	76.46%	49	23	791	-18
45	16	663	456	68.78%	45	16	475	-19
39	34	893	627	70.21%	39	34	647	-20
45	2	659	472	71.62%	45	2	492	-20
47	1	563	424	75.31%	47	1	444	-20
18	48	604	396	65.56%	18	48	418	-22
16	19	729	413	56.65%	16	19	438	-25
15	20	736	332	45.11%	15	20	361	-29
48	35	859	457	53.20%	48	35	487	-30
39	17	761	553	72.67%	39	17	584	-31
5	36	705	403	57.16%	5	36	435	-32
34	18	765	401	52.42%	34	18	434	-33
24	25	777	360	46.33%	24	25	471	-111
34	25	778	524	67.35%	34	25	690	-166

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Lawson, Connie (SOS)
Sent: Wednesday, September 13, 2017 1:35 PM
To: Clifton, Brandon
Subject: Fwd: Meeting Materials for September 12th

Sent from my iPhone

Begin forwarded message:

From: "Kossack, Andrew J. EOP/OVP" <Andrew.J.Kossack@ovp.eop.gov>
Date: September 8, 2017 at 6:20:38 PM EDT
To: 'Kris Kobach' [redacted] "cwlawson@sos.in.gov" <cwlawson@sos.in.gov>, [redacted] "Christy McCormick" [redacted] Mark Rhodes <mrhodes@woodcountywv.com>, "von Spakovsky, Hans" <Hans.VonSpakovsky@heritage.org>, Christian Adams <adams@electionlawcenter.com>, "Alan L. King" [redacted] "matthew.dunlap@maine.gov" <matthew.dunlap@maine.gov>, "King, Alan" <kinga@jccal.org>, David Dunn [redacted]
Cc: "Paoletta, Mark R. EOP/OVP" <Mark.R.Paoletta@ovp.eop.gov>, "Morgan, Matthew E. EOP/OVP" <Matthew.E.Morgan@ovp.eop.gov>, "Williams, Ronald E. EOP/OVP" <Ronald.E.Williams@ovp.eop.gov>, "Passantino, Stefan C. EOP/WHO" <Stefan.C.Passantino@who.eop.gov>, "Gast, Scott F. EOP/WHO" <Scott.F.Gast@who.eop.gov>
Subject: RE: Meeting Materials for September 12th

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

If anyone did not receive my email below due to the large file sizes, the meeting materials are now posted here: https://www.whitehouse.gov/presidential-advisory-commission-election-integrity-resources. Please check to confirm that any materials you plan to present or distribute at the meeting are posted here. If you have any questions, just let me know.

Thanks again,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

-----Original Message-----
From: Kossack, Andrew J. EOP/OVP
Sent: Friday, September 8, 2017 2:15 PM
To: 'Kris Kobach' [redacted] 'cwlawson@sos.in.gov' <cwlawson@sos.in.gov>; [redacted] 'Christy McCormick' [redacted] 'Mark Rhodes' <mrhodes@woodcountywv.com>; 'von Spakovsky, Hans' <Hans.VonSpakovsky@heritage.org>; 'Christian Adams' <adams@electionlawcenter.com>; 'Alan L. King' [redacted] 'matthew.dunlap@maine.gov' <matthew.dunlap@maine.gov>; 'King, Alan' <kinga@jccal.org>; 'David Dunn' [redacted]
Cc: Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>; Williams, Ronald E. EOP/OVP <Ronald.E.Williams@ovp.eop.gov>; Passantino, Stefan C. EOP/WHO <Stefan.C.Passantino@who.eop.gov>; Gast, Scott F. EOP/WHO <Scott.F.Gast@who.eop.gov>
Subject: Meeting Materials for September 12th

Members,

Attached are materials for next week's meeting. My apologies for the large file sizes.

We are in the process of posting these materials on our webpage for public viewing. I will let you know once they are available there.

Many thanks to all of you for your hard work and flexibility on the timeline for submitting these materials.

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000292

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Monday, September 11, 2017 7:34 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan; David Dunn
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP; Passantino, Stefan C. EOP/WHO; Gast, Scott F. EOP/WHO
Subject: Tomorrow's Meeting
Attachments: RESERVED COMM PARKINGPERMIT.PDF

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

Welcome to New Hampshire! Here are a few details for tomorrow's meeting.

Please try to arrive at St. Anselm's by 8:00 a.m. The address is 8 St. Anselm Drive, Manchester, NH 03102. The Institute's auditorium is near the corner of St. Anselm Drive and Rockland Avenue.

Parking is limited, so please make every effort to use cabs, other public transportation, or carpool. I have attached a parking pass for those who will be driving. If you do not have the ability to print this parking pass, please call me or Ron Williams (Ron's cell is [redacted]) when you arrive and we can bring one out to you.

As a reminder, the Commission continues to voluntarily comply with the Federal Advisory Committee Act, which states the commission must hold a public meeting if members are going to "deliberat[e] on . . . substantive matters," such as what final recommendations the Commission might provide in its report. However, FACA allows discussion of the following without requiring an open meeting:

> Preparatory work. Meetings of two or more advisory committee or subcommittee members convened solely to gather information, conduct research, or analyze relevant issues and facts in preparation for a meeting of the advisory committee, or to draft position papers for deliberation by the advisory committee; and
>
> Administrative work. Meetings of two or more advisory committee or subcommittee members convened solely to discuss administrative matters of the advisory committee or to receive administrative information from a Federal officer or agency.

Please be cognizant of this framework when interacting with other commissioners before, after, or between open sessions of the Commission. We want to ensure any substantive deliberations occur in the open meeting itself.

Again, for your reference, meeting materials are posted here: https://www.whitehouse.gov/presidential-advisory-commission-election-integrity-resources.

If you have any questions or concerns, please call.

Thanks,
Andrew

AMERICAN OVERSIGHT

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000294

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Friday, September 08, 2017 6:21 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; [redacted] King, Alan; David Dunn
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP; Passantino, Stefan C. EOP/WHO; Gast, Scott F. EOP/WHO
Subject: RE: Meeting Materials for September 12th

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

If anyone did not receive my email below due to the large file sizes, the meeting materials are now posted here: https://www.whitehouse.gov/presidential-advisory-commission-election-integrity-resources. Please check to confirm that any materials you plan to present or distribute at the meeting are posted here. If you have any questions, just let me know.

Thanks again,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

-----Original Message-----
From: Kossack, Andrew J. EOP/OVP
Sent: Friday, September 8, 2017 2:15 PM
To: 'Kris Kobach' [redacted] 'cwlawson@sos.in.gov' <cwlawson@sos.in.gov>; [redacted] 'Christy McCormick' [redacted] 'Mark Rhodes' <mrhodes@woodcountywv.com>; 'von Spakovsky, Hans' <Hans.VonSpakovsky@heritage.org>; 'Christian Adams' <adams@electionlawcenter.com>; 'Alan L. King' [redacted] 'matthew.dunlap@maine.gov' <matthew.dunlap@maine.gov>; 'King, Alan' <kinga@jccal.org>; 'David Dunn' [redacted]
Cc: Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>; Williams, Ronald E. EOP/OVP <Ronald.E.Williams@ovp.eop.gov>; Passantino, Stefan C. EOP/WHO <Stefan.C.Passantino@who.eop.gov>; Gast, Scott F. EOP/WHO <Scott.F.Gast@who.eop.gov>
Subject: Meeting Materials for September 12th

Members,

Attached are materials for next week's meeting. My apologies for the large file sizes.

AMERICAN OVERSIGHT

17-2361-A-000295

We are in the process of posting these materials on our webpage for public viewing. I will let you know once they are available there.

Many thanks to all of you for your hard work and flexibility on the timeline for submitting these materials.

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Lawson, Connie (SOS)
Sent: Wednesday, September 06, 2017 4:24 PM
To: Reynolds, Leslie [redacted]
Subject: FW: Updated Agenda
Attachments: Agenda for Sept. 12th Meeting.pdf

FYI:

From: Kossack, Andrew J. EOP/OVP [mailto:Andrew.J.Kossack@ovp.eop.gov]
Sent: Wednesday, September 06, 2017 2:54 PM
To: 'Kris Kobach' [redacted] Lawson, Connie (SOS) <cwlawson@sos.IN.gov>; [redacted] Christy McCormick [redacted] Mark Rhodes <mrhodes@woodcountywv.com>; von Spakovsky, Hans <Hans.VonSpakovsky@heritage.org>; Christian Adams <adams@electionlawcenter.com>; Alan L. King [redacted] matthew.dunlap@maine.gov; King, Alan <kinga@jccal.org>; David Dunn [redacted]
Cc: Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>; Williams, Ronald E. EOP/OVP <Ronald.E.Williams@ovp.eop.gov>
Subject: Updated Agenda

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Please see the attached updated agenda. The only change is the addition of former Gov. John H. Sununu, who will welcome the Commission at the start of the meeting.

Thanks,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Wednesday, September 06, 2017 2:54 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted]
Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan; David Dunn
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: Updated Agenda
Attachments: Agenda for Sept. 12th Meeting.pdf

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Please see the attached updated agenda. The only change is the addition of former Gov. John H. Sununu, who will welcome the Commission at the start of the meeting.

Thanks,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000298

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Tuesday, September 05, 2017 7:38 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan; David Dunn
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: RE: ethics reminder regarding teaching, speaking, and writing
Attachments: Agenda for Sept. 12th Meeting.pdf

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

The agenda for next week's meeting is attached. We plan to post this publicly tomorrow. If you have any questions, please let me know.

Thanks,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000299

Lawson, Connie (SOS)

From:	Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent:	Tuesday, September 05, 2017 4:42 PM
To:	'Kris Kobach'; Lawson, Connie (SOS); [redacted]; Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan
Cc:	Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP; Baykan, Deniz M. EOP/OVP
Subject:	ethics reminder regarding teaching, speaking, and writing

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Members,

I want to remind you of the ethics rules that govern teaching, speaking, and writing while serving on the Presidential Advisory Committee on Election Integrity.

During your appointment, you may continue to receive fees, Honoria, and other compensation for teaching, speaking, and writing undertaken in your personal capacity on topics that are not directly related to your position as a Special Government Employee. However, you may not receive fees, Honoria, and other compensation for teaching, speaking, and writing that specifically focuses on the Presidential Advisory Committee on Election Integrity itself.

If you use your government position as one of several biographical details given to introduce yourself in connection with your personal teaching, speaking, or writing, and the subject deals in significant part with the Presidential Advisory Committee on Election Integrity (i.e., voting processes and voting integrity), you MUST use a disclaimer (at the beginning of your speech or prominently placed for written material), stating,

"The views expressed herein are solely those of the author and do not necessarily represent the views, opinions, or positions of the White House, the Trump Administration, or the U.S. Government."

If you are asked to speak on behalf of the Presidential Advisory Committee on Election Integrity, please contact me first and our office will coordinate directly with WH Communications.

I am also sharing a link to the presentation from GSA's ethics attorneys, which we would encourage you to review from time to time as a refresher: https://www.whitehouse.gov/sites/whitehouse.gov/files/docs/PACEI-GSA-Ethics-Summary.pdf.

If you have any questions or concerns, please let me know.

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000300

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Tuesday, September 05, 2017 7:38 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan; David Dunn
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: RE: ethics reminder regarding teaching, speaking, and writing
Attachments: Agenda for Sept. 12th Meeting.pdf

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

The agenda for next week's meeting is attached. We plan to post this publicly tomorrow. If you have any questions, please let me know.

Thanks,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000301

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Friday, September 01, 2017 6:29 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan; David Dunn
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: Updates

Follow Up Flag: Follow up
Flag Status: Flagged

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

A couple quick updates. First, we anticipate sending you a proposed agenda this Tuesday. As I've discussed with each of you, we have a fairly full agenda with a number of distinguished panelists. There will be time for Q&A after each panel, as well as a discussion period towards the end of the meeting, but we do not anticipate allocating time for opening statements from each of the members so there's no need for you to prepare opening remarks.

By way of follow up to Vice Chair Kobach's letter, we would like to request that you **please make every effort to submit any written materials that you plan to share at the meeting by Thursday, September 7th by 6:00 p.m.** This will ensure that we can provide all of the materials, including the presenters materials, to you by Friday so that you can adequate time to review the material before our meeting. It will also help ensure that we are able to post everything on our webpage prior to our meeting so that the public is also able to review all material before the meeting. This would include any presentations, reports, or similar written materials for the meeting. If you have any concerns with this timing, please call me any time to discuss further.

If you have any other questions, please let me know. Hope you all have a great Labor Day weekend!

Thanks,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000302

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Wednesday, August 30, 2017 9:13 AM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov; King, Alan
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: letter from Vice Chair Kobach regarding submission of meeting materials
Attachments: Vice Chair Kobach letter re meeting material deadline.pdf; Litigation Hold

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

Please see the attached letter from Vice Chair Kobach regarding the submission of meeting materials for the September 12th meeting.

Also, attached as a reminder is the litigation hold letter from August 7th. Please review this letter and ensure you are preserving materials accordingly.

As always, if you have any questions, please let me know.

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000303

Lawson, Connie (SOS)

From: Hawkins, Janille (SOS)
Sent: Thursday, August 24, 2017 3:20 PM
To: Lawson, Connie (SOS)
Cc: Reed, Katie R
Subject: RE: September Meeting - 9/12 in Manchester, New Hampshire

Wow, that's a big time commitment! Thanks for the info. Katie and I will start working on it.

From: Lawson, Connie (SOS)
Sent: Thursday, August 24, 2017 2:27 PM
To: Hawkins, Janille (SOS) <JaHawkins@sos.IN.gov>
Subject: Fwd: September Meeting - 9/12 in Manchester, New Hampshire

Looks like the meeting could go until 4:00 pm on the twelth. Ugh !!

Sent from my iPhone

Begin forwarded message:

From: "Kossack, Andrew J. EOP/OVP" <Andrew.J.Kossack@ovp.eop.gov>
Date: August 24, 2017 at 1:02:51 PM EDT
To: 'Kris Kobach' [redacted] "cwlawson@sos.in.gov" <cwlawson@sos.in.gov>, [redacted] "Christy McCormick" [redacted] Mark Rhodes <mrhodes@woodcountywv.com>, "von Spakovsky, Hans" <Hans.VonSpakovsky@heritage.org>, Christian Adams <adams@electionlawcenter.com>, "Alan L. King" [redacted] "matthew.dunlap@maine.gov" <matthew.dunlap@maine.gov>
Cc: "Paoletta, Mark R. EOP/OVP" <Mark.R.Paoletta@ovp.eop.gov>, "Morgan, Matthew E. EOP/OVP" <Matthew.E.Morgan@ovp.eop.gov>, "Williams, Ronald E. EOP/OVP" <Ronald.E.Williams@ovp.eop.gov>
Subject: September Meeting - 9/12 in Manchester, New Hampshire

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

Thank you for holding September 12th for our next meeting, and for your patience as we worked through some logistical details. I am excited to share that Secretary Gardner has kindly offered to host the Commission in New Hampshire at the New Hampshire Institute of Politics at St. Anselm College. The meeting will begin at 10:00 a.m. Eastern on Tuesday, September 12th, and we expect to finish no later than 4:00 p.m.

Please feel free to proceed with making your travel arrangements. As a reminder, here are the instructions for booking travel through GSA's travel services:

Booking Travel to New Hampshire Instructions
Members or their support staff who have established traveler accounts with GSA can call the travel agent directly to book their travel.

AMERICAN OVERSIGHT

ADTRAV (GSA travel agent): 877-472-6718, available 24/7

Key information when calling the travel agent:

- ADTRAV will recognize members by first and last name and agency--which is the General Services Administration (GSA) for the purposes of this travel.
- Have a personal credit card available--hotel will be booked using a personal card. Members can choose their hotel and will be reimbursed up to the maximum per diem rate for Manchester, NH ($108/night) (keep hotel receipts)
- The committee has budgeted for travel for up to 3 days per member between 9/11 and 9/13. Arrangements should be made within those parameters.
- Members (or their staff) should tell the agent the traveler's date of birth if making airline reservations. This is a requirement in order for tickets to be issued.

Travelers will need to follow federal regulations governing travel. Key points:

- Hotel: Max lodging per diem rate reimbursed for Manchester, NH in September: $108 (keep hotel receipts--reimbursed up to $108. Lodging taxes will be reimbursed separately as well.) The travel agent can help members find rooms at or below per diem.
- Airfare: Must use coach class and the contract carrier fare (booked by travel agent)
  - Exceptions to contract fare must be documented/justified--e.g., Timing of contract fare flights do not allow traveler to meet mission or non-contract fare is less expensive
- Meals & Incidental Expenses (MI&E): reimbursed $64 per day for Manchester; $48 on first & last day of travel (no receipts needed, reimbursed $64 for full day and $48 for first and last day of travel)
- Rental cars: Receipt required for all expenses
- Taxis/metro: reimbursed for official business related to the committee--e.g., to/from airport, to/from committee meetings (keep receipts)
- Other (i.e. airline baggage fees): Reimbursed (keep receipts)

Airfare will be booked through the travel agent and paid directly by GSA. All other approved travel expenses (hotel; MI&E; taxis) will be paid for using the member's personal card and will subsequently be reimbursed. Details on reimbursement process will be provided upon completion of the travel.

If members or their staff have questions regarding the above that the travel agent can't answer, please don't hesitate to have the members' staff reach out to Valerie Whittington or Kris Palmer.

valerie.whittington@gsa.gov - [redacted]
kris.palmer@gsa.gov - [redacted]

We will share more information about the meeting and agenda soon. If you have any questions in the meantime, please let me know.

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Lawson, Connie (SOS)
Sent: Thursday, August 24, 2017 2:27 PM
To: Hawkins, Janille (SOS)
Subject: Fwd: September Meeting - 9/12 in Manchester, New Hampshire

Looks like the meeting could go until 4:00 pm on the twelth. Ugh !!

Sent from my iPhone

Begin forwarded message:

From: "Kossack, Andrew J. EOP/OVP" <Andrew.J.Kossack@ovp.eop.gov>
Date: August 24, 2017 at 1:02:51 PM EDT
To: 'Kris Kobach' [redacted] "cwlawson@sos.in.gov" <cwlawson@sos.in.gov>, [redacted] 'Christy McCormick" [redacted] Mark Rhodes <mrhodes@woodcountywv.com>, "von Spakovsky, Hans" <Hans.VonSpakovsky@heritage.org>, Christian Adams <adams@electionlawcenter.com>, "Alan L. King" [redacted] "matthew.dunlap@maine.gov" <matthew.dunlap@maine.gov>
Cc: "Paoletta, Mark R. EOP/OVP" <Mark.R.Paoletta@ovp.eop.gov>, "Morgan, Matthew E. EOP/OVP" <Matthew.E.Morgan@ovp.eop.gov>, "Williams, Ronald E. EOP/OVP" <Ronald.E.Williams@ovp.eop.gov>
Subject: September Meeting - 9/12 in Manchester, New Hampshire

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

Thank you for holding September 12th for our next meeting, and for your patience as we worked through some logistical details. I am excited to share that Secretary Gardner has kindly offered to host the Commission in New Hampshire at the New Hampshire Institute of Politics at St. Anselm College. The meeting will begin at 10:00 a.m. Eastern on Tuesday, September 12th, and we expect to finish no later than 4:00 p.m.

Please feel free to proceed with making your travel arrangements. As a reminder, here are the instructions for booking travel through GSA's travel services:

Booking Travel to New Hampshire Instructions
Members or their support staff who have established traveler accounts with GSA can call the travel agent directly to book their travel.

ADTRAV (GSA travel agent): 877-472-6716, available 24/7

Key information when calling the travel agent:

- ADTRAV will recognize members by first and last name and agency--which is the General Services Administration (GSA) for the purposes of this travel.
- Have a personal credit card available--hotel will be booked using a personal card. Members can choose their hotel and will be reimbursed up to the maximum per diem rate for Manchester, NH ($108/night) (keep hotel receipts)

AMERICAN OVERSIGHT

- The committee has budgeted for travel for up to 3 days per member between 9/11 and 9/13. Arrangements should be made within those parameters.
- Members (or their staff) should tell the agent the traveler's date of birth if making airline reservations. This is a requirement in order for tickets to be issued.

Travelers will need to follow federal regulations governing travel. Key points:

- Hotel: Max lodging per diem rate reimbursed for Manchester, NH in September: $108 (keep hotel receipts--reimbursed up to $108. Lodging taxes will be reimbursed separately as well.) The travel agent can help members find rooms at or below per diem.
- Airfare: Must use coach class and the contract carrier fare (booked by travel agent)
  - Exceptions to contract fare must be documented/justified--e.g., Timing of contract fare flights do not allow traveler to meet mission or non-contract fare is less expensive
- Meals & Incidental Expenses (MI&E): reimbursed $64 per day for Manchester; $48 on first & last day of travel (no receipts needed, reimbursed $64 for full day and $48 for first and last day of travel)
- Rental cars: Receipt required for all expenses
- Taxis/metro: reimbursed for official business related to the committee--e.g., to/from airport, to/from committee meetings (keep receipts)
- Other (i.e. airline baggage fees): Reimbursed (keep receipts)

Airfare will be booked through the travel agent and paid directly by GSA. All other approved travel expenses (hotel; MI&E; taxis) will be paid for using the member's personal card and will subsequently be reimbursed. Details on reimbursement process will be provided upon completion of the travel.

If members or their staff have questions regarding the above that the travel agent can't answer, please don't hesitate to have the members' staff reach out to Valerie Whittington or Kris Palmer.

valerie.whittington@gsa.gov - [redacted]
kris.palmer@gsa.gov - [redacted]

We will share more information about the meeting and agenda soon. If you have any questions in the meantime, please let me know.

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000307

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Thursday, August 24, 2017 1:03 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: September Meeting - 9/12 in Manchester, New Hampshire

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

Thank you for holding September 12th for our next meeting, and for your patience as we worked through some logistical details. I am excited to share that Secretary Gardner has kindly offered to host the Commission in New Hampshire at the New Hampshire Institute of Politics at St. Anselm College. The meeting will begin at 10:00 a.m. Eastern on Tuesday, September 12th, and we expect to finish no later than 4:00 p.m.

Please feel free to proceed with making your travel arrangements. As a reminder, here are the instructions for booking travel through GSA's travel services:

Booking Travel to New Hampshire Instructions
Members or their support staff who have established traveler accounts with GSA can call the travel agent directly to book their travel.

ADTRAV (GSA travel agent): 877-472-6716, available 24/7

Key Information when calling the travel agent:

- ADTRAV will recognize members by first and last name and agency--which is the General Services Administration (GSA) for the purposes of this travel.
- Have a personal credit card available--hotel will be booked using a personal card. Members can choose their hotel and will be reimbursed up to the maximum per diem rate for Manchester, NH ($108/night) (keep hotel receipts)
- The committee has budgeted for travel for up to 3 days per member between 9/11 and 9/13. Arrangements should be made within those parameters.
- Members (or their staff) should tell the agent the traveler's date of birth if making airline reservations. This is a requirement in order for tickets to be issued.

Travelers will need to follow federal regulations governing travel. Key points:

- Hotel: Max lodging per diem rate reimbursed for Manchester, NH in September: $108 (keep hotel receipts--reimbursed up to $108. Lodging taxes will be reimbursed separately as well.) The travel agent can help members find rooms at or below per diem.
- Airfare: Must use coach class and the contract carrier fare (booked by travel agent)
  - Exceptions to contract fare must be documented/justified--e.g., Timing of contract fare flights do not allow traveler to meet mission or non-contract fare is less expensive
- Meals & Incidental Expenses (MI&E): reimbursed $64 per day for Manchester; $48 on first & last day of travel (no receipts needed, reimbursed $64 for full day and $48 for first and last day of travel)
- Rental cars: Receipt required for all expenses
- Taxis/metro: reimbursed for official business related to the committee--e.g., to/from airport, to/from committee meetings (keep receipts)
- Other (i.e. airline baggage fees): Reimbursed (keep receipts)

AMERICAN OVERSIGHT

Airfare will be booked through the travel agent and paid directly by GSA. All other approved travel expenses (hotel; MI&E; taxis) will be paid for using the member's personal card and will subsequently be reimbursed. Details on reimbursement process will be provided upon completion of the travel.

If members or their staff have questions regarding the above that the travel agent can't answer, please don't hesitate to have the members' staff reach out to Valerie Whittington or Kris Palmer.

valerie.whittington@gsa.gov - [redacted]
kris.palmer@gsa.gov - [redacted]

We will share more information about the meeting and agenda soon. If you have any questions in the meantime, please let me know.

Thank you,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Friday, August 18, 2017 5:49 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted]
Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King; matthew.dunlap@maine.gov
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Williams, Ronald E. EOP/OVP
Subject: please HOLD for next meeting

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

Please mark your calendars for Tuesday, September 12th for our next meeting. You'll likely want to plan to travel the afternoon/evening of the 11th. We'll be back in touch early next week with additional details. Thanks for your patience as we lock down all the logistics.

If you have any questions or concerns at this point, please let me know.

Thanks,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000310

Lawson, Connie (SOS)

From: Lawson, Connie (SOS)
Sent: Wednesday, August 02, 2017 9:28 PM
To: Bonnet, Jerry (SOS); Clifton, Brandon
Subject: Fwd: Commission SGEs and the Hatch Act – Point of Clarification

Sent from my iPhone

Begin forwarded message:

From: "Kossack, Andrew J. EOP/OVP" <Andrew.J.Kossack@ovp.eop.gov>
Date: August 2, 2017 at 9:28:18 AM EDT
To: 'Kris Kobach' [redacted] "cwlawson@sos.in.gov" <cwlawson@sos.in.gov>, [redacted] "Christy McCormick" [redacted] Mark Rhodes <mrhodes@woodcountywv.com>, "von Spakovsky, Hans" <Hans.VonSpakovsky@heritage.org>, Christian Adams <adams@electionlawcenter.com>, "Alan L. King" [redacted]
Cc: "Paoletta, Mark R. EOP/OVP" <Mark.R.Paoletta@ovp.eop.gov>, "Morgan, Matthew E. EOP/OVP" <Matthew.E.Morgan@ovp.eop.gov>, "Baykan, Deniz M. EOP/OVP" <Deniz.M.Baykan@ovp.eop.gov>
Subject: FW: Commission SGEs and the Hatch Act – Point of Clarification

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

Please see the follow-up communication below from GSA legal regarding the Hatch Act. If you have any questions, please let me know. We are happy to provide you with any additional information or clarification you need.

Thanks,
Andrew

Andrew J. Kossack
Executive Director & Designated Federal Officer
Presidential Advisory Commission on Election Integrity

Hi Andrew,

AMERICAN OVERSIGHT

This is a follow-up to our ethics briefing on July 19, 2017. I wanted to provide the members of the Presidential Commission on Election Integrity (the "Commission") with additional information on the Hatch Act and clarify what "duty hours" for the Commission means since they are in a non-pay status.

Under the Hatch Act, 5 C.F.R. § 734.601, Subpart F—Employees Who Work on An Irregular or Occasional Basis Employees, "[a] employee who works on an irregular or occasional basis or is a **special Government employee**...is subject to the [Hatch Act] when he or she is on duty."

The Hatch Act governs the political activities of federal employees, including special government employees. Political activity is defined as an activity directed at the success or failure of a political party, candidate for partisan political office or partisan political group.

For purposes of the Hatch Act, because the Commission members are special government employees and are not in a pay status, "on duty" means the hours each member performs government business (i.e., Commission business). A Commission members duty hours include, but are not limited to: 1) attendance at official meetings; 2) attendance at sub-committee meetings; 3) research performed on behalf of the Commission; and 4) the review of research/preparation to attend meetings.

For example, "[a]n employee appointed to a special commission or task force who does not have a regular tour of duty may run as a partisan political candidate, but may actively campaign only when he or she is not on duty." 5 C.F.R. § 734.601.

An example of "on duty" for Commission members is: a Commission member attends a committee meeting from 8:00 a.m. - 1:00 p.m., during this time the Commission member is prohibited from engaging in political activity, including but not limited to sending a tweet about a candidate for partisan political office or send out emails asking for donations to his or her campaign for partisan political office. On the very same day, from 3:00 p.m. to 7 p.m., the Commission member is not prohibited from attending a political fundraiser and even soliciting political contributions from the attendees, because the event is not during the Commission member's duty hours.

Please note that based on the heightened level of interest this Commission has received, to alleviate potential appearance concerns, when possible, Commission members may not want to engage in political activities on days where the Commission member has or will perform work on behalf of the Commission.

Best Regards,

Shana

--

Shana T. Vinson
Assistant General Counsel
Ethics Law Staff - General Law Division
U.S. General Services Administration

CONFIDENTIALITY NOTICE:

This email message and any attachments to this email message may contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity to whom it is addressed. Please do not forward this message without permission. If you are not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmission is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone

AMERICAN OVERSIGHT

or return email and delete and destroy the original email message, any attachments thereto and all copies thereof.

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Clifton, Brandon
Sent: Thursday, August 03, 2017 11:14 AM
To: Lawson, Connie (SOS); Bonnet, Jerry (SOS)
Cc: Warycha, Valerie
Subject: RE: Commission SGEs and the Hatch Act – Point of Clarification

Follow Up Flag: Follow up
Flag Status: Flagged

We're in great shape. Glad we did our due diligence however. As we've seen, waiting on DC feedback hasn't necessarily been an expeditious experience.

From: Lawson, Connie (SOS)
Sent: Wednesday, August 2, 2017 9:28 PM
To: Bonnet, Jerry (SOS) <jbonnet@sos.IN.gov>; Clifton, Brandon <BClifton@sos.IN.gov>
Subject: Fwd: Commission SGEs and the Hatch Act – Point of Clarification

Sent from my iPhone

Begin forwarded message:

From: "Kossack, Andrew J. EOP/OVP" <Andrew.J.Kossack@ovp.eop.gov>
Date: August 2, 2017 at 9:28:18 AM EDT
To: 'Kris Kobach' [redacted] "cwlawson@sos.in.gov" <cwlawson@sos.in.gov>, [redacted] "Christy McCormick" [redacted] Mark Rhodes <mrhodes@woodcountywv.com>, "von Spakovsky, Hans" <Hans.VonSpakovsky@heritage.org>, Christian Adams <adams@electionlawcenter.com>, "Alan L. King" [redacted]
Cc: "Paoletta, Mark R. EOP/OVP" <Mark.R.Paoletta@ovp.eop.gov>, "Morgan, Matthew E. EOP/OVP" <Matthew.E.Morgan@ovp.eop.gov>, "Baykan, Deniz M. EOP/OVP" <Deniz.M.Baykan@ovp.eop.gov>
Subject: FW: Commission SGEs and the Hatch Act – Point of Clarification

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

Please see the follow-up communication below from GSA legal regarding the Hatch Act. If you have any questions, please let me know. We are happy to provide you with any additional information or clarification you need.

AMERICAN OVERSIGHT

Thanks,
Andrew

Andrew J. Kossack
Executive Director & Designated Federal Officer
Presidential Advisory Commission on Election Integrity

Hi Andrew,

This is a follow-up to our ethics briefing on July 19, 2017. I wanted to provide the members of the Presidential Commission on Election Integrity (the "Commission") with additional information on the Hatch Act and clarify what "duty hours" for the Commission means since they are in a non-pay status.

Under the Hatch Act, 5 C.F.R. § 734.601, Subpart F—Employees Who Work on An Irregular or Occasional Basis Employees, "[a] employee who works on an irregular or occasional basis or is a **special Government employee**...is subject to the [Hatch Act] when he or she is on duty."

The Hatch Act governs the political activities of federal employees, including special government employees. Political activity is defined as an activity directed at the success or failure of a political party, candidate for partisan political office or partisan political group.

For purposes of the Hatch Act, because the Commission members are special government employees and are not in a pay status, "on duty" means the hours each member performs government business (i.e., Commission business). A Commission members duty hours include, but are not limited to: 1) attendance at official meetings; 2) attendance at sub-committee meetings; 3) research performed on behalf of the Commission; and 4) the review of research/preparation to attend meetings.

For example, "[a]n employee appointed to a special commission or task force who does not have a regular tour of duty may run as a partisan political candidate, but may actively campaign only when he or she is not on duty." 5 C.F.R. § 734.601.

An example of "on duty" for Commission members is: a Commission member attends a committee meeting from 8:00 a.m. - 1:00 p.m., during this time the Commission member is prohibited from engaging in political activity, including but not limited to sending a tweet about a candidate for partisan political office or send out emails asking for donations to his or her campaign for partisan political office. On the very same day, from 3:00 p.m. to 7 p.m., the Commission member is not prohibited from attending a political fundraiser and even soliciting political contributions from the attendees, because the event is not during the Commission member's duty hours.

Please note that based on the heightened level of interest this Commission has received, to alleviate potential appearance concerns, when possible, Commission members may not want to engage in political activities on days where the Commission member has or will perform work on behalf of the Commission.

Best Regards,

Shana

--
Shana T. Vinson
Assistant General Counsel
Ethics Law Staff - General Law Division
U.S. General Services Administration

AMERICAN OVERSIGHT

CONFIDENTIALITY NOTICE:

This email message and any attachments to this email message may contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity to whom it is addressed. Please do not forward this message without permission. If you are not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmission is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone or return email and delete and destroy the original email message, any attachments thereto and all copies thereof.

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Hauer, Ian (SOS)
Sent: Wednesday, August 02, 2017 2:27 PM
To: andrew.j.kossack@ovp.eop.gov
Cc: marc.e.lotter@ovp.eop.gov; Clifton, Brandon; Lawson, Connie (SOS)
Subject: RE: WSJ question

Andrew,

We made a few revisions to the draft statement:

Despite the best efforts of state and local election administrators, the commission is aware of public voter roll limitations. Part of the commission's task is to assist state and local election officials close those information gaps. As I said at the commission's initial meeting, states have repeatedly requested additional and clearer information from federal agencies that would greatly assist the efforts of election officials. My fellow commissioners and I look forward to analyzing existing public data and developing strategies that states could use to improve the quality and integrity of state voter rolls.

Please feel free to share additional thoughts.

Thanks,

Ian Hauer
Deputy Communications Director
Indiana Secretary of State
200 W. Washington St.
Indianapolis, IN 46204
[redacted]

From: Clifton, Brandon
Sent: Wednesday, August 02, 2017 12:39 PM
To: Hauer, Ian (SOS) <IaHauer@sos.IN.gov>
Subject: FW: WSJ question

From: Kossack, Andrew J. EOP/OVP [mailto:Andrew.J.Kossack@ovp.eop.gov]
Sent: Wednesday, August 2, 2017 12:37 PM
To: Lawson, Connie (SOS) <cwlawson@sos.IN.gov>; Clifton, Brandon <BClifton@sos.IN.gov>
Cc: Lotter, Marc E. EOP/OVP <Marc.E.Lotter@ovp.eop.gov>
Subject: FW: WSJ question

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Hi Connie and Brandon,

Here is a draft statement in response to the WSJ reporter's question below. This is just a suggested starting point, so feel free to rework it however you see fit.

AMERICAN OVERSIGHT
17-2361-A-000317

The commission is aware of the limitations of public voter roll data. State election officials have acknowledged data gaps in the information they use to update their voter rolls, and part of the commission's task is to help states identify and close those gaps in information. As I said at the commission's initial meeting, states have repeatedly requested additional information from federal agencies that would support state officials' efforts to ensure voter roll accuracy. My fellow commissioners and I look forward to analyzing existing public data and developing strategies that states could utilize to improve their data quality and the integrity of state voter rolls.

Thanks again,
Andrew

Andrew J. Kossack
Executive Director & Designated Federal Officer
Presidential Advisory Commission on Election Integrity

From: Lotter, Marc E. EOP/OVP
Sent: Tuesday, August 1, 2017 4:20 PM
To: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Subject: Fwd: WSJ question

Marc Lotter
Special Assistant to the President
Press Secretary to the Vice President
Cell: [redacted]

Sent from my iPhone

Begin forwarded message:

From: "Corse, Alexa" <alexa.corse@wsj.com>
Date: August 1, 2017 at 4:06:48 PM EDT
To: "Lotter, Marc E. EOP/OVP" <Marc.E.Lotter@ovp.eop.gov>
Subject: WSJ question

Hi Marc,

I have a somewhat specific question about the election-integrity commission, but I nevertheless wanted to make sure you had a chance to respond. Colorado's Secretary of State, Wayne Williams, raised doubts in a letter to the commission about whether only publicly-available data is robust enough to match voter records without a lot of false positives. For example, the ERIC program uses (anonymized) confidential data that some states say they don't intend to provide to the presidential commission.

Could you point me to any statement from the commission or could you provide one about how the commission intends to handle false positives while only using publicly-available data?

Here's a link to Secretary Williams' letter: >https://content.govdelivery.com/attachments/COSOS/2017/07/14/file_attachments/847334/Colorado%2BSecretary%2Bof%2BState%2527s%2B-%2B%2BCommission%2Bresponse.pdf<.

AMERICAN OVERSIGHT

Thanks,
Alexa

--
Alexa Corse
WASHINGTON BUREAU

[redacted]
E: alexa.corse@wsj.com | T: @AlexaCorse
A: 1025 Connecticut Ave. NW, Suite 800 | Washington, D.C. 20036

Sign up for WSJ's free Capital Journal newsletter here.

AMERICAN OVERSIGHT

17-2361-A-000319

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Wednesday, August 02, 2017 12:37 PM
To: Lawson, Connie (SOS); Clifton, Brandon
Cc: Lotter, Marc E. EOP/OVP
Subject: FW: WSJ question

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Hi Connie and Brandon,

Here is a draft statement in response to the WSJ reporter's question below. This is just a suggested starting point, so feel free to rework it however you see fit.

> The commission is aware of the limitations of public voter roll data. State election officials have acknowledged data gaps in the information they use to update their voter rolls, and part of the commission's task is to help states identify and close those gaps in information. As I said at the commission's initial meeting, states have repeatedly requested additional information from federal agencies that would support state officials' efforts to ensure voter roll accuracy. My fellow commissioners and I look forward to analyzing existing public data and developing strategies that states could utilize to improve their data quality and the integrity of state voter rolls.

Thanks again,
Andrew

Andrew J. Kossack
Executive Director & Designated Federal Officer
Presidential Advisory Commission on Election Integrity

From: Lotter, Marc E. EOP/OVP
Sent: Tuesday, August 1, 2017 4:20 PM
To: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Subject: Fwd: WSJ question

Marc Lotter
Special Assistant to the President
Press Secretary to the Vice President
Cell: [redacted]

Sent from my iPhone

Begin forwarded message:

> **From:** "Corse, Alexa" <alexa.corse@wsj.com>
> **Date:** August 1, 2017 at 4:06:48 PM EDT
> **To:** "Lotter, Marc E. EOP/OVP" <Marc.E.Lotter@ovp.eop.gov>
> **Subject: WSJ question**

AMERICAN OVERSIGHT

Hi Marc,

I have a somewhat specific question about the election-integrity commission, but I nevertheless wanted to make sure you had a chance to respond. Colorado's Secretary of State, Wayne Williams, raised doubts in a letter to the commission about whether only publicly-available data is robust enough to match voter records without a lot of false positives. For example, the ERIC program uses (anonymized) confidential data that some states say they don't intend to provide to the presidential commission.

Could you point me to any statement from the commission or could you provide one about how the commission intends to handle false positives while only using publicly-available data?

Here's a link to Secretary Williams' letter: >https://content.govdelivery.com/attachments/COSOS/2017/07/14/file_attachments/847334/Colorado%2BSecretary%2Bof%2BState%2527s%2B-%2B%2BCommission%2Bresponse.pdf<.

Thanks,
Alexa

--

Alexa Corse
WASHINGTON BUREAU

[redacted]
E: alexa.corse@wsj.com | T: @AlexaCorse
A: 1025 Connecticut Ave. NW, Suite 800 | Washington, D.C. 20036

Sign up for WSJ's free Capital Journal newsletter here.

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Wednesday, August 02, 2017 9:28 AM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP; Baykan, Deniz M. EOP/OVP
Subject: FW: Commission SGEs and the Hatch Act – Point of Clarification

Follow Up Flag: Follow up
Flag Status: Flagged

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

Please see the follow-up communication below from GSA legal regarding the Hatch Act. If you have any questions, please let me know. We are happy to provide you with any additional information or clarification you need.

Thanks,
Andrew

Andrew J. Kossack
Executive Director & Designated Federal Officer
Presidential Advisory Commission on Election Integrity

Hi Andrew,

This is a follow-up to our ethics briefing on July 19, 2017. I wanted to provide the members of the Presidential Commission on Election Integrity (the "Commission") with additional information on the Hatch Act and clarify what "duty hours" for the Commission means since they are in a non-pay status.

Under the Hatch Act, 5 C.F.R. § 734.601, Subpart F—Employees Who Work on An Irregular or Occasional Basis Employees, "[a] employee who works on an irregular or occasional basis or is a **special Government employee**...is subject to the [Hatch Act] when he or she is on duty."

The Hatch Act governs the political activities of federal employees, including special government employees. Political activity is defined as an activity directed at the success or failure of a political party, candidate for partisan political office or partisan political group.

For purposes of the Hatch Act, because the Commission members are special government employees and are not in a pay status, "on duty" means the hours each member performs government business (i.e., Commission business). A Commission members duty hours include, but are not limited to: 1) attendance at official meetings; 2) attendance at sub-committee meetings; 3) research performed on behalf of the Commission; and 4) the review of research/preparation to attend meetings.

For example, "[a]n employee appointed to a special commission or task force who does not have a regular tour of duty may run as a partisan political candidate, but may actively campaign only when he or she is not on duty." 5 C.F.R. § 734.601.

AMERICAN OVERSIGHT

An example of "on duty" for Commission members is: a Commission member attends a committee meeting from 8:00 a.m. - 1:00 p.m., during this time the Commission member is prohibited from engaging in political activity, including but not limited to sending a tweet about a candidate for partisan political office or send out emails asking for donations to his or her campaign for partisan political office. On the very same day, from 3:00 p.m. to 7 p.m., the Commission member is not prohibited from attending a political fundraiser and even soliciting political contributions from the attendees, because the event is not during the Commission member's duty hours.

Please note that based on the heightened level of interest this Commission has received, to alleviate potential appearance concerns, when possible, Commission members may not want to engage in political activities on days where the Commission member has or will perform work on behalf of the Commission.

Best Regards,

Shana

--

Shana T. Vinson
Assistant General Counsel
Ethics Law Staff - General Law Division
U.S. General Services Administration

CONFIDENTIALITY NOTICE:

This email message and any attachments to this email message may contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity to whom it is addressed. Please do not forward this message without permission. If you are not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmission is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone or return email and delete and destroy the original email message, any attachments thereto and all copies thereof.

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Thursday, July 27, 2017 10:57 AM
To: Clifton, Brandon
Cc: Lawson, Connie (SOS)
Subject: RE: Indiana IEC-3

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Will do. Thanks again.

Andrew J. Kossack
Associate Counsel
Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

From: Clifton, Brandon [mailto:BClifton@sos.IN.gov]
Sent: Thursday, July 27, 2017 10:22 AM
To: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Cc: Lawson, Connie (SOS) <cwlawson@sos.IN.gov>
Subject: RE: Indiana IEC-3

Please send it to me, Brad King and Angie Nussmeyer, Co-Directors for the Election Division.

ANussmeyer@iec.IN.gov

bking@iec.IN.gov

From: Kossack, Andrew J. EOP/OVP [mailto:Andrew.J.Kossack@ovp.eop.gov]
Sent: Thursday, July 27, 2017 10:19 AM
To: Clifton, Brandon <BClifton@sos.IN.gov>
Cc: Lawson, Connie (SOS) <cwlawson@sos.IN.gov>
Subject: RE: Indiana IEC-3

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Thanks, Brandon. Can we just send this back to you when it's completed, or is there a better email/contact we should use?

Thanks again,
Andrew

AMERICAN OVERSIGHT

Andrew J. Kossack
Associate Counsel
Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

From: Clifton, Brandon [mailto:BClifton@sos.IN.gov]
Sent: Thursday, July 27, 2017 10:00 AM
To: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Cc: Lawson, Connie (SOS) <cwlawson@sos.IN.gov>
Subject: Indiana IEC-3

Andrew,

Attached is Indiana's form to request registration data.

Thank you.

--
Brandon Clifton
Deputy Secretary of State
Chief of Staff
Office of Secretary of State Connie Lawson
[redacted]

Follow us on Twitter: @SecretaryLawson
Like us on Facebook: Secretary of State Connie Lawson

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From:	Lawson, Connie (SOS)
Sent:	Thursday, July 27, 2017 10:46 AM
To:	Clifton, Brandon; Bonnet, Jerry (SOS)
Subject:	Fwd: Letter from Vice Chair Kobach
Attachments:	July 26, 2017 Letter from Vice Chair Kris Kobach.pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "Kossack, Andrew J. EOP/OVP" <Andrew.J.Kossack@ovp.eop.gov>
To: "'Kris Kobach'" [redacted] "Lawson, Connie (SOS)" <cwlawson@sos.IN.gov>, [redacted] "Christy McCormick" [redacted] "Mark Rhodes" <mrhodes@woodcountywv.com>, "von Spakovsky, Hans" <Hans.VonSpakovsky@heritage.org>, "Christian Adams" <adams@electionlawcenter.com>, "Alan L. King" [redacted]
Cc: "Paoletta, Mark R. EOP/OVP" <Mark.R.Paoletta@ovp.eop.gov>, "Morgan, Matthew E. EOP/OVP" <Matthew.E.Morgan@ovp.eop.gov>
Subject: Letter from Vice Chair Kobach

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

Please see the attached letters from Vice Chair Kobach, which will be transmitted to states soon.

Thank you,
Andrew

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Clifton, Brandon
Sent: Thursday, July 27, 2017 10:22 AM
To: 'Kossack, Andrew J. EOP/OVP'
Cc: Lawson, Connie (SOS)
Subject: RE: Indiana IEC-3

Please send it to me, Brad King and Angie Nussmeyer, Co-Directors for the Election Division.

ANussmeyer@iec.IN.gov

bking@iec.IN.gov

From: Kossack, Andrew J. EOP/OVP [mailto:Andrew.J.Kossack@ovp.eop.gov]
Sent: Thursday, July 27, 2017 10:19 AM
To: Clifton, Brandon <BClifton@sos.IN.gov>
Cc: Lawson, Connie (SOS) <cwlawson@sos.IN.gov>
Subject: RE: Indiana IEC-3

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Thanks, Brandon. Can we just send this back to you when it's completed, or is there a better email/contact we should use?

Thanks again,
Andrew

Andrew J. Kossack
Associate Counsel
Office of the Vice President
[redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

From: Clifton, Brandon [mailto:BClifton@sos.IN.gov]
Sent: Thursday, July 27, 2017 10:00 AM
To: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Cc: Lawson, Connie (SOS) <cwlawson@sos.IN.gov>
Subject: Indiana IEC-3

Andrew,

Attached is Indiana's form to request registration data.

Thank you.

AMERICAN OVERSIGHT

Brandon Clifton
Deputy Secretary of State
Chief of Staff
Office of Secretary of State Connie Lawson
[redacted]

Follow us on Twitter: @SecretaryLawson
Like us on Facebook: Secretary of State Connie Lawson

AMERICAN OVERSIGHT

17-2361-A-000328

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Thursday, July 27, 2017 10:19 AM
To: Clifton, Brandon
Cc: Lawson, Connie (SOS)
Subject: RE: Indiana IEC-3

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Thanks, Brandon. Can we just send this back to you when it's completed, or is there a better email/contact we should use?

Thanks again,
Andrew

Andrew J. Kossack
Associate Counsel
Office of the Vice President
[redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

From: Clifton, Brandon [mailto:BClifton@sos.IN.gov]
Sent: Thursday, July 27, 2017 10:00 AM
To: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Cc: Lawson, Connie (SOS) <cwlawson@sos.IN.gov>
Subject: Indiana IEC-3

Andrew,

Attached is Indiana's form to request registration data.

Thank you.

--
Brandon Clifton
Deputy Secretary of State
Chief of Staff
Office of Secretary of State Connie Lawson
[redacted]

Follow us on Twitter: @SecretaryLawson
Like us on Facebook: Secretary of State Connie Lawson

AMERICAN OVERSIGHT

17-2361-A-000329

Lawson, Connie (SOS)

From: Clifton, Brandon
Sent: Thursday, July 27, 2017 10:00 AM
To: 'andrew.j.kossack@ovp.eop.gov'
Cc: Lawson, Connie (SOS)
Subject: Indiana IEC-3
Attachments: IEC-3 (2014 revision).pdf

Andrew,

Attached is Indiana's form to request registration data.

Thank you.

--
Brandon Clifton
Deputy Secretary of State
Chief of Staff
Office of Secretary of State Connie Lawson
[redacted]

Follow us on Twitter: @SecretaryLawson
Like us on Facebook: Secretary of State Connie Lawson

AMERICAN OVERSIGHT

17-2361-A-000330

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Wednesday, July 26, 2017 5:20 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: Letter from Vice Chair Kobach
Attachments: July 26, 2017 Letter from Vice Chair Kris Kobach.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. **** _____

Dear Members,

Please see the attached letters from Vice Chair Kobach, which will be transmitted to states soon.

Thank you,
Andrew

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Tuesday, July 25, 2017 12:29 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted]; [redacted] Christy McCormick; [redacted]
Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: RE: letters from two states
Attachments: Reply Letter to PACEI.PDF

Follow Up Flag: Follow up
Flag Status: Flagged

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

FYI – Please see the attached letter from Ohio SoS John Husted.

From: Kossack, Andrew J. EOP/OVP
Sent: Friday, July 21, 2017 4:18 PM
To: 'Kris Kobach' [redacted] 'cwlawson@sos.in.gov' <cwlawson@sos.in.gov>; [redacted] 'Christy McCormick' [redacted] 'Mark Rhodes' <mrhodes@woodcountywv.com>; 'von Spakovsky, Hans' <Hans.VonSpakovsky@heritage.org>; 'Christian Adams' <adams@electionlawcenter.com>; 'Alan L. King' [redacted]
Cc: Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>
Subject: letters from two states

Please see the two attached letters we recently received from the Colorado and Wyoming secretaries of state. These will be added to our webpage soon as well.

Hope everyone has a great weekend.

Thanks,
Andrew

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Friday, July 21, 2017 4:18 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: letters from two states
Attachments: Public Official Responses Received July 14, 2017.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Please see the two attached letters we recently received from the Colorado and Wyoming secretaries of state. These will be added to our webpage soon as well.

Hope everyone has a great weekend.

Thanks,
Andrew

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Thursday, July 20, 2017 5:24 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted] Christy McCormick; [redacted]
Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: travel reimbursements

Follow Up Flag: Follow up
Flag Status: Flagged

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

For those of you submitting travel expenses for reimbursement, please send them to Kris Palmer at GSA (kris.palmer@gsa.gov). Kris will process your receipts and the approved funds will be reimbursed into the account you provided in your EFT form.

Please scan all of your receipts into a single document file and send them via email to kris.palmer@gsa.gov. According to GSA, when in doubt, you should err on the side of providing the receipt. Receipts are required for the following:

- Hotel bill
- Airport parking
- Taxis/metro for travel to/from airport and committee meetings
- Airline baggage fees

If you have any questions, just let me know.

Many thanks to each of you for your time and contributions to yesterday's meeting. It was a pleasure being with you and an inspiring kickoff. If you haven't seen it already, the full video is now posted here: https://www.whitehouse.gov/featured-videos/video/2017/07/19/presidential-advisory-commission-election-integrity-part-2.

Thanks,
Andrew

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Tuesday, July 18, 2017 4:19 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: updated agenda; draft by-laws
Attachments: draft PACEI By-Laws FINAL.PDF; Revised Agenda - Presidential Advisory Commission on Election Integrity ...pdf

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

As you can see from the attached revised agenda, the schedule has been adjusted slightly to ensure we have sufficient time for the public meeting. The ceremonial swearing in will no longer happen at the public meeting. Instead, you will be sworn in following the required briefings in the morning and just prior to proceeding to the public meeting room.

Vice Chair Kobach has asked me to send the attached draft set of by-laws for your review. During tomorrow's meeting, the Commission will adopt by-laws to govern the Commission's operations, and the Vice Chair thought it would be helpful to share with you his proposed draft by-laws. These by-laws were modeled after sample by-laws published by the General Services Administration on its website.

If you plan to bring any documents with you tomorrow to distribute to the other members, please send me an electronic copy so that we can make copies for you here. Having the documents in advance will help us ensure we can make them available in a timely manner to the public on the webpage.

Last thing: A scheduling note. The Vice President needs to depart the meeting at noon. **Therefore, we ask that you limit your opening remarks to no more than five minutes each.** We'll have more flexibility with timing during the discussion session after the break.

Thank you,
Andrew

Andrew J. Kossack
Executive Director and Designated Federal Officer
Presidential Advisory Commission on Election Integrity

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Lawson, Connie (SOS)
Sent: Tuesday, July 18, 2017 1:30 PM
To: Clifton, Brandon
Subject: FW: updates and requests
Attachments: EOP-Campus-Map.pdf

Importance: High

From: Kossack, Andrew J. EOP/OVP [mailto:Andrew.J.Kossack@ovp.eop.gov]
Sent: Monday, July 17, 2017 8:01 PM
To: 'Kris Kobach' [redacted] Lawson, Connie (SOS) <cwlawson@sos.IN.gov>; [redacted] Christy McCormick <[redacted] Mark Rhodes <mrhodes@woodcountywv.com>; von Spakovsky, Hans <Hans.VonSpakovsky@heritage.org>; Christian Adams <adams@electionlawcenter.com>; Alan L. King [redacted]
Cc: Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>
Subject: updates and requests
Importance: High

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

Thank you for your responsiveness over the last few days. We know travel and financial disclosure processes can be tedious, so we really appreciate your time and efforts to get them completed.

I have a few updates and requests for you.

1. Please plan to **arrive at the EEOB by 8:00 a.m. Eastern on Wednesday morning**. This will give you time to get through security so we can begin the required pre-briefings at 8:30 a.m. Attached is a map of the EEOB campus. You'll want to enter at 17th and State Streets (at the Southwest Screening Facility).

2. So that we can clear you through security, please fill out the online form at the following link: https://events.whitehouse.gov/form?rid=7GVJRFQ466. Please be sure to enter your information **exactly** as it appears on your government-issued identification. If your information does not match, the Secret Service will not grant you access. If you have any questions or trouble submitting your information through the hyperlink, just let me know.

3. If you are bringing any staff members or anyone else with you, please let me know as soon as possible. We'll want to ensure we get your guests cleared through security as well. I would plan on guests attending only the public session at 11:00 a.m. due to limited space in our morning briefing room.

4. I also want to draw your attention to the Commission's webpage, on which we've posted a number of documents and public comments. Again, the webpage is available here:

AMERICAN OVERSIGHT

https://www.whitehouse.gov/blog/2017/07/13/presidential-advisory-commission-election-integrity. Public comments and other documents submitted to the Commission are available for your review here: https://www.whitehouse.gov/presidential-advisory-commission-election-integrity-resources. This page will be updated periodically, so please check back from time to time.

5. Ethics questions: Our ethics team needs your responses to the following questions. These will expedite review of your OGE 450 forms and help ensure you're cleared of conflicts by Wednesday's meeting. Please respond to this email **to me only** with a simple "no," if the answer to both question one and two is, in fact, no. Otherwise, please explain any affirmative answers.
    a. Do you own any stock or financial interest in public or private companies that manufacture voting machines, advise on voting procedures, or do any business that relates to the election process?
    b. Are you a member of or have a fiduciary relationship to a non-profit or profit-making organization whose focus is election integrity or voting processes? This question does not include state and federal governments.
    c. If the answer to either of these questions is "yes," please explain in detail your financial interest and/or association.

As always, if you have any questions or concerns, please call me anytime.

Thanks,
Andrew

Andrew J. Kossack
Executive Director and Designated Federal Officer
Presidential Advisory Commission on Election Integrity

AMERICAN OVERSIGHT

17-2361-A-000337

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Monday, July 17, 2017 8:01 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted]; Christy McCormick; [redacted]
Mark Rhodes; von Spakovsky, Hans; Christian Adams; Alan L. King
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: updates and requests
Attachments: EOP-Campus-Map.pdf

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

Thank you for your responsiveness over the last few days. We know travel and financial disclosure processes can be tedious, so we really appreciate your time and efforts to get them completed.

I have a few updates and requests for you.

1. Please plan to **arrive at the EEOB by 8:00 a.m. Eastern on Wednesday morning**. This will give you time to get through security so we can begin the required pre-briefings at 8:30 a.m. Attached is a map of the EEOB campus. You'll want to enter at 17th and State Streets (at the Southwest Screening Facility).

2. So that we can clear you through security, please fill out the online form at the following link: https://events.whitehouse.gov/form?rid=7GVJRFQ466. Please be sure to enter your information **exactly** as it appears on your government-issued identification. If your information does not match, the Secret Service will not grant you access. If you have any questions or trouble submitting your information through the hyperlink, just let me know.

3. If you are bringing any staff members or anyone else with you, please let me know as soon as possible. We'll want to ensure we get your guests cleared through security as well. I would plan on guests attending only the public session at 11:00 a.m. due to limited space in our morning briefing room.

4. I also want to draw your attention to the Commission's webpage, on which we've posted a number of documents and public comments. Again, the webpage is available here: https://www.whitehouse.gov/blog/2017/07/13/presidential-advisory-commission-election-integrity. Public comments and other documents submitted to the Commission are available for your review here: https://www.whitehouse.gov/presidential-advisory-commission-election-integrity-resources. This page will be updated periodically, so please check back from time to time.

5. Ethics questions: Our ethics team needs your responses to the following questions. These will expedite review of your OGE 450 forms and help ensure you're cleared of conflicts by Wednesday's meeting. Please respond to this

AMERICAN OVERSIGHT

email **to me only** with a simple "no," if the answer to both question one and two is, in fact, no. Otherwise, please explain any affirmative answers.

a. Do you own any stock or financial interest in public or private companies that manufacture voting machines, advise on voting procedures, or do any business that relates to the election process?
b. Are you a member of or have a fiduciary relationship to a non-profit or profit-making organization whose focus is election integrity or voting processes? This question does not include state and federal governments.
c. If the answer to either of these questions is "yes," please explain in detail your financial interest and/or association.

As always, if you have any questions or concerns, please call me anytime.

Thanks,
Andrew

Andrew J. Kossack
Executive Director and Designated Federal Officer
Presidential Advisory Commission on Election Integrity

AMERICAN OVERSIGHT

17-2361-A-000339

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Friday, July 14, 2017 5:20 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; King, Alan
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: RE: updates on July 19th meeting: schedule and travel arrangements
Attachments: Agenda for July 19, 2017 Initial Meeting.pdf

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Please see the attached agenda for next week's public meeting. As you can see, we hope each of you will take about five minutes to introduce yourself and talk about your vision for your role on the commission. During the discussion portion of the meeting, there will be time to explore and decide what topics the commission will address.

If you have any questions, please let me know.

Andrew J. Kossack
Designated Federal Officer
Presidential Advisory Commission on Election Integrity

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Lawson, Connie (SOS)
Sent: Friday, July 14, 2017 11:46 AM
To: Lang, Andrew
Subject: FW: Travel Instructions - Members Can Begin Booking

Importance: High

Andrew,
Since Janilie is not here today, I'd really appreciate your help.

From: Kossack, Andrew J. EOP/OVP [mailto:Andrew.J.Kossack@ovp.eop.gov]
Sent: Friday, July 14, 2017 10:43 AM
To: 'Kris Kobach' [redacted]; Lawson, Connie (SOS) <cwlawson@sos.IN.gov>; [redacted] Christy McCormick [redacted] Mark Rhodes <mrhodes@woodcountywv.com>; von Spakovsky, Hans <Hans.VonSpakovsky@heritage.org>; Christian Adams <adams@electionlawcenter.com>; King, Alan <kinga@jccal.org>
Cc: Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>
Subject: FW: Travel Instructions - Members Can Begin Booking
Importance: High

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Please see the below note from GSA with instructions for booking travel. I've highlighted the telephone number for the travel agent, which is available 24/7 to help you book.

As a reminder on our schedule, please plan on being at the Eisenhower Executive Office Building (just west of the White House) by about 8:00 a.m. on Wednesday morning. Feel free to travel to D.C. on Tuesday and depart either later on Wednesday or anytime Thursday. We expect the meeting to adjourn by mid-afternoon. I will share a full agenda with you soon.

If you have any questions or concerns, just let me know.

Thanks,
Andrew

From: Jonathan Clinton - M [mailto:jonathan.clinton@gsa.gov]
Sent: Friday, July 14, 2017 10:30 AM
To: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Cc: Kris Palmer - M <kris.palmer@gsa.gov>; Valerie Whittington (M) <valerie.whittington@gsa.gov>; elizabeth.cain@gsa.gov; Christine Courter - H1CT <christine.courter@gsa.gov>; katherine_purucker@ovp.eop.gov
Subject: Travel Instructions - Members Can Begin Booking

Andrew --

AMERICAN OVERSIGHT

All traveling members' accounts have been established (with the exceptions of Ms. McCormick and Mr. Adams, who we understand are DC based).

The members or their support staff can now call our travel agent directly to book their travel.

ADTRAV (GSA travel agent): 877-472-6716, available 24/7

Key Information when calling the travel agent:

- ADTRAV will recognize members by first and last name and agency--which is the General Services Administration (GSA) for the purposes of this travel.
- Have a personal credit card available--hotel will be booked using a personal card. Members can choose their hotel and will be reimbursed at the maximum per diem rate for DC ($172/night) (keep hotel receipts)
- The committee has budgeted for travel for up to 3 days per member between 7/18 and 7/20. Arrangements should be made within those parameters.
- Members (or their staff) should tell the agent the traveler's date of birth if making airline reservations. This is a requirement in order for tickets to be issued.

Travelers will need to follow federal regulations governing travel. Key points:

- Hotel: Max lodging per diem rate reimbursed for Washington, DC in July: $172 (keep hotel receipts--reimbursed for max of $172. Lodging taxes will be reimbursed separately as well.)
- Airfare: Must use coach class and the contract carrier fare (booked by travel agent)
  - Exceptions to contract fare must be documented/justified--e.g., Timing of contract fare flights do not allow traveler to meet mission or non-contract fare is less expensive
- Meals & Incidental Expenses (MI&E): reimbursed $69 per day for DC; $51.75 on first & last day of travel (no receipts needed, reimbursed full amount regardless of expenses--above or below)
- Rental cars: Receipt required for all expenses
- Taxis/metro: reimbursed for official business related to the committee--e.g., to/from airport, to/from committee meetings (keep receipts)
- Other (i.e. airline baggage fees): Reimbursed (keep receipts)

Airfare will be booked through the travel agent and paid directly by GSA. All other approved travel expenses (hotel; MI&E; taxis) will be paid for using the member's personal card and will subsequently be reimbursed. Details on reimbursement process will be provided upon completion of the travel.

If members or their staff have questions regarding the above that the travel agent can't answer, please don't hesitate to have the members' staff reach out to Valerie Whittington or Kris Palmer.

valerie.whittington@gsa.gov - [redacted]
kris.palmer@gsa.gov - [redacted]

Best,

Jon

--

Jon Clinton
Chief of Staff
Office of Government-wide Policy
U.S. General Services Administration

AMERICAN OVERSIGHT

17-2361-A-000342

[redacted]

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Thursday, July 13, 2017 6:51 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; King, Alan
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: RE: updates on July 19th meeting: schedule and travel arrangements

Follow Up Flag: Follow up
Flag Status: Flagged

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Thanks again for your patience on travel arrangements. The interagency funding agreement was signed this evening, which was the last roadblock to allowing GSA to start booking your travel. I'll be back in touch either sometime this evening or tomorrow morning with detailed instructions on next steps. The process will be fairly simple: GSA will connect you directly with their White Glove travel service, which is a 24/7 service that you can call and book airfare, hotels, rental cars, and whatever else you'll need.

I also wanted to let you know that the Commission's webpage is now live on WhiteHouse.gov. You can view it here: https://www.whitehouse.gov/blog/2017/07/13/presidential-advisory-commission-election-integrity.

Last, if you haven't yet sent in your 450 Financial Disclosure form, please get that to me as soon as you can so we can clear you before the meeting.

I'll be in touch again soon, but please reach out anytime if you have any questions.

Thanks,
Andrew

Andrew J. Kossack
Executive Director and Designated Federal Officer
Presidential Advisory Commission on Election Integrity
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

From: Kossack, Andrew J. EOP/OVP
Sent: Tuesday, July 11, 2017 5:57 PM
To: 'Kris Kobach' [redacted]; 'cwlawson@sos.in.gov' <cwlawson@sos.in.gov>; [redacted] 'Christy McCormick' [redacted] 'Mark Rhodes' <mrhodes@woodcountywv.com>; 'von Spakovsky, Hans' <Hans.VonSpakovsky@heritage.org>; 'Christian Adams' <adams@electionlawcenter.com>; King, Alan <kinga@jccal.org>
Subject: updates on July 19th meeting: schedule and travel arrangements

Dear Members,

AMERICAN OVERSIGHT

17-2361-A-000344

First, I'd like welcome our two newest members, Judge Alan King and J. Christian Adams, whom the President appointed yesterday. We are grateful for their willingness to serve and excited to have them. Congratulations, and welcome!

Thanks for your patience as we've coordinated with the General Services Administration on your travel arrangements. We've been waiting for our commission's budget to be allocated so that we can start approving expenditures. We expect final approval and dedication of funds soon, so we wanted to go ahead and initiate some of the travel processes so you can begin planning accordingly. The most urgent step is to please fill out the attached form titled "EFT Enrollment Form," and then scan and email it back to me as soon as possible.

Related to travel, I also wanted to make you aware of a scheduling note. The meeting on the 19th will begin at 11:00 a.m., but we will need all members present at the Eisenhower Executive Office Building by about 8:15 a.m. to orient you and conduct required ethics training and Federal Advisory Committee Act training. For those of you traveling from outside Washington, D.C., you are welcome to fly in the day before and stay in town overnight. We expect the meeting to adjourn by mid-afternoon at the latest, so you may plan to fly out in the evening on Wednesday or anytime on Thursday if you care to remain in D.C. Wednesday night.

So that we can begin the process of getting your travel arrangements booked, please reply to me only and let me know if you'll be flying in for the meeting. If so, I'll also need your full name as it appears on your government-issued ID, your date of birth, and your TSA Pre-Check number (if you have one).

Also, if you have not yet submitted your financial disclosure form, please send that back to me as soon as possible. It's critical we get these reviewed as soon as possible, so please try to send them within the next day or so if you can.

I'll be back in touch soon with more information, but please don't hesitate to email or call me anytime if you have any questions or concerns.

Thanks,
Andrew

Andrew J. Kossack
Designated Federal Officer
Presidential Advisory Commission on Election Integrity
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000345

Lawson, Connie (SOS)

From: Lawson, Connie (SOS)
Sent: Wednesday, July 12, 2017 12:58 PM
To: Hawkins, Janille (SOS)
Subject: FW: updates on July 19th meeting: schedule and travel arrangements
Attachments: EFT_Enrollment_Form.pdf; OGE450 (Jan2017) (fillable).pdf

From: Kossack, Andrew J. EOP/OVP [mailto:Andrew.J.Kossack@ovp.eop.gov]
Sent: Tuesday, July 11, 2017 5:57 PM
To: 'Kris Kobach' [redacted]; Lawson, Connie (SOS) <cwlawson@sos.IN.gov>; [redacted] Christy McCormick [redacted]; [redacted]; Mark Rhodes <mrhodes@woodcountywv.com>; von Spakovsky, Hans <Hans.VonSpakovsky@heritage.org>; Christian Adams <adams@electionlawcenter.com>; King, Alan <kinga@jccal.org>
Subject: updates on July 19th meeting: schedule and travel arrangements

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

First, I'd like welcome our two newest members, Judge Alan King and J. Christian Adams, whom the President appointed yesterday. We are grateful for their willingness to serve and excited to have them. Congratulations, and welcome!

Thanks for your patience as we've coordinated with the General Services Administration on your travel arrangements. We've been waiting for our commission's budget to be allocated so that we can start approving expenditures. We expect final approval and dedication of funds soon, so we wanted to go ahead and initiate some of the travel processes so you can begin planning accordingly. The most urgent step is to please fill out the attached form titled "EFT Enrollment Form," and then scan and email it back to me as soon as possible.

Related to travel, I also wanted to make you aware of a scheduling note. The meeting on the 19th will begin at 11:00 a.m., but we will need all members present at the Eisenhower Executive Office Building by about 8:15 a.m. to orient you and conduct required ethics training and Federal Advisory Committee Act training. For those of you traveling from outside Washington, D.C., you are welcome to fly in the day before and stay in town overnight. We expect the meeting to adjourn by mid-afternoon at the latest, so you may plan to fly out in the evening on Wednesday or anytime on Thursday if you care to remain in D.C. Wednesday night.

So that we can begin the process of getting your travel arrangements booked, please reply to me only and let me know if you'll be flying in for the meeting. If so, I'll also need your full name as it appears on your government-issued ID, your date of birth, and your TSA Pre-Check number (if you have one).

Also, if you have not yet submitted your financial disclosure form, please send that back to me as soon as possible. It's critical we get these reviewed as soon as possible, so please try to send them within the next day or so if you can.

I'll be back in touch soon with more information, but please don't hesitate to email or call me anytime if you have any questions or concerns.

AMERICAN OVERSIGHT

Thanks,
Andrew

Andrew J. Kossack
Designated Federal Officer
Presidential Advisory Commission on Election Integrity
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000347

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Tuesday, July 11, 2017 5:57 PM
To: 'Kris Kobach'; Lawson, Connie (SOS); [redacted] Christy McCormick; [redacted] Mark Rhodes; von Spakovsky, Hans; Christian Adams; King, Alan
Subject: updates on July 19th meeting: schedule and travel arrangements
Attachments: EFT_Enrollment_Form.pdf; OGE450 (Jan2017) (fillable).pdf

Follow Up Flag: Follow up
Flag Status: Flagged

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

First, I'd like welcome our two newest members, Judge Alan King and J. Christian Adams, whom the President appointed yesterday. We are grateful for their willingness to serve and excited to have them. Congratulations, and welcome!

Thanks for your patience as we've coordinated with the General Services Administration on your travel arrangements. We've been waiting for our commission's budget to be allocated so that we can start approving expenditures. We expect final approval and dedication of funds soon, so we wanted to go ahead and initiate some of the travel processes so you can begin planning accordingly. The most urgent step is to please fill out the attached form titled "EFT Enrollment Form," and then scan and email it back to me as soon as possible.

Related to travel, I also wanted to make you aware of a scheduling note. The meeting on the 19th will begin at 11:00 a.m., but we will need all members present at the Eisenhower Executive Office Building by about 8:15 a.m. to orient you and conduct required ethics training and Federal Advisory Committee Act training. For those of you traveling from outside Washington, D.C., you are welcome to fly in the day before and stay in town overnight. We expect the meeting to adjourn by mid-afternoon at the latest, so you may plan to fly out in the evening on Wednesday or anytime on Thursday if you care to remain in D.C. Wednesday night.

So that we can begin the process of getting your travel arrangements booked, please reply to me only and let me know if you'll be flying in for the meeting. If so, I'll also need your full name as it appears on your government-issued ID, your date of birth, and your TSA Pre-Check number (if you have one).

Also, if you have not yet submitted your financial disclosure form, please send that back to me as soon as possible. It's critical we get these reviewed as soon as possible, so please try to send them within the next day or so if you can.

I'll be back in touch soon with more information, but please don't hesitate to email or call me anytime if you have any questions or concerns.

Thanks,
Andrew

Andrew J. Kossack
Designated Federal Officer
Presidential Advisory Commission on Election Integrity

AMERICAN OVERSIGHT

Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Lawson, Connie (SOS)
Sent: Tuesday, July 11, 2017 11:25 AM
To: Clifton, Brandon
Subject: Re: Request to Hold on Submitting Any Data Until Judge Rules on TRO

Yes

Sent from my iPhone

On Jul 11, 2017, at 9:29 AM, Clifton, Brandon <BClifton@sos.IN.gov> wrote:

> Did you receive this? I didn't see you on the email.
>
> **From:** SOS Constituent Services - Email for web page
> **Sent:** Tuesday, July 11, 2017 9:28 AM
> **To:** King, Brad <bking@iec.IN.gov>; Simmons, Dale <dsimmons@iec.IN.gov>; Bonnet, Jerry (SOS) <jbonnet@sos.IN.gov>
> **Cc:** Warycha, Valerie <VWarycha@sos.IN.gov>; Clifton, Brandon <BClifton@sos.IN.gov>
> **Subject:** FW: Request to Hold on Submitting Any Data Until Judge Rules on TRO
>
> **From:** FN-OVP-Election Integrity Staff [mailto:ElectionIntegrityStaff@ovp.eop.gov]
> **Sent:** Monday, July 10, 2017 9:40 AM
> **Subject:** Request to Hold on Submitting Any Data Until Judge Rules on TRO
>
> **** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****
>
> ---
>
> Dear Election Official,
>
> As you may know, the Electronic Privacy Information Center filed a complaint seeking a Temporary Restraining Order ("TRO") in connection with the June 28, 2017 letter sent by Vice Chair Kris Kobach requesting publicly-available voter data. See *Electronic Privacy Information Center v. Presidential Advisory Commission on Election Integrity* filed in the U.S. District Court for the District of Columbia. Until the Judge rules on the TRO, we request that you hold on submitting any data. We will follow up with you with further instructions once the Judge issues her ruling.
>
> Andrew Kossack
> Designated Federal Officer
> Presidential Advisory Commission on Election Integrity
> ElectionIntegrityStaff@ovp.eop.gov

AMERICAN OVERSIGHT

Lawson, Connie (SOS)

From: Clifton, Brandon
Sent: Tuesday, July 11, 2017 9:30 AM
To: Lawson, Connie (SOS)
Cc: Warycha, Valerie
Subject: FW: Request to Hold on Submitting Any Data Until Judge Rules on TRO

Follow Up Flag: Follow up
Flag Status: Flagged

Did you receive this? I didn't see you on the email.

From: SOS Constituent Services - Email for web page
Sent: Tuesday, July 11, 2017 9:28 AM
To: King, Brad <bking@iec.IN.gov>; Simmons, Dale <dsimmons@iec.IN.gov>; Bonnet, Jerry (SOS) <jbonnet@sos.IN.gov>
Cc: Warycha, Valerie <VWarycha@sos.IN.gov>; Clifton, Brandon <BClifton@sos.IN.gov>
Subject: FW: Request to Hold on Submitting Any Data Until Judge Rules on TRO

From: FN-OVP-Election Integrity Staff [mailto:ElectionIntegrityStaff@ovp.eop.gov]
Sent: Monday, July 10, 2017 9:40 AM
Subject: Request to Hold on Submitting Any Data Until Judge Rules on TRO

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Election Official,

As you may know, the Electronic Privacy Information Center filed a complaint seeking a Temporary Restraining Order ("TRO") in connection with the June 28, 2017 letter sent by Vice Chair Kris Kobach requesting publicly-available voter data. See *Electronic Privacy Information Center v. Presidential Advisory Commission on Election Integrity* filed in the U.S. District Court for the District of Columbia. Until the Judge rules on the TRO, we request that you hold on submitting any data. We will follow up with you with further instructions once the Judge issues her ruling.

Andrew Kossack
Designated Federal Officer
Presidential Advisory Commission on Election Integrity
ElectionIntegrityStaff@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000351

Lawson, Connie (SOS)

From: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Sent: Monday, July 10, 2017 10:04 AM
To: 'Kris Kobach'; [redacted]
Mark Rhodes; von Spakovsky, Hans
Cc: Paoletta, Mark R. EOP/OVP; Morgan, Matthew E. EOP/OVP
Subject: recent email re: data request

Follow Up Flag: Follow up
Flag Status: Flagged

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Members,

Please see the email below, which just went out to state election officials a few minutes ago. As you can see, in light of the recent litigation, we have asked states to hold off on submitting data at this time. Please let me know if you have any questions.

Thanks,
Andrew

Andrew J. Kossack
Associate Counsel
Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

From: FN-OVP-Election Integrity Staff
Sent: Monday, July 10, 2017 9:40 AM
Subject: Request to Hold on Submitting Any Data Until Judge Rules on TRO

Dear Election Official,

As you may know, the Electronic Privacy Information Center filed a complaint seeking a Temporary Restraining Order ("TRO") in connection with the June 28, 2017 letter sent by Vice Chair Kris Kobach requesting publicly-available voter data. See Electronic Privacy Information Center v. Presidential Advisory Commission on Election Integrity filed in the U.S. District Court for the District of Columbia. Until the Judge rules on the TRO, we request that you hold on submitting any data. We will follow up with you with further instructions once the Judge issues her ruling.

Andrew Kossack
Designated Federal Officer
Presidential Advisory Commission on Election Integrity ElectionIntegrityStaff@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000352

Lawson, Connie (SOS)

From: Clifton, Brandon
Sent: Wednesday, June 28, 2017 8:52 AM
To: Lawson, Connie (SOS)
Cc: Warycha, Valerie; Hawkins, Janille (SOS)
Subject: RE: tomorrow's call

Looping in Val and Janille.

From: Connie Lawson [redacted]
Sent: Wednesday, June 28, 2017 8:44 AM
To: Lawson, Connie (SOS) <cwlawson@sos.IN.gov>; Clifton, Brandon <BClifton@sos.IN.gov>
Subject: Fwd: tomorrow's call

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Sent from my iPhone

Begin forwarded message:

From: "Kossack, Andrew J. EOP/OVP" <Andrew.J.Kossack@ovp.eop.gov>
Date: June 27, 2017 at 7:46:00 PM EDT
[redacted]
Cc: "Paoletta, Mark R. EOP/OVP" <Mark.R.Paoletta@ovp.eop.gov>, "Morgan, Matthew E. EOP/OVP" <Matthew.E.Morgan@ovp.eop.gov>
Subject: tomorrow's call

Dear Members,

I just updated the calendar invitation for tomorrow, but wanted to send the call-in information via email as well to ensure you receive it:

Call Procedure: Beginning as early as 11:00am, Signal via the White House Communications Agency **will call you directly on the either of the numbers you provided below**. This process is done to ensure that all conferees are in the conference on time, and line quality is validated before adding the Vice President into the conference last at 11:30 am. If you have any difficulties connecting, please call: [redacted]

	Commission Member	Primary Phone	Secondary Phone
1	Michael R. Pence	[redacted]	

AMERICAN OVERSIGHT

2	Kris Kobach	[redacted]
3	Connie Lawson	
4	Bill Gardner	
5	Matt Dunlap	
6	Ken Blackwell	
7	Christy McCormick	
8	David Dunn	
9	Luis Borunda	
10	Mark Rhodes	

I've attached a copy of the agenda to this email for your convenience as well.

Also attached are two documents related to ethics standards for special government employees. We will discuss these in more detail during the call, but feel free to review them in advance of the call if you are able.

We look forward to speaking with you tomorrow.

Thanks,
Andrew

Andrew J. Kossack
Associate Counsel
Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

17-2361-A-000354

Lawson, Connie (SOS)

From: Connie Lawson [redacted]
Sent: Wednesday, June 28, 2017 8:44 AM
To: Lawson, Connie (SOS); Clifton, Brandon
Subject: Fwd: tomorrow's call
Attachments: Organizational Conference Call 6.28.2017.pdf; ATT00001.htm; oge450 (June 2015) (fillable).pdf; ATT00002.htm; bkServeHonor.pdf; ATT00003.htm

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Sent from my iPhone

Begin forwarded message:

From: "Kossack, Andrew J. EOP/OVP" <Andrew.J.Kossack@ovp.eop.gov>
Date: June 27, 2017 at 7:46:00 PM EDT
[redacted]
Cc: "Paoletta, Mark R. EOP/OVP" <Mark.R.Paoletta@ovp.eop.gov>, "Morgan, Matthew E. EOP/OVP" <Matthew.E.Morgan@ovp.eop.gov>
Subject: tomorrow's call

Dear Members,

I just updated the calendar invitation for tomorrow, but wanted to send the call-in information via email as well to ensure you receive it:

Call Procedure: Beginning as early as 11:00am, Signal via the White House Communications Agency **will call you directly on the either of the numbers you provided below**. This process is done to ensure that all conferees are in the conference on time, and line quality is validated before adding the Vice President into the conference last at 11:30 am. If you have any difficulties connecting, please call: 202-757-6000.

	Commission Member	Primary Phone	Secondary Phone
1	Michael R. Pence	[redacted]	
2	Kris Kobach		
3	Connie Lawson		
4	Bill Gardner		
5	Matt Dunlap		
6	Ken Blackwell		
7	Christy McCormick		
8	David Dunn		

AMERICAN OVERSIGHT

9	Luis Borunda	[redacted]
10	Mark Rhodes	

I've attached a copy of the agenda to this email for your convenience as well.

Also attached are two documents related to ethics standards for special government employees. We will discuss these in more detail during the call, but feel free to review them in advance of the call if you are able.

We look forward to speaking with you tomorrow.

Thanks,
Andrew

Andrew J. Kossack
Associate Counsel
Office of the Vice President
[redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

Record Request

Returned
5-19-2017
JAB

BRENNAN CENTER FOR JUSTICE TWENTY YEARS

at New York University School of Law

Via Certified Mail and Electronic Transmission

May 18, 2017

Jerry Bonnet
Chief Legal Counsel
Office of the Secretary of State
200 West Washington Street
State House Room 201
Indianapolis, IN 46204

Re: Access to Public Records Act Request

Dear Mr. Bonnet:

This is a request by the Brennan Center for Justice under the Access to Public Records Act ("APRA"), Ind. Code § 5-14-3-1, et seq.

I. Background

President Trump issued Executive Order 13799, creating a "Presidential Advisory Commission on Election Integrity" (the "Commission"), supposedly "to promote fair and honest Federal elections." According to the Executive Order, the Commission shall "study the registration and voting processes used in Federal elections… and shall submit a report to the President that identifies… those laws, rules, policies, activities, strategies, and practices" that either "enhance" or "undermine… the American people's confidence in the integrity of the voting processes used in Federal elections;" and "those vulnerabilities in voting systems and practices used for Federal elections that could lead to improper voter registrations and improper voting, including fraudulent voter registrations and fraudulent voting."

Indiana Secretary of State Connie Lawson has been named as a member on the Commission.

II. Formal Request

The Brennan Center for Justice requests:

1. All communications, including but not limited to emails and memoranda, between the Secretary of State of Indiana or any officer, employee or agent of the Secretary of State of Indiana, and any other person regarding the Presidential Advisory Commission on Election Integrity or any

AMERICAN OVERSIGHT

other effort since November 8, 2016 to establish a commission, task force, or committee to study voter fraud or any aspect of the voting system.

2. All communications, including but not limited to emails and memoranda, between the Secretary of State of Indiana or any other officer, employee or agent of the Secretary of State of Indiana with any member of the Presidential Advisory Commission on Election Integrity[1] since November 8, 2016.

3. All documents relating to the Presidential Advisory Commission on Election Integrity or any other effort since November 8, 2016 to establish a commission, task force, or committee to study voter fraud or any aspect of the voting system.

4. All communications, including but not limited to emails and memoranda, made since November 8, 2016, between the Secretary of State of Indiana or other officer, employee or agent of the Secretary of State of Indiana and any officer, employee, or agent of the White House, the U.S. Department of Justice, the U.S. Election Assistance Commission, or the presidential campaign or presidential transition team of Donald Trump, relating to any of the following subjects:

a) Proposed voting-related statutes, regulations, guidelines, and procedures, both at the federal and state levels;

b) Possible amendment, repeal, or other modification of any federal or state voting laws, regulations, guidelines, or procedures; and

c) Any completed, pending, or proposed investigation of alleged state crimes related to voting, elections, voter fraud, double voting, or improper registration.

5. All documents created, sent, or received since November 8, 2016, relating to the possible amendment, repeal, or other modification of the National Voter Registration Act of 1993, the Help America Vote Act of 2002, or the Voting Rights Act of 1965, or the consideration or adoption of any new federal law or regulation relating to voting.

6. All documents created, sent, or received since November 8, 2016, concerning proposed changes to laws, rules, policies, guidelines, and practices in any state other than Indiana relating to voter registration, voter list maintenance, voter ID, and documentary proof of citizenship.

Definitions

As used in this request—

[1] According to a public announcement from the White House, the following individuals are currently members of the Presidential Advisory Commission on Election Integrity: Vice President Mike Pence, Kansas Secretary of State Kris Kobach, Indiana Secretary of State Connie Lawson, New Hampshire Secretary of State William Gardner, Maine Secretary of State Matthew Dunlap, former Ohio Secretary of State J. Kenneth Blackwell, and EAC Commissioner Christy McCormick. The White House, Office of the Press Secretary, President Announces Formation of Bipartisan Presidential Commission on Election Integrity, May 11, 2017, https://www.whitehouse.gov/the-press-office/2017/05/11/president-announces-formation-bipartisan-presidential-commission.

AMERICAN OVERSIGHT

"Collaborative Work Environment" means a platform used to create, edit, review, approve, store, organize, share, and access documents and information by and among authorized users, potentially in diverse locations and with different devices. Collaborative Work Environments include Google Docs sites, Microsoft Sharepoint sites, eRooms, document management systems (e.g., iManage), intranets, web content management systems (CMS) (e.g., Drupal), wikis, and blogs.

"Communications" means disclosure, transfer, or exchange of information or opinion, however made, including any transmission of information by oral, graphic, written, pictorial, electronic, or other perceptible means.

"Documents" means all written, printed, or electronically stored information of any kind in the possession, custody, or control of the Secretary of State of Indiana, including information stored on social media accounts like Twitter or Facebook, chats, instant messages, and documents contained in Collaborative Work Environments and other document databases. The term includes agreements; letters; telegrams; inter-office communications; memoranda; reports; records; instructions; notes; notebooks; diaries; plans; diagrams; photographs; photocopies; charts; descriptions; drafts, whether or not they resulted in a final document; agendas and minutes of meetings, conferences, and telephone or other conversations or communications; recordings; published or unpublished speeches or articles; publications; transcripts of telephone conversations; phone mail; electronic-mail; and computer print-outs.

"Including" means including, but not limited to.

"Presidential Advisory Commission on Election Integrity" means the commission created pursuant to Executive Order 13799, on "Establishment of Presidential Advisory Commission on Election Integrity," signed by President Donald Trump on May 11, 2017, or any effort to establish any task force or commission, whether through a government agency or not, to investigate voter fraud, vote suppression, or any other aspect of the voting system.

Where possible, we request that responsive electronic records be provided electronically, in a text-searchable, static-image (PDF) format (in the best image quality available to the agency).

III. <u>Response Requested in Seven Business Days</u>

Your attention to this request is appreciated, and we will anticipate your response regarding our request for within seven (7) business days. We also request that, if the requested records are not granted in the response, you provide us with an estimated completion date and explanation of the timing.

If the request is denied in whole or in part, please cite each specific exemption in the APRA you feel justifies the refusal to release the information. We expect the release of all segregable portions of otherwise exempt material. We reserve the right to file an action to compel the disclosure of any requested records that are withheld.

The Brennan Center expects that no fee will be charged to inspect a public record or to search for, examine, or review a record to determine whether the record may be disclosed. Ind. Code § 5-14-3-8(b). The Brennan Center also requests a waiver of all fees associated with copying the public records associated with this request, as within your discretion. Ind. Code § 5-14-3-8(c) (providing that a public agency "may not collect *more than* the uniform copying fee for providing a copy of a

AMERICAN OVERSIGHT

public record") (emphasis added). We plan to analyze, publish, and publicly disseminate information obtained from this request. The requested records are sought in the public interest and are not sought for commercial purposes. The requested records will be disclosed to the public at no cost. The Brennan Center agrees to pay all necessary costs up to the amount of $500.00. Please contact us if you expect that the costs will exceed that amount.

Please furnish all applicable records to:

Wendy R. Weiser
Director, Democracy Program
Brennan Center for Justice at NYU School of Law
120 Broadway, Suite 1750
New York, NY 10271
wendy.weiser@nyu.edu
www.brennancenter.org

Should you have any questions regarding this request, please contact us at your earliest convenience at the address above, by telephone at (646) 292-8310, or by e-mail at lopezt@brennan.law.nyu.edu.

Sincerely,

Wendy Weiser, Director
Adam Gitlin, Counsel
Tomas Lopez, Counsel
Democracy Program
Brennan Center for Justice at NYU School of Law
120 Broadway, Suite 1750
New York, New York 10271

AMERICAN OVERSIGHT

111-109

Second Request

Rec'd - 5-22-2017 JB

American Civil Liberties Union of Indiana

May 18, 2017

SENT VIA CERTIFIED MAIL

The Honorable Connie Lawson
Office of the Indiana Secretary of State
200 W. Washington St., Room 201
Indianapolis, IN 46204

Re: Public Records Request Regarding Presidential Advisory Commission on Election Integrity

Dear Ms. Lawson:

This is a request for public records pursuant to Indiana's Access to Public Records Act, Indiana Code 5-14-3-1 *et seq.*, by the American Civil Liberties Union of Indiana (ACLU) for public records regarding your appointment to the Presidential Advisory Commission on Election Integrity.

Below are the specific requests. Please note that they include any communications between (i) any member of the Office of the Indiana Secretary of State and (ii) any member of the federal Executive Branch, the presidential transition, the President's staff, the Vice President's staff, the Presidential Advisory Commission on Election Integrity, and/or the staff of Presidential Advisory Commission on Election Integrity.

1. All documents and internal/external communications—including but not limited to emails, letters, and texts—concerning the Presidential Advisory Commission on Election Integrity described in the President's May 11, 2017 Executive Order, and Secretary of State Connie Lawson's membership on this Commission.

2. All documents and internal/external communications—including but not limited to emails, letters, and texts—concerning changes or potential changes to any rules, regulations, guidance, or guidelines contemplated in connection with the Presidential Advisory Commission on Election Integrity.

3. All documents and internal/external communications—including but not limited to emails, letters, and texts—concerning allegations of improper voter registration, improper voting, fraudulent voter registration, and/or fraudulent voting, as those terms are defined in the President's May 11, 2017 Executive Order, in the November 2016 General Election.

Price Building * 1031 East Washington Street * Indianapolis, Indiana 46202-3952
Telephone 317/635-4059 ext. 107 * FAX: 317/635-4105 * E-Mail jmensz@aclu-in.org

AMERICAN OVERSIGHT

4. Legal opinions, memoranda, findings, factual evidence, studies, audits or advisories concerning allegations of improper voter registration, improper voting, fraudulent voter registration, and/or fraudulent voting, as those terms are defined in the President's May 11, 2017 Executive Order, in the November 2016 General Election.

5. Proposed findings, recommendations, policies, and/or draft legislation for enhancing "election integrity" or promoting "confidence in the integrity of the voting processes" in connection with the Presidential Advisory Commission on Election Integrity.

In accordance with Indiana Code 5-14-3-3(b), we look forward to receiving a response to this request within **15 working days** of receipt.

The ACLU requests a waiver of all fees and costs arising from this request. The ACLU is a non-profit tax-exempt organization dedicated to the protection of civil liberties and constitutional rights of all people. The ACLU serves an important public education function, regularly disseminating information of interest to the public through newsletters, news briefings, right-to-know brochures, and other public education materials. If you challenge our entitlement to a waiver of fees, and if incurred fees will exceed $100.00, please contact me before the charges are incurred.

Sincerely,

Jan P. Mensz
Attorney at Law

Enclosure

Price Building * 1031 East Washington Street * Indianapolis, Indiana 46202-3952
Telephone 317/635-4059 ext. 107 * FAX: 317/635-4105 * E-Mail jmensz@aclu-in.org

AMERICAN OVERSIGHT

SECRETARY OF STATE
STATE OF INDIANA
200 W. WASHINGTON STREET, INDIANAPOLIS, IN 46204
WWW.SOS.IN.GOV

5/19/2017

Wendy Weiser, Director
Democracy Program
Brennan Center for Justice an NYU School of Law
120 Broadway, Suite 1750
New York, NY 10271

Re: Record request

Dear Ms. Weiser,

I am writing on behalf of the office of the Indiana Secretary of State to acknowledge receipt of your request for viewing and copying public records dated May 18, 2017.

Agency staff will begin searching for records described in your correspondence. You will be contacted when records have been located. Arrangements for viewing, copying and shipping if necessary can be made at that time. At this time I cannot provide an estimate of how long it will take to conduct a search for the records you are requesting.

Truly yours,

Jerrold A. Bonnet, General Counsel
Office of the Indiana Secretary of State

AMERICAN OVERSIGHT

SECRETARY OF STATE
STATE OF INDIANA
200 W. WASHINGTON STREET, INDIANAPOLIS, IN 46204
WWW.SOS.IN.GOV

5/22/2017

Jan P. Mensz, Esq.
American Civil Liberties Union of Indiana
1031 E. Washington St.
Indianapolis, IN 46202-3952

Re: Record request

Dear Ms. Mensz,

I am writing on behalf of the office of the Indiana Secretary of State to acknowledge receipt of your request for viewing and copying public records dated May 18, 2017.

Agency staff will begin searching for records described in your correspondence. You will be contacted when records have been located. Arrangements for viewing, copying and shipping if necessary can be made at that time. At this time I cannot provide an estimate of how long it will take to conduct a search for the records you are requesting.

Truly yours,

Jerrold A. Bonnet, General Counsel
Office of the Indiana Secretary of State

AMERICAN OVERSIGHT

Presidential Advisory Commission on Election Integrity

June 28, 2017

The Honorable Connie Lawson
Secretary of State
200 W. Washington St., Room 201
Indianapolis, IN 46204

Dear Secretary Lawson,

I serve as the Vice Chair for the Presidential Advisory Commission on Election Integrity ("Commission"), which was formed pursuant to Executive Order 13799 of May 11, 2017. The Commission is charged with studying the registration and voting processes used in federal elections and submitting a report to the President of the United States that identifies laws, rules, policies, activities, strategies, and practices that enhance or undermine the American people's confidence in the integrity of federal elections processes.

As the Commission begins it work, I invite you to contribute your views and recommendations throughout this process. In particular:

1. What changes, if any, to federal election laws would you recommend to enhance the integrity of federal elections?
2. How can the Commission support state and local election administrators with regard to information technology security and vulnerabilities?
3. What laws, policies, or other issues hinder your ability to ensure the integrity of elections you administer?
4. What evidence or information do you have regarding instances of voter fraud or registration fraud in your state?
5. What convictions for election-related crimes have occurred in your state since the November 2000 federal election?
6. What recommendations do you have for preventing voter intimidation or disenfranchisement?
7. What other issues do you believe the Commission should consider?

In addition, in order for the Commission to fully analyze vulnerabilities and issues related to voter registration and voting, I am requesting that you provide to the Commission the publicly-available voter roll data for Indiana, including, if publicly available under the laws of your state, the full first and last names of all registrants, middle names or initials if available, addresses, dates of birth, political party (if recorded in your state), last four digits of social security number

AMERICAN OVERSIGHT

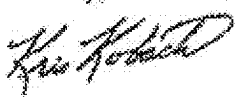
if available, voter history (elections voted in) from 2006 onward, active/inactive status, cancelled status, information regarding any felony convictions, information regarding voter registration in another state, information regarding military status, and overseas citizen information.

You may submit your responses electronically to ElectionIntegrityStaff@ovp.eop.gov or by utilizing the Safe Access File Exchange ("SAFE"), which is a secure FTP site the federal government uses for transferring large data files. You can access the SAFE site at https://safe.amrdec.army.mil/safe/Welcome.aspx. We would appreciate a response by July 14, 2017. Please be aware that any documents that are submitted to the full Commission will also be made available to the public. If you have any questions, please contact Commission staff at the same email address.

On behalf of my fellow commissioners, I also want to acknowledge your important leadership role in administering the elections within your state and the importance of state-level authority in our federalist system. It is crucial for the Commission to consider your input as it collects data and identifies areas of opportunity to increase the integrity of our election systems.

I look forward to hearing from you and working with you in the months ahead.

Sincerely,



Kris W. Kobach
Vice Chair
Presidential Advisory Commission on Election Integrity

AMERICAN OVERSIGHT

SECRETARY OF STATE
STATE OF INDIANA
200 W. WASHINGTON STREET, INDIANAPOLIS, IN 46204
WWW.SOS.IN.GOV

August 4, 2017

Secretary Kris Kobach, Vice Chair
Presidential Advisory Commission on Election Integrity
The White House
1600 Pennsylvania Avenue NW
Washington DC 20500

Re: Views and recommendations for the Advisory Commission on Election Integrity

Dear Secretary Kobach,

Thank you for your letter of June 28th inviting members of the Presidential Advisory Commission on Election Integrity to provide their views and recommendations for the Commission. I am pleased to provide the enclosed responses to your inquiries.

The Commission's request for Indiana's voter registration list data is acknowledged. However, in that the Indiana Secretary of State is not the official custodian and administrator of the state's voter registration list, a detailed response to that request is being provided separately.

In my capacity as Chief Election Officer for the State of Indiana and President of the National Association of Secretaries of State ("NASS"), I look forward to participating in the Commission's work. Your work, and that of fellow commission members and staff, is highly commendable.

Truly yours,

Connie Lawson

Connie Lawson
Indiana Secretary of State

AMERICAN OVERSIGHT

Indiana Secretary of State, Connie Lawson, Presidential Advisory Commission on Election Integrity, response to Vice Chair Kris Kobach's request for views and recommendations from commission members as follows:

1. **What changes, if any, to federal elections laws would you recommend to enhance the integrity of federal elections?**

   a) *Federal agencies such as Social Security Administration, Department of Health and Human Services and Department of Homeland Security should provide information to assist states with voter registration and maintaining accurate voter lists.*[1]

   b) *In the interest of preventing domestic violence, human trafficking and other crimes, federal agencies should be required to recognize state's address confidentiality programs.*[2]

   c) *State voter list maintenance procedures mandated by the National Voter Registration Act ("NVRA"), 52 U.S.C. § 20501 et seq. and Help America Vote Act ("HAVA"), 52 U.S. C. § 20901 et seq. are often the subject of litigation, which undermines public confidence and should be clarified.*

2. **How can the Commission support state and local election administrators with regard to information technology security and vulnerabilities?**

   a) *Federal agencies should recognize, and not challenge state's Constitutional authority and autonomy to regulate the manner of administration of federal, state and local elections.*[3]

   b) *Public confidence in government, election administration and election outcomes, is of paramount importance. During the 2016 Elections DHS responded to classified intelligence and concerns about election cybersecurity with reports and messaging (directed to state election officials and the public) which was at times discordant, unresolved, alarming and unsettling. To quote the "Federal Election Playbook":*

> The DHS Office of Public Affairs, in coordination with DOJ, FBI, and ODNI will develop integrated public relations guidance that seeks to ***maintain public confidence in the electoral system*** in response to reports of cyber incidents impacting election infrastructure… This messaging includes private interactions with affected entities, including their leadership. These public statements should be developed to avoid ***inadvertently calling into doubt the integrity of the voting process*** and to avoid negative impacts to voter turnout.[4]

---

[1] See NASS Resolution Calling for Federal Agency Assistance in Maintaining Accurate and Comprehensive State Voter Registration Lists adopted July 10, 2017. **Attachment A.**

[2] See NASS Resolution Calling for the Federal Government to Recognize State Address Confidentiality Programs adopted July 10, 2017. **Attachment B.**

[3] See NASS Resolution Reaffirming Commitment to Strengthening Elections adopted July 10, 2017. **Attachment C.**

[4] Election Infrastructure Preparedness and Response Planning Group Concept of Operations. See: https://jointhemistoinfluence.files.wordpress.com/2017/07/russia-hacking-president-obama-s-previously-undisclosed-election-day-plan.pdf

AMERICAN OVERSIGHT

c) *Federal intelligence gathering and cybersecurity agencies should be encouraged to become familiar with, work within, and work in support of, established election administration and cybersecurity infrastructure and organizational units.*

3. **What laws, policies, or other issues hinder your ability to ensure the integrity of elections you administer?**

a) *There has been a considerable lack of communication and cooperation from the DHS on several issues, chief of which are statewide voter registration system security and the designation of election systems as critical infrastructure.*

b) *DHS handling of information and communications concerning election cybersecurity has been unhelpful to Secretaries of State and served to undermine public confidence in the administration and outcomes of the elections.*[5]

c) *DHS's designation of election systems as critical infrastructure in January 2017 occurred in direct contradiction to the wishes of Secretaries of State from around the nation, was made prior to careful analysis of the scope, breadth and implications of the designation and with little input from state-level officials directly and legally responsible for the infrastructure. DHS' action represents unnecessary federal overreach on an issue where authority is clearly vested in the states.*

d) *After more than a year of conversation and 6 months since DHS's unilateral critical infrastructure designation no Secretary of State has received appropriate security clearance from DHS to access its election cybersecurity threat information.*

e) *Secretaries of State continue to learn about this issue through the media rather than DHS. It is our hope that DHS will listen to our concerns and will begin communicating directly with us on matters of cybersecurity and election systems.*

4. **What evidence or information do you have regarding instances of voter fraud or registration fraud in your state?**

a) Indianapolis, Indiana, June 2017; *56 county investigation results in fraudulent voter registration charges; temporary workers employed by political action committee charged with registering felon, non U.S. citizens to vote in 2016 General Election.*[6]

---

[5] In the months prior to the November 2016 General Election Secretaries of State repeatedly sought actionable information regarding state elections, and were repeatedly told by DHS officials that they were "not aware of any specific or credible cybersecurity threats relating to the upcoming general elections systems." At another point DHS stated that if a election related cybersecurity attack is detected or data is breached, the agency will inform the "owner" of the data, rather than the state election official responsible for election administration. As yet a later date, closer to the November, 2017 General Election, DHS allowed information about election system threats and its views to be made public without first consulting effected Secretaries of State. DHS confirmed reports that some, not specifically identified, state election systems had been breached, but would not provide details to election officials in unaffected states or to the public. This was concerning and unsettling to the public and allowed the integrity of all state's election systems to be questioned.

[6] https://www.usnews.com/news/best-states/indiana/articles/2017-06-09/canvassers-charged-in-fake-fraudulent-voter-registrations.

AMERICAN OVERSIGHT

b) Terre Haute, Indiana, October 2015; *Federal Grand Jury indicts county council member on three counts of election fraud.* [7]

c) North Vernon, Indiana, April 2013; *Campaign worker sentenced for 3 counts of felony vote fraud* [8]

d) South Bend, Indiana, April, 2013; *Political party officials convicted of felony candidate nomination petition fraud conspiracy.*[9]

e) Muncie, Indiana, May 2010; *Jury finds city council member guilty of five felony vote fraud charges.* [10]

f) East Chicago, Indiana, September 2006; *53 people charged with 200 vote fraud felonies.* [11]

** This list is not exhaustive and is intended as a representative sample.*

5. **What convictions for election-related crimes have occurred in your state since the November 2000 federal election?**

   a) See responses to question No. 4 above.

6. **What recommendations do you have for preventing voter intimidation or disenfranchisement?**

   a) The terms "voter intimidation" and "disenfranchisement" are often used subjectively and with political pretext. Definitive, agreed upon definitions for these terms need to be arrived at before meaningful action items can be developed. [12]

   b) U.S. Postal Service handling of official election materials (i.e, absentee ballot applications and ballots, voter address confirmation mailings etc.) should be improved. [13]

---

[7] http://www.tribstar.com/news/local_news/fed-grand-jury-indicts-sullivan-councilman/article_1fe8b7e0-700b-5768-ab81-de20272d33e9.html.

[8] http://www.newsandtribune.com/news/clark_county/campaign-worker-sentenced-for-vote-fraud/article_8e2a644b-f1fd-5b11-9103-287f1aad4303.html.

[9] http://articles.southbendtribune.com/2013-04-25/news/38825647_1_morgan-and-olivhe-stanley-levco-bev-shelton.

[10] http://www.wibc.com/article/muncie-city-council-member-guilty-of-felony-charges.

[11] http://www.nwitimes.com/news/local/east-chicago-employees-charged-with-vote-fraud/article_1f296488-8c6d-5fd7-8616-d27595da6b4d.html.

[12] For example: voters have received campaign and PAC "report-card" mailers allegedly comparing their voting history with that of their neighbors – is this intimidation or just in poor taste? Also, some voting rights organizations label *any* type of state or county voter list maintenance as voter disenfranchisement.

[13] An Indiana County Clerk recently explained that county mail is routed through a municipality 90 miles away, often resulting in delays. For absentee ballots or last-minute requests, this presents an issue for voters as their ballots may arrive a day too late, even when they postmarked it in time. Several states promote the idea of mail-only elections, but this is not possible in areas with unpredictable or unreliable postal service.

AMERICAN OVERSIGHT

c) *Provide for greater voter outreach, through funding and/or incentives for such programs.*[14]

7. **What other issues do you believe the Commission should consider?**

a) *The Commission ought to encourage election innovation through the introduction and proliferation of vote centers, which offer voters options and flexibility. Vote Centers also improve efficiency, offer cost savings and increase voter turnout.*[15] [16]

b) *Early, in-person, no excuse absentee voting. The Commission might also study no-excuse-needed absentee ballot requests for all early ballots, whether in-person or traditional absentee.*

c) *Access to polls for disabled persons.*

[14] Indiana has seen positive returns on our limited voter outreach campaigns, and it is one of the best ways to educate people about their rights as voters (ballot requests, poll accessibility, fraud reporting, etc.) Funding is very limited and some states do not have the resources to engage in any voter outreach, leaving the task to political parties or PACs, which may not communicate information to all voters OR may provide incorrect information.

[15] Flexibility: voters can vote wherever is most convenient throughout the day. Cost-savings: counties can consolidate polling locations and hire fewer workers to staff the polls. Efficiency: election offices are not required to spend as much time searching for poll workers, and there are fewer locations to keep tabs on during Election Day. See http://www.in.gov/sos/elections/3574.htm and *Indiana 2013 Vote Center Report*: http://www.in.gov/sos/elections/files/IN_Secretary_of_State_Vote_Center_Report.pdf

[16] Robert M. Stein and Greg Vonnahme, "Engaging the Unengaged Voter: Vote Centers and Voter Turnout," *The Journal of Politics* 70, no. 2 (April 2008): 487-497. https://doi.org/10.1017/S0022381608080456

AMERICAN OVERSIGHT

17-2361-A-000371

SECRETARY OF STATE
STATE OF INDIANA
200 W. WASHINGTON STREET, INDIANAPOLIS, IN 46204
WWW.SOS.IN.GOV

August 4, 2017

Secretary Kris Kobach, Vice Chair
Presidential Advisory Commission on Election Integrity
The White House
1600 Pennsylvania Avenue NW
Washington DC 20500

Re: Request for voter registration information

Dear Secretary Kobach,

I am writing in response to your recent correspondence on behalf of the Presidential Advisory Commission on Election Integrity by which the Indiana Secretary of State was asked to provide such voter roll information for Indiana as is available to the public. In Indiana, public access to statewide voter registration information is governed by Indiana Code 3-7-26.3 et seq. and Indiana Code 3-7-26.4 et seq.

Pursuant to Indiana law, limited statewide voter registration data is available to the public; however the Indiana Secretary of State is not the custodian or administrator of statewide voter registration records. Indiana's statewide voter registration database is administered by the ***Indiana Election Division***, which is the state agency authorized to receive and respond to public access requests.

The Indiana Election Division has prescribed a request and user agreement, the IEC-3 form, for use in requesting publicly available state wide voter registration information. A copy of the IEC-3 form is enclosed. A request for a copy of Indiana's statewide voter registration list must be addressed to the Indiana Election Division on a fully completed and signed IEC-3 form. Mailing instructions are included on the form.

Truly yours,

Jerold A. Bonnet, General Counsel
Office of the Indiana Secretary of State

Enc.

AMERICAN OVERSIGHT

INDIANA

AGREEMENT TO OBTAIN VOTER REGISTRATION DATA FROM STATEWIDE VOTER REGISTRATION SYSTEM (SVRS)

(IEC-3)

State Form 46551 (R7 / 5-14)
Indiana Election Commission (IC 3-7-26.4-6)

INSTRUCTIONS: Mail / Bring the signed original of this completed form to: Indiana Election Division, 302 W. Washington St., Room E204, Indianapolis, IN 46204.

I request a copy of the Statewide Voter Registration Computerized List in accordance with Indiana Code 3-7-26.4.

I understand that:

1. The state file only contains data from those counties which have made submissions in accordance with IC 3-7-26.3 and does not contain data from other sources.
2. I will receive a restricted copy of the most recent submission by the counties to the Indiana Election Division. I understand that I will not receive date of birth, gender, telephone number, voting history, a voter's identification number or other unique field established to identify a voter, or the date of registration of the voter. (IC 3-7-26.4-8)
3. There is no charge to receive a restricted version of this data.
4. The Indiana Election Division cannot warrant the accuracy or completeness of the data provided by the counties.

I agree that:

1. I will not use this data to solicit merchandise, goods, services, or subscriptions.
2. I will not sell, loan, give away or otherwise deliver to any other person (as defined by IC 5-14-3-2) for a purpose other than political activities or political fund-raising activities.

Signature of Applicant / Printed Name	Address or Contact Information	Date (month, day, year)

☐ Approved ☐ Denied by Co-Directors of the Indiana Election Division | Date (month, day, year)

Signature of Co-Director	Signature of Co-Director

AMERICAN OVERSIGHT

Bonnet, Jerry (SOS)

From:	Bonnet, Jerry (SOS)
Sent:	Wednesday, August 23, 2017 3:09 PM
To:	ccassidy@ap.org
Subject:	FW: Indiana Secretary of State - Presidential Advisory Commision on Election Integrity - response to requests for views and recommendations (6/28/2017 correspondence)
Attachments:	Indiana Secretary of State - Views and recommendations for the Advisory Commission on Election Integrity (2).pdf; IEC-3 Indiana Agreement to Obtain Voter Registration Data.pdf; 2017 PACEI Response to request for Indiana voter roll information FINAL 8-4-17.pdf

Christina,

I'm writing to acknowledge receipt of your request for public records concerning the Presidential Advisory Commission on Election Integrity as detailed in your correspondence dated 8/23/17.

Attached are three records that I have at hand.

Staff will search for the records described and contact you to make arrangements for inspection and copying if such records are located.

Truly yours,

Jerold A. Bonnet, General Counsel
Office of the Indiana Secretary of State

AMERICAN OVERSIGHT

Aug. 23, 2017

Sent by email to jbonnet@sos.in.gov

Jerold A. Bonnet
General Counsel
Office of the Secretary of State
200 West Washington Street
State House Room 201
Indianapolis, IN 46204
Office: 317-232-6534

Dear Mr. Bonnet:

This is a request under the Indiana Access to Public Records Act, Ind. Code § 5-14-3 (the "Act"), and under the common law right of access. I am making this request in my capacity as a full-time journalist with The Associated Press.

Pursuant to the Act, I am requesting a copy of the following public records:

1. All communications and documents either generated by Indiana Secretary of State Connie Lawson or sent to Ms. Lawson from members and/or staff of the Presidential Advisory Commission on Election Integrity related to the Presidential Advisory Commission on Election Integrity's request for state voter records/data, through the date of this request (Aug. 23, 2017).
2. All communications and documents either sent by Ms. Lawson to members and/or staff of the Presidential Advisory Commission on Election Integrity or sent to Ms. Lawson from members and/or staff of the Presidential Advisory Commission on Election Integrity that include any mention of any of the following words or phrases, or those similar in meaning: "fraud;" "proof of citizenship;" "noncitizen;" "alien;" "illegal," "illegal immigrant," "voter ID;" "Interstate Voter Registration Crosscheck;" "crosscheck;" "IVRC;" "Electronic Registration Information Center;" "ERIC;" "purge;" "list maintenance;" "Trump," "popular vote;" "California."
3. All communications and documents sent by the Secretary of State's Office to the Presidential Advisory Commission on Election Integrity in response to the commission's June 28 and July 26 letters, specifically excluding any state voter files/data received by the commission.

This request includes, but is not limited to, any and all documents, notes, correspondence or memoranda, in whatever tangible or physical form, that relate to the requested records.

I would like to receive the information in electronic format, preferably by email to ccassidy@ap.org.

I ask that you waive any and all fees associated with this request. I am making the request as an AP reporter and this request is made as part of newsgathering. Release of the

AMERICAN OVERSIGHT

information will primarily benefit the general public because it will contribute significantly to the public understanding of the commission's activities. If you deny this request for a fee waiver, please advise me in advance of the estimated charges if they are to exceed $50.

If this request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the Act, and inform me of appeals procedures available to me under the law. I also expect you to release all segregable portions of otherwise exempt material. I reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

Under the Act, this request must be acted upon as soon as possible, but in no event later than seven (7) days following receipt of this letter. Ind. Code § 5-14-3-9.

As I am making this request as a journalist and the information is of timely value, I would appreciate your communicating with me by telephone (404) 326-8407 or e-mail ccassidy@ap.org, rather than by mail, if you have questions regarding this request

I would appreciate your handling this request as quickly as possible, and I look forward to hearing from you.

Thank you for your assistance.

Sincerely,

Christina Almeida Cassidy
Reporter, Associated Press
(404) 326-8407
ccassidy@ap.org

AMERICAN OVERSIGHT

Record Request

From: SOS Constituent Services - Email for web page
Sent: Thursday, September 07, 2017 10:42 AM
To: Hudson Munoz
Cc: Bonnet, Jerry (SOS)
Subject: RE: Access to Public Records Act Request

Dear Mr. Munoz,

I am sending this email on behalf of the office of the Indiana Secretary of State to acknowledge receipt of a request for examination and copying of agency records.

Our legal counsel, Jerry Bonnet, will be reviewing your request and coordinating efforts to locate pertinent records which are available for public access. At this time, I am unable to estimate how long a search for records requested may take. Staff will contact you to make arrangements for inspection and copying.

Sincerely,

Ian Hauer
Deputy Communications Director
Indiana Secretary of State
200 W. Washington St.
Indianapolis, IN 46204

From: Hudson Munoz [mailto:hudson.munoz@gmail.com]
Sent: Wednesday, September 06, 2017 6:19 PM
To: SOS Constituent Services - Email for web page <constituent@sos.IN.gov>
Subject: Access to Public Records Act Request

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Office of the Indiana Secretary of State

200 W. Washington St., Room 201

Indianapolis, IN 46204

Submitted via email: constituent@sos.IN.gov

Under the Indiana Access to Public Records Act, I am requesting an opportunity to inspect or obtain copies of public records pertaining to Secretary Connie Lawson's participation in the President's Advisory Commission on Election Integrity ("Commission".) This request has two components:

AMERICAN OVERSIGHT

- Communications between Connie Lawson (Secretary of State of Indiana) and her staff, and Kris Kobach (Secretary of State of Kansas), Bill Gardner (Secretary of State of New Hampshire), Matthew Dunlap (Secretary of State of Maine), Mark Rhodes (Clerk of Wood County, West Virginia), Alan King, Probate Judge (Jefferson County, Alabama), Ken Blackwell (Former Secretary of State of Ohio), David Dunn (Former Arkansas State Representative), Christy McCormick (Commissioner, Election Assistance Commission), Hans von Spakovsky (The Heritage Foundation), J. Christian Adams (Public Interest Legal Foundation) about or mentioning the President's Advisory Commission on Election Integrity.

- Communications sent to and from members of the Commission and Commission staff including meeting agendas, post-meeting summaries, messaging guidance, frequently asked questions, responses to requests for information, or progress reports.

For the purposes of this request, communications including, but is not limited to, email correspondences, physical mail, memoranda, reports, presentations, briefing materials, text messages, and internal electronic messages.

The Commission appears to be using ElectionIntegrityStaff@ovp.eop.gov for email correspondence. That said, recent court documents in *Lawyers Committee for Civil Rights Under Law v. Presidential Advisory Commission on Election Integrity* allege that Commission members use personal email addresses to communication about the Commission. As such, a thorough search for responsive records includes a search of personal email for records of communications about agency business.

Please alert me if you expect the cost of filling this request to exceed $250. The Indiana Access to Public Records Act requires a response time within seven business days. If access to the records I am requesting will take longer than that time, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any part of this request, please cite each specific Indiana Access to Public Records Act exemption used to justify the withholding, and notify me of the appeal procedures available to me under the law.

My address for physical correspondence is PO Box 34614, Washington, DC, 20043. My email address is Hudson.munoz@gmail.com, and my phone number is (202) 748-2309.

Thank you for considering my request.

AMERICAN OVERSIGHT

BRENNAN
CENTER
FOR JUSTICE
TWENTY
YEARS

at New York University School of Law

Via Certified Mail and Electronic Transmission

September 6, 2017

Jerry Bonnet
Chief Legal Counsel
Office of the Secretary of State
200 West Washington Street
State House Room 201
Indianapolis, IN 46204

Re: Access to Public Records Act Request

Dear Mr. Bonnet:

This is the second request by the Brennan Center for Justice under the Access to Public Records Act ("APRA"), Ind. Code § 5-14-3-1, et seq., for information relating to the Presidential Advisory Commission on Election Integrity (the "Commission").

I. Background

On May 11, 2017, President Trump issued Executive Order 13799, creating a "Presidential Advisory Commission on Election Integrity," supposedly "to promote fair and honest Federal elections." According to the Executive Order, the Commission shall "study the registration and voting processes used in Federal elections… and shall submit a report to the President that identifies… those laws, rules, policies, activities, strategies, and practices" that either "enhance" or "undermine… the American people's confidence in the integrity of the voting processes used in Federal elections; and "those vulnerabilities in voting systems and practices used for Federal elections that could lead to improper voter registrations and improper voting, including fraudulent voter registrations and fraudulent voting." Vice President Mike Pence, former Indiana Governor, is chair of the Commission, and Indiana Secretary of State Connie Lawson is a member.

On May 18, 2017, the Brennan Center for Justice at NYU School of Law submitted an APRA request to the Indiana Secretary of State. On May 19, 2017, the Indiana Secretary of State provided a letter acknowledging the request.

On June 28, 2017, Kansas Secretary of State Kris Kobach, the Commission's vice chair, sent letters to chief state election officials requesting they submit "publicly-available data from state voter

AMERICAN OVERSIGHT

rolls and feedback on how to improve election integrity" by July 14. The Commission explained that "any documents that are submitted to the full Commission will also be made available to the public." Civic groups challenged the Commission's requests in court,[1] and the Commission subsequently asked states to hold off submitting data pending a court ruling.[2] On June 30, 2017, Secretary Lawson said that Indiana would provide the Commission with information "available to the public," described as "name, address, and congressional district assignment."[3] On July 26, 2017, Secretary Kobach sent follow-up letters to chief state election officials renewing the Commission's initial request. The Brennan Center for Justice is counsel opposing the Indiana Secretary of State in a separate matter concerning the Commission's request for voter data.

The Commission held its first meeting on July 19, 2017. At that meeting, the Commission compiled and later circulated a list of potential topics to address in its work, including "accuracy of voter rolls," "fraudulent or improper voting," and "cybersecurity regarding state voter databases."[4] The Commission has scheduled its next meeting for September 12, 2017.

II. Formal Request

The Brennan Center for Justice requests:

1. All communications and documents subject to the Initial Request created, dated, identified, or modified subsequent to any search previously undertaken by the Indiana Secretary of State in response to the Initial Request.

2. All communications and documents concerning the Presidential Advisory Commission on Election Integrity, including but not limited to communications and documents regarding:

a) the requests for narrative responses and voter file data sent by the Commission on or around June 28, 2017 and July 26, 2017, and any responses thereto;

b) the selection of members of the Commission, including but not limited to selection criteria;

c) the Commission's potential policy and practice recommendations;

d) the Commission's July 19, 2017 meeting and upcoming meetings, including but not limited to communications and documents concerning meeting agendas, staffing, locations, and budgets and any notes or transcripts of meeting proceedings.

---

[1] *Legal Actions Taken Against Trump's "Voter Fraud" Commission*, Brennan Center for Justice (updated July 21, 2017), https://www.brennancenter.org/legal-actions-taken-against-trump%E2%80%99s-%E2%80%9Cvoter%E2%80%9D-commission.

[2] Spencer S. Hsu, *Trump voting panel tells states to hold off sending data while court weighs privacy impact*, WASH. POST, July 10, 2017, http://www.s2tBvxSS?ui=2&ik=ss_mail&jsver=_f2ee56635876.

[3] "Secretary of State Connie Lawson's statement regarding the request for voter information," Indiana Secretary of State, June 30, 2017, http://www.in.gov/activecalendar/EventList.aspx?view=EventDetails&eventid=265820&information_id=270342&type=&syndicate=syndicate.

[4] "Possible Topics for Commission to Address," Presidential Advisory Commission on Election Integrity, https://www.whitehouse.gov/sites/whitehouse.gov/files/docs/PACEI-Vice-Chair-Kobach-Possible-Topics-Commission-Address.pdf.

AMERICAN OVERSIGHT

e) the Commission's research or investigatory activities, including but not limited to communications and documents concerning the Commission's research methodologies, identification of experts, consultation with experts, and materials reviewed in connection with the Commission's research and investigatory activities.

3. All communications and documents describing the processing of this request, including records sufficient to identify search terms used and locations and custodians searched, and any tracking sheets used to track the processing of this request. If the Indiana Secretary of State uses questionnaires or certifications completed by individual custodians or components to determine whether they possess responsive materials or to describe how they conducted searches, we also request any such records prepared in connection with the processing of this request.

This request encompasses all communications and documents on the above topics, regardless of whether the communications or documents are within the scope of the Secretary of State's official duties.

Definitions

As used in this request—

"Collaborative Work Environment" means a platform used to create, edit, review, approve, store, organize, share, and access documents and information by and among authorized users, potentially in diverse locations and with different devices. Collaborative Work Environments include Google Docs sites, Microsoft Sharepoint sites, eRooms, document management systems (e.g., iManage), intranets, web content management systems (CMS) (e.g., Drupal), wikis, and blogs.

"Communications" means disclosure, transfer, or exchange of information or opinion, however made, including any transmission of information by oral, graphic, written, pictorial, electronic, or other perceptible means.

"Documents" means all written, printed, or electronically stored information of any kind in the possession, custody, or control of the Indiana Secretary of State, including information stored on social media accounts like Twitter or Facebook, chats, instant messages, and documents contained in Collaborative Work Environments and other document databases. The term includes agreements; letters; telegrams; inter-office communications; memoranda; reports; records; instructions; notes; notebooks; diaries; plans; diagrams; photographs; photocopies; charts; descriptions; drafts, whether or not they resulted in a final document; agendas and minutes of meetings, conferences, and telephone or other conversations or communications; recordings; published or unpublished speeches or articles; publications; transcripts of telephone conversations; phone mail; electronic-mail; and computer print-outs.

"Presidential Advisory Commission on Election Integrity" means the commission created pursuant to Executive Order 13799, on "Establishment of Presidential Advisory Commission on Election Integrity," signed by President Donald Trump on May 11, 2017, or any effort to establish any task force or commission, whether through a government agency or not, to investigate voter fraud, vote suppression, or any other aspect of the voting system.

Where possible, we request that responsive electronic records be provided electronically, in a text-searchable, static-image (PDF) format (in the best image quality available to the agency).

AMERICAN OVERSIGHT

III. **Response Requested in Seven Business Days**

Your attention to this request is appreciated, and we will anticipate your response regarding our request for within seven (7) business days. We also request that, if the requested records are not granted in the response, you provide us with an estimated completion date and explanation of the timing.

If the request is denied in whole or in part, please cite each specific exemption in the APRA you feel justifies the refusal to release the information. We expect the release of all segregable portions of otherwise exempt material. We reserve the right to file an action to compel the disclosure of any requested records that are withheld.

The Brennan Center expects that no fee will be charged to inspect a public record or to search for, examine, or review a record to determine whether the record may be disclosed. Ind. Code § 5-143-8(b). The Brennan Center also requests a waiver of all fees associated with copying the public records associated with this request, as within your discretion. Ind. Code § 5-14-3-8(c) (providing that a public agency "may not collect *more than* the uniform copying fee for providing a copy of a public record") (emphasis added). We plan to analyze, publish, and publicly disseminate information obtained from this request. The requested records are sought in the public interest and are not sought for commercial purposes. The requested records will be disclosed to the public at no cost. The Brennan Center agrees to pay all necessary costs up to the amount of $500.00. Please contact us if you expect that the costs will exceed that amount.

Please furnish all applicable records to:

Michael Pelle
Brennan Center for Justice at NYU School of Law
120 Broadway, Suite 1750
New York, NY 10271
michael.pelle@nyu.edu

Should you have any questions regarding this request, please contact us at your earliest convenience at the address above, by telephone at (646) 292-8310, or by e-mail at lopezt@brennan.law.nyu.edu.

Sincerely,

Wendy Weiser, Director
Tomas Lopez, Counsel
Democracy Program

AMERICAN OVERSIGHT

Brennan Center for Justice at NYU School of Law
120 Broadway, Suite 1750
New York, NY 10271

AMERICAN OVERSIGHT

Record Request

From: SOS Constituent Services - Email for web page
Sent: Thursday, September 07, 2017 10:42 AM
To: Tomas Lopez
Cc: Bonnet, Jerry (SOS)
Subject: RE: APRA Request from Brennan Center for Justice

Dear Mr. Lopez,

I am sending this email on behalf of the office of the Indiana Secretary of State to acknowledge receipt of a request for examination and copying of agency records.

Our legal counsel, Jerry Bonnet, will be reviewing your request and coordinating efforts to locate pertinent records which are available for public access. At this time, I am unable to estimate how long a search for records requested may take. Staff will contact you to make arrangements for inspection and copying.

Sincerely,

Ian Hauer
Deputy Communications Director
Indiana Secretary of State
200 W. Washington St.
Indianapolis, IN 46204

From: Tomas Lopez [mailto:lopezt@brennan.law.nyu.edu]
Sent: Wednesday, September 06, 2017 6:20 PM
To: SOS Constituent Services - Email for web page <constituent@sos.IN.gov>
Cc: Michael Pelle <pellem@brennan.law.nyu.edu>
Subject: APRA Request from Brennan Center for Justice

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Attached please find a public records request from the Brennan Center for Justice to the Secretary of State. Please do not hesitate to reach out if you have any questions or wish to discuss further.

Thank you in advance for your consideration.

Tomas Lopez

Counsel, Democracy Program

Brennan Center for Justice at NYU School of Law

120 Broadway, Suite 1750

New York, NY 10271

AMERICAN OVERSIGHT

STATE OF INDIANA	)	LAKE CIRCUIT/SUPERIOR COURT
	) SS.	
COUNTY OF LAKE	)	_____, INDIANA
LEAGUE OF WOMEN VOTERS OF INDIANA, INDIANA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP), and JOSELYN WHITTICKER,	)	
Plaintiffs	)	
v.	)	Cause No.
CONNIE LAWSON, Secretary of State for the State of Indiana; J. BRADLEY KING, Co-Director, Indiana Election Division; and ANGELA M. NUSSMEYER, Co-Director, Indiana Election Division,	)	
Defendants.	)	

COMPLAINT FOR DECLARATORY RELIEF

COME NOW the Plaintiffs, LEAGUE OF WOMEN VOTERS OF INDIANA, INDIANA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP), and JOSELYN WHITTICKER, by counsel, Trent A. McCain of McCAIN LAW OFFICES, P.C., and for their cause of action against the Defendants, CONNIE LAWSON, Secretary of State for the State of Indiana; J. BRADLEY KING, Co-Director, Indiana Election Division; and ANGELA M. NUSSMEYER, Co-Director, Indiana Election Division, allege:

AMERICAN OVERSIGHT

17-2361-A-000385

INTRODUCTION

1. This lawsuit seeks to prevent the Indiana Secretary of State from producing information from the state's computerized voter registration files to the Presidential Advisory Commission on Election Integrity (the "PACEI" or "Commission"), or any member or officer thereof, in a manner that does not comply with State law and that can harm millions of registered Indiana voters.

2. In the aftermath of his unsubstantiated claim that "millions of people . . . voted illegally" in the 2016 presidential election, President Donald Trump signed Executive Order No. 13,799, which established the Commission. The Commission's stated mission is to "study the registration and voting processes used in Federal elections," and to issue a report that addresses "those laws, rules, policies, activities, strategies, and practices" that either "enhance" or "undermine the American people's confidence in the integrity of the voting processes used in Federal elections;" and "vulnerabilities in voting systems and practices used for Federal elections that could lead to improper voter registrations and improper voting, including fraudulent voter registrations and fraudulent voting." Exec. Order No. 13,799, 82 Fed. Reg. 22,389 (May 16, 2017).

3. On June 28, 2017, the Commission sent letters to all 50 states (and the District of Columbia), including Indiana, seeking a wide range of information pertaining to each state's voters, including name, address, demographic information, partial social security numbers, party affiliations, criminal felony convictions, registration and voting histories, and more. In doing so, the

AMERICAN OVERSIGHT

17-2361-A-000386

Commission clearly stated that any information sent to it would become public. The Commission requested that Indiana and the other states respond by July 14, 2017.

4. The information sought by the Commission is not widely available in Indiana, but instead may be released only under certain limited circumstances and conditions imposed by Indiana's election laws. Ind. Code § 3-7-26.4-2. Access to the vast majority of the information contained in Indiana's computerized voter registration files is generally available only to a limited and enumerated set of individuals and entities, of which the Commission is not one. Ind. Code § 3-7-26.4-6. Other individuals and entities, like the Commission, seeking large-scale voter information are only permitted to access a small portion of the data contained in Indiana's computerized voter registration files. Ind. Code § 3-7-26.4-8.

5. Such individuals and entities may obtain the limited, redacted information from the voter files only after they execute a written agreement with the Election Division of the Secretary of State's Office ("Election Division") stating that they will not use the data in certain enumerated, proscribed ways. Ind. Code § 3-7-26.4-9. Specifically, the agreement between the Election Division and the requesting party "must state that the person receiving a compilation of information under this chapter may not: (1) use the compilation to solicit for the sale of merchandise, goods, services, or subscriptions; or (2) sell, loan, give away, or otherwise deliver the information obtained by the request to any other person . . . ; for a purpose other than political activities or political fundraising activities." Ind. Code § 3-7-26.4-10.

AMERICAN OVERSIGHT

6. On June 30, 2017, Indiana Secretary of State Connie Lawson (the Secretary of State" or "Secretary")—who is also a member of the Commission—sued a public statement regarding the Commission's request, stating:

> Indiana law doesn't permit the Secretary of State to provide the personal information requested by Secretary Kobach. Under Indiana public records laws, certain voter info is available to the public, the media and any other person who requested the information for non-commercial purposes. The information publicly available is name, address and congressional district assignment.

In doing so, she indicated that she will provide the Commission with the computerized voter file fields containing voters' names, addresses, and congressional districts.

7. The Secretary's provision of the data requested by the Commission, even if cabined to the three discrete categories of information described in her public statement, would undermine, and run afoul of, the State's carefully-crafted limitations on the use of voter data.

8. First, based on the Secretary's public statement—including her failure to mention the legal requirement for the Commission to first execute an agreement with the Election Division not to transmit the information "to any other person" and her inaccurate description of the information as "publicly available"—it appears that the Secretary intends to disclose information from the state's computerized voter list without a prior executed agreement limiting further transmission or dissemination. Such disclosure would directly contravene the requirements of Ind. Code §§ 3-7-26.4-9 and 26.4-10.

AMERICAN OVERSIGHT

9. Second, even if the Commission were to enter into an agreement with the Election Division stating it would not loan, give away, or otherwise deliver the information obtained by the request to any other person—and there is no indication that the Commission has done so or is willing to do so—the Commission's stated intention of publishing otherwise private voter data would directly violate Indiana law and enable widespread abuse of that information to the detriment of Indiana citizens. Moreover, the Secretary's provision of the data requested by the Commission—even with an executed agreement with the Election Division—would also directly violate Ind. Code § 3-14-6-1.1, which expressly prohibits a government official from granting a request for voter registration information with knowledge that the information will be used in a prohibited manner.

10. Providing the requested information to the Commission would make an end-run around Indiana's important restrictions on any secondary dissemination of received voter information. Once the information requested by the Commission is made publicly available (which the Commission admits it will do), the genie cannot be put back in the bottle.

11. As a result, Plaintiffs request that the Court enter declaratory and injunctive relief preventing the Secretary of State from releasing the voter registration information sought by the Commission absent the execution of a written agreement and a guarantee that the information will not be further disseminated.

AMERICAN OVERSIGHT

PARTIES

12. Plaintiff, the League of Women Voters of Indiana (the "League"), is a nonpartisan, nonprofit organization founded in 1920 and based in Indianapolis, Indiana. The vast majority of the approximately 1,100 members of the League are residents of Indiana who are registered to vote in Indiana and whose information is contained in Indiana's Computerized Voter Registration List (the "Voter List") which will be released by the Secretary of State to the Commission.

13. The League has standing to challenge the Secretary's release of the Voter List on behalf of its members. The League has members who will be directly impacted and harmed by the release of the Voter List information to the Commission. The Voter List contains personal information regarding Indiana voters' identities, which may be used to solicit, harass, or otherwise infringe upon the privacy of Indiana voters, including the League's members.

14. The League also has standing to challenge the Secretary's release of the Voter List on its own behalf. By producing information to the Commission—which has publicly stated it will make any documents that are submitted to the Commission available to the public—the Secretary will impair the privacy of the League's members, including members that the League assisted in registering to vote. It will also make it substantially more difficult for the League to engage in voter-registration and get-out-the-vote activities, which they regularly perform in support of their civic-engagement mission. Voters and prospective voters will be more reluctant to participate in elections or register to vote in the future if they

AMERICAN OVERSIGHT

17-2361-A-000390

understand that the Secretary is willing to provide information on the Voter List to entities who openly admit that they intend to make such information public. The public disclosure of such personal information will chill League members' as well as other voters' and prospective voters' exercise of First Amendment rights including the right to vote and freedom of association.

15. Last year, the League, through its twenty-one local chapters, conducted at least one hundred voter registration drives. The League also encouraged and assisted individuals in voting and conducted other activities to boost civic engagement, which has been essential to its mission since its founding. If the Secretary of State provides the Commission with the Voter List, some portion of the League's funds that would have gone to voter registration, get-out-the-vote, and civic engagement will be redirected to ameliorating the consequences of the Secretary's action. Furthermore, additional expenses may be incurred by the League as it responds to fallout from the release of Indianans' personal information, including (but not limited to) voter education efforts, political activism, and litigation. Thus, the League will be forced to divert time, money, and resources from their other activities in order to expend more time and attention educating and assisting Indiana citizens with regard to the protection (or, in this case, non-protection) of their personal information.

16. Plaintiff, the Indiana State Conference of the National Association for the Advancement of Colored People (the "NAACP"), is a nonpartisan, nonprofit organization chartered in 1940 and currently based in Gary, Indiana. The majority

AMERICAN OVERSIGHT

17-2361-A-000391

of the approximately 5,000 members of the NAACP are residents of Indiana who are registered to vote in Indiana and whose information is contained in the Voter List which will be released by the Secretary of State to the Commission.

17. The NAACP has standing to challenge the Secretary's release of the Voter List on behalf of its members. The NAACP has members who will be directly impacted and harmed by the release of the Voter List information to the Commission. The Voter List contains personal information regarding Indiana voters' identities, which may be used to solicit, harass, or otherwise infringe upon the privacy of Indiana voters, including the NAACP's members.

18. The NAACP also has standing to challenge the Secretary's release of the Voter List on its own behalf. By producing information to the Commission—which has publicly stated it will make any documents that are submitted to the Commission available to the public—the Secretary will impair the privacy of the NAACP's members, including members that the NAACP assisted in registering to vote. It will also make it substantially more difficult for the NAACP to engage in voter-registration and get-out-the-vote activities, which they regularly perform in support of their civic-engagement mission. Voters and prospective voters will be more reluctant to participate in elections or register to vote in the future if they understand that the Secretary is willing to provide information on the Voter List to entities who openly admit that they intend to make such information public. The public disclosure of such personal information will chill NAACP members' as well as

AMERICAN OVERSIGHT

17-2361-A-000392

other voters' and prospective voters' exercise of First Amendment rights including the right to vote and freedom of association.

19. Last year, the NAACP, through its more than twenty-five local branches and college chapters, conducted at least seventy-five voter registration drives. Following the voter registration deadline, the NAACP helped get voters to the polls, including by providing rides to voting locations. If the Secretary of State provides the Commission with the Voter List, some portion of the NAACP's funds that would have gone to voter registration, get-out-the-vote, and civic engagement will be redirected to ameliorating the consequences of the Secretary's action. Furthermore, additional expenses may be incurred by the NAACP as it responds to fallout from the release of Indianans' personal information, including (but not limited to) voter education efforts, political activism, and litigation. Thus, the NAACP will be forced to divert time, money, and resources from their other activities in order to expend more time and attention educating and assisting Indiana citizens with regard to the protection (or, in this case, non-protection) of their personal information.

20. Plaintiff, Joselyn Whitticker, is a resident of Marion, Indiana. She serves as president of the Marion NAACP branch in a volunteer capacity, and also volunteers at the Marion Senior Center. Ms. Whitticker is also a former member of the City Council in Marion. Ms. Whitticker is active in voter registration efforts, including registration of seniors. She is a registered voter and has consistently participated in Indiana elections. On information and belief, Ms. Whitticker's name

AMERICAN OVERSIGHT

17-2361-A-000393

and information appears in Indiana's Voter List. As such, her personal information will be released by the Secretary of State to the Commission. The release of such personal information will infringe on Ms. Whitticker's privacy rights. Furthermore, the public disclosure of such personal information could expose Ms. Whitticker to intimidation or harassment for merely exercising her right to vote, and may chill her exercise of First Amendment rights including the right to vote and freedom of association. As a result, Ms. Whitticker has standing to bring this action individually.

21. Defendant Connie Lawson is the duly elected Secretary of State of Indiana. She is sued only in her official capacity, and not personally. As Secretary of State, the defendant has responsibilities over a number of areas, including oversight of elections and the maintenance of state records. *See About the Office*, Indiana Secretary of State, http://www.in.gov/sos/2362.htm (last visited July 11, 2017). With regard to elections, the defendant is Indiana's Chief Elections official and the oversees the Election Division which is responsible for maintaining and overseeing appropriate requests for access to the Voter List. Ind. Code §§ 3-7-26.3-3 and 26.3-4; *see* http://www.in.gov/sos/2362.htm. Defendant Lawson is also a member of the Presidential Commission on Election Integrity.

22. Defendant J. Bradley King is the Co-Director of the Indiana Election Division, appointed by the Governor of Indiana. He is sued only in his official capacity, and not personally. With regard to elections, the defendant jointly oversees the Election Division which is responsible for maintaining and overseeing

AMERICAN OVERSIGHT

17-2361-A-000394

appropriate requests for access to the Voter List. Ind. Code §§ 3-7-26.3-3 and 26.3-4.

23. Defendant Angela M. Nussmeyer is the Co-Director of the Indiana Election Division, appointed by the Governor of Indiana. She is sued only in her official capacity, and not personally. With regard to elections, the defendant jointly oversees the Election Division which is responsible for maintaining and overseeing appropriate requests for access to the Voter List. Ind. Code §§ 3-7-26.3-3 and 26.3-4.

JURISDICTION AND VENUE

24. This Court has jurisdiction over this action and the requested relief sought under Ind. Code §§ 34-14-1-1, 34-26-1-3, and 34-26-1-5.

25. This Court has personal jurisdiction over the defendants, who are elected officials in Indiana. The defendants also work and reside in Indiana. On information and belief, the defendants' office is located at 200 W. Washington St., Room 201, Indianapolis, IN 46204.

26. Venue in this Court is proper under Ind. R. Trial P. 75 which provides that "[a]ny case may be venued, commenced and decided in any court in any county."

PLAINTIFFS' CLAIM

27. Plaintiffs reallege and incorporate all prior paragraphs of this Complaint.

AMERICAN OVERSIGHT

The Commission and Its Request

28. The Presidential Advisory Commission on Election Integrity was established on May 11, 2017 by Executive Order ("Commission Order"). *See* Exec. Order. No. 13,799, 82 Fed. Reg. 22,389 (May 16, 2017).

29. Although the Commission has the stated task of "study[ing] the registration and voting processes used in Federal elections," *see id.*, the Commission does not have any authority to subpoena records, to undertake investigations, or to demand the production of state voter records from state election officials, including in Indiana or anywhere else.

30. Nonetheless, on June 28, 2017, the Vice Chair of the Commission, Kansas Secretary of State Kris Kobach, sent a letter to all fifty states and the District of Columbia seeking detailed voter data from each jurisdiction. *See* Readout of the Vice President's Call with the PACEI ("Vice Chair of the Commission and Kansas Secretary of State Kris Kobach told members a letter will be sent today to the 50 states and District of Columbia on behalf of the Commission requesting publicly-available data from state voter rolls and feedback on how to improve election integrity.").

31. On information and belief, one of the Commission's letters was sent to the defendant (the "Letter"). The Letter sought, *inter alia*, the following data from the Voter List:

> [T]he full first and last names of all [Indiana voter] registrants, middle names or initials if available, addresses, dates of birth, political party (if recorded in your state), last four digits of social security number if available, voter history (elections voted in) from 2006 onward,

AMERICAN OVERSIGHT

17-2361-A-000396

> active/inactive status, cancelled status, information regarding any felony convictions, information regarding voter registration in another state, information regarding military status, and overseas citizen information.

The Letter also asked the Secretary to provide "evidence or information . . . regarding instances of voter fraud or registration fraud" and information on in-state "convictions for election-related crimes . . . since the November 2000 federal election."

32. The Letter stated that "any documents that are submitted to the full Commission will also be made available to the public."

33. By the plain terms of the Letter, the Commission requested that the Secretary provide the aforementioned Indiana data by July 14, 2017.

34. On information and belief, in connection with a separate lawsuit filed on July 5, a federal officer sent an e-mail on July 10 to election officials on behalf of the Commission requesting a temporary hold on submitting data to the Commission. Plaintiffs are unaware of whether Defendants or any entity in Indiana received this e-mail.

Indiana's Voter List and Distribution of Voter Data

35. Indiana requires citizens to register to vote in order to participate in state and federal elections within the state. Ind. Code § 3-7-13-1.

36. The Indiana voter registration form instructs prospective voters to provide at least the following information: name; gender; residence and postal address, any previous voter registration address, Indiana county of residence, citizenship; date of birth; telephone number; email address; previous name (if

AMERICAN OVERSIGHT

applicable), driver's license number (if applicant possesses one) or last four digits of social security number (if no driver's license); date of application for registration; and proof of residence. The state's voter registration application can be located through a link on the Secretary's website. *See Voter Registration*, Indiana Secretary of State, http://www.in.gov/sos/elections/2403.htm (last visited July 11, 2017).

37. The Secretary, with the consent of the Co-Directors of the Election Division, is charged with implementing "in a uniform and nondiscriminatory manner, a single, uniform, official, centralized, and interactive statewide voter registration list." Ind. Code § 3-7-26.3-3.

38. Under Indiana and federal law "the computerized list must: (1) be defined, maintained, and administered at the state level; (2) contain the name and registration information of every voter in Indiana; and (3) assign a unique identifier to each voter in Indiana." Ind. Code § 3-7-26.3-4(a).

39. Indiana further provides that "[t]he computerized list must contain at least the following information for each voter: (1) The voter's voting history for at least the previous ten (10) years, if available, including the political party ballot requested by the voter at any primary election during the period. (2) The source of the voter's registration application. (3) A listing of all previous addresses at which the voter was registered to vote during at least the previous ten (10) years, if available. (4) Information concerning the documentation submitted by the voter to comply with the requirements of HAVA. (5) Documentation of all changes to the

AMERICAN OVERSIGHT

17-2361-A-000398

registration made by the voter. (6) Documentation concerning all notices sent to the voter by the county voter registration office." Ind. Code § 3-7-26.3-22.

40. Under Indiana law, "the computerized list serves as: (1) the single system for storing and managing the official list of voters throughout Indiana; and (2) the official voter registration list for the conduct of all elections in Indiana." Ind. Code § 3-7-26.3-5.

41. Further, Indiana law provides that "[t]o ensure the proper maintenance and administration of the list . . . the secretary of state and the election division are the owners of all property comprising the computerized list. Except as expressly provided by statute, the computerized list and each of its components must be used exclusively for voter registration and election administration and for no other purpose." Ind. Code § 3-7-26.3-4(b).

42. Under Indiana law, "[t]he election division may not provide any part of the compilation of the voter registration information contained in the computerized list except" as expressly permitted under Indiana law. Ind. Code § 3-7-26.4-2.

43. Indiana law provides only limited exceptions to this general rule prohibiting disclosure of information contained in the Voter List. The provisions creating the most relevant of these exceptions are described below.

44. First, an individual may request and receive limited "information from the computerized list . . . to permit the individual to confirm the voter registration status of the individual and the location of the polling place for the individual's

AMERICAN OVERSIGHT

precinct." Ind. Code § 3-7-26.4-3. The Commission does not qualify to request data under this provision of Indiana law.

45. Second, a limited and enumerated list of entities may request and receive a "complete compilation of the voter registration information contained in the computerized list," including the state committee of a major or other bona fide political party; the chief justice of the supreme court and the clerks of the Indiana federal district courts for purposes of state administration of a jury management system; a member of the media; and the majority and minority leaders of the state legislature. Ind. Code § 3-7-26.4-6. The Commission is not one of the entities specified in this provision and accordingly is not permitted to request data under this provision of Indiana law. These entities are sharply limited in how they can use the Voter List.

46. Third, any other person may request and receive only very limited information compiled from the Voter List, with the majority of voter information redacted. The information required to be redacted includes: (1) date of birth, (2) gender, (3) telephone number or email address, (4) voting history, (5) voter identification number or another unique field established to identify a voter, and (6) the date of registration of the voter. Ind. Code § 3-7-26.4-8.

47. In addition, before receiving *any* information contained in the Voter List, any requesting party (with limited exceptions not relevant here) "must execute an agreement with the election division on a form prescribed under" Indiana law, Ind. Code § 3-7-26.4-9, which "must state that the person receiving a compilation of

AMERICAN OVERSIGHT

information [from the Voter List] may not: (1) use the compilation to solicit for the sale of merchandise, goods, services, or subscriptions; or (2) sell, loan, give away, or otherwise deliver the information obtained by the request to any other person . . . ; for a purpose other than political activities or political fundraising activities," Ind. Code § 3-7-26.4-10.

48. Any person "who grants a request for voter registration information . . . with knowledge that the information will be used in a manner prohibited by IC 3-7-26.3 or IC 3-7-27 commits a Class B infraction." Ind. Code § 3-14-6-1.1(a).

49. On information and belief, neither the Commission nor any of its members has executed an agreement with the Election Division as required by Ind. Code § 3-7-26.4-10.

50. On information and belief, neither the Indiana Secretary of State nor members of the Election Division have indicated that they will require the Commission or any of its members to execute an agreement with the Election Division as required by Ind. Code § 3-7-26.4-10 prior to the disclosure of any information from the Voter List.

51. On information and belief, neither the Indiana Secretary of State nor members of the Election Division have provided a formal public response to the Commission's Letter apart from Secretary of State Connie Lawson's June 30, 2017 public statement.

AMERICAN OVERSIGHT

17-2361-A-000401

The Commission's Improper Use of the Voter List

52. On information and belief, the Secretary of State has not yet released the Voter List (or any other data) to the Commission. In fact, on information and belief, on July 10 the Commission asked states to hold off on responding to the Commission's Letter pending the resolution of an emergency lawsuit in D.C. However, on information and belief, once that lawsuit is resolved, unless restrained by this Court's injunction, the Secretary of State will imminently release the Voter List or information from the Voter List to the Commission.

53. The Commission's intended use of the Voter List, as confirmed in the Commission's Letter itself, would violate Indiana law and the rights of Indiana citizens.

54. The Commission's Letter stated that "any documents that are submitted to the full Commission will also be made available to the public." The Commission therefore apparently intends to make information received from the Indiana Voter List fully available to the public (in every state).

55. In a July 5 filing in a case in the District of Columbia, Mr. Kobach, the Vice Chair of the Commission, reaffirmed that there would be a "public release of documents," but asserted, without any explanation, that the voter roll data would be "de-identified." This assertion did not indicate which information from voter rolls would be made available to the public and which would not. He proceeded with the wholly unclear obfuscation that the "voter rolls themselves will not be released to the public by the Commission." Decl. of Kris W. Kobach at 3, *Elec.*

AMERICAN OVERSIGHT

Privacy Info. Ctr. v. Presidential Advisory Comm'n on Election Integrity, No. 1:17-cv-01320-CKK (D.D.C. July 5, 2017), ECF No. 8-1.

56. On information and belief, the Commission has not issued a formal communication to Indiana state officials (or to the officials in any other state) that contradicts the express language in the June 28 letter that the information received from that request would be public.

57. Moreover, as an advisory committee covered under the Federal Advisory Committee Act (FACA), it is not clear that the Commission has the authority to prevent the dissemination of information provided to it. FACA requires the Commission to make available for public inspection all the "records, reports, ... or other documents which were made available" to it unless those records fall within one of the enumerated exceptions. 5 U.S.C. App. 2 § 10(b). There is thus still a serious risk that any information provided to the Commission will be made public, irrespective of any post-hoc assertions from Mr. Kobach.

58. The public dissemination of information contained in the Voter List by the Commission, without regard for the requirements of Indiana law, will undermine Indiana's use and disclosure restrictions and harm Indiana voters.

59. The Commission's intended publicization of the information provided by Indiana (and other states) would eviscerate the limitations set forth in Ind. Code § 3-7-26.4-10, including its restriction on a party's ability to "give away, or otherwise deliver the information obtained by the request to any other person" which may improperly result in the secondary "use [of] the compilation to solicit for

AMERICAN OVERSIGHT

the sale of merchandise, goods, services, or subscriptions," Ind. Code § 3-7-26.4-10. Once Indiana's Voter List is made public, neither the Commission nor the Secretary of State of Indiana can effectively monitor or police the use of the Voter List or its information, including to determine whether the list is being used "to solicit for the sale of merchandise, goods, services, or subscriptions" or any other illicit purpose. Thus, by turning the Voter List or its information over to the Commission (who then intends to make it publicly available), the Secretary would be sanctioning the disclosure of information regarding hundreds of thousands of Indiana voters to private firms, who could use such data without limitation and to the detriment of the privacy rights of Indiana voters.

COUNT I:
Violation of Ind. Code § 3-7-26.4-1 *et seq.*

60. Plaintiffs reallege and incorporate all prior paragraphs of this Complaint.

61. The Secretary's release of the Voter List or information from the Voter List without adhering to the requirements and protections of the Indiana Election Code, Ind. Code § 3-7-26.4-1 *et seq.*, violates Indiana law.

62. Neither the Indiana Secretary of State nor members of the Election Division are permitted to simply release the information to the Commission. The Secretary must follow the procedures outlined in Ind. Code § 3-7-26.4-1 et seq. in order to release the Voter List or information from the Voter List.

63. Specifically, before being entitled to receive even the limited information permitted under Ind. Code § 3-7-26.4-8, the Commission and/or its

AMERICAN OVERSIGHT

17-2361-A-000404

members must first execute an agreement with the Election Division stating the Commission and/or its members "may not: (1) use the compilation to solicit for the sale of merchandise, goods, services, or subscriptions; or (2) sell, loan, give away, or otherwise deliver the information obtained by the request to any other person . . . ; for a purpose other than political activities or political fundraising activities." Ind. Code §§ 3-7-26.4-9 and 26.4-10.

64. The Secretary cannot sidestep Indiana law simply because the Commission has requested the data. Rather, the Secretary must treat the Commission like every other entity requesting the Voter List—that is, requiring execution of an agreement under Ind. Code §§ 3-7-26.4-9 and 26.4-10. Otherwise, Indiana election law, which limits the use of the Voter List and information contained in it, can be easily circumvented once the Commission releases the Voter List to the general public.

65. These statutory protections are especially important in this case, as the Commission has stated that the information it receives will be shared with the public in violation of Ind. Code § 3-7-26.4-10(2). The Secretary's provision of the data requested by the Commission would therefore directly violate Ind. Code § 3-14-6-1.1 which expressly prohibits a government official from granting a request for voter registration information with knowledge that the information will be used in a prohibited manner.

66. This dissemination could lead to Indiana voters' information being used by others for commercial purposes in violation of Ind. Code §§ 3-7-26.4-10 and

AMERICAN OVERSIGHT

3-14-6-1.2. And the dissemination of voters' identifying information in combination with their physical addresses, mailing addresses, email addresses, and telephone numbers creates a further risk of harassment and intimidation.

67. If the Commission follows through on its stated plan to disseminate the information it receives to the public, then the Commission necessarily cannot guarantee that it will not "sell, loan, give away, or otherwise deliver the information obtained by the request to any other person" as required by Ind. Code §§ 3-7-26.4-10. Once voters' information becomes publicly available, the uses and purposes other entities have for it will be beyond the control of both the Secretary and the Commission.

68. Unless enjoined by this Court, Plaintiffs will suffer irreparable harm from the exposure of personal voter information, with no alternative adequate remedy at law.

69. Given the clear limitations imposed on the Secretary under Indiana law and the rights of Indiana voters, the irreparable nature of the harm that would follow of the release of the Voter List or information from the Voter List, and the fact that other remedies would not prevent a failure of justice, injunctive relief should be granted.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiffs request the following relief and judgment:

A. A judgment in favor of Plaintiffs and against the Defendants, and under the authority of Ind. Code §§ 34-26-1-3 and 1-5 and Ind. R. Trial. P. 65, entry of a preliminary injunction, and after trial, a permanent injunction enjoining the Defendants, Secretary of State Connie

AMERICAN OVERSIGHT

Lawson, J. Bradley King, Co-Director, Indiana Election Division, and Angela M. Nussmeyer, Co-Director, Indiana Election Division, from providing the Voter List or any part thereof to the Commission.

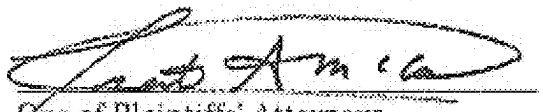
B. A declaratory judgment in favor of the Plaintiffs pursuant to Ind. Code § 34-14-1-1, finding and determining that:

1. the release of the Voter List or any part thereof to the Commission would violate Ind. Code § 3-7-26.4-1 et seq.;
2. no part of the Voter List may be released to the Commission absent the Commission and/or its members' execution of an agreement with the Election Division consistent with Ind. Code §§ 3-7-26.4-9 and 26.4-10.
3. the Commission's intended use of the Voter List, as set forth in its June 28, 2017 letter, does not constitute a permissible use under Ind. Code § 3-7-26.4-10.
4. Plaintiffs' rights will be irreparably harmed without injunctive or declaratory relief from this court; and
5. the Secretary and the Co-Directors are under no obligation to provide the Voter List or any part thereof to the Commission in response to its June 28, 2017 request, or any other similar request.

C. An order and judgment that Plaintiffs recover the costs of this action.

D. Such other and further relief as the Court deems just in the premises.

LEAGUE OF WOMEN VOTERS OF INDIANA, INDIANA STATE CONFERENCE OF THE NAACP, and JOSELYN WHITTICKER



One of Plaintiffs' Attorneys

AMERICAN OVERSIGHT

Daniel T. Donovan, Esq.
Susan M. Davies, Esq.
Jonathan D. Janow, Esq.
Kirkland & Ellis LLP
655 Fifteenth Street, N.W.
Washington, DC 20005
(202) 879-5000 phone
(202) 879-5200 fax
daniel.donovan@kirkland.com
susan.davies@kirkland.com
jonathan.janow@kirkland.com
(Applications for temporary admission forthcoming)

Myrna Pérez, Esq.
Wendy R. Weiser, Esq.
Jonathan Brater, Esq.
Brennan Center for Justice
120 Broadway, Suite 1750
New York, NY 10271
(646) 292-8310 phone
(212) 463-7308 fax
myrna.perez@nyu.edu
wendy.weiser@nyu.edu
jonathan.brater@nyu.edu
(Applications for temporary admission forthcoming)

Trent A. McCain, #23960-45
Local Counsel
McCain Law Offices, P.C.
5655 Broadway
Merrillville, IN 46410
(219) 884-0696 phone
(219) 884-0692 fax
Trent@McCain.Law

AMERICAN OVERSIGHT

United to Protect Democracy

BRENNAN CENTER FOR JUSTICE TWENTY YEARS

July 3, 2017

The Honorable Mick Mulvaney
Director
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Sent via E-MAIL and FACSIMILE

Dear Director Mulvaney,

We write pursuant to 44 U.S.C. 3517(b) to request that you take appropriate action to remedy sweeping requests by the Presidential Advisory Commission on Election Integrity ("Advisory Commission") to collect information from state election officials in violation of the Paperwork Reduction Act ("PRA"). The Advisory Commission asked election officials around the country to provide information and opinions on complex issues of election administration and to produce voluminous and sensitive information about individual voters. Yet the Advisory Commission failed to adhere to the PRA's clear requirements. The PRA exists to protect the public – including state governments – from burdensome requests, especially requests that do not provide adequate safeguards for sensitive information. We therefore ask that, as directed by the statute, you take the "appropriate remedial action" necessary to ensure compliance with the PRA.

1. Relevant PRA Requirements

The PRA sets out the legal framework that governs federal agencies when they collect information from individuals, companies, or other non-federal actors, including state governments. Specifically, it applies to agencies when they initiate a "collection of information." 44 U.S.C. § 3502(3).[1] Under the statute, an agency "shall not" conduct or sponsor

[1] A "collection of information" includes, among other things, "obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties or the public of facts or opinions by or for an agency, regardless of form or format, calling for … [] answers to identical questions posed to . . . ten or more persons." 44 U.S.C. § 3502(3). As OMB has recognized, that term is meant to be understood quite broadly. *See* 5 C.F.R. § 1320.3(c)(1). Significantly, "[t]he requirements of

AMERICAN OVERSIGHT

17-2361-A-000409

the collection of information unless it complies with detailed procedural requirements. *Id.* § 3507(a) Those requirements include analyzing the need for the collection, the burdens it will impose, and the systems in place for conducting the collection consistently with the overall mandate of the statute; providing a 60-day notice in the Federal Register seeking public comment on the contemplated collection of information; certifying to the Director of the Office of Management and Budget ("OMB") that the proposed collection comports with the requirements of the statute; and publishing a second notice in the Federal Register describing the proposed collection and notifying commenters that their response may be submitted to the Director. *Id.* (cross-referencing 44 U.S.C. § 3506(c)(1)-(3)). After satisfying those requirements, an agency may only proceed if the Director of OMB has approved the proposed collection and issued a control number to be displayed on the collection of information. *Id.*[2]

Congress imposed these requirements to advance important values. Among other things, the purposes of the PRA are to avoid undue burdens on the public, including state governments, and to "ensure that the creation, collection, maintenance, use, dissemination, and disposition of information by or for the Federal Government is consistent with applicable laws," including the protections guaranteed by the Privacy Act. *Id.* at § 3501(1) & (8).

2. The Advisory Commission's Unlawful Collections of Information About State Voting Systems

The Advisory Commission was established by President Trump on May 11, 2017. *See* Executive Order 13799.[3] On or about June 28, 2017, it sent what we believe to be identical letters to Secretaries of State or other election officials in all 50 states.[4] The letter was signed by Advisory Commission Vice Chair Kris Kobach and appeared on the Advisory Commission's letterhead. It "invited" recipients to provide information and opinions on several complex policy

---

the PRA apply to voluntary collections as well as mandatory collections." Cass R. Sunstein, Administrator Office of Information and Regulatory Affairs, Memorandum for the Heads of Executive Departments and Agencies, and Independent Regulatory Agencies re Information Collection Under the Paperwork Reduction Act (Apr. 7, 2010) (citing 44 U.S.C. § 3502(3); 5 C.F.R. 1320.3(c), *available at* https://obamawhitehouse.archives.gov/sites/default/files/omb/assets/inforeg/PRAPrimer_04072010.pdf.

[2] Under some circumstances, the Director's approval may be inferred rather than express. 44 U.S.C. § 3507(c)(3).

[3] The Advisory Commission is an "agency" for purposes of the PRA. *See* 44 U.S.C. § 3502(a) (defining "agency" to mean, among other things, an "establishment in the executive branch of the Government (including the Office of the President)"). We note that, in addition to being established by Executive Order, the Advisory Commission is chaired by the Vice President.

[4] Because the Advisory Commission has not published anything concerning the letters, we are not aware of any public compendium of all letters that were sent. However, letters sent to individual states that have been publicized, as well as responses from several other state governments, suggest that substantially identical letters were sent to election officials in every state. *See generally* Brennan Center for Justice, "State Responses to Commission Requests," *available at* https://www.brennancenter.org/latest-updates-fraud-commission.

AMERICAN OVERSIGHT

questions relating to election administration. It sought, for example, opinions on potential changes to federal election law related to election integrity, "evidence or information" relating to voter fraud, and recommendations for preventing voter intimidation or disenfranchisement. It went on to "request[]" that recipients "provide to the Commission the publicly-available voter roll data for [a recipient's state], including, if publicly available under the laws of [the recipient's] state, the full first and last names of all registrants, middle names or initials if available, addresses, dates of birth, political party (if recorded in [the recipient's] state), last four digits of social security number if available, voter history (elections voted in) from 2006 onward, active/inactive status, cancelled status, information regarding any felony convictions, information regarding voter registration in another state, information regarding military status, and overseas citizen information." The request directed recipients to submit responses via email or a secure FTP site administered by the Federal government. It advised recipients that "any documents that are submitted to the full Commission will also be made available to the public." It stated that the Commission "would appreciate a response by July 14, 2017."

3. The PRA Requires OMB to Remedy These Statutory Violations

The Advisory Commission's attempt to collect sweeping information about state voting systems violates the PRA. The statute imposes detailed requirements, which the Advisory Commission plainly failed to meet. It was an effort by an agency to collect information from state governments. It did not contain an OMB-issued control number, and it was not subject to advance notice with an opportunity for public comment, much less the two rounds of Federal Register publication and particularized solicitations of public comments mandated by the statute. These violations of the statute's black-letter requirements suffice to justify intervention by OMB.

Compliance with the PRA's requirements is especially critical in this context. The request seeks to enlist State officials to compile complex facts and opinions on a tight timeline. It asks them to assemble extensive information about all voters in their states, including categories of information that may be housed in multiple state agencies. It asks them to opine on thorny policy questions and to preform potentially complicated legal analysis to determine at what point disclosing the requested information would transgress state law. The PRA protects state governments from precisely this kind of onerous request.

The reason for the statute's painstaking procedural requirements is to ensure that agencies carefully balance their desire to collect information against the harms that might flow from doing so without proper safeguards. This is why the statute provides for two rounds of public notice and comment – when an agency enlists non-federal actors into this kind of fact-finding, it should be informed by the views of impacted stakeholders. This is especially true in the context of election administration, where state-level officials have uniquely valuable insight into the potential impact of the requests on voters in their states. Consider the Advisory Commission's sweeping request for individual voter information. That request – seeking information about how individual Americans exercise fundamental constitutional rights and asking that highly sensitive information be transmitted via email – highlights the importance of the statutory requirement that agencies (among other things) "evaluat[e] the need for the collection of information," propose a "plan for the collection of the information" and for "the efficient and

AMERICAN OVERSIGHT

effective management and use of the information to be collected,"44 U.S.C. § 3506(c)(1)(A), and "ensure that the creation, collection, maintenance, use, dissemination, and disposition of the information" is consistent with legal requirements relating to privacy, confidentiality, and security of information, *id.* § 3501(8).[5] The fact that the Advisory Commission sought such sensitive information without engaging in the careful planning prescribed by the PRA likely explains why a diverse array of state officials have already declined to comply with the requests. *See* Michael Wines, "Asked for Voters' Data, States Give Trump Panel a Bipartisan 'No,'" *New York Times* (June 30, 2017). State officials should have a chance to weigh in before the Federal government requests information whose management implicates the foundation of our democracy; so should the voters whose information will be transmitted. The PRA mandates that an agency like the Advisory Commission provide that opportunity.

The PRA also charges you with the responsibility to ensure that federal agencies comply with the statute's requirements. It also directs you to take action when agencies fail do to so. It provides that "[a]ny person may request the Director [of OMB] to review any collection of information conducted by or for an agency to determine if . . . a person shall maintain, provide, or disclose the information to or for the agency." *Id.* at § 3517(b). The statute further directs you to respond to the request within 60 days and to "take appropriate remedial action, if necessary." *Id.* We therefore request that you review the collections of information described in this letter and take necessary remedial action as soon as possible. We further ask that you undertake a review in time to prevent the unlawful collection of information. Because the Advisory Commission seeks responses by July 14, 2017, we ask that you review this matter and take action sufficiently in advance of that deadline to ensure that unlawful collections of sensitive voter information do not go forward.

The PRA reflects a longstanding recognition that when agencies collect information from the public, they must do it in a way that balances legitimate governmental need with the burdens such collections may impose. To ensure that balance, the statute requires agencies to engage with the public before embarking on such collections. The Advisory Commission has plainly violated those requirements. The PRA charges you with overall responsibility to ensure compliance with the statute. Pursuant to 44 U.S.C. 3517(b), we therefore ask that you take immediate action to ensure that collections of information in violation of the statute stop immediately.

---

[5] It is particularly significant that the Advisory Commission flouted the PRA's procedures, which expressly require that agencies ensure consistency with the Privacy Act. The Advisory Commission's requests for sensitive personal information – including information relating to First Amendment-protected party affiliation – likely violate that statute as well. *See, e.g.*, 5 USC 552a(e)(7) (requiring that agency record systems "maintain no record describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity").

AMERICAN OVERSIGHT

17-2361-A-000412

Sincerely,

Larry Schwartztol
Counsel, United to Protect Democracy
Larry.Schwartztol@protectdemocracy.org
(202) 599-0466

Wendy Weiser
Director, Democracy Program
Brennan Center for Justice
weiserw@brennan.law.nyu.edu
(646) 292-8310

CC: All Attorneys General for States, the District of Columbia, and U.S. Territories

CC: All Secretaries of State for States, the District of Columbia, and U.S. Territories

CC: General Counsel
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

CC: Administrator
Office of Information and Regulatory Affairs
725 17th Street, NW
Washington, DC 20503

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Bonnet, Jerry (SOS)

To: King, Brad; Simmons, Dale
Subject: FW: Legal Implications of Kobach Request
Attachments: Legal Implications of Kobach Request.pdf

FYI – please see below and attached.

From: SOS Constituent Services - Email for web page
Sent: Wednesday, July 05, 2017 8:51 AM
To: Bonnet, Jerry (SOS); Clifton, Brandon
Cc: Warycha, Valerie
Subject: FW: Legal Implications of Kobach Request

From: Makeda Yohannes [mailto:yohannesm@brennan.law.nyu.edu]
Sent: Tuesday, July 4, 2017 1:23 AM
To: Myrna Perez <perezm@brennan.law.nyu.edu>; Wendy Weiser <weiserw@brennan.law.nyu.edu>
Subject: Legal Implications of Kobach Request

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

AMERICAN OVERSIGHT

Brennan Center
Info on Page 7

BRENNAN CENTER FOR JUSTICE TWENTY YEARS

Brennan Center for Justice
at New York University School of Law

120 Broadway
Suite 1750
New York, New York 10271
646.292.8310 Fax 212.463.7308
www.brennancenter.org

July 4, 2017

Dear Chief Election Administrator,

We write in reference to the recent correspondence from Kansas Secretary Kris Kobach, Vice Chairman of the Presidential Advisory Commission on Election Integrity, directed to your state requesting that you provide individualized voter registration information, in addition to other information.

The attached memorandum details certain legal risks associated with disclosure of the requested information. We urge you to carefully consider your legal rights and obligations before responding to Secretary Kobach's request.

Should you have questions, please do not hesitate to contact us at myrna.perez@nyu.edu or (646) 292-8329.

Sincerely,

Myrna Pérez,
Deputy Director, Democracy Program
Brennan Center for Justice
at NYU School of Law
120 Broadway, Suite 1750
New York, NY 10271
646 292-8329
myrna.perez@nyu.edu

Wendy Weiser
Director, Democracy Program
Brennan Center for Justice
at NYU School of Law
120 Broadway, Suite 1750
New York, NY 10271
646 292-8318
wendy.weiser@nyu.edu

AMERICAN OVERSIGHT

BRENNAN
CENTER
FOR JUSTICE
TWENTY
YEARS

at New York University School of Law

Examples of Legal Risks to Providing Voter Information to Fraud Commission

I. Introduction

On May 11, 2016, President Trump signed executive order 13799 to establish the Presidential Advisory Commission on Election Integrity (the "Commission"). Chaired by the Vice President and Kansas Secretary of State Kris Kobach, the Commission's stated objective is to "study the registration and voting processes used in Federal elections."[1]

On or about June 28, 2017, the Commission "requested" (as it lacks the legal authority to compel) from each state's Secretary of State (in some states election administration is entrusted to a Chief Elections Official or official with another title, but for ease of reference in this memorandum we refer to the ultimate state voting authority as the "Secretary of State" or "Secretary") that such official:

> provide to the Commission the publicly- available voter roll data for [such state], including, if publicly available under the laws of your state, the full first and last names of all registrants, middle names or initials if available, addresses, dates of birth, political party (if recorded in your state), last four digits of social security number if available, voter history (elections voted in) from 2006 onward, active/inactive status, cancelled status, information regarding any felony convictions, information regarding voter registration in another state, information regarding military status, and overseas citizen information.

The Commission further explained that "any documents that are submitted to the full Commission will also be made available to the public."

In most states, the Secretary of State has a legal duty to oversee the election process, to protect the citizens of the state from efforts to interfere with voting rights, and to maintain public confidence in the state's elections. Of course, the public disclosure of a registrant's personal information or voting history may compromise the integrity of the electoral process and may itself undermine voters' confidence in the state's electoral process and voter registration system. Such disclosure in the absence of a clear legal obligation may also create a series of specific

[1] Charter dated June 23, 2017, at ¶ 3.

AMERICAN OVERSIGHT

adverse legal consequences for a Secretary who furnishes the requested information to the Commission. Here, as detailed below, the Commission's request is not legally binding on any state and the Commission lacks *any* authority under law to enforce its request.

Without purporting to provide a comprehensive analysis, this memorandum identifies certain of the most significant legal risks created by the public disclosure of the requested voting information to a third party. The biggest concern is voter privacy and laws designed to protect those privacy interests. Giving the information to the Commission may be problematic both because the Commission will make the information public, and because the Commission itself may be otherwise using the information in a manner not provided for under state law.

It is imperative that each Secretary be mindful of the irreversible character of a decision to comply with a request for voter information. Once released, the adverse consequences identified here may follow notwithstanding any subsequent determination that such disclosure was imprudent or unlawful or any effort to remedy its impact. As of this writing, it has been reported that a significant number of the states have indicated at least provisionally that they will not provide the requested information, while some have indicated that they intend to provide it.

Of course, the Brennan Center generally supports voluntary state efforts to share public information in connection with research efforts, and with federal bodies. We do not, in any way want to suggest state governments should not be transparent in their dealings. The Commission request, however, is unusual in the risk it imposes on sensitive private voter information. Accordingly, Chief Election Officers, and their legal counsel, should carefully consider state and federal law, and the implications of the Commission's request before responding.

II. Will the Secretary Face Legal Risks if the Requested Voter Information is Disclosed?

Yes. Intentional disclosure of the requested voter information by Secretaries of State likely violates one or more provisions of state or federal law, depending upon the state in question. We have identified below certain of the most significant and common requirements of state law that such disclosure may violate. But each Secretary of State should review the specific provisions of his or her state's laws to determine whether and which requirements prohibit such disclosure to the Commission.[2]

A. Notice Requirements

The Commission's plan to collect and publicly disclose detailed voter roll information may run afoul of voters' rights to be notified before their personal information is disclosed. Certain states are required to obtain written authorization from a registered voter before disclosing confidential personal information. For instance:

---

[2] The Commission's information request may also violate the Paperwork Reduction Act, 44 U.S.C. §§ 3501–3521. We have explained this in greater detail in correspondence sent to you under separate cover.

AMERICAN OVERSIGHT

- North Carolina requires its Board of Election to keep voters' dates of birth confidential unless the disclosure of that information has been expressly authorized in writing by the relevant individual.[3]
- Alaska similarly prohibits the release of confidential information—including social security number, driver's license number, voter ID number, place of birth, signature, and date of birth—absent written authorization from a voter consenting to the release.[4]

More generally, compliance with the Commission's requests and plan for public disclosure of voter roll data would violate voters' legitimate expectation in many states that the privacy rights that have been created by state statute will be respected and that their personal, confidential information will be protected by government officials. For example:

- Arizona expressly limits the use of their voter information to political purposes.[5]
- Georgia expressly notifies its voters in its voter registration form that social security numbers are kept confidential.[6]
- New Mexico voter registration website notifies voters that birth date and social security numbers will not be released to the public.[7]

B. Limitations on the Use of Voter Registration Information

Many states prohibit the use of voter registration information for specific purposes, such as commercial or advertising purposes, or restrict the use of voter registration information to specific purposes, such as political campaigning. For example:

- New Hampshire requires that a person not use *or permit* the use of voter checklist information for commercial purposes. A person who knowingly violates this section is guilty of a misdemeanor if a natural person, and of a felony otherwise.[8]

- Washington forbids its voter registration lists from being used for advertising purposes, unless such advertising is political in nature. A person who uses voter registration information for advertising purposes is guilty of a Class C felony. A person who does not

---

3 N.C. Code § 163.82.10B.

[4] Alaska Stat. § 15.07.195. This statute provides for release of confidential information to government agencies for governmental purposes authorized under law, and to other states or groups of states for the purpose of ensuring the accuracy of voter registration lists, only if these entities maintain the confidentiality of the information. These exceptions would not appear to apply to the Commission's requests as the Commission is neither a government agency nor a State, and the Commission intends to make the records public.

[5] Ariz. Stat. § 16-168.

[6] Georgia Secretary of State, State of Georgia Application for Voter Registration, *available* at https://registertovote.sos.ga.gov/GAOLVR/images/reg_form.pdf.

[7] New Mexico Secretary of State, Voter Registration Information, *available at* www.sos.state.nm.us/Voter_Information/Voter_Registration_Information.aspx.

[8] N.H. Rev. Stat. § 654:31(VI).

AMERICAN OVERSIGHT

take "reasonable precautions" after receiving such information to prevent its use for advertising purposes, where the information is then used by another for such purposes, is civilly liable for damages.[9]

- Arizona requires that precinct registers and other lists and information derived from registration forms may be used only for political and campaign purposes, or other purposes specifically authorized by law, and may not be used for a commercial purpose.[10]

The Commission has already stated in its request to states that it intends to make public the voter registration information it receives. By disclosing the requested information to the Commission, therefore, Secretaries of State may run afoul of their states' usage limitations.

C. Confidentiality Restrictions

States will not reveal confidential voter registration information such as social security numbers and dates of birth, and provide even greater confidentiality provisions for victims of domestic violence and sexual assault, and for public servants such as judges. For instance:

- In addition to information such as social security numbers, Utah considers dates of birth to be confidential information. To access such information, a requester must be a "qualified person," must describe the reasons and purposes for obtaining the information, may not use the information for any other purposes not listed, and must ensure, "using industry standard security measures," that no one but the qualified person may access the information. Obtaining the date of birth of a voter under false pretenses or using it in a manner not permitted by law is a Class A misdemeanor, and may also involve civil fines.[11]

- Oklahoma keeps confidential the residences and mailing addresses of individuals such as judges and law enforcement personnel, and their spouses and dependents, and participants in the state's Address Confidentiality Program, such as victims of domestic violence, sexual assault, and stalking.[12]

- Ohio allows the Secretary of State to share confidential voter registration information with only three types of organizations: (1) other state of Ohio agencies, (2) the interstate voter registration cross-check program, and (3) ERIC, or the electronic registration information center.[13]

---

[9] Wash. Rev. Code § 29A.08.720 & 740.
[10] Ariz. Stat. § 16-168(E).
[11] U.C.A. § 20A-2-104(4). A "qualified person" may be a government official, health care provider, insurance company, financial institution, political party, or their employees or agents. *Id.*
[12] 26 Okla. St. Ann. § 4-115.2.
[13] Ohio Rev. Code Ann. § 3503.15(A)(3)(b); Ohio Admin. Code 111:3-4-06.

AMERICAN OVERSIGHT

The foregoing confidentiality restrictions notwithstanding, the Commission has sought confidential information such as social security numbers (or portions of such numbers), dates of birth, and in many cases, addresses.

D. Threshold Requirements for Voter Information Requests.

The Commission's request likely fails to satisfy many states' threshold requirements for the form or substance of such requests, or for the satisfaction of certain conditions to obtain such information.

For example, many states require requests be directed to a particular government official or agency other than the state's chief election official:

- New Hampshire only permits public release of voter registration information at a municipal level from town and city officials.[14]

States also prescribe the form and content of voter registration requests. For example:

- Indiana requires the requesting party execute an agreement with the election division in a form prescribed under state law.[15]
- Texas requires the requesting person sign a statement swearing "that the information obtained from the copy of the State Master Voter File will not be used to advertise or promote commercial products or services."[16]
- Washington requires a requesting party complete an online form.[17]

Certain states limit release of voter registration data to particular individuals or entities:

- Indiana limits access to state political organizations, state legislative leaders, candidates for elected office, certain members of the judiciary, and the media.[18]
- Rhode Island limits access to voter registration lists to political parties' state chairpersons, those claiming to be duly qualified candidates for state/congressional office, and canvassing authorities from its cities and towns.[19]

The Commission made no apparent effort to review or comply with any of these requirements. Instead, it sent a substantively identical form letter nationwide.

Most states also impose a charge for disclosure of voter information, from a few dollars to several thousand dollars. For example:

- Alaska imposes a fee of $20.[20]

---

[14] N.H. Rev. Stat. § 654:31.
[15] Ind. Code § 3-7-26.4-9.
[16] Tex. Elec. Code § 18.066(d); Texas Voter Registration Form, *available at* https://www.sos.state.tx.us/elections/forms/pi.pdf.
[17] Wash. Rev. Code § 29A.08.720(2); Wash. Sec'y of State, Washington Voter Registration Database Extract, *available at* https://www.sos.wa.gov/elections/vrdb/extract-requests.aspx.
[18] Ind. Code § 3-7-26.4-6.
[19] Gen. Laws of R.I. Ann., § 17-6-5(a), 8.

AMERICAN OVERSIGHT

- Arizona and Texas have a substantially identical sliding fee schedule varying on the size of the request, from $93.75 plus $0.0005 per record for requests up to 124,999 records to $328.13 plus $0.0000625 per record for requests over 1 million records.[21]
- Utah charges requesting parties $1,050 for the voter database.[22]
- Indiana charges requesting parties $5,000.[23]

State officials generally have little if any discretion to waive fees for disclosure of voter information. Some states set fee amounts by statute without any provision allowing a waiver of such fee.[24] States that authorize election officials to set fees do not generally provide for case-by-case discretion to waive such fees altogether.[25] States that permit fee waivers often do so based on the identity of the requesting party—not subject to the discretion of election officials.[26] Official discretion, where allowed, nevertheless may be conditional—for example, to waive fees in Utah, an official may determine that "releasing the record primarily benefits the public rather than a person."[27]

The Commission failed to include the requisite fees with its request or to justify its failure to do so. To the extent election officials have any discretion to waive fees, the Commission did not request (or claim eligibility for) such waiver.

III. Could the Commission Maintain the Confidentiality of the Requested Information Even If It Chose To Do So?

Not likely. As noted already, Kobach has stated explicitly that "any documents that are submitted to the full Commission will also be made available to the public." But even if there were some desired backtracking on this point, it may be difficult to do so under federal law, primarily under the Federal Advisory Committee Act ("FACA").

---

[20] *See* State of Alaska Division of Election, Index of Resources, *available at* http://www.elections.alaska.gov/doc/forms/H23.pdf.
[21] Ariz. Revised Stat. § 16-168(E); Tex. Elec. Code § 18.066(e); The State of Texas Secretary of State, Voter Registration Public Information Request Form, *available at* http://www.sos.state.tx.us/elections/forms/pi.pdf#search=voter%20records.
[22] Utah Code § 20A-2-104(3)(d); Utah Voter Database, *available at* https://elections.utah.gov/voterdatabase.
[23] Ind. Code § 3-7-26.4-12.
[24] *See* Ariz. Revised Stat. § 16-168(E); Tex. Elec. Code § 18.066(e).
[25] Alaska Stat. Ann. § 15.07.127 ("any person may obtain a copy of the [statewide voter registration] list by applying to the director and paying to the state treasury a fee as determined by the director [of elections]"); Ga. Code Ann. § 21-2-225(c) ("the Secretary of State shall establish the cost to be charged for [voter registration] data.").
[26] *See, e.g.*, Alaska Stat. § 15.07.140 (political parties receive voter registration information free of charge); Ind. Code § 3-7-26.4-12 (waiving Indiana's fee for qualified judicial personnel); Nev. Rev. Stat. Ann. § 293.440(1) ("any person" may obtain a voter registration list by applying at the office of the county clerk and paying a sum equal to 1 cent per name on the list, but such a list shall be provided free of charge to political party committees).
[27] Utah Code. § 63G-2-203(4)(a).

AMERICAN OVERSIGHT

The Commission was established by the President's executive order under FACA, which was enacted in 1972 to ensure that Congress and the public would be kept informed of the activities of advisory committees.[28] As a "commission … established or utilized by the President … in the interest of obtaining advice or recommendations for the President," the Commission is an "advisory committee" as defined in the FACA and is therefore subject to the statute's requirements.[29]

FACA requires the Commission to comply with a number of requirements designed to ensure due process, transparency, and balanced public input, including filing a detailed charter, and holding public meetings.[30] In addition, FACA requires the Commission to make available for public inspection "the records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents which were made available to" it.[31] As "records, reports … or other documents … made available" to the Commission, voter registration and voting history information provided to the Commission must be made available for public inspection under FACA unless it falls within one of certain exceptions borrowed from the federal Freedom of Information Act (the "FOIA"). It would be difficult for the Commission to avail itself of a FOIA exemption at a later date given its claims that the Commission only sought publicly available information from the states. This is particularly true given the additional mandate of FACA to promote the transparency and availability of records obtained by the Commission.

IV. Can the Commission Require States to Comply?

No. Even if state law does not prohibit a state from providing the requested information to the Commission, a state has no *obligation* under federal law to provide that information. Executive Order 13799, which created the Commission, provides the Commission with no subpoena authority, or any other similar legal authority to require any state, person, agency, or entity to comply with its requests. To the contrary, the Executive Order merely provides that the Commission should "engage with Federal, State, and local officials,"[32] and instructs "[r]elevant executive departments and agencies"—but not states—to "endeavor to cooperate with the Commission."[33] Similarly, the Commission's Charter nowhere indicates that it has any formal power to compel compliance with its requests.[34]

Although certain Federal Advisory Committees created by Congress have been granted subpoena power,[35] such committees—like any executive agency—lack that power if it was not explicitly

---

[28] 5 U.S.C.A. § App. 2 § 2(b).
[29] U.S.C.A. § App. 2 § 3(2). FACA's definition of "advisory committee" excludes "(i) any committee that is composed wholly of full-time, or permanent part-time, officers or employees of the Federal Government, and (ii) any committee that is created by the National Academy of Sciences or the National Academy of Public Administration." *Id.* Neither of these exclusions applies.
[30] 5 U.S.C.A. § App. 2 §§ 9(c), 10(a).
[31] 5 U.S.C.A. § App. 2 § 10(b).
[32] Exec. Order § 5.
[33] *Id.* § 7(b).
[34] *See generally* Presidential Advisory Commission on Election Integrity, Charter, *available at* http://www.facadatabase.gov/committee/charters.aspx?cid=2612&aid=74.
[35] *See, e.g.*, Wendy R. Ginsberg, Congressional Research Service, *Federal Advisory Committees: An Overview* (Apr. 16, 2009), at 19 (noting that "[v]esting a committee with subpoena power … is done on a

AMERICAN OVERSIGHT

granted by Congress.[36] We are aware of no reported case in which any person or entity was charged with improperly failing to comply with a request from a Federal Advisory Committee, much less a case when a failure to comply with such a request was found actionable.

Accordingly, even if the Commission could have been vested by the Executive Order with the power to issue compulsory requests—a doubtful proposition—the lack of *any* provision in the Executive Order or in the Charter regarding the Commission's powers to compel compliance with its requests makes clear that states are entirely free to disregard the Commission's request for voter-related information.

Conclusion

Chief Election Officers, and their legal counsel, should safeguard individual privacy and consider state and federal law, and the implications of the Commission's requests before proceeding.

---

very selective basis," and that, as of the time of the article, "no current advisory committee charters [] provide subpoena powers").

[36] Indeed, federal agencies generally have no inherent administrative subpoena power, and may only exercise such power when granted by congressional authorization. *See, e.g.*, 5 U.S.C. § 555(c) ("Process, requirement of a report, inspection, or other investigative act or demand may not be issued, made, or enforced [by an administrative agency] except as authorized by law.").

AMERICAN OVERSIGHT

Page F
Fed. Papers w/ Election Act

United to Protect Democracy

BRENNAN CENTER FOR JUSTICE TWENTY YEARS

July 5, 2017

Connie Lawson
Secretary of State of Indiana
201 State Capitol
Indianapolis, Indiana 46204

Dear Secretary Lawson,

We write regarding the letter sent by the Presidential Advisory Commission on Election Integrity ("Advisory Commission") on July 3, 2017 to election officials around the country. That letter sought sweeping information about state voting systems and extensive, sensitive information regarding individual voters. As you and other election officials in your state determine whether, and to what extent, to disclose the information sought in that request, you may consider the state and federal legal implications of the Advisory Commission's request. To that end, we wish to share the enclosed letter, which we sent Monday to Mick Mulvaney, Director of the Office of Management and Budget in the White House. As our letter explains, the information request you received from the Advisory Commission failed to comply with federal legal requirements governing requests for information from federal agencies. The legal issues set out in the attached letter are especially urgent given the sweeping nature of the requests, which implicate the state's ability to maintain sensitive information that is foundational to the democratic process.

We would be happy to answer any questions about the enclosed correspondence or the issues it discusses.

Sincerely,

Larry Schwartztol
Counsel, United to Protect Democracy
Larry.Schwartztol@protectdemocracy.org
(202) 599-0466

Wendy Weiser
Director, Democracy Program
Brennan Center for Justice
weiserw@brennan.law.nyu.edu
(646) 292-8310

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

SECRETARY OF STATE
STATE OF INDIANA
200 W. WASHINGTON STREET, INDIANAPOLIS, IN 46204
WWW.SOS.IN.GOV

Secretary Lawson's statement to the Interim Committee on Elections
August 30, 2017

Ladies and Gentlemen of the Interim Elections Committee:

It is my pleasure to sit before you today to discuss election policy in Indiana. As a former colleague, I have a full appreciation of the work and time each of you invest during this process.

As you are aware, the Secretary of State is Indiana's chief elections officer. While I rely on Election Division co-directors Brad King and Angie Nussmeyer to conduct the important operational and implementation tasks involved with administering elections, I want to take this opportunity to thank the General Assembly for its support over the years as we moved from federal to state funding for our elections.

2016 was a historic year for us here in Indiana, and we saw more Hoosiers voting than ever before - 2,807,676, to be exact.

Of those 2,807,676 that voted, almost 33% voted early. That is a huge increase from the turnout in the 2012 presidential election, when only 22% voted early. We jumped from one-fifth of Hoosiers choosing to vote at a courthouse, early voting center or by absentee ballot to one-third of Hoosiers making that choice. And again, we didn't lose voters. Our numbers were up almost 150,000 over the last presidential election. Voter turnout came to approximately 58%, which was right at the national average. There is a caveat to that point, which I will address in a minute.

You might also recall, 2008 is the record for turnout in Indiana - an election that had compelling issues and candidates. In 2008, Indiana's turnout was 65%. This record turnout percentage was the first presidential election after photo ID was adopted in 2005.

Indiana has initiated a number of policies that have made voting and registering to vote more accessible and convenient. In 2002 no-excuse in person absentee voting was passed and has become increasingly more popular; We extended our absentee in-person voting period to 29 days before an election; a person can apply for an

AMERICAN OVERSIGHT

absentee ballot as early as December and that ballot can be sent to them as soon as the ballots are certified; on-line voter registration was passed in 2009 with an effective date of 2010. Over 750,000 Hoosiers have registered to vote or corrected their registration information on Indiana Voters. Com since that time. We also increased accessibility for our Military and Over Seas voters by allowing them to fax their ballot. We piloted Vote Centers and subsequently allow any County to become a Vote Center County.

Voter list maintenance started in 2014. Thanks to funding provided by the General Assembly, we engaged in a cleanup that took place over 3 election cycles, in order to remove deceased and otherwise incorrect voter registrations from our voter lists. Just over 481,000 inaccurate voter registration records were identified and removed statewide after the 2016 election.

As I said, turnout stood at 58% in 2016- right at the national average. However, if deceased voters, along with outdated and duplicate registrations were removed from the ledger prior to the election, our turnout actually came in around 65%, which would likely put us in the top 10 states in terms of turnout. Now that we have regular voter list maintenance here in Indiana, we will have a much more accurate picture of civic participation going forward.

Regular voter list maintenance provides us all a more accurate picture of our state's turnout. Voter list maintenance also provides citizens with confidence in our elections because no one wants to go to the polls on Election Day and see the name of a deceased relative or neighbors who moved years ago still on their poll list.

Election security is another issue I've been involved with recently. As a matter of fact, it has consumed my office and there isn't a day that goes by where we don't work through a cybersecurity element.

As would be the case for any sitting President of the United States, I was honored to be asked to serve on the President's Commission for Election Integrity. The Commission has been tasked with studying registration and voting processes in the country and making recommendations to improve election integrity and share information from individual states. Our first meeting was held in Washington last month, and I was really struck by the amount of brainpower and election expertise gathered in that room. It was kind of a surreal experience, too, because I ended up standing right next to the President as he offered opening remarks. I could have reached out and touched his hair, but I didn't.

AMERICAN OVERSIGHT

There has been some concern raised through the media regarding the purpose of the Commission, particularly in response to a letter that was sent by the Commission's co-chair asking for publicly available voter information. I want to stress that we will be following Indiana public records law. This law requires Indiana to release certain information in accordance with state law, which includes name, address and congressional district. I emphasize, no sensitive voter information (Social Security number, Driver's License, voting history) can be shared with the federal government. We are in the midst of litigation to restrict Indiana from cooperating with the President's Commission at all.

This summer, I was voted in as President of the NASS, where I will serve for 1 year. NASS is the nation's oldest non-partisan professional organization of elected officials. The Secretaries of State, are responsible for administering the very cradle of politics and political debate, work tirelessly to keep the organization objective in its operations and positions. There have been many heated discussions behind closed doors, which have resulted in fair, objective and incredibly balanced resolutions and policies.

As President of this non-partisan organization, I will have the opportunity to place Indiana in an even greater national spotlight and more importantly, allow me to speak directly to the federal government on matters important to our state.

In fact, those responsibilities have already begun. Several weeks ago, I testified before the US Senate Intelligence Committee regarding election security. One of the things I talked about, and one of the things Secretaries of State tend to agree on regardless of party affiliation, is that the federal government has no business running or interfering in elections.

Early this year, the Department of Homeland Security designated election systems as critical infrastructure, in what I think is an example of federal overreach All of my fellow Secretaries of State would like to know what this designation means and how it will affect elections. We are still waiting on those answers nearly 9 months after the designation.

That being said, in recent days, DHS has agreed to grant security clearances to the Secretaries and the agency has been working to improve communication with chief election officials . One of the factors being considered is an elections subsector of the multi-state information sharing and analysis center. I applaud this discussion as I think it is an example of the agency recognizing its errors and attempting to reset with the state level stakeholders and chief election officers.

AMERICAN OVERSIGHT

In turning to election security more specifically, make no mistake, you as legislators, invested in election security and modernization in Indiana. Your investment has allowed us to migrate the statewide voter registration system to a private source, which means we will avoid what happened to an election vendor in Illinois a couple of weeks ago where a vendor voter registration file was discovered on a public facing server. Furthermore, your investment has provided the resources to complete a multi-phased modernization package. Election modernization in Indiana will also build multi-factor authentication to access SVRS, browser compatibility, optimization between state and counties, IndianaVoters.com site refresh and many other user focused enhancements.

Before I turn to vote centers, a quick comment on county equipment. This summer, we asked VSTOP to conduct a survey and study of county cost to administer elections. This includes equipment, training, storage - everything counties invest in election administration. We expect VSTOP's study to be completed this fall.

Indiana currently has 30 vote center counties, with at least two more to be adopted in 2018. In order to adopt and implement vote centers, the county election board must unanimously vote to do so. As a former county clerk, I'm sensitive to the unanimous, bipartisan requirement due to the fact that no individual (and no party) can criticize or erode confidence in the vote center.

In finding the right target to increase participation, policy reformations are very difficult to tailor. This is supported by a lot of research, some of which shows registration laws, regardless of degree of restriction or lack thereof, do not deter the poorly educated any more or less than the highly educated. Additionally, some research has indicated that the resource poor do not benefit from in person early voting or voting by mail. Simply put, the end result of electoral reforms and the use of those reforms impact those that were already going to vote. I return to a key message during my time in office - turnout and elections are driven by candidates and issues. That theme is confirmed by research and the turnout numbers we've seen over the last decade, which have also occurred during the implementation and presence of what many have claimed is a restrictive Indiana photo ID law.

Again, and I want to reiterate this, research has shown election policy and reforms impact those that are already likely to vote. One of the only mechanisms we have available to reach those less likely to vote is to do so on Election Day. The University of Chicago recently published a report that says, "convenience is more influential to the infrequent voter's decision to vote. For the frequent voter,

AMERICAN OVERSIGHT

convenience influences when they vote. Since non-habitual voters are not likely to vote either early or on Election Day, convenience has a significant and positive effect on their decision to vote, but only on Election Day."

Vote centers, and support - which might take the form of funding - reduces the negative impacts of voting. Negative impacts of voting include little parking, long lines, small precincts, fewer or inefficient poll workers, etc. Positive impacts of vote centers include larger parking lots, shorter lines, more efficient staff and less information required to vote. Vote centers do not require the voter to possess or access information prior to voting. That is, vote centers are larger, more visible, and easier to understand - register, bring your ID and go to any of the county's vote centers.

In conclusion, while I emphasize, election turnout is a function of candidates and issues. That said, vote centers are a tremendous tool in reaching the infrequent voters we all seek.

Please forgive my level of detail, but I thought it was important to fully and sufficiently brief you on the state of elections and election administration in Indiana.

At this time, I'd be happy to answer any of your questions.

Thank you.

Notes

Vote By Mail Discussion (See handouts/articles from last week)

Jerry B. Update on Litigation (See handout from Monday)

NCSL Items for Discussion:
Voter/Photo ID
Early, No Absentee Voting
Vote by Mail
Vote Centers
Same Day Registration
VLM
Registration Generally
Equipment

AMERICAN OVERSIGHT

Election Funding

2017 Budget

	FY 2017-18	FY 2018-19	Biennial
IED Personal Services	$929,345	$929,346	
IED Other Operating	$292,039	$292,039	
VLM			$2,500,000
SVRS	$3,211,784	$3,211,784	
VSTOP	$595,000	$595,000	

Comparison from 2015 Budget

	FY 2017-18	FY 2018-19	Biennial
IED Personal Services	$887,609	$859,346	
IED Other Operating	$128,983	$127,625	
VLM	$2,500,000		
SVRS	$2,500,000	$2,500,000	
VSTOP	$595,000	$595,000	

Difference between 2015 and 2017 Budgets - Showing 2017 Increases

	FY 2017-18	FY 2018-19	Biennial
IED Personal Services	+$41,736	+$70,000	
IED Other Operating	+$162,056	+$164,414	
VLM			+$0
SVRS	+$711,784	+$711,784	
VSTOP	+$0	+$0	

AMERICAN OVERSIGHT

Presidential Advisory Commission on Election Integrity

July 19, 2017

Opening Statement

Mr. Chairman, Distinguished Commission Members and Fellow Citizens,

It is an honor for me to join the Commission today, and I want to thank President Trump for the chance to serve in this capacity. My name is Connie Lawson, and I am the Indiana Secretary of State. I also serve as President of the bi-partisan National Association of Secretaries of State, and in that role, I co-chair the NASS Election Security Task Force.

My background is uniquely suited to the issue of voting processes and election administration. I served two terms as Hendricks County Clerk, overseeing the beginning of the move toward electronic voting and the modernization of voting machines. While I was clerk I was named elections administrator of the year by the Indiana State Election Board and Clerk of the Year by the Indiana Clerk's Association. I also served as president of the Indiana Clerk's Association.

Following my time in local office, I served sixteen years as State Senator. During that time I was a member of the Senate Elections Committee and rose to become Majority Floor Leader, the first woman in Indiana history to hold that title. In 2012, a vacancy arose in the Secretary of State's office, and Governor Mitch Daniels appointed me to serve the remainder of the term. I was elected to a full term in 2014.

It is an honor to be here with my distinguished fellow commissioners to discuss issues relating to voting systems and processes around our country. With statewide elections in New Jersey and Virginia this year, and many more contests to follow in 2018, there is no better time to analyze how we can improve voter confidence and civic participation. While it is important to create an accurate understanding of the 2016 cycle, I believe it is even more important for us to be discussing what lies ahead.

This body has a great opportunity to outline constructive priorities as we begin our work. I would submit that one of the most important goals we have is improving the partnership between federal and state authorities where election issues are concerned. For instance, I and other Secretaries of State have been frustrated by attempts to communicate with the federal Department of Homeland Security in the

AMERICAN OVERSIGHT

wake of their decision to designate election systems as critical infrastructure. I am still discovering facts about this decision via the media, rather than from the decision-makers, and I am hopeful that we can address this issue going forward.

While I was state senator, significant updates were made to federal and state election law. Among these was the Help America Vote Act (HAVA) of 2002, passed to improve voting systems and voter access in response to the 2000 election. This legislation created the Election Assistance Commission and addressed provisional voting, voting equipment, and statewide voter databases, among other things.

A crucial point is that the HAVA standards were developed in a bipartisan, cooperative manner, seeking input from multiple stakeholders in order to find points of agreement. It is my hope that this Commission will operate in a similar manner as we get to work on behalf of the President, our states, and the American people.

Thank you.

AMERICAN OVERSIGHT

From: Connie Lawson [redacted]
Sent: Thursday, September 14, 2017 1:16 PM
To: Bonnet, Jerry (SOS)
Subject: Fwd: Welcome; Initial Organizational Call

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Sent from my iPhone

Begin forwarded message:

From: "Kossack, Andrew J. EOP/OVP" <Andrew.J.Kossack@ovp.eop.gov>
Date: June 26, 2017 at 9:50:28 AM EDT
To: [redacted]
"cmccormick@eac.gov" <cmccormick@eac.gov>, [redacted] "luis.borunda@maryland.gov" <luis.borunda@maryland.gov>, "mrhodes@woodcountywv.com" <mrhodes@woodcountywv.com>
Cc: "Paoletta, Mark R. EOP/OVP" <Mark.R.Paoletta@ovp.eop.gov>, "Morgan, Matthew E. EOP/OVP" <Matthew.E.Morgan@ovp.eop.gov>
Subject: Welcome; Initial Organizational Call

Dear Members,

Congratulations for your appointment to the Presidential Advisory Commission on Election Integrity ("Commission"). We appreciate your leadership and look forward to working with you.

The General Services Administration filed the Commission's charter this past Friday, which officially establishes the Commission as a Presidential advisory committee and permits the Commission to commence its official duties under Executive Order 13799. As the Commission's Designated Federal Officer ("DFO"), I will support the Commission's work and its members with administrative needs and ensure the Commission complies with the Federal Advisory Committee Act ("FACA").

To update you, begin preparing for the Commission's first meeting, and answer any questions you have at this time, we would like to hold a conference call this Wednesday at 11:30 a.m. Eastern. Please let me know if you cannot participate in this call. I will send a calendar invitation with call-in information soon.

Please also hold July 19th on your calendars. This is the date we are tracking for the Commission's first meeting.

Please note that FACA requires public meetings and 15-day advance notices for "[a]ny gathering of advisory committee members (whether in person or through electronic means) held with the approval of an agency for the purpose of deliberating on the substantive matters upon which the advisory committee provides advice or recommendations." Thus, on this call the Commission may not "deliberat[e] on . . . substantive matters" such as what final recommendations the Commission might

AMERICAN OVERSIGHT

provide in its report. However, FACA allows discussion of the following without requiring an open meeting:

> Preparatory work. Meetings of two or more advisory committee or subcommittee members convened solely to gather information, conduct research, or analyze relevant issues and facts in preparation for a meeting of the advisory committee, or to draft position papers for deliberation by the advisory committee; and
>
> Administrative work. Meetings of two or more advisory committee or subcommittee members convened solely to discuss administrative matters of the advisory committee or to receive administrative information from a Federal officer or agency.

In other words, we may freely discuss administrative matters and issues related to meeting preparation on this call, but we must be careful not to engage in deliberation on substantive matters.

With that said, please let me know if you have any questions or items you want to discuss during this call. And if you have any other questions in the meantime, please do not hesitate to let me know.

Again, thank you for your service. We look forward to speaking with you this week.

Best regards,
Andrew

Andrew J. Kossack
Associate Counsel
Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

From: Connie Lawson [redacted]
Sent: Thursday, September 14, 2017 1:16 PM
To: Bonnet, Jerry (SOS)
Subject: Fwd: HOLD: Organizational Call - PCEI

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Sent from my iPhone

Begin forwarded message:

From: David Dunn [redacted]
Date: June 27, 2017 at 4:14:29 PM EDT
To: "Kossack, Andrew J. EOP/OVP" <Andrew.J.Kossack@ovp.eop.gov>
Cc: Ken Blackwell [redacted], Christy McCormick [redacted], "luis.borunda@maryland.gov" <luis.borunda@maryland.gov>, "mrhodes@woodcountywv.com" <mrhodes@woodcountywv.com>, "Paoletta, Mark R. EOP/OVP" <Mark.R.Paoletta@ovp.eop.gov>, "Morgan, Matthew E. EOP/OVP" <Matthew.E.Morgan@ovp.eop.gov>
Subject: Re: HOLD: Organizational Call - PCEI

Look forward to it

David K Dunn
Capitol Partners, LLC
[redacted]

On Jun 27, 2017, at 11:53 AM, Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov> wrote:

> Attached is the agenda for tomorrow's call. Once we have the call-in information, I'll send an updated calendar invitation and attach this to that message as well, but we wanted you to have this in advance.
>
> Thanks,
> Andrew
>
> Andrew J. Kossack
> Associate Counsel
> Office of the Vice President

AMERICAN OVERSIGHT

Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

From: Ken Blackwell [redacted]
Sent: Tuesday, June 27, 2017 11:24 AM
To: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Cc: [redacted] Christy McCormick [redacted] luis.borunda@maryland.gov; mrhodes@woodcountywv.com; Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>
Subject: Re: HOLD: Organizational Call - PCEI

Great. I'm a day early anyway!

Call in details for

On Mon, Jun 26, 2017 at 11:37 AM, Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov> wrote:

<Organizational Conference Call 6.28.2017.docx>

AMERICAN OVERSIGHT

From: Connie Lawson [redacted]
Sent: Thursday, September 14, 2017 1:17 PM
To: Bonnet, Jerry (SOS)
Subject: Fwd: HOLD: Organizational Call - PCEI

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Sent from my iPhone

Begin forwarded message:

From: David Dunn [redacted]
Date: June 27, 2017 at 4:14:29 PM EDT
To: "Kossack, Andrew J. EOP/OVP" <Andrew.J.Kossack@ovp.eop.gov>
Cc: Ken Blackwell [redacted] Christy McCormick [redacted] "luis.borunda@maryland.gov" <luis.borunda@maryland.gov>, "mrhodes@woodcountywv.com" <mrhodes@woodcountywv.com>, "Paoletta, Mark R. EOP/OVP" <Mark.R.Paoletta@ovp.eop.gov>, "Morgan, Matthew E. EOP/OVP" <Matthew.E.Morgan@ovp.eop.gov>
Subject: Re: HOLD: Organizational Call - PCEI

Look forward to it

David K Dunn
Capitol Partners, LLC
[redacted]

On Jun 27, 2017, at 11:53 AM, Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov> wrote:

> Attached is the agenda for tomorrow's call. Once we have the call-in information, I'll send an updated calendar invitation and attach this to that message as well, but we wanted you to have this in advance.
>
> Thanks,
> Andrew
>
> Andrew J. Kossack
> Associate Counsel
> Office of the Vice President

AMERICAN OVERSIGHT

Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

From: Ken Blackwell [redacted]
Sent: Tuesday, June 27, 2017 11:24 AM
To: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
Cc: [redacted] Christy McCormick [redacted] luis.borunda@maryland.gov; mrhodes@woodcountywv.com; Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>
Subject: Re: HOLD: Organizational Call - PCEI

Great. I'm a day early anyway!

Call in details for

On Mon, Jun 26, 2017 at 11:37 AM, Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov> wrote:

<Organizational Conference Call 6.28.2017.docx>

AMERICAN OVERSIGHT

From: Connie Lawson [redacted]
Sent: Thursday, September 14, 2017 1:17 PM
To: Bonnet, Jerry (SOS)
Subject: Fwd: letters to chief election officials

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Sent from my iPhone

Begin forwarded message:

> **From:** "Kossack, Andrew J. EOP/OVP" <Andrew.J.Kossack@ovp.eop.gov>
> **Date:** June 29, 2017 at 1:37:24 PM EDT
> **To:** Connie Lawson [redacted]
> **Subject: RE: letters to chief election officials**
>
> Will do! Sorry about that. I'll fix it going forward.
>
> Thanks for your great comments yesterday. Really appreciate your leadership and am thankful you're on the commission. We're lucky to have you!
>
> Thanks,
> Andrew
>
> Andrew J. Kossack
> Associate Counsel
> Office of the Vice President
> Cell: 202.881.8797
> Email: Andrew.J.Kossack@ovp.eop.gov
>
> -----Original Message-----
> From: Connie Lawson [redacted]
> Sent: Thursday, June 29, 2017 12:15 PM
> To: Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov>
> Subject: Re: letters to chief election officials
>
> Thanks Andrew. I realize now I need to receive these emails on my official email address. CWLawson@sos.in.gov.
>
> Sent from my iPhone

AMERICAN OVERSIGHT

On Jun 28, 2017, at 3:43 PM, Kossack, Andrew J. EOP/OVP <Andrew.J.Kossack@ovp.eop.gov> wrote:

Dear Members,

Please see the attached letters to secretaries of state and chief state election officials. These will be transmitted soon.

Thanks,

Andrew

Andrew J. Kossack
Associate Counsel
Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

<SOS Letters.pdf>

AMERICAN OVERSIGHT

From: Connie Lawson [redacted]
Sent: Thursday, September 14, 2017 1:16 PM
To: Bonnet, Jerry (SOS)
Subject: Fwd: HOLD: Organizational Call - PCEI
Attachments: mime-attachment.ics; Organizational Conference Call 6.28.2017.pdf

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Sent from my iPhone

Begin forwarded message:

From: "Kossack, Andrew J. EOP/OVP" <Andrew.J.Kossack@ovp.eop.gov>
Date: June 27, 2017 at 7:34:52 PM EDT
To: [redacted] "luis.borunda@maryland.gov" <luis.borunda@maryland.gov>, "mrhodes@woodcountywv.com" <mrhodes@woodcountywv.com>, "Paoletta, Mark R. EOP/OVP" <Mark.R.Paoletta@ovp.eop.gov>, "Morgan, Matthew E. EOP/OVP" <Matthew.E.Morgan@ovp.eop.gov>, Christy McCormick [redacted]
Subject: HOLD: Organizational Call - PCEI

Instructions for call attendees:

Beginning as early as 11:00am, Signal via the White House Communications Agency **will call you directly on the either of the numbers you provided below**. This process is done to ensure that all conferees are in the conference on time, and line quality is validated before adding the Vice President into the conference last at 11:30 am. If you have any difficulties connecting, please call: [redacted]

	Commission Member	Primary Phone	Secondary Phone
1	Michael R. Pence	n/a	n/a
2	Kris Kobach	[redacted]	
3	Connie Lawson		
4	Bill Gardner		
5	Matt Dunlap		
6	Ken Blackwell		
7	Christy McCormick		
8	David Dunn		
9	Luis Borunda		
10	Mark Rhodes		

AMERICAN OVERSIGHT

Presidential Advisory Commission on Election Integrity

Organizational Conference Call

June 28, 2017
11:30 a.m. ET

Call Agenda

1. Welcome Remarks – Chairman, Vice President Pence
2. Overview of Presidential Advisory Commission on Election Integrity – Vice Chairman, Secretary Kris Kobach; Mark Paoletta, Counsel to the Vice President
    - First Meeting – July
        - Location: Washington, D.C.
        - Agenda
    - Overview of Election Integrity Commission staff
        - Andrew Kossack
        - Ron Williams
        - Support from the General Services Administration
    - Future meetings
        - August, September/October, November/December, February
    - Information Requests
3. Financial disclosures – Matt Morgan
4. Questions from Members

AMERICAN OVERSIGHT

Election Infrastructure Preparedness and Response Planning Group Concept of Operations

Overview

Purpose

This document outlines the coordination of federal government activity in support of the cybersecurity of election infrastructure.[1] In particular, it provides a playbook to guide coordination in response to cyber incidents impacting election infrastructure during the 2016 United States election, so that all elements of the federal government are prepared to respond in a coordinated manner. This playbook is based on Presidential Policy Directive 41 (PPD-41), United States Cyber Incident Coordination[2] and adheres to the established three concurrent lines of effort: threat response; asset response; and intelligence support and related activities. Further, it is aligned with the National Cyber Incident Response Plan and Cyber Unified Coordination Group concept of operations, currently under development.

[1] "*Election Infrastructure*" is defined in Annex III, Laws/Policy Governing Federal Response, of this document

[2] https://www.whitehouse.gov/the-press-office/2016/07/26/presidential-policy-directive-united-states-cyber-incident

[3] For additional information regarding the laws and policies that govern federal government response to election-related incidents, see Annex III, Laws/Policy Governing Federal Response

Scope

This document establishes the federal response plan for a cyber incident that is (or group of related cyber incidents that together are) likely to result in demonstrable impact to election infrastructure during the 2016 United States election.

Role of the Federal Government

In almost all potential cases of malicious cyber activity impacting election infrastructure, state, local, tribal, and territorial governments, to include their law enforcement agencies, will have primary jurisdiction to respond. On-scene response efforts of the federal government generally will occur at the behest of the owners and operators of any impacted entities, including state and local officials, who have primary jurisdiction over many different aspects of the electoral process, and have the authorities to respond to cyber incidents affecting their networks and systems.[3]

Consistent with PPD-41, because existing incidents involving election infrastructure have collectively been rated as significant, the Cyber Response Group (CRG) has directed the formation of a Cyber Unified Coordination Group (UCG) to coordinate these activities. The Federal Bureau of Investigation (FBI), the Department of Homeland Security (DHS), and the Cyber Threat Intelligence Integration Center (CTIIC), as the federal lead agencies for threat response, asset response, and intelligence support respectively, are actively engaged in response activities and conducting daily coordination calls to discuss both current response actions and plans for ongoing support for the cybersecurity of national elections. The FBI is conducting law enforcement and national security investigative activity concerning cyber activity directed at election infrastructure; DHS is furnishing technical assistance and ongoing guidance to

AMERICAN OVERSIGHT

affected election infrastructure entities; and CTIIC has facilitated information sharing to build situational threat awareness on actual and potential impacts to election infrastructure.
In furtherance of this ongoing coordination, the National Security Council convened an interagency team from the Department of Justice (DOJ), DHS, FBI, and the Office of the Director of National Intelligence (DNI) to develop this playbook to guide additional federal cybersecurity planning and response efforts leading up to and on Election Day.

Pre-Election Coordination, Planning, and Preparation

Election Infrastructure Cybersecurity Working Group

The Secretary of Homeland Security established an Election Infrastructure Cybersecurity Working Group to convene relevant members of federal and state governments to engage with appropriate election infrastructure stakeholders to explore mechanisms for improving the security and resilience of election infrastructure. The EICWG includes representatives from:

- Department of Homeland Security, National Protection & Programs Directorate (NPPD)
- National Association of Secretaries of State
- State and Local Election Officials
- United States Election Assistance Commission
- National Institute of Standards and Technology
- Department of Justice
- Federal Bureau of Investigation
- Department of Defense Federal Voting Assistance Program

Through the EICWG, DHS provided state and local election officials with a number of products that raised awareness of DHS service offerings and capabilities, including cyber hygiene scanning and Risk and Vulnerability Assessment (offered by the NCCIC National Cybersecurity Assessment and Technical Services team); identified relevant points of contact for headquarters and field-based elements, such as Protective Security Advisors (PSAs) and Cyber Security Advisors (CSAs); promulgated best practices on securing voter registration databases and business continuity planning; and, disseminated an unclassified intelligence assessment on cyber threats and vulnerabilities to election infrastructure.

Response Training to Election Crimes Coordinators (ECC) and District Election Officers (DEO)

All of FBI's Election Crimes Coordinators (ECCs) and the DOJ's District Election Officers (DEOs) attended a three-day seminar on Voter Protection and Election Crime in Columbia, South Carolina. The training covered a variety of topics, including the importance of coordinating with state and local law enforcement and local officials throughout the planning process and setting up an Election Day Working Group with local partners to share information quickly and efficiently in the event of an incident. Additionally, the training included an entire session devoted to cyber events and elections, which impressed upon the ECCs and DEOs the importance of coordinating with the Cyber Task Forces in their respective Divisions to ensure full integration and open channels of communication.
ECCs and DEOs have been encouraged to form Election Day Working Groups with their state and local partners, to include state/local election and law enforcement officials. The DHS PSAs and CSAs have coordinated with the FBI's ECCs, and where appropriate will be collocated with the ECC. ECCs have also

AMERICAN OVERSIGHT

coordinated with their FBI Field Office's Joint Terrorism Task Force (JTTF), Cyber Task Forces (CTF) and Foreign Counterintelligence personnel.

Election Infrastructure Cyber Risk Characterization

The NPPD/Office of Cyber and Infrastructure Analysis (OCIA) prepared an analysis to support DHS efforts to provide technical assistance to State and local governments to mitigate vulnerabilities to election systems. The analysis identifies attributes designed to characterize and compare risk on a State-by-State level. This product focuses on States to provide a starting point for prioritizing outreach and technical assistance efforts; as engagement efforts mature at the State level, some data is available at the county level to prioritize efforts within each State.

Reporting Guidance and Information Coordination

By November 1, 2016, DHS, DOJ, and FBI will develop internal guidance for their headquarters and field-based personnel to specify how information on cyber incidents will flow within their organizations; between FBI, DOJ, and DHS; and to other interagency partners, including CTIIC. This will ensure that information from field personnel is shared quickly and efficiently with headquarters personnel and between threat responders and asset responders to create shared situational awareness of cyber incidents on Election Day. This guidance will be developed in line with the scenarios explained in the "Election Day Operations; Steady State Coordination and Incident Handling Efforts" section of this document.

Communications Planning

The DHS Office of Public Affairs, in coordination with DOJ, FBI, and ODNI, will develop integrated public relations guidance that seeks to maintain public confidence in the electoral system in response to reports of cyber incidents impacting election infrastructure. The public relations guidance developed by these agencies will be fully coordinated before November 1, 2016, with the NSC to ensure that appropriate spokespersons are identified, remarks are fully consistent and joint messages are used in any potential cyber incident. This messaging includes private interactions with affected entities, including their leadership. These public statements should be developed to avoid inadvertently calling into doubt the integrity of the voting process and to avoid negative impacts to voter turnout.

Run-Through

On November 1, 2016 NSC will lead a run-through of election-day operations to test federal communications and coordination processes and resolve any technical or coordination challenges ahead of Election Day.

Election Day Operations

Coordinating Federal Command Centers

FBI National Election Command Post

On National Election Day, November 8, 2016, FBI Headquarters, with the support of representatives from DOJ's National Security Division and Criminal Division, will establish a national monitoring Command Post (CP) at the Strategic Information and Operations Center (SIOC) at the J. Edgar Hoover FBI Building. Subject to Election Day events, the CP will run from 6:00am EST through 12:00am EST. The purpose of the CP is to establish a centralized location to monitor election-related activities, track status reports and significant complaints from FBI Field Offices, identify trends indicative of a coordinated

AMERICAN OVERSIGHT

nationwide effort to disrupt the election process, establish communication with other participating federal agencies, provide guidance to United States Attorney's Offices, FBI Field Offices, and secure necessary authorizations from FBIHQ Executive Management and DOJ's National Security Division and Criminal Division in the event of an FBI response to an election-related event. This CP will serve as a national center to monitor and track Election Day activities both cyber and non-cyber. In the event of an election-related incident requiring a substantial DOJ and FBI response (e.g. violence at polling places, coordinated voter intimidation, or a significant cyber incident), an Incident Command Post will be established by either the local FBI Field Office or the responsible FBI Investigative Division. The Incident Command Post will address the situations within their respective areas of responsibility and keep the national CP apprised of significant developments and outcomes.

FBI Cyber Division National Election Day Cyber Incident Command Center

To have the ability to quickly and effectively intake and triage cyber-related events on Election Day, the FBI Cyber Division will activate enhanced coordination procedures and stand up the FBI's National Election Day Cyber Incident Command Center co-located with CyWatch at the National Cyber Investigative Joint Task Force (NCIJTF). This preparation step will allow the FBI to respond immediately and coordinate any cyber incident related information, eliminating the time needed to re-constitute resources that would need to be applied for significant level events. It also will provide a mechanism to share information with DHS via the NCCIC to aid its response efforts. The FBI's CICC will be activated on Monday November 7 2016, during regular business hours, and on Election Day, Tuesday, November 8 2016, from 6:00am EST through 12:00am EST.

National Cybersecurity and Communications Integration Center (NCCIC)

To quickly and effectively intake and triage cyber-related events on Election Day that may be reported to the NCCIC by FBI through the National Election Day Command Post or the National Election Day Cyber Incident Command Center or received directly by NCCIC via state and local officials or NPPD field-based personnel, the NCCIC will augment its normal operations on Election Day with additional watch officers and incident management personnel at its headquarters facility in the National Capital Region. This will enable the NCCIC and FBI to respond immediately to coordinate any cyber incident and reduce the time needed to activate additional resources to support a significant cyber event.

Cyber Threat Intelligence Integration Center (CTIIC)

CTIIC will operate on Election Day, Tuesday, November 8, 2016, from 0600 through 2400 hours. Leading up to and on Election Day, CTIIC will work with the Intelligence Community and UCG partners to aggregate relevant intelligence and information to build and maintain a common threat and incident picture that informs decision-making. This common picture will set cyber incidents in the context of adversary activity across all domains to draw connections and implications, and will be generated from both serialized reporting and updates on ongoing operations, including actions taken by USG elements to mitigate and defend against identified threats or incidents. CTIIC will facilitate sharing of intelligence on election-related threats and incidents, integrated analysis of election-related threat trends and events, identification of knowledge gaps, and efforts to develop options to degrade or mitigate adversary threat capabilities. In addition to augmenting its normal staff activities on Election Day, CTIIC is coordinating with FBI, NCIJTF, and DHS to co-locate CTIIC personnel with their Command Posts to ensure the timely flow of intelligence and information to all appropriate parties.

AMERICAN OVERSIGHT

Steady State Coordination and Incident Handling Efforts

Based on experience from previous elections as well as heightened awareness of cyber-threats leading up to this election, DHS, DOJ, and FBI anticipate receiving a high volume of incident reporting on Election Day. Interagency response efforts will be based on the relative risk of each cyber incident reported on Election Day, assessed against the cyber incident severity schema. If a cyber incident requires immediate onsite response, DOJ's Criminal and Civil Rights Divisions and FBI Cyber Division will coordinate necessary authorization to conduct investigative activity at or near the polling place, and make sure all interagency components are informed.

All cyber incident reports will be shared amongst DHS, FBI, and CTIIC, whether generated by DHS or FBI field-based personnel centered on information provided by state and local officials and then sent to the NCCIC, CyWatch, or SIOC, or reports directly sent to the NCCIC, CyWatch, or SIOC by elections officials or other state and local partners. Incident information will be shared via the liaison officers and personnel DHS, FBI, and CTIIC embed in each other's watch centers and command posts on Election Day and then shared back with their respective organizations.

Leveraging the DHS intelligence assessment[4] the interagency anticipates that the vast majority of cyber incidents will be assessed as "baseline" or "low" on the schema. These are unsubstantiated or inconsequential events, or events that are unlikely to impact health or safety, national security, economic security, foreign relations, civil liberties, or public confidence. For these incidents, federal response efforts will be limited to maintaining shared situational awareness among DHS, FBI, and the relevant cyber centers, and providing senior leadership in respective departments and agencies and the National Security Council a high level overview of the incidents being tracked at regular intervals. Shared situational awareness includes triaging and deconflicting reporting as it is coming into federal cyber centers, command posts, field-based elements, and state and local partners, such as the MS-ISAC or state and major urban area fusion centers, through regular communication, coordination, and collaboration.

[4] DHS publication titled, *Cyber Threats and Vulnerabilities to US Election Infrastructure*, September 20, 2016

These Coordination calls will be pre-scheduled and will occur throughout the day on Election Day at 0900, 1200, 1500, 1800, 2100, and 2400 hours. Calls will be generated from the FBI's Cyber Incident Command Center, and include NCCIC, CTIIC, and the Cybersecurity Directorate of the National Security Council, at a minimum. During the calls all entities will share relevant threat and incident reporting and make determinations on the severity of cyber incidents, if any occur.

FBI Cyber Division's Major Cyber Crimes Unit (MCCU) will be the lead FBI entity for managing election-related cyber incidents. Personnel from MCCU will be embedded in both the FBI's National Election Command Post and the FBI's Cyber Incident Command Center. MCCU in will be responsible for ensuring that cyber-related reports and complaints are deconflicted and routed through the appropriate FBI Divisions.

Significant Incident Response Efforts

If DHS, DOJ, FBI, and CTIIC assess that a cyber incident on Election Day is (or group of related cyber incidents that together are) likely to result in demonstrable impact to election infrastructure, and be considered a Level 3/Orange or higher according to the U.S. Government Cyber Incident Severity

AMERICAN OVERSIGHT

Schema, DHS, FBI, and CTIIC will activate enhanced procedures and allocate the resources described in their enhanced coordination procedures to coordinate incident response activities. The following resources are available in the event of a significant cyber incident and will be allocated at the discretion of their agency's executive management to respond appropriately.

FBI Response Mechanisms

Cyber Task Forces (CTF)

Cyber Task Forces (CTFs) are located in each of FBI's 56 field offices and bring together federal, state, and local law enforcement entities in each area of responsibility (AOR) to facilitate joint information sharing, incident response, law enforcement, and intelligence actions. In the event of a significant cyber incident, CTFs will be able to quickly respond to affected entities in their respective AORs with concurrence from the local ECC and the FBI's National Election Command Post.

Regional Computer Forensics Laboratory (RCFL)

In the event of a significant cyber incident, cyber forensic personnel are dispersed in field offices and regional computer forensic labs. If digital evidence personnel are needed for large scale deployments, the FBI's Operational Technology Division Emergency planning office will assist.

Cyber Action Team (CAT) Deployments

CAT personnel are located in 26 field offices and one overseas location. Four CAT members have been placed on stand-by and can be deployed immediately if cyber investigative techniques are needed to rapidly respond to a call for assistance or as part of a joint response team. CAT Personnel will not self-deploy to any election related cyber incident on Election Day without coordinating with the local ECC and the FBI's National Election Command Post at SIOC.

FBI Headquarters Surge Capability

FBI Cyber Division's Major Cyber Crimes Unit will be embedded within the FBI's National Election Command Post and the FBI's Cyber Incident Command Center in order to leverage existing analytic and investigative capabilities in the event of a significant incident. Additionally, FBI Cyber Division leadership is prepared to surge headquarters-level resources, dependent on the nature of the incident and the suspected attribution. Major Cyber Crimes Unit will ensure that all relevant FBI Divisions and units are made aware if a cyber incident occurs, and necessary personnel can be brought to either the FBI's National Election Command Post or the FBI's Cyber Incident Command Center to assist.

DHS Response Mechanisms

To fulfill its asset response role and in parallel with the FBI's threat response efforts, DHS, through the NCCIC Hunt and Incident Response team, can provide affected entities onsite or remote assistance, on a voluntary basis. NCCIC activities in support of an affected entity will occur within the incident response lifecycle. This lifecycle includes establishing communications with the entity, triaging the incident and gathering information, developing and implementing a tactical mitigation plan, and post-mitigation information gathering. During the development and implementation of a tactical mitigation plan, NCCIC services and capabilities may include a review of the network or infrastructure of the affected entity, forensics, such as log analysis, hunt analysis, digital media analysis, and malware analysis, a security program and risk review, and finally, recommend mitigations. DHS CSAs and PSAs may also support response efforts.

AMERICAN OVERSIGHT

Post-Election Day Coordination Efforts

Following Election Day, criminal law enforcement investigations will proceed under DOJ and FBI leadership, and agencies will maintain the UCG coordination mechanism until Friday, November 11, 2016 in order to be ready to address any post-election cyber incidents (e.g., planted stories calling into question the results). After this date, the UCG will dissolve, unless members of the CRG agree that is needs to continue operation. DHS, DOJ, FBI, and ODNI will continue their coordination and activities on an as-needed basis to address systematic risks and threats. In particular, the Public Affairs offices of these agencies will stand ready to work with NSC on any public communications concerning any cyber incidents related to the electoral system or in response to any claims or statements made by third parties about any such alleged cyber incidents or activity.

AMERICAN OVERSIGHT

Annex I: Standing Federal Government Organizational Elements

Department of Justice (DOJ)

Headquarters-Based Elements

The Election Crimes Branch

The Election Crimes Branch oversees the Department's handling of all election crime allegations other than those involving federal voting rights, which are handled by the Civil Rights Division. Specifically, the Branch provides advice and guidance on three types of election crime cases: (1) vote frauds, such as vote buying and absentee ballot fraud; (2) campaign-financing crimes, most notably under the Federal Election Campaign Act (FECA); and (3) patronage crimes, such as political shakedowns and misuse of federal programs for political purposes. Vote frauds and campaign-financing offenses are the most significant and most common types of election crimes.

Counterintelligence and Export Control Section

The Counterintelligence and Export Control Section (CES) in the National Security Division (NSD) of DOJ is responsible for investigations and prosecutions affecting, involving, or relating to the intelligence activities of foreign nations, including state-sponsored hacking, espionage, and other violations of federal law.

Computer Crime and Intellectual Property Section

The Computer Crime and Intellectual Property Section (CCIPS) in the Criminal Division of DOJ is responsible for support to investigations and prosecutions involving criminal threats to computer systems. It also provides advice and assistance on electronic evidence collection in criminal matters to agents and prosecutors across the United States.

The Civil Rights Division

The Voting Section of the Civil Rights Division oversees the Department's handling of federal voting rights matters other than the election crimes within the jurisdiction of the Election Crimes Branch and the Criminal Section of the Civil Rights Division. For example, the Voting Section has jurisdiction to investigate and bring legal action to address violations of the Help America Vote Act, which both require a single uniform, official, centralized computerized statewide voter registration list containing registration information for every legally registered voter, and requires that list to be secure against unauthorized access.

Regional-Based Elements

District Election Officers (DEO)

The DEO Program is designed to ensure that each of the Department's 94 United States Attorneys' Offices has a trained prosecutor available to oversee the handling of election crime matters within the district and to coordinate district responses with Department headquarters regarding these matters. The DEO Program involves appointing an Assistant United States Attorney in each federal district to serve a two-year term as a DEO and providing periodic training for the DEOs in the handling of election crime and voting rights matters.

The DEO Program is also a crucial feature of the DOJ's nationwide Election Day Program, which takes place during the federal general elections held in November of even-numbered years. The Election Day Program ensures that federal prosecutors and investigators are available both at Department

AMERICAN OVERSIGHT

headquarters in Washington, DC, and in each district to receive complaints of election irregularities while the polls are open.

Computer Hacking and Intellectual Property (CHIP) coordinators

Consists of over 200 Assistant United States Attorneys in districts across the country, trained in obtaining legal process for investigating criminal attacks on computer systems and networks, and in lawful collection of electronic evidence for prosecutions. Together with the Criminal Division's Computer Crime and Intellectual Property Section, CHIP coordinators address domestic and international criminal activity that affects computer systems.

National Security Cyber Specialist (NSCS) Network

Consists of at least one Assistant United States Attorney in every judicial district and National Security Division attorneys that coordinate the Department of Justice's work to combat cyber threats to the national security, and to work with other components and the United States Attorney's Offices to ensure that the Department takes an all-tools approach to these threats, including by coordinating with the intelligence community on attribution of and response to national security threats.

In the event of an significant cyber event affecting an election, the CHIP and NSCS networks of prosecutors would work with the District Election Officer and FBI investigators to ensure that the investigation of the event is conducted lawfully and appropriately consistent with both the law and policy governing election-related investigations and the law and policy governing the collection of electronic evidence.

Federal Bureau of Investigation (FBI)

Headquarters-Based Elements

Public Corruption and Civil Rights Section (CID/PCU) of the Criminal Division

The Campaign Finance and Ballot Fraud Initiative under PCU is tasked with the mission of strengthening the FBI's ability to address allegations of ballot fraud, voter intimidation, campaign finance violations, and other matters related to elections. The initiative manages the Election Crimes Coordinator Program and provides resource materials, guidance, training, and coordination with DOJ.

Cyber Division (CyD)

FBI Cyber Division's (CyD) mission is to identify, pursue, and defeat cyber adversaries targeting global U.S. interests through collaborative partnerships and FBI's unique combination of national security and law enforcement authorities. CyD manages investigations into computer intrusions targeting the national information infrastructure, Internet-facilitated criminal activity, and supports FBI priorities across program lines, assisting Counterterrorism, Counterintelligence, and Criminal investigations that call for technical expertise. Many of these investigations often have international facets and national economic implications. CyD addresses cyber threats arising from these varied sources in a coordinated manner, allowing the FBI to stay technologically one step ahead of the cyber adversaries threatening the United States. Within Cyber Division, the Major Cyber Crimes Unit under Cyber Operations Section V is responsible for managing election related computer intrusions.

Counterintelligence Division (CD)

The Counterintelligence Division's (CD) mission is to protect the United States by identifying, understanding, and combating foreign government activities which pose a threat to national security. CD, in close collaboration with the Cyber and Criminal Divisions, has established a priority focus to

AMERICAN OVERSIGHT

identify foreign government attempts to influence or disrupt the U.S. presidential election and collection against the new administration. CD will continue to identify lead information for field office investigative efforts. CD, along with CyD, will be issuing a Collection Emphasis Message for field offices with additional guidance.

National Cyber Investigative Joint Task Force (NCIJTF)

The National Cyber Investigative Joint Task Force (NCIJTF) is a multi-agency center that serves as the national focal point for coordinating, integrating, and sharing information related to cyber threat investigations. The task force performs its role through the cooperation and collaboration of its co-located nineteen partner agencies, its four affiliate member agencies, and its on-site representatives from both international partners and state and local law enforcement organizations.

CyWatch is the FBI's 24-hour command center for cyber intrusion prevention and response operations. CyWatch receives threat and incident reporting, assesses it for action, and engages with the appropriate components within Cyber Division, the field, and other agencies for action. The NCIJTF utilizes CyWatch as its 24/7 capability in carrying out its mission of coordinating, integrating, and sharing cyber threat investigation information. Both CyD and its NCIJTF bring a variety of resources to CyWatch to make it the 24/7 focal point for the cyber threat investigations for the nation.

Cyber Action Team (CAT)

The FBI's CAT is a headquarters-managed cadre of highly trained and experienced FBI cyber investigators compromised of specials agents and computer scientists. CAT's mission is to provide a diverse, geographically distributed surge capability of highly-trained personnel for incident response and investigation. CAT resources are deployed when any FBI division identifies a critical need for technical personnel and capabilities that are not present or when local resources are not sufficient to handle a particular situation.

Field-Based Elements

Election Crimes Coordinators (ECC)

ECCs are the lead points of contact in each of the FBI's 56 field offices for election related issues. ECCs are trained with managing all incidents related to elections regardless of the nature of the threat. Each ECC is provided with training and guidance on how to appropriately respond to election incidents and voting issues around the country.

Cyber Task Forces (CTF)

CTFs are organized elements in each of the FBI's 56 field offices that focus on cybersecurity threats. Each CTF conducts cyber threat investigations under the leadership of an FBI cyber squad supervisor and are comprised of special agents, intelligence analysts, computer scientists, other federal agency partners, and state, local, tribal, and territorial law enforcement.

Department of Homeland Security (DHS)

Headquarters-Based Elements

National Cybersecurity and Communications Integration Center (NCCIC)

The NCCIC is a 24x7 cyber situational awareness, incident response, and management center that is a national nexus of cyber and communications integration for the federal government, intelligence, community, law enforcement, SLTT governments, and the private sector. The NCCIC shares information

AMERICAN OVERSIGHT

among public and private sector partners to build awareness of vulnerabilities, incidents, and mitigations.

NCCIC Hunt and Incident Response Team (HIRT)

NCCIC's HIRT performs both on-site and remote cyber security incident response. The goal is to discover the malicious actor, acquire/analyze the malicious tools, and mitigate the intrusion. HIRT service offerings include: Incident Triage, Network Topology Review, Infrastructure Configuration Review, Log Analysis, Incident Specific Risk Overview, Hunt Analysis, Security Program Review, Digital Media Analysis, Malware Analysis, and Mitigations.

NCCIC National Cybersecurity Assessment and Technical Services (NCATS)

NCATS offers cybersecurity scanning and testing services that identify vulnerabilities within stakeholder networks and provide risk analysis reports with actionable remediation recommendations. These critical services enable proactive mitigation to exploitable risks and include network mapping and system characterization; vulnerability scanning and validation; threat identification and evaluations; social engineering, application, database, and operating system configuration review; and incident response testing. NCATS technical offerings, to include Cyber Hygiene scanning and on-site Risk and Vulnerability Assessments, are available to state and local election officials on a voluntary, no-cost basis.

Regional-Based Elements

Cyber Security Advisors (CSAs) and Protective Security Advisors (PSAs)

DHS field personnel include Cyber Security Advisors (CSAs) and Protective Security Advisors (PSAs) who provide immediate and sustained assistance, coordination, and outreach to prepare and protect both SLTT and private sector entities from cyber and physical threats. State and major urban area fusion centers are state owned and operated, designated by the governor of each state. They are focal points for the receipt, analysis, gathering, and sharing of threat-related information between federal, SLTT, and private sector partners.

United States Secret Service (USSS)

Headquarters-Based Elements

Criminal Investigative Division (CID)

CID plans, reviews, and coordinates domestic, and domestic and international criminal investigations of USSS, to include those criminal investigations related to malicious cyber activity and cyber incidents, to include potential significant cyber incidents, in accordance with the criminal investigative responsibilities of USSS. Criminal investigative responsibilities of USSS includes conducting investigations of potential violations of 18 U.S.C. §§ 1029 & 1030 and operating a national-network of electronic crimes task forces.

Regional-Based Elements

Electronic Crimes Task Forces (ECTFs)

The Secret Service operates a network of 39 ECTFs, which have the statutory mission to prevent, detect, and investigate various forms of electronic crimes, including potential terrorist attacks against critical infrastructure and financial payment systems. Secret Service ECTFs are a strategic alliance of law enforcement, academia, and the private sector dedicated to confronting and countering cyber threats. Membership in Secret Service ECTFs includes: over 4,000 private sector partners; over 2,500 international, federal, state and local law enforcement partners; and over 350 academic partners.

AMERICAN OVERSIGHT

Cyber Threat Intelligence Integration Center (CTIIC)

Current Intelligence Section (CIS)

CIS is focused on building shared situational awareness of foreign cyber threat intelligence. They produce the Cyber Threat Intelligence Summary, providing timely awareness of significant cyber threat reporting, supplemented with context and analysis.

Analysis Integration Section (AIS)

AIS is tasked with integrating multidisciplinary, all-source analysis of current and near term foreign cyber threats and incidents. They produce assessments with an integrated view of cyber threat issues.

Threat Opportunity Section (TOS)

TOS facilitates and supports interagency efforts to develop and implement coordinated plans to counter foreign cyber threats to US national interests.

Department of Defense (DOD)

Headquarters and Regional-Based Elements

The Department of Defense (DOD) may support civil authorities in response to cyber incidents based upon a request from a federal agency, and the direction of the Secretary of Defense or the President. Support may be provided based on the needs of the incident, the capabilities required, and the readiness of available forces. Available forces for incident response in a federal status could include the Active and Reserve Components, to include National Guard.

Annex II: State and Local Government Entities

Secretaries of State

In most states, the Secretary of State or Secretary of the Commonwealth is the chief administrative position in the state government. This position typically supervises record keeping and thus is usually the chief election official for the state or commonwealth.

State Election Directors

The state election director is the public administrator responsible for managing elections, usually answering to the Secretary of State.

Local Election Officials

Local election officials manage the voting process itself. Depending on state or territorial law, they may be responsible for election implementation, or they may take direction from the state election director.

Homeland Security Advisors

Homeland security advisors are state or territorial positions focused on homeland security. Homeland security advisors may coordinate state participation in federal homeland security activities, develop emergency preparedness policies and procedures, and advise the governor on homeland security policies and priorities.

National Association of Secretaries of State (NASS)

NASS is the professional organization for Secretaries of State and equivalent positions. Key initiatives support elections and voting and state business services, reflecting the varied record management responsibilities held by these positions.

AMERICAN OVERSIGHT

National Association of State Election Directors (NASED)

NASED is the membership association for State Election Directors. NASED's mission is to promote accessible, accurate and transparent elections within US jurisdictions. The association serves as a forum in which to share best practices, bringing together election officials from 55 states and territories for biannual conferences.

State and Major Urban Area Fusion Centers

Fusion centers operate as state and major urban area focal points for the receipt, analysis, gathering, and sharing of threat-related information between federal, SLTT, and private sector partners. DHS Intelligence and Analysis deploys field personnel to fusion centers as Intelligence Officers, Reports Officers, and Regional Directors to foster information sharing between all homeland security stakeholders.

Elections Assistance Commission (EAC)

The EAC is a federal agency tasked with providing information for U.S. election officials pursuant to the Help America Vote Act of 2002 (HAVA). The EAC develops guidance and procedures to comply with HAVA requirements, including adopting voting systems guidelines and certifying voting systems. EAC is led by three presidentially-appointed EAC commissioners. One of the main functions of the EAC is to provide assistance to election officials and helping to coordinate information sharing efforts so that all jurisdictions have access to the same resources.

Multi-State Information and Sharing Analysis Center (MS-ISAC)

The MS-ISAC is a key resource for cyber threat prevention, protection, response, and recovery for the Nation's SLTT governments. It operates a 24/2 Security Operations Center, which provides real-time network monitoring, dissemination of early cyber threat warnings, and vulnerability identification and mitigation to reduce cyber risks to SLTT governments.

National Guard

Every State has the option of utilizing its internal National Guard cyber capabilities in support of state government or civil authorities in a State Active Duty Status under the authority of the Governor.

Annex III: Laws/Policy Governing Federal Response

Federal Government Jurisdiction

States have the primary responsibility for conducting elections, including those that involve the election of federal candidates. However, Congress has provided by a variety of statutes for a federal role in ensuring voter access to the polls and the integrity of electoral systems (e.g., 52 U.S.C. § 21083(a)(3), which, through civil remedies, requires state and local officials to provide adequate technological security measures to prevent unauthorized access to computerized statewide voter registration lists).

Prohibition of Staging Armed Federal Personnel at Polling Places

Pursuant to 18 U.S.C. § 592, armed federal personnel, including federal law enforcement agents, are restricted in responding to an active polling place in an operational capacity. An armed federal response to an active polling place may create felony liability for the responsible federal officials or employees. Armed federal personnel, however, may be present at an active polling place in their personal capacity to cast their own votes.

AMERICAN OVERSIGHT

It is important to note that the Department of Justice has concluded that armed federal law enforcement agents may, where otherwise appropriate, respond to a cyber or other incident at a polling place that has caused it to cease functioning (i.e. when balloting has entirely ceased at that location).

Federal jurisdiction over election felonies exists under the following statutes, among others, that might likely be applied to various forms of malicious cyber incidents on the electoral process or supporting infrastructure:

- **18 U.S.C. § 241:** Conspiracy by any two or more persons to violate any federal right.
- **18 U.S.C. § 245:** Using 'force' to interfere with voting or qualifying to vote, qualifying or campaigning as a candidate, or qualifying of serving as an election official. (Note: Department of Justice policy requires high-level approval to use this statute.)
- **18 U.S.C. § 1030(a) (2):** Accessing information in excess of authorization or without authorization (e.g. theft of registration information).
- **18 U.S.C. § 1030(a) (5):** Damaging computer systems (e.g. electronic voting machines or vote tabulation computers).
- **52 U.S.C. § 10307(c):** Giving false information as to name, address or period of residence in the voting district for the purpose of establishing eligibility to register or vote, or conspiracy to encourage false registration or illegal voting with a federal candidate on the ballot.
- **52 U.S.C. § 20511:** Where there is a federal candidate on the ballot, attempting to deprive or defraud the residents of a State of a fair and impartially conducted election process, by procurement or submission of voter registration applications that are known to be materially false, fictitious, or fraudulent under the laws of the State; or procurement, casting, or tabulation of ballots that are known to be materially false, fictitious, or fraudulent under the laws of the State.
- **52 U.S.C. § 10307(e):** Voting more than once with a federal candidate on the ballot.

Department of Justice policy controls the nature and timing of investigations and charges in election crime cases. Specifically, it is the policy of the Department of Justice to ensure that criminal investigations do not interfere with the State and local administration of elections. The Department of Justice has long maintained that federal criminal law does not have a role in determining which candidate won a particular election, or whether another election should be held because of election misconduct.[5] Likewise, it is Department of Justice policy to constrain both its overt investigative activity and the timing of any charges so as not to potentially affect any ongoing election. Accordingly, overt criminal investigative measures should not ordinarily be taken until the election process is concluded and the results certified.[6] Any exception requires consultation within the Department of Justice.

[5] *Federal Prosecution of Election Offenses*, p. 93 (7th Ed. 2007).
[6] *Id.* at 94.

Election Infrastructure

Elections involve a diverse set of assets, systems, and networks, both public and private. Based on analysis of each phase of the election process, DHS assesses that the following election infrastructure

AMERICAN OVERSIGHT

represent the physical and cyber assets, systems, and networks most critical to the security and resilience of the election process:

- Storage facilities, which may be located on public or private property that may be used to store election and voting system infrastructure before Election Day.
- Polling places (including early voting locations), which may be physically located on public or private property, and may face physical and cyber threats to their normal operations on Election Day.
- Centralized vote tabulation locations, which are used by some States and localities to process absentee and Election Day voting materials.
- Information technology infrastructure and systems used to maintain voter registration databases.
- Voting systems and associated infrastructure, which are generally held in storage but are located at polling places during early voting and on Election Day.
- Information technology infrastructure and systems used to manage elections, which may include systems that count, audit, and display election results on election night on behalf of State governments, as well as for postelection reporting used to certify and validate results.

This planning document focuses on incidents affecting the cyber assets, systems, and networks of election infrastructure and not the physical assets.

AMERICAN OVERSIGHT

Message

From: von Spakovsky, Hans [Hans.VonSpakovsky@heritage.org]
Sent: 8/30/2017 1:08:18 PM
Subject: A Biased Judge Tosses a Texas Voter ID Law, Again

>http://dailysignal.com/2017/08/29/biased-judge-tosses-texas-voter-id-law/<

THE DAILY SIGNAL

A Biased Judge Tosses a Texas Voter ID Law, Again

Hans von Spakovsky / J. Christian Adams / August 29, 2017

Some judges are determined to strike down election integrity laws, no matter what.

How else can you explain last week's irrational decision handed down by federal District Court Judge Nelva Gonzales Ramos?

A President Barack Obama appointee, Ramos is at least consistent. This was the fifth time she has rejected a voter ID law for Texas.

Her 2014 rebuff of the original version of the Texas law made it clear that she believes all voter ID laws are based solely on the desire to discriminate, not improve the integrity of the election process.

Now you know why the plaintiffs went shopping to her federal court to bring the statewide challenge.

In 2014, Ramos ruled that the law discriminated against minority voters—ignoring clear evidence that this is not the case. Minority turnout had actually increased in the 2013 state election, the first election held with the new ID law in place.

What makes Ramos' latest ruling so odd is that the amended law not only followed all guidelines set out by the 5th Circuit Court of Appeals, it also contained provisions that Ramos herself had found acceptable as an interim remedy for the November 2016 election.

AMERICAN OVERSIGHT

Adding a new wrinkle, Ramos also ruled unacceptable a provision Texas adopted that has been part of federal law—and never challenged—since 2002.

Here's why Ramos' decision is likely to be reversed.

The original Texas law required voters to present a government-issued photo ID, and the state to provide a free ID to anyone who did not already have one. Ramos ruled this provision was discriminatory, and a split 5th U.S. Circuit Court of Appeals last year upheld her views on the discriminatory effect claim.

But the 5th Circuit remanded the case to Ramos, saying there wasn't sufficient evidence to support her conclusion that the legislature had a discriminatory purpose in passing the law.

Most importantly, the 5th Circuit held that, since the vast majority of Texas voters could meet the ID requirement, Ramos would have to tailor her remedy to rectify only the discriminatory effect on the very small number of voters who could not meet the ID requirement.

By throwing out the entire law, Ramos has blatantly ignored the 5th Circuit's directive.

The 5th Circuit also found acceptable the section of prior Texas law that allowed "forms of identification like utility bills, bank statements, or paychecks."

In 2016, when the litigation was remanded to Ramos, she approved an interim remedy (agreed to by the Obama Justice Department) that would allow voters who showed up at the polling place without an ID to still vote in the general election if they:

1. Signed a declaration that they had a "reasonable impediment" that prevented them from getting the free photo ID; and
2. Presented a "valid voter registration certificate, a certified birth certificate, a current utility bill, a bank statement, a government check, a paycheck, or any other government document that displays the voter's name and address."

In other words, the remedial law had a safety valve where individuals without an ID were still able to vote.

This list of documents is identical in part to a federal requirement (Section 303(b) of the Help America Vote Act) that has been in place since 2002.

That provision requires that any voter who registers to vote by mail must, the first time they vote, show state election officials an ID such as a "current and valid photo identification" or "a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter."

The voter ID law amendment adopted by the Texas Legislature this year implemented the language from the Ramos-approved interim remedy and the 2002 Help America Vote Act almost word-for-word.

AMERICAN OVERSIGHT

Now claiming that the law as amended is discriminatory, Ramos dismissed her prior approval of these same requirements as not a "binding determination."

Ramos' 27-page opinion is a strained attempt to strike down the law by any means necessary. At one point, she faults Texas for making it a crime to lie on the "reasonable impediment" declaration, claiming that it amounts to "voter intimidation."

Really? Federal law (52 U.S.C. §10307) makes it a felony to provide false information when registering to vote. Her irrational claim calls into question every state and federal law that requires voters to attest to the truth of the information they provide.

Ramos even found that requiring voters to provide the reason for their "reasonable impediment"—such as lack of transportation, work schedule, disability or illness—is discriminatory. According to Ramos, there "is no legitimate reason" for the state to require such an explanation.

Under that reasoning, every state that requires voters to explain why they are voting absentee is discriminating.

Ramos has evidently drunk the Kool-Aid served by fringe activists who see racial motivations behind a spectrum of American institutions and commonsense election administration rules.

Texas has already indicated it intends to appeal. It should fight all the way up to the Supreme Court, if necessary, to overturn Ramos' unfair, unjustified, and radical decision.

Hans von Spakovsky/ @HvonSpakovsky

Hans von Spakovsky is an authority on a wide range of issues—including civil rights, civil justice, the First Amendment, immigration, the rule of law and government reform—as a senior legal fellow in The Heritage Foundation's Edwin Meese III Center for Legal and Judicial Studies and manager of the think tank's Election Law Reform Initiative. Read his research.

J. Christian Adams/ @ElectionLawCtr

J. Christian Adams is the president of the Public Interest Legal Foundation, the author of the New York Times bestseller "Injustice," and a former Justice Department lawyer.

Hans von Spakovsky
Manager, Election Law Reform Initiative and Senior Legal Fellow
Institute for Constitutional Government
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org

AMERICAN OVERSIGHT

Message

From: Christian Adams [a@electionlawcenter.com]
Sent: 9/7/2017 9:07:57 PM
To: 'Kossack, Andrew J. EOP/OVP' [Andrew.J.Kossack@ovp.eop.gov]; 'Kris Kobach' [redacted]
CC: 'Paoletta, Mark R. EOP/OVP' [Mark.R.Paoletta@ovp.eop.gov]; 'Morgan, Matthew E. EOP/OVP' [Matthew.E.Morgan@ovp.eop.gov]; 'Williams, Ronald E. EOP/OVP' [Ronald.E.Williams@ovp.eop.gov]
Subject: Adams materials for September 12 meeting in New Hampshire
Attachments: Garden State Gotcha_PILF.pdf; Am. Civ. Rights Union v. Martinez-Rivera_ 166 F. Supp. 3d 779.docx; Bellitto v. Snipes_ 221 F. Supp. 3d 1354.docx; Bellitto v. Snipes_ 2017 U.S. Dist. LEXIS 107355.docx; Voter Integrity Project NC_ Inc. v. Wake Cnty. Bd. of E.DOCX

Attached please find 5 documents I will refer to and seek to be added to the record next week.

The first 4 are court cases that ruled that having more registrants on the voter rolls creates a strong inference or an inference that federal law is being violated. It provides the legal framework for the material that Robert Popper is going to testify about. I litigated all of these cases and these rulings were the first cases interpreting provisions of the NVRA/Motor Voter in this regard.

The last document is a report which will be released next week called Garden State Gotcha. It documents hundreds of incidents of alien voter registration and how defects in existing federal law are putting these aliens at risk of deportation. The report will be released next week but I have no objection to it being posted or otherwise out there in the meantime. I will be asking the witnesses about their knowledge about the defects in existing law that are allowing aliens to get registered to vote so easily. At least 3 panelists have intimate familiarity with the problem.

Thank you.

J. Christian Adams

From: Kossack, Andrew J. EOP/OVP [mailto:Andrew.J.Kossack@ovp.eop.gov]
Sent: Friday, September 1, 2017 6:29 PM
To: 'Kris Kobach' [redacted] cwlawson@sos.in.gov; [redacted] Christy McCormick [redacted] Mark Rhodes <mrhodes@woodcountywv.com>; von Spakovsky, Hans <Hans.VonSpakovsky@heritage.org>; Christian Adams <adams@electionlawcenter.com>; Alan L. King [redacted] matthew.dunlap@maine.gov; King, Alan <kinga@jccal.org>; [redacted]
Cc: Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>; Williams, Ronald E. EOP/OVP <Ronald.E.Williams@ovp.eop.gov>
Subject: Updates

Dear Members,

A couple quick updates. First, we anticipate sending you a proposed agenda this Tuesday. As I've discussed with each of you, we have a fairly full agenda with a number of distinguished panelists. There will be time for Q&A after each panel, as well as a discussion period towards the end of the meeting, but we do not anticipate allocating time for opening statements from each of the members so there's no need for you to prepare opening remarks.

By way of follow up to Vice Chair Kobach's letter, we would like to request that you **please make every effort to submit any written materials that you plan to share at the meeting by Thursday, September 7th by 6:00 p.m**. This will ensure that we can provide all of the materials, including the presenters materials, to you by Friday so that you can adequate time to review the material before our meeting. It will also help ensure that we are able to post everything on our webpage prior to our meeting so that the public is also able to review all material before the meeting This would include any presentations, reports, or similar written materials for the meeting. If you have any concerns with this timing, please call me any time to discuss further.

AMERICAN OVERSIGHT

If you have any other questions, please let me know. Hope you all have a great Labor Day weekend!

Thanks,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT

GARDEN STATE GOTCHA

HOW OPPONENTS OF CITIZENSHIP VERIFICATION FOR VOTING ARE PUTTING NEW JERSEY'S NONCITIZENS AT RISK OF DEPORTATION

AMERICAN OVERSIGHT

17-2361-A-000465

PUBLIC INTEREST

LEGAL FOUNDATION

September 2017

AMERICAN OVERSIGHT

Introduction

Noncitizens are registering to vote across the United States. Some are voting. There are a variety of reasons this is happening, but until the problem is taken seriously, and the defects in the system are examined, the problem of alien voting will continue. This report reveals information obtained about alien registration and voting from election officials in New Jersey. The report documents a subset of alien registration and voting that, as far as we can tell, no one has ever sought to obtain before this report.

New Jersey has statewide elections in 2017. Unfortunately, there is no time to implement solutions. Worse, both federal and state solutions are needed. Federal statutes impose mandates on states regarding voter registration, but those federal laws have proven inadequate to prevent alien registration. States like New Jersey could utilize more tools to detect alien registrations, but are not. Regardless, the first step to fixing the problem is to gather more facts about alien registration.

Summary of Findings

The Public Interest Legal Foundation (PILF) conducted county-by-county surveys of voter registration records seeking records of aliens who registered to vote and later self-reported their status or were otherwise detected by the minimal procedures in place in New Jersey. The PILF survey revealed startling faults and findings across the Garden State regarding foreigners successfully registering to vote.

In this limited survey, PILF found:

- **616 admitted and officially recorded noncitizens in 11 counties engaged on some level with the statewide voter registration system. These were only the noncitizens who essentially self-reported.**
- **Nine percent of the aliens who self-reported their alien status also cast ballots.** When a noncitizen puts pen to paper on a voter registration application, they open the door to additional scrutiny and worse—should they choose to later become a naturalized citizen.
- **Seventy-six percent of noncitizens found in New Jersey's voter registration system admitted their immigration status at the outset yet were processed anyway.**
- Seventy-five **percent of alien voter registration applicants were offered the opportunity to register during Motor Voter transactions.** The lifespan of a noncitizen in New Jersey's voter registration system varies between levels of engagement. **On average, it takes at least two years for a noncitizen to register, be discovered, and officially be "deleted" from the system.** But despite being "deleted," their immigration and naturalization challenges are still ahead of them.

The range of documents recovered vary between counties—even voters—depending on individual circumstances. Unlike PILF's previous work in Virginia[1], researchers were not given uniform reports of voters cancelled for reasons related to noncitizenship generated from a single database. Instead, PILF accessed handwritten letters, archived voter registration forms, interagency communications, and official mailings within voters' files that lay out individual fact patterns ranging from the initial application to record deletion. Reviewers could regularly discern motives for why an ineligible voter came forward to correct the record. Most often, noncitizens would reveal themselves in advance of or in reaction to their naturalization application being flagged amid the threat of a denial.

Equally surprising as the figures themselves are the starkly different responsive records reportedly maintained by the counties. Six jurisdictions (Hudson, Morris, Sussex, Union, Passaic, Camden) told PILF they had zero records indicating where noncitizens either engaged with or admitted to participating in the statewide voter registration system. **Another four counties (Essex, Middlesex, Mercer, and Salem) still have yet to release any records (or declare to have none) since originally requested in March 2017.** Failure to release information subjects these counties to a lawsuit by PILF under public records provisions of Motor Voter.

AMERICAN OVERSIGHT

Broken System: Motor Voter's Victims

News organizations across the spectrum recently made note of the unfortunate case of Margarita Fitzpatrick, a Peruvian national previously living in Illinois with her American husband. In 2005, she visited her local driver's license office—presenting her foreign passport and Green Card to identify herself. As she tells it, despite first documenting that she did not want to register to vote, the DMV clerk offered again in the same transaction—leaving a confused Fitzpatrick to accept and later vote multiple times without incident. Years later, her actions resurfaced when working through the naturalization process, which set her on a track to eventually receive a one-way ticket back to Peru.

In her many media appearances, Fitzpatrick put blame in a variety of places. She said the DMV clerk "misled" her. She said the system failed her: "Non-citizens should not be asked this question — period." Her family attacked the National Voter Registration Act (Motor Voter), as a tool for "entrapment."[2]

Multiple news organizations reported on their failed attempts to better quantify the number of Margarita Fitzpatricks not garnering sympathetic headlines across the nation by requesting access to Department of Homeland Security data. PILF hit the same wall in 2017.[3]

Are there more Margaritas out there? Did they get "trapped" by Motor Voter? Can your naturalization track be derailed even if you do not successfully register and vote? PILF decided to work toward answering these questions in New Jersey in 2017 after finding Virginia had cancelled more than 5,550 registrants for citizenship defects.[4]

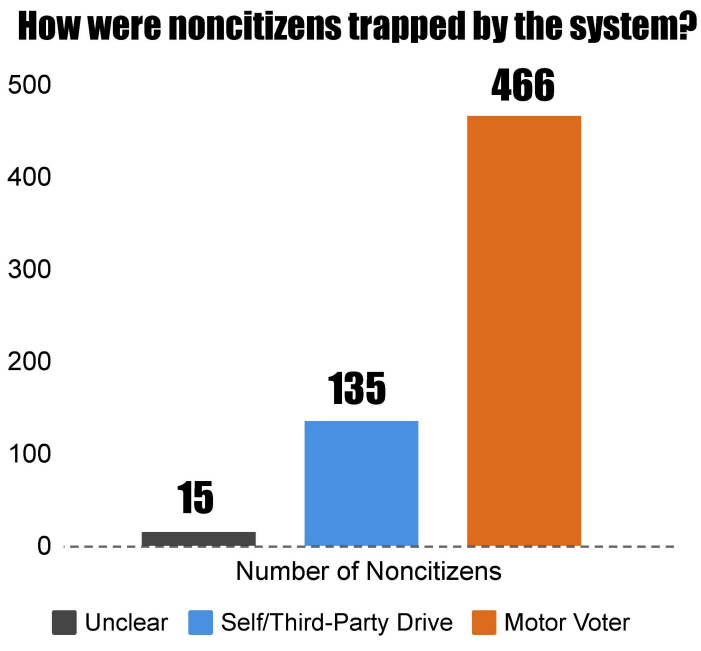
New Jersey, like Virginia, will hold statewide elections in November 2017—the only two to do so. With critical races comes pressure to register more voters quickly and move numbers to the polls. Agencies tasked with Motor Voter obligations know their registration rates will be watched closely and will not wish to invite a federal lawsuit for registration rates some special interest groups deem too low. Canvassers will knock on doors for new voters. Campaign ads will flood the airwaves. In the fog of these contests, noncitizens will face confusing invitations and pressure to participate. Nobody knows whether their ballots will help decide close races in November. What is certain is that their legal troubles will follow them for years.

Margarta Fitzpatrick is not alone. PILF found hundreds like her in New Jersey, aliens who have registered to vote in a broken system. In every case, their personal legal jeopardy could have been mitigated with common-sense solutions, and the integrity of our elections would also benefit.

A Broken System of Patchwork Maintenance

Having now combed through records in New Jersey and Virginia, PILF can declare with great certainty that the two states' approaches for identifying and eventually removing noncitizen voters have few commonalties between them. Whereas Virginia maintains some lines of communication between the motor vehicle agencies and voter registrars to help scrub ineligible voters, New Jersey remains in a passive, reactionary posture waiting for maintenance leads to arrive from third parties when voters themselves are not declaring ineligibility. This has led to aliens getting on the voter rolls, and staying on the rolls.

New Jersey's only defense to alien registration is the hope that aliens who get on the voter rolls will self-report. Without proactive verification mechanisms built into the voter registration application process, cascading negative consequences are sure to follow for eligible and ineligible voters alike.

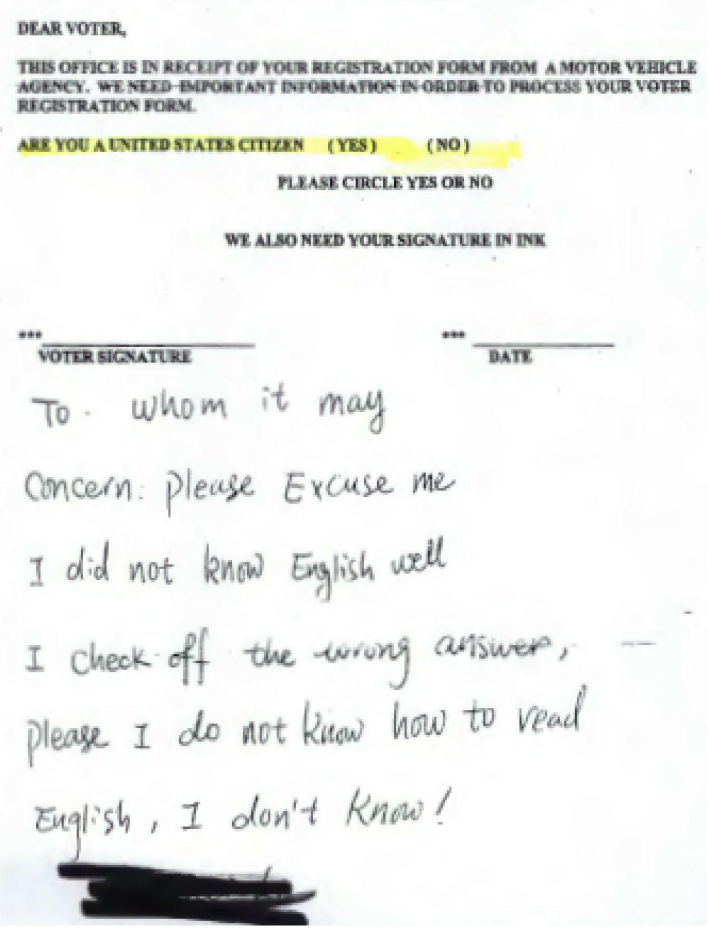


AMERICAN OVERSIGHT

Methodology

PILF consolidated more than a dozen triggers and channels that helped identify noncitizens within the voter registration system into four primary categories. The first are voters who declared their noncitizenship from the outset. In essence, election officials are forwarded voter registration applications, usually from a Motor Voter office, containing either a plain statement of noncitizenship, or a non-response to the citizenship question.

Second, other aliens self-reported their status to election officials in an effort to get off the voter rolls and we obtained these documents in a number of counties in New Jersey. The immigration process has a question on the citizenship application whether the applicant ever registered to vote or actually voted. This question awakens some alien registrants to the fact they have illegally participated in our elections.



DEAR VOTER,

THIS OFFICE IS IN RECEIPT OF YOUR REGISTRATION FORM FROM A MOTOR VEHICLE AGENCY. WE NEED IMPORTANT INFORMATION IN ORDER TO PROCESS YOUR VOTER REGISTRATION FORM.

ARE YOU A UNITED STATES CITIZEN (YES) (NO)

PLEASE CIRCLE YES OR NO

WE ALSO NEED YOUR SIGNATURE IN INK

*** _____ *** _____

VOTER SIGNATURE DATE

To whom it may
Concern: Please Excuse me
I did not know English well
I check off the wrong answer,
please I do not know how to read
English, I don't Know!

[redacted]

Burlington County voter record.

These alien registrants commonly claimed that a mistake was made—either their own or on the part of an official—when the voter application was executed. Language barriers, errant checked boxes, and even pushy DMV employees were repeatedly-used explanations. Outside of Motor Voter transactions, some said they had no memory of submitting an application and would sometimes claim fraud. The available records did not specifically indicate that naturalization applications were pending for this category. However, the apparent urgency of requests and carefully worded letters of those professing poor English comprehension suggest that naturalization is an unwritten motive for seeking removal in most cases. Third, voter registrars were sometimes tipped off by the United States Citizenship and Immigration Services. Rather than a voter coming forward, researchers from the Department of Homeland Security and USCIS contacted county officials seeking information on a potential alien registrant, which can eventually set a path toward deleting them from the statewide database.

Finally, a smaller but clearly defined cohort of registrants is identified as noncitizens thanks to jury clerks sharing their declination data with the appropriate county officials. The most common source of information came from federal district courts throughout the state. We sought and obtained these records from a number of counties.

What is 'Motor Voter'?

The problems with the voter rolls in New Jersey and other states can be traced to 1993. Within months of assuming the Presidency, Bill Clinton signed into law the National Voter Registration Act ("NVRA"), a sweeping piece of legislation that proponents claimed would increase the number of registered voters and participation in our elections. One thing is for sure—defects in the legislation also increased the number of ineligible voters on voter rolls.

The NVRA, commonly known as "Motor Voter," requires each state to offer voter registration to any individual that applies for a driver's license. This provision of the law requires the applicant to swear to his or her citizenship under penalty of perjury, but does not explicitly authorize (nor explicitly deny) the state's ability to verify citizenship through formal documentation. Instead, the law provides that the states "may require only the minimum amount of information necessary to . . . enable State election officials to assess the eligibility of the applicant and to administer voter registration and other parts of the election process."

AMERICAN OVERSIGHT

17-2361-A-000469

Findings

Attempts by various states to require registrants to provide documentary proof of citizenship during registration for federal elections have been thwarted by lawsuits brought by left-leaning groups. Like other states, New Jersey requires applicants to only check a box in order to "prove" their citizenship status. It's the honor system.

The honor system has proven to be inadequate. This honor system not only risks corrupting the voter file, but exposes noncitizens to potential legal difficulties later in life.

The victims of this honor system are both any unwitting alien registrant and also the integrity of our elections. The only beneficiaries of failures in the honor system are the politicians who receive the votes of these aliens and the interests that support them.

Election officials must also "maintain for at least 2 years" and "make available for public inspection . . . all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters." Nothing in federal law prevents records from being kept longer than two years. As detailed below, this two year requirement can pose additional difficulty for voters whose files are destroyed well before USCIS requires they be produced to keep a naturalization application from stalling, even declined.

At some point, state voter registration policies and procedures must be based on common sense. New Jersey's Motor Vehicle Commission (MVC) and election officials in New Jersey must improve their policies and procedures to prevent aliens from registering to vote.

When a New Jersey noncitizen engages with state offices conducting voter registration, particularly when seeking a new driver's license, there are helpful cues to ascertain their current immigration status. The MVC requires that such customers follow a "6 Point ID Verification" protocol, demanding documents like foreign passports, alien registration cards, refugee documents, and re-entry permits be shown to help establish identity.[5] A wide array of secondary documents must also be provided—leaving effectively no room for doubt on the immigration status for the person before them.

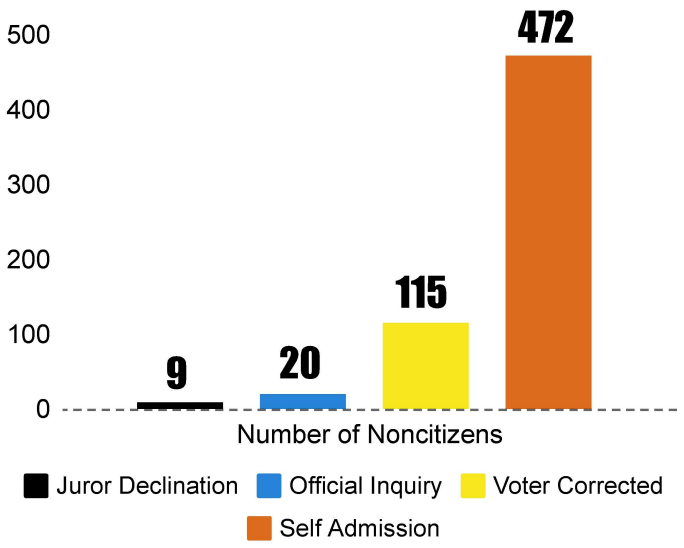
After handling a person's valid foreign passport, asking them if they are a United States citizen interested in registering to vote invites genuine confusion, at best.

The Motor Voter Trap

Recall Margarita Fitzpatrick, the alien voter who faces deportation for registering and voting. Despite her initial objections, she still completed a registration form and went on to participate in multiple federal elections before immigration authorities seized on her voting record. An immigrant in New Jersey looking for a driver's license need only take some preliminary steps—usually at the prompting of an official—to expose themselves to a similar fate.

Noncitizen voter registration experiences can follow a few different tracks. A common Motor Voter example is when a noncitizen is prompted to register and either indicates noncitizenship on the application or ignores the question altogether. The information is eventually transmitted to the county voter registrar where the person is enrolled, either as one declaring noncitizenship or holding an incomplete registration, pending follow-up mailings to confirm their status. At this point, a unique voter identification number is assigned to the person regardless of the application's outcome. If a voter later answers the question of U.S. citizenship in the negative, their record is marked as such and kept within the system. Should that noncitizen later choose to naturalize, the encounters could be called into question, whether they disclosed them or not.

How were noncitizens discovered?



If a noncitizen checks "Yes" to the citizenship question in any setting, they are simply enrolled without any further verification, even if they presented a Green Card to identify themselves at the time of registration. It is incumbent on the ineligible voter or the limited patchwork of maintenance referral systems to correct records after the fact.

AMERICAN OVERSIGHT

17-2361-A-000470

When applying for naturalization, the USCIS asks a short series of questions regarding previous claims of citizenship and voter participation.[6] The form asks Yes/No if the applicant "registered to vote in any Federal, state, or local election" and if they ever "voted" in the same. Any answer in the affirmative requires an explanation on separate sheets of paper.

Though PILF is unable to access individual naturalization applications, investigators did study numerous documents where noncitizens claimed to have no previous knowledge of registering or they explained how they felt pressured to do the same. Included in many voter registration files were correspondence between USCIS, noncitizen voters, and local election officials. After a voting investigation by USCIS is triggered, applicants typically saw form letters bearing their file and alien numbers, stating that "examination of your N400 application shows that additional information, documents, or forms are needed," within 30 days after the letter was printed.

"Failure to do so may result in the denial of your application," the letter also stresses that timely and full submission "does not guarantee that this case will be approved." Recipients are required to provide voter records indicating the status of removal and voting history. Applicants are also instructed to "provide a handwritten affidavit indicating how your name became registered for voting eligibility and whether you have voted in an election."

The typical naturalization applicant does not have the required documents on hand where voting is concerned, particularly when they are claiming prior unawareness to their status. Voter records regularly contained communications and handwritten side notes by local registrars indicating when a noncitizen came forward seeking their data. In turn, county officers printed letters showing dates of registration, removal, and whether they cast ballots. Some letters noted that not all USCIS-required files could be reproduced since they were generated well beyond retention statutes under Motor Voter.[7]

Case Studies

Following are a few of the real life examples that the Public Interest Legal Foundation uncovered in this Garden State Gotcha investigation. For additional examples, the complete investigation file has been made available.[8]

Name: Kiran B. Shah[9]
County: Bergen
Registration Year: 2012
Deletion Year: 2013
Method: Motor Voter
Citizenship Checkbox Choice: Unspecified

Shah registered in 2012 and later updated his residential address via Motor Voter. After registering, he began receiving election mail, particularly a sample ballot in 2013. A Bergen County letter reports that he tried to address his ineligible voter registration status by visiting the polling place to which he was assigned. There, poll workers reportedly told him that since he was receiving such mail, he was indeed eligible to vote—and ended up voting. Shah later made contact with the superintendent of elections and was advised "he voted illegally" and should expect to address the episode again if he applies for U.S. citizenship.

Name: Oscar Trujillo[10]
County: Atlantic
Registration Year: 2000
Deletion Year: 2012
Method: Self/Third Party
Citizenship Checkbox Choice: No

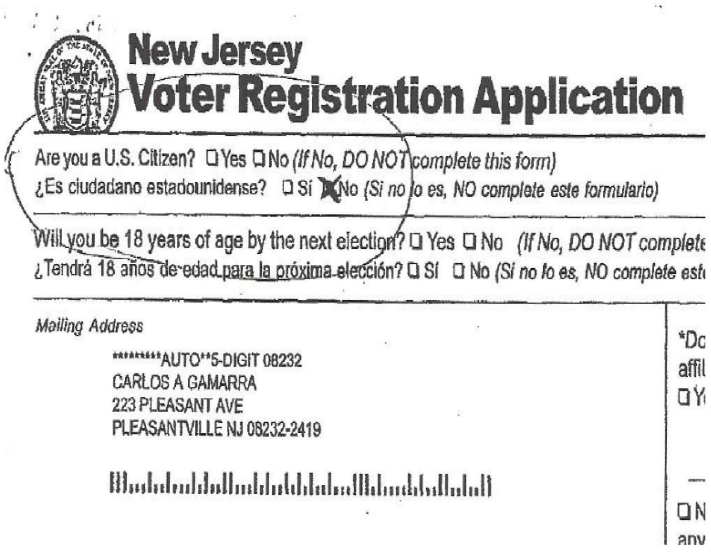
Oscar Trujillo filled a voter registration form in February 2000 and remained on the rolls without incident until December 2012 when he opted to naturalize. Records indicate that he successfully changed his residential address in 2005. Due to record retention caps, the county registrar could not reproduce his voter registration form. A letter to USCIS from Atlantic County reported that he did not ever believe he was registered, despite the fact that his name and signature were kept on file. The County adds that "from time to time persons have signed voter registration application forms out on the street, not aware of what they are signing." Trujillo later managed to successfully naturalize in 2016.

AMERICAN OVERSIGHT

17-2361-A-000471

Name: Carlos Gamarra[11]
County: Atlantic
Registration Year: 2008
Deletion Year: 2012
Method: Self/Third Party
Citizenship Checkbox Choice: No

In September 2008, Carlos Gamarra completed a voter registration application that was later mailed to his local voter registrar's office for processing. Despite answering "No" to the question about U.S. citizenship, he was registered anyway and remained on the rolls until September 2012, at which point Gamarra was pursuing naturalization. After receiving a letter from USCIS demanding more information about his voting record, the Atlantic County Commissioner of Registration's office reported, "he did not realize that he had registered to vote" and "was never aware that he was a registered voter." The letter and supplemental records indicated to PILF that he never attempted to vote in the interim.



New Jersey
Voter Registration Application

Are you a U.S. Citizen? ☐ Yes ☐ No *(If No, DO NOT complete this form)*
¿Es ciudadano estadounidense? ☐ Sí ☒ No *(Si no lo es, NO complete este formulario)*

Will you be 18 years of age by the next election? ☐ Yes ☐ No *(If No, DO NOT complete*
¿Tendrá 18 años de edad para la próxima elección? ☐ Sí ☐ No *(Si no lo es, NO complete est*

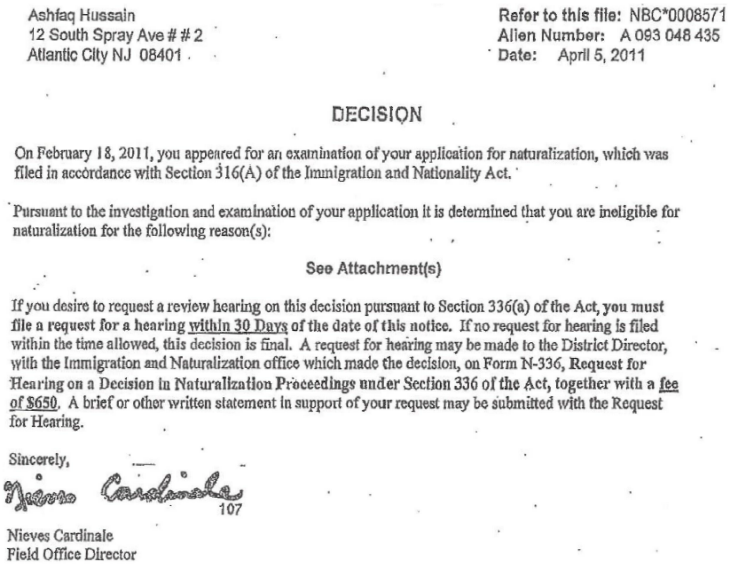
Mailing Address

*********AUTO**5-DIGIT 08232
CARLOS A GAMARRA
223 PLEASANT AVE
PLEASANTVILLE NJ 08232-2419

*Dc
affil
☐ Y
☐ N
any

Name: Ashfaq Hussain[12]
County: Atlantic
Registration Year: 2004
Deletion Year: 2011
Method: Self/Third Party
Citizenship Checkbox Choice: Yes

Mr. Hussain submitted a voter registration form in 2004 and was deleted in 2011. He later began the naturalization process around 2011. Paperwork indicates that he was rejected for citizenship that same year. A county letter dated in 2016 to USCIS reports that Hussain "did not recall" completing a registration application and never attempted to cast a ballot. It is unclear according to available records if his second attempt was successful. Atlantic County does not have a record of voter reinstatement following any naturalization.



Ashfaq Hussain
12 South Spray Ave # # 2
Atlantic City NJ 08401

Refer to this file: NBC*0008571
Alien Number: A 093 048 435
Date: April 5, 2011

DECISION

On February 18, 2011, you appeared for an examination of your application for naturalization, which was filed in accordance with Section 316(A) of the Immigration and Nationality Act.

Pursuant to the investigation and examination of your application it is determined that you are ineligible for naturalization for the following reason(s):

See Attachment(s)

If you desire to request a review hearing on this decision pursuant to Section 336(a) of the Act, you must file a request for a hearing within 30 Days of the date of this notice. If no request for hearing is filed within the time allowed, this decision is final. A request for hearing may be made to the District Director, with the Immigration and Naturalization office which made the decision, on Form N-336, Request for Hearing on a Decision in Naturalization Proceedings under Section 336 of the Act, together with a fee of $650. A brief or other written statement in support of your request may be submitted with the Request for Hearing.

Sincerely,

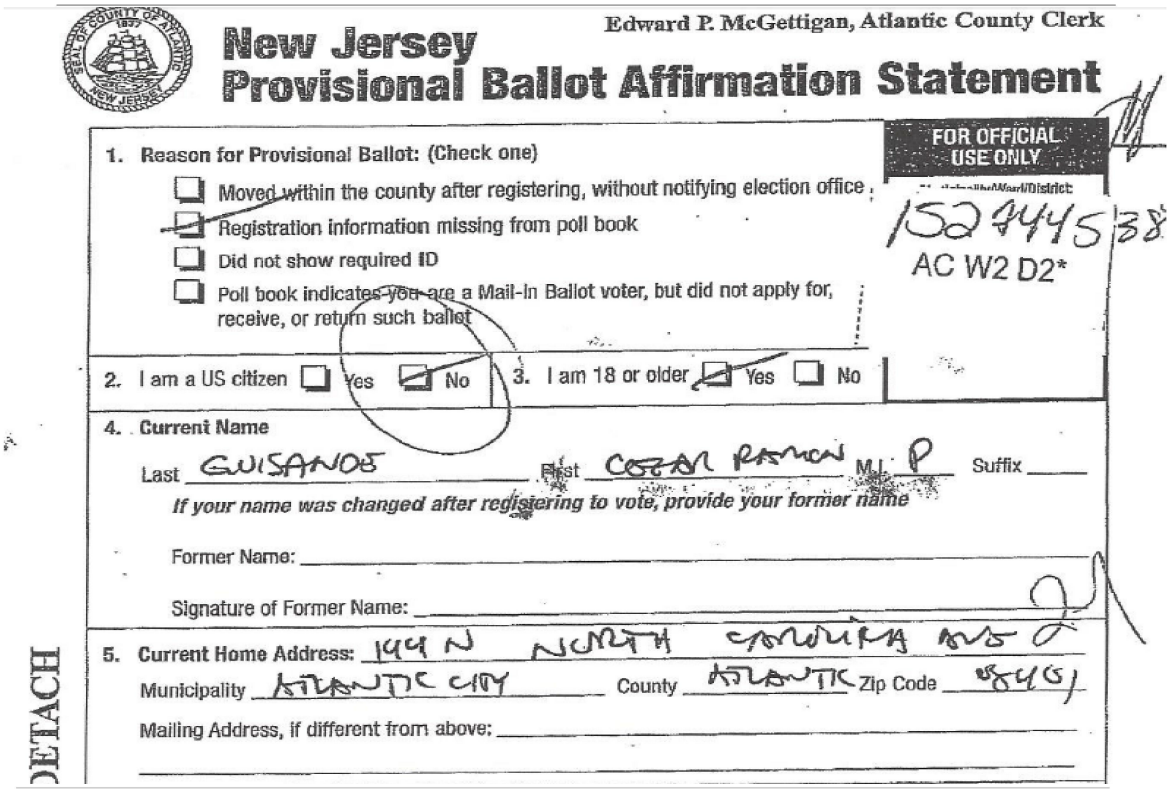
107

Nieves Cardinale
Field Office Director

AMERICAN OVERSIGHT

Name: Cezarramo Guisande[13]
County: Atlantic
Registration Year: 2014
Deletion Year: 2014
Method: Motor Voter
Citizenship Checkbox Choice: Yes

Cezarramo Guisande presents one of the most disturbing cases reviewed in this effort. Accompanied by his mother, he visited a local driver's license office and was offered the opportunity to become a registered voter, despite the fact he presented his Green Card to identify himself. An Atlantic County letter to USCIS reports that his mother discouraged him from completing the form, saying he was ineligible. The letter continues: "However, the Division of Motor Vehicles employee told you that you could register to vote with a Green Card and that is the only reason you signed the voter registration form…" Guisande later tried to vote in the 2014 midterms but was stopped when his pollbook record contained incorrect address information—leading him to complete a provisional ballot. Without the pressure of others, he documented that he was not a citizen and was removed from the active registry shortly thereafter.



Edward P. McGettigan, Atlantic County Clerk

New Jersey Provisional Ballot Affirmation Statement

1. Reason for Provisional Ballot: (Check one)
   - ☐ Moved within the county after registering, without notifying election office
   - ☑ Registration information missing from poll book
   - ☐ Did not show required ID
   - ☐ Poll book indicates you are a Mail-In Ballot voter, but did not apply for, receive, or return such ballot

FOR OFFICIAL USE ONLY
152 445 38
AC W2 D2*

2. I am a US citizen ☐ Yes ☑ No
3. I am 18 or older ☑ Yes ☐ No

4. Current Name
   Last GUISANDE First CESAR RAMON M.I. P Suffix
   If your name was changed after registering to vote, provide your former name
   Former Name:
   Signature of Former Name:

5. Current Home Address: 144 N NORTH CAROLINA AVE
   Municipality ATLANTIC CITY County ATLANTIC Zip Code 8401
   Mailing Address, if different from above:

DETACH

17-2361-A-000473

Name: Hector R. Guerro-Bernabel[14]
County: Atlantic
Registration Year: 2014
Deletion Year: 2017
Method: Motor Voter
Citizenship Checkbox Choice: Unspecified

Mr. Guerro-Bernabel's naturalization application was held up when it was discovered he was a registered voter. The paper trail for this specific file is thin because the county reported to USCIS that no actual voter registration application could be reproduced because there was none. Mr. Guierro-Dernabel became a voter through an online registration prompt, jeopardizing his naturalization track "simply by checking a box" in a different government transaction.

Name: Yuan Vergera[15]
County: Bergen
Registration Year: 2012
Deletion Year: 2012
Method: Motor Voter
Citizenship Checkbox Choice: Disputed

Yuan Vergera claimed in a letter to Bergen County that while he was renewing his driver's license as a noncitizen, an MVC employee "erroneously filled out a voter registration form with my information without my consent" after telling the clerk verbally that he was not interested in voting. Ms. Vergara asked that the application be disregarded and the record cancelled. It is unclear if he had naturalization paperwork pending at the time.

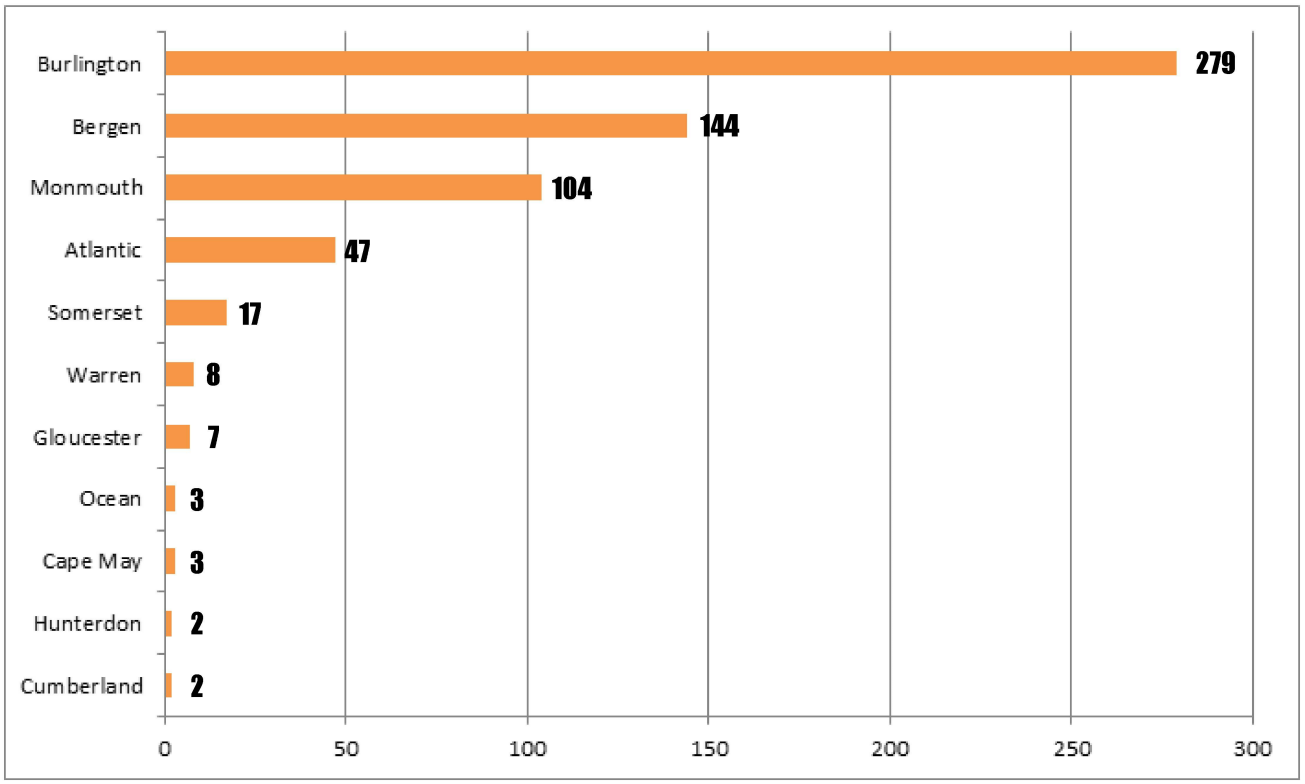
Name: Jheiny Rodriguez-Gonzales[16]
County: Bergen
Registration Year: 2014
Deletion Year: 2014
Method: Motor Voter
Citizenship Checkbox Choice: Unspecified

Ms. Rodriguez-Gonzales was applying online to be a student at Bergen County Community College when she says she mistakenly clicked prompts that registered her to vote in June/July 2014. She requested removal in August after she began receiving official election mailings and correspondence from her state assemblywoman. The legal permanent resident clarified her status promptly. It is unclear if she had naturalization paperwork pending at the time.

Name: Anna Jasinska[17]
County: Bergin
Registration Year: 2016
Deletion Year: 2016
Method: Motor Voter
Citizenship Checkbox Choice: Unspecified

Ms. Jasinska promptly reported that a "mistake" was made when she was registered to vote while at a driver's license office. Her letter claimed she is not a fluent English speaker and even presented her Green Card prior to registration. It is unclear if she had naturalization paperwork pending at the time.

County Numbers



Data Limitations

The Public Interest Legal Foundation originally cast the widest nets possible when seeking records from counties, asking they search for "all registrants who were identified as potentially not satisfying the citizenship requirements for registration from any information source … and actions taken regarding the registrant's registration."

Six jurisdictions (Hudson, Morris, Sussex, Union, Passaic, Camden) claimed they had zero records indicating where noncitizens either engaged with or admitted to participating in the statewide voter registration system.

Another four counties (Essex, Middlesex, Mercer, and Salem) still have yet to release any records. The vast gulf in response between counties like Bergen and Hudson, especially where jurisdictions claim to have absolutely zero cases to share seems dubious, at best.

Sanctuary Counties

Some New Jersey voting jurisdictions have joined the "sanctuary" trend for illegal aliens. The Garden State currently contains three counties which refuse to cooperate with immigration officials unless various conditions are met—depending on the severity alleged criminal's unlawful actions.

Union, Middlesex, and Ocean Counties each declared such statuses in July/August 2014. With respect to aliens caught in the Motor Voter system and casting ballots, the sanctuary status could inform the stark differences in available data as opposed to nearby non-sanctuary jurisdictions. Union County, near New York City, claims to have zero records indicating ineligible noncitizens were found anywhere in the voter registration system. Ocean County could only identify three (3) similar cases. Middlesex, however, has yet to fully respond to PILF's inquiries.

AMERICAN OVERSIGHT

How can we fix this?

There are several reforms and procedural changes that New Jersey should consider going forward.

- Institute a model for detecting more noncitizens caught in the voter registration system to address records before they vote or opt to naturalize. Virginia's model of establishing clear lines of communication between state agencies serving noncitizens and registrars to help scrub rolls—not fill them—can serve as a first step.
- The State of New Jersey should review procedures step-by-step within its Motor Voter system to identify efficiencies and keep ineligible voters out in the first place.
- Local clerks should review record retention procedures and discern better ways to help document cases where voters appear to be caught in a voter registration system despite their wishes in order to better help explain their activities before USCIS.
- The registration process must be changed. The check box honor system most states are using is a complete failure and is facilitating voter fraud. All states should require voter applicants to provide documentary proof of citizenship at the outset. Alternatively, states should utilize federal databases like SAVE to help identify noncitizens more quickly. States should use all available data, including jury recusal information, to help maintain accurate and current voter rolls.
- The database, known as E-Verify, that is being used by U.S. employers to check the citizenship status of prospective employees should be made available to election officials and administrators to better identify registered voters and pending applicants who are not actually citizens.
- The U.S. Department of Homeland Security should open new information-sharing channels between agencies to include Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE), Citizenship and Immigration Services (USCIS) and Homeland Security Investigations (HSI) with state and local election officials to more easily identify non-citizens coming into contact with the federal immigration system.
- Law enforcement at both the federal and state level should exercise their authority to prosecute cases of voter fraud.

Conclusion

The time has come to treat our voter registration system as we would any other government service, by verifying and validating the eligibility of those seeking to take advantage. Introducing citizenship verification serves two clear purposes: it reduces the risk of ballot dilution by those who would vote illegally; and protects immigrants who will mistakenly interact with the voter registration system, which only generates a paper trail that will haunt them later.

Some of the case examples given above may seem outlandish. Some excuses for registering and voting might even prove false. But the same checkbox honor system that let them in, is the same one that allows lets them walk free with a story of their choosing—until immigration officers begin calling.

Let's stop setting up our nation's newcomers to fail. Citizenship verification in voter registration protects us all.

AMERICAN OVERSIGHT

17-2361-A-000476

PUBLIC INTEREST
LEGAL FOUNDATION

The Public Interest Legal Foundation relies on small contributions to conduct research and develop findings like those in this report. PILF is the only organization performing this level of work with respect to voter registration system integrity. Time, travel, and technology help deliver new insights in our election systems to better educate regular citizens and policymakers alike. We also bring lawsuits to pry this information from government officials when necessary. None of this is possible without your support. Please help us expand our efforts by visiting www.publicinterestlegal.org/donate to offer your fully tax-deductible gift today.

September 2017

AMERICAN OVERSIGHT

17-2361-A-000477

[1] PILF: Alien Invasion II: The Sequel to the Discovery and Cover-up of Non-citizen Registration and Voting in Virginia (May 29, 2017), https://publicinterestlegal.org/blog/alien-invasion-ii-sequel-discovery-cover-non-citizen-registration-voting-virginia/

[2] NBC News; Grandmother Deported for Voter Fraud Leaves U.S. in Tears (August 5, 2017), https://www.nbcnews.com/politics/immigration/grandmother-deported-voter-fraud-leaves-u-s-tears-n789766

[3] Breitbart News; Immigration Officials Fail to Track Illegal Voting Rates, Say Reports (June 6, 2017), http://www.breitbart.com/texas/2017/06/06/immigration-officials-fail-track-illegal-voting-rates-say-reports/

[4] PILF; Alien Invasion II: The Sequel to the Discovery and Cover-up of Non-citizen Registration and Voting in Virginia (May 29, 2017), https://publicinterestlegal.org/blog/alien-invasion-ii-sequel-discovery-cover-non-citizen-registration-voting-virginia/

[5] State of New Jersey Motor Vehicle Commission; 6 Point ID Verification (Accessed September 5, 2017), http://www.state.nj.us/mvc/Licenses/6PointID.htm

[6] USCIS Form N-400, Part 12 Questions 1-3

[7] 52 U.S.C. 20701

[8] Records uncovered from the various counties may be reviewed here: https://publicinterestlegal.org/garden-state-gotcha/

[9] Kiran B. Shah voter file exhibit: https://publicinterestlegal.org/files/Kiran-Shah.pdf

[10] Oscar Trujillo voter file exhibit: https://publicinterestlegal.org/files/Oscar-Trujillo.pdf

[11] Carlos Gamarra voter file exhibit: https://publicinterestlegal.org/files/Carlos-Gamarra.pdf

AMERICAN OVERSIGHT

[12] Ashfaq Hussain voter file exhibit: https://publicinterestlegal.org/files/Ashfaq-Hussain.pdf

[13] Cezarramo Guisande voter file exhibit: https://publicinterestlegal.org/files/Cezarramo-Guisande.pdf

[14] Hector R. Guerro-Bernabel voter file exhibit: https://publicinterestlegal.org/files/Hector-Guerro.pdf

[15] Yuan Vergera voter file exhibit: https://publicinterestlegal.org/files/Yuan-Vergera.pdf

[16] Jheiny Rodriguez-Gonzales voter file exhibit: https://publicinterestlegal.org/files/Jheiny-Rodriguez-Gonzales.pdf

[17] Anna Jasinska voter file exhibit: https://publicinterestlegal.org/files/Anna-Jasinska.pdf

AMERICAN OVERSIGHT

[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5JRH-0RD1-F04F-C000-00000-00&context=]

HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5JRH-0RD1-F04F-C000-00000-00&context=]

United States District Court for the Western District of Texas, Del Rio Division

March 30, 2015, Decided; March 30, 2015, Filed

Civil Action No. DR-14-CV-0026-AM/CW

Reporter
166 F. Supp. 3d 779 *; 2015 U.S. Dist. LEXIS 177883 **

AMERICAN CIVIL RIGHTS UNION, Plaintiff, v. TAX ASSESSOR-COLLECTOR CINDY MARTINEZ-RIVERA, Defendant.

Prior History: [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5JRN-8VN1-F04F-C002-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5JRN-8VN1-F04F-C002-00000-00&context=]* [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5JRN-8VN1-F04F-C002-00000-00&context=]

Case Summary

Overview

HOLDINGS: [1]-Tax assessor was not entitled to dismissal of complaint alleging a violation of the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=], [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F721-NRF4-4001-00000-00&context=], by failing to make a reasonable effort to conduct voter list maintenance programs because an injury in fact and causation was sufficiently alleged, at the current stage of the litigation, plaintiff was not required to prove a redressable injury, and plaintiff alleged a plausible claim for relief.

Outcome

Motion to dismiss and motion for leave denied.

Counsel: For American Civil Rights Union, Plaintiff: H. Christopher Coates, LEAD ATTORNEY, PRO HAC VICE, Law Office of H. Christopher Coates, Charleston, SC; J. Christian Adams, LEAD ATTORNEY, Election Law Center, PLLC, Alexandria, VA; Craig Stephen Wolcott, Craig Wolcott, PLLC, Kerrville, TX; Eric Matthew Bayne, Attorney at Law, Del Rio, TX.

For Cindy Martinez-Rivera, Defendant: Chad W. Dunn, LEAD ATTORNEY, Brazil & Dunn, Houston, TX; Donato D. Ramos, LEAD ATTORNEY, Donato D. Ramos, Jr., Law Offices of Donato D. Ramos, PLLC, Laredo, TX.

Judges: **[**1]** ALIA MOSES, United States District Judge.

AMERICAN OVERSIGHT

Opinion by: ALIA MOSES

Opinion

[*784] **ORDER**

Pending before the Court are the Defendant's Motion to Dismiss (Mot. to Dismiss, ECF No. 13) and the Plaintiff's Opposed Motion for Leave to File First Amended Complaint (Mot. to Amend, ECF No. 32). On March 6, 2015, the Honorable Collis White, United States Magistrate Judge, filed a Report and Recommendation (Report, ECF No. 34) in which he recommends that both motions be denied. The Defendant timely filed Objections (Objections, ECF No. 36) and the Plaintiff responded (Response, ECF No. 38). For the reasons stated below, this Report and Recommendation will be **ADOPTED**. Accordingly, the Defendant's Motion to Dismiss and the Plaintiff's Opposed Motion for Leave to File First Amended Complaint are **DENIED**.

I. BACKGROUND

On March 27, 2014, Plaintiff American Civil Rights Union ("Plaintiff' or "ACRU") filed suit against Defendant Tax Assessor-Collector Cindy Martinez-Rivera ("Defendant") in her official capacity. (Complaint, ECF No. 1.) The Complaint alleges that the Defendant violated the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=], [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F721-NRF4-4001-00000-00&context=],[1] by failing to make a reasonable [*785] effort to conduct voter list maintenance programs.[2]

ACRU is a nonprofit corporation, "which promotes election integrity, compliance with federal election laws, government transparency and constitutional government." (Complaint, ECF No. 1 at 2, para. 4.) Pursuant to this goal, ACRU filed the instant [**3] Complaint in its individual and corporate capacities, and on behalf of its members who are registered to vote in the State of Texas. (*Id.*) The

---

[1] The Complaint also briefly [**2] references the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GN01-NRF4-44WF-00000-00&context=], codified at [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-FR61-NRF4-4003-00000-00&context=]. However, as Judge White notes in his Report, the Fifth Circuit has held that [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GN01-NRF4-44WF-00000-00&context=] does not provide declaratory relief. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4SFX-DFN0-TXFX-72DH-00000-00&context=]*[*HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4SFX-DFN0-TXFX-72DH-00000-00&context=]* ("[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GN01-NRF4-44WF-00000-00&context=] does not itself create a private right of action." (citation omitted)). The Plaintiff has not objected to this recommendation and this Court finds that it is not in clear error. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-2V50-006F-M2KX-00000-00&context=]*[*HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-2V50-006F-M2KX-00000-00&context=]*; [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]*. Therefore, this Order will only consider the Plaintiff's claims under the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=].

[2] The Complaint also alleges that the Defendant failed to provide information in response to the Plaintiff's written requests and failed to produce records concerning the implementation of programs and activities to ensure the accuracy and currency of official lists of eligible voters for Zavala County, in violation of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. (Complaint, ECF No. 1 at 9, paras. 29-33.) On January 28, 2015, the parties stipulated to the dismissal of this count. (Stipulation, ECF No. 31.)

AMERICAN OVERSIGHT

Complaint names the Tax Assessor-Collector as defendant because, under ACRU's interpretation of the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] and Texas Election law, she is the official responsible for ensuring that Zavala County complies with the list-maintenance provisions of the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. ([HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]*.)

According to the Complaint, the voter rolls for Zavala County have more registered voters than there are citizens in the County who are eligible to vote. ([HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]*.) The Complaint supports this claim by comparing two figures: the number of Zavala County citizens eligible to vote in 2010-8,205 people—and the number of people actually registered to vote in Zavala County in March of 2014-8,623 people.[3]

(*Id.*) The Plaintiff argues that these figures demonstrate an "implausible" registration rate of 105%. (*Id.*) According to the Plaintiff's calculations, Zavala County has failed to maintain accurate voter rolls since at least 2008, when the County's registration rate was 102%. ([HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]*.)

The Plaintiff's efforts to improve Zavala County's registration rate began in September 2013, when ACRU sent the Zavala County Clerk a letter stating that the County's registration rolls have too many registered voters and requesting additional information. ([HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]*.) Thereafter, the Plaintiff engaged in "numerous discussions" with the Defendant, and members of ACRU visited the Defendant's offices. ([HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]*.) When Zavala County's registration rate failed to improve, the Plaintiff brought suit, alleging that the Defendant's failure "to make a reasonable effort to conduct voter list maintenance programs in elections for federal office" violates [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=][4]

[HYPERLINK

---

[3] This figure includes 508 people who had been placed on the State's suspense list, as they are still **[**4]** eligible to vote. (Complaint, ECF No. 1 at 4 n.1.)

[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=][1] HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]

AMERICAN OVERSIGHT

https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. (*See [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=].*) The Plaintiff contends that this violation has caused it harm by: (1) undermining the confidence that ACRU and its members, including those registered to vote in Texas, place in the integrity and legitimacy of the electoral process; (2) creating the risk of vote dilution; and (3) causing ACRU to engage in a months-long process to help bring Zavala County into compliance with **[*786]** the [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. ([HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]; 6, para. 16; 8-9, paras. 26-27.) The Complaint seeks declaratory **[**5]** and injunctive relief as well as attorneys' fees and costs. ([HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=].)

On June 4,2014, the Defendant filed the instant Motion to Dismiss, which presents two grounds for dismissing the Complaint. (Mot. to Dismiss, ECF No. 13.) First, the Defendant claims that the Complaint should be dismissed for lack of subject matter jurisdiction under [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=] because the Plaintiff can demonstrate neither organizational nor associational standing under Article III. ([HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=].) Second, the Defendant urges the Court to dismiss the Complaint for failure to state a claim under [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=] because: (1) ACRU did not fulfill the [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] notice requirement before filing suit and (2) the Complaint fails to allege specific acts by the Defendant that amount to a violation of the [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. ([HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=].) The Plaintiff filed a Response in Opposition. (Resp. to Mot., ECF No. 14.)

On February 18, 2015, the Plaintiff filed an Opposed Motion for Leave to File First Amended Complaint. (Mot. to Amend, ECF No. 32.) The Plaintiff sought to amend its original complaint in order to (1) add a member of **[**6]** ACRU who is registered to vote in Texas as a plaintiff and (2) conform the pleadings to a stipulation of dismissal of Count Two of the original complaint. (*Id.*)

On February 23, 2015, Judge White filed a Report and Recommendation that recommended denying

AMERICAN OVERSIGHT

both the Defendant's Motion to Dismiss and the Plaintiff's Motion to Amend the Complaint. (Report, ECF No. 34.) The Defendant timely filed Objections to the Report (Objections, ECF No. 36) to which the Plaintiff responded (Response, ECF No. 38).

II. ANALYSIS

A. Standard of Review

Where no party objects to a magistrate judge's report and recommendation, the Court need not conduct a de novo review. *See 28 U.S.C. § 636(b)(1)*. In such cases, the Court need merely review the report and recommendation to ensure that it is neither clearly erroneous nor contrary to law. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]*. However, when a party objects to the findings or conclusions made in a report and recommendation, the Court is required to make a de novo determination of the portions of the report to which an objection was made. *28 U.S.C. § 636(b)(1)*. This review calls upon the Court to independently examine the record and assess the applicable law. The Court is not required to conduct a de novo review when the objections are frivolous, **[**7]** conclusive, or general in nature. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-8WG0-001B-K1VX-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-8WG0-001B-K1VX-00000-00&context=]*. In the case at bar, Judge White's Report recommended that the Defendant's Motion to Dismiss be denied. The Defendant objected to five of the Report's conclusions: (1) ACRU established that it has organizational standing; (2) the Tax Assessor-Collector is the proper defendant; (3) ACRU may use United States census data to demonstrate that the Defendant violated the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]; (4) ACRU adequately stated a claim for relief under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=]; and (5) ACRU alleged sufficient notice, as required under the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. (Objections, ECF No. 36.) The Court will review these conclusions de novo. However, neither party objected to the conclusion that ACRU does not have associational standing or the recommendation that the Plaintiff's Motion to for Leave to Amend the Complaint be denied. Therefore, the Court will review those portions of the **[*787]** Report for clear error. Lastly, the Report provides a clear explanation of the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] and the pertinent portions of the Texas Election Code. (Report, ECF No. 34 at 4-6.) For the sake of brevity, that portion of the Report will not be reproduced in this Order, but incorporated into this Order by reference.

B. Motion to Dismiss

1. Article III Standing [**8]

Constitutional standing is an issue of subject matter jurisdiction, [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4KPY-37R0-0038-X3SX-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4KPY-37R0-0038-X3SX-00000-00&context=]*, which must be resolved as a threshold matter because "when

AMERICAN OVERSIGHT

[jurisdiction] ceases to exist, the only function remaining to the court is that of announcing the fact and dismissing the cause," [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S53-89K0-004C-1007-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S53-89K0-004C-1007-00000-00&context=]* (citation omitted).[5]

As the party seeking to invoke federal jurisdiction, the plaintiff has the burden to demonstrate standing "with the manner and degree of evidence required at the successive stages of the litigation." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XF70-003B-R3RX-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XF70-003B-R3RX-00000-00&context=]*. At the pleading stage, a court looks to the complaint in which the plaintiff must make general factual allegations that indicate that standing is plausible. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XF70-003B-R3RX-00000-00&context=]. ("[O]n a motion to dismiss we 'presum[e] that general allegations embrace those specific facts that are necessary to support the claim.'" (citation omitted)); [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4W9Y-4KS0-TXFX-1325-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4W9Y-4KS0-TXFX-1325-00000-00&context=]*. To determine whether the plaintiff has met this burden, the court may consider "(1) the complaint alone; (2) the complaint supplemented by undisputed facts evidenced in the record; or (3) the complaint supplemented by undisputed facts plus the court's resolution of disputed facts." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:450C-W220-0038-X1YH-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:450C-W220-0038-X1YH-00000-00&context=]* (citation omitted).

An organization can demonstrate standing in two ways: associational standing and organizational standing. In the instant case, ACRU alleged both associational and organizational standing.

An organization that establishes associational standing can bring suit on behalf of its members even in the absence of injury to itself. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-9CY0-003B-S1K0-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-9CY0-003B-S1K0-00000-00&context=]*. To do so, the organization must demonstrate that: (1) "its members would otherwise have standing to sue in their own right;" (2) "the interests it seeks to protect are germane to the organization's purpose; and" (3) "neither the claim asserted nor the relief requested requires the participation of individual members in the lawsuit." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-9CY0-003B-S1K0-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection

---

[5] This Order refers to [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] as "[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]" of the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=], as the provision appeared under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] when the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] **[**9]** was enacted as a session law. National Voter Registration Act of 1993, ***Pub. L. No. 103-31, § 8, 107 Stat. 77 (1993)***.

AMERICAN OVERSIGHT

=cases&id=urn:contentItem:3S4X-9CY0-003B-S1K0-00000-00&context=]. Judge White's Report concluded that ACRU failed to demonstrate the first element because the injuries alleged in the complaint—undermined voter confidence and potential vote dilution—merely amount to generalized grievances about the government, which do not give rise to associational standing. (Report, ECF No. 34 at 15.) The Plaintiff did not object to this recommendation, so this Court reviews it for clear error. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=](HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D670-003B-508Y-00000-00&context=]. After carefully reviewing the record, the Court **[**10]** is of the opinion that ACRU lacks associational standing.

An organization, like an individual, can establish standing to sue on its own behalf by demonstrating three elements: (1) the organization suffered an injury in fact this is both "concrete and particularized, **[*788]** and actual or imminent, not conjectural or hypothetical;" (2) the injury is "fairly traceable to the challenged action of the defendant;" and (3) it is likely, "as opposed to merely speculative, that the injury will be redressed by a favorable decision." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XF70-003B-R3RX-00000-00&context=](HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XF70-003B-R3RX-00000-00&context=] (footnote, citations, and internal quotation marks omitted); [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-5RB0-003B-S1M3-00000-00&context=](HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-5RB0-003B-S1M3-00000-00&context=]. The Defendant objected to the Report's conclusion that ACRU had sufficiently alleged all three elements.

The first element of constitutional standing requires a plaintiff to demonstrate a concrete and demonstrable injury. Therefore, allegations of injuries that merely amount to "generalized grievances about the conduct of Government," [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3RVB-1PV0-003B-S022-00000-00&context=](HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3RVB-1PV0-003B-S022-00000-00&context=], or "setback[s] to the organization's abstract social interests," [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-5RB0-003B-S1M3-00000-00&context=](HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-5RB0-003B-S1M3-00000-00&context=], will not suffice.

An organization can demonstrate injury "by [alleging] that it had diverted significant resources to counteract the defendant's conduct; hence, the defendant's conduct significantly and 'perceptibly impaired' **[**11]** the organization's ability to provide its 'activities—with the consequent drain on the organization's resources.'" [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:51FM-NV21-652R-300C-00000-00&context=](HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:51FM-NV21-652R-300C-00000-00&context=] (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-5RB0-003B-S1M3-00000-00&context=](HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-5RB0-003B-S1M3-00000-00&context=]). At the pleading stage, an organization need only broadly allege such an injury. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-5RB0-003B-S1M3-00000-00&context=](HYPERLINK

AMERICAN OVERSIGHT

https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-5RB0-003B-S1M3-00000-00&context=]. For example, the Supreme Court in [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:51FM-NV21-652R-300C-00000-00&context=] held that the plaintiff—organization had sufficiently alleged standing based upon a short description in the complaint: "Plaintiff HOME has been frustrated by defendants' racial steering practices in its efforts to assist equal access to housing through counseling and other referral services. Plaintiff HOME has had to devote significant resources to identify and counteract the defendant's *[sic]* racially discriminatory steering practices." *Id.* (alteration in original).

However, [n]ot every diversion of resources to counteract the defendant's conduct . . . establishes an injury in fact." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:51FM-NV21-652R-300C-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:51FM-NV21-652R-300C-00000-00&context=]*. "[S]elf-inflicted injuries" cannot be used to establish standing because they are not fairly traceable to a defendant's conduct. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=]*. Therefore, resources expended in pursuit of litigation, including those spent compiling statistical evidence, do not give rise to organizational standing. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=]*; *Ass 'n for Retarded Citizens of Dall. v. Dall. Cnty. Mental Health & Mental Retardation Ctr. Bd. of Trs., 19 F.3d 241, 244 (5th Cir. 1994)* ("The mere fact that **[**12]** an organization redirects some of its resources to litigation and legal counseling in response to actions or inactions of another party is insufficient to impart standing upon the organization.") Moreover, "general allegations of activities related to monitoring the implementation of the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]" that are not paired with an allegation that such costs are fairly traceable to the defendant's conduct, fail to confer organizational standing. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=]*.

The presence of a conflict between the defendant's conduct and the organization's mission is "necessary—though not alone sufficient—to establish standing;" importantly, an organization's claim to standing cannot rest on allegations of such a conflict alone. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=]* (citation omitted); *see also [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3RVB-1PV0-003B-S022-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3RVB-1PV0-003B-S022-00000-00&context=]* ("[T]he essence of standing is not a question of motivation but of possession of the requisite interest **[*789]** that is, or is threatened to be, injured by the unconstitutional conduct.").

In the present case, the Report finds that ACRU

AMERICAN OVERSIGHT

alleged three distinct injuries in the Complaint: (1) the Defendant's failure to remedy inaccurate voter rolls has undermined ACRU's and its members' confidence in the electoral system; (2) created the risk of vote dilution; and (3) the Defendant's **[**13]** continuing violation of the [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] has caused ACRU to expend resources to compel compliance. (Report, ECF No. 34 at 7.) The Report concludes that the first two injuries, undermined voter confidence and the risk of vote dilution, are speculative and, as such, are more akin to a generalized grievance about the government than an injury in fact. *(Id. at 13-15.)* Neither party objected to this conclusion, and this Court finds that it is not clearly erroneous.

The source of the controversy is the Report's third conclusion: that ACRU sufficiently alleged an injury based upon diverted resources. (Report, ECF No. 34 at 10.) The Report's conclusion relies on the following facts set out in the Complaint: (1) ACRU sent Zavala County election officials a "statutory notice letter;" (2) ACRU and the Defendant conducted "numerous discussions over seven months" in an attempt to resolve the dispute; and (3) members of ACRU made "multiple visits" to the Defendant's offices. (Complaint, ECF No. 1 at 5, para. 13; 6, para. 16.) "These allegations," the Report concludes, "sufficiently allege that Plaintiff, in promoting its core mission, has faced roadblocks that have required it to expend substantial resources to counteract **[**14]** what it perceives are violations of the [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]." (Report, ECF No. 34 at 10.)

The Defendant vigorously contests the Report's conclusion. Importantly, the Defendant does not refer to ACRU's activities in the language used in the Complaint and the Report: sending a notice letter, conducting discussions, and visiting the Defendant's offices. Instead, the Defendant argues that ACRU's allegations of injury are based on: (1) monitoring Zavala County, (2) compiling statistics, and (3) conducting settlement discussions. (Objections, ECF No. 36 at 3, 4.) The Defendant proceeds to argue that monitoring costs do not demonstrate injury in fact under the Fifth Circuit's interpretation of injury in fact in [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=]. *([HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=].)* Further, the Defendant characterizes compiling statistical evidence and conducting settlement discussions as litigation-related activities that also do not fulfill the injury in fact requirement under [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=]. *(Id. at 3-4.)* Finally, the Defendant argues that ACRU has not alleged an injury because it has not "conducted any on-the-ground activity in Zavala County apart from gearing up for and filing this" suit; namely, it has not identified any ineligible voters on Zavala County's registration rolls **[**15]** and sought their removal. *(Id. at 5.)*

ACRU filed a Reply, in which it argues that the Defendant's reliance on [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=] is misplaced because that case addressed organizational standing in the context of a motion for summary judgment. (Reply, ECF No. 38 at 3.) ACRU goes on to differentiate the discussions it conducted with the Defendant from litigation related activities by pointing to the Report's finding that the goal of these discussions was to bring Zavala County into compliance with the [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. *(Id. at 4.)* Further, ACRU argues that it is inappropriate to

AMERICAN OVERSIGHT

compare its activities to those of organizations that brought suit under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4006-00000-00&context=] because organizations suing under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] will have different organizational goals than those suing under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4006-00000-00&context=] *(Id. at 5.)* Lastly, ACRU argues that it has properly alleged causation because it would not have conducted discussions with and visited the Defendant if the Defendant had **[*790]** been properly maintaining the voter rolls. *(Id. at 5-6.)*

The Court agrees with the Report; ACRU has sufficiently alleged injury in fact and causation. The Court first notes that this issue arose in the context of a motion to dismiss. At this stage in litigation, "general factual allegations of injury resulting from the defendant's **[**16]** conduct may suffice, for on a motion to dismiss we presume[e] that general allegations embrace those specific facts that are necessary to support the claim." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=] *[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=]* (alteration in original) (citation omitted). Here, ACRU alleged that it conducted discussions with the Defendant that spanned seven months. The Court will not presume, as the Defendant urges, that these were settlement discussions. While the Defendant remains free to present evidence that these discussions merely amount to "litigation costs" under [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=] on a motion for summary judgment, such an argument on a motion to dismiss is premature. Furthermore, the Court is unwilling to hold that an organization must conduct some "on-the-ground" activity as a prerequisite to bringing suit under the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. Although the organization in [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=] established standing based on voter registration campaigns it had conducted, the *Fowler* court focused less on the nature of the effort than on the fact that the effort was targeted at areas in which the state had failed to implement the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=] *[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=]*. Like the organization in [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3WP1-YX50-0038-X0G1-00000-00&context=], ACRU has also targeted one area of Texas, Zavala County, that has allegedly failed to comply with the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. In sum, the Court finds that **[**17]** ACRU's allegations that it conducted discussions with the Defendant and visited the Defendant's offices in an effort to bring Zavala County into compliance with the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] are sufficient to establish both injury in fact and causation. The Defendant's objections are

AMERICAN OVERSIGHT

overruled.

The Defendant raised three objections to the Report's conclusion that the alleged injury is redressable by a favorable decision: (1) it is not appropriate to rely upon statistics from the United States Census Bureau to conclude that the Plaintiff alleged a redressable injury; (2) the alleged injury is not redressable because any injunction the Court could order would merely direct the Defendant to comply with the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]; and (3) a County Tax Assessor-Collector is not in a position to redress the alleged injury and therefore is not a proper party in an action brought pursuant to [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=].[6] (Objections, ECF No. 36 at 6 n.1, 9.) The Court will examine these objections in the order presented.

At this stage in the **[**18]** litigation, ACRU cannot point to any specific instances in which the Defendant or her predecessor violated the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. *(See* Response, ECF No. 14 at 10-11.) Instead, the Complaint relies on a comparison between the number of citizens eligible to vote in Zavala County—gleaned from the 2010 Census—and the number of citizens who were actually registered to vote in the County at the time ACRU filed its Complaint.[7] (Complaint, ECF No. 1 at 5.) According to the Complaint, the latter number divided by the former yields an "implausible" registration rate of 105% and gives rise to the strong inference that the Defendant violated [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. ([HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=].)* Judge White's Report found that Census data is reliable, took judicial notice of certain statistics from the United States Census Bureau, and concluded that a favorable decision that lowered the registration rate would redress ACRU's injury. (Report, ECF No. 34 at 11-12.) The Defendant objected to the Report's use of statistical data "to the extent that such data might be used as a factual finding in this litigation and to the extent such data is not in evidence." (Objections, ECF No. 36 at 9.)

The Court agrees with the Report's conclusion that United States Census data is reliable and properly subject to judicial notice. A court "may take judicial notice at any stage of the proceeding." [

---

[6] *See* [HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]* (characterizing the Louisiana Secretary of State's argument that it is not a proper party to an [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] suit because it lacks authority to enforce the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] as "part of the standing question related to redressability").

[7] This figure includes both the people on Zavala County's voter registration **[**19]** rolls and those on the County's suspense list, who are still entitled to vote, as noted above in Footnote 3. (Complaint, ECF No. 1 at 4 n.1.)

AMERICAN OVERSIGHT

HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11WV-00000-00&context=]. A "court may judicially notice a fact that is not subject to reasonable dispute because it . . . can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned." [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11WV-00000-00&context=]. The Fifth Circuit has recognized that figures from the United States Census are properly subject to judicial notice. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:834G-N9S1-652R-33D3-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:834G-N9S1-652R-33D3-00000-00&context=1* ("United States census data is an appropriate and frequent subject of judicial notice." (citations omitted)); *accord, e.g., [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-0H30-006F-M3NT-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-0H30-006F-M3NT-00000-00&context=1*; [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-1WB0-006F-M0S5-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-1WB0-006F-M0S5-00000-00&context=1*. Moreover, by taking judicial notice of facts not subject to reasonable dispute, a Court does not convert a motion to dismiss into a motion for summary judgment. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4PPG-X8K0-TXFX-72BX-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4PPG-X8K0-TXFX-72BX-00000-00&context=1* ("[I]t is clearly proper in deciding a 12(b)(6) motion to take judicial notice of matters of public record." (citation omitted)). Therefore, the Defendant's objection to the use of Census data is overruled.

The Court also agrees with the Report's conclusion **[**20]** that the Plaintiff's injury would be redressed by a favorable decision. The Report found that "[t]he voting-age population of Zavala County in 2013 was approximately 8,448, yet there were 8,623 people registered to vote in 2014," yielding a registration rate of 102%. (Report, ECF No. 34 at 12.) The Report concluded that injunctive relief ordering the Defendant to properly maintain voter rolls would likely improve Zavala County's registration rate and allow ACRU to direct its resources elsewhere. *([HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4PPG-X8K0-TXFX-72BX-00000-00&context=].)* The Defendant objected to this conclusion, arguing that the Plaintiff failed to allege a violation of the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] that an injunction could correct. (Objections, ECF No. 36 at 6-7.) According to the Defendant, the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] does not require counties to attain a specific registration ratio and does not supply a cause of action for the failure to meet some yet-to-be-defined benchmark. *(Id.)* The Defendant misinterprets the Report's conclusion. The Report found that significantly high registration rates, like those in Zavala County, give rise to the inference that a county is not properly implementing a program to maintain an accurate and current voter registration roll, in violation of the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. (Report, **[**21]** ECF No. 34 at 12.) The Report did

AMERICAN OVERSIGHT

not state that a high registration rate, alone, demonstrates such a violation. The Plaintiff is not required, at this stage of the litigation, to prove a redressable injury; it is enough to make the allegation. *See* [HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XF70-003B-R3RX-00000-00&context=]*[HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XF70-003B-R3RX-00000-00&context=]*. The Court finds the Plaintiff has done so. Accordingly, the Defendant's objection is overruled.

The Court now proceeds to the Defendant's last objection, that the Plaintiff failed to sue the proper party: the Texas Secretary of State. As previously noted, the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] requires each state to "ensur[e] the maintenance of an accurate **[*792]** and current voter registration roll for elections for Federal office" by, *inter alia*, "conduct[ing] a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters" after a registrant dies or changes residence. [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=], [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. "The [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] centralizes [compliance] responsibility in the state and in the chief elections officer, who is the state's standin." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]*. The chief elections officer is "responsible for coordination of State responsibilities under" the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-4009-00000-00&context=].

Under Texas law, the chief elections officer is the Secretary of State. [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5DDJ-BJ51-6MP4-00J5-00000-00&context=]. The Secretary may assign "any function relating **[**22]** to the administration of elections that is under the Secretary's jurisdiction" to the staff in the elections division, and must assist and advise these election authorities on the application, operation, and interpretation of the election laws. *Id.* *[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5DDJ-BJ51-6MP4-00J5-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5DDJ-BJ51-6MP4-00J5-00000-00&context=]*, [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5DDJ-BJ51-6MP4-00J9-00000-00&context=]. However, the Secretary is ultimately responsible for maintaining "uniformity in the application, operation, and interpretation" of the election laws. *Id.* *[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5DDJ-BJ51-6MP4-00J8-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5DDJ-

AMERICAN OVERSIGHT

BJ51-6MP4-00J8-00000-00&context=]. If the Secretary determines that the actions of an election authority are impeding the "free exercise of a citizen's voting rights," the Secretary may order the authority to correct the offending conduct and, if that fails, seek enforcement of the order by a temporary restraining order or a writ of injunction or mandamus. *Id.* *[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5DDJ-BJ51-6MP4-00JB-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5DDJ-BJ51-6MP4-00JB-00000-00&context=]*.

Among these election authorities are the county tax assessor-collectors, who act as voter registrars for each county. *Id.* *[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5DDJ-BJ51-6MP4-006V-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5DDJ-BJ51-6MP4-006V-00000-00&context=]*. The registrar's duties include maintaining a suspense list of voters, *Id.* *[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5DDJ-BJ51-6MP4-00C3-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5DDJ-BJ51-6MP4-00C3-00000-00&context=]*, and correcting the voter registration records, "including, if necessary, deleting a voter's name from the suspense list," *Id.* *[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5DDJ-BJ51-6MP4-00BJ-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5DDJ-BJ51-6MP4-00BJ-00000-00&context=]*. Under the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=], the voter registrar has the additional duty of "correct[ing] an official list of eligible voters in elections for Federal office in **[**23]** accordance with change of residence information." *Id.* *[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]*. By fulfilling these duties, the county tax assessor-collectors enable the Texas Secretary of State to maintain accurate and current voter registration rolls, as mandated by the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. *See* [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=].

In the present case, ACRU brought suit against the Zavala County Tax Assessor-Collector for "failing to implement a program" to reduce the number of ineligible voters on the county's registration rolls, in violation of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. (Complaint, ECF No. 1 at 5.) However, ACRU neglected to join the Texas Secretary of State as a defendant. The Defendant argues that this failure warrants dismissal of the Complaint because, under the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=], she does not have the authority to implement a program to remove ineligible voters from the rolls. (Objections, ECF No. 36 at 6, n.1.) In its Response, ACRU argues that the [HYPERLINK

AMERICAN OVERSIGHT

https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] does impose the duty on voter registrars to use data from the United States Postal Service to update voter rolls. (Response, ECF No. 38 at 13.) Additionally, ACRU notes that Texas election law imposes a host of other duties on county voter registrars. *([HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=].)*

As the chief elections officer, the Texas Secretary of State has the power to enforce the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] and **[**24]** the "ongoing role" of remedying [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] violations. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]*. In the [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=] case, that curiously both parties failed to cite, the Fifth Circuit held that the Texas Secretary of State is a proper party to an [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] suit. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]* (holding that the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] "gives the Secretary of State enforcement authority" and imposes the "obligation to require . . . state agencies to comply with" the Act). Indeed, *Scott* highlights the role the Secretary of State plays in ensuring the state complies with the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=], although **[*793]** it also notes that the obligation is to cause the State agents comply with the Act.[8]

[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]*. However, the *Scott* court did not say that the Secretary of State is a necessary party to an [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] suit. The [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] itself is also silent on the subject of necessary parties. *See* [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=]. In the absence of a holding to the contrary, this Court is unwilling to dismiss the instant Complaint on

---

[8] Counties and **[**25]** their officials are state officials.

AMERICAN OVERSIGHT

standing grounds for failure to join the Secretary of State. As previously noted, the Tax Assessor-Collector has certain obligations under the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] as the designated voter registrar and state official. If the Defendant has failed to meet her obligations, ACRU can bring a civil suit against her. The Defendant's objection is overruled.

2. Failure to State a Claim

The Defendant also moved to dismiss the Complaint for failure to state a claim, under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=]. The Defendant argues again that high registration rates do not demonstrate an [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] violation; in essence, that the facts in the Complaint do not plausibly demonstrate that ACRU is entitled to relief. (Mot. to Dis., ECF No. 13 at 12-15.) Judge White's Report concludes that the following allegations, contained in the Complaint, sufficiently plead a cause of action: (1) Texas election law and the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] impose upon the Defendant the duty to maintain accurate and current registration rolls; (2) voter rolls maintained by the Defendant contain more voters registered to vote than there are citizens eligible to vote; (3) an implausible 105% registration rate gives rise to the strong inference that the Defendant failed to conduct a reasonable voter list maintenance program; and (4) ACRU's members are injured because of the resulting risk of voter fraud and vote dilution. (Report, ECF No. 34 at 18.) The Defendant objected, arguing that a high registration rate might be consistent with illegal conduct, but it is equally consistent with a "wide swath" **[**26]** of legal conduct. (Objections, ECF No. 36 at 9-10); *see [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4NSN-8840-004C-002M-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4NSN-8840-004C-002M-00000-00&context=]*.

The Court is unconvinced by the Defendant's objection. Under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=], a court may dismiss a complaint that "[fails] to state a claim upon which relief can be granted." [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=]. Because motions to dismiss are "viewed with disfavor ,and . . . rarely granted," [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-2XN0-003B-G2F4-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-2XN0-003B-G2F4-00000-00&context=]* (internal quotations omitted), a court must liberally cons favor, draw all inferences in favor of the plaintiff's claims, and take as true all factual allegations contained in the complaint. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-9NG0-0039-P4CM-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-9NG0-0039-P4CM-00000-00&context=]*. A complaint will survive a motion to dismiss if it "contain[s] sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4W9Y-4KS0-TXFX-

AMERICAN OVERSIGHT

1325-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4W9Y-4KS0-TXFX-1325-00000-00&context=] (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4NSN-8840-004C-002M-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4NSN-8840-004C-002M-00000-00&context=]). "A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4NSN-8840-004C-002M-00000-00&context=].

The Report concludes, and this Court agrees, that the Plaintiff alleged a plausible claim for relief. The high registration rate in Zavala County creates a strong inference that the Defendant has neglected her duty to maintain an accurate and current voter registration roll. The Defendant's argument that registration rates **[**27]** exceeding **[*794]** 100% could be the result of the County having a "reasonable purge system but an excellent registration system" or an "imperfect" purge system hampered by flawed data provided by the United States Postal Service is unconvincing. (Objections, ECF No. 36 at 10.) While these factors may certainly contribute to an inflated registration rate, it is more likely that the Defendant's failure to maintain the voter rolls caused the registration rate to climb. The Court agrees with the Report that this "strong inference of a violation of the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]" is adequate to survive a motion to dismiss under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=]. The Defendant's objection is overruled.

3. Notice

Lastly, the Defendant objects to the Report's conclusion that the Plaintiff complied with the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] notice requirement. (Objections, ECF No. 36 at 10-11.) The [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] requires[9]

---

[9] Although the language in the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] suggests that notice is not mandatory, "[a] person who is aggrieved by a violation of this chapter *may* provide written notice of the violation," [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=], the Fifth Circuit has held that notice is mandatory. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]. The [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] notice provision is nonjurisdictional. *See* [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:54SX-KDH1-F04K-V08S-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:54SX-KDH1-F04K-V08S-00000-00&context=]. Therefore, when a plaintiff fails to fulfill the notice provision the complaint should be dismissed pursuant to [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=], not [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=]. *See* [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:527Y-21W1-JCNH-Y018-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:527Y-21W1-JCNH-Y018-00000-00&context=].

AMERICAN OVERSIGHT

potential plaintiff's to "provide written notice of the violation to the chief election official of the State involved." [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=]. "If the violation is not corrected within 90 days after receipt of a notice" the aggrieved person may file a civil suit. [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=]. The Report noted the lack of case law in the Fifth Circuit interpreting the notice provision, but found that the "language and legislative **[**28]** history of the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] 'indicate that Congress structured the notice requirement in such a way that notice should provide states in violation of the Act an opportunity to attempt compliance before facing litigation." (Report, ECF No. 34 at 19-20); [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S2J-8P10-00B1-D17C-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S2J-8P10-00B1-D17C-00000-00&context=]; see also [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=] (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S2J-8P10-00B1-D17C-00000-00&context=] favorably).

To determine whether a party has provided adequate notice, a Court is not limited to the complaint alone, but may look to documents incorporated into the complaint by reference. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4P18-B380-004C-002V-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4P18-B380-004C-002V-00000-00&context=] ("[C]ourts must consider the complaint in its entirety, as well as other sources courts ordinarily examine when ruling on [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=] motions to dismiss, in particular, documents incorporated into the complaint by reference, and matters of which a court may take judicial notice." (citation **[**29]** omitted)). The document in question, a letter from ACRU to the Defendant, is attached to the Defendant's Answer (Answer, ECF No. 12 Exhibit 1) and was filed simultaneously with the Motion to Dismiss. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:413C-XS20-0038-X50H-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:413C-XS20-0038-X50H-00000-00&context=] (noting a court may consider documents attached to a motion to dismiss).

ACRU sent the letter to the Zavala County Clerk[10] stating that the County was **[*795]** "in apparent violation of [HYPERLINK

---

[10] Although **[**30]** the Plaintiff attempts to take credit for communication sent by third parties to the Defendant as early as 2012, it appears from the Complaint that the September 12, 2013 letter represents the first contact between the Plaintiff and the Defendant. (Complaint, ECF No. 1 at 5.) Therefore, the Court disregards the earlier communication. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=] (holding that one plaintiff who failed to give the defendant notice could not "piggyback" on the notice given by a second plaintiff in the same case).

AMERICAN OVERSIGHT

https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]." (Letter, ECF No. 12-1.) The letter went on to paraphrase and cite the provision of [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] that the Defendant was allegedly violating: "election officials [must] conduct a reasonable effort to maintain voter registration lists free of dead voters, ineligible voters and voters who have moved away." *(Id.)* The letter set out the evidence concerning the violation: Zavala County "has significantly more voters on the registration rolls than it has eligible live voters." *(Id.)* The letter urged the recipient to work toward full compliance with the [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=], warning that the failure to do so could result in a lawsuit and citing the provision of the [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] that allows a private party to bring suit. *(Id.)* Furthermore, it stated "[t]his letter serves as the statutory notice to your county." *(Id.)*

The Defendant maintains that ACRU's letter was too vague to provide notice of an [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] violation because the "circumstance"—voter rolls containing more names than there are citizens eligible to vote—is not an [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=] violation. (Objections, ECF No. 36 at 11.) This argument is misplaced. The letter does not claim that a high registration rate is, in itself, a violation. Instead, it indicates that having too many registered voters on county registration rolls is *evidence* that the County has violated [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=]. The letter gives the Defendant enough information to diagnose the problem. At that point it was the Defendant's responsibility to attempt to cure the violation. Accordingly, the Defendant's objection that notice was **[**31]** inadequate is overruled.

C. Motion to Amend Complaint

The Plaintiff moved to amend the Complaint, seeking to add an additional plaintiff and to remove Count 2. (Mot. to Amend, ECF No. 32.) The Report recommended that the motion be denied for several reasons. (Report, ECF No. 34 at 22-23.) First, it is **not** necessary to amend a complaint after the parties stipulate to the dismissal of one of the counts. *([HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:413C-XS20-0038-X50H-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:413C-XS20-0038-X50H-00000-00&context=].)* Second, the additional plaintiff did not provide the requisite notice to bring suit under the [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=], and would be subject to immediate dismissal if she were joined as a plaintiff. *(Id.)* Third, the additional plaintiff does not have Article III standing to bring a claim because she did not sufficiently allege an injury in fact. *(Id.)* Neither party objected to the Report's recommendation and this Court does not find that it is erroneous. The Plaintiff's Motion to Amend is denied.

III. CONCLUSION

For the above reasons, the Court **ADOPTS** the Report and Recommendation prepared by Judge White. (ECF No. 34.) Accordingly, it is **ORDERED** that the Defendant's Motion to Dismiss (ECF No. 13) is **DENIED** and the

AMERICAN OVERSIGHT

Plaintiff's Opposed Motion for Leave to File First Amended Complaint (ECF No. 32) is **DENIED [**32]** .

SIGNED and ENTERED on this 30th day of March 2015.

/s/ Alia Moses

ALIA MOSES

United States District Judge

End of Document

AMERICAN OVERSIGHT

[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M1N-0M41-F04D-10NR-00000-00&context=]

[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M1N-0M41-F04D-10NR-00000-00&context=]

United States District Court for the Southern District of Florida

October 25, 2016, Decided; October 26, 2016, Entered on Docket

Case No. 16-cv-61474-BLOOM/Valle

Reporter

221 F. Supp. 3d 1354 *; 2016 U.S. Dist. LEXIS 148234 **; 2016 WL 6248602

ANDREA BELLITTO and AMERICAN CIVIL RIGHTS UNION, Plaintiffs, v. BRENDA SNIPES, in her official capacity as the Supervisor of Elections of Broward County, Florida, Defendant, v. 1199SEIU UNITED HEALTHCARE WORKERS EAST, Intervenor Defendant.

Prior History: [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KS6-6541-F04D-10JX-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KS6-6541-F04D-10JX-00000-00&context=]* *[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KS6-6541-F04D-10JX-00000-00&context=]*

Counsel: **[**1]** For Andrea Bellitto, Plaintiff: H. Christopher Coates, LEAD ATTORNEY, Public Interest Legal Foundation, Plainfield, IN; J. Christian Adams, LEAD ATTORNEY, PRO HAC VICE, Public Interest Legal Foundation, Plainfield, IN; Joseph A. Vanderhulst, LEAD ATTORNEY, PRO HAC VICE, Publix Interest Legal Foundation, Plainfield, IN; Mathew Daniel Gutierrez, LEAD ATTORNEY, Foley, Lardner LLP, Miami, FL; William Earl Davis, Foley & Lardner, LLP, Miami, FL.

For American Civil Rights Union, Plaintiff: H. Christopher Coates, LEAD ATTORNEY, Public Interest Legal Foundation, Plainfield, IN; J. Christian Adams, LEAD ATTORNEY, PRO HAC VICE, Public Interest Legal Foundation, Plainfield, IN; Mathew Daniel Gutierrez, LEAD ATTORNEY, Foley, Lardner LLP, Miami, FL; William Earl Davis, Foley & Lardner, LLP, Miami, FL.

For Brenda Snipes, in her official capacity as the Supervisor of Elections of Broward County, Florida, Defendant: Burnadette Norris-Weeks, LEAD ATTORNEY, Fort Lauderdale, FL; Michelle Austin Pamies, LEAD ATTORNEY, PRO HAC VICE, Burnadette Norris-Weeks PA, Fort Lauderdale, FL.

For 1199SEIU United Healthcare Workers East, Intervenor Defendant: Cameron Bell, Scott Novakowski, Stuart C. Naifeh, LEAD ATTORNEYS, **[**2]** PRO HAC VICE, Demos, New York, NY; Catherine M. Flanagan, Michelle Kanter Cohen, LEAD ATTORNEYS, PRO HAC VICE, Project Vote, Washington, DC; Kathleen Marie Phillips, LEAD ATTORNEY, Phillips Richard & Rind, Miami, FL; Nicole G. Berner, LEAD ATTORNEY, PRO HAC VICE, Service

AMERICAN OVERSIGHT

Employees International Union, Deputy General Counsel, Washington, DC; Trisha Pande, LEAD ATTORNEY, PRO HAC VICE, Service Employees International Union, Washington, DC.

Judges: BETH BLOOM, UNITED STATES DISTRICT JUDGE.

Opinion by: BETH BLOOM

Opinion

[*1357] **ORDER ON MOTIONS TO DISMISS**

THIS CAUSE is before the Court upon Defendant Brenda Snipes's Second Motion to Dismiss, ECF No. [16] ("Defendant's Motion"), and Intervenor Defendant 1199SEIU United Healthcare Workers East's Motion to Dismiss, ECF No. [36], ("1199SEIU's Motion") (collectively, the "Motions"). The Court has reviewed the Motions, all supporting and opposing filings, the record in this case, and is otherwise fully advised in the premises. For the reasons that follow, Defendant's Motion is granted in part and denied in part, and 1199SEIU's Motion is denied.

I. BACKGROUND

Plaintiff American Civil Rights Union, Inc. ("ACRU") is a non-profit corporation "which promotes election integrity, compliance **[**3]** with federal election laws, government transparency, and constitutional government." ECF No. [12] ¶ 4 ("Amended Complaint"). Plaintiff Andrea Bellitto ("Bellitto") is a registered voter in Broward County and member of the ACRU. *See id.* ¶ 5. Defendant Brenda Snipes ("Snipes" or "Defendant") is the Supervisor of Elections of Broward County, Florida, and Intervenor Defendant 1199SEIU United Healthcare Workers East ("1199SEIU") is a labor union that represents approximately 25,000 healthcare workers and an additional 7,400 retired members in the State of Florida. *See id.* ¶ 6; ECF No. [23] at 6-7.

Plaintiffs ACRU and Bellitto (collectively, "Plaintiffs") initiated these proceedings on June 27, 2016 and filed an Amended Complaint thereafter, bringing two claims against Defendant under the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GHR1-NRF4-43YP-00000-00&context=], [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=].[1]

In Count I, Plaintiffs claim that Defendant "has failed to make reasonable efforts to conduct voter list maintenance programs, in violation of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=], [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] and [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-FR61-NRF4-4003-00000-00&context=] [[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GN01-NRF4-44WF-00000-00&context=]]." Amended Complaint ¶ 28. In Count II, Plaintiffs claim that Defendant "has failed to respond adequately to Plaintiffs' written request for data, failed to produce or otherwise **[**4]** failed to make records available to Plaintiffs concerning Defendant's implementation of programs and activities for ensuring the accuracy and currency of official lists of eligible voters for Broward County,

[1] As do the parties, the Court refers to [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] interchangeably as "Section 8," reflecting the statute's original location at ***Section 8 of Pub. L. 103-31, May 20, 1993, 107 Stat. 77***.

AMERICAN OVERSIGHT

in violation of Section 8 of the NVRA, [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]." *Id.* ¶ 33. Plaintiffs seek an order from this Court (1) declaring that Defendant is in violation of Section 8 of the NVRA; (2) ordering Defendant to implement reasonable and effective registration list maintenance programs to cure failures to comply with the NVRA and ensure that non-citizens and ineligible registrants are not on Defendant's rolls; (3) ordering Defendant to substantively respond to Plaintiffs' written request for records concerning her implementation of programs and **[*1358]** activities to ensure the accuracy and currency of Broward County's voter registration list and provide access to election records; and (4) additional relief. *See id.* at 9-10.

Defendant filed a Motion to Dismiss Plaintiffs' Amended Complaint on August 18, 2016, moving to dismiss these proceedings in their entirety under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=] and [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=] of the Federal Rules. Thereafter, 1199SEIU filed a motion to **[**5]** intervene, which the Court granted. *See* ECF Nos. [23], [29], [53]. 1199SEIU filed its own Motion to Dismiss on September 21, 2016, moving to dismiss Count I only of the Amended Complaint. Both Motions are now ripe for adjudication. *See* ECF Nos. [21], [22], [54], [63].

II. LEGAL STANDARD

A. [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=]

"Federal courts are courts of limited jurisdiction. They possess only that power authorized by Constitution and statute, which is not to be expanded by judicial decree." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S65-JWF0-003B-R1BW-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S65-JWF0-003B-R1BW-00000-00&context=]* (internal citations omitted). "It is to be presumed that a cause lies outside this limited jurisdiction, and the burden of establishing the contrary rests upon the party asserting jurisdiction." *Id.* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-KXF0-003B-H19B-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-KXF0-003B-H19B-00000-00&context=]* and [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-9P90-003B-737M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-9P90-003B-737M-00000-00&context=]*. A [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=] motion challenges the district court's subject matter jurisdiction and takes one of two forms: a "facial attack" or a "factual attack." "A 'facial attack' on the complaint 'require[s] the court merely to look and see if [the] plaintiff has sufficiently alleged a basis of subject matter jurisdiction, and the allegations in his complaint are taken as true for the purposes of the motion.'" [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4PT3-CDN0-TXFX-G38P-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4PT3-CDN0-TXFX-G38P-00000-00&context=]* (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-0JK0-003B-

AMERICAN OVERSIGHT

51N0-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-0JK0-003B-51N0-00000-00&context=]*. "A 'factual attack,' on the other hand, challenges the existence of subject matter jurisdiction based on matters outside the pleadings." **[**6]** [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:83M5-HR71-652H-F3HP-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:83M5-HR71-652H-F3HP-00000-00&context=]* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-0JK0-003B-51N0-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-0JK0-003B-51N0-00000-00&context=]*); *see [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4S9R-GBT0-TXFX-G3CY-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4S9R-GBT0-TXFX-G3CY-00000-00&context=]* ("By contrast, a factual attack on a complaint challenges the existence of subject matter jurisdiction using material extrinsic from the pleadings, such as affidavits or testimony."). "In assessing the propriety of a motion for dismissal under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=], a district court is not limited to an inquiry into undisputed facts; it may hear conflicting evidence and decide for itself the factual issues that determine jurisdiction." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-GWV0-008H-V0FB-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-GWV0-008H-V0FB-00000-00&context=]*. As such, "[w]hen a defendant properly challenges subject matter jurisdiction under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=], the district court is free to independently weigh facts and 'may proceed as it never could under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=] or [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2421-6N19-F165-00000-00&context=].'" [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4SFW-P1N0-TX4N-G0M5-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4SFW-P1N0-TX4N-G0M5-00000-00&context=]* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:482X-6XN0-0038-X43T-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:482X-6XN0-0038-X43T-00000-00&context=]*.

B. [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=]

[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YK-00000-00&context=] of the Federal Rules requires that a pleading contain "a short and plain statement of the claim showing that the pleader is entitled to relief." [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YK-00000-00&context=]. Although a complaint "does not need detailed factual allegations," it must provide "more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do." [

AMERICAN OVERSIGHT

HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4NSN-8840-004C-002M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4NSN-8840-004C-002M-00000-00&context=]*; *see* [HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4W9Y-4KS0-TXFX-1325-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4W9Y-4KS0-TXFX-1325-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4W9Y-4KS0-TXFX-1325-00000-00&context=]* HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4W9Y-4KS0-TXFX-1325-00000-00&context=] (explaining that [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YK-00000-00&context=]'s pleading standard "demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation"). In the same vein, a complaint may not rest on "'naked assertion[s]' devoid of 'further factual enhancement.'" **[**7]** [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4W9Y-4KS0-TXFX-1325-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4W9Y-4KS0-TXFX-1325-00000-00&context=]* (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4NSN-8840-004C-002M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4NSN-8840-004C-002M-00000-00&context=]* (alteration in original)). "Factual allegations must be enough to raise a right to relief above the speculative level." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4NSN-8840-004C-002M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4NSN-8840-004C-002M-00000-00&context=]*. These elements are required to survive a motion brought under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=], which requests dismissal for "failure to state a claim upon which relief can be granted."

When reviewing a motion under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=], a court, as a general rule, must accept the plaintiff's allegations as true and evaluate all plausible inferences derived from those facts in favor of the plaintiff. *See Chaparro, 693 F.3d at 1337*; [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:46R6-5FS0-0038-X3KC-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:46R6-5FS0-0038-X3KC-00000-00&context=]*; [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4WBB-4KM0-TXFP-K2NS-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4WBB-4KM0-TXFP-K2NS-00000-00&context=]*. However, this tenet does not apply to legal conclusions, and courts "are not bound to accept as true a legal conclusion couched as a factual allegation." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4NSN-8840-004C-002M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4NSN-8840-004C-002M-00000-00&context=]*; *see* [*HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4W9Y-4KS0-TXFX-1325-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection

AMERICAN OVERSIGHT

=cases&id=urn:contentItem:4W9Y-4KS0-TXFX-1325-00000-00&context=]; [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4K2S-JP40-0038-X26S-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4K2S-JP40-0038-X26S-00000-00&context=]*. A court considering a [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=] motion is generally limited to the facts contained in the complaint and attached exhibits, including documents referred to in the complaint that are central to the claim. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4VF6-H4D0-TXFX-G3F5-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4VF6-H4D0-TXFX-G3F5-00000-00&context=]*; [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4HX0-1YN0-0038-X0SJ-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4HX0-1YN0-0038-X0SJ-00000-00&context=]* ("[A] document outside the four corners of the complaint may still be considered if it is central to the plaintiff's claims and is undisputed in terms of authenticity.") (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:46R6-5FR0-0038-X3K5-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:46R6-5FR0-0038-X3K5-00000-00&context=]*.

"On a [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=] motion to dismiss, '[t]he moving party bears the burden to show that the complaint should be dismissed.'" [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5D4C-V601-F04D-1229-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5D4C-V601-F04D-1229-00000-00&context=]* (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5114-D7M1-652H-F00H-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5114-D7M1-652H-F00H-00000-00&context=]*. "The movant must support its arguments **[**8]** for dismissal with citations to legal authority." *Id.* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5P4T-FXK0-004D-61TY-00000-00&context=]). "Where a defendant seeking dismissal of a complaint under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=] does not provide legal authority in support of its arguments, it has failed to satisfy its burden of establishing its entitlement to dismissal." *Id.* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:7Y4C-D100-YB0M-J08K-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:7Y4C-D100-YB0M-J08K-00000-00&context=]* and [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4N-C6N0-0039-R3P7-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4N-C6N0-0039-R3P7-00000-00&context=]*. It is through these lenses that the Court considers the Motions.

III. DISCUSSION

Defendant Snipes argues that the Court must dismiss the Amended Complaint because Plaintiffs

AMERICAN OVERSIGHT

(1) have not alleged a cognizable claim over which the Court has subject-matter jurisdiction; (2) have failed to state a claim upon which relief can be granted; and (3) lack standing to bring their claims. Defendant's Motion at 9. 1199SEIU also moves the Court to dismiss Count I for Plaintiffs' failure to state a claim, arguing that Plaintiffs lack a cause of action because Defendant has fully complied with the NVRA's "explicit safe harbor procedure." 1199SEIU's Motion at 1. As the issues relate to this Court's jurisdiction, the Court first reviews Defendant's arguments that the Court lacks subject matter jurisdiction over Plaintiffs' **[*1360]** claims, and that Plaintiffs lack standing to file suit.

A. Subject Matter Jurisdiction

*1. [**9] Failure to include necessary party*

Defendant argues that the Court lacks subject matter jurisdiction because Plaintiffs failed to sue Florida's Secretary of State or the State of Florida. Defendant claims that these are the only entities that a private party can sue under the NVRA. *See* Defendant's Motion at 9. Relatedly, Defendant argues that Plaintiff ACRU lacks standing because it did not provide pre-suit notice to Florida's Secretary of State, and that Plaintiff Bellitto lacks standing because she did not provide pre-suit notice at all. *See id.* Unsurprisingly, Plaintiffs acknowledge that they only filed suit against Defendant Snipes, the Supervisor of Elections of Broward County, Florida, but argue that the NVRA requires nothing more. Under the circumstances of this case, the Court agrees.

At Count I of the Amended Complaint, Plaintiffs bring a claim against Defendant under Section 8 ([HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]) of the NVRA, a statute that provides requirements for the "administration of voter registration for elections for Federal office." [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] mandates that each state "conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason **[**10]** of -- [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] the death of the registrant; or [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] a change in the residence of the registrant, in accordance with [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=], [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=], and [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]." [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. At Count II of the Amended Complaint, Plaintiffs bring a claim under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=], which provides that:

> (1) Each State shall maintain for at least 2 years and shall make available for public inspection and, where available, photocopying at a reasonable cost, all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of

AMERICAN OVERSIGHT

eligible voters, except to the extent that such records relate to a declination to register to vote or to the identity of a voter registration agency through which any particular voter is registered.

(2) The records maintained pursuant to [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] shall include lists of the names and addresses of all persons to whom notices described in [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] are sent, and information concerning whether or not each such person has responded to the notice as of the date that inspection of the records is made.

[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=] of the NVRA governs the civil enforcement of Section 8, providing for enforcement by:

(a) Attorney General -- The Attorney General may bring a civil action in an appropriate district court for such **[**11]** declaratory or injunctive relief as is necessary to carry out this chapter.

(b) Private right of action --

1. A person who is aggrieved by a violation of this chapter may provide written notice of the violation to the chief election official of the State involved.

2. If the violation is not corrected within 90 days after receipt of a notice under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=], or within 20 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may bring a civil action in an appropriate district court for declaratory or injunctive relief with respect to the violation.

[*1361] 3. If the violation occurred within 30 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=] before bringing a civil action under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=].

[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=]. This Court's jurisdiction, therefore, stems directly from [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=], and Plaintiffs' standing to bring suit depends upon compliance with the statute.

"The NVRA centralizes responsibility in the state and in the chief elections officer, who is the state's stand-in." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]/ HYPERLINK

AMERICAN OVERSIGHT

https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]. Under the NVRA, "[t]he chief elections officer is 'responsible for coordination of **[**12]** State responsibilities.'" *Am. Civil Rights Union v. Martinez—Rivera, 166 F. Supp. 3d 779, 792 (W.D. Tex. 2015)* (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-4009-00000-00&context=]). And, in order to bring a private action under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=], a party must notice "the chief election official of the State involved," which in Florida, is the Secretary of State. *See* [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5J8V-6XM1-DXC8-044R-00000-00&context=] ("The Secretary of State is the chief election officer of the state"). Defendant argues that based on [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=] and the NVRA's overall structure, Plaintiffs can only file suit against the State of Florida or Florida's Secretary of State. *See* ECF No. [22] at 2. Defendant, however, has not cited to a single case that expressly supports this position. Unaware of any contrary authority, the Court finds persuasive the Honorable Alia Moses's recent analysis in a similar case filed in the Western District of Texas. In *Martinez-Rivera, infra*, Judge Moses analyzed the same statutory provisions and relevant case law relied upon by the parties in this case, and found that "the NVRA itself is . . . silent on the subject of necessary parties," and that *Scott v. Schedler, infra*, "did not say that the Secretary of State is a necessary party to an NVRA suit." *Id. at 793* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=] and [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]*. Reviewing Texas law, the court went on to find that the local defendant in that case — the Zavala County, **[**13]** Texas Tax Assessor-Collector — "has certain obligations under the NVRA as the designated voter registrar and state official." *Id.* Accordingly, and "[i]n the absence of a holding to the contrary," Judge Moses declined "to dismiss the . . . Complaint on standing grounds for failure to join the Secretary of State." *Id.*; *see* *[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4V5R-N4M0-TXFR-51PV-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4V5R-N4M0-TXFR-51PV-00000-00&context=]* ("The Secretary's absence from this litigation does not affect this court's ability to accord complete relief among existing parties. Plaintiffs have sued local election authorities . . . for their *own* violations of the NVRA and Missouri's implementing statutes." (analyzing [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4006-00000-00&context=]) (emphasis in the original)).

The Court similarly finds that Defendant Snipes has certain obligations under the NVRA. Defendant is the Supervisor of Elections for Broward County, Florida. In that position, Defendant is designated by Florida law to maintain the voter rolls in Broward County. *See* [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5J8D-4051-DXC8-050F-00000-00&context=] ("the supervisor shall update voter registration information"). As Plaintiffs allege and Defendant does not challenge, list maintenance obligations in

AMERICAN OVERSIGHT

Florida are placed predominantly, and in many instances exclusively, on the Supervisors of Elections. *See, e.g.*, [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5JDR-2J41-DXC8-005D-00000-00&context=] ("voter registration official" is defined as **[**14]** the supervisors of elections); [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5C24-M691-6SKW-D405-00000-00&context=] (supervisors are responsible for following up on inadequate voter registration forms); [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5G1G-KMY1-DXC8-004T-00000-00&context=] (online applications, regardless of where received, are forwarded and processed by supervisors); [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5C24-M691-6SKW-D40K-00000-00&context=] (voter information cards are provided by the supervisors); [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5C24-M691-6SKW-D40N-00000-00&context=] (changes of address are received and processed by the supervisors); [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5J8D-4051-DXC8-050F-00000-00&context=] (describing **[*1362]** the office and duties of the supervisors, including custody of registration-related documents); [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5C24-M691-6SKW-D40T-00000-00&context=] (the statewide system enables the supervisors to "provide, access, and update voter registration information"); [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5C24-M691-6SKW-D40V-00000-00&context=] (supervisors responsible for determining eligibility of applicants); [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5C24-M691-6SKW-D40V-00000-00&context=] (supervisors responsible for removal of registrants); [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5C24-M691-6SKW-D40V-00000-00&context=] (supervisors responsible for maintaining and providing public access to "records concerning implementation of registration list maintenance programs and activities"); [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5C24-M691-6SKW-D40V-00000-00&context=] (street address information is provided by the supervisors to the department); [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5C24-M691-6SKW-D410-00000-00&context=] (supervisors remove deceased, criminal, and other ineligible registrants upon receiving information from the secretary of state); [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5C24-M691-6SKW-D410-00000-00&context=] (describing procedures **[**15]** that must be followed by supervisors for removal of registrants upon receiving notice or information of ineligibility); [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5C24-M691-6SKW-D413-00000-00&context=] (original registration applications are in the custody of the supervisors); [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D6S-HV81-DXC8-04T2-00000-00&context=] (supervisors have a duty to perform list maintenance regarding ineligible voters). In fact, a Florida Supervisor is required to "conduct a general registration list maintenance program to protect the integrity of the electoral process by ensuring the maintenance of accurate and current voter registration records in the statewide voter

AMERICAN OVERSIGHT

registration system." [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5J8V-6YB1-DXC8-044V-00000-00&context=]. And, while the Florida Secretary of State is tasked with "coordinat[ing] the state's responsibilities under the [NVRA] . . . The secretary may delegate voter registration duties and records maintenance activities to voter registration officials. Any responsibilities delegated by the secretary shall be performed in accordance with state and federal law." [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5J8V-6XM1-DXC8-044R-00000-00&context=], [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5J8V-6XM1-DXC8-044R-00000-00&context=]; *see [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4T3J-V2H0-TX4N-G1M7-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4T3J-V2H0-TX4N-G1M7-00000-00&context=]* ("By its plain language, [Section 8] . . . envisions the states will actively oversee a general program wherein many of the duties not specifically assigned to the states may be delegated.").

Accordingly, the Court finds that Defendant Snipes, like the Tax Assessor-Collector of Zavala **[**16]** County, Texas, has certain responsibilities under Florida law. As the Florida official directly responsible for voter list maintenance in Broward County, Defendant enables the Florida Secretary of State to maintain accurate and current voter registration rolls as mandated by the NVRA. *See* [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]; *see also Martinez—Rivera, 166 F. Supp. 3d at 792*. In this case, the alleged violation occurred as a direct result of Defendant's actions in Broward County, and so, "[i]f the Defendant has failed to meet her obligations, ACRU can bring a civil suit against her." *Martinez—Rivera, 166 F. Supp. 3d at 793*.

2. Standing

Defendant also challenges Plaintiffs' standing to bring suit, on account of Plaintiffs' alleged failure to send pre-suit notice as required by [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=]. "Whether a party has a sufficient stake in an otherwise justiciable controversy to obtain judicial resolution of that controversy is what has traditionally been referred to as the question of standing to sue." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D8W0-003B-S3HH-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-D8W0-003B-S3HH-00000-00&context=]. "The plaintiff has the burden to clearly and specifically set forth facts sufficient to satisfy Art. III standing requirements." *Id.* (internal quotations and alternations omitted). In the context of standing to bring a private action pursuant **[**17]** to [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=], "failure to provide notice is fatal." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=].

Defendant concedes that Plaintiffs have standing assuming they provided proper notice within the meaning of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=]. As to

AMERICAN OVERSIGHT

Plaintiff ACRU, the Court need not decide whether notice to Defendant suffices because ACRU sent a copy of the Notice to the **[*1363]** Florida's Secretary of State, the "chief election official" of Florida. *See* Amended Complaint ¶ 18; ECF Nos. [12-1] (the "Notice")[2]

at 2 ("This letter serves as the statutory notice to your county, required by [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=] . . . ."); [21] at 19; *see also Martinez—Rivera, 166 F. Supp. 3d at 807* (adopting Magistrate's Report and Recommendation stating notification properly "sent to the Zavala County Clerk and copied to Defendant and the Texas Secretary of State"). Regarding Plaintiff Bellitto, Plaintiffs concede that Bellitto did not send notice herself, arguing instead that as a member of the ACRU, Bellitto derives standing through ACRU's notice. *See* ECF No. [21] at 20. Bellitto has the burden to clearly and specifically establish standing to bring suit, *see [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3S4X-D8W0-003B-S3HH-00000-00&context=] [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3S4X-D8W0-003B-S3HH-00000-00&context=]*, but has cited only to *Scott, infra*, in support of her position. *Scott*, however, found that an individual plaintiff *lacked* standing to sue for failure to send **[**18]** notice, and that said plaintiff could not "piggyback on the NAACP's notice." [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]. Bellitto appears to cite *Scott* in an effort to distinguish it, stating that there is "no indication that the individual plaintiff in the *Scott* case was a member of the organizational plaintiff." ECF No. [21] at 20. However, while it may be true that an "association has standing to bring suit on behalf of its members" under certain circumstances, [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3S4X-9CY0-003B-S1K0-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3S4X-9CY0-003B-S1K0-00000-00&context=]*, it does not necessarily follow that a *member* confers standing through her membership in that organization.

Under the facts of this case, the Court finds the analysis in *Scott* persuasive and analogous to the

---

[2] "In ruling upon a motion to dismiss, the district court may consider an extrinsic document if it is (1) central to the plaintiff's claim; and (2) its authenticity is not challenged." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:7Y3F-DX20-YB0V-S04B-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:7Y3F-DX20-YB0V-S04B-00000-00&context=]* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4FJ9-1FW0-0038-X0NW-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4FJ9-1FW0-0038-X0NW-00000-00&context=]*. Here, Plaintiffs specifically refer to the Notice, and the document is central to Plaintiffs' claims. *See* Amended Complaint ¶ 18. In any event, "[w]hen a defendant properly challenges subject matter jurisdiction under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=] the district court is free to independently weigh facts, and 'may proceed as it never could under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=] or [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2421-6N19-F165-00000-00&context=].'" [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4SFW-P1N0-TX4N-G0M5-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4SFW-P1N0-TX4N-G0M5-00000-00&context=]* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:482X-6XN0-0038-X43T-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:482X-6XN0-0038-X43T-00000-00&context=]*); *see* ***Martinez—Rivera, 166 F. Supp. 3d at 794*** ("To determine whether a party has provided adequate notice, a Court is not limited to the complaint **[**19]** alone, but may look to documents incorporated into the complaint by reference.").

AMERICAN OVERSIGHT

issue of Bellitto's standing to bring a Section 8-based claim. As in *Scott*, Bellitto did not herself comply with [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=]'s notice prerequisite. Like the notice in *Scott*, the ACRU's letter did not mention Bellitto "by name" or even refer to ACRU members, and thus, the Court finds the "notice letter . . . too vague to provide . . . an opportunity to attempt compliance as to [Bellitto] before facing litigation." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]* (internal quotations omitted); *see* ECF No. [12-1] at 1 ("Dear Ms. Snipes: I am writing on behalf of the American Civil Rights Union . . . ."). Accordingly Bellitto "has no basis for relief because [s]he did not file notice." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]*; *see Martinez-Rivera, 166 F. Supp. 3d at 794* n.10 ("Although the Plaintiff attempts to take credit for communication sent by third parties to the Defendant as early as 2012, it appears from the Complaint that the September 12, 2013 letter represents the first contact between the Plaintiff and the Defendant. . . . Therefore, the Court disregards the earlier communication." (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5DHX-5V41-F04K-N20M-00000-00&context=]*)). Bellitto has failed **[**20]** to meet her burden to establish standing to bring suit. Thus, Defendant's Motion is granted as to Plaintiff Bellitto's claims.

[*1364] B. Failure To State A Claim

Defendant also moves to dismiss the Amended Complaint under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context=], arguing that the Amended Complaint "fail[s] to state how, if at all, Defendant failed to comply with any records requests," and fails to "account for the discretionary methods used by states for removal of registrants." Defendant's Motion ¶ 18; ECF No. [22] at 6. 1199SEIU similarly argues that the Court must dismiss Count I for Plaintiff's[3]

failure to state a claim, as the record shows that Defendant has exercised her discretion in a manner entirely consistent with the NVRA's "safe harbor" provision at [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. *See* 1199SEIU Motion at 1-2. The Court addresses the movants' arguments jointly, as appropriate.

In the Amended Complaint, ACRU claims that "Defendant has failed to make reasonable efforts to conduct voter list maintenance programs, in violation of Section 8 of NVRA, [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] and [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-FR61-NRF4-4003-00000-00&context=]." Amended Complaint ¶ 28 (Count I). Plaintiff also claims that "Defendant has failed to respond adequately **[**21]** to Plaintiffs' written request for data, . . . in violation of Section 8 of the NVRA, [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-

[3] As Defendant's Motion is granted as to Plaintiff Bellitto, the Court refers only to Plaintiff ACRU in the remainder of this Order.

AMERICAN OVERSIGHT

F731-NRF4-4007-00000-00&context=]." *Id.* ¶ 33 (Count II). Section 8 "provides an exhaustive list of circumstances justifying removal" of registered voters, and places restraints on a states' authority to remove individuals from voter lists. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=]* (hereinafter, "*APRI*"). While Count I does not list the specific subsection of Section 8 Defendant allegedly violated, Count I is entitled "Failure to Conduct List Maintenance," and Plaintiff's claims are premised on Defendant's alleged failure to use a "reasonable effort" to comply with the NVRA. ACRU's claims, therefore, fall under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] of the NVRA, requiring that election officials "conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters *by reason of* -- [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] the death of the registrant; or [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] a change in the residence of the registrant, in accordance with [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=], [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=], and [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]." [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] (emphasis added). Under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]:

> A State may meet the requirement of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] by establishing a program under which --
>
> **(A)** change-of-address information supplied by the Postal Service through its licensees is used to identify registrants whose addresses may have changed; and
>
> **(B)** if it appears from information provided **[**22]** by the Postal Service that --
>
> > **(i)** a registrant has moved to a different residence address in the same registrar's jurisdiction in which the registrant is currently registered, the registrar changes the registration records to show the new address and sends the registrant a notice of the change by forwardable mail and a postage prepaid pre-addressed return form by which the registrant may verify or correct the address information; or
> >
> > **(ii)** the registrant has moved to a different residence address not in the same registrar's jurisdiction, the registrar uses the notice procedure described in [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-

AMERICAN OVERSIGHT

F731-NRF4-4007-00000-00&context=] to confirm the change of address.

[*1365] [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] ("[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]"). In addition to these explicit NVRA provisions, the parties dedicate extensive argument to the unwritten expanse of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] and HAVA's alleged effect on Section 8. However, for the purposes of the instant Motions, the Court finds dismissal improper because Plaintiff has alleged that Defendant failed to make a reasonable effort to remove ineligible voters by reason of death or change of address.[4]

See [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=], [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. In particular, Plaintiff alleges that

> On information and belief, Defendant has been given reliable information regarding registered voters who *have either died or no longer reside at the [**23] address listed in their registration and has taken no action* to remove them as required by [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5C24-M691-6SKW-D410-00000-00&context=]. On information and belief, in the Wynmoor community of Coconut Creek, for example, Defendant has received information regarding over 200 registered voters who have either died or who no longer reside in the community. . . . By failing to implement a program which takes reasonable steps to cure these circumstances, Defendant has violated NVRA and other federal list maintenance statutes.

Amended Complaint ¶¶ 13-14 (emphasis added). The Court finds this factual allegation and other claims made in the Amended Complaint are sufficient to state a claim under Section 8.

Both Defendant and 1199SEUI argue that ACRU's pleadings notwithstanding, Defendant complied with [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=], a "safe harbor provision" that bars the claims at Count I. The parties' Motions cite to little authority in support of this position, **[**24]** and no authority has been presented to support dismissal at the pleading stage based on a defendant's stated compliance with [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. *See*

---

[4] The Court notes that the Sixth Circuit recently held that "[b]y the HAVA's own terms, however, [its] language is not to 'be construed to authorize or require conduct prohibited under . . . or to supersede, restrict, or limit the application of . . . [the NVRA]." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=] [*HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=] [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=] [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=] [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=]* (alternations added and in the original) (citations omitted).

AMERICAN OVERSIGHT

1199SEUI'S Motion at 6-7 (citing only to guidance from the Department of Justice at [HYPERLINK https://www.justice.gov/crt/national-voter-registration-act-1993-nvra] , and [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:40G4-5TN0-0038-Y40D-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:40G4-5TN0-0038-Y40D-00000-00&context=1] (providing a general overview of the NVRA)). However, last month, the Sixth Circuit explicitly referred to [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] as the "so-called 'safe-harbor' procedure," noting that it "provide[s] states with an example of a procedure for identifying and removing voters who had changed residence *that would comply* with the NVRA's mandates and accompanying constraints." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=1][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=1][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=1][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=1][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=1] (emphasis added). Lacking guidance from the Eleventh Circuit, the Court finds persuasive the Sixth Circuit's reasoning in *APRI*, and finds that full compliance with [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] "would comply with the NVRA's mandates and accompanying constraints." *Id.* 1199SEUI claims that a letter from Defendant, attached to the Amended Complaint at Exhibit B, establishes that Defendant fully complied with [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=], and that Exhibit B is sufficient "to defeat Plaintiff['s] claim that a legal violation has occurred." ECF No. [63] at 5 (citing *APRI*). *APRI*, however, addressed material distinct claims under Section 8 in the context of a motion for a permanent injunction. In this case, **[**25]** Plaintiff does not concede that Defendant fully complied with [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=], but rather, specifically pleads that "[b]y failing to implement a program which takes reasonable steps to cure these circumstances, Defendant has violated NVRA and other federal list maintenance statutes." Amended Complaint ¶ 14. ACRU **[*1366]** has plead sufficient facts to support its claim that Defendant inadequately removed the names of registrants who have died or changed their address; whether Exhibit B establishes Defendant's full compliance with [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] and defeats Plaintiff's claims is a fact-based argument more properly addressed at a later stage of the proceedings. *See* [*HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4CMB-D420-0038-X2SX-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4CMB-D420-0038-X2SX-00000-00&context=1* (court properly considers defense only where "the complaint affirmatively and clearly shows the *conclusive applicability* of the defense to bar the action" (emphasis added) (internal quotations omitted)). Relatedly, the Court finds the factual explanation proffered by 1199SEUI in its Motion, while plausible, is insufficient to warrant dismissal of Count I, particularly as the Court must evaluate all plausible inferences in favor of Plaintiff. *See* 1199SEUI's Motion at 9-10; *Chaparro, 693 F.3d at 1337*; [HYPERLINK https://advance.lexis.com/api/document?collection

AMERICAN OVERSIGHT

=cases&id=urn:contentItem:46R6-5FS0-0038-X3KC-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:46R6-5FS0-0038-X3KC-00000-00&context=1; see also Martinez—Rivera, 166 F. Supp. 3d at 794.* Accordingly, ACRU's claims in Count I survive. **[**26]**

The Court also finds that Plaintiff has sufficiently stated a claim in Count II. Plaintiff asserts that Defendant "failed to respond adequately to Plaintiffs' written request for data . . . in violation of Section 8 of the NVRA, [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]." While Defendant argues that Plaintiff failed to state "how" Defendant did not comply with Plaintiff's requests, [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] requires, with exception, that Defendant "make available for public inspection . . . *all records* concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters . . . ." [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] (emphasis added). Although the Amended Complaint does not specifically state that Defendant failed to provide *all* relevant records, the Court finds that Plaintiff's allegations, in conjunction with the attached Notice documenting in detail the information requested, is sufficient to state a plausible claim for relief under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=].

IV. CONCLUSION

For all of the reasons stated herein, it is **ORDERED AND ADJUDGED** as follows:

1. Defendant Snipes's Motion to Dismiss, **ECF No. [16]**, is **GRANTED** as to Plaintiff Bellitto's claims only;

2. 1199SEUI's Motion to Dismiss, **ECF No. [36]**, is **DENIED**;

3. Defendant Snipes has until **November [**27] 4, 2016** to file an Answer to the Amended Complaint.

DONE AND ORDERED in Miami, Florida, this 25th day of October, 2016.

/s/ Beth Bloom

BETH BLOOM

UNITED STATES DISTRICT JUDGE

End of Document

AMERICAN OVERSIGHT

[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5P0S-5CX1-F04D-1215-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5P0S-5CX1-F04D-1215-00000-00&context=]*

United States District Court for the Southern District of Florida

July 11, 2017, Decided; July 12, 2017, Entered on Docket

Case No. 16-cv-61474-BLOOM/Valle

Reporter
2017 U.S. Dist. LEXIS 107355 *; 2017 WL 2972837

ANDREA BELLITTO and AMERICAN CIVIL RIGHTS UNION, Plaintiffs, v. BRENDA SNIPES, in her official capacity as the Supervisor of Elections of Broward County, Florida, Defendant, v. 1199SEIU UNITED HEALTHCARE WORKERS EAST, Intervenor, Defendant.

Prior History: [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KS6-6541-F04D-10JX-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KS6-6541-F04D-10JX-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KS6-6541-F04D-10JX-00000-00&context=]*

Counsel: **[*1]** For Andrea Bellitto, American Civil Rights Union, Plaintiffs: H. Christopher Coates, LEAD ATTORNEY, Public Interest Legal Foundation, Plainfield, IN; J. Christian Adams, LEAD ATTORNEY, PRO HAC VICE, Public Interest Legal Foundation, Plainfield, IN; Joseph A. Vanderhulst, Kaylan L. Phillips, LEAD ATTORNEYS, PRO HAC VICE, Public Interest Legal Foundation, Indianapolis, IN; Mathew Daniel Gutierrez, Foley, Lardner LLP, Miami, FL; William Earl Davis, Foley & Lardner, LLP, Miami, FL.

For Brenda Snipes, in her official capacity as the Supervisor of Elections of Broward County, Florida, Defendant: Burnadette Norris-Weeks, LEAD ATTORNEY, Fort Lauderdale, FL; Michelle Austin Pamies, LEAD ATTORNEY, PRO HAC VICE, Burnadette Norris-Weeks PA, Fort Lauderdale, FL; Kathleen Marie Phillips, Phillips Richard & Rind, Miami, FL.

For 1199SEIU United Healthcare Workers East, Intervenor Defendant: Cameron Bell, Stuart C. Naifeh, LEAD ATTORNEYS, PRO HAC VICE, Demos, New York, NY; Carrie F. Apfel, Jessica Ring Amunson, Kali N. Bracey, Marina K. Jenkins, LEAD ATTORNEYS, PRO HAC VICE, Tassity S. Johnson, Jenner & Block LLP, Washington, DC; Catherine M. Flanagan, Michelle Kanter Cohen, LEAD ATTORNEY, PRO HAC VICE, **[*2]** Project Vote, Washington, DC; David Slutsky, LEAD ATTORNEY, PRO HAC VICE, Levy Ratner PC, New York, NY; Katherine Roberson-Young, LEAD ATTORNEY, SEIU, Miami, FL; Kathleen Marie Phillips, LEAD ATTORNEY, Phillips Richard & Rind, Miami, FL; Trisha Pande, LEAD ATTORNEY, PRO HAC VICE, Service Employees International Union, Washington, DC; Lucia Piva, Phillips, Richard, Rind, P.A., Miami, FL.

AMERICAN OVERSIGHT

Judges: BETH BLOOM, UNITED STATES DISTRICT JUDGE.

Opinion by: BETH BLOOM

Opinion

ORDER ON MOTIONS FOR PARTIAL SUMMARY JUDGMENT AND MOTION TO EXCLUDE OPINIONS AND TESTIMONY

THIS CAUSE is before the Court upon Plaintiff American Civil Rights Union's ("Plaintiff" or "ACRU") Motion for Partial Summary Judgment on Count II of the First Amended Complaint, ECF No. [117] ("ACRU's Motion"), Defendant Brenda Snipes' ("Defendant" or "Snipes") Motion for Summary Judgment as to Count II of Plaintiff's First Amended Complaint, ECF No. [145] ("Snipes' Motion"), and Snipes and Intervenor Defendant 1199SEIU United Healthcare Workers East's ("Intervenor Defendant" or "United") Motion for Summary Judgment on Count I of Plaintiff's Amended Complaint, ECF No. [142] (the "Snipes/United Motion"). United has also filed a Motion to Exclude Opinions and Testimony **[*3]** of Proposed Experts, ECF No. [144] (the "*Daubert* Motion"). The Court has carefully reviewed the Motions, the record, all supporting and opposing filings, the exhibits attached thereto, and is otherwise fully advised in the premises. For the reasons that follow, ACRU's Motion, Snipes' Motion, and the Snipes/United Motion are denied. United's *Daubert* Motion is granted in part and denied in part.

I. BACKGROUND

ACRU is a non-profit corporation "which promotes election integrity, compliance with federal election laws, government transparency, and constitutional government." ECF No. [12] at ¶ 4. Snipes is the Supervisor of Elections of Broward County, Florida and has been since November 2003. United is a labor union that focuses on representing healthcare workers and those who work in healthcare facilities.[1]

Defendant Snipes' and Defendant-Intervenor United's Statement of Undisputed Material Facts in Support of their Motion for Summary Judgment, ECF No. [143] ("Snipes/United Count I Supporting SOF") at ¶¶ 2-3.[2]

A. ACRU's Initial Requests and the Commencement of this Lawsuit

On January 26, 2016, the President of ACRU, Susan A. Carleson ("Carleson"), sent a letter to Snipes notifying **[*4]** her that, based on ACRU's research, Broward County was "in apparent violation" of the [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=].[3]

ECF No. [12-1]. The letter explained that based on ACRU's "comparison of publicly available information published by the U.S. Census Bureau [("Census Bureau")] and the federal Election Assistance Commission [("EAC")]," Broward County at the time "ha[d] an implausible number of registered voters compared to the number of eligible living citizens." *Id.* at 2. The letter expressed ACRU's hope that the Broward County Supervisor of Elections' Office ("BCSEO") would work toward compliance with [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-

---

[1] On September 19, 2016, United filed a motion to intervene, which the Court granted on September 20, 2016. *See* ECF Nos. [23], [29]; *see also* ECF No. [53].

[2] Where a fact, as it is specifically incorporated herein, is uncontroverted by the opposing party, the Court cites only to the originating statement of facts.

[3] As do the parties, the Court refers to [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] interchangeably as "[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]," reflecting the statute's original location at ***Section 8 of Pub. L. 103-31, May 20, 1993, 107 Stat. 77***.

AMERICAN OVERSIGHT

F731-NRF4-4007-00000-00&context=] as well as ACRU's intention to file a lawsuit under the statute if such compliance was not achieved. *Id.* at 3. The letter also stated that if the information referenced therein was no longer accurate, "it would be helpful if [Snipes] could provide" documents related to the following: updated registration data since the publication of information reported by the EAC for 2014 from the November 2014 election (the "2014 EAC Report"); records obtained or received from federal and state courts, including jury recusal forms, regarding lack of citizenship, death, or relocation; the number of **[*5]** ineligible voters removed by category and by date; the source agency that provided the identifying information of the removed deceased and when the data was provided; the number of notices sent to inactive voters since the publication of the 2014 EAC Report, including the date, scope, and contents of any mailing sent to all registered voters; the names of the staff responsible for conducting list maintenance obligations; the number of ineligible voters removed for criminal conviction, together with the underlying data and communications with law enforcement agencies; the total number of voters registered in Broward County as of the date of any response; any records indicating the use of citizenship or immigration status for list maintenance activities; and all list maintenance records including federal voter registration forms containing citizenship eligibility questionnaires for the previous 22 months. *Id.* at 3-4. Citing [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=], the letter informed Snipes of the requirement that her office "make available for public inspection all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters." *Id.* at 4. The **[*6]** letter invited Snipes to call Carleson in order to arrange a time to discuss the matter and to arrange an inspection. *Id.*

On February 8, 2016, Snipes responded to ACRU's letter with a letter of her own. *See* ECF No. [12-2] at 1-2. Snipes' letter refuted as "implausible" the assertion that Broward County's voter rolls were filled with more voters than living persons residing in the county, advising ACRU that the State of Florida "has a statewide database" and that Broward County "adheres strictly to the State of Florida guidelines regarding management of the voter rolls." *Id.* The letter included two forms of certifications spanning the previous several years—"Address List Maintenance Activities" certifications and "Eligibility Records Maintenance" certifications—which it characterized as "documenting actions taken by [Snipes'] office to manage removal of voters no longer eligible to vote in Broward County." *Id.* at 2; *see also id.* at 3-23. The letter also stated that Broward County "follows up on information received from credible sources that a person may no longer be eligible to vote." *Id.* at 2. The letter closed by directing ACRU to BCSEO's General Counsel "[s]hould [ACRU] require further information" and BCSEO's website **[*7]** as "an additional source of information." *Id.* at 3.

About two months after the exchange of letters, legal representatives of ACRU contacted Snipes via telephone on April 5, 2016, "offer[ing] to set up a meeting to discuss [ACRU's] letter and inspect the requested records." Plaintiff's Statement of Undisputed Material Facts Supporting Motion for Partial Summary Judgment on Count II, ECF No. [118] ("ACRU Count II Supporting SOF") at ¶ 6. According to Snipes, during that phone call she "provided the contact information for [her] General Counsel in order to coordinate inspection and follow-up" and mentioned that there would be a cost for "technology time." Defendant Snipes' Response to Plaintiff's Statement of Material Facts, ECF No. [128] ("Snipes Count II Response SOF") at ¶ 6. ACRU asserts, however, that Snipes "refused to meet to discuss remedies and permit inspection of records[,] . . . stat[ing] that she would meet with ACRU's representatives only if election officials from six other Florida counties were also present at the meeting." ACRU Count II Supporting SOF at ¶

AMERICAN OVERSIGHT

7 (emphasis omitted). Snipes denies that she ever refused to provide documents or allow for an inspection of records, asserting that she "explained **[*8]** that an inspection meeting needed to be coordinated with [General Counsel] given the threat of litigation and the fact that the caller was an attorney." Snipes Count II Response SOF at ¶ 7.

Nearly three months later, on June 27, 2016[4]

—and apparently without any further communications having taking place between ACRU and Snipes—ACRU and Andrea Bellitto ("Bellitto"),[5]

one of ACRU's members, initiated these proceedings, bringing two claims against Snipes under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. *See* ECF No. [1]. Under Count I of its Amended Complaint, ACRU claims that Snipes "has failed to make reasonable efforts to conduct voter list maintenance programs, in violation of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] and [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-FR61-NRF4-4003-00000-00&context=] [[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GT11-NRF4-431V-00000-00&context=]]." ECF No. [12] at ¶ 28. Under Count II of the Amended Complaint, ACRU claims that Snipes "has failed to respond adequately to Plaintiffs' written request for data, [and] failed to produce or otherwise failed to make records available to Plaintiffs concerning Defendant's implementation of programs and activities for ensuring the accuracy and currency of official lists of eligible voters for Broward County, in violation of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]." *Id.* at ¶ 33. For relief, ACRU seeks an order from this Court (1) declaring that Snipes is **[*9]** in violation of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]; (2) ordering Snipes to implement reasonable and effective registration list maintenance programs to cure failures to comply with the NVRA and ensure that non-citizens and ineligible registrants are not on Broward County's voter rolls; (3) ordering Snipes to substantively respond to ACRU's written request for records concerning her implementation of programs and activities to ensure the accuracy and currency of Broward County's voter registration list and providing access to election records; and (4) additional relief. *See id.* at 9-10.

B. BCSEO Records Produced throughout Discovery

Following this case's inception, the discovery conducted by the parties revolved primarily around ACRU's records requests. First, on October 31, 2016, ACRU served discovery requests on Snipes requesting admissions and responses to interrogatories regarding list maintenance activities as well as any new documents. ACRU Count II Supporting SOF at ¶ 9. In response to ACRU's discovery requests, Snipes did not produce any new documents other than the certifications she had

---

[4] As a matter of timing, the NVRA requires a potential plaintiff to "provide written notice of [a] violation [of this chapter] to the chief election official of the State involved." [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=]. "If the violation is not corrected within 90 days after receipt of [the] notice[,]" the aggrieved person may file a civil suit. [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=].

[5] On October 26, 2016, the Court dismissed all claims brought by Bellitto after finding that Bellitto lacked standing to bring suit. *See* ECF No. [64].

AMERICAN OVERSIGHT

provided with her February 8, 2016 letter, though Snipes did offer to allow an inspection of BCSEO's voter registration database. *[*10]* *See id.* at ¶¶ 12-13.

On January 13, 2017, ACRU conducted an in-person inspection of BCSEO's voter registration database. *Id.* at ¶ 14. Certain categories of documents were not available during the inspection because they were either not contained in the registration database or required "additional assembly" before they could be made available. *Id.* Shortly thereafter, on January 26, 2017, Snipes provided ACRU with a CD containing a PDF file of a current active voter roll for Broward County and a PDF file of a table list of mailings sent out by BCSEO. *Id.* at ¶ 15.

On February 1, 2017, Snipes supplemented its initial response to ACRU's October 31, 2016 discovery requests. *See* ECF No. [111-2]. In the supplemental response, "which did not include any additional documents, [Snipes] objected to 'the production of documents dating back beyond a period of two years from the date of the filing of subject Complaint' and asserted that responsive documents 'within the last two years [] have already been made available for public inspection and copying on January 13, 2017.'" ECF No. [126] at 2-3 (quoting ECF No. [111-2] at 3).[6]

On February 9, 2017, Snipes provided ACRU with two CDs **[*11]** containing a number of different responsive documents. *See* ACRU Count II Supporting SOF at ¶ 17. Additionally, on March 8, 2017, Snipes provided ACRU with amended versions of the certifications she had initially provided with her February 8, 2016 letter. *See id.* at ¶ 18 (citing ECF No. [111-4]). Discovery closed on March 10, 2017.

[6] Snipes and ACRU disagree as to the scope of an agreement that took place between them at the January 13, 2017 inspection. *See generally id.* at 4-6. According to Snipes, ACRU agreed to limit *all* documents contemplated in its discovery request to records spanning the previous two years. *See id.* at 5.

C. BCSEO's Voter Registration and List Maintenance Procedures

Along with Snipes, BCSEO's responsibilities relating to voter registration and list maintenance are primarily carried out by Jorge Nunez ("Nunez"), BCSEO's Information Technology Director who maintains BCSEO's voter registration database; Mary Hall ("Hall"), BCSEO's Voter Services Director who helps maintain the voter rolls; and Sonia Cahuesqui ("Cahuesqui"), a voter registration clerk. Snipes/United Count I Supporting SOF at ¶¶ 4-7.

In accordance with requirements of the Florida Department of State's ("DOS") Division of Elections ("DOE"), Nunez prepares twice-yearly certifications summarizing Snipes' list maintenance activities, which are in turn signed and certified by Snipes and then provided to DOE. *Id.* at ¶ 6; Plaintiff ACRU's Opposition to Defendant Snipes' and Defendant-Intervenor United's **[*12]** Statement of Undisputed Material Facts in Support of their Motion for Partial Summary Judgment, ECF No. [160] ("ACRU's Count I Response SOF") at ¶ 6. The two types of certifications include: (1) "Certification of Address List Maintenance Activities" that reports the actions taken by Snipes to identify registrants who have changed residence, cancel the registrations of individuals who no longer reside in Broward County, and update the registrations of individuals who have moved within Broward County; and (2) "Certification of Eligibility Records Maintenance" that reports the actions taken by Snipes to remove registrants who are or have become ineligible because of death, felony conviction, mental incapacity, or a lack of United States citizenship. Snipes/United Count I Supporting SOF at ¶ 14. Nunez is also responsible for placing orders with, and sending data files to, Commercial Printers, Inc. ("Commercial Printers"), the third-party vendor that performs printing and mailing services related to Snipes' list maintenance. *Id.* at ¶ 6.

With respect to voter registration generally, BCSEO asserts that, like most other Florida

AMERICAN OVERSIGHT

counties, Broward County uses a voter registration database system **[*13]** commonly referred to as the "VR System" that was developed by VR Systems, Inc. ("VR Systems"), an outside vendor with which BCSEO contracts. *Id.* at ¶¶ 9-10. According to Snipes, the VR System "interfaces directly with" the Florida Voter Registration System ("FVRS"), a statewide voter registration database that Florida maintains pursuant to HAVA. *Id.* at ¶¶ 8-9. With respect to new voter registration applications, BCSEO sends applications it receives to DOE, which runs certain clearance checks—including screening for duplicate registrations by checking the new applicant's information against the FVRS—before advising BCSEO that the applicant has been cleared for registration. *Id.* at ¶ 11. In addition, DOE regularly provides Florida's election supervisors, including Snipes, with lists of current registrants who are deceased or have been convicted of a felony. *Id.* at ¶ 15. In turn, BCSEO uses that information, which is transmitted electronically by way of direct interaction between FVRS and VR Systems, to update Broward County's voter registration database and to remove voters who have become ineligible. *Id.*

In total, between January 1, 2014 and December 31, 2016, Snipes removed approximately **[*14]** 240,028 registrants from Broward County's voter rolls. *Id.* at ¶ 39. Between January 7, 2015 and January 10, 2017, Snipes removed approximately 192,157 registrants from Broward County's voter rolls. *Id.* at ¶ 40. With respect to other updates unrelated to registrant removal, approximately 148,645 registered voters living within Broward County who were registered as of January 7, 2015 and who were still registered in Broward County as of January 10, 2017 updated their address on record to a new address within Broward County. *Id.* at ¶ 41.

1. Procedures Relating to Residence Changes

According to Snipes, BCSEO uses the following three mailings—all of which are conducted by Commercial Printers—to identify and update or remove voters from the Broward County voter rolls when voters have changed residence: (1) notifications to voters who have filed a forwarding address with the United States Postal Service ("USPS"); (2) mailings related to voting matters to all registrants in the county; and (3) targeted mailings to registrants who have not voted for a certain period of time.[7]

Id. at ¶¶ 16-17.

BCSEO certifications produced by Snipes reflect that Snipes utilized information received from USPS's National **[*15]** Change of Address ("NCOA") program as part of her list-maintenance activities in 2009, 2011, 2013, and 2015.[8]

Id. at ¶ 19. "To identify voters with changes of address, Defendant sends voter data from VR Systems to Commercial Printers, which is licensed and certified by [USPS] to use a program called NCOALink. Using NCOALink, Commercial Printers receives updated, computerized change-of-address information on a regular basis." *Id.* at ¶ 20 (internal citation omitted). Snipes then receives an "updated file" from Commercial Printers, which it "imports into a software program called Voter Focus." *Id.* at ¶ 21. From there, BCSEO's Voter Services team processes records identified based on the "data comparison" as having changes in accordance with VR System's instructions, and "a forwardable notice is automatically scheduled to be sent to the appropriate voters[.]" *Id.* If a voter does not respond to a "Final Notice" within 30 days, the voter's status is changed from "active" to "inactive" in the VR System database. *Id.* at ¶ 22. If the voter does not vote or contact BCSEO in two general election cycles, the voter's status is changed to

[7] ACRU disputes "whether Defendant updates the addresses of registrants before sending out address change notices[,]" asserting that "[a]t the very least, no records have been produced showing [USPS National Change of Address] database information received so that the registrations could be updated first." ACRU's Count I Response SOF at ¶ 16 (citing ECF No. [160-2] at 12).

[8] ACRU asserts that "[t]he source of the supposed NCOA database information are 'yellow stickers' on returned mail and not from the NCOA database." ACRU's Count I Response SOF at ¶ 16 (citing ECF No. [160-3] at 6).

AMERICAN OVERSIGHT

"ineligible" and the voter is no longer registered to vote. **[*16]** *Id.* at ¶ 23. The most recent "NCOA comparison" was conducted in May 2015. *Id.* at ¶ 24.

2. Procedures Relating to Deceased Voters

On a daily basis, DOE provides Snipes through FVRS with a verified electronic list of voters who have recently died. *Id.* at ¶ 26. Upon receipt of such lists, Snipes then cancels the relevant voter registration records. *Id.* On an occasional basis, Snipes receives information indicating that a registrant is deceased from sources other than DOE. *Id.* at ¶ 27. In those cases, BCSEO will make efforts to obtain a copy of the death certificate before removing the registrant from the voter rolls. *Id.* If BCSEO is unable to obtain a copy of the death certificate, BCSEO will send additional notices to the registrant's last known address and will request DOE to investigate the voter's status. *Id.* Between January 1, 2014 and December 31, 2016, Snipes removed 37,095 registrants from Broward County's voter rolls that were determined to be deceased. *Id.* at ¶ 28.

3. Procedures Related to Duplicate Registrations and Felony Convictions

On a daily basis, BCSEO receives notifications of potential duplicate registrations from DOE via FVRS, and then consolidates the registration so **[*17]** that only one registration is active. *Id.* at ¶ 29. BCSEO determines the correct county of residence by the most recent update to the voter's record. *Id.* Between January 1, 2014 and December 31, 2016, Snipes removed more than 9,000 duplicate registrants. *Id.* at ¶ 30.

Similarly, on a daily basis, BCSEO also receives an electronic list of individuals with a felony conviction from DOE. *Id.* at ¶ 32. BCSEO then generates a letter to mail to each registrant on those lists, which a registrant has 30 days to reply to by either confirming or contesting the information contained in the notice.[9]

Id. If no reply is received within 30 days, BCSEO publishes a notice in the newspaper. *Id.* If no reply is received within 30 days from the newspaper publication, the registrant is automatically removed from the voter rolls. *Id.* Between January 1, 2014 and December 31, 2016, Snipes removed 5,102 registrants from Broward County's voter rolls that were determined to have a felony conviction. *Id.*

4. Procedures Related to Non-Citizens

Like the National Voter Registration Form, Florida's voter registration form requires applicants to affirm their citizenship under penalty of perjury. *Id.* at ¶ 35. Occasionally, **[*18]** the U.S. Department of Homeland Security sends individuals applying for United States citizenship to BCSEO in order to obtain documentation indicating whether or not they have registered to vote as non-citizens. *Id.* The individuals found to have registered to vote as non-citizens are removed from the voter rolls. *Id.* Between January 1, 2014 and December 31, 2016, Snipes removed four registrants from Broward County's voter rolls as non-citizens. *Id.* at ¶ 37.

II. LEGAL STANDARDS

A. Expert Testimony

[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-120S-00000-00&context=] governs the admissibility of expert testimony. When a party proffers the testimony of an expert under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-120S-00000-00&context=], the party offering the expert testimony bears the burden of laying the proper foundation, and that party must

[9] The mailings to individuals convicted of a felony are handled by BCSEO directly, rather than by Commercial Printers. *Id.*

AMERICAN OVERSIGHT

demonstrate admissibility by a preponderance of the evidence. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4FJR-03C0-0038-X0VR-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4FJR-03C0-0038-X0VR-00000-00&context=];* [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3X9B-F5J0-0038-X15G-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3X9B-F5J0-0038-X15G-00000-00&context=1*. To determine whether expert testimony or any report prepared by an expert may be admitted, the Court engages in a three-part inquiry, which includes whether: (1) the expert is qualified to testify competently regarding the matters he intends to address; (2) the methodology by which the expert reaches his conclusions is sufficiently reliable; and (3) the testimony assists the trier of fact, through the application **[*19]** of scientific, technical, or specialized expertise, to understand the evidence or to determine a fact in issue. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3V14-G310-0038-X1D8-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3V14-G310-0038-X1D8-00000-00&context=1* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XDR0-003B-R3R6-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XDR0-003B-R3R6-00000-00&context=1*). The Eleventh Circuit refers to each of these requirements as the "qualifications," "reliability," and "helpfulness" prongs. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=1*. While some overlap exists among these requirements, the Court must individually analyze each concept. *See id.*

An expert in this Circuit may be qualified "by knowledge, skill, experience, training, or education." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:57VJ-5W41-F04D-11S5-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:57VJ-5W41-F04D-11S5-00000-00&context=1* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4PW6-BSC0-TXFP-K2RS-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4PW6-BSC0-TXFP-K2RS-00000-00&context=1*; [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-120S-00000-00&context=]). "An expert is not necessarily unqualified simply because [his] experience does not precisely match the matter at hand." *Id.* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:437H-H490-0038-X1MT-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:437H-H490-0038-X1MT-00000-00&context=1*. "[S]o long as the expert is minimally qualified, objections to the level of the expert's expertise go to credibility and weight, not admissibility." *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:54VH-XF91-F04D-113C-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:54VH-XF91-F04D-113C-00000-00&context=1* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4X3G-2R70-TXFP-K3CG-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4X3G-2R70-TXFP-K3CG-00000-00&context=1*. "After the district court undertakes a review of all of the relevant

AMERICAN OVERSIGHT

issues and of an expert's qualifications, the determination regarding qualification to testify rests within the district court's discretion." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:57VJ-5W41-F04D-11S5-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:57VJ-5W41-F04D-11S5-00000-00&context=]* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-2510-0039-M0R3-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-2510-0039-M0R3-00000-00&context=]*.

When determining whether an expert's testimony is reliable, "the trial judge must assess whether the reasoning or methodology underlying the testimony is scientifically valid and whether that reasoning or methodology **[*20]** properly can be applied to the facts in issue." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=]* (internal formatting, quotation, and citation omitted). To make this determination, the district court examines: "(1) whether the expert's theory can be and has been tested; (2) whether the theory has been subjected to peer review and publication; (3) the known or potential rate of error of the particular scientific technique; and (4) whether the technique is generally accepted in the scientific community." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=]. (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:48BM-W8H0-0038-X0KS-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:48BM-W8H0-0038-X0KS-00000-00&context=]*. "The same criteria that are used to assess the reliability of a scientific opinion may be used to evaluate the reliability of non-scientific, experience-based testimony." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=]* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3W30-2X60-004C-000J-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3W30-2X60-004C-000J-00000-00&context=]*. Thus, the aforementioned factors are non-exhaustive, and the Eleventh Circuit has emphasized that alternative questions may be more probative in the context of determining reliability. *See id.* Consequently, trial judges are afforded "considerable leeway" in ascertaining whether a particular expert's testimony is reliable. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=]* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3W30-2X60-004C-000J-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3W30-2X60-004C-000J-00000-00&context=]*)).

The final element, helpfulness, turns on whether the proffered testimony "concern[s] matters that are beyond the understanding of the average lay person." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5D72-FDJ1-F04K-X0VT-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5D72-FDJ1-F04K-

AMERICAN OVERSIGHT

X0VT-00000-00&context=] (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=]*) (formatting omitted). "[A] trial court may exclude **[*21]** expert testimony that is 'imprecise and unspecific,' or whose factual basis is not adequately explained." *Id.* (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4FNP-JF30-0038-X1HW-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4FNP-JF30-0038-X1HW-00000-00&context=]*. To be appropriate, a "fit" must exist between the offered opinion and the facts of the case. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4F03-7JF0-0038-X1B1-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4F03-7JF0-0038-X1B1-00000-00&context=]* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XDR0-003B-R3R6-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XDR0-003B-R3R6-00000-00&context=]*). "For example, there is no fit where a large analytical leap must be made between the facts and the opinion." *Id.* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3RR5-5J20-004C-300R-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3RR5-5J20-004C-300R-00000-00&context=]*.

Under *Daubert*, a district court must take on the role of gatekeeper, but this role "is not intended to supplant the adversary system or the role of the jury." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:48BM-W8H0-0038-X0KS-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:48BM-W8H0-0038-X0KS-00000-00&context=]* (internal quotations and citations omitted). Through this function, the district court must "ensure that speculative, unreliable expert testimony does not reach the jury." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:46DW-9CG0-0038-X0BT-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:46DW-9CG0-0038-X0BT-00000-00&context=]*. "[I]t is not the role of the district court to make ultimate conclusions as to the persuasiveness of the proffered evidence." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:48BM-W8H0-0038-X0KS-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:48BM-W8H0-0038-X0KS-00000-00&context=]* (internal quotations and citations omitted). Thus, the district court cannot exclude an expert based on a belief that the expert lacks personal credibility. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4FJR-03C0-0038-X0VR-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4FJR-03C0-0038-X0VR-00000-00&context=]*. To the contrary, "vigorous cross-examination, presentation of contrary evidence, and careful instruction on the burden of proof are the traditional and appropriate means of attacking shaky but admissible evidence." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:48BM-W8H0-0038-X0KS-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:48BM-W8H0-0038-X0KS-00000-00&context=]* (quoting [HYPERLINK

AMERICAN OVERSIGHT

https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XDR0-003B-R3R6-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XDR0-003B-R3R6-00000-00&context=]*); *see* *[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:7XF9-G020-YB0M-W029-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:7XF9-G020-YB0M-W029-00000-00&context=]* (quoting **[*22]** [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XFY0-001B-K1WJ-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XFY0-001B-K1WJ-00000-00&context=]* ("On cross-examination, the opposing counsel is given the opportunity to ferret out the opinion's weaknesses to ensure the jury properly evaluates the testimony's weight and credibility.")).

B. Summary Judgment

A court may grant a motion for summary judgment "if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law." [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2421-6N19-F165-00000-00&context=]. The parties may support their positions by citation to the record, including, *inter alia*, depositions, documents, affidavits, or declarations. *See* [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2421-6N19-F165-00000-00&context=]. An issue is genuine if "a reasonable trier of fact could return judgment for the non-moving party." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4RV9-CF90-TXFX-G2KN-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4RV9-CF90-TXFX-G2KN-00000-00&context=]* (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-6H80-0039-N37M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-6H80-0039-N37M-00000-00&context=]*. A fact is material if it "might affect the outcome of the suit under the governing law." *Id.* (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-6H80-0039-N37M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-6H80-0039-N37M-00000-00&context=]*). The Court views the facts in the light most favorable to the non-moving party and draws all reasonable inferences in the party's favor. *See* *[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4K4H-9MM0-0038-X2V7-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4K4H-9MM0-0038-X2V7-00000-00&context=]*. "The mere existence of a scintilla of evidence in support of the [non-moving party's] position will be insufficient; there must be evidence on which a jury could reasonably find for the [non-moving party]." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-6H80-0039-N37M-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-6H80-0039-N37M-00000-00&context=]*. The Court does not weigh conflicting evidence. *See* *[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4NMW-P8N0-0038-X0GD-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4NMW-P8N0-0038-X0GD-00000-00&context=]* (quoting [HYPERLINK

AMERICAN OVERSIGHT

https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-YP40-0039-P40F-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-YP40-0039-P40F-00000-00&context=]*.

The moving party shoulders **[*23]** the initial burden to demonstrate the absence of a genuine issue of material fact. *See* [HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4V13-14H0-TXFX-G2NC-00000-00&context=]*[HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4V13-14H0-TXFX-G2NC-00000-00&context=]*. If a movant satisfies this burden, "the nonmoving party 'must do more than simply show that there is some metaphysical doubt as to the material facts.'" [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4W2P-HRS0-TXFX-G3B2-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4W2P-HRS0-TXFX-G3B2-00000-00&context=]* (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-7P90-0039-N51W-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-7P90-0039-N51W-00000-00&context=]*. Instead, "the non-moving party 'must make a sufficient showing on each essential element of the case for which he has the burden of proof.'" *Id.* (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-6HC0-0039-N37R-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-6HC0-0039-N37R-00000-00&context=]*. The non-moving party must produce evidence, going beyond the pleadings, and by its own affidavits, or by depositions, answers to interrogatories, and admissions on file, designating specific facts to suggest that a reasonable jury could find in the non-moving party's favor. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4V13-14H0-TXFX-G2NC-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4V13-14H0-TXFX-G2NC-00000-00&context=]*.

A district court's disposition of cross-motions for summary judgment, like the cross-motions filed with respect to Count II in this case, employs the same legal standards applied when only one party files a motion. *See* [HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-V4C0-003B-G2N0-00000-00&context=]*[HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-V4C0-003B-G2N0-00000-00&context=]* ("Cross-motions for summary judgment will not, in themselves, warrant the court in granting summary judgment unless one of the parties is entitled to judgment as a matter of law on facts that are not genuinely disputed.") (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-3BD0-0039-M1JS-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-3BD0-0039-M1JS-00000-00&context=]*.[10]

A court must consider each motion on its own merits, "resolving **[*24]** all reasonable inferences against the party whose motion is under consideration." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5D9H-4MB1-F04D-22HC-00000-00&context=][HYPERLINK

---

[10] In [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-Y7N0-0039-W22N-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-Y7N0-0039-W22N-00000-00&context=]* (*en banc*), the court adopted as binding precedent all decisions of the Fifth Circuit issued prior to October 1, 1981.

AMERICAN OVERSIGHT

https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5D9H-4MB1-F04D-22HC-00000-00&context=] (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4G4P-SNT0-0038-X08R-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4G4P-SNT0-0038-X08R-00000-00&context=]*. "Cross-motions may, however, be probative of the absence of a factual dispute where they reflect general agreement by the parties as to the controlling legal theories and material facts." *Id.* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-V4C0-003B-G2N0-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-V4C0-003B-G2N0-00000-00&context=]*); *see also* [*HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-3BD0-0039-M1JS-00000-00&context=]*[HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-3BD0-0039-M1JS-00000-00&context=]*.

III. DISCUSSION

With this backdrop in mind, United moves for summary judgment on Count I (ACRU's claim for failure to make reasonable efforts to conduct voter list maintenance programs), and ACRU and Snipes, respectively, move for summary judgment on Count II (ACRU's claim for failure to disclose). In addition, United moves to strike ACRU's two proposed expert witnesses who it appears will, if allowed, offer testimony that supports ACRU's claim under Count I. The Court will therefore address ACRU's *Daubert* Motion first, and will then turn to the parties' respective motions for summary judgment.

A. United's *Daubert* Motion[11]

United seeks to exclude ACRU's proposed experts, Dr. Steven Camarota ("Dr. Camarota") and Scott Gessler ("Gessler"), on the bases that both are unqualified to offer any opinion in this case and that the entirety of their respective opinions is unreliable, **[*25]** speculative, and/or unhelpful. For the most part, the Court disagrees.[12]

1. Dr. Camarota

United challenges the testimony of Dr. Camarota

---

[11] The Court notes that United failed to meet and confer with ACRU prior to filing its *Daubert* Motion as required by [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5P4T-FXK0-004D-61TY-00000-00&context=] and this Court's initial Scheduling Order, ECF No. [127] at 2—an independent basis for denial. The Court will nevertheless consider the *Daubert* Motion on the merits.

[12] The merits aside, ACRU argues that because this case is set for a bench trial, United's *Daubert* Motion is inappropriate, and that "the prudent course is to permit ACRU's experts to offer testimony during trial, where its relevance and reliability can be judged in the context of ACRU's legal arguments in support of its claims." ECF No. [156] at 2-4. However, none of the cases ACRU cites to in support of this proposition involved evidentiary determinations made in contemplation of summary judgment. Here, by contrast, resolution of the Snipes/United Motion turns in part on the admissibility of ACRU's proposed experts. It is axiomatic, as explained by the Eleventh Circuit, that "[e]vidence inadmissible at trial cannot be used to avoid summary judgment." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4MWB-N660-0038-X3G4-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4MWB-N660-0038-X3G4-00000-00&context=]* (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-2240-0039-M550-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-2240-0039-M550-00000-00&context=]* (alteration in original); *see also* [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2421-6N19-F165-00000-00&context=] ("A party asserting that a fact . . . is genuinely disputed must support the assertion by . . . showing that . . . an adverse party cannot produce admissible evidence to support the fact."); [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2421-6N19-F165-00000-00&context=] ("A party may object that the material cited to support or dispute a fact cannot be presented in a form that would be admissible in evidence."). Thus, the Court finds it both appropriate and necessary to consider United's *Daubert* Motion.

AMERICAN OVERSIGHT

under the first two elements of *Daubert*—that is, qualifications and reliability. In United's view, because Dr. Camarota "is not versed in voter registration policy and is not a statistician, he is [] wholly unqualified to offer an opinion—let alone an expert opinion—on the issues in dispute in this case." ECF No. [144] at 2. United's assessment, however, misconstrues the primary purpose for which ACRU seeks to introduce Dr. Camarota's testimony and, in turn, understates Dr. Camarota's credentials to that effect. As ACRU correctly points out, the essence of Dr. Camarota's expert opinion is an assessment, based in part on data provided by the U.S. Census Bureau, of the ratio in Broward County of the total number of registered voters to the voting-eligible citizen population as a whole, compared to the same ratios elsewhere in Florida and throughout the country. *See id.* at 34 ("Taken at face value, these numbers indicate that nearly every eligible person in Broward County is registered to vote. . . . In sum, the registration rates for Broward **[*26]** County . . . are much higher than the rates in Florida, the nation, and any other state."). It is with this specific purpose in mind that the Court will measure the qualifications of Dr. Camarota and the reliability of his testimony.

Regarding qualifications, Dr. Camarota received a master's degree in political science from the University of Pennsylvania and a doctorate in public policy analysis from the University of Virginia. While completing his doctorate, Dr. Camarota "was focused on analysis of primarily Census Bureau data . . . looking at . . . issues associated with U.S. immigration." *Id.* at 70. Dr. Camarota is currently the Director of Research for the Center for Immigration Studies (CIS)—a research institute that focuses on examining the consequences of immigration on the United States—where he has worked since completing his doctorate. Notably, Dr. Camarota has previously served as an expert witness in a number of lawsuits, at least one of which required him to analyze "population estimates and Census Bureau data[.]" *See id.* at 80-81. Dr. Camarota has also "served as the lead researcher on a contract with the Census Bureau examining the quality of immigration data in the [Census Bureau's] American **[*27]** Community Survey [("ACS")]." *Id.* at 27. As is evident, Dr. Camarota has extensive experience and familiarity with analyzing data provided by the Census Bureau, including the Census Bureau's ACS. In light of that experience, the Court is satisfied that Dr. Camarota is at least minimally qualified. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4PW6-BSC0-TXFP-K2RS-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4PW6-BSC0-TXFP-K2RS-00000-00&context=1 ("An expert is not necessarily unqualified simply because [his] experience does not precisely match the matter at hand."). Specifically, it is a Census Bureau ACS estimate—namely, the total number of voting-eligible citizens in Broward County—that serves as the denominator of the voter registration rates from which Dr. Camarota intends to testify. Although United is not wrong to point out that Dr. Camarota is not a statistician and "has no formal statistical training outside of a three-month [course] he attended . . . during graduate school[,]" *id.* at 6, the voter registration rates he seeks to offer constitute a straightforward division calculation. Above the denominator mentioned above, the numerator purports to be the total number of actual registered voters—an EAC Election Administration Voting Survey ("EAVS") estimate that is based on data compiled and submitted by state and local election officials **[*28]** themselves. *See* ECF No. [144] at 2-3. In this sense, the Court finds Dr. Camarota's statistical background, or lack thereof, to be largely irrelevant. Dr. Camarota is therefore qualified to offer testimony as to the purported voter registration rates he has compiled.

That said, Dr. Camarota's lack of statistical expertise is relevant insofar as Dr. Camarota intends to take his voter registration rates a step further by testifying as to their overall accuracy. In defending Dr. Camarota's qualifications, ACRU initially contends that his testimony "is *simply* what

AMERICAN OVERSIGHT

the publically available data, including statements by the Defendant herself, *show the ratio of registrants over eligible voters to be*." *Id.* at 16 (emphasis added). But even ACRU recognizes that Dr. Camarota intends to testify to more than that. *See id.* (characterizing the "subject matter" of Dr. Camarota's testimony as "repeating publically available registration and demographic data *and why they are reliable*") (emphasis added). This concern with the reliability of the voter registration rates speaks to opinions offered by United's expert, Dr. Daniel A. Smith ("Dr. Smith"). Dr. Smith asserts that population counts from the ACS should **[*29]** not be used to calculate registration rates because the ACS, being a survey, contains sampling error. *See* ECF No. [150] at 9-10. In an effort to rebut that position, Dr. Camarota opines that the margins of error for the ACS estimates are easily quantifiable and small, thereby rendering the ACS estimates accurate overall. *See* ECF No. [144] at 34-35. Dr. Camarota may be right about this, but the statistical nature of this opinion, which is obvious, renders it beyond the scope of his expertise. *See id.* at 9 ("[A] survey's natural imprecision can be quantified using *basic statistics* to produce a *confidence interval* around any particular estimate. . . . Table 2 and Table 3 report confidence intervals using *margins of error* at different *significance levels*. The margins of error are small, and subsequently the variation in likely registrations rates in the county is also small.") (emphasis added). Thus, although Dr. Camarota is qualified to offer testimony as to the purported voter registration rates he has compiled (e.g., presenting the figures themselves and comparing them to similar figures related to other localities), he is not qualified to offer testimony as to the degree of accuracy of those **[*30]** rates—a statistical inquiry. *See, e.g., [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-71D0-003B-52B0-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-71D0-003B-52B0-00000-00&context=]* (finding no error in excluding testimony from a political scientist regarding statistical disparities in employment decisions where the witness did not have training or significant experience as a statistician); *Malletier v. Dooney & Bourke, Inc., 525 F. Supp. 2d 558, 642 (S.D.N.Y. 2007)* ("While [the excluded expert] may have used statistics in his work (as most people do to one extent or another) this does not mean that he is sufficiently qualified to testify to the statistical significance of [his proposed expert findings].").[13]

Turning to reliability, United challenges the reliability of Dr. Camarota's testimony by attacking the methods he employed to calculate the voter registration rates and, to an extent, some of the underlying data upon which he relied for those calculations. *See* ECF No. [144] at 16-19. United asserts: "Simply put, the analysis used by [] Dr. Camarota . . . compares different sets of numbers reflecting different periods of time, which therefore are not at all comparable." *Id.* at 19. The Court does not share United's reliability concerns.

First, United calls into question the reliability of Dr. Camarota's testimony on the basis that there is no evidence that Dr. Camarota's methodology has been subject to peer **[*31]** review, used by other statisticians, or involves reliable, recognized statistical techniques. *Id.* at 16. With respect to peer review and use by other statisticians, the Court does not find the absence of such to be dispositive under the circumstances. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4VJ9-BDJ0-TXFX-G2TV-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4VJ9-BDJ0-TXFX-G2TV-00000-00&context=]* ("Standards of scientific reliability, such as testability and peer review, do not apply to all forms of expert testimony. For nonscientific expert testimony, 'the

[13] ACRU also argues that "if a degree in statistics was necessary to opine on the voter registration and population data relevant to this case, [Dr. Smith] would need to be disqualified[] [because he] is not a statistician and his credentials are similar to Dr. Camarota. . . ." ECF No. [156] at 16. However, for purposes of this Order, it is Dr. Camarota's testimony, not Dr. Smith's, that is under scrutiny.

AMERICAN OVERSIGHT

trial judge must have considerable leeway in deciding in a particular case how to go about determining whether particular expert testimony is reliable.'") (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3W30-2X60-004C-000J-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3W30-2X60-004C-000J-00000-00&context=]*) (internal citation omitted); *see also* *[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=]*. What Dr. Camarota has essentially done is take publically available data that was compiled by governmental agencies and perform straightforward division calculations with that data. Dr. Camarota then seeks to offer figures reflecting those calculations. In the Court's view, this does not necessarily require peer review.

As for the purported lack of recognized statistical techniques in Dr. Camarota's methodology, there is a presumption that the data sets used by Dr. Camarota—particularly the Census Bureau's ACS voting-eligible population estimates—are accurate and involve reliable **[*32]** statistical techniques. *See, e.g.,* *[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3YTP-2TJ0-0038-X0CB-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3YTP-2TJ0-0038-X0CB-00000-00&context=]* ("The presumption is that census figures are continually accurate. . . . And, this court has previously said, in a voting rights case, that statistical evidence derived from a sampling method, using reliable statistical techniques, is admissible on the question of determining the relevant population.") (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-G4D0-00B1-D4N6-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-G4D0-00B1-D4N6-00000-00&context=]*; [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5MXP-H101-F04D-R0HK-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5MXP-H101-F04D-R0HK-00000-00&context=]* ("The court notes that there is nothing inherently wrong with VIP-NC's reliance on census data to support its claim.") (citing *Am. Civ. Rights Union v. Martinez-Rivera, 166 F. Supp. 3d 779, 791 (W.D. Tex. 2015))*. United argues that Dr. Camarota's comparison of the EAVS registration number to the ACS population estimate is flawed because it compares "an *actual* registration number to an *estimated* population number[.]" ECF No. [144] at 18 (emphasis in original). As such, United appears to take issue with the use of *estimates* in Dr. Camarota's figures. Contrary to what United suggests, however, there is nothing inherently problematic with the use of a population estimate in measuring data, especially where, as here, there is no indication that the estimate was tainted in any way. The Eleventh Circuit has explained in another voting rights case:

> [W]e would [] uphold the district court's consideration **[*33]** of the citizenship statistics, even though those statistics are based on sample data. The use of sample data is a long-standing statistical technique, whose limits are known and measurable. We will not reject the citizenship statistics solely because they are based on sample data without some indication that the sample was tainted in some way. There were no arguments before the district court that the sample was skewed in a statistically significant way due to improper sampling method, small sample size, or sheer random error.

[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-G4D0-00B1-

AMERICAN OVERSIGHT

D4N6-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-G4D0-00B1-D4N6-00000-00&context=] (recognizing that because the challenged Miami Beach citizenship information from the Census Bureau was "based upon a sample population, it [could not] be as precise as [] census data[] . . . based upon the entire population[,]" but nevertheless rejecting the plaintiff's attempt to call into question the accuracy of that information). Thus, to the extent that the ACS population estimates used by Dr. Camarota do not lend to the kind of precision an exact value might, such a concern speaks to the weight of Dr. Camarota's figures, not their admissibility. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3YTP-2TJ0-0038-X0CB-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3YTP-2TJ0-0038-X0CB-00000-00&context=]* ("If the evidence is admissible, that voter registration data might not be as reliable as some other measures **[*34]** of population goes to the weight of the evidence, but does not preclude use of the figures by the district court.").

Second, United argues that Dr. Camarota's comparison of the EAVS registration number to the ACS population estimate is flawed because it compares "a registration number at *a single point in time* when registration rates are highest to an average population number over a five-year period." ECF No. [144] at 18 (emphasis in original). Regarding that five-year period, Dr. Camarota's "five-year" ACS data—which include five-year estimates reported in 2010, 2012, and 2014—reflects information collected during the five-year period of time that ends in the respective reporting year that is then "totaled back and weighted to a midyear control point." *See id.* at 29 n.8; *id.* at 48; *id.* at 49-50 ("[T]hink of it this way: [the five-year ACS data] has basically the same effect as if you were to take all the years and average them together. . . . So you can think of it as the midyear of that year."). United contends that it is problematic that Dr. Camarota, in calculating the voter registration rates, "divide[d] the EAVS registered voter figure by ACS eligible population estimates *for the same year*." *Id.* at 18 (emphasis in original). "In other **[*35]** words, the 2006-2010 5-year ACS estimate, the median year of which is 2008, should not be used as a denominator for a 2010 EAVS numerator." *Id.* According to United, "the 2010 EAVS numerator should be compared against a denominator that more closely estimates the 2010 population, which would come from the 2008-2012 5-year ACS data." *Id.* Importantly, however, Dr. Camarota used "single-year ACS data" as well, which appears to do just that—that is, offer a denominator that more closely estimates the EAVS numerator. *See id.* at 33 (calculating voter registration rates based on both one-year and five-year ACS eligible population estimates for the years 2010, 2012, and 2014). The Court notes that United makes no mention of Dr. Camarota's use of single-year ACS data. To the extent that Dr. Camarota will testify as to voter registration rates he calculated using both single-year ACS data and five-year ACS data, the Court believes that "vigorous[] cross-examin[ation]" and the testimony of United's own witnesses, such as that of Dr. Smith, are the proper vehicles to address United's concerns. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:48BM-W8H0-0038-X0KS-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:48BM-W8H0-0038-X0KS-00000-00&context=]*.

Based on the foregoing, the Court concludes that the testimony Dr. Camarota seeks to offer is admissible, but with one qualification. **[*36]** Dr. Camarota may testify as to the voter registration rates that he has calculated (as reflected in his expert report), but he may not testify as to the degree of accuracy of those rates.

2. Gessler

AMERICAN OVERSIGHT

After reviewing Florida's law on voter list maintenance and the evidence in this case related to the voter list maintenance practices utilized by BCSEO, *see* ECF No. [144] at 4-12, Gessler opines that Snipes "has not . . . taken reasonable steps to address well-known or easily identified problems with its list maintenance programs[,]" including "[b]loated voter rolls"—which "serve as a warning sign that problems exist"—and the presence of deceased voters on the voter rolls, *id.* at 49, ¶¶ 42, 45; *id.* at 55, ¶ 75. Gessler concludes his proposed expert report with recommendations of "reasonable steps Broward County should take in order to develop a general program and maintain the accuracy of the county voter rolls." *Id.* at 57, ¶ 87. United challenges the testimony of Gessler on all three prongs of [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:3S4W-XDR0-003B-R3R6-00000-00&context=].

Turning first to qualifications, Gessler's general credentials include a law degree from the University of Michigan and an M.B.A. from Northwestern University. *Id.* at 38, ¶ 4. More pertinent to the issues involved in this case, Gessler **[*37]** served as Colorado's Secretary of State from January 2011 to January 2015. *Id.* at 39, ¶ 5. In that capacity, Gessler was Colorado's chief election officer, a position that required him to oversee election officials in Colorado counties, review the election practices and procedures of Colorado counties, maintain the voter database and voter registration systems for Colorado, and maintain Colorado's voter rolls. *Id.* Additionally, Gessler handled "statewide coordination and compliance with all federal election laws, including the [NVRA] [and] the [HAVA] . . . ." *Id.* Gessler details in his expert report his experience in identifying, creating, and implementing list maintenance policies and practices as well as his experience identifying and responding to perceived deficient policies and practices related to the voter registration lists he oversaw—including responding to the threat of a lawsuit alleging noncompliance with [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. *See generally id.* at 39, ¶¶ 9-10.

Despite the particular experiences of Gessler as the chief elections officer of Colorado, United argues that Gessler "is unsuited to provide an expert opinion in this case." *Id.* at 3. The primary rationale for that argument is that Gessler "lacks any knowledge **[*38]** of Broward County's voting registration policy or voter roll maintenance, the voting policy of any state other than Colorado, or the implementation of such policy at the county level[.]" *Id.* at 2-3. United elaborates that, "[e]xcluding his preparation for this case, Mr. Gessler has little—if any—knowledge of Florida's or Broward County's voter registration and voter roll maintenance systems[,]" and emphasizes that in Colorado, "the duty of implementing election policy belongs to the state's counties." *Id.* at 9. Nevertheless, the Court finds that Gessler is at least minimally qualified to offer an expert opinion in this case (with one caveat, as explained below) given the apparent overlap between his unique experiences as Colorado's Secretary of State and the issues in this case. Most notably, Gessler's knowledge and expertise in the field of voter roll list maintenance are tied directly to the same federal standard under the NVRA with which Snipes is required to comply. In the Court's view, the particular concerns raised by United speak to the level of Gessler's expertise, and therefore the weight to be afforded his opinions. *See* [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-120S-00000-00&context=] (basing qualifications on a proposed expert's "knowledge, skill, experience, training, **[*39]** or education"); [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:4DJR-0730-0038-*

AMERICAN OVERSIGHT

X3P8-00000-00&context=] (explaining that, in addition to scientific training or education, "experience in a field may offer another path to expert status"); [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KGB-NCT1-F04D-13R0-00000-00&context=]/ HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KGB-NCT1-F04D-13R0-00000-00&context=] ("[S]o long as the expert is minimally qualified, objections to the level of the expert's expertise go to credibility and weight, not admissibility.") (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:54VH-XF91-F04D-113C-00000-00&context=]/ HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:54VH-XF91-F04D-113C-00000-00&context=] (alteration in original).

That said, the Court notes that like Dr. Camarota's expert report, Gessler's expert report compares Census Bureau ACS data with EAVS data to support some of the opinions stated therein, such as the following: "An unusually high percentage of registered voters serves as one of the main indicators that a jurisdiction does not take reasonable steps to maintain voter registration lists. Broward County is a classic example of a jurisdiction that has alarmingly high voter registration rates . . . ." ECF No. [144] at 49, ¶ 43. The Court is not convinced that Gessler has the requisite expertise in analyzing this kind of data to offer opinions that make assessments as to Broward County's voter registration rates. By comparison, ACRU has shown that Dr. Camarota has extensive experience in analyzing Census Bureau data, like the ACS, and other population related data. **[*40]** No comparable showing has been made with respect to Gessler, a lawyer by trade. Thus, although Gessler is certainly qualified to offer opinions concerning the specific list maintenance policies and procedures utilized (and not utilized) by Snipes, the Court does not find that he is qualified to offer data-driven opinions relating to Broward County's voter registration rates.

With respect to reliability, United contends: "No clear methodology is discernible from Mr. Gessler's opinion. He appears to have arrived at his conclusions by simply applying his personal knowledge of Colorado's voter registration system at the state level and his review of Florida law to the information about Broward County found in documents produced and the data sources generated for this case." *Id.* at 10. Importantly, United's reliability attacks focus almost entirely on Gessler's opinions concerning Broward County's voter registration rates—a subject that in any event Gessler is unqualified to testify about. *See, e.g., id.* at 10 (describing Gessler's methodology as "rel[ying] on two data sets drawn from calculations and analysis of population statistics"); *id.* at 11 (emphasizing that "Mr. Gessler is not a statistician[,]" "has little familiarity **[*41]** with EAVS data[,]" and "has no basis for determining at what level a registration rate becomes potentially problematic"); *id.* at 16 (collectively addressing "Dr. Camarota's and Mr. Gessler's methodology" by noting, among other things, that "the methodology used in both reports" lacks evidence of an "error rate" and "reliable, recognized statistical techniques"); *id.* at 17 (stating that "Dr. Camarota's and Mr. Gessler's methodology consists of a flawed comparison between dissimilar data points"). The only discernible challenge by United as to the reliability of Gessler's opinions concerning the list maintenance policies and procedures employed by Snipes—a subject that Gessler is qualified to testify about—is that Gessler "[cites] no comparative studies of state voter registration systems, no national guidelines, and no widely accepted best practices . . . [and offers] no explanation of how his limited Colorado experience suffices as support for his opinions on Broward County's practices." *Id.* at 14. However, the Court finds that Gessler's testimony is sufficiently reliable based "upon [his] personal knowledge [and] experience." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3W30-2X60-004C-

AMERICAN OVERSIGHT

000J-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3W30-2X60-004C-000J-00000-00&context=]. He has formed his opinions based on his personal experiences in attempting to maintain **[*42]** compliance with the NVRA as Colorado's chief elections officer and his review of the evidence in this case. The Court does not find that Gessler's testimony is rendered unreliable simply because he has not served as an election official in Florida or Broward County or cited comparative studies or national guidelines. *See* [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:437H-H490-0038-X1MT-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:437H-H490-0038-X1MT-00000-00&context=] ("[Defendants] assert that Schwartz's testimony is not reliable because it is based largely on his personal experience rather than verifiable testing or studies. Although *Daubert* applies to all expert testimony, . . . there is no question that an expert may still properly base his testimony on 'professional study or personal experience.' Defendants' objection is unfounded on this record. . . . Defendants' objections plainly go to the weight and sufficiency of Schwartz's opinions rather than to their admissibility.") (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3W30-2X60-004C-000J-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3W30-2X60-004C-000J-00000-00&context=]) (internal citations omitted).

Finally, United argues that Gessler's testimony will not assist the factfinder, but will instead "improperly usurp[] the role of the fact-finder." ECF No. [144] at 19. Specifically, United suggests that Gessler has merely weighed the evidence in this case by "review[ing] only the documents and sources of data prepared for or **[*43]** generated by this litigation, and evaluat[ing] the veracity of statements made by Dr. Snipes and other witnesses regarding Broward County's voter registration and voter roll maintenance practices." *Id.* But Gessler's expert report purports to do more than just simply weigh the evidence in this case. For example, Gessler intends to identify list maintenance practices that in his opinion Snipes should employ, but does not. *See, e.g., id.* at 50, ¶¶ 48-52 (use of driver license data); *id.* at 51, ¶¶ 53-55 (use of jury notices). In doing so, Gessler will opine on industry practices he is familiar with, what he perceives as deficiencies in BCSEO's list maintenance program, and how he believes such deficiencies can be remedied. *See id.* at 51-57. In the Court's view, this kind of testimony, though not scientific, is "beyond the understanding of the average lay person" and will lend assistance to the factfinding in this case. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4DJR-0730-0038-X3P8-00000-00&context=].

However, as United correctly points out, Gessler also provides an opinion on the ultimate legal question raised by ACRU's claim under Count I. *See* ECF No. [144] at 41, ¶ 12 (opining that Snipes "has failed to conduct a general program and has failed to take reasonable steps to maintain the accuracy of the county **[*44]** voter rolls"). Gessler is precluded from giving testimony that ultimately states legal conclusions. *See* [HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5G09-H5B1-F04D-12H6-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5G09-H5B1-F04D-12H6-00000-00&context=] ("[A]n expert may offer his opinion as to facts that, if found, would support a conclusion that the legal standard at issue was satisfied, but he may not testify as to whether the legal standard has been satisfied.") (citation omitted) (alteration in original).

AMERICAN OVERSIGHT

Based on the foregoing, the Court concludes that the testimony Gessler seeks to offer is admissible, so long as that testimony does not relate to Broward County's voter registration rates or to any legal conclusions.

B. Summary Judgment Motions

1. Claim for Failure to Make Reasonable Efforts to Conduct Voter List Maintenance Programs (Count I)

a. The Snipes/United Motion[14]

"Congress' stated purposes in enacting the NVRA were, *inter alia*, 'to establish procedures that will increase the number of eligible citizens who register to vote in elections for Federal office; ... [and] to ensure that accurate and current voter registration rolls are maintained." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=1]*, cert. granted, *198 L. Ed. 2d 254, 2017 WL 515274 (U.S. 2017)* (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F721-NRF4-4001-00000-00&context=]). "These purposes counterpose two general, sometimes conflicting, mandates: To expand and simplify voter registration processes so that more individuals **[*45]** register and participate in federal elections, while simultaneously ensuring that voter lists include only eligible . . . voters." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:51H0-25P1-652H-8007-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:51H0-25P1-652H-8007-00000-00&context=1]*. "Those sometimes conflicting mandates are reflected in the language of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] . . . ." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=]*.

[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] states that "[i]n the administration of voter registration for elections for Federal office, each State shall . . . provide that the name of a registrant may not be removed from the official list of eligible voters except" under certain circumstances. [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]; *see also* S. Rep. No. 103-6, at 19 (1993) ("[O]ne of the guiding principles of [the NVRA is] to ensure that once registered, a voter remains on the rolls so long as he or she is eligible to vote in that jurisdiction."); H.R. Rep. No. 103-9, at 18 (1993). [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] then provides an exhaustive list of the circumstances justifying removal: "criminal conviction or mental incapacity as provided by state law, the death of the registrant, or . . . a change of the registrant's residence." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4V70-WR20-TXFX-82RC-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4V70-WR20-TXFX-*

[14] Although Snipes and United have requested a hearing, *see* ECF No. [142] at 19, the Court finds the matters presented in the Snipes/United Motion suitable for a determination on the papers and without oral argument.

AMERICAN OVERSIGHT

82RC-00000-00&context=] (citing [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]). Under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]—which ACRU's claim under Count I is brought pursuant to—states are required to "conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of (A) the **[*46]** death of the registrant; or (B) a change in the residence of the registrant[.]" [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=].

Finally, as noted by the Sixth Circuit in *Husted*, "in [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=], Congress provided states with an example of a procedure for identifying and removing voters who had changed residence that would comply with the NVRA's mandates and accompanying constraints. That subsection provides that '[a] State *may* meet the requirement of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] by establishing a program under which' voters who appear to have moved based on information contained in the NCOA database are sent [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] confirmation notices."[15] [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=] (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]) (alteration and emphasis in original). This procedure, which the Snipes/United Motion relies upon first and foremost, has been come to known as the "'safe-harbor' procedure." *Id.; see* ECF No. [142] at 3 ("Because the undisputed facts of this case demonstrate that Defendant is implementing the NCOA program in accordance with the safe harbor provision, the county's program meets the requirements of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. For this reason alone, summary judgment is warranted on Count I.").

As a preliminary matter, both Snipes and United initially raised the safe-harbor provision when they previously moved to dismiss Count I. *See [HYPERLINK https://advance.lexis.com/api/document?collection*

---

15 [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] establishes that states "shall not remove the name of a registrant from the official list of eligible voters in elections for Federal office on the ground that the registrant has changed residence" without first subjecting the registrant to the confirmation notice procedure outlined in that subsection. [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. That mandatory confirmation notice procedure is as follows: "a forwardable postage prepaid and pre-addressed form is sent to a voter, and the voter is removed from the rolls if (1) he or she does not respond to the confirmation notice or update his or her registration, and (2) he or she does not subsequently vote during a period of four consecutive years that includes two federal elections." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=]* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]).

AMERICAN OVERSIGHT

=cases&id=urn:contentItem:5M1N-0M41-F04D-10NR-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M1N-0M41-F04D-10NR-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M1N-0M41-F04D-10NR-00000-00&context=]. Agreeing with the **[*47]** Sixth Circuit's reasoning in *Husted*, this Court noted that "full compliance with [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] [(the safe-harbor provision)] would *comply* with the NVRA's mandates and accompanying constraints." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M1N-0M41-F04D-10NR-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M1N-0M41-F04D-10NR-00000-00&context=]* (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=]*) (internal quotation marks omitted) (emphasis added). The Court nonetheless declined to dismiss Count I on the basis of the safe-harbor provision, explaining that whether Snipes fully complied with the safe-harbor provision "is a fact-based argument more properly addressed at a later stage of the proceedings." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M1N-0M41-F04D-10NR-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M1N-0M41-F04D-10NR-00000-00&context=]*. Even in addressing Snipes and United's reliance on the safe-harbor provision at this stage of the proceedings, however, the Court does not take the view that, as a matter of law, full compliance with the safe-harbor provision necessarily absolves an election official of any liability under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=].

As the Sixth Circuit explained in *Husted*, "[HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]'s language pairs the mandate that states maintain accurate voter rolls with multiple *constraints* on how the states may go about doing so." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=] (emphasis added). In this Court's view, the Sixth Circuit's attentiveness to the constraints imposed upon election officials in their efforts to maintain accurate voter rolls directly informed its treatment of the safe-harbor **[*48]** provision. More specifically, the Sixth Circuit viewed the safe-harbor provision as Congress having provided states with "an example" of a residence-change procedure "that would *comply* with the NVRA's mandates and accompanying *constraints*." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=][HYPERLINK *https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=]* (emphasis added). But the Sixth Circuit did not appear to view the safe-harbor provision—though an example of a procedure that *complies* with the NVRA (including its constraints on election officials)—as an example of a procedure that *satisfies* all of an election official's duties under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. Indeed, quite the contrary, the Sixth Circuit appeared to take a much more limited view, merely recognizing that the defendant's NCOA process, in mirroring the safe-harbor procedure, "is thus *permissible*

AMERICAN OVERSIGHT

under the NVRA." *Id.* (emphasis added). It is also worth noting that *Husted* concerned alleged violations of [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] based on the removal of (as opposed to a failure to remove) registered voters from the subject voter rolls—in particular, removals that were based only on changes of residence. *See [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=1*.

Here, with no authority having been presented to suggest otherwise, this Court holds that although an election official's particular NCOA process for identifying and removing **[*49]** voters who have changed their residence is "permissible under the NVRA" if it mirrors the safe-harbor provision outlined in [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=], such a process does not necessarily demonstrate full satisfaction of all the duties owed by that election official under [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. *Id.* [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] contemplates removal of ineligible voters from a state's voter rolls based on two specific circumstances: a registrant's change of residence *and* the death of a registrant. *See* [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. As "an example" of a "permissible" change-of-residence procedure under the NVRA, [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=1*, the safe-harbor provision says nothing of an election official's "mandates and accompanying restraints" as they relate to deceased registrants. [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=1*. The point is made especially apparent in this case, as the Amended Complaint specifically alleges that Snipes inadequately removed the names of registrants who have died. *Cf. [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=1* ("This case concerns the final circumstance justifying removal—change of residence—which is subject to its own mandate and accompanying constraints."). Accordingly, even if Snipes has fully complied with [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]'s safe-harbor provision—a determination the Court need not make at this point—such compliance does not in and of itself entitle her to judgment as a matter **[*50]** of law on Count I.

Compliance with [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]'s safe-harbor provision aside, Snipes and United also move for summary judgment on Count I on the basis that the undisputed facts definitively establish that Snipes' removal program is "reasonable under

AMERICAN OVERSIGHT

the statutory standard."[16]

ECF No. [142] at 13. Snipes and United emphasize the evidence pertaining to all of the list maintenance activities that Snipes employs, and those activities are undoubtedly extensive. *See id.* at 14-15 (e.g., receiving and acting on daily updates from DOE; soliciting responses from registrants with felony convictions; reviewing and consolidating registration records identified as duplicates; employing specific procedures for registrants who appear to have died). Snipes and United further contend that "[t]he objective results of Defendant's general program and list maintenance activities demonstrate that her program has a real, substantial outcome in terms of the removal of registrants deemed ineligible". They point out that Snipes removed from the Broward County voter rolls over 240,000 registrants between January 1, 2014 and December 31, 2016, and 192,000 registrants between January 7, 2015 and January 10, 2017. *Id.* at 15.

Notwithstanding the extensiveness **[*51]** of Snipes' removal efforts and the substantial amount of removals that those efforts have resulted in, ACRU has presented admissible evidence—by way of the analyses of Dr. Camarota—of very high voter registration rates in Broward County compared to voter registration rates throughout the country. *See* ECF No. [144] at 26-36. In some instances, according to Dr. Camarota, Broward County has had more or close to the same amount of persons registered to vote as it has had voting-age citizens in total. *See id.* at 33-4 (calculating rates in Broward County at 108.5% in 2010 and 96.7% in 2014, and opining that, "[t]aken at face value, these numbers indicate that nearly every eligible person in Broward County is registered to vote"). As for the voter registration rates nationally and in Florida as a whole, according to Dr. Camarota's expert report: "Nationally, the [Census] Bureau reported 65.1% of voting-age citizens were registered in 2010, 71.2% were registered in 2012 (a presidential election year), and 64.6% in 2014. In Florida as a whole, the corresponding figures for these same years were 63%, 68.3%, and 62.6%." *Id.* at 34. Of course, Dr. Smith—Snipes and United's expert witness—claims that Dr. Camarota's analyses are misleading. But, **[*52]** in addressing whether Snipes and United are entitled to summary judgment on Count I, the Court must accept the evidence provided by ACRU, the non-movant, and draw all reasonable inferences in its favor. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3W5S-RXM0-0038-X313-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3W5S-RXM0-0038-X313-00000-00&context=]*. Other than moving to exclude Dr. Camarota and his expert report, Snipes and United do not address the voter registration rates in Dr. Camarota's expert report other than to say, without any supporting authority, that "the NVRA has no outcome-based criteria for compliance." ECF No. [142] at 16. The Court does not agree with Snipes and United that outcomes bear no significance whatsoever when it comes to determining whether an election official has met her duties under a statute through which one of Congress' stated purposes is to "ensure that accurate and current voter registration rolls are maintained." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KSG-DG81-F04K-P1C2-00000-00&context=] (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F721-NRF4-4001-00000-00&context=]). In any event, such a position undercuts Snipes and United's own emphasis on the amount of registered voters that BCSEO has removed—which this Court also deems relevant to such a determination.

[16] Notably, Snipes and United make no effort to identify exactly what that statutory standard for reasonableness is and what its parameters are.

AMERICAN OVERSIGHT

Ultimately, taking ACRU's evidence as true, the voter registration rates extrapolated from Broward County's voter rolls at the very least create a reasonable inference that Snipes, **[*53]** despite all of the stated list maintenance efforts she has undertaken, has failed to meet the reasonableness requirement under [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. *See, e.g., Martinez—Rivera, 166 F. Supp. 3d at 793-94* ("The high registration rate in Zavala County creates a strong inference that the Defendant has neglected her duty to maintain an accurate and current voter registration roll."); [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:5MXP-H101-F04D-R0HK-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:5MXP-H101-F04D-R0HK-00000-00&context=]* (drawing inference in favor of the plaintiff alleging an NVRA violation where the plaintiff alleged that "voter rolls maintained by [the defendant] contain or have contained more registrants than eligible voting-age citizens" and disregarding at the motion to dismiss stage the "potentially reasonable explanation for the high registration rate"). As such, the Court finds that Snipes and United have not shown the absence of a genuine issue of material fact as to whether Snipes, in light of those voter registration rates, has conducted a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of a registrant's death or a resident's change in residence. *See* [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. As such, Snipes and United are not entitled to judgment as a matter of law with respect **[*54]** to Count I.

2. Claim for Failure to Disclose (Count II)

[HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] mandates public disclosure of all records related to voter registration and list-maintenance activities. It provides in relevant part as follows: "Each State shall maintain for at least 2 years and shall make available for public inspection . . . all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters . . . ." [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. "This language embodies Congress's conviction that Americans who are eligible under law to vote have every right to exercise their franchise, a right that must not be sacrificed to administrative chicanery, oversights, or inefficiencies." [HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection =cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context=]*.

In moving for summary judgment on Count II, ACRU argues that Snipes has failed to comply with this public disclosure mandate by failing to provide or make available for inspection the following categories of documents it requested in its January 26, 2016 letter:

> (1) updated registration data since the publication of information reported by the EAC for 2014 from the 2014 EAC Report;
>
> (2) the number of notices sent to inactive voters since the publication **[*55]** of the 2014 EAC Report, including the date, scope, and contents of any mailing sent to all ("not just [] active") registered voters;
>
> (3) the total number of voters registered in Broward County as of the date of any response;
> (4) any records indicating the use of citizenship or immigration status for list maintenance activities; and

AMERICAN OVERSIGHT

(5) all list maintenance records including federal voter registration forms containing citizenship eligibility questionnaires for the previous 22 months, which, according to ACRU, contemplates the following: (a) copies of all invoices and statements from any outside vendors Snipes works with in doing list maintenance mailings; (b) records of complaints received regarding list maintenance issues; (c) communications from and to the DOS office; (d) records related to USPS NCOA database requests and usage; and (e) a current list of all registered voters (active and inactive).

ECF No. [117] at 14-15. Snipes counters in her motion for summary judgment on Count II by emphasizing that "thousands of public records have been produced" to ACRU thus far, and further claiming that "there are no documents requested and available from Defendant Snipes that has not already **[*56]** been provided." ECF No. [145] at 2-3. The Court will address each motion and their respective arguments in turn.

As a preliminary matter, however, insofar as ACRU seeks under Count II a declaration from the Court that Snipes has violated the public disclosure requirement under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=], *see generally* ECF No. [12] at 9 (praying for a declaration "that Defendant is in violation of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]"), the Court considers the operative time period to be the time between ACRU's January 26, 2016 letter and the filing of this suit on June 27, 2016. Under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=], a potential defendant is allowed 90 days following receipt of a notice of a purported NVRA violation to correct that violation before the potential plaintiff may bring suit. In this case, that notice was the January 26, 2016 letter, and so Snipes had at least 90 days from the date she received that letter to correct the potential public disclosure violation identified therein.[17]

It is precisely that claimed violation—which encompasses all of the communications and interactions that took place between ACRU and

[17] The parties appear to be in agreement that the January 26, 2016 letter constituted sufficient notice for purposes of ACRU's failure to disclose claim under Count II. Nonetheless, and despite the issue having not been raised on summary judgment or at any other time during these proceedings, the Court questions whether the letter can constitute sufficient notice for purposes of ACRU's claim for failure to make reasonable efforts to conduct voter list maintenance programs under Count I *and* ACRU's failure to disclose claim under Count II. Specifically, the letter contemplated one potential NVRA violation, the violation claimed under Count I. *See* ECF No. [12-1] at 2 ("[T]he list maintenance requirements of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] [] ensure that ineligible voters are not participating in the political process . . . . The American Civil Rights Union has [] taken on the task of notifying you of your county's violation."). The letter did not contemplate the NVRA violation claimed under Count II, nor could it have; being the first correspondence between ACRU and Snipes, the letter represents the first time ACRU requested list maintenance records from Snipes. In other words, although the letter notified Snipes of a potential NVRA violation for her alleged failure to make reasonable efforts to conduct voter list maintenance programs, as far as public disclosure is concerned, the letter merely requested for the first time Snipes' list maintenance records. *See id.* at 4 ("We would like to discuss with your office how to implement a remedial plan which could cure what appears to be a violation of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. We *also request* the opportunity to inspect the list maintenance documents outlined above.") (emphasis added). It would seem to follow, then, that Snipes was never provided written notice of the potential NVRA violation claimed under Count II or afforded 90 days after such written notice by which to cure the potential violation—the lapse of which gives rise to the private cause of action. *See* [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=], [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=].

AMERICAN OVERSIGHT

Snipes from January 26, 2016 to June 27, 2016—and Snipes alleged failure to correct it up to the commencement of this suit that **[*57]** is reflected in the Amended Complaint. *See, e.g.*, ECF No. [12] at ¶ 33 ("Defendant has failed to respond adequately to Plaintiff's written request for data, failed to produce or otherwise failed to make records available to Plaintiffs concerning Defendant's implementation of programs and activities for ensuring the accuracy and currency of official lists of eligible voters for Broward County, in violation of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] . . . . *Defendant has rebuffed efforts to meet to discuss and implement remedial plans to cure this violation.*") (emphasis added). To the extent that the Court considers the efforts undertaken by Snipes since the filing of this suit—which seems to be the primary focus of ACRU's and Snipes' respective motions for summary judgment on Count II—the Court does so only for the purposes addressing ACRU's request for an injunction requiring Snipes to "substantively respond to [ACRU's] written request for records concerning her implementation of [list maintenance] programs and activities . . . and provide access to election records." ECF No. [12] at 10.

a. ACRU's Motion

At the outset, the Court notes that ACRU's Motion is premised on Snipes' alleged failure to provide **[*58]** records throughout the course of this litigation. *See* ECF No. [117] at 14-15. With that in mind, the Court makes a seemingly obvious but nevertheless important—indeed dispositive—observation. In support of its motion for summary judgment, ACRU cites to [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context=]*. *See* ECF No. [117] at 10-13. In *Long*, the Fourth Circuit affirmed the district court's granting of summary judgment in favor of the plaintiff organization that sought records under the NVRA, whereby the district court concluded that [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]'s public disclosure requirement applies to completed voter registration applications. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context=]. The plaintiff organization had specifically requested from the defendant—a city official responsible for processing voter registration applications—all voter registration applications submitted during a certain time period, but the defendant repeatedly denied the request. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context=]*. The defendant's denial was based on her contention that the text of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] does not require public disclosure of completed voter registration applications, but instead applies only to records concerning programs and activities "related to the *purging* of voters from the list of registered voters." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context=]* (emphasis added). The Fourth Circuit rejected that interpretation, **[*59]** concluding that "the phrase 'all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters'

AMERICAN OVERSIGHT

unmistakably encompasses completed voter registration applications[.]" [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context=]* (quoting [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]). Similarly, in [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KRV-MCT1-F04D-23F9-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KRV-MCT1-F04D-23F9-00000-00&context=]*, also cited to by ACRU, *see* ECF No. [117] at 13-14, the Northern District of Georgia rejected the argument that records stored in electronic form are not subject to [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]'s public disclosure requirement. The court reasoned: "Interpreting 'records' to exclude information contained within electronic databases also would allow States to circumvent their NVRA disclosure obligations simply by choosing to store information in a particular manner. Given the ubiquity and ease of electronic storage, this would effectively render [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] a nullity." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KRV-MCT1-F04D-23F9-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KRV-MCT1-F04D-23F9-00000-00&context=]*.

In relying on *Long* and *Kemp*, ACRU appears to imply that Snipes has withheld the production of certain relevant records on the bases that such records either exceed the NVRA's two-year retention period or are stored only in electronic form. ECF No. [117] at 13. More specifically, ACRU asserts as follows:

> The same reasoning [in *Long*] should apply to the two-year retention **[*60]** requirement. That is a floor, not a ceiling. If an election official maintains records for longer than two years, they must be subject to disclosure.
>
> Finally, electronic records housed within databases are also subject to the public disclosure and inspection provisions of the NVRA. To the extent that any records that have not been disclosed by Defendant Snipes are housed electronically, they are subject to the NVRA's disclosure provision.

Id. However, other than these vague assertions, ACRU offers no clarity whatsoever as to which specific category of records it has requested that Snipes has refused to produce *expressly on account of the above mentioned bases*. Quite the contrary, Snipes' opposition to ACRU's Motion—as well her own motion for summary judgment on Count II—posits that no documents requested by ACRU have been withheld. *See* ECF No. [129] at 7 ("Snipes has made no attempt to be uncooperative in the production of documents. There has been no refusal or objection to providing any document(s). Even where Plaintiff was not clear in its litigation discovery request, . . . the documents were still provided. Thousands of documents have been provided to date."); ECF No. [145] at 3 **[*61]** ("At this time, there are no documents requested and available from Defendant Snipes that has not already been provided."). In other words, Snipes—unlike the defendants in [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context=] and [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KRV-MCT1-F04D-23F9-00000-00&context=]—does not concede that

AMERICAN OVERSIGHT

she has refused to provide records that ACRU has requested, let alone offer an express rationale justifying any refusal on her part to provide such records. In this sense, this case is very different from those cases. In both *Long* and *Kemp* there was no dispute that a certain and definitive category of records had been withheld from the requesting plaintiffs—i.e., voter registration applications and all information contained within electronic databases—and the defendants maintained their reasoning for refusing disclosure of the requested records throughout the respective litigations in unequivocal fashion. The courts' respective rulings were specific to those circumstances. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context=]* ("The question here is whether [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] . . . applies to completed voter registration applications."); [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KRV-MCT1-F04D-23F9-00000-00&context=]*[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KRV-MCT1-F04D-23F9-00000-00&context=]* (rejecting defendant's "implicit[] argu[ment] that the Requested Records maintained in electronic format on the Database are not 'records'[under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]] because that term is limited to physical documents"). The same simply cannot **[*62]** be said here. To that extent, ACRU's reliance on *Long* and *Kemp* is inapposite.

Importantly, the distinction illuminates what amounts to a factual dispute that is material with respect to the injunctive relief ACRU seeks under Count II—that is, an injunction "commanding Defendant to permit inspections of election records pursuant to [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]." ECF No. [12] at ¶ 1. Down to its simplest form, the parties dispute whether in fact Snipes has provided all of the records requested by ACRU—a dispute that goes to the heart of the relief ACRU seeks in under its [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] claim. *See* [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] (requiring that each State "make available for public inspection . . . all records" concerning programs and activities related to voter registration and list maintenance). As alluded to earlier, Snipes claims that she has fully complied with ACRU's records requests, having handed over to ACRU thousands of BCSEO documents. To the extent that there are requests by ACRU that have gone unfulfilled, Snipes contends that some of the requests in ACRU's January 26, 2016 letter required "the creation of new records . . . or required the reviewer to guess the nature of the [request]." ECF No. [129] at 5. ACRU contends, on the other hand, that **[*63]** the January 26, 2016 letter "did not call for the creation of new records or require any guessing as to what was requested. . . . [and] outlined specific categories of list maintenance records."[18]

---

[18] To be sure, ACRU does not argue in its motion for summary judgment on Count II that Snipes has, in addition to allegedly failing to provide requested records, failed to *maintain* any records that [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] requires the maintenance of. *See generally [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KRV-MCT1-F04D-23F9-00000-00&context=][*

AMERICAN OVERSIGHT

ECF No. [130] at 3. However, it is not for the Court to weigh at the summary judgment stage the competing interpretations as to the achievability or clarity of ACRU's requests. Rather, in this context, the Court must draw all reasonable inferences against ACRU, whose motion for summary judgment is under consideration. *See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4G4P-SNT0-0038-X08R-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4G4P-SNT0-0038-X08R-00000-00&context=]*. Other than its own conclusory assertions, ACRU has made no meaningful attempt to explain why Snipes' contention that some of ACRU's requests call for records that are not in existence or are otherwise unclear is an unreasonable one. And the Court does not consider such an inference unreasonable given the circumstances, especially in light of the fact that ACRU has received from Snipes—through substantial discovery—documents numbering in the thousands. For example, ACRU offers no explanation as to why or how the thousands of documents that Snipes has provided are not responsive to any of the categories of documents that ACRU maintains that Snipes has continued to withhold. **[*64]** Nor has ACRU specified whether any of those categories of documents are indeed both in existence and in the possession of Snipes. *See generally [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S42-C2N0-008H-V0D8-00000-00&context=][HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S42-C2N0-008H-V0D8-00000-00&context=]* ("Judges are not like pigs, hunting for truffles buried in briefs."); [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:53D4-FCN1-JCNJ-60GG-00000-00&context=][*HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:53D4-FCN1-JCNJ-60GG-00000-00&context=]* ("Likewise, district court judges are not required to ferret out delectable facts buried in a massive record.") (citing [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S42-C2N0-008H-V0D8-00000-00&context=][*HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S42-C2N0-008H-V0D8-00000-00&context=]*).

Accordingly, the Court is satisfied that, with respect to ACRU's Motion on Count II, Snipes has raised a material issue of fact as to whether she has, throughout the course of this litigation, sufficiently provided all of the records requested by ACRU as required under [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=] so as to potentially render moot ACRU's request for an injunction requiring Snipes to substantively and completely respond to its written request for records.

b. Snipes' Motion

The Court begins with another obvious observation. Inexplicably, despite aptly describing the material issue of fact outlined above as a "tremendous factual dispute" in arguing against ACRU's Motion, ECF No. [129] at 6, Snipes makes an about-face in her own motion for summary judgment, asserting that "there are no genuine issues of material fact related to Count II[,]" ECF No. [145] at 1-2. **[*65]** As mentioned, Snipes claims that she has provided all of the records requested by ACRU. According to Snipes, ACRU has "attempt[ed] to 'game' the NVRA law by seeking and pursuing less [sic] information than is actually available and then claiming that Snipes is somehow negligent in her

---

HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5KRV-MCT1-F04D-23F9-00000-00&context=] ("Whether a record is required to be maintained is different from a claim that a maintained record is required to be disclosed. The question whether Defendant failed to maintain one or more records is not presently before the Court.").

AMERICAN OVERSIGHT

duty to produce documents." ECF No. [145] at 3. Overall, Snipes' Motion does not alter the Court's view that Count II is not without at least one genuine issue of material fact.

First, with respect to the interactions that occurred prior to the commencement of this suit, Snipes asserts that following ACRU's January 26, 2016 letter, "[a]t no time did [she] refuse to provide documents or allow for an inspection of documents." *Id.* at 6. This assertion speaks to the phone call that took place between Snipes and ACRU's legal representative on April 5, 2016. *See generally* ECF No. [12] at ¶ 24 (alleging that on the April 5, 2016 phone call Snipes "declined to set up [] a meeting" to discuss remedial steps and the current status of the voter rolls). According to Snipes, during that phone call she "provided the contact information for [her] General Counsel in order to coordinate inspection and follow-up." ECF No. [145] at 6 (citing ECF **[*66]** No. [129-2] at 2-3). According to ACRU's counsel, however, the phone call went as follows:

> I just got off the phone with Brenda Snipes. The general theme of the call was "why are you singling out Broward when you sent letters to 6 other counties." She even said that Miami-Dade has more people. That aside, *she declined to meet with us to discuss only Broward*. She said she would meet only if representatives from the other 6 counties were included.

ECF No. [131-1] at 3 (emphasis added); *see also* ECF No. [118-1] at 3, ¶ 12 ("*Defendant refused to meet to discuss remedies and permit inspection of records*. Defendant Snipes suggested that ACRU should focus on Miami-Dade County instead . . . .") (emphasis added). But Snipes denies that she ever refused to provide documents or allow for an inspection. *See* ECF No. [129-2] at 3, ¶¶ 7-8. As ACRU correctly points out, then, "[t]he characterization of that phone call differs profoundly between the parties . . . ." ECF No. [157] at 10. Importantly, the nature of that phone call is germane to ACRU's claim under Count II, as the Amended Complaint specifically alleges under Count II that Snipes "failed to produce or otherwise failed to make records available **[*67]** . . . . [and] rebuffed efforts to meet to discuss and implement remedial plans to cure this violation." ECF No. [12] at ¶ 33. Relatedly, ACRU argues that Snipes' February 8, 2016 letter in response to ACRU's January 26, 2016 letter, which only provided to ACRU certain certifications, constituted a "less-than-complete response to ACRU's record request." ECF No. [157] at 11. Given that Snipes has since produced thousands of more records throughout discovery in response to ACRU's initial requests in the January 26, 2016 letter, such an inference is far from unreasonable. In any event, whether Snipes' initial response in her February 8, 2016 letter and her alleged refusal to arrange a meeting with ACRU during the April 5, 2016 phone call—both occurring before this suit was ever filed—would constitute an insufficient response for purposes of [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]'s public disclosure requirement remains a material issue of fact to be determined at trial.[19]

Second, with respect to the discovery conducted as part of this litigation, Snipes asserts that "[a]ny documents that Plaintiff believes it does not have are a part of the VR System for which Plaintiff has not performed any due diligence to understand." **[*68]** ECF No. [145] at 3. Snipes then elaborates on how ACRU, in making "little effort to

---

[19] ACRU takes this point a step further in its opposition to Snipes' Motion by arguing that it entitles ACRU to summary judgment on Count II. *See id.* ("Defendant Snipes's violation of the NVRA is readily apparent: not only did she not produce all records requested, she refused to meet with ACRU to permit inspection of records. On this record, ACRU is entitled to judgment as a matter of law."). However, the factual dispute concerning Snipes' alleged refusal to permit an inspection aside (which ACRU itself recognizes), ACRU did not, in its motion for summary judgment on Count II, raise this specific argument. *See* ECF No. [117] at 9-15. The Court will not afford ACRU a second bite at the apple by attempting to, in seeking summary judgment, rely on an argument that it raises in opposition to Snipes' Motion but that it did not raise in its own motion for summary judgment filed months earlier.

AMERICAN OVERSIGHT

determine how the VR System stores computer documents relating to NVRA[,]" has elected not to "take depositions of anybody associated with the computer system operations" (such as Nunez) and declined to "conduct a computer inspection of the VR System containing a great majority of the records related to NVRA disclosure requirements" at the January 13, 2017 inspection, despite having the opportunity to do so. *Id.* at 3-4. Implicit in Snipes' focus on records stored electronically in the VR System is the notion that Snipes is not required to (perhaps because she is unable to) produce such records.[20]

See id. at 3(citing ECF No. [111-2] at 8); *see also* ECF No. [111-2] at 8 (Snipes' objection to ACRU's request for production relating to written policies and manuals: "[U]ser guides are contained within the VR System for which *the VR System third party contracted vendor considers confidential and proprietary information requiring court intervention for a final determination.*") (emphasis in original). However, Snipes does not cite to any supporting case law, nor has the Court found any, to indicate that records stored within the database **[*69]** of a third party whom a NVRA records holder contracts with necessarily fall outside the scope of [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]'s public disclosure requirement.

Finally, Snipes asserts that ACRU abandoned the requests it made in its January 26, 2016 letter when it filed suit, apparently because ACRU has since "[taken] no effort to request or clarify documents that were referenced and a part of [the letter]." ECF No. 145 at 8. Snipes once again argues that "the letter was deficient in its request for documents that would require creation (not in existence)" and further argues, without supporting authority, that "NVRA's 'public disclosure' of voter registration activities requirement relates to records that are actually in existence." *Id.* However, as already discussed, for purposes of the injunction sought by ACRU under Count II, the Court will not weigh at the summary judgment stage the competing interpretations as to whether ACRU's requests sought documents not in existence or were otherwise unclear in nature.

Based on the foregoing, the Court finds that neither ACRU nor Snipes has demonstrated through their respective motions that they are entitled to judgment as a matter of law with respect to Count II. To sum **[*70]** up, and for the sake of clarity moving forward, there exists a genuine factual issue as to whether Snipes indeed refused during the April 5, 2016 phone call to arrange a meeting with ACRU for an inspection of BCSEO's office and records, as ACRU alleges. If true, Snipes' pre-suit refusal along with her initial production of BCSEO certifications in her February 8, 2016 response letter—only to be followed by her production of thousands of admittedly responsive documents *after* this suit was filed—could support a finding that Snipes did violate the NVRA's public disclosure requirement under subsection 8(i)(1) before this suit was filed. *See* [HYPERLINK https://advance.lexis.com/api/document?collection =statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]. Conversely, Snipes may have never refused to arrange an inspection meeting with ACRU, but instead may have advised ACRU that such a meeting would need to be arranged through her General Counsel, as Snipes alleges. If true, and if ACRU declined to follow up on that invitation for the nearly three months that passed before ACRU filed suit in June 2016, ACRU's inspection of BCSEO's office and records and Snipes' production of thousands of responsive documents following the commencement of this suit could support a finding that Snipes did not violate the **[*71]** NVRA's public disclosure requirement under subsection 8(i)(1) before this suit was filed. It is the time period between ACRU's January 26, 2016 letter and the filing of this suit—which includes the

[20] To be sure, however, nowhere does Snipes claim that BCSEO does not have access to records contained within the VR System.

AMERICAN OVERSIGHT

90 day curative period contemplated by [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context=], the lapse of which gives rise to the private cause of action—that the Court deems operative in determining whether Snipes violated [HYPERLINK https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context=]'s public disclosure requirement. With respect to the specific injunction ACRU seeks under Count II, to the extent that ACRU claims that Snipes continues to withhold records in her possession that are responsive to its January 26, 2016 letter, ACRU will have to at a minimum (1) itemize with particularity those records and (2) explain how and why the thousands of records that have been produced do not satisfy its purportedly outstanding requests.

IV. CONCLUSION

For the foregoing reasons, it is **ORDERED AND ADJUDGED** as follows:

1. ACRU's Motion, **ECF No. [117]**, is **DENIED**.

2. Snipes' Motion, **ECF No. [145]**, is **DENIED**.

   a. ACRU's Motion to Strike Defendant Brenda Snipes's Partial Motion for Summary Judgment on Count II, **ECF No. [149]**, is **DENIED as moot**.[21]

3. The Snipes/United Motion, **ECF No. [142]**, is **DENIED**.

   a. Snipes **[*72]** and United's Motion to Strike Plaintiff's Summary Judgment Evidence, **ECF No. [164]**, is **DENIED as moot**.[22]

4. United's *Daubert* Motion, **ECF No. [144]**, is **GRANTED in part** and **DENIED in part**, as set forth in this Order.

DONE and ORDERED in Miami, Florida, this 11th day of July, 2017.

/s/ Beth Bloom

BETH BLOOM

UNITED STATES DISTRICT JUDGE

End of Document

[21] ACRU's Motion to Strike Defendant Brenda Snipes's Partial Motion for Summary Judgment on Count II seeks the same relief as did the motion ACRU filed at ECF No. [153], which the Court denied on June 5, 2017. *See* ECF No. [154].

[22] Snipes and United's Motion to Strike Plaintiff's Summary Judgment Evidence requested that the Court strike evidence ACRU submitted in support of its opposition to the Snipes/United Motion that, ultimately, this Court did not consider in denying the Snipes/United Motion.

AMERICAN OVERSIGHT

[HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5MXP-H101-F04D-R0HK-00000-00&context="][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5MXP-H101-F04D-R0HK-00000-00&context="]

United States District Court for the Eastern District of North Carolina, Western Division

February 21, 2017, Decided; February 21, 2017, Filed

NO: 5:16-CV-683-BR

Reporter
2017 U.S. Dist. LEXIS 23565 *

VOTER INTEGRITY PROJECT NC, INC., Plaintiff, v. WAKE COUNTY BOARD OF ELECTIONS, Defendant, and JENNIFER MORRIS, EDWARD JONES, and SIOBHAN MILLEN, Defendant-Intervenors.

Counsel: [*1] For Voter Integrity Project NC, Inc., Plaintiff: Benton G. Sawrey, LEAD ATTORNEY, Narron, O'Hale and Whittington, PA, Smithfield, NC; John C. Adams, Kaylan L. Phillips, LEAD ATTORNEYS, Public Interest Legal Foundation, Alexandria, VA.

For Wake County Board of Elections, Defendant: Allison Pope Cooper, Claire Hunter Duff, Roger A. Askew, LEAD ATTORNEYS, Wake County Attorney's Office, Raleigh, NC; Scott Wood Warren, LEAD ATTORNEY, Raleigh, NC.

For Jennifer Morris, Edward Jones, Siobhan Millen, Intervenor Defendants: Allison Jean Riggs, LEAD ATTORNEY, Southern Coalition for Social Justice, Durham, NC.

Judges: W. Earl Britt, Senior United States District Judge.

Opinion by: W. Earl Britt

Opinion

ORDER

This matter is before the court on the motions to dismiss of defendant Wake County Board of Elections ("WCBOE") and defendant-intervenors Jennifer Morris, Edward Jones, and Siobhan Millen. (DE ## 14, 27.) Plaintiff Voter Integrity Project NC, Inc. ("VIP-NC") has filed responses in opposition to the motions. (DE ## 19, 30.) Defendant-intervenors filed a reply. (DE # 33.) This matter is therefore ripe for disposition.

I. BACKGROUND

VIP-NC is an organization which "has dedicated significant time and resources to ensure that voter [*2] rolls in the state of North Carolina, and in Wake County, are free from ineligible registrants, non-citizens, individuals who are no longer residents and individuals who are registered in more than one location." (Compl., DE # 1, ¶ 3.) On 18 July 2016, it filed this action alleging that WCBOE has violated [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-

AMERICAN OVERSIGHT

F731-NRF4-4007-00000-00&context="], and seeks declaratory and injunctive relief and attorney's fees.

On 10 August 2016, WCBOE filed its answer, (DE # 13), and motion to dismiss the complaint for failure to state a claim for relief pursuant to [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context="]. On 3 October 2016, defendant-intervenors, three individuals who are actively engaged in voter registration and related work, filed a motion to intervene. (DE # 22.) On 1 December 2016, the court allowed that motion. (DE # 26.) The following day, defendant-intervenors filed their motion to dismiss pursuant to [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context="].

II. DISCUSSION

Both motions to dismiss are filed pursuant to [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context="].[1]

> In a [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context="] context, the reviewing court must determine whether the complaint alleges sufficient facts "to raise a right to relief above the speculative level" and "to state a claim to relief that is plausible on its face." This directive ordinarily limits a **[*3]** court's review to the "well-pled facts in the complaint[, which it must view] in the light most favorable to the plaintiff." While no absolute bar exists, a motion to dismiss under [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context="] does not typically resolve the applicability of defenses to a well-pled claim.

[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5GBJ-2HM1-F04K-M05S-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5GBJ-2HM1-F04K-M05S-00000-00&context="] (citations omitted) (alteration in original). With this standard in mind, the court will consider VIP-NC's NVRA claims.

> The NVRA reflects the view of Congress that the right to vote "is a fundamental right," that government has a duty to "promote the exercise of that right," and that discriminatory and unfair registration laws can have a "damaging effect on voter participation" and "disproportionately harm voter participation by

---

[1] Because WCBOE filed its answer with its motion to dismiss, its motion technically is one for judgment on the pleadings under [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context="]. See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:450S-W420-0038-X24S-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:450S-W420-0038-X24S-00000-00&context="]. "However, the distinction is one without a difference," as the court applies the same standard as [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-1WP1-6N19-F0YW-00000-00&context="] motions. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:450S-W420-0038-X24S-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:450S-W420-0038-X24S-00000-00&context="].

AMERICAN OVERSIGHT

> various groups, including racial minorities." Congress enacted the NVRA in order to "increase the number of eligible citizens who register to vote" in federal elections, "enhance[ ] the participation of eligible citizens as voters," "protect the integrity of the electoral process," and "ensure that accurate and current voter registration rolls are maintained."

[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:55WM-M161-F04K-M322-00000-00&context="] (citing [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GM91-NRF4-42X1-00000-00&context="] (now codified at [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F721-NRF4-4001-00000-00&context="])) (alteration in original). [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="] of the Act, which is at issue here, imposes **[*4]** various duties and obligations regarding voter registration. The NVRA provides a private right of action to "[a] person who is aggrieved by a violation of [the NVRA]." [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context="]. The aggrieved party must first provide "written notice of the violation to the chief election official of the State involved," id., unless "the violation occurred within 30 days before the date of an election for Federal office," id. [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context="]. "If the violation is not corrected within 90 days after receipt of a notice . . ., or within 20 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office," the aggrieved person may file a suit. Id. [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context="].

VIP-NC alleges WCBOE violated [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="]. In Count I, VIP-NC asserts that WCBOE has failed to make a reasonable effort to conduct voter list maintenance under [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="].[2]

In Count II, it asserts that WCBOE has failed to respond to VIP-NC's written requests for data and failed to provide records in accordance with [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="].

WCBOE initially argues that because the mandates of the NVRA are directed to states, it, as a local government unit, is not a proper party. WCBOE is correct that the particular subsections at issue are phrased in terms of state **[*5]** obligations. "[E]ach State" is required, "[i]n the administration of voter registration for elections for Federal office, . . . [to] conduct a general program that makes a reasonable

---

[2] VIP-NC also claims WCBOE violated a provision of the Help America Vote Act ("HAVA"), [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-FR61-NRF4-4003-00000-00&context="], which requires the appropriate state or local election official to perform regular voter list maintenance. (Compl., DE # 1, ¶ 30.) It recognizes that the HAVA does not provide a private right of action but contends that the provision is relevant to determining "whether the Defendant has a 'reasonable' program for voter list maintenance." (Resp. Opp'n WCBOE Mot. Dismiss, DE # 19, at 6 n.3.)

AMERICAN OVERSIGHT

effort to remove the names of ineligible voters from the official lists of eligible voters by reason of—(A) the death of the registrant; or (B) a change in the residence of the registrant . . . ."). [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="]. "Each State" must also "maintain for at least 2 years and shall make available for public inspection . . . all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters . . . ." Id. [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="]. However, the NVRA also contemplates local government involvement in carrying out the State's obligations. See [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F721-NRF4-4001-00000-00&context="] (finding "it is the duty of the Federal, State, and local governments to promote the exercise of that right" to vote), (b)(2) (recognizing one of the purposes of the NVRA is "to make it possible for Federal, State, and local governments to implement this chapter in a manner that enhances the participation of eligible citizens as voters in elections for Federal office").

In North Carolina, the State Board of Elections ("SBOE") **[*6]** is charged with adopting a program to comply with the NVRA's list maintenance requirement. See [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5N29-NRH0-004F-P0NG-00000-00&context="]. However, North Carolina law also designates local county boards of elections as the entities directly responsible for performing list maintenance in accordance with that program. See id. [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5N29-NRH0-004F-P0NG-00000-00&context="] ("Each county board of elections shall conduct systematic efforts to remove names from its list of registered voters in accordance with this section and with the program adopted by the State Board."). Pertinent here, each county board of elections is required to remove from its voter registration records any person who is listed as deceased on a monthly report from SBOE, id. [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5N29-NRH0-004F-P0NG-00000-00&context="]; to "conduct a systematic program to remove from its list of registered voters those who have moved out of the county, and to update the registration records of persons who have moved within the county, id. [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5N29-NRH0-004F-P0NG-00000-00&context="]; and to remove a person from its list who has moved after following statutorily mandated procedures, id. Based on WCBOE's explicit list maintenance obligations, the court concludes that WCBOE is a proper party. See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M1N-0M41-F04D-10NR-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M1N-0M41-F04D-10NR-00000-00&context="] (denying motion to dismiss [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="] claims against the defendant local election official **[*7]** where the plaintiffs had not sued the Secretary of State or the State of Florida and recognizing that because the local election official has obligations under the NVRA based on state law, the plaintiffs may bring an action against her for her alleged failure to meet those obligations); *Am. Civil Rights Union v. Martinez-Rivera, 166 F. Supp. 3d 779, 791-93 (W.D. Tex. 2015)* (rejecting the defendant county tax assessor-collector's argument for dismissal of [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-

AMERICAN OVERSIGHT

F731-NRF4-4007-00000-00&context="] claim because the plaintiff had not sued the Texas Secretary of State).

The decision of [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4TX8-M880-TXFX-81R4-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4TX8-M880-TXFX-81R4-00000-00&context="], on which WCBOE relies, does not support a different result. There, the plaintiffs sued Ohio's Secretary of State and the Director of Ohio's Department of Job and Family Services ("DJFS") for failure to comply with Section 7 of the NVRA.[3]

The Eighth Circuit considered "whether states should be held responsible for implementing the requirements of [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4006-00000-00&context="]." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4TX8-M880-TXFX-81R4-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4TX8-M880-TXFX-81R4-00000-00&context="]. The Secretary of State argued she should not be held responsible for any NVRA violations. Specifically, she claimed her only duty was to coordinate the state's responsibilities under the Act, "[a]nd, because Ohio chose to implement its requirements through the county departments and to make local officials responsible, those local officials, not the Secretary, are the proper parties to this lawsuit." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4TX8-M880-TXFX-81R4-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4TX8-M880-TXFX-81R4-00000-00&context="]. The court **[*8]** concluded that the state could not abdicate its responsibility under the NVRA through delegation to local officials and that the Secretary specifically was responsible for implementation and enforcement of [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4006-00000-00&context="]. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4TX8-M880-TXFX-81R4-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4TX8-M880-TXFX-81R4-00000-00&context="]. Accordingly, the court held the Secretary, as the designated chief election official, was *a* proper party. [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4TX8-M880-TXFX-81R4-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4TX8-M880-TXFX-81R4-00000-00&context="].

The Harkless court went on to consider whether the Director of DJFS, a state agency, could also be liable under the NVRA. A portion of its analysis bears repeating:

> Because Ohio law authorizes the statewide DJFS (and thus the Director) to ensure compliance with [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4006-00000-00&context="], the

---

[3] In the context of Harkless, [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4006-00000-00&context="] requires that "any time a person enters a DJFS office to receive food stamps, Medicaid assistance, welfare, or disability benefits assistance, that person should receive a voter registration form for federal elections and assistance in filling out the form." [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4TX8-M880-TXFX-81R4-00000-00&context=].

AMERICAN OVERSIGHT

> Director relies on the following curious proposition: because local authorities have the independent responsibility to comply with the NVRA, the Director should not be held accountable. True, the Ohio General Assembly has tasked the county offices with implementing the NVRA; but, as previously explained, the General Assembly also tasked the Director with the power to enforce any county transgressions of federal law. *This is not an either-or proposition*. The fact that some states, like Ohio, delegate the administration of public assistance programs to counties or municipalities should not mean that those states are free of **[*9]** all statutory obligations.

[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4TX8-M880-TXFX-81R4-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4TX8-M880-TXFX-81R4-00000-00&context="] (citations omitted) (emphasis added). The court held that the Director was also *a* proper party based on her responsibilities for meeting the requirements of the NVRA distinct from the Secretary of State's responsibilities. See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4TX8-M880-TXFX-81R4-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4TX8-M880-TXFX-81R4-00000-00&context="]. Contrary to WCBOE's suggestion, the court did not hold that the state (or a state official) is *the* (only) proper party in a NVRA action.

WCBOE next appears to argue that VIP-NC's letter to WCBOE dated 2 June 2016 did not comply with the notice provision of [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context="] before filing suit. By that letter, VIP-NC notified WCBOE that WCBOE was apparently in violation of [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="] by failing to conduct a reasonable effort to remove ineligible voters from its rolls and identified the basis for this belief: the "county has significantly more voters on the registration rolls than it has eligible living citizen voters." (Compl., Ex. A.) VIP-NC also requested that WCBOE make available for public inspection records under [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="]. The letter states, among other things, that it serves as the statutory notice required by [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context="] and that if the county did not fully comply with [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="], VIP-NC may file suit under the NVRA within 20 days after receipt. (Id.) The Executive Director of SBOE was **[*10]** copied on the letter.[4]

---

[4] When notice of the violation is required, the NVRA obligates the aggrieved party to provide the notice to the state chief election official. See [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context="], [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context="]. In North Carolina, the Executive Director of SBOE is designated as the chief election official for purposes of the NVRA. [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5N29-N8D0-004F-P4Y4-00000-00&context="]. Therefore, having provided the Executive Director with a copy of the 2 June 2016 letter, VIP-NC satisfied its obligation to provide written notice of the violation to the chief election official.

AMERICAN OVERSIGHT

In [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5GV5-Y071-F04K-V001-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5GV5-Y071-F04K-V001-00000-00&context="], the court summarized the notice requirements of [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context="] as follows.

> Whether the aggrieved person is required to give notice and how long the person must wait to file suit after giving notice depends on the timing of the next federal election. When the violation upon which a suit is based occurs a substantial time before the next federal election, the aggrieved person must notify the state of the alleged violation and must then wait 90 days before filing suit. [[HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context="]. However, "if the violation occurred within 120 days" of a federal election, the aggrieved person must wait only 20 days after notifying the state before bringing suit. *Id.* [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context="]. "If the violation occurred within 30 days" of a federal election, the aggrieved person does not need to give any notice before bringing suit. *Id.* [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context="].

Furthermore,

> A plaintiff can satisfy the NVRA's notice provision by plausibly alleging that a ongoing, systematic violation is occurring at the time the notice is sent or, if no notice is sent, when the complaint is filed within 30 days of a federal election. Neither the notice nor the complaint needs to specify that the violation has been actually observed, and that there is thus a "discrete **[*11]** violation," during the 120—day or 30—day period. It is enough that the notice letter and the complaint plausibly allege the existence of an ongoing violation within the appropriate time period, whether or not it was "discrete" during the period.

[HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5GV5-Y071-F04K-V001-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5GV5-Y071-F04K-V001-00000-00&context="] (citations omitted).

Here, WCBOE emphasizes that "plaintiff's lawsuit was initiated forty-six (46) days after the date of the letter" and "the letter was dated five (5) days before the June 7, 2016 North Carolina Congressional Primary." (Mem., DE # 15, at 9 (footnote omitted).) WCBOE then argues that "the 'violation' plaintiff alleges, even if . . . taken as true, occurred in 2014." (Id. at 10.) While not explicitly saying so, WCBOE's contention appears to be that because the alleged violation occurred more than 120 days before a federal election, VIP-NC was required to wait 90 days after WCBOE's receipt of the notice letter to file suit. VIP-NC has, however, alleged an ongoing violation of [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="] in that WCBOE is continuing to violate the NVRA's list maintenance requirements. (See Compl., DE # 1, ¶¶ 14, 15.) Because VIP-NC alleges an ongoing violation at the time of the notice letter, its filing of suit 46 days after the 2 June 2016 letter complied with the **[*12]** notice requirement of [HYPERLINK "https://advance.lexis.com/api/document?collection

AMERICAN OVERSIGHT

=statutes-legislation&id=urn:contentItem:5D3N-F741-NRF4-400B-00000-00&context="]. See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5GV5-Y071-F04K-V001-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5GV5-Y071-F04K-V001-00000-00&context="].

Finally, both WCBOE and defendant-intervenors contend that VIP-NC's allegations are insufficient to show a violation of the obligation to conduct a program that makes a reasonable effort at voter list maintenance.[5]

In support of this claim, VIP-NC alleges that "voter rolls maintained by [WCBOE] contain or have contained more registrants than eligible voting-age citizens." (Id. ¶ 9.) Further, it cites to 2014 data from the U.S. Election Assistance Commission and the U.S. Census Bureau. (Id. ¶¶ 10, 11.) Using that data, it alleges "the registration rate in Wake County has been 104.75 percent during the conduct of a federal election." (Id. ¶ 12.) It also cites to more recent data, as of 2 July 2016, from SBOE, (id. ¶ 13), and based on that data along with the 2014 census bureau data, alleges "the registration rate in Wake County remains in excess of 104 percent of eligible citizens residing in Wake County," (id. ¶ 14). Also, as an example of WCBOE's "failure to reasonably maintain the voter rolls," VIP-NC alleges WCBOE "undertakes absolutely no effort whatsoever to use data available from the Wake County Clerk of Superior Court obtained from jury excusal communication" **[*13]** to identify "residents who self-identify as non-citizens or non-residents" or to identify "potentially obsolete mailing addresses of registrants." (Id. ¶ 19.)

WCBOE characterizes VIP-NC's reliance on 2014 census bureau data of eligible voters (which is based on an average from 2010 to 2014) as a "threadbare basis" to support its allegation that the number of registered voters in Wake County remains in excess of 104 percent of eligible voters. (Mem., DE # 15, at 10.) Somewhat relatedly, defendant-intervenors argue VIP-NC's conclusion based on the cited data is "oversimplified" because it disregards the NVRA's requirement that, absent his/her written request, a registered voter cannot be removed from the official list of eligible voters on the ground of a changed residence without written notice and only after two federal general elections after the notice. (Mem., DE # 28, at 8.) See also [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="]. "Thus, [according to defendant-intervenors,] it is entirely plausible that the number of registrants would *exceed* the eligible voting age population in a jurisdiction with high voter participation and a relatively transient population." (Mem., DE # 28, at 9 (emphasis in original).)

The court notes that **[*14]** there is nothing inherently wrong with VIP-NC's reliance on census data to support its claim. See *Martinez-Rivera, 166 F. Supp. 3d at 791* (recognizing "that United States census data is reliable"); *id. at 805* (report and recommendation) (taking into consideration registration rate based on census data to determine whether the plaintiff stated a claim for failure to make a reasonable effort to conduct voter list maintenance under [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="]). While reliance on older data might arguably weaken an inference of wrongdoing, VIP-NC used the most recent census data available at the time of the filing

---

[5] Defendant-intervenors move only to dismiss Count I. Although WCBOE generally contends that VIP-NC's factual allegations fail to support a cause of action under the NVRA, (Mem., DE # 15, at 3), WCBOE make no specific arguments to support dismissal of Count II other than continuing its argument that VIP-NC has sued the wrong party, (id. at 8-9). For the reasons set forth above, the court disagrees and concludes WCBOE, to the extent it maintains records concerning implementation of its list maintenance activities (which incidentally it does not deny that it does), is required to make such records available for public inspection.

AMERICAN OVERSIGHT

of its complaint. See [HYPERLINK "https://www.census.gov/rdo/data/voting_age_population_by_citizenship_and_race_cvap.html"] (last visited 2/16/17) (2011-2015 data published 2/1/17). And, while defendant-intervenors have advanced a potentially reasonable explanation for the high registration rate, that being the two-election cycle waiting period to remove a registrant from the official voter list, the validity of that explanation is not appropriate for determination at this early stage of the litigation, where the court views the factual allegations and inferences drawn therefrom in favor of VIP-NC.

Both WCBOE and defendant-intervenors take issue with VIP-NC's supporting its claim with the allegation that WCBOE has failed to use data from jury excusal **[*15]** communication. The parties all appear to agree that the NVRA does not mandate that election officials use a particular tool to conduct a voter list maintenance program, rather the Act provides election officials with discretion in how to conduct that program. Thus, the fact that WCBOE does not use a "readily available tool," (Compl., DE # 1, ¶ 19), to remove ineligible voters does not mean in and of itself that WCBOE has failed to make a reasonable effort at voter list maintenance. However, it, along with other evidence, may be relevant to determine the reasonableness of WCBOE's efforts at voter list maintenance. As such, the court will consider the allegation along with VIP-NC's other allegations to determine whether it has stated a claim under the NVRA.

Defendant-intervenors argue that [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="]'s "safe harbor" provision defeats VIP-NC's claim under [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="]. Under the "safe harbor" provision,

> A State may meet the requirement of [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="] by establishing a program under which—
> (A) change-of-address information supplied by the Postal Service through its licensees is used to identify registrants whose addresses may have changed; and
> (B) if it appears from information provided by the Postal Service that—
>
> > (i) a registrant **[*16]** has moved to a different residence address in the same registrar's jurisdiction in which the registrant is currently registered, the registrar changes the registration records to show the new address and sends the registrant a notice of the change by forwardable mail and a postage prepaid pre-addressed return form by which the registrant may verify or correct the address information; or
> >
> > (ii) the registrant has moved to a different residence address not in the same registrar's jurisdiction, the registrar uses the notice procedure described in [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="] to confirm the change of address.

[HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="]. Defendant-intervenors direct the court to a voter registration guideline SBOE has adopted which implements a program whereby the SBOE compares quarterly the statewide voter registration database against the Postal Service's National Change of Address Program and makes available to

AMERICAN OVERSIGHT

the county boards of election a report showing voters with changes of address. (Mem., DE # 28, at 7 (citing 23:20 N.C. Reg. 2019-20 (Apr. 15, 2009)).) In accordance with the guideline, the county boards of election are required to check the report and follow certain procedures for any registered voter who is likely to have moved. 23:20 **[*17]** N.C. Reg. 2019-20 (Apr. 15, 2009).

Given the stage of this proceeding, the court has no information about WCBOE's compliance with those procedures. Whether WCBOE's compliance is sufficient to satisfy the "safe harbor" provision is best resolved after further development of the record. See [HYPERLINK https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M1N-0M41-F04D-10NR-00000-00&context=][HYPERLINK "https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M1N-0M41-F04D-10NR-00000-00&context="] (concluding that whether a letter attached to the amended complaint from the defendant local election official "establishes Defendant's full compliance with [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="] and defeats Plaintiff's claims is a fact-based argument more properly addressed at a later stage of the proceedings"). Therefore, at this time, the court is unwilling to find that the "safe harbor" provision applies to bar VIP-NC's claim.

Considering VIP-NC's allegation that the number of registered voters in Wake County has exceeded, and continues to exceed, the number of eligible voters, which allegation is in turn supported by reliable data and WBOE's failure to use available jury excuse information, a reasonable inference can be drawn that WCBOE is not making a reasonable effort to conduct a voter list maintenance program in accordance with the NVRA. See *Martinez-Rivera, 166 F. Supp. 3d at 793-94* (holding that allegations of voter rolls containing more registered voters than citizens **[*18]** eligible to vote—a 105% registration rate—gave rise to a strong inference of a violation of the NVRA and stated a plausible claim for relief). Accordingly, the court finds VIP-NC has stated a claim for violation of [HYPERLINK "https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5D3N-F731-NRF4-4007-00000-00&context="].

III. CONCLUSION

For the foregoing reasons, the motions to dismiss are DENIED.

This 21 February 2017.

/s/ W. Earl Britt

W. Earl Britt

Senior U.S. District Judge

End of Document

AMERICAN OVERSIGHT

Message

From: Christian Adams [a@electionlawcenter.com]
Sent: 9/7/2017 9:07:57 PM
To: 'Kossack, Andrew J. EOP/OVP' [Andrew.J.Kossack@ovp.eop.gov]; 'Kris Kobach' [redacted]
CC: 'Paoletta, Mark R. EOP/OVP' [Mark.R.Paoletta@ovp.eop.gov]; 'Morgan, Matthew E. EOP/OVP' [Matthew.E.Morgan@ovp.eop.gov]; 'Williams, Ronald E. EOP/OVP' [Ronald.E.Williams@ovp.eop.gov]
Subject: Adams materials for September 12 meeting in New Hampshire
Attachments: Garden State Gotcha_PILF.pdf; Am. Civ. Rights Union v. Martinez-Rivera_ 166 F. Supp. 3d 779.docx; Bellitto v. Snipes_ 221 F. Supp. 3d 1354.docx; Bellitto v. Snipes_ 2017 U.S. Dist. LEXIS 107355.docx; Voter Integrity Project NC_ Inc. v. Wake Cnty. Bd. of E.DOCX

Attached please find 5 documents I will refer to and seek to be added to the record next week.

The first 4 are court cases that ruled that having more registrants on the voter rolls creates a strong inference or an inference that federal law is being violated. It provides the legal framework for the material that Robert Popper is going to testify about. I litigated all of these cases and these rulings were the first cases interpreting provisions of the NVRA/Motor Voter in this regard.

The last document is a report which will be released next week called Garden State Gotcha. It documents hundreds of incidents of alien voter registration and how defects in existing federal law are putting these aliens at risk of deportation. The report will be released next week but I have no objection to it being posted or otherwise out there in the meantime. I will be asking the witnesses about their knowledge about the defects in existing law that are allowing aliens to get registered to vote so easily. At least 3 panelists have intimate familiarity with the problem.

Thank you.

J. Christian Adams

From: Kossack, Andrew J. EOP/OVP [mailto:Andrew.J.Kossack@ovp.eop.gov]
Sent: Friday, September 1, 2017 6:29 PM
To: 'Kris Kobach' [redacted] cwlawson@sos.in.gov; [redacted] Mark Rhodes <mrhodes@woodcountywv.com>; von Spakovsky, Hans <Hans.VonSpakovsky@heritage.org>; Christian Adams <adams@electionlawcenter.com>; Alan L. King [redacted] matthew.dunlap@maine.gov; King, Alan <kinga@jccal.org>; David Dunn [redacted]
Cc: Paoletta, Mark R. EOP/OVP <Mark.R.Paoletta@ovp.eop.gov>; Morgan, Matthew E. EOP/OVP <Matthew.E.Morgan@ovp.eop.gov>; Williams, Ronald E. EOP/OVP <Ronald.E.Williams@ovp.eop.gov>
Subject: Updates

Dear Members,

A couple quick updates. First, we anticipate sending you a proposed agenda this Tuesday. As I've discussed with each of you, we have a fairly full agenda with a number of distinguished panelists. There will be time for Q&A after each panel, as well as a discussion period towards the end of the meeting, but we do not anticipate allocating time for opening statements from each of the members so there's no need for you to prepare opening remarks.

By way of follow up to Vice Chair Kobach's letter, we would like to request that you **please make every effort to submit any written materials that you plan to share at the meeting by Thursday, September 7th by 6:00 p.m**. This will ensure that we can provide all of the materials, including the presenters materials, to you by Friday so that you can adequate time to review the material before our meeting. It will also help ensure that we are able to post everything on our webpage prior to our meeting so that the public is also able to review all material before the meeting This would include any presentations, reports, or similar written materials for the meeting. If you have any concerns with this timing, please call me any time to discuss further.

AMERICAN OVERSIGHT

If you have any other questions, please let me know. Hope you all have a great Labor Day weekend!

Thanks,
Andrew

Andrew J. Kossack
Executive Director, Presidential Advisory Commission on Election Integrity
Associate Counsel, Office of the Vice President
Cell: [redacted]
Email: Andrew.J.Kossack@ovp.eop.gov

AMERICAN OVERSIGHT