

Subject: RE: Public Records Request (TX-SOS-23-0753) - SOS PIR 23-0809
Date: Thursday, October 26, 2023 at 11:43:53 AM Eastern Daylight Time
From: GeneralCounsel
To: AO Records
CC: GeneralCounsel
Attachments: 10.26.23 Documents.zip, How to appeal the withholding of information under 552.024.pdf

EXTERNAL SENDER

Good morning,

As a follow up to our October 5 email, please find the attached zipped folder containing documents in response to your request for information under Chapter 552 of the Texas Government Code.

The responsive documents contain email addresses of the general public. An email address of a member of the public is confidential under section 552.137 of the Texas Government Code. The attorney general authorized all governmental bodies to withhold an email address of a member of the public without first requesting an attorney general opinion in Open Records Decision No. 684 (2009). Thus, this information has been redacted.

The information you requested contains the home address, home telephone number, emergency contact information, social security number, and/or family member information of a public employee or official. As allowed by section 552.024 of the Texas Government Code, this public employee or official has chosen to make this personal information confidential. Section 552.024 allows us to withhold this specific information without requesting a ruling from the attorney general. You have the right to appeal our decision to withhold this information from you. Instructions for appeal are also attached. If you do not want to appeal, you do not need to do anything else.

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on November 16, 2023. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Thursday, October 5, 2023 11:39 AM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Records Request (TX-SOS-23-0753) - SOS PIR 23-0809

Good morning,

Please see the attached letters, and zipped folder containing documents, in response to your request for information under Chapter 552 of the Texas Government Code.

The responsive documents contain email addresses of the general public. An email address of a member of the public is confidential under section 552.137 of the Texas Government Code. The attorney general authorized all governmental bodies to withhold an email address of a member of the public without first requesting an attorney general opinion in Open Records Decision No. 684 (2009). Thus, this information has been redacted.

As stated in the attached letter, we require more time to continue reviewing our records and produce additional responsive information. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on October 26, 2023. See Tex. Gov't Code § 552.221(d).

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Thursday, September 28, 2023 3:41 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Records Request (TX-SOS-23-0753) - SOS PIR 23-0809

Good afternoon,

Please see the attached letter, with enclosure, in response to your request for information under Chapter 552 of the Texas Government Code.

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Thursday, September 14, 2023 3:16 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Records Request (TX-SOS-23-0753) - SOS PIR 23-0809

Good afternoon,

Thank you for speaking with me today. This email acknowledges that I received your payment information today via phone and we will continue processing your request in accordance with Chapter 552 of the Texas Government Code.

Please find your “Packing Slip” receipt for the payment attached.

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: AO Records <records@americanoversight.org>
Sent: Wednesday, September 13, 2023 10:24 AM
To: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: Re: Public Records Request (TX-SOS-23-0753) - SOS PIR 23-0809

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to informationsecurity@sos.texas.gov.

Good morning,

We accept these charges. Please call us at 202-492-8276 to organize payment.

Thank you,
Dylan Winters
Paralegal | American Oversight
records@americanoversight.org |
www.americanoversight.org | @weareoversight

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Date: Tuesday, August 22, 2023 at 11:57 AM
To: AO Records <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Records Request (TX-SOS-23-0753) - SOS PIR 23-0809

EXTERNAL SENDER

Good morning,

Please see the attached letter, with enclosure, in response to your request for information under Chapter 552 of the Texas Government Code.

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: AO Records <records@americanoversight.org>
Sent: Tuesday, August 8, 2023 10:20 AM
To: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: Public Records Request (TX-SOS-23-0753)

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to informationsecurity@sos.texas.gov.

Dear Public Information Officer:

Please find attached a request for records under the Texas Public Information Act.

Sincerely,

--

Eva Mayanja | (she/her)
Paralegal | American Oversight
records@americanoversight.org | (202) 869-5246
www.americanoversight.org | @weareoversight

PRR: TX-SOS-23-0753

From: Jennifer Hall [REDACTED]
Sent: Thursday, March 16, 2023 3:34 PM
To: Christina Adkins
Subject: 171.025 (e) Hudspeth and Culberson

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Christina,

The section of code that has to do with the issue I mentioned is 171.025 (e)

Hoping to save you the time looking for it since I couldn't remember anything but tidbits.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Jennifer Hall [REDACTED]
Sent: Monday, June 12, 2023 4:01 PM
To: Christina Adkins
Cc: Hannah Weeks
Subject: Bexar County Election Discussion

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

The Bexar County Republican Party wants to do hand-counted paper ballots for the primary. I told them we would need to have a conference call with you to discuss the pros and cons. I told them I would advise against it. They have questions and seem to be attempting to approach it thoughtfully.

Do you have some time on either June 19, 20, or 21 to have a conference call with them and me? If you have time for a call, please include anyone from your office you feel is appropriate. They aren't ready to add Jacque Callanen yet. They are just in the discussion phase.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Jennifer Hall <[REDACTED]>
Sent: Thursday, February 23, 2023 4:10 PM
To: Christina Adkins
Subject: Candidate Application Signature 1.007

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

Thank you so much for calling and helping me walk through 1.007. I found what I was thinking of, but it is a little bit of a rabbit trail.

I completely agree this 1.007 is referring to "receiving" the application. In the highlighted section it does refer to the "authority". So I take that to mean there is a person (the county chair) that has the authority to "accept" the application. I believe where it says "having administrative responsibility under this code", refers to 172.029 (among other possible sections I'm not looking at)

Sec. 172.029. SUBMISSION AND COMPILATION OF INFORMATION PERTAINING TO CANDIDATES. (a) For each general primary election, the state chair and each county chair shall electronically submit the following information:

- (1) the name of each candidate who files an application for a place on the ballot with the chair, including an application for the office of a political party;
- (2) the name of each candidate whose application meets the requirements of Section 172.021 and is accepted by the chair, as the name is to appear on the ballot;
- (3) the candidate's address as shown on the application;
- (4) the date on which the candidate filed the application; and
- (5) any additional information required by the secretary of state.

I always tell the county chairs they are the only ones that can "accept" a filing. I make sure to explain "receiving" is different.

All that to say I would greatly appreciate a signature line for the county chair to "accept" the filing. There are some people in both parties that believe the current line that says "Signature of Chair or Designee" means someone else can "accept" the filing.

Until I talked to you the other day, I had no idea y'all viewed that line as "received". We have always looked at it as "accepted". That was a lightbulb moment for me!

Thank you again for your time!

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Rea Motiwala <Rea.Motiwala@house.texas.gov>
Sent: Monday, July 24, 2023 2:24 PM
To: Christina Adkins
Subject: Confirming Mailing List

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina!

I hope everything is going well! We submitted an updated mailing list request last Tuesday, so I wanted to reach out and follow-up to see if there is anything else you need on our end?

Thank you!

[Rea Motiwala](#)

Deputy Chief of Staff

Representative Jacey Jetton

From: Jennifer Hall [REDACTED] >
Sent: Thursday, July 13, 2023 9:20 AM
To: Christina Adkins
Subject: Deadline for Presiding Election Day Judges and Alt. Judges

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

I hope things are going well for you.

A few county chairs have called and said their counties are requiring their lists before July 31st. Do you have time for a call later this afternoon or possibly Monday?

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Jennifer Hall [REDACTED]
Sent: Wednesday, June 21, 2023 3:57 PM
To: Christina Adkins
Subject: Discussion with Bexar GOP

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

I set up a Zoom meeting for the discussion tomorrow because I couldn't think of an easier way to have us all on the call. If you prefer a different method, I'm happy to use whatever works.

Here's the Zoom information in case that works for everyone.

Time: Jun 22, 2023 10:30 AM Central Time (US and Canada)

Join Zoom Meeting

[https://us02web.zoom.us/j/\[REDACTED\]](https://us02web.zoom.us/j/[REDACTED])

Meeting ID: [REDACTED]

Passcode: [REDACTED]

One tap mobile

+13462487799, [REDACTED]

Dial by your location

• +1 346 248 7799

Meeting ID: [REDACTED]

Passcode: [REDACTED]

Best regards,

Jen Hall
Republican Party of Texas

Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: [REDACTED]
To: [Christina Adkins](#)
Cc: [Jason Kirksey](#); [Drew Tedford](#); [REDACTED]; Sonya.Aston@Senate.Texas.Gov
Subject: EMS Electronic Reports - 2015 EAC Voluntary Guidelines - Require Precinct Totals Including Subtotals from Each Tabulator
Date: Wednesday, May 24, 2023 6:31:10 PM

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Dear Christina,

Thank you for discussing if our voting system central accumulators can report results by precinct, location, and **location by precinct**. After reviewing the federal voting system [2015 EAC Voluntary Guidelines](#) (pp. 39-40), central accumulators shall produce EMS electronic reports that include precinct totals from each tabulator (DS200 at each location, etc.):

- Section 2.4.4.3.a.iii: "Summary ballot counts and vote totals by tabulator, precinct, and polling place. Precinct totals include subtotals from each tabulator used in the precinct."
- Section 2.4.4.3.c.i.: "The EMS shall produce a report for each precinct including, i. Each tabulator included in the precinct with its identifier."

Because Texas Election law (TEC 122.001(a)(3)) requires our compliance to these standards, it appears our central accumulators should already be capable of reporting **precinct totals by each tabulator used in the precinct** (i.e. DS200, etc. which is by location).

The Glossary contained in the [2015 EAC Voluntary Guidelines](#), is very clear regarding the definitions of precinct and tabulator. Can you please review and clarify if we can obtain these types of reports now?

Blessings,
Laura

Laura Pressley, Ph.D.
Founder, True Texas Elections, LLC
313-720-5471

"Occupy till I come" - *Luke 19:13*

"As for those who persist in sin...rebuke them" - *1Timothy 5:20*

"Be not afraid nor dismayed...for the battle is not yours, but God's." - *2Chron 2:15*

The content of this message is TRUE TEXAS ELECTIONS, LLC CONFIDENTIAL.
If you are not the intended recipient, please notify me, delete this email and do not use or distribute this email.

From: Jennifer Hall [REDACTED] >
Sent: Friday, April 21, 2023 12:09 PM
To: Christina Adkins
Cc: Elections Internet; Elizabeth Nelson; Elizabeth Nelson
Subject: Falls County Election Board & Election Commission

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Christina,

One of our County Chairs, Elizabeth Nelson, has been working with Falls County to make sure they have an Election Board and an Election Commission that is meeting when they need to for handling their respective duties.

This is short notice, but it sounds like creating these on the agenda for the commissioner's court meeting just happened. Their meeting is this Monday. Chairwoman Nelson would like to know if SOS could send a trainer to the meeting to answer questions if needed.

Chairwoman Nelson would reach out herself, but the storms last night knocked out their internet. Since her internet is out and in case you have someone that could help, her phone number is 254-495-0322

I have copied her in case her internet comes back on soon.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: [Jennifer Hall](#)
To: [Brenda Cruz](#); [Marco Orrantia](#)
Cc: [Kristi Hart](#); [Keith Ingram](#); [Chad Shoemake](#); [Christina Adkins](#)
Subject: Follow-up on Discussion Meeting
Date: Wednesday, January 18, 2023 8:37:17 AM

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

All,

Good morning. I first want to say how much I appreciate the time and effort everyone put into discussing possible areas we can agree.

After the opportunity to have a little more discussion around here, there is no interest in shortening the filing period. There may be some interest in amending the Texas Constitution to reach our goals, but I can't say everyone is on board just yet. I'm still trying to get a consensus on that.

We are good with "by party rule" in areas that are purely party function. If it is directly related to elections and the administration of the primary we are not. I am happy to discuss any of this further. Please feel free to call or email me.

My apologies for not email sooner. I came in contact with something and broke out in hives.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Christina Adkins <CAdkins@sos.texas.gov>
Sent: Friday, January 13, 2023 10:01 AM
To: 'Rose Clouston' <[REDACTED]>
Cc: Jennifer Hall <[REDACTED]>; Kristi Hart <KHart@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>; Brenda Cruz <[REDACTED]>; Marco Orrantia <[REDACTED]>; Lucy Trainor <[REDACTED]>; Chad Shoemake <[REDACTED]>
Subject: RE: Meeting in January re: Election Legislation

We will take a look. Looking forward to visiting with you all soon.

From: Rose Clouston <[REDACTED]>
Sent: Friday, January 13, 2023 9:59 AM
To: Christina Adkins <CAdkins@sos.texas.gov>
Cc: Jennifer Hall <[REDACTED]>; Kristi Hart <KHart@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>; Brenda Cruz <[REDACTED]>; Marco Orrantia <[REDACTED]>; Lucy Trainor <[REDACTED]>; Chad Shoemake <[REDACTED]>
Subject: Re: Meeting in January re: Election Legislation

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to informationsecurity@sos.texas.gov.

Good Morning,

We're looking forward to seeing you all at 11am. Our colleague Ryan Garcia will be joining us as well since he's managing some of our legislative work, so the TDP contingent will be: Breda Cruz, Marco Orrantia, Ryan Garcia, and Rose Clouston.

[Here is a document](#) with the legislative items we'd like to discuss, most of which we had an initial discussion with RPT in December. We're looking forward to hearing updated thoughts and considerations from RPT, as well as the SOS team's feedback and recommendations.

Thank you,
Rose

On Fri, Jan 6, 2023 at 12:21 PM Rose Clouston <[REDACTED]> wrote:

We're all good to be in person. Thanks for hosting!

On Thu, Jan 5, 2023 at 9:31 AM Christina Adkins <CAdkins@sos.texas.gov> wrote:

Wonderful. We are happy to host everyone in our office. If anyone wants to participate remotely, we can set something up with Microsoft teams or WebEx.

From: Jennifer Hall <[REDACTED]>
Sent: Thursday, January 5, 2023 9:12:37 AM
To: Rose Clouston <[REDACTED]>; Christina Adkins <CAdkins@sos.texas.gov>
Cc: Kristi Hart <KHart@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>; Brenda Cruz <[REDACTED]>; Marco Orrantia <[REDACTED]>; Lucy Trainor <[REDACTED]>; Chad Shoemake <[REDACTED]>
Subject: Re: Meeting in January re: Election Legislation

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Yes. We look forward to having the discussion.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Rose Clouston <[REDACTED]>
Sent: Thursday, January 5, 2023 9:07 AM
To: Christina Adkins <CAdkins@sos.texas.gov>
Cc: Jennifer Hall <[REDACTED]>; Kristi Hart <KHart@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>; Brenda Cruz <[REDACTED]>; Marco Orrantia <[REDACTED]>; Lucy Trainor <[REDACTED]>; Chad Shoemake <[REDACTED]>
Subject: Re: Meeting in January re: Election Legislation

Thanks, Christina! The Democratic Party team can do Friday, January 13th. We're pretty flexible on time, but to get the ball rolling I'd propose 11am. Would that work for you and your team, Jennifer?

On Wed, Jan 4, 2023 at 5:19 PM Christina Adkins <CAdkins@sos.texas.gov> wrote:

Would you all be available on Friday the 13th? We have a lot going on that week preparing for the legislative canvass . We can accommodate morning or afternoon.

Get [Outlook for iOS](#)

From: Jennifer Hall [REDACTED] >
Sent: Wednesday, January 4, 2023 4:29:17 PM
To: Rose Clouston [REDACTED] >; Kristi Hart <KHart@sos.texas.gov>; Christina Adkins <CAdkins@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>
Cc: Brenda Cruz [REDACTED] >; Marco Orrantia [REDACTED] >; Lucy Trainor [REDACTED] >; Chad Shoemake [REDACTED] >
Subject: Re: Meeting in January re: Election Legislation

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Good afternoon, I'll do the next bump on the conversation.

I have a meeting on January 11th at 11 a.m. I'm available on the 9th or 10th just about anytime, or on the 12th before lunch.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Rose Clouston [REDACTED]
Sent: Tuesday, January 3, 2023 11:47 AM
To: Kristi Hart <khart@sos.texas.gov>; Christina Adkins <CAdkins@sos.texas.gov>; Keith Ingram <kingram@sos.texas.gov>
Cc: Brenda Cruz [REDACTED] >; Marco Orrantia <[REDACTED]>; Jennifer Hall [REDACTED] >; Lucy Trainor [REDACTED] >; Chad Shoemake [REDACTED] >

Subject: Re: Meeting in January re: Election Legislation

Happy New Year! I hope everyone had a good holiday season and got some time off.

As folks are digging out of their inboxes, I just wanted to nudge this request for a meeting next week up to the top.

Hope to talk to everyone soon. Thank you!

On Mon, Dec 19, 2022 at 10:59 AM Rose Clouston <[REDACTED]> wrote:

Good Morning Keith, Christina and Kristi --

The Texas Democratic Party and Republican Party of Texas met last week to discuss primary election, party business and administrative items that might benefit from legislation this session and identified a number of areas of potential agreement and alignment. We would like to meet jointly with your team (or the right members of your team) to get your insights on these items.

Is there a good time for you to meet the week of January 9th, either in person or via Zoom?

To preview: the biggest one that we're interested in exploring is shaving off a week at the end of the candidate filing period and providing for the needed administrative time to complete the candidate proofing and ballot order entry.

On our end, Brenda Cruz, our Deputy Voter Protection Director, will join as well as Marco Orrantia, Party Business Advisor, and me. Brenda will be spearheading our election-related legislative work this year, as I'll be leaving the State Party in January.

Thank You & Happy Holidays!

Rose

--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



From: [Christina Adkins](#)
To: [ELEC Management](#)
Cc: [Adam Bitter](#); [Alicia Pierce](#)
Subject: FW: Update, 7/6: NASED Call Notes, Cait Conley to Join Next NASED Call 7/14 @ Noon ET, EAVS Survey Report Published, EAC Local Leadership Council Meeting 7/20-21, Meta Announces New Threads App, ACE Act Text, and More!
Date: Friday, July 7, 2023 3:46:31 PM
Attachments: [ACE Act Bill Text.pdf](#)
[ACE Act Bill Summary.pdf](#)
Importance: High

Hey folks – I get emails from NASED on a weekly basis. This one has some things that may be of interest to some of you all.

Thanks,

Christina

From: [REDACTED] >
Sent: Thursday, July 6, 2023 6:01 PM
To: [REDACTED]
Subject: Update, 7/6: NASED Call Notes, Cait Conley to Join Next NASED Call 7/14 @ Noon ET, EAVS Survey Report Published, EAC Local Leadership Council Meeting 7/20-21, Meta Announces New Threads App, ACE Act Text, and More!
Importance: High

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to informationsecurity@sos.texas.gov.

Good afternoon, all!

I hope everyone had a safe July 4th.

- NASED Call:
 - Attached please find the notes from Friday's conversation. Our next call will be **Friday, July 14 at noon ET** and we will be joined by [Cait Conley](#), Senior Advisor to CISA Director Jen Easterly, who is taking on an expanded role on election security as Kim Wyman departs for the private sector. Cait will join us for the first ~30 minutes to introduce herself to you and take questions. I believe she is also planning to attend the conference in Charleston later this month.
- EAC:
 - The EAC released the [2022 Election Administration and Voting Survey](#) (EAVS) on

Thursday.

- The EAC will hold a Local Leadership Council meeting in DC on Thursday July 20- 21. The meeting will not be livestreamed but it is [open to the public](#). The agenda is [available here](#).
 - As a reminder, the Local Leadership Council was established in June 2021 and is comprised of 100 local election officials who are appointed by each state's association of local election officials. The current list of membership designees is [available here](#).
- Meta:
 - Meta (Facebook's parent company) announced their new Twitter competitor app, [Threads](#), yesterday. Threads is currently only available if you have an Instagram account. If your Instagram account is verified, your Threads account will also be verified. If your office needs to get its Instagram account verified, and by extension a Threads account, please contact Eva Guidarini [REDACTED] and she can get that take care of for you.
 - If any of your offices are using Threads, I'd be interested in hearing about your experiences.
- Congress:
 - House Admin Majority staff shared the attached text of the American Confidence in Elections (ACE) Act and bill summary. I believe this will drop next week. If you have questions or feedback on the bill, please share them with Caleb Hays (Caleb.Hays@mail.house.gov).
 - On July 10 at 2:30pm ET, House Admin will hold a field hearing in Atlanta, GA, [The Path to Election Integrity Across America](#). The current witness list (subject to additions) is:
 - Hans von Spakovsky, Manager, The Heritage Foundation Election Law Reform Initiative and Senior Legal Fellow, Edwin Meese III Center for Legal and Judicial Studies
 - Dr. Kathleen Ruth, Vice Chair, Fulton County Elections Board
- Misc:
 - One of the US Supreme Court decisions that came down last week was [Counterman v. Colorado](#), a case I flagged for you a few months ago because, while it's not directly elections-related, many of you have run into the issue of whether threats you/your office report meet the definition of a "true threat." Counterman repeatedly contacted a musician via Facebook, and the musician reported him to law enforcement; Counterman was convicted of stalking. He appealed on the grounds that the threats were not "true threats." I won't pretend to be a lawyer, but [the Supreme Court found](#) that Counterman's First Amendment rights had been violated and said that a person sending threats must intend to do harm.
 - Reminder that now is a good time to look at your state statutes around the Electoral Count Act and make sure that they comply with [the Electoral Count Reform Act](#) in advance of the presidential election next year. Kansas and Indiana both made modifications, North Carolina has some in progress.

Tomorrow (July 7) is the last day [to register for the NASED conference](#) at the early bird rate!

That's all for today,

Amy

Amy Cohen
Executive Director
National Association of State Election Directors
Direct: 202-434-8972
Follow us on Twitter [@NASEDorg!](#)

The contents of this message, together with any attachments, are confidential and intended only for the use of the individual or entity to which they are addressed. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this message, or any attachment, is strictly prohibited. If you have received this message in error, please notify the original sender immediately by email and delete this message, along with any attachments, from your computer.

--

You received this message because you are subscribed to the Google Groups "All Communciations" group.

To unsubscribe from this group and stop receiving emails from it, send an email to allcomms+unsubscribe@nased.org.

[DISCUSSION DRAFT]

MAY 31, 2023

118TH CONGRESS
1ST SESSION**H. R.** _____

To promote election integrity, voter confidence, and faith in elections by removing Federal impediments to, providing State tools for, and establishing voluntary considerations to support effective State administration of Federal elections, improving election administration in the District of Columbia, improving the effectiveness of military voting programs, and protecting political speech, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. STEIL introduced the following bill; which was referred to the Committee on _____

A BILL

To promote election integrity, voter confidence, and faith in elections by removing Federal impediments to, providing State tools for, and establishing voluntary considerations to support effective State administration of Federal elections, improving election administration in the District of Columbia, improving the effectiveness of military voting programs, and protecting political speech, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “American Confidence
3 in Elections Act” or the “ACE Act”.

4 **SEC. 2. TABLE OF CONTENTS.**

5 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. General findings.

TITLE I—ELECTION ADMINISTRATION INTEGRITY

Subtitle A—Findings Relating to Election Administration

Sec. 101. Findings Relating to Election Administration.

Subtitle B—Voluntary Considerations for State Administration of Federal
Elections

- Sec. 111. Short title.
- Sec. 112. Findings.
- Sec. 113. Election integrity voluntary considerations.

Subtitle C—Requirements to Promote Integrity in Election Administration

- Sec. 121. Ensuring only eligible American citizens may participate in Federal elections.
- Sec. 122. State reporting requirements with respect to voter list maintenance.
- Sec. 123. Contents of State mail voter registration form.
- Sec. 124. Provision of photographic citizen voter identification tools for State use.
- Sec. 125. Mandatory provision of identification for certain voters not voting in person.
- Sec. 126. Confirming access for Congressional election observers.
- Sec. 127. Use of requirements payments for post-election audits.
- Sec. 128. Certain tax benefits and simplification with respect to election workers.
- Sec. 129. Voluntary guidelines with respect to nonvoting election technology.

“Subtitle E—Voluntary Guidelines for Use of Nonvoting Election Technology

- “Sec. 298. Adoption of voluntary guidelines by Commission.
- “Sec. 298A. Role of Standards Board and Local Leadership Council.
- “Sec. 298B. Use of payments to obtain or upgrade technology.
- “Sec. 298C. Nonvoting election technology defined.
- Sec. 130. Status reports by National Institute of Standards and Technology.
- Sec. 131. 501(c)(3) organizations prohibited from providing direct funding to election organizations.
- Sec. 132. Requirements with respect to election mail.

“CHAPTER 37—ELECTION AND POLITICAL MAIL

- “Sec. 3701. Prioritization of processing and delivery of election mail.

“Sec. 3702. Use of nonprofit permit for cooperative mailings.

“Sec. 3703. Marking or notice on election mail.

“Sec. 3704. Application to Uniformed and Overseas Citizens Absentee Voting Act.

Sec. 133. Clarification of right of State to appeal decisions through duly authorized representative.

Sec. 134. Federal agency involvement in voter registration activities.

Sec. 135. Prohibition on use of Federal funds for election administration in States that permit ballot harvesting.

Sec. 136. Clarification with respect to Federal election record-keeping requirement.

Sec. 137. Clarification of rules with respect to hiring of election workers.

Sec. 138. United States Postal Service coordination with States to ensure mailing addresses.

Sec. 139. State defined.

Subtitle D—District of Columbia Election Integrity and Voter Confidence

Sec. 141. Short title.

Sec. 142. Findings.

Sec. 143. Requirements for elections in District of Columbia.

“Subtitle C—Requirements for Elections in District of Columbia

“Sec. 321. Statement of Congressional authority; findings.

“Sec. 322. Requirements for photo identification.

“Sec. 323. Requirements for voter registration.

“Sec. 324. Ban on collection and transmission of ballots by certain third parties.

“Sec. 325. Timely processing and reporting of results.

“Sec. 326. Ban on noncitizen voting.

“Sec. 327. Requirements with respect to provisional ballots.

“Sec. 328. Mandatory post-election audits.

“Sec. 329. Public observation of election procedures.

“Sec. 330. Requirements for voting by mail-in ballot.

“Sec. 331. Requirements with respect to use of drop boxes.

“Sec. 332. Special rule with respect to application of requirements to Federal elections.

“Sec. 333. District of Columbia election defined.

Sec. 144. Effective date.

Subtitle E—Administration of the Election Assistance Commission

Sec. 151. Short title.

Sec. 152. Findings relating to the administration of the Election Assistance Commission.

Sec. 153. Requirements with respect to staff and funding of the Election Assistance Commission.

Sec. 154. General requirements for payments made by Election Assistance Commission.

“PART 7—GENERAL REQUIREMENTS FOR PAYMENTS

“Sec. 297. Prohibiting use of payments for get-out-the-vote-activity.

“Sec. 297A. Requiring communications funded by payments to include disclaimer.

4

Sec. 155. Executive Board of the Standards Board authority to enter into contracts.

Sec. 156. Election Assistance Commission primary role in election administration.

Subtitle F—Prohibition on Involvement in Elections by Foreign Nationals

Sec. 161. Prohibition on contributions and donations by foreign nationals in connection with ballot initiatives and referenda.

Subtitle G—Constitutional Experts Panel With Respect to Presidential Elections

Sec. 171. Short title.

Sec. 172. Establishment of panel of constitutional experts.

TITLE II—MILITARY VOTING ADMINISTRATION

Sec. 200. Short title.

Subtitle A—Findings Relating to Military Voting

Sec. 201. Findings relating to military voting.

Subtitle B—GAO Analysis on Military Voting Access

Sec. 211. GAO analysis and report on effectiveness of Federal government in meeting obligations to promote voting access for absent uniformed services voters.

Sec. 212. Studies on improving access to voter registration information and assistance for members of the Armed Forces.

TITLE III—PROTECTION OF POLITICAL SPEECH AND CAMPAIGN FINANCE REFORM

Subtitle A—Protecting Political Speech

Sec. 301. Findings.

Sec. 302. Repeal of limits on coordinated political party expenditures.

Sec. 303. Repeal of limit on aggregate contributions by individuals.

Sec. 304. Equalization of contribution limits to State and national political party committees.

Sec. 305. Expansion of permissible Federal election activity by State and local political parties.

Sec. 306. Participation in joint fundraising activities by multiple political committees.

Sec. 307. Protecting privacy of donors to tax-exempt organizations.

Sec. 308. Reporting requirements for tax-exempt organizations.

Sec. 309. Maintenance of standards for determining eligibility of section 501(c)(4) organizations.

Subtitle B—Prohibition on Use of Federal Funds for Congressional Campaigns

Sec. 311. Prohibiting use of Federal funds for payments in support of congressional campaigns.

Subtitle C—Registration and Reporting Requirements

- Sec. 321. Reporting requirements with respect to electioneering communications.
- Sec. 322. Increased qualifying threshold and establishing purpose for political committees.
- Sec. 323. Increased threshold with respect to independent expenditure reporting requirement.
- Sec. 324. Increased qualifying threshold with respect to candidates.
- Sec. 325. Repeal requirement of persons making independent expenditures to report identification of certain donors.

Subtitle D—Exclusion of Certain Amounts From Treatment as Contributions or Expenditures

- Sec. 331. Increased threshold for exemption of certain amounts as contributions.
- Sec. 332. Exemption of uncompensated internet communications from treatment as contribution or expenditure.
- Sec. 333. Media exemption.

Subtitle E—Prohibition on Issuance of Regulations on Political Contributions

- Sec. 341. Prohibition on issuance of regulations on Political Contributions.

Subtitle F—Miscellaneous Provisions

- Sec. 351. Permanent extension of fines for qualified disclosure requirement violations.
- Sec. 352. Political committee disbursement requirements.
- Sec. 353. Designation of individual authorized to make campaign committee disbursements in event of death of candidate.
- Sec. 354. Prohibition on contributions in name of another.
- Sec. 355. Unanimous consent of Commission members required for Commission to refuse to defend actions brought against Commission.
- Sec. 356. Federal Election Commission member pay.
- Sec. 357. Uniform statute of limitations for proceedings to enforce Federal Election Campaign Act of 1971.
- Sec. 358. Theft from political committee as a Federal crime.
- Sec. 359. Deadline for promulgation of proposed regulations.

TITLE IV—ELECTION SECURITY

Subtitle A—Promoting Election Security

- Sec. 401. Short title.
- Sec. 402. Reports to Congress on foreign threats to elections.
- Sec. 403. Rule of construction.

Subtitle B—Cybersecurity for Election Systems

- Sec. 411. Cybersecurity advisories relating to election systems.
- Sec. 412. Process to test for and monitor cybersecurity vulnerabilities in election equipment.
- Sec. 413. Duty of Secretary of Homeland Security to notify State and local officials of election cybersecurity incidents.

TITLE V—SENSE OF CONGRESS WITH RESPECT TO ROLE OF STATES IN CONGRESSIONAL REDISTRICTING

Sec. 501. Sense of Congress with respect to role of States in congressional re-districting.

TITLE VI—DISINFORMATION GOVERNANCE BOARD

Sec. 601. Termination of the Disinformation Governance Board.

Sec. 602. Prohibition on funding the activities of the Disinformation Governance Board.

TITLE VII—SEVERABILITY

Sec. 701. Severability.

1 **SEC. 3. GENERAL FINDINGS.**

2 Congress finds the following:

3 (1) According to Article 1, Section 4 of the
4 Constitution of the United States, the States have
5 the primary role in establishing “(t)he Times, Places
6 and Manners of holding Elections for Senators and
7 Representatives”, while Congress has a purely sec-
8 ondary role in this space and must restrain itself
9 from acting improperly and unconstitutionally.

10 (2) Federal election legislation should never be
11 the first step and must never impose burdensome,
12 unfunded Federal mandates on State and local elec-
13 tions officials. When Congress does speak, it must
14 devote its efforts only to resolving highly significant
15 and substantial deficiencies to ensure the integrity of
16 our elections. State legislatures are the primary
17 venues to establish rules for governing elections and
18 correct most issues.

1 (3) All eligible voters who wish to participate
2 must have the opportunity to vote, and all lawful
3 votes must be counted.

4 (4) States must balance appropriate election
5 administration structures and systems with acces-
6 sible access to the ballot box.

7 (5) Political speech is protected speech.

8 (6) The First Amendment protects the right of
9 all Americans to state their political views and do-
10 nate money to the candidates, causes, and organiza-
11 tions of their choice without fear of retribution.

12 (7) Redistricting decisions are best made at the
13 State level.

14 (8) States must maintain the flexibility to de-
15 termine the best redistricting processes for the par-
16 ticular needs of their citizens.

17 (9) Congress has independent authority under
18 the Fourteenth, Fifteenth, Nineteenth, Twenty-
19 Fourth, and Twenty-Sixth Amendments to ensure
20 elections are conducted without unlawful discrimina-
21 tion.

22 (10) The Voting Rights Act, which is not an-
23 chored in Article 1, Section 4 of the Constitution,
24 has seen much success since its first passage in

1 1965, and Congress should continue to exercise its
2 constitutional authority in this space as appropriate.

3 **TITLE I—ELECTION**
4 **ADMINISTRATION INTEGRITY**
5 **Subtitle A—Findings Relating to**
6 **Election Administration**

7 **SEC. 101. FINDINGS RELATING TO ELECTION ADMINISTRA-**
8 **TION.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that constitutional scholar Robert Natelson has done
11 invaluable work with respect to the history and under-
12 standing of the Elections Clause.

13 (b) FINDINGS.—Congress finds the following:

14 (1) The Constitution reserves to the States the
15 primary authority to set election legislation and ad-
16 minister elections—the “times, places, and manner
17 of holding of elections”—and Congress’ power in
18 this space is purely secondary to the States’ power
19 and is to be employed only in the direst of cir-
20 cumstances. History, precedent, the Framers’ words,
21 debates concerning ratification, the Supreme Court,
22 and the Constitution itself make it exceedingly clear
23 that Congress’ power over elections is not unfet-
24 tered.

1 (2) The Framing Generation grappled with the
2 failure of the Articles of Confederation, which pro-
3 vided for only a weak national government incapable
4 of preserving the Union. Under the Articles, the
5 States had exclusive authority over Federal elections
6 held within their territory; but, given the difficulties
7 the national government had experienced with State
8 cooperation (e.g., the failure of Rhode Island to send
9 delegates to the Confederation Congress), the Fed-
10 eralists, including Alexander Hamilton, were con-
11 cerned with the possibility that the States, in an ef-
12 fort to destroy the Federal government, simply
13 might not hold elections or that an emergency, such
14 as an invasion or insurrection, might prevent the op-
15 eration of a State’s government, leaving the Con-
16 gress without Members and the Federal government
17 unable to respond.

18 (3) Quite plainly, Alexander Hamilton, a lead-
19 ing Federalist and proponent of our Constitution,
20 understood the Elections Clause as serving only as
21 a sort of emergency fail-safe, not as a cudgel used
22 to nationalize our elections process. Writing as
23 Publius to the people of New York, Hamilton fur-
24 ther expounds on the correct understanding of the
25 Elections Clause: “T[he] natural order of the subject

1 leads us to consider, in this place, that provision of
2 the Constitution which authorizes the national legis-
3 lature to regulate, in the last resort, the election of
4 its own members.”. Alexander Hamilton (writing as
5 Publius), *Federalist* no. 59, *Concerning the Power of*
6 *Congress to Regulate the Election of Members*, N.Y.
7 PACKET (Fri., Feb. 22, 1788).

8 (4) When questioned at the States’ constitu-
9 tional ratifying conventions with respect to this pro-
10 vision, the Federalists confirmed this understanding
11 of a constitutionally limited, secondary congressional
12 power under Article 1, Section 4. (“[C]onvention
13 delegate James McHenry added that the risk to the
14 federal government [without a fail-safe provision]
15 might not arise from state malice: An insurrection
16 or rebellion might prevent a state legislature from
17 administering an election.”); (“An occasion may
18 arise when the exercise of this ultimate power of
19 Congress may be necessary . . . if a state should be
20 involved in war, and its legislature could not assem-
21 ble, (as was the case of South Carolina and occa-
22 sionally of some other states, during the [Revolu-
23 tionary] war).”); (“Sir, let it be remembered that
24 this power can only operate in a case of necessity,
25 after the factious or listless disposition of a par-

1 ticular state has rendered an interference essential
2 to the salvation of the general government.”). See
3 Robert G. Natelson, *The Original Scope of the Con-*
4 *gressional Power to Regulate Elections*, 13 U. PA. J.
5 CONST. L. 1, 12–13 (Nov. 2010).

6 (5) John Jay made similar claims in New York.
7 And, as constitutional scholar Robert Natelson notes
8 in his invaluable article, *The Original Scope of the*
9 *Congressional Power to Regulate Elections*, “Alex-
10 ander Contee Hanson, a member of Congress whose
11 pamphlet supporting the Constitution proved pop-
12 ular, stated flatly that Congress would exercise its
13 times, places, and manner authority only in cases of
14 invasion, legislative neglect or obstinate refusal to
15 pass election laws [providing for the election of
16 Members of Congress], or if a state crafted its elec-
17 tion laws with a ‘sinister purpose’ or to injure the
18 general government.” Cementing his point, Hanson
19 goes further to decree, “The exercise of this power
20 must at all times be so very invidious, that congress
21 will not venture upon it without some very cogent
22 and substantial reason.”. Alexander Contee Hanson
23 (writing as Astrides), *Remarks on the Proposed Plan:*
24 *31 January*, reprinted in John P. Kaminski,
25 Gaspare J. Saladino, and Richard Leffler (eds.), 3

1 *Commentaries on the Constitution, public and private*
2 *18 December 1787 to 31 January 1788* 522–26
3 (1984).

4 (6) In fact, had the alternate view of the Elec-
5 tions Clause been accepted at the time of the Con-
6 stitution’s drafting—that is, that it offers Congress
7 unfettered power over Federal elections— it is likely
8 that the Constitution would not have been ratified or
9 that an amendment to this language would have
10 been required.

11 (7) Indeed, at least seven of the original 13
12 States—over half and enough to prevent the Con-
13 stitution from being ratified—expressed specific con-
14 cerns with the language of the Elections Clause. *See*
15 1 Annals of Cong. 799 (1789), Joseph Gales (ed.)
16 (1834). However, “[l]eading Federalists...” assured
17 them “...that, even without amendment, the [Elec-
18 tions] Clause should be construed as limited to
19 emergencies”. Three States, New York, North Caro-
20 lina, and Rhode Island, specifically made their ratifi-
21 cation contingent on this understanding being made
22 express. *Ratification of the Constitution by the State*
23 *of New York* (July 26, 1788) (“Under these impres-
24 sions and declaring that the rights aforesaid cannot
25 be abridged or violated, and the Explanations afore-

1 said are consistent with the said Constitution, And
2 in confidence that the Amendments which have been
3 proposed to the said Constitution will receive early
4 and mature Consideration: We the said Delegates, in
5 the Name and in [sic] the behalf of the People of
6 the State of New York Do by these presents Assent
7 to and Ratify the said Constitution. In full Con-
8 fidence . . . that the Congress will not make or alter
9 any Regulation in this State respecting the times
10 places and manner of holding Elections for Senators
11 or Representatives unless the Legislature of this
12 State shall neglect or refuse to make laws or regula-
13 tions for the purpose, or from any circumstance be
14 incapable of making the same, and that in those
15 cases such power will only be exercised until the
16 Legislature of this State shall make provision in the
17 Premises”); *Ratification of the Constitution by the*
18 *State of North Carolina* (Nov. 21, 1789) (“That
19 Congress shall not alter, modify, or interfere in the
20 times, places, or manner of holding elections for sen-
21 ators and representatives, or either of them, except
22 when the legislature of any state shall neglect, refuse
23 or be disabled by invasion or rebellion, to prescribe
24 the same.”); *Ratification of the Constitution by the*
25 *State of Rhode Island* (May 29, 1790) (“Under these

1 impressions, and declaring, that the rights aforesaid
2 cannot be abridged or violated, and that the expla-
3 nations aforesaid, are consistent with the said con-
4 stitution, and in confidence that the amendments
5 hereafter mentioned, will receive an early and ma-
6 ture consideration, and conformably to the fifth arti-
7 cle of said constitution, speedily become a part
8 thereof; We the said delegates, in the name, and in
9 [sic] the behalf of the People, of the State of Rhode-
10 Island and Providence-Plantations, do by these Pre-
11 sents, assent to, and ratify the said Constitution. In
12 full confidence . . . That the Congress will not make
13 or alter any regulation in this State, respecting the
14 times, places and manner of holding elections for
15 senators and representatives, unless the legislature
16 of this state shall neglect, or refuse to make laws or
17 regulations for the purpose, or from any cir-
18 cumstance be incapable of making the same; and
19 that [i]n those cases, such power will only be exer-
20 cised, until the legislature of this State shall make
21 provision in the Premises[.]”).

22 (8) Congress finds that the Framers designed
23 and the ratifying States understood the Elections
24 Clause to serve solely as a protective backstop to en-
25 sure the preservation of the Federal Government,

1 not as a font of limitless power for Congress to
2 wrest control of Federal elections from the States.

3 (9) This understanding was also reinforced by
4 debate during the first Congress that convened
5 under the Constitution where Representative
6 Aedanus Burke proposed a constitutional amend-
7 ment to limit the Times, Places and Manner Clause
8 to emergencies. Although the amendment failed,
9 those on both sides of the Burke amendment debate
10 already understood the Elections Clause to limit
11 Federal elections power to emergencies.

12 (10) History clearly shows that even in the first
13 Congress that convened under the Constitution, it
14 was acknowledged and understood through the de-
15 bates that ensued over the Elections Clause provi-
16 sion that Congress' control over elections is limited.

17 (11) Similarly, proponent Representative Smith
18 of South Carolina also believed the original text of
19 the Elections Clause already limited the Federal
20 Government's power over Federal elections to emer-
21 gencies and so thought there would be no harm in
22 supporting an amendment to make that language ex-
23 press. Annals of Congress 801 (1789) Joseph Gales
24 Edition. *A Century of Lawmaking for a New Nation:*
25 *U.S. Congressional Documents and Debates, 1774 -*

1 1875 (*loc.gov*). So, even the records of the First Con-
2 gress reflect a recognition of the emergency nature
3 of congressional power over Federal elections.

4 (12) Similarly, the Supreme Court has sup-
5 ported this understanding. In *Smiley v. Holm*, the
6 Court held that Article 1, Section 4 of the Constitu-
7 tion reserved to the States the primary “...authority
8 to provide a complete code for congressional elec-
9 tions, not only as to times and places, but in relation
10 to notices, registration, supervision of voting, protec-
11 tion of voters, prevention of fraud and corrupt prac-
12 tices, counting of votes, duties of inspectors and can-
13 vassers, and making and publication of election re-
14 turns; in short, to enact the numerous requirements
15 as to procedure and safeguards which experience
16 shows are necessary in order to enforce the funda-
17 mental right involved. And these requirements would
18 be nugatory if they did not have appropriate sanc-
19 tions in the definition of offenses and punishments.
20 All this is comprised in the subject of ‘times, places
21 and manner of holding elections’, and involves law-
22 making in its essential features and most important
23 aspect.”. *Smiley v. Holm*, 285 U.S. 355, 366
24 (1932).

1 (13) This holding is consistent with the under-
2 standing of the Elections Clause since the framing
3 of the Constitution. The *Smiley* Court also held that
4 while Congress maintains the authority to
5 “...supplement these state regulations or [to] sub-
6 stitute its own[]”, such authority remains merely “a
7 general supervisory power over the whole subject.”.
8 *Id.*

9 (14) More recently, the Court noted in *Arizona*
10 *v. Inter-Tribal Council of Ariz., Inc.* that “[t]his
11 grant of congressional power [that is, the fail-safe
12 provision in the Elections Clause] was the Framers’
13 insurance against the possibility that a State would
14 refuse to provide for the election of representatives
15 to the Federal Congress.”. *Arizona v. Inter-Tribal*
16 *Council of Arizona, Inc.*, 570 U.S. 1, 7–9 (2013).
17 The Court explained that the Elections Clause
18 “...imposes [upon the States] the duty...to prescribe
19 the time, place, and manner of electing Representa-
20 tives and Senators[.]”. *Id.* at 8. And, while, as the
21 Court noted, “[t]he power of Congress over the
22 ‘Times, Places, and Manner’ of congressional elec-
23 tions is paramount, and may be exercised at any
24 time, and to any extent which it deems expedient;
25 and so far as it is exercised, and no farther, the reg-

1 ulations effected supersede those of the State which
2 are inconsistent therewith[.]”, *id.* at 9, the *Inter-*
3 *Tribal* Court explained, quoting extensively from the
4 *Federalist* no. 59, that it was clear that the congress-
5 sional fail-safe included in the Elections Clause was
6 intended for the sorts of governmental self-preserva-
7 tion discussed here: “[E]very government ought to
8 contain in itself the means of its own
9 preservation[.]”; “[A]n exclusive power of regulating
10 elections for the national government, in the hands
11 of the State legislatures, would leave the existence of
12 the Union entirely at their mercy. They could at any
13 moment annihilate it by neglecting to provide for the
14 choice of persons to administer its affairs.”. *Id.* at
15 8.

16 (15) It is clear in every respect that the con-
17 gressional fail-safe described in the Elections Clause
18 vests purely secondary authority over Federal elec-
19 tions in the Federal legislative branch and that the
20 primary authority rests with the States. Congres-
21 sional authority is intended to be, and as a matter
22 of constitutional fact is, limited to addressing the
23 worst imaginable issues, such as invasion or other
24 matters that might lead to a State not electing rep-
25 resentatives to constitute the two Houses of Con-

1 gress. Congress’ authority has never extended to the
2 day-to-day authority over the “Times, Places and
3 Manner of Election” that the Constitution clearly re-
4 serves to the States.

5 (16) Congress must act within the bounds of its
6 constitutional authority when enacting legislation
7 concerning the administration of our nation’s elec-
8 tions.

9 **Subtitle B—Voluntary Consider-**
10 **ations for State Administration**
11 **of Federal Elections**

12 **SEC. 111. SHORT TITLE.**

13 This subtitle may be cited as the “Voluntarily Offered
14 Tools for Election Reforms by States Act” or the “VOT-
15 ERS Act”.

16 **SEC. 112. FINDINGS.**

17 Congress finds the following:

18 (1) *[to be provided]*

19 **SEC. 113. ELECTION INTEGRITY VOLUNTARY CONSIDER-**
20 **ATIONS.**

21 (a) **IN GENERAL.**—Subtitle C of title II of the Help
22 America Vote Act of 2002 (52 U.S.C. 20981 et seq.) is
23 amended—

24 (1) by redesignating section 247 as section 248;
25 and

1 (2) by inserting after section 246 the following
2 new section:

3 **“SEC. 247. RELEASE OF VOLUNTARY CONSIDERATIONS BY**
4 **STANDARDS BOARD WITH RESPECT TO ELEC-**
5 **TION ADMINISTRATION.**

6 “(a) IN GENERAL.—The Standards Board shall draw
7 from experiences in their home jurisdictions and informa-
8 tion voluntarily provided by and between States on what
9 has worked and not worked and release voluntary consid-
10 erations with respect to the administration of an election
11 for Federal office.

12 “(b) MATTERS TO CONSIDER.—In releasing the vol-
13 untary considerations under subsection (a), the Standards
14 Board shall examine and consolidate information provided
15 by States and release considerations with respect to each
16 of the following categories:

17 “(1) The process for the administration of bal-
18 lots delivered by mail, including—

19 “(A) deadlines for the return and receipt
20 of such ballots to the appropriate election offi-
21 cial;

22 “(B) the design of such ballots, including
23 the envelopes used to deliver the ballots;

24 “(C) the process for requesting and track-
25 ing the return of such ballots; and

1 “(D) the processing of such ballots upon
2 receipt by the appropriate election official, in-
3 cluding the schedule for counting the ballots
4 and the reporting of the unofficial results of
5 such counting.

6 “(2) The signature verification procedures used
7 to verify the identity of voters in an election, which
8 shall include an evaluation of human and machine
9 methods of signature verification, an assessment of
10 the training provided to individuals tasked to carry
11 out such verification procedures, and the proposal of
12 other less subjective methods of confirming the iden-
13 tity of a voter such as requiring the identification
14 number of a valid government-issued photo identi-
15 fication or the last four digits of the voter’s social
16 security number to be provided along with the vot-
17 er’s signature.

18 “(3) The processes used to carry out mainte-
19 nance of the official list of persons registered to vote
20 in each State.

21 “(4) Rules and requirements with respect to the
22 access provided to election observers.

23 “(5) The processes used to ensure the timely
24 and accurate reporting of the unofficial results of
25 ballot counting in each polling place in a State and

1 the reporting of the unofficial results of such count-
2 ing.

3 “(6) The methods used to recruit poll workers
4 and designate the location of polling places during a
5 pandemic, natural disaster, or other emergency.

6 “(7) The education of the public with respect to
7 the certification and testing of voting machines prior
8 to the use of such machines in an election for Fed-
9 eral office, including education with respect to how
10 such machines are tested for accuracy and logic.

11 “(8) The processes and procedures used to
12 carry out a post-election audit.

13 “(9) The processes and procedures used to en-
14 sure a secure chain of custody with respect to ballots
15 and election equipment.

16 “(c) RELEASE OF VOLUNTARY CONSIDERATIONS.—

17 “(1) DEADLINE FOR RELEASE.—**[***New (conform*
18 *that this is correct):***]** Not later than 6 months after
19 the date of the enactment of the ACE Act, the
20 Standards Board shall release voluntary consider-
21 ations with respect to each of the categories de-
22 scribed in subsection (b).

23 “(2) TRANSMISSION AND NOTIFICATION RE-
24 QUIREMENTS.—Not later than 15 days after the
25 date the Standards Board releases voluntary consid-

1 erations with respect to a category described in sub-
2 section (b), the Commission shall—

3 “(A) transmit the considerations to the
4 chief State election official of each State and
5 the elected leadership of the legislature of each
6 State, including the elected leadership of any
7 committee of the legislature of a State with ju-
8 risdiction with respect to elections;

9 “(B) make the considerations available on
10 a publicly accessible Government website; and

11 “(C) notify and transmit the consider-
12 ations to the chair and ranking minority mem-
13 ber of the Committee on House Administration
14 of the House of Representatives and the chair
15 and ranking minority member of the Committee
16 on Rules and Administration of the Senate.

17 “(d) USE OF REQUIREMENTS PAYMENTS FOR IMPLE-
18 MENTATION OF VOLUNTARY CONSIDERATIONS.—A State
19 may use a requirements payment provided under this Act
20 to implement any of the voluntary considerations released
21 under subsection (a).

22 “(e) RULE OF CONSTRUCTION.—Nothing in this sec-
23 tion may be construed—

24 “(1) to require compliance with the voluntary
25 considerations released under subsection (a), includ-

1 ing as a condition of the receipt of Federal funds;
2 or

3 “(2) **[New:]** to treat the lack of compliance
4 with such considerations as a violation of the Voting
5 Rights Act of 1965 or to treat compliance with such
6 considerations as a defense against an alleged viola-
7 tion of such Act.”.

8 (b) CLERICAL AMENDMENT.—The table of contents
9 of such Act is amended—

10 (1) by redesignating the item relating to section
11 247 as relating to section 248; and

12 (2) by inserting after the item relating to sec-
13 tion 246 the following new item:

“Sec. 247. Release of voluntary considerations by Standards Board with respect
to election administration.”.

14 **Subtitle C—Requirements to Pro-**
15 **mote Integrity in Election Ad-**
16 **ministration**

17 **SEC. 121. ENSURING ONLY ELIGIBLE AMERICAN CITIZENS**
18 **MAY PARTICIPATE IN FEDERAL ELECTIONS.**

19 (a) SHORT TITLE.—This section may be cited as the
20 “Non-Citizens: Outlawed from Voting in Our Trusted
21 Elections Act of 2022” or the “NO VOTE for Non-Citi-
22 zens Act of 2022”.

23 (b) FINDINGS; SENSE OF CONGRESS.—

24 (1) FINDINGS.—Congress finds the following:

1 (A) Every eligible person who wishes to
2 cast a ballot in a Federal election must be per-
3 mitted to do so according to law, and their bal-
4 lot must be examined according to law, and, if
5 it meets all lawful requirements, counted.

6 (B) Congress has long required States to
7 maintain Federal voter registration lists in a
8 manner that promotes voter confidence.

9 (C) The changes included herein are not
10 intended to be an expansion of Federal power
11 but rather a clarification of State authority.

12 (D) The Fifteenth Amendment, the Nine-
13 teenth Amendment, the Twenty-Fourth Amend-
14 ment, and the Twenty-Sixth Amendment,
15 among other references, make clear that the
16 Constitution prohibits voting by non-citizens in
17 Federal elections.

18 (E) Congress has the constitutional au-
19 thority, including under the aforementioned
20 amendments, to pass statutes preventing non-
21 citizens from voting in Federal elections, and
22 did so with the Illegal Immigration Reform and
23 Immigrant Responsibility Act of 1996.

24 (F) Congress may further exercise its con-
25 stitutional authority to ensure the Constitu-

1 tion’s prohibition on non-citizen voting in Fed-
2 eral elections is upheld.

3 (G) Since the Constitution prohibits non-
4 citizens from voting in Federal elections, such
5 ineligible persons must not be permitted to be
6 placed on Federal voter registration lists.

7 (H) Improper placement of an ineligible
8 non-citizen on a Federal voter registration list
9 leads to—

10 (i) confusion on the part of the ineli-
11 gible person with respect to their ineligi-
12 bility to cast a ballot; and

13 (ii) an increased likelihood that
14 human error will permit ineligible persons
15 to cast ballots in Federal elections.

16 (I) State officials have confirmed that
17 poorly maintained voter registration lists lead to
18 ineligible persons casting ballots in Federal
19 elections.

20 (J) A former Broward County, Florida,
21 elections supervisor has confirmed that ineli-
22 gible non-voters were able to cast ballots in pre-
23 vious elections and that she was not able to lo-
24 cate as many as 2,040 ballots during the 2018
25 midterm recount.

1 (K) This clarification of State authority to
2 maintain Federal voter registration lists to en-
3 sure non-citizens are not included on such lists
4 will promote voter confidence in election proc-
5 esses and outcomes.

6 (L) Congress has the authority to ensure
7 that no Federal elections funding is used to
8 support States that permit non-citizens to cast
9 ballots in any election.

10 (M) Federal courts and executive agencies
11 have much of the information States may need
12 to maintain their Federal voter registration
13 lists, and those entities should make that infor-
14 mation accessible to State election authorities.

15 (N) It is important to clarify the penalty
16 for any violation of law that allows a non-citizen
17 to cast a ballot in a Federal election.

18 (O) To protect the confidence of voters in
19 Federal elections, it is important to implement
20 the policy described herein.

21 (2) SENSE OF CONGRESS.—It is the sense of
22 Congress that—

23 (A) many States have not adequately met
24 the requirements concerning the removal of in-
25 eligible persons from State voter registration

1 rolls pursuant to section 8 of the National
2 Voter Registration Act of 1993 (52 U.S.C.
3 20507) and should strive to audit and update
4 their voter registration rolls on a routine basis;

5 (B) allowing non-citizens to cast ballots in
6 American elections weakens our electoral sys-
7 tem and the value of citizenship and sows dis-
8 trust in our elections system;

9 (C) even if a State has the sovereign au-
10 thority, no State should permit non-citizens to
11 cast ballots in State or local elections;

12 (D) States should use all information
13 available to them to maintain Federal voter reg-
14 istration lists and should inform Congress if
15 such data is insufficient; and

16 (E) Congress may take further action in
17 the future to address this problem.

18 (c) CLARIFYING AUTHORITY OF STATES TO REMOVE
19 NONCITIZENS FROM VOTING ROLLS.—

20 (1) AUTHORITY UNDER REGULAR REMOVAL
21 PROGRAMS.—Section 8(a)(4) of the National Voter
22 Registration Act of 1993 (52 U.S.C. 20507(a)(4)) is
23 amended—

24 (A) by striking “or” at the end of subpara-
25 graph (A);

1 (B) by redesignating subparagraph (B) as
2 subparagraph (C); and

3 (C) by inserting after subparagraph (A)
4 the following new subparagraph:

5 “(B) the registrant’s status as a noncitizen
6 of the United States; or”.

7 (2) CONFORMING AMENDMENT RELATING TO
8 ONGOING REMOVAL.—Section 8(c)(2)(B)(i) of such
9 Act (52 U.S.C. 20507(c)(2)(B)(i)) is amended by
10 striking “(4)(A)” and inserting “(4)(A) or (B)”.

11 (d) REQUIREMENT TO MAINTAIN SEPARATE STATE
12 VOTER REGISTRATION LIST FOR NONCITIZENS.—Section
13 8(a) of the National Voter Registration Act of 1993 (52
14 U.S.C. 20507(a)) is amended—

15 (1) in paragraph (5)(B), by striking “and” at
16 the end;

17 (2) in paragraph (6), by striking the period at
18 the end and inserting “; and”; and

19 (3) by adding at the end the following new
20 paragraph:

21 “(7) in the case of a State that allows individ-
22 uals who are not citizens of the United States to
23 vote in elections for public office in the State or any
24 local jurisdiction of the State, ensure that the name
25 of any registrant who is not a citizen of the United

1 States is maintained on a voter registration list that
2 is separate from the official list of eligible voters
3 with respect to registrants who are citizens of the
4 United States.”.

5 (e) REQUIREMENTS FOR BALLOTS FOR STATE OR
6 LOCAL JURISDICTIONS THAT ALLOW NONCITIZEN VOT-
7 ING.—Section 301(a)(1) of the Help America Vote Act of
8 2002 (52 U.S.C. 21081(a)(1)) is amended by adding at
9 the end the following new subparagraph:

10 “(D) In the case of a State or local jurisdic-
11 tion that allows individuals who are not citi-
12 zens of the United States to vote in elections
13 for public office in the State or local jurisdic-
14 tion, the ballot used for the casting of votes by
15 a noncitizen in such State or local jurisdiction
16 may only include the candidates for the elec-
17 tions for public office in the State or local jurisdic-
18 tion for which the noncitizen is permitted to
19 vote.”.

20 (f) REDUCTION IN PAYMENTS FOR ELECTION AD-
21 MINISTRATION TO STATES OR LOCAL JURISDICTIONS
22 THAT ALLOW NONCITIZEN VOTING.—

23 (1) IN GENERAL.—Title IX of the Help Amer-
24 ica Vote Act of 2002 (52 U.S.C. 21141 et seq.) is

1 amended by adding at the end the following new sec-
2 tion:

3 **“SEC. 907. REDUCTION IN PAYMENTS TO STATES OR LOCAL**
4 **JURISDICTIONS THAT ALLOW NONCITIZEN**
5 **VOTING.**

6 “(a) IN GENERAL.—Notwithstanding any other pro-
7 vision of this Act, the amount of a payment under this
8 Act to any State or local jurisdiction that allows individ-
9 uals who are not citizens of the United States to vote in
10 elections for public office in the State or local jurisdiction
11 shall be reduced by 30 percent.

12 “(b) PROHIBITION ON USE OF FUNDS FOR CERTAIN
13 ELECTION ADMINISTRATION ACTIVITIES.—Notwith-
14 standing any other provision of law, no Federal funds may
15 be used to implement the requirements of section 8(a)(7)
16 of the National Voter Registration Act of 1993 (52 U.S.C.
17 20507(a)(7)) (as added by section 121(d) of the American
18 Confidence in Elections Act) or section 301(a)(1)(D) of
19 the Help America Vote Act of 2002 (52 U.S.C.
20 21081(a)(1)(D)) (as added by section 121(e) of the Amer-
21 ican Confidence in Elections Act) in a State or local juris-
22 diction that allows individuals who are not citizens of the
23 United States to vote in elections for public office in the
24 State or local jurisdiction.”.

1 (2) CLERICAL AMENDMENT.—The table of con-
2 tents of such Act is amended by adding at the end
3 the following new item:

 “Sec. 907. Reduction in payments to States or local jurisdictions that allow
 noncitizen voting.”.

4 (g) PROMOTING PROVISION OF INFORMATION BY
5 FEDERAL ENTITIES.—

6 (1) IN GENERAL.—Each entity of the Federal
7 government which maintains information which is
8 relevant to the status of an individual as a registered
9 voter in elections for Federal office in a State shall,
10 upon the request of an election official of the State,
11 provide that information to the election official.

12 (2) POLICIES AND PROCEDURES.—Consistent
13 with section 3506(g) of title 44, United States Code,
14 an entity of the Federal government shall carry out
15 this subsection in accordance with policies and pro-
16 cedures which will ensure that the information is
17 provided securely, accurately, and in a timely basis.

18 (3) CONFORMING AMENDMENT RELATING TO
19 COVERAGE UNDER PRIVACY ACT.—Section 552a(b)
20 of title 5, United States Code, is amended—

21 (A) by striking “or” at the end of para-
22 graph (11);

23 (B) by striking the period at the end of
24 paragraph (12) and inserting “; or”; and

1 (C) by adding at the end the following new
2 paragraph:

3 “(13) to an election official of a State in ac-
4 cordance with section 121(h) of the American Con-
5 fidence in Elections Act.”.

6 (h) ENSURING PROVISION OF INFORMATION TO
7 STATE ELECTION OFFICIALS ON INDIVIDUALS RECUSED
8 FROM JURY SERVICE ON GROUNDS OF NONCITIZEN-
9 SHIP.—

10 (1) REQUIREMENT DESCRIBED.—If a United
11 States district court recuses an individual from serv-
12 ing on a jury on the grounds that the individual is
13 not a citizen of the United States, the court shall
14 transmit a notice of the individual’s recusal—

15 (A) to the chief State election official of
16 the State in which the individual resides; and

17 (B) to the Attorney General.

18 (2) DEFINITIONS.—For purposes of this sub-
19 section—

20 (A) the “chief State election official” of a
21 State is the individual designated by the State
22 under section 10 of the National Voter Reg-
23 istration Act of 1993 (52 U.S.C. 20509) to be
24 responsible for coordination of the State’s re-
25 sponsibilities under such Act; and

1 (B) the term “State” means each of the
2 several States, the District of Columbia, the
3 Commonwealth of Puerto Rico, American
4 Samoa, Guam, the United States Virgin Is-
5 lands, and the Commonwealth of the Northern
6 Mariana Islands.

7 (i) PROHIBITION ON VOTING BY NONCITIZENS IN
8 FEDERAL ELECTIONS.—

9 (1) IN GENERAL.—Section 12 of the National
10 Voter Registration Act of 1993 (52 U.S.C. 20511)
11 is amended—

12 (A) by striking “A person” and inserting
13 “(a) IN GENERAL.—A person”; and

14 (B) by adding at the end the following new
15 subsection:

16 “(b) PROHIBITION ON VOTING BY ALIENS.—

17 “(1) IN GENERAL.—It shall be unlawful for any
18 alien to vote in any election in violation of section
19 611 of title 18, United States Code.

20 “(2) PENALTIES.—Any person who violates this
21 subsection shall be fined under title 18, United
22 States Code, imprisoned not more than one year, or
23 both.”.

24 (2) EFFECTIVE DATE.—This subsection and the
25 amendments made by this subsection shall apply

1 with respect to elections held on or after the date of
2 the enactment of this Act.

3 **SEC. 122. STATE REPORTING REQUIREMENTS WITH RE-**
4 **SPECT TO VOTER LIST MAINTENANCE.**

5 Section 8 of the National Voter Registration Act of
6 1993 (52 U.S.C. 20507) is amended—

7 (1) in subsection (i), by adding at the end the
8 following:

9 “(3) The records maintained pursuant to paragraph
10 (1) shall include lists of the names and addresses of all
11 registrants in a State who were inactive according to the
12 criteria described in subsection (d)(1)(B) and the length
13 of time each such registrant has been inactive according
14 to such criteria.”;

15 (2) by redesignating subsection (j) as sub-
16 section (k); and

17 (3) by inserting after subsection (i) the fol-
18 lowing new subsection:

19 “(j) **REPORTING REQUIREMENTS.**—Not later than
20 June 30 of each odd-numbered year, each State shall sub-
21 mit to the Election Assistance Commission a report that
22 includes, with respect to such State during the preceding
23 2-year period, the total number of—

24 “(1) registrants who were inactive according to
25 the criteria described in subsection (d)(1)(B) and

1 the length of time each such registrant has been in-
2 active according to such criteria;

3 “(2) registrants who voted in at least one of the
4 prior 2 consecutive general elections for Federal of-
5 fice;

6 “(3) registrants removed from the list of official
7 voters in the State pursuant to subsection (d)(1)(B);

8 “(4) notices sent to registrants pursuant to
9 subsection (d)(2); and

10 “(5) registrants who received a notice described
11 in paragraph (4) who responded to such notice.”.

12 **SEC. 123. CONTENTS OF STATE MAIL VOTER REGISTRATION**
13 **FORM.**

14 (a) **SHORT TITLE.**—This section may be cited as the
15 “State Instruction Inclusion Act”.

16 (b) **IN GENERAL.**—Section 6(a) of the National Voter
17 Registration Act of 1993 (52 U.S.C. 20505(a)) is amend-
18 ed—

19 (1) in paragraph (1), by inserting “, except that
20 a State may, in addition to the criteria stated in sec-
21 tion 9(b), require that an applicant provide proof
22 that the applicant is a citizen of the United States”
23 after “elections for Federal office”; and

24 (2) in paragraph (2), by inserting “and such
25 form may include a requirement that the applicant

1 provide proof that the applicant is a citizen of the
2 United States” after “elections for Federal office”.

3 **SEC. 124. PROVISION OF PHOTOGRAPHIC CITIZEN VOTER**
4 **IDENTIFICATION TOOLS FOR STATE USE.**

5 (a) **SHORT TITLE.**—This section may be cited as the
6 “Citizen Vote Protection Act”.

7 (b) **FINDINGS; SENSE OF CONGRESS.**—

8 (1) **FINDINGS.**—Congress finds the following:

9 (A) Photo voter identification programs es-
10 tablished by the States should be administered
11 without unlawful discrimination and with an
12 eye toward balancing appropriate access to the
13 ballot box with election integrity and voter con-
14 fidence goals.

15 (B) As confirmed by the bipartisan Com-
16 mission on Federal Election Reform (commonly
17 known as the Carter-Baker Commission),
18 “[v]oters in nearly 100 democracies use a photo
19 identification card without fear of infringement
20 of their rights”.

21 (C) As confirmed by the Carter-Baker
22 Commission, “[t]he right to vote is a vital com-
23 ponent of U.S. citizenship and all States should
24 use their best efforts to obtain proof of citizen-
25 ship before registering voters.”.

1 (D) The Carter-Baker Commission was
2 correct in its 2005 report when it recommended
3 that the REAL ID Act be “modestly adapted
4 for voting purposes to indicate on the front or
5 back whether the individual is a U.S. citizen.”.

6 (E) Congress acknowledges the important
7 work completed by the Carter-Baker Commis-
8 sion and, by amending the REAL ID Act, re-
9 solves the concerns in the Commission’s report
10 that “[t]he REAL ID Act does not require that
11 the card indicates citizenship, but that would
12 need to be done if the card is to be used for
13 voting purposes”.

14 (F) Photographic voter identification is im-
15 portant for ensuring voter confidence in election
16 processes and outcomes.

17 (G) Requiring photographic voter identi-
18 fication is well within States’ constitutional
19 competence, including pursuant to the Quali-
20 fications Clause of the Constitution of the
21 United States (article I, section 2, clause 2),
22 the Presidential Electors Clause of the Con-
23 stitution (article II, section 1, clause 2), and
24 the Seventeenth Amendment.

1 (H) The Fifteenth Amendment, the Nine-
2 teenth Amendment, the Twenty-Fourth Amend-
3 ment, and the Twenty-Sixth Amendment,
4 among other references, make clear that the
5 Constitution prohibits voting by non-citizens in
6 Federal elections.

7 (I) Congress has the constitutional author-
8 ity, including under the aforementioned amend-
9 ments, to pass statutes preventing non-citizens
10 from voting in Federal elections, and did so
11 with the Illegal Immigration Reform and Immig-
12 rant Responsibility Act of 1996.

13 (J) Congress may further exercise its con-
14 stitutional authority to ensure the Constitu-
15 tion's prohibition on non-citizen voting in Fed-
16 eral elections is upheld.

17 (2) SENSE OF CONGRESS.—It is the sense of
18 Congress that the States should implement the sub-
19 stance of the recommendation of the Carter-Baker
20 Commission that, “[t]o ensure that persons pre-
21 senting themselves at the polling place are the ones
22 on the registration list, the Commission recommends
23 that states [encourage] voters to use the REAL ID
24 card, which was mandated in a law signed by the
25 President in May 2005”.

1 (c) REAL ID ACT AMENDMENT.—

2 (1) AMENDMENT.—Section 202(b) of the Real
3 ID Act of 2005 (49 U.S.C. 30301 note) is amended
4 by adding at the end the following new paragraph:

5 “(10) If the person is a citizen of the United
6 States, an indication of that citizenship, except that
7 no other information may be included with respect
8 to the immigration status of the person.”.

9 (2) APPLICABILITY.—The amendment made by
10 this subsection shall be effective January 1, 2026,
11 and shall apply with respect to any driver’s license
12 or identification card issued by a State on and after
13 such date.

14 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
15 tion or in any amendment made by this section may be
16 construed to establish or mandate the use of a national
17 identification card or to authorize any office of the execu-
18 tive branch to establish or mandate the use of a national
19 identification card.

20 **SEC. 125. MANDATORY PROVISION OF IDENTIFICATION FOR**
21 **CERTAIN VOTERS NOT VOTING IN PERSON.**

22 (a) REQUIRING VOTERS TO PROVIDE IDENTIFICA-
23 TION.—Title III of the Help America Vote Act of 2002
24 (52 U.S.C. 21081 et seq.) is amended—

1 (1) by redesignating sections 304 and 305 as
2 sections 305 and 306; and

3 (2) by inserting after section 303 the following
4 new section:

5 **“SEC. 304. MANDATORY PROVISION OF IDENTIFICATION**
6 **FOR CERTAIN VOTERS WHO VOTE BY MAIL.**

7 “(a) FINDING OF CONSTITUTIONAL AUTHORITY.—
8 Congress finds that it has the authority to establish the
9 terms and conditions that States must follow with respect
10 to the administration of voting by mail because article I,
11 section 8, clause 7 of the Constitution of the United States
12 and other enumerated powers grant Congress the power
13 to regulate the operations of the United States Postal
14 Service.

15 “(b) REQUIRING PROVISION OF IDENTIFICATION TO
16 RECEIVE A BALLOT OR VOTE IN CERTAIN CASES.—

17 “(1) INDIVIDUALS REQUESTING A BALLOT TO
18 VOTE BY MAIL.—Notwithstanding any other provi-
19 sion of law, the appropriate State or local election
20 official may not provide an individual a ballot to vote
21 by mail for an election for Federal office in a case
22 in which the individual requested such ballot other
23 than in person from the appropriate State or local
24 election official of the State at a State designated
25 elections office unless the individual submits with

1 the application for the ballot a copy of an identifica-
2 tion described in paragraph (3).

3 “(2) INDIVIDUALS VOTING BY MAIL IN CERTAIN
4 CASES.—

5 “(A) IN GENERAL.—Notwithstanding any
6 other provision of law, in a case in which the
7 appropriate State or local election official pro-
8 vides an individual a ballot to vote by mail for
9 an election for Federal office without requiring
10 such individual to submit a separate application
11 or request to receive such ballot for each such
12 election, the election official may not accept the
13 voted ballot unless the individual submits with
14 the voted ballot a copy of an identification de-
15 scribed in paragraph (3).

16 “(B) FAIL-SAFE VOTING.—An individual
17 who desires to vote other than in person but
18 who does not meet the requirements of subpara-
19 graph (A) may cast such a ballot other than in
20 person and the ballot shall be counted as a pro-
21 visional ballot in accordance with section
22 302(a).

23 “(3) IDENTIFICATION DESCRIBED.—An identi-
24 fication described in this paragraph is, with respect
25 to an individual—

1 “(A) a current and valid photo identifica-
2 tion of the individual;

3 “(B) a copy of a current utility bill, bank
4 statement, government check, paycheck, or
5 other government document that shows the
6 name and address of the individual;

7 “(C) a valid driver’s license or an identi-
8 fication card issued by a State or the identifica-
9 tion number for such driver’s license or identi-
10 fication card issued by a State;

11 “(D) the last 4 digits of the individual’s
12 social security number; or

13 “(E) such other documentation issued by a
14 Federal, State, or local government that pro-
15 vides the same or more identifying information
16 as required by subparagraphs (A) through (D)
17 such that the election official is reasonably cer-
18 tain as to the identity of the individual.

19 “(c) EXCEPTIONS.—This section does not apply with
20 respect to any individual who is—

21 “(1) entitled to vote by absentee ballot under
22 the Uniformed and Overseas Citizens Absentee Vot-
23 ing Act (52 U.S.C. 20301 et seq.);

24 “(2) provided the right to vote otherwise than
25 in person under section 3(b)(2)(B)(ii) of the Voting

1 Accessibility for the Elderly and Handicapped Act
2 (52 U.S.C. 20102(b)(2)(B)(ii)); or

3 “(3) entitled to vote otherwise than in person
4 under any other Federal law.

5 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
6 tion may be construed as prohibiting a State from impos-
7 ing identification requirements to request a ballot to vote
8 by mail or cast a vote by mail that are more stringent
9 than the requirements under this section.

10 “(e) EFFECTIVE DATE.—This section shall take ef-
11 fect on January 1, 2024.”

12 (b) CONFORMING AMENDMENTS RELATING TO EX-
13 ISTING IDENTIFICATION REQUIREMENTS.—

14 (1) TREATMENT AS INDIVIDUALS REGISTERING
15 TO VOTE BY MAIL FOR PURPOSES OF FIRST-TIME
16 VOTER IDENTIFICATION REQUIREMENTS.—Section
17 303(b)(1)(A) of the Help America Vote Act of 2002
18 (52 U.S.C. 21083(b)(1)(A)) is amended by striking
19 “by mail” and inserting “by mail or otherwise not
20 in person at an elections office or voter registration
21 agency of the State”.

22 (2) EXCEPTIONS.—Section 303(b)(3) of the
23 Help America Vote Act of 2002 (52 U.S.C.
24 21083(b)(3)) is amended—

1 (A) in subparagraph (A), by striking “by
2 mail under section 6 of the National Voter Reg-
3 istration Act of 1993 (42 U.S.C. 1973gg-4)”
4 and inserting “by mail under section 6 of the
5 National Voter Registration Act of 1993 (52
6 U.S.C. 20505) or otherwise not in person at a
7 voter registration agency of the State”; and

8 (B) in subparagraph (B)(i), by striking
9 “by mail under section 6 of the National Voter
10 Registration Act of 1993 (42 U.S.C. 1973gg-
11 4)” and inserting “by mail under section 6 of
12 the National Voter Registration Act of 1993
13 (52 U.S.C. 20505) or otherwise not in person
14 at a voter registration agency of the State”.

15 (3) EXPANSION OF TYPES OF IDENTIFICATION
16 PERMITTED.—Section 303(b)(2)(A) of the Help
17 America Vote Act of 2002 (52 U.S.C.
18 21083(b)(2)(A)) is amended—

19 (A) in clause (i)—

20 (i) in subclause (I), by striking “or”
21 at the end; and

22 (ii) by adding at the end the following
23 new subclause:

24 “(III) such other documentation
25 issued by a Federal, State, or local

1 government that provides the same or
2 more identifying information as re-
3 quired by subclauses (I) and (II) such
4 that the election official is reasonably
5 certain as to the identity of the indi-
6 vidual; or”; and

7 (B) in clause (ii)—

8 (i) in subclause (I), by striking “or”
9 at the end;

10 (ii) in subclause (II), by striking the
11 period at the end and inserting “; or”; and

12 (iii) by adding at the end the fol-
13 lowing new subclause:

14 “(III) such other documentation
15 issued by a Federal, State, or local
16 government that provides the same or
17 more identifying information as re-
18 quired by subclauses (I) and (II) such
19 that the election official is reasonably
20 certain as to the identity of the indi-
21 vidual.”.

22 (c) CONFORMING AMENDMENT RELATING TO EN-
23 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
24 is amended by striking “and 303” and inserting “303, and
25 304”.

1 (d) CLERICAL AMENDMENT.—The table of contents
2 of such Act is amended—

3 (1) by redesignating the items relating to sec-
4 tions 304 and 305 as relating to sections 305 and
5 306; and

6 (2) by inserting after the item relating to sec-
7 tion 303 the following:

“Sec. 304. Mandatory provision of identification for certain voters who vote by
mail.”.

8 **SEC. 126. CONFIRMING ACCESS FOR CONGRESSIONAL**
9 **ELECTION OBSERVERS.**

10 (a) SHORT TITLE.—This section may be cited as the
11 “Confirmation of Congressional Observer Access Act of
12 2022” or the “COCOA Act of 2022”.

13 (b) FINDINGS RELATING TO CONGRESSIONAL ELEC-
14 TION OBSERVERS.—Congress finds the following:

15 (1) The Constitution delegates to each of House
16 of the Congress the authority to “be the Judge of
17 the Elections, Returns and Qualifications of its own
18 Members”.

19 (2) While, in general, Congress shall respect the
20 determination of State authorities with respect to
21 the election of members to each House, each House
22 of Congress serves as the final arbiter over any con-
23 test to the seating of any putative Member-elect or
24 Senator-elect.

1 (3) These election contest procedures are con-
2 tained in the precedents of each House of Congress.
3 Further, for the House of Representatives the proce-
4 dures exist under the Federal Contested Elections
5 Act.

6 (4) In the post-Civil War modern era, more
7 than 100 election contests have been filed with the
8 House of Representatives.

9 (5) For decades, Congress has appointed and
10 sent out official congressional observers to watch the
11 administration of congressional elections in the
12 States and territories.

13 (6) These observers serve to permit Congress to
14 develop its own factual record in preparation for
15 eventual contests and for other reasons.

16 (7) This section and the amendments made by
17 this section do not establish any new authorities or
18 procedures but are provided simply to permit a con-
19 venient statutory reference for existing Congres-
20 sional authority and activity.

21 (c) CONFIRMING REQUIREMENT THAT STATES PRO-
22 VIDE ACCESS.—Title III of the Help America Vote Act
23 of 2002 (52 U.S.C. 21081 et seq.), as amended by section
24 125(a), is amended—

1 (1) by redesignating sections 305 and 306 as
2 sections 306 and 307; and

3 (2) by inserting after section 304 the following
4 new section:

5 **“SEC. 305. CONFIRMING ACCESS FOR CONGRESSIONAL**
6 **ELECTION OBSERVERS.**

7 “(a) FINDING OF CONSTITUTIONAL AUTHORITY.—
8 Congress finds that it has the authority to require that
9 States allow access to designated Congressional election
10 observers to observe the election administration proce-
11 dures in an election for Federal office because the author-
12 ity granted to Congress under article I, section 5 of the
13 Constitution of the United States gives each House of
14 Congress the power to be the judge of the elections, re-
15 turns and qualifications of its own Members.

16 “(b) REQUIRING STATES TO PROVIDE ACCESS.—A
17 State shall provide each individual who is a designated
18 Congressional election observer for an election with full
19 access to clearly observe all of the elements of the adminis-
20 tration procedures with respect to such election, including
21 but not limited to in all areas of polling places and other
22 facilities where ballots in the election are processed, tab-
23 ulated, cast, canvassed, and certified, in all areas where
24 voter registration activities occur before such election, and
25 in any other such place where election administration pro-

1 cedures to prepare for the election or carry out any post-
2 election recounts take place. No designated Congressional
3 election observer may handle ballots, elections equipment
4 (voting or non-voting), advocate for a position or can-
5 didate, take any action to reduce ballot secrecy, or other-
6 wise interfere with the elections administration process.

7 “(c) DESIGNATED CONGRESSIONAL ELECTION OB-
8 SERVER DESCRIBED.—In this section, a ‘designated Con-
9 gressional election observer’ is an individual who is des-
10 igned in writing by the chair or ranking minority mem-
11 ber of the Committee on House Administration of the
12 House of Representatives or the Committee on Rules and
13 Administration of the Senate, or the successor committee
14 in either House of Congress to gather information with
15 respect to an election, including in the event that the elec-
16 tion is contested in the House of Representatives or the
17 Senate and for other purposes permitted by article 1, sec-
18 tion 5 of the Constitution of the United States.”.

19 (d) CONFORMING AMENDMENT RELATING TO EN-
20 FORCEMENT.—Section 401 of such Act (52 U.S.C.
21 21111), as amended by section 125(c), is amended by
22 striking “and 304” and inserting “304, and 305”.

23 (e) CLERICAL AMENDMENT.—The table of contents
24 of such Act, as amended by section 125(d), is amended—

1 (1) by redesignating the items relating to sec-
2 tions 305 and 306 as relating to sections 306 and
3 307; and

4 (2) by inserting after the item relating to sec-
5 tion 304 the following:

“Sec. 305. Confirming access for Congressional election observers.”.

6 **SEC. 127. USE OF REQUIREMENTS PAYMENTS FOR POST-**
7 **ELECTION AUDITS.**

8 Section 251(b)(1) of the Help America Vote Act of
9 2002 (52 U.S.C. 21001(b)(1)) is amended by inserting “,
10 including to conduct and publish an audit of the effective-
11 ness and accuracy of the voting systems, election proce-
12 dures, and outcomes used to carry out an election for Fed-
13 eral office in the State and the performance of the State
14 and local election officials who carried out the election”
15 after “requirements of title III”.

16 **SEC. 128. CERTAIN TAX BENEFITS AND SIMPLIFICATION**
17 **WITH RESPECT TO ELECTION WORKERS.**

18 (a) **SHORT TITLE.**—This section may be cited as the
19 “Election Worker Employer Participation Act”.

20 (b) **EXCLUSION FROM GROSS INCOME FOR CERTAIN**
21 **ELECTION WORKER COMPENSATION.**—

22 (1) **IN GENERAL.**—Part III of subchapter B of
23 chapter 1 of the Internal Revenue Code of 1986 is
24 amended by inserting after section 139H the fol-
25 lowing new section:

1 **“SEC. 139I. CERTAIN COMPENSATION OF ELECTION WORK-**
2 **ERS.**

3 “(a) IN GENERAL.—Gross income shall not include
4 qualified election worker compensation.

5 “(b) LIMITATION.—The amount excludible from
6 gross income under subsection (a) with respect to any tax-
7 payer for any taxable year shall not exceed the dollar
8 amount in effect under section 3121(b)(7)(F)(iv) for the
9 calendar year in which such taxable year begins.

10 “(c) QUALIFIED ELECTION WORKER COMPENSA-
11 TION.—For purposes of this section, the term ‘qualified
12 election worker compensation’ means amounts otherwise
13 includible in gross income which are paid by a State, polit-
14 ical subdivision of a State, or any instrumentality of a
15 State or any political subdivision thereof, for the service
16 of an individual as an election official or election worker
17 (within the meaning of section 3121(b)(7)(F)(iv)).”.

18 (2) CLERICAL AMENDMENT.—The table of sec-
19 tions for part III of subchapter B of chapter 1 of
20 such Code is amended by inserting after the item re-
21 lating to section 139H the following new item:

“Sec. 139I. Certain compensation of election workers.”.

22 (c) INFORMATION REPORTING NOT REQUIRED BY
23 REASON OF CERTAIN AMOUNTS EXCLUDIBLE FROM
24 GROSS INCOME.—Section 6041 of such Code is amended
25 by adding at the end the following new subsection:

1 “(h) TREATMENT OF CERTAIN EXCLUDIBLE COM-
2 PENSATION OF ELECTION WORKERS.—In the case of any
3 payment by a State, political subdivision of a State, or
4 any instrumentality of a State or any political subdivision
5 thereof, for the service of an individual as an election offi-
6 cial or election worker (within the meaning of section
7 3121(b)(7)(F)(iv)), the determination of whether the \$600
8 threshold described in subsection (a) has been met with
9 respect to such individual shall be determined by not tak-
10 ing into account—

11 “(1) any such payment which is qualified elec-
12 tion worker compensation (as defined in section
13 139I(c)) which does not exceed the limitation de-
14 scribed in section 139I(b), and

15 “(2) any such payment which is excludible from
16 the gross income of such individual under section
17 127.”.

18 (d) EFFECTIVE DATE.—The amendments made by
19 this section shall apply to payments made after December
20 31, 2022, in taxable years ending after such date.

21 **SEC. 129. VOLUNTARY GUIDELINES WITH RESPECT TO NON-**
22 **VOTING ELECTION TECHNOLOGY.**

23 (a) SHORT TITLE.—This section may be cited as the
24 “Protect American Voters Act”.

1 (b) ADOPTION OF VOLUNTARY GUIDELINES BY
2 ELECTION ASSISTANCE COMMISSION.—

3 (1) ADOPTION OF GUIDELINES.—Title II of the
4 Help America Vote Act of 2002 (52 U.S.C. 20921
5 et seq.) is amended by adding at the end the fol-
6 lowing new subtitle:

7 **“Subtitle E—Voluntary Guidelines**
8 **for Use of Nonvoting Election**
9 **Technology**

10 **“SEC. 298. ADOPTION OF VOLUNTARY GUIDELINES BY COM-**
11 **MISSION.**

12 “(a) ADOPTION.—The Commission shall adopt vol-
13 untary guidelines for election officials on the use of non-
14 voting election technology, taking into account the rec-
15 ommendations of the Standards Board [*New:*] and the
16 Local Leadership Council of the Commission under section
17 298A.

18 “(b) REVIEW.—The Commission shall review the
19 guidelines adopted under this subtitle not less frequently
20 than once every 4 years, and may adopt revisions to the
21 guidelines as it considers appropriate.

22 “(c) PROCESS FOR ADOPTION.—The adoption of the
23 voluntary guidelines under this subtitle shall be carried
24 out by the Commission in a manner that provides for each
25 of the following:

1 “(1) Publication of notice of the proposed
2 guidelines in the Federal Register.

3 “(2) An opportunity for public comment on the
4 proposed guidelines.

5 “(3) An opportunity for a public hearing on the
6 record.

7 “(4) Publication of the final recommendations
8 in the Federal Register.

9 “(d) DEADLINE FOR INITIAL SET OF GUIDELINES.—
10 The Commission shall adopt the initial set of voluntary
11 guidelines under this section not later than December 31,
12 2025.

13 **“SEC. 298A. ROLE OF STANDARDS BOARD AND LOCAL LEAD-
14 ERSHIP COUNCIL.**

15 “(a) DUTIES.—The Standards Board **[New:]** and
16 the Local Leadership Council of the Commission shall as-
17 sist the Commission in the adoption of voluntary guide-
18 lines under section 298, including by providing the Com-
19 mission with recommendations on appropriate standards
20 for the use of nonvoting election technology, including
21 standards to ensure the security and accuracy, and pro-
22 mote the usability, of such technology, and by conducting
23 a review of existing State programs with respect to the
24 testing of nonvoting election technology.

25 “(b) SOURCES OF ASSISTANCE.—

1 “(1) CERTAIN MEMBERS OF TECHNICAL GUIDE-
2 LINES DEVELOPMENT COMMITTEE.—The following
3 members of the Technical Guidelines Development
4 Committee under section 221 shall assist the Stand-
5 ards Board **[New:]** and the Local Leadership Coun-
6 cil in carrying out their duties under this section:

7 “(A) The Director of the National Insti-
8 tute of Standards and Technology.

9 “(B) The representative of the American
10 National Standards Institute.

11 “(C) The representative of the Institute of
12 Electrical and Electronics Engineers.

13 “(D) The 4 members of the Technical
14 Guidelines Development Committee appointed
15 under subsection (c)(1)(E) of such section as
16 the other individuals with technical and sci-
17 entific expertise relating to voting systems and
18 voting equipment.

19 “(2) DETAILEE FROM CISA.—The Executive
20 Board of the Standards Board may request the Di-
21 rector of the Cybersecurity and Infrastructure Secu-
22 rity Agency of the Department of Homeland Secu-
23 rity to provide a detailee to assist the Standards
24 Board in carrying out its duties under this section,

1 so long as such detailee has no involvement in the
2 drafting of any of the voluntary guidelines.

3 **“SEC. 298B. USE OF PAYMENTS TO OBTAIN OR UPGRADE**
4 **TECHNOLOGY.**

5 “A State may use funds provided under any law for
6 activities to improve the administration of elections for
7 Federal office, including to enhance election technology
8 and make election security improvements, to obtain non-
9 voting election technology which is in compliance with the
10 voluntary guidelines adopted under section 298 or to up-
11 grade nonvoting election technology so that the technology
12 is in compliance with such guidelines, and may, notwith-
13 standing any other provision of law, use any unobligated
14 grant funding provided to the State by the Election Assist-
15 ance Commission from amounts appropriated under the
16 heading ‘Independent Agencies—Election Assistance
17 Commission—Election Security Grants’ in title V of divi-
18 sion C of the Consolidated Appropriations Act, 2020 (Pub-
19 lic Law 116–93) for the purposes of enhancing election
20 technology and making election security improvements
21 until December 31, 2024.

22 **“SEC. 298C. NONVOTING ELECTION TECHNOLOGY DEFINED.**

23 “In this subtitle, the term ‘nonvoting election tech-
24 nology’ means technology used in the administration of
25 elections for Federal office which is not used directly in

1 the casting, counting, tabulating, or collecting of ballots
2 or votes, including each of the following:

3 “(1) Electronic pollbooks or other systems used
4 to check in voters at a polling place or verify a vot-
5 er’s identification.

6 “(2) Election result reporting systems.

7 “(3) Electronic ballot delivery systems.

8 “(4) Online voter registration systems.

9 “(5) Polling place location search systems.

10 “(6) Sample ballot portals.

11 “(7) Signature systems.

12 “(8) Such other technology as may be rec-
13 ommended for treatment as nonvoting election tech-
14 nology as the Standards Board may recommend.”.

15 (2) CLERICAL AMENDMENT.—The table of con-
16 tents of such Act is amended by adding at the end
17 of the items relating to title II the following:

“Subtitle E—Voluntary Guidelines for Use of Nonvoting Election Technology

“Sec. 298. Adoption of voluntary guidelines by Commission.

“Sec. 298A. Role of Standards Board and Local Leadership Council.

“Sec. 298B. Use of payments to obtain or upgrade technology.

“Sec. 298C. Nonvoting election technology defined.”.

18 (c) TREATMENT OF TECHNOLOGY USED IN MOST
19 RECENT ELECTION.—Any nonvoting election technology,
20 as defined in section 298C of the Help America Vote Act
21 of 2002 (as added by subsection (a)(1)), which a State
22 used in the most recent election for Federal office held

1 in the State prior to the date of the enactment of this
2 Act shall be deemed to be in compliance with the voluntary
3 guidelines on the use of such technology which are adopted
4 by the Election Assistance Commission under section 298
5 of such Act (as added by subsection (a)(1)).

6 **SEC. 130. STATUS REPORTS BY NATIONAL INSTITUTE OF**
7 **STANDARDS AND TECHNOLOGY.**

8 Section 231 of the Help America Vote Act of 2002
9 (52 U.S.C. 20971) is amended by adding at the end the
10 following new subsection:

11 “(e) STATUS REPORTS BY NATIONAL INSTITUTE OF
12 STANDARDS AND TECHNOLOGY.—Not later than 60 days
13 after the end of each fiscal year (beginning with 2023),
14 the Director of the National Institute of Standards and
15 Technology shall submit to Congress a status report de-
16 scribing—

17 “(1) the extent to which the Director carried
18 out the Director’s responsibilities under this Act
19 during the fiscal year, including the responsibilities
20 imposed under this section and the responsibilities
21 imposed with respect to the Technical Guidelines
22 Development Committee under section 222, together
23 with the Director’s best estimate of when the Direc-
24 tor will completely carry out any responsibility which

1 was not carried out completely during the fiscal
2 year; and

3 “(2) the extent to which the Director carried
4 out any projects requested by the Commission dur-
5 ing the fiscal year, together with the Director’s best
6 estimate of when the Director will complete any such
7 project which the Director did not complete during
8 the fiscal year.”.

9 **SEC. 131. 501(c)(3) ORGANIZATIONS PROHIBITED FROM**
10 **PROVIDING DIRECT FUNDING TO ELECTION**
11 **ORGANIZATIONS.**

12 (a) IN GENERAL.—Section 501(c)(3) of the Internal
13 Revenue Code of 1986 is amended—**[New (based on HR**
14 **1725): Note that, as drafted, this would not only prohibit**
15 **any 501(c)(3) organization from providing any form of as-**
16 **sistance with respect to the administration of an election**
17 **(e.g., a church couldn’t permit its building be used as a**
18 **polling place), but that, read technically, this language**
19 **would prohibit any 501(c)(3) organization from providing**
20 **anything of value to a State or local government for any**
21 **reason whatsoever, even if it has nothing to do with the**
22 **administration of an election (including providing scholar-**
23 **ships to local schools, remodeling parks and recreation fa-**
24 **cilities, or giving local law enforcement a discount on**
25 **equipment and services).]**

1 (1) by striking “and which does not partici-
2 pate” and inserting “which does not participate”,
3 and

4 (2) by striking the period at the end and insert-
5 ing “, and which does not provide below-cost serv-
6 ices, scholarships, subsidies, or direct, in-kind, or in-
7 direct funding to official election organizations, in-
8 cluding any State or local government entity or any
9 government election organization.”.

10 (b) EFFECTIVE DATE.—The amendments made by
11 this section shall apply to funding provided in taxable
12 years beginning after December 31, 2023.

13 **SEC. 132. REQUIREMENTS WITH RESPECT TO ELECTION**
14 **MAIL.**

15 (a) SHORT TITLE.—This section may be cited as the
16 “Election Integrity Mail Reform Act of 2022”.

17 (b) PRIORITIZING ELECTION MAIL.—Title 39,
18 United States Code, is amended by adding after chapter
19 36 the following:

20 **“CHAPTER 37—ELECTION AND POLITICAL**
21 **MAIL**

“Sec.

“3701. Prioritization of processing and delivery of election mail.

“3702. Use of nonprofit permit for cooperative mailings.

“3703. Marking or notice on election mail

“3704. Application to Uniformed and Overseas Citizens Absentee Voting Act.

1 **“§ 3701. Prioritization of processing and delivery of**
2 **election mail**

3 “(a) IN GENERAL.—The Postal Service shall give pri-
4 ority to the processing and delivery of election mail. In
5 carrying out this subsection, the Postal Service shall at
6 a minimum—

7 “(1) deliver any election mail regardless of the
8 amount of postage paid;

9 “(2) shall, to the greatest extent practicable,
10 process and clear election mail from any postal facil-
11 ity each day; and

12 “(3) carry and deliver election mail expedi-
13 tiously.

14 “(b) ELECTION MAIL WITH INSUFFICIENT POST-
15 AGE.—In carrying out subsection (a)(1), the Postal Serv-
16 ice shall process and deliver election mail with insufficient
17 postage in the same manner as election mail with suffi-
18 cient postage, but may collect insufficient postage after
19 delivery of any election mail with insufficient postage.

20 “(c) UNDERFUNDED OR OVERDRAWN ACCOUNTS.—
21 The Postal Service shall process and deliver election mail,
22 under the standards in place under subsection (a), sent
23 from a customer using an account registered with the
24 Postal Service (including a corporate account or an ad-
25 vance deposit account) even if such account is under-
26 funded or overdrawn. Nothing in this section shall be con-

1 strued to limit or otherwise prevent the Postal Service
2 from seeking reimbursement from any person regarding
3 unpaid postage.

4 “(d) ELECTION MAIL DEFINED.—In this chapter,
5 the term ‘election mail’ means any item mailed to or from
6 an individual for purposes of the individual’s participation
7 in an election for public office, including balloting mate-
8 rials, voter registration cards, absentee ballot applications,
9 polling place notification and photographic voter identi-
10 fication materials.

11 **“§ 3702. Use of nonprofit permit for cooperative mail-**
12 **ings**

13 “Notwithstanding any other law, rule, or regulation,
14 a national, State, or local committee of a political party
15 (as defined under the Federal Election Campaign Act of
16 1971) which is eligible to mail at the nonprofit rate may
17 conduct a cooperative mailing at that nonprofit rate with
18 a candidate, a candidate’s committee, or another com-
19 mittee of a political party, and may seek reimbursement
20 from such a candidate, candidate’s committee, or com-
21 mittee of a political party for the costs of such mailing.

22 **“§ 3703. Marking or notice on election mail**

23 “(a) IN GENERAL.—For the purposes of assisting
24 election officials in processing election mail, the Postal

1 Service shall place a marking or notice indicating that a
2 piece of mail is election mail.

3 “(b) REQUIREMENTS.—The Postal Service may de-
4 termine the appropriate manner in which subsection (a)
5 is carried out, but at a minimum such marking or notice
6 shall—

7 “(1) be placed, as soon as practicable, at the
8 time the election mail is received by the Postal Serv-
9 ice, in a conspicuous and legible type or in a com-
10 mon machine-readable technology on the envelope or
11 other cover in which the election mail is mailed; and

12 “(2) clearly demonstrate the date and time that
13 such marking or noticed was so placed.

14 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
15 tion may be construed as requiring any change to the
16 processes and procedures used by the Postal Service with
17 respect to Postal Service barcodes on envelopes carried or
18 delivered by the Postal Service.

19 **“§ 3704. Application to Uniformed and Overseas Citi-
20 zens Absentee Voting Act**

21 “This chapter shall not apply to balloting materials
22 under the Uniformed and Overseas Citizens Absentee Vot-
23 ing Act and nothing in this chapter shall be construed to
24 alter or otherwise affect the operation of such Act or sec-
25 tion 3406 of this title.”.

1 (c) POSTMARKING STAMPS.—Section 503 of title 18,
2 United States Code, is amended—

3 (1) by striking “Whoever forges” and inserting
4 “(a) Whoever forges”;

5 (2) by striking “or such impression thereof,”
6 and all that follows and inserting the following:

7 “or such impression thereof—

8 “(1) shall be fined under this title or impris-
9 oned not more than five years, or both; or

10 “(2) if the impression from a postmarking
11 stamp or impression thereof forged, counterfeited,
12 used, sold, or possessed in violation of this section
13 is applied to a mailed ballot for an election for Fed-
14 eral, State, or local office, shall be fined under this
15 title or imprisoned not more than 10 years, or
16 both.”; and

17 (3) by adding at the end following new sub-
18 section:

19 “(a) Whoever, with the intent to falsify the date on
20 which a postmark was applied, applies to a mailed ballot
21 described in subsection (a)(2) a genuine postmark that
22 bears a date other than the date on which such postmark
23 was applied, shall be subject to the penalties set forth in
24 such subsection.”.

1 **SEC. 133. CLARIFICATION OF RIGHT OF STATE TO APPEAL**
2 **DECISIONS THROUGH DULY AUTHORIZED**
3 **REPRESENTATIVE.**

4 Section 1254 of title 28, United States Code, is
5 amended—

6 (1) in paragraph (1), by striking the semicolon
7 at the end and inserting a period; and

8 (2) by adding at the end the following:

9 “(3) By appeal by a party (including the State
10 as represented by any agent authorized as a party
11 under State law) relying on a State statute held by
12 a court of appeals to be invalid as repugnant to the
13 Constitution, treaties or laws of the United States,
14 but such appeal shall preclude review by writ of cer-
15 tiorari at the instance of such appellant, and the re-
16 view on appeal shall be restricted to the Federal
17 questions presented.”.

18 **SEC. 134. FEDERAL AGENCY INVOLVEMENT IN VOTER REG-**
19 **ISTRATION ACTIVITIES.**

20 (a) **SHORT TITLE.**—This section may be cited as the
21 “Promoting Free and Fair Elections Act”. **[Note: Sub-**
22 *sections (a), (c), (d), (e), and (f) are from HR 3072, while*
23 *subsection (b) is the text of section 134 of the ACE Act from*
24 *the 117th.]*

25 (b) **CLARIFICATION OF FEDERAL AGENCY INVOLVE-**
26 **MENT IN VOTER REGISTRATION ACTIVITIES.**—Executive

1 Order 14019 (86 Fed. Reg. 13623; relating to promoting
2 access to voting) shall have no force or effect to the extent
3 that it is inconsistent with section 7 of the National Voter
4 Registration Act of 1993 (52 U.S.C. 20506).

5 (c) PROHIBITING PROMOTION OF VOTER REGISTRA-
6 TION BY AGENCIES.—

7 (1) AGREEMENTS WITH NONGOVERNMENTAL
8 ORGANIZATIONS.—None of the funds made available
9 for the salaries and expenses of an agency may be
10 used to solicit or enter into an agreement with a
11 nongovernmental organization to conduct voter reg-
12 istration or voter mobilization activities, including
13 registering voters or providing any person with voter
14 registration materials, absentee or vote-by-mail bal-
15 lot applications, voting instructions, or candidate-re-
16 lated information, on the property or website of the
17 agency.

18 (2) ACTIVITIES UNDER EXECUTIVE ORDER
19 14019.—

20 (A) DELAY IN IMPLEMENTATION.—

21 (i) DELAY.—Except as provided in
22 clause (ii), none of the funds made avail-
23 able for the salaries and expenses of an
24 agency may be used to implement activities

1 directed under Executive Order 14019 (86
2 Fed. Reg. 13623) until—

3 (I) in the case of an agency that
4 is required to submit a report to the
5 appropriate congressional committees
6 under subparagraph (B)(i), 180 days
7 after the agency submits the report;
8 or

9 (II) in the case of an agency that
10 is required to submit a report to the
11 appropriate congressional committees
12 under subparagraph (B)(ii), the date
13 on which the agency submits the re-
14 port.

15 (ii) EXCEPTION.—Clause (i) shall not
16 apply to any activity described in section
17 7(c) of the National Voter Registration Act
18 of 1993 (52 U.S.C. 20506(c)).

19 (B) REPORT.—Not later than 30 days
20 after the date of enactment of this Act, the
21 head of each agency shall submit to the appro-
22 priate congressional committees—

23 (i) a copy of the strategic plan of the
24 agency for promoting voter registration
25 and voter participation under section 3(b)

1 of Executive Order 14019 (86 Fed. Reg.
2 13623) that the agency developed or sub-
3 mitted to the Assistant to the President
4 for Domestic Policy; or

5 (ii) if the agency did not develop or
6 submit a plan described in clause (i) to the
7 Assistant to the President for Domestic
8 Policy, a certification signed by the head of
9 the agency that the agency did not develop
10 or submit such a plan.

11 (3) EFFECTIVE DATE.—Except as provided in
12 paragraph (2)(B), this section shall apply with re-
13 spect to fiscal year 2023 and each succeeding fiscal
14 year.

15 (d) ADDITIONAL REPORT ON VOTER REGISTRATION
16 AND MOBILIZATION.—Not later than 30 days after the
17 date of enactment of this Act, the head of each agency
18 shall submit to the appropriate congressional committees
19 a report describing the activities carried out by the agency
20 pursuant to sections 3 and 4 of Executive Order 14019
21 (86 Fed. Reg. 13623).

22 (e) PROHIBITING VOTER REGISTRATION AND MOBI-
23 LIZATION IN FEDERAL WORK-STUDY PROGRAMS.—Sec-
24 tion 443(b)(1) of the Higher Education Act of 1965 (20
25 U.S.C. 1087–53(b)(1)) is amended—

1 (1) in subparagraph (C), by striking “and”;

2 (2) by redesignating subparagraph (D) as sub-
3 paragraph (E); and

4 (3) by inserting after subparagraph (C) the fol-
5 lowing:

6 “(D) does not involve registering or mobi-
7 lizing voters on or off the campus of the institu-
8 tion; and”.

9 (f) DEFINITIONS.—In this section:

10 (1) AGENCY.—The term “agency” has the
11 meaning given the term in section 3502(1) of title
12 44, United States Code, except that for purposes of
13 subsection (c)(2) such term does not include an
14 independent regulatory agency as defined in section
15 3502(5) of title 44, United States Code.

16 (2) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term “appropriate congressional com-
18 mittees” means—

19 (A) the Committee on Rules and Adminis-
20 tration of the Senate;

21 (B) the Committee on the Judiciary of the
22 Senate;

23 (C) the Committee on House Administra-
24 tion of the House of Representatives; and

1 (D) the Committee on the Judiciary of the
2 House of Representatives.

3 **SEC. 135. PROHIBITION ON USE OF FEDERAL FUNDS FOR**
4 **ELECTION ADMINISTRATION IN STATES THAT**
5 **PERMIT BALLOT HARVESTING.**

6 (a) SHORT TITLE.—This section may be cited as the
7 “No Federal Funds for Ballot Harvesting Act”.

8 (b) FINDINGS.—Congress finds that—

9 (1) the right to vote is a fundamental right of
10 citizens of the United States, as described by the
11 Constitution of the United States;

12 (2) the Committee on House Administration of
13 the House of Representatives, which is charged with
14 investigating election irregularities, received reports
15 through its official Election Observer Program for
16 the 2018 general election and the 2020 general elec-
17 tion, as well as from other stakeholders, that individ-
18 uals other than voters themselves were depositing
19 large amounts of absentee ballots at polling places
20 throughout California and other States, a practice
21 colloquially known as “ballot harvesting”;

22 (3) the practice of ballot harvesting creates sig-
23 nificant vulnerabilities in the chain-of-custody of bal-
24 lots because individuals collecting ballots are not re-
25 quired to be registered voters and are not required

1 to identify themselves at a voter's home, and the
2 State does not track how many ballots are harvested
3 in an election;

4 (4) in North Carolina, a congressional election
5 was invalidated due to fraud associated with ballot
6 harvesting committed by a political operative, and it
7 is unlikely such activity would have been detected
8 were it not for the prohibition against ballot har-
9 vesting in the State;

10 (5) ballot harvesting invites electioneering activ-
11 ity at home and weakens States' long-standing voter
12 protection procedures, which remain in place at poll-
13 ing locations, creating the possibility of undue influ-
14 ence over voters by political operatives and other bad
15 actors; and

16 (6) the Supreme Court of the United States has
17 affirmed State authority to restrict ballot harvesting
18 (*Brnovich v. Democratic National Committee*, 141 S.
19 Ct. 2321 (2021)).

20 (c) PROHIBITION ON FEDERAL FUNDS FOR ELEC-
21 TION ADMINISTRATION FOR STATES ALLOWING COLLEC-
22 TION AND TRANSMISSION OF BALLOTS BY CERTAIN
23 THIRD PARTIES.—

1 (1) IN GENERAL.—The Help America Vote Act
2 of 2002 (52 U.S.C. 20901 et seq.) is amended by
3 adding at the end the following new section:

4 **“SEC. 908. PROHIBITION ON FEDERAL FUNDS FOR ELEC-**
5 **TION ADMINISTRATION FOR STATES ALLOW-**
6 **ING COLLECTION AND TRANSMISSION OF**
7 **BALLOTS BY CERTAIN THIRD PARTIES.**

8 “(a) IN GENERAL.—Notwithstanding any other pro-
9 vision of law, no Federal funds may be used to administer
10 any election for Federal office in a State unless the State
11 has in effect a law that prohibits an individual from the
12 knowing collection and transmission of a ballot in an elec-
13 tion for Federal office that was mailed to another person,
14 other than an individual described as follows:

15 “(1) An election official while engaged in offi-
16 cial duties as authorized by law.

17 “(2) An employee of the United States Postal
18 Service or other commercial common carrier engaged
19 in similar activities while engaged in duties author-
20 ized by law.

21 “(3) Any other individual who is allowed by law
22 to collect and transmit United States mail, while en-
23 gaged in official duties as authorized by law.

1 “(4) A family member, household member, or
2 caregiver of the person to whom the ballot was
3 mailed.

4 “(b) DEFINITIONS.—For purposes of this section,
5 with respect to a person to whom the ballot was mailed:

6 “(1) The term ‘caregiver’ means an individual
7 who provides medical or health care assistance to
8 such person in a residence, nursing care institution,
9 hospice facility, assisted living center, assisted living
10 facility, assisted living home, residential care institu-
11 tion, adult day health care facility, or adult foster
12 care home.

13 “(2) The term ‘family member’ means an indi-
14 vidual who is related to such person by blood, mar-
15 riage, adoption or legal guardianship.

16 “(3) The term ‘household member’ means an
17 individual who resides at the same residence as such
18 person.”.

19 (2) CLERICAL AMENDMENT.—The table of con-
20 tents of such Act is amended by adding at the end
21 the following new item:

“Sec. 908. Prohibition on Federal funds for election administration for States
allowing collection and transmission of ballots by certain third
parties.”.

1 **SEC. 136. CLARIFICATION WITH RESPECT TO FEDERAL**
2 **ELECTION RECORD-KEEPING REQUIREMENT.**

3 Section 301 of the Civil Rights Act of 1960 (52
4 U.S.C. 20701) is amended by inserting “ including envel-
5 opes used to deliver voted ballots by mail **[New:]** (but
6 excluding envelopes used to deliver blank ballots or absen-
7 tee ballot requests or used for any purpose other than de-
8 livering voted ballots),” after “requisite to voting in such
9 election,”.

10 **SEC. 137. CLARIFICATION OF RULES WITH RESPECT TO**
11 **HIRING OF ELECTION WORKERS.**

12 (a) PREFERENCES FOR VETERANS AND INDIVIDUALS
13 WITH DISABILITIES.—

14 (1) PREFERENCES.—In hiring election workers
15 to administer an election in a State or local jurisdic-
16 tion, the State or local jurisdiction may give pref-
17 erence to individuals who are veterans or individuals
18 with a disability.

19 (2) INDIVIDUAL WITH A DISABILITY DE-
20 FINED.—In this subsection, an “individual with a
21 disability” means an individual with an impairment
22 that substantially limits any major life activities.

23 (b) **[New:]** Preference and Waiver of Residency Re-
24 quirement for Spouses and Dependents of Absent Military
25 Voters.—

1 (1) PREFERENCE AND WAIVERS.—In hiring
2 election workers to administer an election in a State
3 or local jurisdiction, the State or local jurisdiction—

4 (A) may give preference to an individual
5 who is a nonresident military spouse or depend-
6 ent; and

7 (B) may not refuse to hire such an indi-
8 vidual as an election worker solely on the
9 grounds that the individual does not maintain a
10 place of residence in the State or local jurisdic-
11 tion.

12 (2) NONRESIDENT MILITARY SPOUSE OR DE-
13 PENDENT DEFINED.—In this subsection, a “non-
14 resident military spouse or dependent” means an in-
15 dividual who is an absent uniformed services voter
16 under section 107(1)(C) of the Uniformed and Over-
17 seas Citizen Absentee Voting Act (52 U.S.C.
18 20310(1)(C)).

19 **SEC. 138. UNITED STATES POSTAL SERVICE COORDINATION**
20 **WITH STATES TO ENSURE MAILING ADDRESS-**
21 **ES.**

22 (a) IN GENERAL.—Not later than 2 years after the
23 date of the enactment of this Act, the Postmaster General
24 shall, in coordination with the appropriate State executives
25 of each State, carry out a program to identify and assign

1 a mailing address to each home in each State that, as of
2 the date of the enactment of this Act, does not have a
3 mailing address assigned to such home, with a priority
4 given to assigning mailing addresses to such homes located
5 on Indian lands.

6 (b) DEFINITIONS.—In this section:

7 (1) INDIAN.—The term “Indian” has the mean-
8 ing given the term in section 4 of the Indian Self-
9 Determination and Education Assistance Act (25
10 U.S.C. 5304).

11 (2) INDIAN LANDS.—The term “Indian lands”
12 includes—

13 (A) any Indian country of an Indian Tribe,
14 as defined under section 1151 of title 18,
15 United States Code;

16 (B) any land in Alaska owned, pursuant to
17 the Alaska Native Claims Settlement Act (43
18 U.S.C. 1601 et seq.), by an Indian Tribe that
19 is a Native village (as defined in section 3 of
20 that Act (43 U.S.C. 1602)) or by a Village Cor-
21 poration that is associated with an Indian Tribe
22 (as defined in section 3 of that Act (43 U.S.C.
23 1602));

24 (C) any land on which the seat of the Trib-
25 al Government is located; and

1 (D) any land that is part or all of a Tribal
2 designated statistical area associated with an
3 Indian Tribe, or is part or all of an Alaska Na-
4 tive village statistical area associated with an
5 Indian Tribe, as defined by the Census Bureau
6 for the purposes of the most recent decennial
7 census.

8 (3) INDIAN TRIBE.—The term “Indian Tribe”
9 has the meaning given the term “Indian tribe” in
10 section 4 of the Indian Self-Determination and Edu-
11 cation Assistance Act (25 U.S.C. 5304).

12 (4) STATE.—The term “State” has the mean-
13 ing given such term in section 901 of the Help
14 America Vote Act of 2002 (52 U.S.C. 21141).

15 (5) TRIBAL GOVERNMENT.—The term “Tribal
16 Government” means the recognized governing body
17 of an Indian Tribe.

18 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
19 authorized to be appropriated \$5,000,000 to carry out this
20 section.

21 **SEC. 139. STATE DEFINED.**

22 Section 901 of the Help America Vote Act of 2002
23 (52 U.S.C. 21141) is amended by striking “and the
24 United States Virgin Islands” and inserting “the United

1 States Virgin Islands, and the Commonwealth of the
2 Northern Mariana Islands”.

3 **Subtitle D—District of Columbia**
4 **Election Integrity and Voter**
5 **Confidence**

6 **SEC. 141. SHORT TITLE.**

7 This subtitle may be cited as the “American Con-
8 fidence in Elections: District of Columbia Election Integ-
9 rity and Voter Confidence Act”.

10 **SEC. 142. FINDINGS.**

11 Congress finds the following:

12 (1) *[to be provided]*

13 **SEC. 143. REQUIREMENTS FOR ELECTIONS IN DISTRICT OF**
14 **COLUMBIA.**

15 (a) **REQUIREMENTS DESCRIBED.**—Title III of the
16 Help America Vote Act of 2002 (52 U.S.C. 21801 et seq.)
17 is amended by adding at the end the following new sub-
18 title:

19 **“Subtitle C—Requirements for**
20 **Elections in District of Columbia**

21 **“SEC. 321. STATEMENT OF CONGRESSIONAL AUTHORITY;**
22 **FINDINGS.**

23 “Congress finds that it has the authority to establish
24 the terms and conditions for the administration of elec-
25 tions for public office in the District of Columbia—

1 “(1) under article I, section 8, clause 17 of the
2 Constitution of the United States, which grants Con-
3 gress the exclusive power to enact legislation with
4 respect to the seat of the government of the United
5 States; and

6 “(2) under other enumerated powers granted to
7 Congress.

8 **“SEC. 322. REQUIREMENTS FOR PHOTO IDENTIFICATION.**

9 “(a) **SHORT TITLE.**—This section may be cited as the
10 ‘American Confidence in Elections: District of Columbia
11 Voter Identification Act’.

12 “(b) **REQUIRING PROVISION OF IDENTIFICATION TO**
13 **RECEIVE A BALLOT OR VOTE.**—

14 “(1) **INDIVIDUALS VOTING IN PERSON.**—A Dis-
15 trict of Columbia election official may not provide a
16 ballot for a District of Columbia election to an indi-
17 vidual who desires to vote in person unless the indi-
18 vidual presents to the official an identification de-
19 scribed in paragraph (3).

20 “(2) **INDIVIDUALS VOTING OTHER THAN IN**
21 **PERSON.**—A District of Columbia election official
22 may not provide a ballot for a District of Columbia
23 election to an individual who desires to vote other
24 than in person unless the individual submits with

1 the application for the ballot a copy of an identifica-
2 tion described in paragraph (3).

3 “(3) IDENTIFICATION DESCRIBED.—An identi-
4 fication described in this paragraph is, with respect
5 to an individual, any of the following:

6 “(A) A current and valid motor vehicle li-
7 cense issued by the District of Columbia or any
8 other current and valid photo identification of
9 the individual which is issued by the District of
10 Columbia or the identification number for such
11 motor vehicle license or photo identification.

12 “(B) A current and valid United States
13 passport, a current and valid military photo
14 identification, or any other current and valid
15 photo identification of the individual which is
16 issued by the Federal government.

17 “(C) Any current and valid photo identi-
18 fication of the individual which is issued by a
19 Tribal Government.

20 “(D) A student photo identification issued
21 by a secondary school (as such term is defined
22 in section 8101 of the Elementary and Sec-
23 ondary Education Act of 1965 (20 U.S.C.
24 7801)) or an institution of higher education (as

1 such term is defined in section 101 of the High-
2 er Education Act of 1965 (20 U.S.C. 1001)).

3 “(E) The last 4 digits of the individual’s
4 social security number.

5 “(4) ENSURING PROOF OF RESIDENCE.—If an
6 individual presents or submits an identification de-
7 scribed in paragraph (3) which does not include the
8 address of the individual’s residence, the District of
9 Columbia election official may not provide a ballot to
10 the individual unless the individual presents or sub-
11 mits a document or other written information from
12 a third party which—

13 “(A) provides the address of the individ-
14 ual’s residence; and

15 “(B) such document or other written infor-
16 mation is of sufficient validity such that the
17 election official is reasonably certain as to the
18 identity of the individual.

19 “(c) PROVISION OF IDENTIFICATION WITHOUT COST
20 TO INDIGENT INDIVIDUALS.—If the District of Columbia
21 charges an individual a fee for an identification described
22 in subsection (b)(3) and the individual provides an attesta-
23 tion that the individual is unable to afford the fee, the
24 District of Columbia shall provide the identification to the
25 individual at no cost.

1 “(d) SPECIAL RULE WITH RESPECT TO SINCERELY
2 HELD RELIGIOUS BELIEFS.—In the case of an individual
3 who is unable to comply with the requirements of sub-
4 section (b) due to sincerely held religious beliefs, the Dis-
5 trict of Columbia shall provide such individual with an al-
6 ternative identification that shall be deemed to meet the
7 requirements of an identification described in subsection
8 (b)(3).

9 “(e) DESIGNATION OF DISTRICT OF COLUMBIA
10 AGENCY TO PROVIDE COPIES OF IDENTIFICATION.—The
11 Mayor of the District of Columbia shall designate an agen-
12 cy of the District of Columbia government to provide an
13 individual with a copy of an identification described in
14 subsection (b)(3) at no cost to the individual for the pur-
15 poses of meeting the requirement under subsection (b)(2).

16 “(f) INCLUSION OF PHOTOS IN POLL BOOKS.—

17 “(1) METHODS FOR OBTAINING PHOTOS.—

18 “(A) PROVISION OF PHOTOS BY OFFICES
19 OF DISTRICT OF COLUMBIA GOVERNMENT.—If
20 any office of the District of Columbia govern-
21 ment has a photograph or digital image of the
22 likeness of an individual who is eligible to vote
23 in a District of Columbia election, the office, in
24 consultation with the chief election official of
25 the District of Columbia, shall provide access to

1 the photograph or digital image to the chief
2 election official of the District of Columbia.

3 “(B) TAKING OF PHOTOS AT POLLING
4 PLACE.—If a photograph or digital image of an
5 individual who votes in person at a polling place
6 is not included in the poll book which contains
7 the name of the individuals who are eligible to
8 vote in the District of Columbia election and
9 which is used by election officials to provide
10 ballots to such eligible individuals, the appro-
11 priate election official shall take a photograph
12 of the individual and provide access to the pho-
13 tograph to the chief election official of the Dis-
14 trict of Columbia.

15 “(C) COPIES OF PHOTOS PROVIDED BY IN-
16 DIVIDUALS NOT VOTING IN PERSON.—The elec-
17 tion official who receives a copy of an identifica-
18 tion described in subsection (b)(3) which is sub-
19 mitted by an individual who desires to vote
20 other than in person at a polling place shall
21 provide access to the copy of the identification
22 to the chief election official of the District of
23 Columbia.

24 “(2) INCLUSION IN POLL BOOKS.—The chief
25 election official of the District of Columbia shall en-

1 sure that a photograph, digital image, or copy of an
2 identification for which access is provided under
3 paragraph (1) is included in the poll book which con-
4 tains the name of the individuals who are eligible to
5 vote in the District of Columbia election and which
6 is used by election officials to provide ballots to such
7 eligible individuals.

8 “(3) PROTECTION OF PRIVACY OF VOTERS.—
9 The appropriate election officials of the District of
10 Columbia shall ensure that any photograph, digital
11 image, or copy of an identification which is included
12 in a poll book under this subsection is not used for
13 any purpose other than the administration of Dis-
14 trict of Columbia elections and is not provided or
15 otherwise made available to any other person except
16 as may be necessary to carry out that purpose.

17 “(g) EXCEPTIONS.—This section does not apply with
18 respect to any individual who is—

19 “(1) entitled to vote by absentee ballot under
20 the Uniformed and Overseas Citizens Absentee Vot-
21 ing Act (52 U.S.C. 20301 et seq.);

22 “(2) provided the right to vote otherwise than
23 in person under section 3(b)(2)(B)(ii) of the Voting
24 Accessibility for the Elderly and Handicapped Act
25 (52 U.S.C. 20102(b)(2)(B)(ii)); or

1 “(3) entitled to vote otherwise than in person
2 under any other Federal law.

3 “(h) DEFINITIONS.—For the purposes of this section,
4 the following definitions apply:

5 “(1) INDIAN TRIBE.—The term ‘Indian Tribe’
6 has the meaning given the term ‘Indian tribe’ in sec-
7 tion 4 of the Indian Self-Determination and Edu-
8 cation Assistance Act (25 U.S.C. 5304).

9 “(2) TRIBAL GOVERNMENT.—The term ‘Tribal
10 Government’ means the recognized governing body
11 of an Indian Tribe.

12 **“SEC. 323. REQUIREMENTS FOR VOTER REGISTRATION.**

13 “(a) SHORT TITLE.—This section may be cited as the
14 ‘American Confidence in Elections: District of Columbia
15 Voter List Maintenance Act’.

16 “(b) ANNUAL LIST MAINTENANCE.—

17 “(1) REQUIREMENTS.—

18 “(A) IN GENERAL.—The District of Co-
19 lumbia shall carry out annually a program to
20 remove ineligible persons from the official list of
21 persons registered to vote in the District of Co-
22 lumbia, as required by section 8 of the National
23 Voter Registration Act of 1993 (52 U.S.C.
24 20507) and pursuant to the procedures de-
25 scribed in subparagraph (B).

1 “(B) REMOVAL FROM VOTER ROLLS.—In
2 the case of a registrant from the official list of
3 eligible voters in District of Columbia elections
4 who has failed to vote in a District of Columbia
5 election during a period of two consecutive
6 years, the District of Columbia shall send to
7 such registrant a notice described in section
8 8(d)(2) of the National Voter Registration Act
9 of 1993 (52 U.S.C. 20507(d)(2)) and shall re-
10 move the registrant from the official list of eli-
11 gible voters in District of Columbia elections
12 if—

13 “(i) the registrant fails to respond to
14 such notice; and

15 “(ii) the registrant has not voted or
16 appeared to vote in a District of Columbia
17 election during the period beginning the
18 date such notice is sent and ending the
19 later of 4 years after the date such notice
20 is sent or after two consecutive District of
21 Columbia general elections have been held.

22 “(2) TIMING.—In the case of a year during
23 which a regularly scheduled District of Columbia
24 election is held, the District of Columbia shall carry

1 out the program described in paragraph (1) not
2 later than 90 days prior to the date of the election.

3 “(c) PROHIBITING SAME-DAY REGISTRATION.—The
4 District of Columbia may not permit an individual to vote
5 in a District of Columbia election unless, not later than
6 30 days prior to the date of the election, the individual
7 is duly registered to vote in the election.

8 **“SEC. 324. BAN ON COLLECTION AND TRANSMISSION OF**
9 **BALLOTS BY CERTAIN THIRD PARTIES.**

10 “(a) SHORT TITLE.—This section may be cited as the
11 ‘American Confidence in Elections: District of Columbia
12 Election Fraud Prevention Act’.

13 “(b) IN GENERAL.—The District of Columbia may
14 not permit an individual to knowingly collect and transmit
15 a ballot in a District of Columbia election that was mailed
16 to another person, other than an individual described as
17 follows:

18 “(1) An election official while engaged in offi-
19 cial duties as authorized by law.

20 “(2) An employee of the United States Postal
21 Service or other commercial common carrier engaged
22 in similar activities while engaged in duties author-
23 ized by law.

1 “(3) Any other individual who is allowed by law
2 to collect and transmit United States mail, while en-
3 gaged in official duties as authorized by law.

4 “(4) A family member, household member, or
5 caregiver of the person to whom the ballot was
6 mailed.

7 “(c) DEFINITIONS.—For purposes of this section,
8 with respect to a person to whom the ballot was mailed:

9 “(1) The term ‘caregiver’ means an individual
10 who provides medical or health care assistance to
11 such person in a residence, nursing care institution,
12 hospice facility, assisted living center, assisted living
13 facility, assisted living home, residential care institu-
14 tion, adult day health care facility, or adult foster
15 care home.

16 “(2) The term ‘family member’ means an indi-
17 vidual who is related to such person by blood, mar-
18 riage, adoption or legal guardianship.

19 “(3) The term ‘household member’ means an
20 individual who resides at the same residence as such
21 person.

1 **“SEC. 325. TIMELY PROCESSING AND REPORTING OF RE-**
2 **SULTS.**

3 “(a) **SHORT TITLE.**—This section may be cited as the
4 ‘American Confidence in Elections: District of Columbia
5 Timely Reporting of Election Results Act’.

6 “(b) **TIME FOR PROCESSING BALLOTS AND REPORT-**
7 **ING RESULTS.**— The District of Columbia shall begin
8 processing ballots received by mail in a District of Colum-
9 bia election as soon as such ballots are received and shall
10 ensure **[New:]** to the greatest extent practicable that the
11 results of such District of Columbia election are reported
12 to the public not later than 10:00 am on the date following
13 the date of the election, but in no case shall such ballots
14 be tabulated or such results be reported earlier than the
15 closing of polls on the date of the election.

16 “(c) **REQUIREMENT TO PUBLISH NUMBER OF VOTED**
17 **BALLOTS ON ELECTION DAY.**—The District of Columbia
18 shall, as soon as practicable after the closing of polls on
19 the date of a District of Columbia election, make available
20 on a publicly accessible website the total number of voted
21 ballots in the possession of election officials in the District
22 of Columbia as of the time of the closing of polls on the
23 date of such election, which shall include, as of such
24 time—

25 “(1) the number of voted ballots delivered by
26 mail;

1 “(2) the number of ballots requested for such
2 election by individuals who are entitled to vote by
3 absentee ballot under the Uniformed and Overseas
4 Citizens Absentee Voting Act (52 U.S.C. 20301 et
5 seq.); and

6 “(3) the number of voted ballots for such elec-
7 tion received from individuals who are entitled to
8 vote by absentee ballot under the Uniformed and
9 Overseas Citizens Absentee Voting Act (52 U.S.C.
10 20301 et seq.), including from individuals who,
11 under such Act, voted by absentee ballot without re-
12 questing such a ballot.

13 “(d) REQUIREMENTS TO ENSURE BIPARTISAN ELEC-
14 TION ADMINISTRATION ACTIVITY.—With respect to a Dis-
15 trict of Columbia election, District of Columbia election
16 officials shall ensure that all activities are carried out in
17 a bipartisan manner, which shall include a requirement
18 that, in the case of an election worker who enters a room
19 which contains ballots, voting equipment, or non-voting
20 equipment as any part of the election worker’s duties to
21 carry out such election, the election worker is accompanied
22 by an individual registered to vote with respect to a dif-
23 ferent political party than such election worker, as deter-
24 mined pursuant to the voting registration records of the
25 District of Columbia.

1 **“SEC. 326. BAN ON NONCITIZEN VOTING.**

2 “(a) SHORT TITLE.—This section may be cited as the
3 ‘American Confidence in Elections: District of Columbia
4 Citizen Voter Act’.

5 “(b) BAN ON NONCITIZEN VOTING.—No individual
6 may vote in a District of Columbia election unless the indi-
7 vidual is a citizen of the United States.

8 **“SEC. 327. REQUIREMENTS WITH RESPECT TO PROVI-**
9 **SIONAL BALLOTS.**

10 “(a) SHORT TITLE.—This section may be cited as the
11 ‘American Confidence in Elections: District of Columbia
12 Provisional Ballot Reform Act’.

13 “(b) IN GENERAL.—Except as provided in subsection
14 (c), the District of Columbia shall permit an individual
15 to cast a provisional ballot pursuant to section 302 if—

16 “(1) the individual declares that such individual
17 is a registered voter in the District of Columbia and
18 is eligible to vote in a District of Columbia election
19 but the name of the individual does not appear on
20 the official list of eligible voters for the polling place
21 or an election official asserts that the individual is
22 not eligible to vote; or

23 “(2) the individual declares that such individual
24 is a registered voter in the District of Columbia and
25 is eligible to vote in a District of Columbia election
26 but does not provide an identification required under

1 section 322, except that the individual’s provisional
2 ballot shall not be counted in the election unless the
3 individual provides such identification to the chief
4 State election official of the District of Columbia not
5 later than 5:00 pm on the second day which begins
6 after the date of the election.

7 “(c) REQUIREMENTS WITH RESPECT TO COUNTING
8 PROVISIONAL BALLOTS IN CERTAIN CASES.—If the name
9 of an individual who is a registered voter in the District
10 of Columbia and eligible to vote in a District of Columbia
11 election appears on the official list of eligible voters for
12 a polling place in the District of Columbia, such individual
13 may cast a provisional ballot pursuant to section 302 for
14 such election at a polling place other than the polling place
15 with respect to which the name of the individual appears
16 on the official list of eligible voters, except that the individ-
17 ual’s provisional ballot shall not be counted in the election
18 unless the individual demonstrates pursuant to the re-
19 quirements under section 302 that the individual is a reg-
20 istered voter in the jurisdiction of the polling place at
21 which the individual cast such ballot.

22 **“SEC. 328. MANDATORY POST-ELECTION AUDITS.**

23 “(a) SHORT TITLE.—This section may be cited as the
24 ‘American Confidence in Elections: District of Columbia
25 Mandatory Post-Election Audits Act’.

1 “(2) AUTHORITY AND PROCEDURES DE-
2 SCRIBED.—The authority of an individual to observe
3 election procedures pursuant to this subsection is as
4 follows:

5 “(A) The individual may serve as a poll
6 watcher to observe the casting and tabulation of
7 ballots at a polling place on the date of the elec-
8 tion or on any day prior to the date of the elec-
9 tion on which ballots are cast at early voting
10 sites, and may challenge the casting or tabula-
11 tion of any such ballot.

12 “(B) The individual may serve as a poll
13 watcher to observe the canvassing and proc-
14 essing of absentee or other mail-in ballots, in-
15 cluding the procedures for verification of signed
16 certificates of transmission under section
17 330(c)(2).

18 “(C) The individual may observe the re-
19 count of the results of the election at any loca-
20 tion at which the recount is held, and may chal-
21 lenge the tabulation of any ballot tabulated pur-
22 suant to the recount.

23 “(3) PROVISION OF CREDENTIALS.—The chief
24 State election official of the District of Columbia
25 shall provide each individual who is authorized to ob-

1 serve election procedures under paragraph (1) with
2 appropriate credentials to enable the individual to
3 observe such procedures.

4 “(4) EXCEPTION FOR CANDIDATES AND LAW
5 ENFORCEMENT OFFICERS.—An individual may not
6 serve as a poll watcher under subparagraph (A) or
7 (B) of paragraph (2), and the chief State election of-
8 ficial of the District of Columbia may not provide
9 the individual with credentials to enable the indi-
10 vidual to serve as a poll watcher under such sub-
11 paragraph, if the individual is a candidate in the
12 election or a law enforcement officer.

13 “(c) OTHER INDIVIDUALS.—

14 “(1) PETITION FOR OBSERVER CREDEN-
15 TIALS.—In addition to the individuals described in
16 subsection (b), any individual, including an indi-
17 vidual representing or affiliated with a domestic or
18 international organization, may petition the chief
19 State election official of the District of Columbia to
20 provide the individual with credentials to observe
21 election procedures carried out in a District of Co-
22 lumbia election, as described in subsection (b).

23 “(2) AUTHORITY DESCRIBED.—If the chief
24 State election official provides an individual with
25 credentials under paragraph (1), the individual shall

1 have the same authority to observe election proce-
2 dures carried out in the election as an individual de-
3 scribed in subsection (b), except that the individual
4 may not challenge the casting, tabulation, can-
5 vassing, or processing of any ballot in the election.

6 “(3) EXCEPTION FOR CANDIDATES AND LAW
7 ENFORCEMENT OFFICERS.—The chief State election
8 official of the District of Columbia may not provide
9 an individual who is a candidate in the election or
10 a law enforcement officer with credentials to serve as
11 a poll watcher, as described in subparagraph (A) or
12 (B) of subsection (b)(2).

13 “(d) AUTHORITY OF MEMBERS OF PUBLIC TO OB-
14 SERVE TESTING OF EQUIPMENT.—In addition to the au-
15 thority of individuals to observe procedures under sub-
16 sections (b) and (c), any member of the public may ob-
17 serve the testing of election equipment by election officials
18 prior to the date of the election.

19 “(e) PROHIBITING LIMITS ON ABILITY TO VIEW PRO-
20 CEDURES.—An election official may not obstruct the abil-
21 ity of an individual who is authorized to observe an elec-
22 tion procedure under this section to view the procedure
23 as it is being carried out.

24 “(f) PROHIBITION AGAINST CERTAIN RESTRIC-
25 TIONS.—An election official may not require that an indi-

1 individual who observes election procedures under this section
2 stays more than 3 feet away from the procedure as it is
3 being carried out.

4 **“SEC. 330. REQUIREMENTS FOR VOTING BY MAIL-IN BAL-**
5 **LOT.**

6 “(a) **SHORT TITLE.**—This section may be cited as the
7 ‘American Confidence in Elections: District of Columbia
8 Mail Balloting Reform Act’.

9 “(b) **PROHIBITING TRANSMISSION OF UNSOLICITED**
10 **BALLOTS.**—The District of Columbia may not transmit
11 an absentee or other mail-in ballot for a District of Colum-
12 bia election to any individual who does not request the
13 District of Columbia to transmit the ballot.

14 “(c) **SIGNATURE VERIFICATION.**—

15 “(1) **INCLUSION OF CERTIFICATE WITH BAL-**
16 **LOT.**—The District of Columbia shall include with
17 each absentee or other mail-in ballot transmitted for
18 a District of Columbia election a certificate of trans-
19 mission which may be signed by the individual for
20 whom the ballot is transmitted.

21 “(2) **REQUIRING VERIFICATION FOR BALLOT TO**
22 **BE COUNTED.**—Except as provided in subsection (d),
23 the District of Columbia may not accept an absentee
24 or other mail-in ballot for a District of Columbia
25 election unless—

1 “(A) the individual for whom the ballot
2 was transmitted—

3 “(i) signs and dates the certificate of
4 transmission included with the ballot under
5 paragraph (1); and

6 “(ii) includes the signed certification
7 with the ballot and the date on such cer-
8 tification is accurate and in no case later
9 than the date of the election; and

10 “(B) the individual’s signature on the bal-
11 lot matches the signature of the individual on
12 the official list of registered voters in the Dis-
13 trict of Columbia or other official record or doc-
14 ument used by the District of Columbia to
15 verify the signatures of voters.

16 “(d) NOTICE AND OPPORTUNITY TO CURE.—

17 “(1) NOTICE AND OPPORTUNITY TO CURE DIS-
18 CREPANCY IN SIGNATURES.—If an individual sub-
19 mits an absentee or other mail-in ballot for a Dis-
20 trict of Columbia election and the appropriate Dis-
21 trict of Columbia election official determines that a
22 discrepancy exists between the signature on such
23 ballot and the signature of such individual on the of-
24 ficial list of registered voters in the District of Co-
25 lumbia or other official record or document used by

1 the District of Columbia to verify the signatures of
2 voters, such election official, prior to making a final
3 determination as to the validity of such ballot,
4 shall—

5 “(A) make a good faith effort to imme-
6 diately notify the individual by mail, telephone,
7 or (if available) text message and electronic
8 mail that—

9 “(i) a discrepancy exists between the
10 signature on such ballot and the signature
11 of the individual on the official list of reg-
12 istered voters in the District of Columbia
13 or other official record or document used
14 by the District of Columbia to verify the
15 signatures of voters; and

16 “(ii) if such discrepancy is not cured
17 prior to the expiration of the 48-hour pe-
18 riod which begins on the date the official
19 notifies the individual of the discrepancy,
20 such ballot will not be counted; and

21 “(B) cure such discrepancy and count the
22 ballot if, prior to the expiration of the 48-hour
23 period described in subparagraph (A)(ii), the
24 individual provides the official with information

1 to cure such discrepancy, either in person, by
2 telephone, or by electronic methods.

3 “(2) NOTICE AND OPPORTUNITY TO CURE MISS-
4 ING SIGNATURE OR OTHER DEFECT.—If an indi-
5 vidual submits an absentee or other mail-in ballot
6 for a District of Columbia election without a signa-
7 ture on the ballot or the certificate of transmission
8 included with the ballot under subsection (c)(1) or
9 submits an absentee ballot with another defect
10 which, if left uncured, would cause the ballot to not
11 be counted, the appropriate District of Columbia
12 election official, prior to making a final determina-
13 tion as to the validity of the ballot, shall—

14 “(A) make a good faith effort to imme-
15 diately notify the individual by mail, telephone,
16 or (if available) text message and electronic
17 mail that—

18 “(i) the ballot or certificate of trans-
19 mission did not include a signature or has
20 some other defect; and

21 “(ii) if the individual does not provide
22 the missing signature or cure the other de-
23 fect prior to the expiration of the 48-hour
24 period which begins on the date the official
25 notifies the individual that the ballot or

1 certificate of transmission did not include
2 a signature or has some other defect, such
3 ballot will not be counted; and

4 “(B) count the ballot if, prior to the expi-
5 ration of the 48-hour period described in sub-
6 paragraph (A)(ii), the individual provides the
7 official with the missing signature on a form
8 proscribed by the District of Columbia or cures
9 the other defect.

10 This paragraph does not apply with respect to a de-
11 fect consisting of the failure of a ballot to meet the
12 applicable deadline for the acceptance of the ballot,
13 as described in subsection (e).

14 “(e) DEADLINE FOR ACCEPTANCE.—

15 “(1) DEADLINE.—Except as provided in para-
16 graph (2), the District of Columbia may not accept
17 an absentee or other mail-in ballot for a District of
18 Columbia election which is received by the appro-
19 priate election official following the close of polls on
20 Election Day.

21 “(2) EXCEPTION FOR ABSENT MILITARY AND
22 OVERSEAS VOTERS.—Paragraph (1) does not apply
23 to a ballot cast by an individual who is entitled to
24 vote by absentee ballot under the Uniformed and

1 Overseas Citizens Absentee Voting Act (52 U.S.C.
2 20301 et seq.).

3 “(3) RULE OF CONSTRUCTION.—Nothing in
4 this subsection may be construed as prohibiting the
5 District of Columbia from accepting an absentee or
6 other mail-in ballot for a District of Columbia elec-
7 tion that is delivered in person by the voter to an
8 election official at an appropriate polling place or
9 the District of Columbia Board of Elections if such
10 ballot is received by the election official by the dead-
11 line described in paragraph (1).

12 **“SEC. 331. REQUIREMENTS WITH RESPECT TO USE OF**
13 **DROP BOXES.**

14 “(a) SHORT TITLE.—This section may be cited as the
15 ‘American Confidence in Elections: District of Columbia
16 Ballot Security Act’.

17 “(b) REQUIREMENTS.—With respect to a District of
18 Columbia election, the District of Columbia may not use
19 a drop box to accept a voted absentee or other mail-in
20 ballot for any such election unless—

21 “(1) any such drop box is located inside a Dis-
22 trict of Columbia government building or facility;

23 “(2) the District of Columbia provides for the
24 security of any such drop box through 24-hour re-
25 mote or electronic surveillance; and

- “Sec. 321. Statement of Congressional authority; findings.
- “Sec. 322. Requirements for photo identification.
- “Sec. 323. Requirements for voter registration.
- “Sec. 324. Ban on collection and transmission of ballots by certain third parties.
- “Sec. 325. Timely processing and reporting of results.
- “Sec. 326. Ban on noncitizen voting.
- “Sec. 327. Requirements with respect to provisional ballots.
- “Sec. 328. Mandatory post-election audits.
- “Sec. 329. Public observation of election procedures.
- “Sec. 330. Requirements for voting by mail-in ballot.
- “Sec. 331. Requirements with respect to use of drop boxes.
- “Sec. 332. Special rule with respect to application of requirements to Federal elections.
- “Sec. 333. District of Columbia election defined.

1 **SEC. 144. EFFECTIVE DATE.**

2 The amendments made by this subtitle shall apply
3 with respect to District of Columbia elections held on or
4 after January 1, 2024. For purposes of this section, the
5 term “District of Columbia election” has the meaning
6 given such term in section 333 of the Help America Vote
7 Act of 2002, as added by section 143(a).

8 **Subtitle E—Administration of the**
9 **Election Assistance Commission**

10 **SEC. 151. SHORT TITLE.**

11 This subtitle may be cited as the “Positioning the
12 Election Assistance Commission for the Future Act of
13 2022”.

14 **SEC. 152. FINDINGS RELATING TO THE ADMINISTRATION**
15 **OF THE ELECTION ASSISTANCE COMMISSION.**

16 Congress finds the following:

17 (1) The Election Assistance Commission best
18 serves the American people when operating within

1 its core statutory functions, including serving as a
2 clearinghouse for information on election administra-
3 tion, providing grants, and testing and certifying
4 election equipment.

5 (2) The American people are best served when
6 Federal agency election assistance is offered by a
7 single agency with expertise in this space. The Elec-
8 tion Assistance Commission, composed of four elec-
9 tion experts from different political parties, is best
10 situated among the Federal government agencies to
11 offer assistance services to citizens and to guide
12 other Federal agencies that have responsibilities in
13 the elections space. The Commission is also best
14 suited to determine the timing of the issuance of any
15 advisories and to disburse all appropriated election
16 grant funding.

17 (3) To this end, Congress finds that the Elec-
18 tion Assistance Commission should be viewed as the
19 lead Federal government agency on all election ad-
20 ministration matters, and other Federal agencies op-
21 erating in this space should look to the Commission
22 for guidance, direction, and support on election ad-
23 ministration-related issues.

1 **SEC. 153. REQUIREMENTS WITH RESPECT TO STAFF AND**
2 **FUNDING OF THE ELECTION ASSISTANCE**
3 **COMMISSION.**

4 (a) **STAFF.**—Section 204(a)(5) of the Help America
5 Vote Act of 2002 (52 U.S.C. 20924(a)(5)) is amended by
6 striking “of such additional personnel” and inserting “of
7 not more than 55 full-time equivalent employees to carry
8 out the duties and responsibilities under this Act and the
9 additional duties and responsibilities required under the
10 American Confidence in Elections Act”.

11 (b) **FUNDING.**—Section 210 of the Help America
12 Vote Act of 2002 (52 U.S.C. 20930) is amended—

13 (1) by striking “for each of the fiscal years
14 2003 through 2005” and inserting “for each of the
15 fiscal years 2023 through 2025”; and

16 (2) by striking “(but not to exceed \$10,000,000
17 for each such year)” and inserting “(but not to ex-
18 ceed \$25,000,000 for each such year)”.

19 (c) **PROHIBITION ON CERTAIN USE OF FUNDS.**—

20 (1) **PROHIBITION.**—None of the funds author-
21 ized to be appropriated or otherwise made available
22 under subsection (b) may be obligated or expended
23 for the operation of an advisory committee estab-
24 lished by the Election Assistance Commission pursu-
25 ant to and in accordance with the provisions of the
26 Federal Advisory Committee Act (5 U.S.C. App. 2),

1 except with respect to the operation of the Local
2 Leadership Council.

3 (2) NO EFFECT ON ENTITIES ESTABLISHED BY
4 HELP AMERICA VOTE ACT OF 2002.—Paragraph (1)
5 does not apply with respect to the operation of any
6 entity established by the Help America Vote Act of
7 2002, including the Election Assistance Commission
8 Standards Board, the Election Assistance Commis-
9 sion Board of Advisors, and the Technical Guide-
10 lines Development Committee.

11 (d) REQUIREMENTS WITH RESPECT TO COMPENSA-
12 TION OF MEMBERS OF THE COMMISSION.—Section
13 203(d) of the Help America Vote Act of 2002 (52 U.S.C.
14 20923(d)) is amended—

15 (1) in paragraph (1), by striking “at the annual
16 rate of basic pay prescribed for level IV of the Exec-
17 utive Schedule under section 5315 of title 5, United
18 States Code” and inserting “at an annual rate of
19 basic pay equal to the amount of \$186,300, as ad-
20 justed under section 5318 of title 5, United States
21 Code, in the same manner as the annual rate of pay
22 for positions at each level of the Executive Sched-
23 ule”;

1 (2) in paragraph (2), by striking “No member
2 appointed” and inserting “Except as provided in
3 paragraph (3), no member appointed”; and

4 (3) by adding at the end the following new
5 paragraph:

6 “(3) SUPPLEMENTAL EMPLOYMENT AND COM-
7 PENSATION.—An individual serving a term of service
8 on the Commission shall be permitted to hold a posi-
9 tion at an institution of higher education (as such
10 term is defined in section 101 of the Higher Edu-
11 cation Act of 1965 (20 U.S.C. 1001) if—

12 “(A) the **[New:]** General Counsel of the
13 Election Assistance Commission determines
14 that such position does not create a conflict of
15 interest with the individual’s position as a sit-
16 ting member of the Commission and grants the
17 individual approval to hold the position; and

18 “(B) the annual rate of compensation re-
19 ceived by the individual from such institution is
20 not greater than the amount equal to 49.9% of
21 the annual rate of basic pay paid to the indi-
22 vidual under paragraph (1).”.

23 (e) OFFICE OF INSPECTOR GENERAL.—Section 204
24 of the Help America Vote Act of 2002 (52 U.S.C. 20924)

1 is amended by adding at the end the following new sub-
2 section:

3 “(f) OFFICE OF INSPECTOR GENERAL.—The Inspec-
4 tor General of the Election Assistance Commission may
5 appoint not more than 7 full-time equivalent employees
6 to assist the Inspector General to carry out the duties and
7 responsibilities under *[Revised to reflect enactment of IG*
8 *Act as part of title 5, United States Code:]* section 404
9 of title 5, United States Code, of whom 2 shall have pri-
10 marily administrative duties and responsibilities.”.

11 (f) EFFECTIVE DATE.—This section and the amend-
12 ments made by this section shall take effect on October
13 1, 2022.

14 **SEC. 154. GENERAL REQUIREMENTS FOR PAYMENTS MADE**
15 **BY ELECTION ASSISTANCE COMMISSION.**

16 (a) EXCLUSIVE AUTHORITY OF ELECTION ASSIST-
17 ANCE COMMISSION TO MAKE ELECTION ADMINISTRATION
18 PAYMENTS TO STATES.—No entity of the Federal Govern-
19 ment other than the Election Assistance Commission may
20 make any payment to a State for purposes of admin-
21 istering elections for Federal office, including obtaining
22 election and voting equipment and infrastructure, enhance-
23 ing election and voting technology, and making election
24 and voting security improvements, including with respect
25 to cybersecurity and infrastructure.

1 (b) **[New:]** Prohibiting Use of Payments for Get-out-
2 the-vote-activity.—Subtitle D of title II of the Help Amer-
3 ica Vote Act of 2002 (52 U.S.C. 21001 et seq.) is amend-
4 ed by adding at the end the following new part:

5 **“PART 7—GENERAL REQUIREMENTS FOR**
6 **PAYMENTS**

7 **“SEC. 297. PROHIBITING USE OF PAYMENTS FOR GET-OUT-**
8 **THE-VOTE-ACTIVITY.**

9 “(a) PROHIBITION.—No payment made to a State or
10 unit of local government by the Commission **[Review: Do**
11 *you want or need to include this to clarify the application*
12 *of this restriction to funds that don’t consist of requirements*
13 *payments under HAVA? under this Act or any other Act]
14 may be used for get-out-the-vote activity.*

15 “(b) DEFINITION.—In this section, the term ‘get-out-
16 the-vote activity’ means, with respect to a payment made
17 to a State or unit of local government, any activity which,
18 at the time the payment is made, is treated as get-out-
19 the-vote-activity under the Federal Election Campaign Act
20 of 1971 and the regulations promulgated by the Federal
21 Election Commission to carry out such Act. **[Q: Do you**
22 *want or need to carve out an exception for activity described*
23 *in 11 CFR 100.24(a)(3)(i)(B)(1) (informing voters about*
24 *times when polling places are open) or (B)(2) (informing*
25 *voters about the location of particular polling places)?]”.*

1 (c) **[New:]** Requiring Disclaimer in Communica-
2 tions.—Part 7 of subtitle D of title II of such Act, as
3 added by subsection (b), is amended by adding at the end
4 the following new section:

5 **“SEC. 297A. REQUIRING COMMUNICATIONS FUNDED BY**
6 **PAYMENTS TO INCLUDE DISCLAIMER.**

7 “(a) REQUIREMENT.—**[Note: This is drafted on the**
8 *assumption that the requirement applies only to commu-*
9 *nications developed or disseminated by a recipient of EAC*
10 *funds and not to the EAC’s own public communications.*
11 **Is that a correct assumption?]** If a State or unit of local
12 government disseminates a public communication which
13 was developed or disseminated in whole or in part with
14 a payment made to the State or local government by the
15 Commission **[See note above: under this Act or any other**
16 **Act]**, the State or unit of local government shall ensure
17 that the communication includes, in a clear and con-
18 spicuous manner, the following statement: ‘Paid for using
19 Federal taxpayer funds pursuant to the Help America
20 Vote Act’.

21 “(b) CLEAR AND CONSPICUOUS MANNER DE-
22 SCRIBED.—**[Based on H.R. 3044, 118th:]** A statement re-
23 quired under subsection (a) shall be considered to be in
24 a clear and conspicuous manner if the statement meets
25 the following requirements:

1 “(1) TEXT OR GRAPHIC COMMUNICATIONS.—In
2 the case of a text or graphic communication, the
3 statement—

4 “(A) appears in letters at least as large as
5 the majority of the text in the communication

6 “(B) is contained in a printed box set
7 apart from the other contents of the commu-
8 nication; and

9 “(C) is printed with a reasonable degree of
10 color contrast between the background and the
11 printed statement.

12 “(2) AUDIO COMMUNICATIONS.—In the case of
13 an audio communication, the statement is spoken in
14 a clearly audible and intelligible manner at the be-
15 ginning or end of the communication and lasts at
16 least 3 seconds.

17 “(3) VIDEO COMMUNICATIONS.—In the case of
18 a video communication which also includes audio,
19 the statement—

20 “(A) is included at either the beginning or
21 the end of the communication; and

22 “(B) is made both in—

23 “(i) a written format that meets the
24 requirements of subparagraph (A) and ap-
25 pears for at least 4 seconds; and

1 “(ii) an audible format that meets the
2 requirements of subparagraph (B).

3 “(4) OTHER COMMUNICATIONS.—In the case of
4 any other type of communication, the statement is
5 at least as clear and conspicuous as the statement
6 specified in paragraph (1), (2), or (3).

7 “(c) PUBLIC COMMUNICATION.—**[Based on section**
8 **301(20) of the FECA:]** In this section, the term ‘public
9 communication’ means a communication **[Review: relating**
10 **to the administration of an election for Federal office]** by
11 means of any broadcast, cable, or satellite communication,
12 newspaper, magazine, outdoor advertising facility, mass
13 mailing, or telephone bank to the general public, or any
14 other form of general public advertising.”.

15 (d) CLERICAL AMENDMENT.—The table of contents
16 of such Act is amended by inserting at the end of the items
17 relating to subtitle D of title II the following:

“PART 7—GENERAL REQUIREMENTS FOR PAYMENTS

“Sec. 297. Prohibiting use of payments for get-out-the-vote-activity.

“Sec. 297A. Requiring communications funded by payments to include disclaimer.”.

18 (e) EFFECTIVE DATE.—This section and the amend-
19 ments made by this section shall apply with respect to pay-
20 ments made on or after the date of the enactment of this
21 Act.

1 **SEC. 155. EXECUTIVE BOARD OF THE STANDARDS BOARD**
2 **AUTHORITY TO ENTER INTO CONTRACTS.**

3 Section 213(c) of the Help America Vote Act of 2002
4 (52 U.S.C. 20943(c)) is amended by adding at the end
5 the following new paragraph:

6 “(5) AUTHORITY TO ENTER INTO CON-
7 TRACTS.—The Executive Board of the Standards
8 Board may, using amounts already made available
9 to the Commission, enter into contracts to employ
10 and retain no more than 2 individuals to enable the
11 Standards Board to discharge its duties with respect
12 to the examination and release of voluntary consider-
13 ations with respect to the administration of elections
14 for Federal offices by the States under section 247,
15 except that—

16 “(A) no more than 1 individual from the
17 same political party may be employed under
18 such contracts at the same time;

19 “(B) the authority to enter into such con-
20 tracts shall end on the earlier of the date of the
21 release of the considerations or December 31,
22 2023; and

23 “(C) no additional funds may be appro-
24 priated to the Commission for the purposes of
25 carrying out this paragraph.”.

1 **SEC. 156. ELECTION ASSISTANCE COMMISSION PRIMARY**
2 **ROLE IN ELECTION ADMINISTRATION.**

3 Except as provided in any other provision of law, the
4 Election Assistance Commission shall, with respect to any
5 other entity of the Federal Government, have primary ju-
6 risdiction to address issues with respect to the administra-
7 tion of elections for Federal office.

8 **Subtitle F—Prohibition on Involvement in Elections by Foreign**
9 **Nationals**

11 **SEC. 161. PROHIBITION ON CONTRIBUTIONS AND DONA-**
12 **TIONS BY FOREIGN NATIONALS IN CONNEC-**
13 **TION WITH BALLOT INITIATIVES AND**
14 **REFERENDA.**

15 (a) **SHORT TITLE.**—This section may be cited as the
16 “Keeping Foreign Money out of Ballot Measures Act of
17 2022”.

18 (b) **IN GENERAL.**—Chapter 29 of title 18, United
19 States Code, is amended by adding at the end the fol-
20 lowing new section:

21 **“§ 612. Foreign nationals making certain political**
22 **contributions**

23 “(a) **PROHIBITION.**—It shall be unlawful for a for-
24 eign national, directly or indirectly, to make a contribution
25 as such term is defined in section 301(8)(A) of the Federal
26 Election Campaign Act of 1971 (52 U.S.C. 30101(8)(A))

1 or donation of money or other thing of value, or to make
2 an express or implied promise to make a contribution or
3 donation, in connection with a State or local ballot initia-
4 tive or referendum.

5 “(b) PENALTY.—Any person who violates subsection
6 (a) shall be fined not more than the greater of \$10,000
7 or 300 percent of the amount of the contribution or value
8 of the donation of money or other thing of value made
9 by the person, imprisoned for not more than 1 year, or
10 both.

11 “(c) FOREIGN NATIONAL DEFINED.—In this section,
12 the term ‘foreign national’ has the meaning given such
13 term in section 319(b) of the Federal Election Campaign
14 Act of 1971 (52 U.S.C. 30121(b)).”.

15 (c) CLERICAL AMENDMENT.—The table of sections
16 for chapter 29 of title 18, United States Code, is amended
17 by adding at the end the following new item:

“612. Foreign nationals making certain political contributions.”.

18 (d) EFFECTIVE DATE.—The amendment made by
19 this section shall apply with respect to contributions and
20 donations made on or after the date of the enactment of
21 this Act.

1 **Subtitle G—Constitutional Experts**
2 **Panel With Respect to Presi-**
3 **dential Elections**

4 **SEC. 171. SHORT TITLE.**

5 This subtitle may be cited as the “Solving an Over-
6 looked Loophole in Votes for Executives (SOLVE) Act”.

7 **SEC. 172. ESTABLISHMENT OF PANEL OF CONSTITUTIONAL**
8 **EXPERTS.**

9 (a) **ESTABLISHMENT.**—There is established the
10 “Twentieth Amendment Section Four Panel” (in this sec-
11 tion referred to as the “Panel”).

12 (b) **MEMBERSHIP.**—

13 (1) **IN GENERAL.**—The Panel shall be composed
14 of 6 constitutional experts, of whom—

15 (A) 1 shall be appointed by the majority
16 leader of the Senate;

17 (B) 1 shall be appointed by the minority
18 leader of the Senate;

19 (C) 1 shall be appointed jointly by the ma-
20 jority and minority leader of the Senate;

21 (D) 1 shall be appointed by the Speaker of
22 the House of Representatives;

23 (E) 1 shall be appointed by minority leader
24 of the House of Representatives; and

1 (F) 1 shall be appointed jointly by the
2 Speaker of the House of Representatives and
3 the minority leader of the House of Representa-
4 tives.

5 (2) DATE.—The appointments of the members
6 of the Panel shall be made not later than 180 days
7 after the date of enactment of this Act.

8 (3) VACANCY.—Any vacancy occurring in the
9 membership of the Panel shall be filled in the same
10 manner in which the original appointment was
11 made.

12 (4) CHAIRPERSON AND VICE CHAIRPERSON.—
13 The Panel shall select a Chairperson and Vice
14 Chairperson from among the members of the Panel.

15 (c) PURPOSE.—The purpose of the Panel shall be to
16 recommend to Congress model legislation, which shall pro-
17 vide for an appropriate process, pursuant to section 4 of
18 the Twentieth Amendment to the United States Constitu-
19 tion, to resolve any vacancy created by the death of a can-
20 didate in a contingent presidential or vice-presidential
21 election.

22 (d) REPORTS.—

23 (1) INITIAL REPORT.—Not later than 1 year
24 after the date on which all of the appointments have
25 been made under subsection (b)(2), the Panel shall

1 submit to Congress an interim report containing the
2 Panel's findings, conclusions, and recommendations.

3 (2) FINAL REPORT.—Not later than 6 months
4 after the submission of the interim report under
5 paragraph (1), the Panel shall submit to Congress a
6 final report containing the Panel's findings, conclu-
7 sions, and recommendations.

8 (e) MEETINGS; INFORMATION.—

9 (1) IN GENERAL.—Meetings of the Panel shall
10 be held at the Law Library of Congress.

11 (2) INFORMATION.—The Panel may secure
12 from the Law Library of Congress such information
13 as the Panel considers necessary to carry out the
14 provisions of this section.

15 (f) FUNDS.—

16 (1) COMPENSATION OF MEMBERS.—Members of
17 the Panel shall receive no compensation.

18 (2) OTHER FUNDING.—No amounts shall be
19 appropriated for the purposes of this section, except
20 for any amounts strictly necessary for the Law Li-
21 brary of Congress to execute its responsibilities
22 under subsection (e).

23 (g) TERMINATION.—

24 (1) IN GENERAL.—The panel established under
25 subsection (a) shall terminate 90 days after the date

1 on which the panel submits the final report required
2 under subsection (d)(2).

3 (2) RECORDS.—Upon termination of the panel,
4 all of its records shall become the records of the Sec-
5 retary of the Senate and the Clerk of the House of
6 Representatives.

7 **TITLE II—MILITARY VOTING** 8 **ADMINISTRATION**

9 **SEC. 200. SHORT TITLE.**

10 This title may be cited as the “American Confidence
11 in Elections: Protecting American Servicemembers’ and
12 Dependents’ Right to Vote Act”.

13 **Subtitle A—Findings Relating to** 14 **Military Voting**

15 **SEC. 201. FINDINGS RELATING TO MILITARY VOTING.**

16 Congress finds the following:

17 (1) Participation in the voting process by Amer-
18 icans who serve in the Armed Forces is vital to the
19 future of the Republic; however, due to the realities
20 of service around the globe and despite many best
21 efforts, the nation has not always lived up to its
22 commitment to servicemembers that their vote be
23 counted.

24 (2) The Military and Overseas Empowerment
25 (MOVE) Act made great progress in solving prob-

1 lems with voting that many servicemembers faced.
2 Yet, for many, it is still difficult to exercise the fran-
3 chise, with many ballots not reaching State elections
4 officials until after the deadline, negating their voice.
5 After 13 years, Congress must address the remain-
6 ing issues.

7 (3) Congress finds that it is a moral imperative
8 of national importance that every eligible American
9 servicemember has the opportunity to cast a ballot
10 in each election and, not only that such ballot be re-
11 ceived in time to be counted, but that it actually be
12 counted according to law.

13 **Subtitle B—GAO Analysis on** 14 **Military Voting Access**

15 **SEC. 211. GAO ANALYSIS AND REPORT ON EFFECTIVENESS** 16 **OF FEDERAL GOVERNMENT IN MEETING OB-** 17 **LIGATIONS TO PROMOTE VOTING ACCESS** 18 **FOR ABSENT UNIFORMED SERVICES VOTERS.**

19 (a) ANALYSIS.—The Comptroller General of the
20 United States shall conduct an analysis of the effective-
21 ness of the Federal government in carrying out its respon-
22 sibilities under the Uniformed and Overseas Citizens Ab-
23 sentee Voting Act (52 U.S.C. 20301 et seq.) to promote
24 access to voting for absent uniformed services voters.

1 (b) ISSUED ANALYZED.—In conducting the analysis
2 under this section, the Comptroller General shall cover the
3 following issues:

4 (1) The transmission of ballots to absent uni-
5 formed services voters.

6 (2) The methods of transmission of voted bal-
7 lots from absent uniformed services voters, including
8 the efficacy and security of such methods.

9 (3) The treatment by election officials of voted
10 ballots transmitted by absent uniformed services vot-
11 ers, including the rate at which such ballots are
12 counted in elections and the rate at which such bal-
13 lots are rejected in elections and the reasons there-
14 fore.

15 (4) The effectiveness of the assistance provided
16 to absent uniformed services voters by Voting Assist-
17 ance Officers of the Federal Voting Assistance Pro-
18 gram of the Department of Defense.

19 (5) The extent of the coordination between Vot-
20 ing Assistance Officers and State and local election
21 officials.

22 (6) Such other issues relating to the ability of
23 absent uniformed services voters to register to vote,
24 vote, and have their ballots counted in elections for
25 Federal office.

1 (c) METHOD OF ANALYSIS.—The Comptroller Gen-
2 eral shall base the analysis conducted under subsection (a)
3 on existing information available government and other
4 public sources, as well as information the Comptroller
5 General shall acquire through the Comptroller General’s
6 own investigations, interviews, and analysis.

7 (d) REPORT.—Not later than December 31, 2023,
8 the Comptroller General shall submit to the chair and
9 ranking minority member of the Committee on House Ad-
10 ministration of the House of Representatives and the chair
11 and ranking minority member of the Committee on Rules
12 and Administration of the Senate a report that contains
13 the results of the analysis conducted under subsection (a).

14 (e) DEFINITION.—In this section, the term “absent
15 uniformed services voter” has the meaning given such
16 term in section 107(1) of the Uniformed and Overseas
17 Citizens Absentee Voting Act (52 U.S.C. 20310(1)).

18 **SEC. 212. STUDIES ON IMPROVING ACCESS TO VOTER REG-**
19 **ISTRATION INFORMATION AND ASSISTANCE**
20 **FOR MEMBERS OF THE ARMED FORCES.**

21 (a) STUDIES REQUIRED.—

22 (1) IN GENERAL.—The Secretary of each mili-
23 tary department shall conduct a study on means for
24 improving access to voter registration information

1 and assistance for members of the military depart-
2 ment and their family members.

3 (2) SURVEYS REQUIRED.—In conducting a
4 study required by paragraph (1), the Secretary of
5 each military department shall conduct a survey of
6 members of the military department to assess—

7 (A) the awareness of those members of the
8 requirement under section 1566a of title 10,
9 United States Code, that the department to
10 provide voter registration information and as-
11 sistance to members; and

12 (B) whether those members received such
13 information and assistance at the times re-
14 quired by subsection (c) of that section.

15 (b) REPORTS REQUIRED.—

16 (1) IN GENERAL.—Not later than September
17 30, 2025, the Secretary of each military department
18 shall submit to Congress a report on the results of
19 the study conducted by the Secretary under sub-
20 section (a)(1).

21 (2) ELEMENTS.—The report submitted by the
22 Secretary of a military department under paragraph
23 (1) shall include the following:

24 (A) The results of the survey conducted by
25 the Secretary under subsection (a)(2).

1 (B) An estimate of the costs and require-
2 ments to fully meet the needs of members of
3 the military department for access to voter reg-
4 istration information and assistance.

5 (C) A description and assessment of ac-
6 tions to be undertaken to increase access to
7 voter registration information and assistance of
8 members of the military department and their
9 family members.

10 **TITLE III—PROTECTION OF PO-**
11 **LITICAL SPEECH AND CAM-**
12 **PAIGN FINANCE REFORM**
13 **Subtitle A—Protecting Political**
14 **Speech**

15 **SEC. 301. FINDINGS.**

16 Congress finds the following:

17 (1) The structure of the Constitution and its
18 amendments represents the radical idea that any
19 sovereign power exercised by the federal government
20 flows either directly from the people or through the
21 States they established to govern themselves. In the
22 words of the Ninth and Tenth Amendments, “[t]he
23 enumeration in the Constitution, of certain rights,
24 shall not be construed to deny or disparage others
25 retained by the people.” “The powers not delegated

1 to the United States by the Constitution, nor prohib-
2 ited by it to the States, are reserved to the States
3 respectively, or to the people.”

4 (2) Among the many freedoms it protects, the
5 First Amendment prevents Congress from making
6 any law abridging the freedom of speech, the right
7 of the people peaceably to assemble, or the right of
8 the people to petition the Government for the re-
9 dress of grievances.

10 (3) Any proposed federal action concerning
11 freedom of speech, protest, or petition must start
12 with an analysis of the First Amendment. Congress
13 must ask whether the proposed action would abridge
14 these freedoms, and any uncertainty must be deter-
15 mined in favor of fewer restrictions on speech.

16 (4) In particular, political speech, uttered in the
17 furtherance of self-government, must raise an even
18 higher bar to congressional abridgement. The mech-
19 anisms and media used to offer political speech must
20 realize the same protections.

21 (5) As the Supreme Court has recognized, the
22 Constitution grants Congress only a very narrow in-
23 terest in the regulation of political speech, the pre-
24 ventation of corruption or the appearance of corrup-
25 tion.

1 (6) In order to uphold and effectuate the Con-
2 stitution, any federal statute that goes beyond this
3 interest must be repealed, and Congress must exer-
4 cise its Article 1 authorities to do so.

5 **SEC. 302. REPEAL OF LIMITS ON COORDINATED POLITICAL**
6 **PARTY EXPENDITURES.**

7 (a) REPEAL OF LIMITS.—Section 315(d) of the Fed-
8 eral Election Campaign Act of 1971 (52 U.S.C. 30116(d))
9 is amended—

10 (1) in paragraph (1)—

11 (A) by striking “may make expenditures”
12 and inserting “may make expenditures, includ-
13 ing coordinated expenditures,” and

14 (B) by striking “Federal office, subject to
15 the limitations contained in paragraphs (2), (3),
16 and (4) of this subsection” and inserting “Fed-
17 eral office in any amount”; and

18 (2) by striking paragraphs (2), (3), (4), and
19 (5).

20 (b) CLARIFYING TREATMENT OF CERTAIN PARTY
21 COMMUNICATIONS AS COORDINATED EXPENDITURES.—

22 Section 315(d) of such Act (52 U.S.C. 30116(d)), as
23 amended by subsection (a), is amended by adding at the
24 end the following new paragraph:

1 “(2) For purposes of this subsection, if a public com-
2 munication paid for by a committee of a political party
3 or its agent refers to a clearly identified House or Senate
4 candidate and is publicly distributed or otherwise publicly
5 disseminated in the clearly identified candidate’s jurisdic-
6 tion, the communication shall be treated as a coordinated
7 expenditure in connection with the campaign of a can-
8 didate for purposes of this subsection.”.

9 (c) CONFORMING AMENDMENT RELATING TO INDEX-
10 ING.—Section 315(c) of such Act (52 U.S.C. 30116(e))
11 is amended—

12 (1) in paragraph (1)(B)(i), by striking “(d),”;
13 and

14 (2) in paragraph (2)(B)(i), by striking “sub-
15 sections (b) and (d)” and inserting “subsection (b)”.

16 (d) EFFECTIVE DATE.—The amendments made by
17 this section shall apply with respect to elections held dur-
18 ing 2024 or any succeeding year.

19 **SEC. 303. REPEAL OF LIMIT ON AGGREGATE CONTRIBU-**
20 **TIONS BY INDIVIDUALS.**

21 (a) FINDINGS.—Congress finds that the Supreme
22 Court of the United States in *McCutcheon v. FEC*, 572
23 U.S. 185 (2014) determined the biennial aggregate limits
24 under section 315(a)(3) of the Federal Election Campaign

1 Act of 1971 (52 U.S.C. 30116(a)(3)) to be unconstitu-
2 tional.

3 (b) REPEAL.—Section 315(a) of the Federal Election
4 Campaign Act of 1971 (52 U.S.C. 30116(a)) is amended
5 by striking paragraph (3).

6 (c) CONFORMING AMENDMENTS.—Section 315(c) of
7 such Act (52 U.S.C. 30116(c)) is amended by striking
8 “(a)(3),” each place it appears in paragraph (1)(B)(i),
9 (1)(C), and (2)(B)(ii).

10 **SEC. 304. EQUALIZATION OF CONTRIBUTION LIMITS TO**
11 **STATE AND NATIONAL POLITICAL PARTY**
12 **COMMITTEES.**

13 (a) IN GENERAL.—Section 315(a)(1) of the Federal
14 Election Campaign Act of 1971 (52 U.S.C. 30116(a)(1))
15 is amended—

16 (1) in subparagraph (B), by striking “a na-
17 tional political party” and inserting “a national or
18 State political party”;

19 (2) by adding “or” at the end of subparagraph
20 (B);

21 (3) in subparagraph (C), by striking “; or” and
22 inserting a period; and

23 (4) by striking subparagraph (D).

24 (b) CONTRIBUTIONS BY MULTICANDIDATE POLIT-
25 ICAL COMMITTEES.—

1 (1) IN GENERAL.—Section 315(a)(2)(B) of
2 such Act (52 U.S.C. 30116(a)(2)(B)) is amended by
3 striking “a national political party” and inserting “a
4 national or State political party”.

5 (2) PRICE INDEX ADJUSTMENT.—Section
6 315(c) of such Act (52 U.S.C. 30116(c)) is amend-
7 ed—

8 (A) in paragraph (1), by adding at the end
9 the following new subparagraph:

10 “(D) In any calendar year after 2022—

11 “(i) a threshold established by subsection (a)(2)
12 shall be increased by the percent difference deter-
13 mined under subparagraph (A);

14 “(ii) each amount so increased shall remain in
15 effect for the calendar year; and

16 “(iii) if any amount after adjustment under
17 clause (i) is not a multiple of \$100, such amount
18 shall be rounded to the nearest multiple of \$100.”;

19 and

20 (B) in paragraph (2)(B)—

21 (i) in clause (i), by striking “and” at
22 the end;

23 (ii) in clause (ii), by striking the pe-
24 riod at the end and inserting “; and”; and

1 (iii) by adding at the end the fol-
2 lowing new clause:

3 “(iii) for purposes of subsection (a)(2), cal-
4 endar year 2022.”.

5 (c) ACCEPTANCE OF ADDITIONAL AMOUNTS FOR
6 CERTAIN ACCOUNTS.—

7 (1) PERMITTING ACCEPTANCE OF ADDITIONAL
8 AMOUNTS IN SAME MANNER AS NATIONAL PAR-
9 TIES.—Section 315(a) of such Act (52 U.S.C.
10 30116(a)) is amended—

11 (A) in paragraph (1)(B), by striking
12 “paragraph (9)” and inserting “paragraph (9)
13 or paragraph (10)”; and

14 (B) in paragraph (2)(B), by striking
15 “paragraph (9)” and inserting “paragraph (9)
16 or paragraph (10)”.

17 (2) ACCOUNTS.—Section 315(a)(9) of such Act
18 (52 U.S.C. 30116(a)(9)) is amended by striking
19 “national committee of a political party” each place
20 it appears in subparagraphs (A), (B), and (C) and
21 inserting “committee of a national or State political
22 party”.

23 (3) STATE PARTY CONVENTION ACCOUNTS DE-
24 SCRIBED.—Section 315(a) of such Act (52 U.S.C.

1 30116(a)) is amended by adding at the end the fol-
2 lowing new paragraph:

3 “(10) An account described in this paragraph is a
4 separate, segregated account of a political committee es-
5 tablished and maintained by a State committee of a polit-
6 ical party which is used solely to defray—

7 “(A) expenses incurred with respect to carrying
8 out State party nominating activities or other party-
9 building conventions; or

10 “(B) expenses incurred with respect to pro-
11 viding for the attendance of delegates at a presi-
12 dential nominating convention, but only to the extent
13 that such expenses are not paid for from the account
14 described in paragraph (9)(A).”.

15 (d) CLARIFICATION OF INDEXING OF AMOUNTS TO
16 ENSURE EQUALIZATION OF PARTY CONTRIBUTION LIM-
17 ITS.—For purposes of applying section 315(c) of such Act
18 (52 U.S.C. 30116(c)) to limits on the amount of contribu-
19 tions to political committees established and maintained
20 by a State political party, the amendments made by this
21 section shall be considered to have been included in section
22 307 of the Bipartisan Campaign Reform Act of 2002
23 (Public Law 107–55; 116 Stat. 102).

1 (e) EFFECTIVE DATE.—The amendments made by
2 this section shall apply with respect to elections held dur-
3 ing 2024 or any succeeding year.

4 **SEC. 305. EXPANSION OF PERMISSIBLE FEDERAL ELEC-**
5 **TION ACTIVITY BY STATE AND LOCAL POLIT-**
6 **ICAL PARTIES.**

7 (a) EXPANSION OF PERMISSIBLE USE OF FUNDS
8 NOT SUBJECT TO CONTRIBUTION LIMITS OR SOURCE
9 PROHIBITIONS BY STATE AND LOCAL POLITICAL PARTIES
10 FOR FEDERAL ELECTION ACTIVITY.—Section 323(b)(2)
11 of the Federal Election Campaign Act of 1971 (52 U.S.C.
12 30125(b)(2)) is amended to read as follows:

13 “(2) APPLICABILITY.—Notwithstanding section
14 301(20), for purposes of paragraph (1), an amount
15 that is expended or disbursed by a State, district, or
16 local committee of a political party shall be consid-
17 ered to be expended or disbursed for Federal elec-
18 tion activity only if the committee coordinated the
19 expenditure or disbursement of the amount with a
20 candidate for election for Federal office or an au-
21 thorized committee of a candidate for election for
22 Federal office.”.

23 (b) CONFORMING AMENDMENTS.—

24 (1) FUNDRAISING COSTS.—Section 323(c) of
25 such Act (52 U.S.C. 30125(c)) is amended by add-

1 ing at the end the following new sentence: “In the
2 case of a person described in subsection (b), the pre-
3 vious sentence applies only if the amount was spent
4 by such person in coordination with a candidate for
5 election for Federal office or an authorized com-
6 mittee of a candidate for election for Federal office,
7 as determined pursuant to regulations promulgated
8 by the Commission for the purpose of determining
9 whether a political party communication is coordi-
10 nated with a candidate, a candidate’s authorized
11 committee, or an agent thereof.”.

12 (2) APPEARANCE OF FEDERAL CANDIDATES OR
13 OFFICEHOLDERS AT FUNDRAISING EVENTS.—Sec-
14 tion 323(e)(3) of such Act (52 U.S.C. 30125(e)(3))
15 is amended by striking “subsection (b)(2)(C)” and
16 inserting “subsection (b)”.

17 **SEC. 306. PARTICIPATION IN JOINT FUNDRAISING ACTIVI-**
18 **TIES BY MULTIPLE POLITICAL COMMITTEES.**

19 (a) FINDINGS.—Congress finds the following:

20 (1) While federal law permits the Federal Elec-
21 tion Commission to engage in certain “gap-filling”
22 activities as it administers the Federal Election
23 Campaign Act of 1971, the regulations promulgated
24 by the Federal Election Commission to govern joint
25 fundraising activities of multiple political committees

1 are not tied specifically to any particular provision
2 of the Act, and while these regulations generally du-
3 plicate the provisions of the Act, they also impose
4 additional and unnecessary burdens on political com-
5 mittees which seek to engage in joint fundraising ac-
6 tivities, such as a requirement for written agree-
7 ments between the participating committees.

8 (2) It is therefore not necessary at this time to
9 direct the Federal Election Commission to repeal the
10 existing regulations which govern joint fundraising
11 activities of multiple political committees, as some
12 political committees may have reasons for following
13 the provisions of such regulations which impose ad-
14 ditional and unnecessary burdens on these activities.

15 (b) CRITERIA FOR PARTICIPATION IN JOINT FUND-
16 RAISING ACTIVITIES.—Section 302 of the Federal Elec-
17 tion Campaign Act of 1971 (52 U.S.C. 30102) is amended
18 by adding at the end the following new subsection:

19 “(j) CRITERIA FOR PARTICIPATION IN JOINT FUND-
20 RAISING ACTIVITIES BY MULTIPLE POLITICAL COMMIT-
21 TEES.—

22 “(1) CRITERIA DESCRIBED.—Two or more po-
23 litical committees as defined in this Act may partici-
24 pate in joint fundraising activities in accordance
25 with the following criteria:

1 “(A) The costs of the activities shall be al-
2 located among and paid for by the participating
3 committees on the basis of the allocation among
4 the participating committees of the contribu-
5 tions received as a result of the activities.

6 “(B) Notwithstanding subparagraph (A), a
7 participating committee may make a payment
8 (in whole or in part) for the portion of the costs
9 of the activities which is allocated to another
10 participating committee, and the amount of any
11 such payment shall be treated as a contribution
12 made by the committee to the other partici-
13 pating committee.

14 “(C) The provisions of section 315(a)(8)
15 regarding the treatment of contributions to a
16 candidate which are earmarked or otherwise di-
17 rected through an intermediary or conduit shall
18 apply to contributions made by a person to a
19 participating committee which are allocated by
20 the committee to another participating com-
21 mittee.

22 “(2) **RULE OF CONSTRUCTION.**—Nothing in
23 this subsection may be construed to prohibit two or
24 more political committees from participating in joint
25 fundraising activities by designating or establishing

1 a separate, joint committee subject to the registra-
2 tion and reporting requirements of this Act or by
3 publishing a joint fundraising notice.”.

4 **SEC. 307. PROTECTING PRIVACY OF DONORS TO TAX-EX-**
5 **EMPT ORGANIZATIONS.**

6 (a) **SHORT TITLE.**—This section may be cited as the
7 “Speech Privacy Act of 2022”.

8 (b) **RESTRICTIONS ON COLLECTION OF DONOR IN-**
9 **FORMATION.**—

10 (1) **RESTRICTIONS.**—An entity of the Federal
11 government may not collect or require the submis-
12 sion of information on the identification of any
13 donor to a tax-exempt organization.

14 (2) **EXCEPTIONS.**—Paragraph (1) does not
15 apply to the following:

16 (A) The Internal Revenue Service, acting
17 lawfully pursuant to section 6033 of the Inter-
18 nal Revenue Code of 1986 or any successor pro-
19 vision.

20 (B) The Secretary of the Senate and the
21 Clerk of the House of Representatives, acting
22 lawfully pursuant to section 3 of the Lobbying
23 Disclosure Act of 1995 (2 U.S.C. 1604).

1 (C) The Federal Election Commission, act-
2 ing lawfully pursuant to section 510 of title 36,
3 United States Code.

4 (D) An entity acting pursuant to a lawful
5 order of a court or administrative body which
6 has the authority under law to direct the entity
7 to collect or require the submission of the infor-
8 mation, but only to the extent permitted by the
9 lawful order of such court or administrative
10 body.

11 (c) RESTRICTIONS ON RELEASE OF DONOR INFOR-
12 MATION.—

13 (1) RESTRICTIONS.—An entity of the Federal
14 government may not disclose to the public informa-
15 tion revealing the identification of any donor to a
16 tax-exempt organization.

17 (2) EXCEPTIONS.—Paragraph (1) does not
18 apply to the following:

19 (A) The Internal Revenue Service, acting
20 lawfully pursuant to section 6104 of the Inter-
21 nal Revenue Code of 1986 or any successor pro-
22 vision.

23 (B) The Secretary of the Senate and the
24 Clerk of the House of Representatives, acting

1 lawfully pursuant to section 3 of the Lobbying
2 Disclosure Act of 1995 (2 U.S.C. 1604).

3 (C) The Federal Election Commission, act-
4 ing lawfully pursuant to section 510 of title 36,
5 United States Code.

6 (D) An entity acting pursuant to a lawful
7 order of a court or administrative body which
8 has the authority under law to direct the entity
9 to disclose the information, but only to the ex-
10 tent permitted by the lawful order of such court
11 or administrative body.

12 (E) An entity which discloses the informa-
13 tion as authorized by the organization.

14 (d) TAX-EXEMPT ORGANIZATION DEFINED.—In this
15 section, a “tax-exempt organization” means an organiza-
16 tion which is described in section 501(c) of the Internal
17 Revenue Code of 1986 and is exempt from taxation under
18 section 501(a) of such Code. Nothing in this subsection
19 may be construed to treat a political organization under
20 section 527 of such Code as a tax-exempt organization for
21 purposes of this section.

22 (e) PENALTIES.—It shall be unlawful for any officer
23 or employee of the United States, or any former officer
24 or employee, willfully to disclose to any person, except as
25 authorized in this section, any information revealing the

1 identification of any donor to a tax-exempt organization.
2 Any violation of this section shall be a felony punishable
3 upon conviction by a fine in any amount not exceeding
4 \$250,000, or imprisonment of not more than 5 years, or
5 both, together with the costs of prosecution, and if such
6 offense is committed by any officer or employee of the
7 United States, he shall, in addition to any other punish-
8 ment, be dismissed from office or discharged from employ-
9 ment upon conviction for such offense.

10 **SEC. 308. REPORTING REQUIREMENTS FOR TAX-EXEMPT**
11 **ORGANIZATIONS.**

12 (a) **SHORT TITLE.**—This section may be cited as the
13 “Don’t Weaponize the IRS Act”.

14 (b) **ORGANIZATIONS EXEMPT FROM REPORTING.**—

15 (1) **GROSS RECEIPTS THRESHOLD.**—Clause (ii)
16 of section 6033(a)(3)(A) of the Internal Revenue
17 Code of 1986 is amended by striking “\$5,000” and
18 inserting “\$50,000”.

19 (2) **ORGANIZATIONS DESCRIBED.**—Subpara-
20 graph (C) of section 6033(a)(3) of the Internal Rev-
21 enue Code of 1986 is amended—

22 (A) by striking “and” at the end of clause

23 (v),

24 (B) by striking the period at the end of
25 clause (vi) and inserting a semicolon, and

1 (C) by adding at the end the following new
2 clauses:

3 “(vii) any other organization described
4 in section 501(c) (other than a private
5 foundation or a supporting organization
6 described in section 509(a)(3)); and

7 “(viii) any organization (other than a
8 private foundation or a supporting organi-
9 zation described in section 509(a)(3))
10 which is not described in section
11 170(e)(2)(A), or which is created or orga-
12 nized in a possession of the United States,
13 which has no significant activity (including
14 lobbying and political activity and the op-
15 eration of a trade or business) other than
16 investment activity in the United States.”.

17 (3) EFFECTIVE DATE.—The amendments made
18 by this subsection shall apply to taxable years end-
19 ing after the date of the enactment of this Act.

20 (c) CLARIFICATION OF APPLICATION TO SECTION
21 527 ORGANIZATIONS.—

22 (1) IN GENERAL.—Paragraph (1) of section
23 6033(g) of the Internal Revenue Code of 1986 is
24 amended—

1 (A) by striking “This section” and insert-
2 ing “Except as otherwise provided by this sub-
3 section, this section”, and

4 (B) by striking “for the taxable year.” and
5 inserting “for the taxable year in the same
6 manner as to an organization exempt from tax-
7 ation under section 501(a).”.

8 (2) EFFECTIVE DATE.—The amendments made
9 by this subsection shall apply to taxable years end-
10 ing after the date of the enactment of this Act.

11 (d) REPORTING OF NAMES AND ADDRESSES OF CON-
12 TRIBUTORS.—

13 (1) IN GENERAL.—Paragraph (1) of section
14 6033(a) of the Internal Revenue Code of 1986 is
15 amended by adding at the end the following: “Ex-
16 cept as provided in subsections (b)(5) and (g)(2)(B),
17 such annual return shall not be required to include
18 the names and addresses of contributors to the orga-
19 nization.”.

20 (2) APPLICATION TO SECTION 527 ORGANIZA-
21 TIONS.—Paragraph (2) of section 6033(g) of the In-
22 ternal Revenue Code of 1986 is amended—

23 (A) by striking “and” at the end of sub-
24 paragraph (A),

1 (B) by redesignating subparagraph (B) as
2 subparagraph (C), and

3 (C) by inserting after subparagraph (A)
4 the following new subparagraph:

5 “(B) containing the names and addresses
6 of all substantial contributors, and”.

7 (3) EFFECTIVE DATE.—The amendments made
8 by this subsection shall apply to taxable years end-
9 ing after the date of the enactment of this Act.

10 **SEC. 309. MAINTENANCE OF STANDARDS FOR DETER-**
11 **MINING ELIGIBILITY OF SECTION 501(C)(4)**
12 **ORGANIZATIONS.**

13 (a) IN GENERAL.—The Department of the Treasury,
14 including the Internal Revenue Service, may not issue, re-
15 vise, or finalize any regulation, revenue ruling, or other
16 guidance not limited to a particular taxpayer relating to
17 the standard which is used to determine whether an orga-
18 nization is operated exclusively for the promotion of social
19 welfare for purposes of section 501(c)(4) of the Internal
20 Revenue Code of 1986 (including the proposed regulations
21 published at 78 Fed. Reg. 71535 (November 29, 2013)).

22 (b) APPLICATION OF CURRENT STANDARDS AND
23 DEFINITIONS.—The standard and definitions as in effect
24 on January 1, 2010, which are used to make determina-
25 tions described in subsection (a) shall apply after the date

1 of the enactment of this Act for purposes of determining
2 status under section 501(c)(4) of such Code of organiza-
3 tions created on, before, or after such date.

4 **Subtitle B—Prohibition on Use of** 5 **Federal Funds for Congres-** 6 **sional Campaigns**

7 **SEC. 311. PROHIBITING USE OF FEDERAL FUNDS FOR PAY-** 8 **MENTS IN SUPPORT OF CONGRESSIONAL** 9 **CAMPAIGNS.**

10 No Federal funds, including amounts attributable to
11 the collection of fines and penalties, may be used to make
12 any payment in support of a campaign for election for the
13 office of Senator or Representative in, or Delegate or Resi-
14 dent Commissioner to, the Congress.

15 **Subtitle C—Registration and** 16 **Reporting Requirements**

17 **SEC. 321. REPORTING REQUIREMENTS WITH RESPECT TO** 18 **ELECTIONEERING COMMUNICATIONS.**

19 Section 304(a)(11)(A)(i) of the Federal Election
20 Campaign Act of 1971 (52 U.S.C. 30104(a)(11)(A)(i)) is
21 amended by inserting “or makes, or has reason to expect
22 to make, electioneering communications” after “expendi-
23 tures”.

1 **SEC. 322. INCREASED QUALIFYING THRESHOLD AND ES-**
2 **TABLISHING PURPOSE FOR POLITICAL COM-**
3 **MITTEES.**

4 (a) **IN GENERAL.**—Section 301(4) of the Federal
5 Election Campaign Act of 1971 (52 U.S.C. 30101(4)) is
6 amended to read as follows:

7 “(4) The term ‘political committee’ means—

8 “(A) any committee, club, association, or
9 other group of persons, including any local com-
10 mittee of a political party, which receives con-
11 tributions aggregating in excess of \$25,000
12 during a calendar year or which makes expendi-
13 tures aggregating in excess of \$25,000 during
14 a calendar year and which is under the control
15 of a candidate or has the major purpose of
16 nominating or electing a candidate; or

17 “(B) any separate segregated fund estab-
18 lished under the provisions of section 316(b).”.

19 (b) **DEFINITION.**—Section 301 of such Act (52
20 U.S.C. 30101) is amended by adding at the end the fol-
21 lowing new paragraph:

22 “(27) **MAJOR PURPOSE OF NOMINATING OR**
23 **ELECTING A CANDIDATE.**—The term ‘major purpose
24 of nominating or electing a candidate’ means, with
25 respect to a group of persons described in paragraph
26 (4)(A)—

1 “(A) a group whose central organizational
2 purpose is to expressly advocate for the nomina-
3 tion, election, or defeat of a candidate; or

4 “(B) a group for which the majority of its
5 spending throughout its lifetime of existence
6 has been on contributions, expenditures, or
7 independent expenditures.”.

8 (c) PRICE INDEX ADJUSTMENT FOR POLITICAL COM-
9 MITTEE THRESHOLD.—Section 315(c) of such Act (52
10 U.S.C. 30116(c)), as amended by section 304(b), is
11 amended—

12 (1) in paragraph (1), by adding at the end the
13 following new subparagraph:

14 “(E) In any calendar year after 2022—

15 “(i) a threshold established by sections
16 301(4)(A) or 301(4)(C) shall be increased by the
17 percent difference determined under subparagraph
18 (A);

19 “(ii) each amount so increased shall remain in
20 effect for the calendar year; and

21 “(iii) if any amount after adjustment under
22 clause (i) is not a multiple of \$100, such amount
23 shall be rounded to the nearest multiple of \$100.”;
24 and

25 (2) in paragraph (2)(B)—

1 (A) in clause (ii), by striking “and” at the
2 end;

3 (B) in clause (iii), by striking the period at
4 the end and inserting “; and”; and

5 (C) by adding at the end the following new
6 clause:

7 “(iv) for purposes of sections 301(4)(A)
8 and 301(4)(C), calendar year 2022.”.

9 (d) EFFECTIVE DATE.—The amendments made by
10 this section shall apply with respect to elections held dur-
11 ing 2024 or any succeeding year.

12 **SEC. 323. INCREASED THRESHOLD WITH RESPECT TO INDE-**
13 **PENDENT EXPENDITURE REPORTING RE-**
14 **QUIREMENT.**

15 (a) IN GENERAL.—Section 304(c)(1) of the Federal
16 Election Campaign Act of 1971 (52 U.S.C. 30104(c)(1))
17 is amended by striking “\$250” and inserting “\$1,000”.

18 (b) PRICE INDEX ADJUSTMENT FOR INDEPENDENT
19 EXPENDITURE REPORTING THRESHOLD.—Section 315(c)
20 of the Federal Election Campaign Act of 1971 (52 U.S.C.
21 30116(c)), as amended by sections 304(b) and 322(b), is
22 amended—

23 (1) in paragraph (1), by adding at the end the
24 following new subparagraph:

25 “(F) In any calendar year after 2022—

1 “(i) a threshold established by section 304(e)(1)
2 shall be increased by the percent difference deter-
3 mined under subparagraph (A);

4 “(ii) each amount so increased shall remain in
5 effect for the calendar year; and

6 “(iii) if any amount after adjustment under
7 clause (i) is not a multiple of \$100, such amount
8 shall be rounded to the nearest multiple of \$100.”;
9 and

10 (2) in paragraph (2)(B)—

11 (A) in clause (iii), by striking “and” at the
12 end;

13 (B) in clause (iv), by striking the period at
14 the end and inserting “; and”; and

15 (C) by adding at the end the following new
16 clause:

17 “(v) for purposes of section 304(e)(1), cal-
18 endar year 2022.”.

19 (c) EFFECTIVE DATE.—The amendments made by
20 this section shall apply with respect to elections held dur-
21 ing 2024 or any succeeding year.

22 **SEC. 324. INCREASED QUALIFYING THRESHOLD WITH RE-**
23 **SPECT TO CANDIDATES.**

24 (a) INCREASE IN THRESHOLD.—Section 301(2) of
25 the Federal Election Campaign Act of 1971 (52 U.S.C.

1 30101(2)) is amended by striking “\$5,000” each place it
2 appears and inserting “\$10,000”.

3 (b) PRICE INDEX ADJUSTMENT FOR EXEMPTION OF
4 CERTAIN AMOUNTS AS CONTRIBUTIONS.—Section 315(c)
5 of such Act (52 U.S.C. 30116(c)), as amended by sections
6 304(b), 322(b), and 323(b), is amended—

7 (1) in paragraph (1), by adding at the end the
8 following new subparagraph:

9 “(G) In any calendar year after 2022—

10 “(i) a threshold established by sections 301(2)
11 shall be increased by the percent difference deter-
12 mined under subparagraph (A);

13 “(ii) each amount so increased shall remain for
14 the 2-year period that begins on the first day fol-
15 lowing the date of the general election in the year
16 preceding the year in which the amount is increased
17 and ending on the date of the next general election;
18 and

19 “(iii) if any amount after adjustment under
20 clause (i) is not a multiple of \$100, such amount
21 shall be rounded to the nearest multiple of \$100.”;
22 and

23 (2) in paragraph (2)(B)—

24 (A) in clause (iv), by striking “and” at the
25 end;

1 (B) in clause (v), by striking the period at
2 the end and inserting “; and”; and

3 (C) by adding at the end the following new
4 clause:

5 “(vi) for purposes of sections 301(2), cal-
6 endar year 2022.”.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall apply with respect to elections held dur-
9 ing 2024 or any succeeding year.

10 **SEC. 325. REPEAL REQUIREMENT OF PERSONS MAKING**
11 **INDEPENDENT EXPENDITURES TO REPORT**
12 **IDENTIFICATION OF CERTAIN DONORS.**

13 (a) REPEAL.—Section 304(c)(2) of the Federal Elec-
14 tion Campaign Act of 1971 (52 U.S.C. 30104(c)(2)) is
15 amended—

16 (1) in subparagraph (A), by adding “and” at
17 the end;

18 (2) in subparagraph (B), by striking “; and”
19 and inserting a period; and

20 (3) by striking subparagraph (C).

21 (b) CONFORMING AMENDMENT.—Section 304(c)(1)
22 of such Act (52 U.S.C. 30104(c)(1)) is amended by strik-
23 ing “the information required under subsection (b)(3)(A)
24 for all contributions received by such person” and insert-
25 ing “the information required under paragraph (2)”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply with respect to independent ex-
3 penditures made on or after the date of the enactment
4 of this Act.

5 **Subtitle D—Exclusion of Certain**
6 **Amounts From Treatment as**
7 **Contributions or Expenditures**

8 **SEC. 331. INCREASED THRESHOLD FOR EXEMPTION OF**
9 **CERTAIN AMOUNTS AS CONTRIBUTIONS.**

10 (a) REAL OR PERSONAL PROPERTY EXEMPTION.—
11 Section 301(8)(B)(ii) of the Federal Election Campaign
12 Act of 1971 (52 U.S.C. 30101(8)(B)(ii)) is amended—

13 (1) by striking “\$1,000” and inserting
14 “\$2,000”; and

15 (2) by striking “\$2,000” and inserting
16 “\$4,000”.

17 (b) TRAVEL EXPENSES EXEMPTION.—Section
18 301(8)(B)(iv) of the Federal Election Campaign Act of
19 1971 (52 U.S.C. 30101(8)(B)(iv)) is amended—

20 (1) by striking “\$1,000” and inserting
21 “\$2,000”; and

22 (2) by striking “\$2,000” and inserting
23 “\$4,000”.

24 (c) PRICE INDEX ADJUSTMENT FOR EXEMPTION OF
25 CERTAIN AMOUNTS AS CONTRIBUTIONS.—Section 315(c)

1 of such Act (52 U.S.C. 30116(c)), as amended by sections
2 304(b), 322(b), 323(b), and 324(b) is amended—

3 (1) in paragraph (1), by adding at the end the
4 following new subparagraph:

5 “(H) In any calendar year after 2022—

6 “(i) the exemption amounts established by sec-
7 tions 301(8)(B)(ii) or 301(8)(B)(iv) shall be in-
8 creased by the percent difference determined under
9 subparagraph (A);

10 “(ii) each amount so increased shall remain for
11 the 2-year period that begins on the first day fol-
12 lowing the date of the general election in the year
13 preceding the year in which the amount is increased
14 and ending on the date of the next general election;
15 and

16 “(iii) if any amount after adjustment under
17 clause (i) is not a multiple of \$100, such amount
18 shall be rounded to the nearest multiple of \$100.”;
19 and

20 (2) in paragraph (2)(B)—

21 (A) in clause (v), by striking “and” at the
22 end;

23 (B) in clause (vi), by striking the period at
24 the end and inserting “; and”; and

1 (C) by adding at the end the following new
2 clause:

3 “(vii) for purposes of sections
4 301(8)(B)(ii) or 301(8)(B)(iv), calendar year
5 2022.”.

6 (d) EFFECTIVE DATE.—The amendments made by
7 this section shall apply with respect to elections held dur-
8 ing 2024 or any succeeding year.

9 **SEC. 332. EXEMPTION OF UNCOMPENSATED INTERNET**
10 **COMMUNICATIONS FROM TREATMENT AS**
11 **CONTRIBUTION OR EXPENDITURE.**

12 (a) EXEMPTIONS.—

13 (1) EXEMPTION FROM TREATMENT AS CON-
14 TRIBUTION.—Section 301(8)(B) of the Federal Elec-
15 tion Campaign Act of 1971 (52 U.S.C.
16 30101(8)(B)) is amended—

17 (A) by striking “and” at the end of clause
18 (xiii);

19 (B) by striking the period at the end of
20 clause (xiv) and inserting “; and”; and

21 (C) by adding at the end the following new
22 clause:

23 “(xv) any payment by any person in producing
24 and disseminating any information or communica-
25 tion on the Internet, Internet platform or other

1 Internet-enabled application, unless the information
2 or communication is disseminated for a fee on an-
3 other person’s website, platform or other Internet-
4 enabled application, whether coordinated or not.”.

5 (2) EXEMPTION FROM TREATMENT AS EXPEND-
6 ITURE.—Section 301(9)(B) of such Act (52 U.S.C.
7 30101(9)(B)) is amended—

8 (A) by striking “and” at the end of clause
9 (ix);

10 (B) by striking the period at the end of
11 clause (x) and inserting “; and”; and

12 (C) by adding at the end the following new
13 clause:

14 “(xi) any cost incurred by any person in pro-
15 ducing and disseminating any information or com-
16 munication on the Internet, Internet platform or
17 other Internet-enabled application, unless the infor-
18 mation or communication is disseminated for a fee
19 on another person’s website, platform or other Inter-
20 net-enabled application.”.

21 (b) APPLICATION TO DEFINITION OF PUBLIC COM-
22 MUNICATIONS.—Section 301(22) of such Act (52 U.S.C.
23 30101(22)) is amended by adding at the end the following:
24 “In the previous sentence, the terms ‘public communica-
25 tion’ and ‘general public political advertising’ do not in-

1 clude communications disseminated over the Internet or
2 via an Internet platform or other Internet-enabled applica-
3 tion, unless the communication or advertising is dissemi-
4 nated for a fee on another person’s website, platform or
5 other internet-enabled application.”.

6 (c) EFFECTIVE DATE.—The amendments made by
7 this section shall apply with respect to elections held dur-
8 ing 2024 or any succeeding year.

9 **SEC. 333. MEDIA EXEMPTION.**

10 (a) EXPANSION OF EXEMPTION TO ADDITIONAL
11 FORMS OF MEDIA.—Section 301(9)(B)(i) of the Federal
12 Election Campaign Act of 1971 (52 U.S.C.
13 30101(9)(B)(i)) is amended to read as follows:

14 “(i) any news story, commentary, or edi-
15 torial distributed through the facilities of any
16 broadcasting, cable, satellite, or internet-based
17 station, programmer, operator or producer;
18 newspaper, magazine, or other periodical pub-
19 lisher; electronic publisher, platform, or applica-
20 tion; book publisher; or filmmaker or film pro-
21 ducer, distributor or exhibitor, unless such fa-
22 cilities are owned or controlled by any political
23 party, political committee, or candidate;”.

1 (b) APPLICATION TO CONTRIBUTIONS.—Section
2 301(8)(B) of such Act (52 U.S.C. 30101(8)(B)), as
3 amended by section 332(a)(1), is amended—

4 (1) by redesignating clauses (i) through (xv) as
5 clauses (ii) through (xvi); and

6 (2) by inserting before clause (ii) (as so redesignig-
7 nated) the following new clause:

8 “(i) any payment for any news story, com-
9 mentary, or editorial distributed through the fa-
10 cilities of any broadcasting, cable, satellite, or
11 internet-based station, programmer, operator or
12 producer; newspaper, magazine, or other peri-
13 odical publisher; electronic publisher, platform,
14 or application; book publisher; or filmmaker or
15 film producer, distributor or exhibitor.”.

16 (c) EFFECTIVE DATE.—The amendments made by
17 this section shall apply with respect to elections held dur-
18 ing 2024 or any succeeding year.

19 **Subtitle E—Prohibition on**
20 **Issuance of Regulations on Po-**
21 **litical Contributions**

22 **SEC. 341. PROHIBITION ON ISSUANCE OF REGULATIONS ON**
23 **POLITICAL CONTRIBUTIONS.**

24 The Securities and Exchange Commission may not
25 finalize, issue, or implement any rule, regulation, or order

1 regarding the disclosure of political contributions, con-
2 tributions to tax exempt organizations, or dues paid to
3 trade associations.

4 **Subtitle F—Miscellaneous** 5 **Provisions**

6 **SEC. 351. PERMANENT EXTENSION OF FINES FOR QUALI-** 7 **FIED DISCLOSURE REQUIREMENT VIOLA-** 8 **TIONS.**

9 Section 309(a)(4)(C)(v) of the Federal Election Cam-
10 paign Act of 1971 (52 U.S.C. 30109(a)(4)(C)(v)) is
11 amended by striking “, and that end on or before Decem-
12 ber 31, 2023”.

13 **SEC. 352. POLITICAL COMMITTEE DISBURSEMENT RE-** 14 **QUIREMENTS.**

15 Section 302(h)(1) of the Federal Election Campaign
16 Act of 1971 (52 U.S.C. 30102(h)(1)) is amended by strik-
17 ing “except by check drawn on such accounts in accord-
18 ance with this section” and inserting “except from such
19 accounts”.

20 **SEC. 353. DESIGNATION OF INDIVIDUAL AUTHORIZED TO** 21 **MAKE CAMPAIGN COMMITTEE DISBURSE-** 22 **MENTS IN EVENT OF DEATH OF CANDIDATE.**

23 (a) IN GENERAL.—Section 302 of the Federal Elec-
24 tion Campaign Act of 1971 (52 U.S.C. 30102), as amend-

1 ed by section 307(b), is amended by adding at the end
2 the following new subsection:

3 “(k)(1) Each candidate may, with respect to each au-
4 thorized committee of the candidate, designate an indi-
5 vidual who shall be responsible for disbursing funds in the
6 accounts of the committee in the event of the death of
7 the candidate, and may also designate another individual
8 to carry out the responsibilities of the designated indi-
9 vidual under this subsection in the event of the death or
10 incapacity of the designated individual or the unwilling-
11 ness of the designated individual to carry out the respon-
12 sibilities.

13 “(2) In order to designate an individual under this
14 subsection, the candidate shall file with the Commission
15 a signed written statement (in a standardized form devel-
16 oped by the Commission) that contains the name and ad-
17 dress of the individual and the name of the authorized
18 committee for which the designation shall apply, and that
19 may contain the candidate’s instructions regarding the
20 disbursement of the funds involved by the individual. At
21 any time after filing the statement, the candidate may re-
22 voke the designation of an individual by filing with the
23 Commission a signed written statement of revocation (in
24 a standardized form developed by the Commission).

1 “(3)(A) Upon the death of a candidate who has des-
2 igned an individual for purposes of paragraph (1), funds
3 in the accounts of each authorized committee of the can-
4 didate may be disbursed only under the direction and in
5 accordance with the instructions of such individual, sub-
6 ject to the terms and conditions applicable to the disburse-
7 ment of such funds under this Act or any other applicable
8 Federal or State law (other than any provision of State
9 law which authorizes any person other than such indi-
10 vidual to direct the disbursement of such funds).

11 “(B) Subparagraph (A) does not apply with respect
12 to an authorized committee if, at the time of the can-
13 didate’s death, the authorized committee has a treasurer
14 or a designated agent of the treasurer as described in sec-
15 tion 302(a), unless the treasurer or designated agent is
16 incapacitated or cannot be reached by the authorized com-
17 mittee.

18 “(C) Nothing in this paragraph may be construed to
19 grant any authority to an individual who is designated
20 pursuant to this subsection other than the authority to
21 direct the disbursement of funds as provided in such para-
22 graph, or may be construed to affect the responsibility of
23 the treasurer of an authorized committee for which funds
24 are disbursed in accordance with such paragraph to file

1 reports of the disbursements of such funds under section
2 304(a).”.

3 (b) INCLUSION OF DESIGNATION IN STATEMENT OF
4 ORGANIZATION OF COMMITTEE.—Section 303(b) of such
5 Act (52 U.S.C. 30103(b)) is amended—

6 (1) in paragraph (5), by striking “and” at the
7 end;

8 (2) in paragraph (6), by striking the period at
9 the end and inserting “; and”; and

10 (3) by adding at the end the following new
11 paragraph:

12 “(7) in the case of an authorized committee of
13 a candidate who has designated an individual under
14 section 302(k) (including a second individual des-
15 ignated to carry out the responsibilities of that indi-
16 vidual under such section in the event of that indi-
17 vidual’s death or incapacity or unwillingness to carry
18 out the responsibilities) to disburse funds from the
19 accounts of the committee in the event of the death
20 of the candidate, a copy of the statement filed by the
21 candidate with the Commission under such section
22 (as well as a copy of any subsequent statement of
23 revocation filed by the candidate with the Commis-
24 sion under such section).”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply with respect to authorized cam-
3 paign committees which are designated under section
4 302(e)(1) of the Federal Election Campaign Act of 1971
5 before, on, or after the date of the enactment of this Act.

6 **SEC. 354. PROHIBITION ON CONTRIBUTIONS IN NAME OF**
7 **ANOTHER.**

8 Section 320 of the Federal Election Campaign Act
9 of 1971 (52 U.S.C. 30122) is amended by adding at the
10 end the following new sentence: “No person shall know-
11 ingly direct, help, or assist any person in making a con-
12 tribution in the name of another person.”.

13 **SEC. 355. UNANIMOUS CONSENT OF COMMISSION MEM-**
14 **BERS REQUIRED FOR COMMISSION TO**
15 **REFUSE TO DEFEND ACTIONS BROUGHT**
16 **AGAINST COMMISSION.**

17 (a) UNANIMOUS CONSENT.—Section 307 of the Fed-
18 eral Election Campaign Act of 1971 (52 U.S.C. 30107)
19 is amended by adding at the end the following new sub-
20 section:

21 “(f)(1) Except as provided in paragraph (2), the
22 Commission shall defend each action brought against the
23 Commission under this Act or chapter 95 and 96 of the
24 Internal Revenue Code of 1986—

1 “(A) through the general counsel, as provided
2 in subsection (a)(6);

3 “(B) by appointing counsel as provided in sec-
4 tion 306(f)(4); or

5 “(C) by referral to the Attorney General in the
6 case of a criminal action.

7 “(2) The Commission may refuse to defend an action
8 brought against the Commission pursuant to the unani-
9 mous vote of its Members.”.

10 (b) **EFFECTIVE DATE.**—The amendment made by
11 subsection (a) shall apply with respect to actions brought
12 on or after the date of the enactment of this Act.

13 **SEC. 356. FEDERAL ELECTION COMMISSION MEMBER PAY.**

14 Section 306(a)(4) of the Federal Election Campaign
15 Act of 1971 (52 U.S.C. 30106(a)(4)) is amended by strik-
16 ing “equivalent to the compensation paid at level IV of
17 the Executive Schedule (5 U.S.C. 5315)” and inserting
18 “at an annual rate of basic pay of \$186,300, as adjusted
19 under section 5318 of title 5, United States Code, in the
20 same manner as the annual rate of pay for positions at
21 each level of the Executive Schedule”.

1 **SEC. 357. UNIFORM STATUTE OF LIMITATIONS FOR PRO-**
2 **CEEDINGS TO ENFORCE FEDERAL ELECTION**
3 **CAMPAIGN ACT OF 1971.**

4 (a) 5-YEAR LIMITATION.—Section 406(a) of the Fed-
5 eral Election Campaign Act of 1971 (52 U.S.C. 30145(a))
6 is amended—

7 (1) by striking “(a)” and inserting “(a)(1)”;
8 and

9 (2) by adding at the end the following new
10 paragraph:

11 “(2) No person shall be subject to a civil penalty for
12 any violation of title III of this Act unless the proceeding
13 is initiated in accordance with section 309 not later than
14 5 years after the date on which the violation occurred.”.

15 (b) EFFECTIVE DATE.—The amendment made by
16 subsection (a) shall apply with respect to violations occur-
17 ring on or after the date of the enactment of this Act.

18 **SEC. 358. THEFT FROM POLITICAL COMMITTEE AS A FED-**
19 **ERAL CRIME.**

20 (a) FEDERAL CRIME.—Chapter 29 of title 18, United
21 States Code, as amended by section 161(b), is amended
22 by adding at the end the following new section:

23 **“§ 613. Theft from political committee**

24 “(a) IN GENERAL.—It shall be unlawful... *[policy to*
25 *be provided, including whether this applies only to Federal*
26 *committees or to State and local campaigns as well (i.e.,*

1 *perhaps referring to political organizations under 527 of*
2 *the IRC?)]*

3 “(b) PENALTY.—Any person who violates subsection
4 (a) shall be fined not more than \$_____,
5 imprisoned for not more than _____, or both.”.

6 (b) CLERICAL AMENDMENT.—The table of sections
7 for chapter 28 of title 18, United States Code, is amended
8 by adding at the end the following new item:

“613. Theft from political committee.”.

9 **SEC. 359. DEADLINE FOR PROMULGATION OF PROPOSED**
10 **REGULATIONS.**

11 Not later than 120 days after the date of the enact-
12 ment of this Act, the Federal Election Commission shall
13 publish in the Federal Register proposed regulations to
14 carry out this title and the amendments made by this title.

15 **TITLE IV—ELECTION SECURITY**
16 **Subtitle A—Promoting Election**
17 **Security**

18 **SEC. 401. SHORT TITLE.**

19 This title may be cited as the “Election Security As-
20 sistance Act”.

21 **SEC. 402. REPORTS TO CONGRESS ON FOREIGN THREATS**
22 **TO ELECTIONS.**

23 (a) IN GENERAL.—Not later than 30 days after the
24 date of enactment of this Act, and 30 days after the end
25 of each fiscal year thereafter, the Secretary of Homeland

1 Security and the Director of National Intelligence, in co-
2 ordination with the heads of the appropriate Federal enti-
3 ties, shall submit a joint report to the appropriate congres-
4 sional committees and the chief State election official of
5 each State on foreign threats to elections in the United
6 States, including physical and cybersecurity threats.

7 (b) VOLUNTARY PARTICIPATION BY STATES.—The
8 Secretary shall solicit and consider voluntary comments
9 from all State election agencies. Participation by an elec-
10 tion agency in the report under this section shall be vol-
11 untary and at the discretion of the State.

12 (c) APPROPRIATE FEDERAL ENTITIES.—In this sec-
13 tion, the term “appropriate Federal entities” means—

14 (1) the Department of Commerce, including the
15 National Institute of Standards and Technology;

16 (2) the Department of Defense;

17 (3) the Department of Homeland Security, in-
18 cluding the component of the Department that re-
19 ports to the Under Secretary responsible for over-
20 seeing critical infrastructure protection, cybersecu-
21 rity, and other related programs of the Department;

22 (4) the Department of Justice, including the
23 Federal Bureau of Investigation;

24 (5) the Election Assistance Commission; and

1 (6) the Office of the Director of National Intel-
2 ligence, the National Security Agency, and such
3 other elements of the intelligence community (as de-
4 fined in section 3 of the National Security Act of
5 1947 (50 U.S.C. 3003)) as the Director of National
6 Intelligence determines are appropriate.

7 (d) OTHER DEFINITIONS.—In this section—

8 (1) the term “appropriate congressional com-
9 mittees” means—

10 (A) the Committee on Rules and Adminis-
11 tration, the Committee on Homeland Security
12 and Governmental Affairs, the Select Com-
13 mittee on Intelligence, and the Committee on
14 Foreign Relations of the Senate; and

15 (B) the Committee on House Administra-
16 tion, the Committee on Homeland Security, the
17 Permanent Select Committee on Intelligence,
18 and the Committee on Foreign Affairs of the
19 House of Representatives;

20 (2) the term “chief State election official”
21 means, with respect to a State, the individual des-
22 ignated by the State under section 10 of the Na-
23 tional Voter Registration Act of 1993 (52 U.S.C.
24 20509) to be responsible for coordination of the
25 State’s responsibilities under such Act;

1 (3) the term “election agency” means any com-
2 ponent of a State or any component of a unit of
3 local government of a State that is responsible for
4 administering Federal elections;

5 (4) the term “Secretary” means the Secretary
6 of Homeland Security; and

7 (5) the term “State” has the meaning given
8 such term in section 901 of the Help America Vote
9 Act of 2002 (52 U.S.C. 21141).

10 **SEC. 403. RULE OF CONSTRUCTION.**

11 Nothing in this title may be construed as authorizing
12 the Secretary of Homeland Security to carry out the ad-
13 ministration of an election for Federal office.

14 **Subtitle B—Cybersecurity for**
15 **Election Systems**

16 **SEC. 411. CYBERSECURITY ADVISORIES RELATING TO**
17 **ELECTION SYSTEMS.**

18 (a) CYBERSECURITY ADVISORIES.—

19 (1) IN GENERAL.—The Director of the Cyberse-
20 curity and Infrastructure Security Agency of the De-
21 partment of Homeland Security (in this subtitle re-
22 ferred to as the “Director”) shall collaborate with
23 the Election Assistance Commission (in this subtitle
24 referred to as the “Commission”) to determine if an
25 advisory relating to the cybersecurity of election sys-

1 tems used in the administration of elections for Fed-
2 eral office or the cybersecurity of elections for Fed-
3 eral office generally is necessary. If such a deter-
4 mination is made in the affirmative, the Director
5 shall collaborate with the Commission in the prepa-
6 ration of such an advisory.

7 (2) PROHIBITION.—The Director may not issue
8 an advisory described in paragraph (1) unless the
9 Commission has provided input relating thereto.

10 (b) NOTIFICATION.—If the Director issues an advi-
11 sory described in subsection (a), the Director, in collabora-
12 tion with the Commission, shall provide to appropriate
13 State election officials and vendors of covered voting sys-
14 tems notification relating thereto.

15 **SEC. 412. PROCESS TO TEST FOR AND MONITOR CYBERSE-**
16 **CURITY VULNERABILITIES IN ELECTION**
17 **EQUIPMENT.**

18 (a) PROCESS FOR COVERED VOTING SYSTEMS.—

19 (1) IN GENERAL.—The Director and the Com-
20 mission (in consultation with the Technical Guide-
21 lines Development Committee and the Standards
22 Board of the Commission), shall jointly establish a
23 voluntary process to test for and monitor covered
24 voting systems for cybersecurity vulnerabilities. Such
25 process shall include the following:

1 (A) Mitigation strategies and other rem-
2 edies.

3 (B) Notice to the Commission and appro-
4 priate entities of the results of testing con-
5 ducted pursuant to such process.

6 (2) IMPLEMENTATION.—The Director shall im-
7 plement the process established under paragraph (1)
8 at the request of the Commission.

9 (b) LABELING FOR VOTING SYSTEMS.—The Commis-
10 sion (in consultation with the Technical Guidelines Devel-
11 opment Committee and the Standards Board of the Com-
12 mission), shall establish a process to provide for the de-
13 ployment of appropriate labeling available through the
14 website of the Commission to indicate that covered voting
15 systems passed the most recent cybersecurity testing pur-
16 suant to the process established under subsection (a).

17 (c) RULES OF CONSTRUCTION.—The process estab-
18 lished under subsection (a), including the results of any
19 testing carried out pursuant to this section, shall not af-
20 fect—

21 (1) the certification status of equipment used in
22 the administration of an election for Federal office
23 under the Help America Vote Act of 2002; or

24 (2) the authority of the Commission to so cer-
25 tify such equipment under such Act.

1 (d) DEFINITION.—In this section, the term “covered
2 voting systems” means equipment used in the administra-
3 tion of an election for Federal office that is certified in
4 accordance with versions of Voluntary Voting System
5 Guidelines under the Help America Vote Act of 2002
6 under which such equipment is not required to be tested
7 for cybersecurity vulnerabilities.

8 **SEC. 413. DUTY OF SECRETARY OF HOMELAND SECURITY**
9 **TO NOTIFY STATE AND LOCAL OFFICIALS OF**
10 **ELECTION CYBERSECURITY INCIDENTS.**

11 (a) DUTY TO SHARE INFORMATION WITH DEPART-
12 MENT OF HOMELAND SECURITY.—If a Federal entity re-
13 ceives information about an election cybersecurity inci-
14 dent, the Federal entity shall promptly share that infor-
15 mation with the Department of Homeland Security, unless
16 the head of the entity (or a Senate-confirmed official des-
17 igned by the head) makes a specific determination in
18 writing that there is good cause to withhold the particular
19 information.

20 (b) RESPONSE TO RECEIPT OF INFORMATION BY
21 SECRETARY OF HOMELAND SECURITY.—

22 (1) IN GENERAL.—Upon receiving information
23 about an election cybersecurity incident under sub-
24 section (a), the Secretary of Homeland Security, in
25 consultation with the Attorney General, the Director

1 of the Federal Bureau of Investigation, and the Di-
2 rector of National Intelligence, shall promptly (but
3 in no case later than 96 hours after receiving the in-
4 formation) review the information and make a deter-
5 mination whether each of the following apply:

6 (A) There is credible evidence that the in-
7 cident occurred.

8 (B) There is a basis to believe that the in-
9 cident resulted, could have resulted, or could re-
10 sult in voter information systems or voter tab-
11 ulation systems being altered or otherwise af-
12 fected.

13 (2) DUTY TO NOTIFY STATE AND LOCAL OFFI-
14 CIALS.—

15 (A) DUTY DESCRIBED.—If the Secretary
16 makes a determination under paragraph (1)
17 that subparagraphs (A) and (B) of such para-
18 graph apply with respect to an election cyberse-
19 curity incident, not later than 96 hours after
20 making the determination, the Secretary shall
21 provide a notification of the incident to each of
22 the following:

23 (i) The chief executive of the State in-
24 volved.

1 (ii) The State election official of the
2 State involved.

3 (iii) The local election official of the
4 election agency involved.

5 (B) TREATMENT OF CLASSIFIED INFORMA-
6 TION.—

7 (i) EFFORTS TO AVOID INCLUSION OF
8 CLASSIFIED INFORMATION.—In preparing
9 a notification provided under this para-
10 graph to an individual described in clause
11 (i), (ii), or (iii) of subparagraph (A), the
12 Secretary shall attempt to avoid the inclu-
13 sion of classified information.

14 (ii) PROVIDING GUIDANCE TO STATE
15 AND LOCAL OFFICIALS.—To the extent
16 that a notification provided under this
17 paragraph to an individual described in
18 clause (i), (ii), or (iii) of subparagraph (A)
19 includes classified information, the Sec-
20 retary (in consultation with the Attorney
21 General and the Director of National Intel-
22 ligence) shall indicate in the notification
23 which information is classified.

24 (3) EXCEPTION.—

1 (A) IN GENERAL.—If the Secretary, in
2 consultation with the Attorney General and the
3 Director of National Intelligence, makes a de-
4 termination that it is not possible to provide a
5 notification under paragraph (1) with respect to
6 an election cybersecurity incident without com-
7 promising intelligence methods or sources or
8 interfering with an ongoing investigation, the
9 Secretary shall not provide the notification
10 under such paragraph.

11 (B) ONGOING REVIEW.—Not later than 30
12 days after making a determination under sub-
13 paragraph (A) and every 30 days thereafter,
14 the Secretary shall review the determination. If,
15 after reviewing the determination, the Secretary
16 makes a revised determination that it is pos-
17 sible to provide a notification under paragraph
18 (2) without compromising intelligence methods
19 or sources or interfering with an ongoing inves-
20 tigation, the Secretary shall provide the notifi-
21 cation under paragraph (2) not later than 96
22 hours after making such revised determination.

23 (4) COORDINATION WITH ELECTION ASSIST-
24 ANCE COMMISSION.—The Secretary shall make de-
25 terminations and provide notifications under this

1 subsection in the same manner, and subject to the
2 same terms and conditions relating to the role of the
3 Election Assistance Commission, in which the Direc-
4 tor of the Cybersecurity and Infrastructure Security
5 Agency of the Department of Homeland Security
6 makes determinations as to the necessity of an advi-
7 sory and the issuance of an advisory under section
8 411(a) and the provision of notification under sec-
9 tion 411(b).

10 (c) DEFINITIONS.—In this section, the following defi-
11 nitions apply:

12 (1) ELECTION AGENCY.—The term “election
13 agency” means any component of a State, or any
14 component of a unit of local government in a State,
15 which is responsible for the administration of elec-
16 tions for Federal office in the State.

17 (2) ELECTION CYBERSECURITY INCIDENT.—
18 The term “election cybersecurity incident” means an
19 occurrence that actually or imminently jeopardizes,
20 without lawful authority, the integrity, confiden-
21 tiality, or availability of information on an informa-
22 tion system of election infrastructure (including a
23 vote tabulation system), or actually or imminently
24 jeopardizes, without lawful authority, such an infor-
25 mation system of election infrastructure.

1 (3) FEDERAL ELECTION.—The term “Federal
2 election” means any election (as defined in section
3 301(1) of the Federal Election Campaign Act of
4 1971 (52 U.S.C. 30101(1))) for Federal office (as
5 defined in section 301(3) of the Federal Election
6 Campaign Act of 1971 (52 U.S.C. 30101(3))).

7 (4) FEDERAL ENTITY.—The term “Federal en-
8 tity” means any agency (as defined in section 551
9 of title 5, United States Code).

10 (5) LOCAL ELECTION OFFICIAL.—The term
11 “local election official” means the chief election offi-
12 cial of a component of a unit of local government of
13 a State that is responsible for administering Federal
14 elections.

15 (6) SECRETARY.—The term “Secretary” means
16 the Secretary of Homeland Security.

17 (7) STATE.—The term “State” means each of
18 the several States, the District of Columbia, the
19 Commonwealth of Puerto Rico, Guam, American
20 Samoa, the Commonwealth of Northern Mariana Is-
21 lands, and the United States Virgin Islands.

22 (8) STATE ELECTION OFFICIAL.—The term
23 “State election official” means—

24 (A) the chief State election official of a
25 State designated under section 10 of the Na-

1 tional Voter Registration Act of 1993 (52
2 U.S.C. 20509); or

3 (B) in the case of Puerto Rico, Guam,
4 American Samoa, the Northern Mariana Is-
5 lands, and the United States Virgin Islands, a
6 chief State election official designated by the
7 State for purposes of this Act.

8 (d) EFFECTIVE DATE.—This section shall apply with
9 respect to information about an election cybersecurity inci-
10 dent which is received on or after the date of the enact-
11 ment of this Act.

12 **TITLE V—SENSE OF CONGRESS**
13 **WITH RESPECT TO ROLE OF**
14 **STATES IN CONGRESSIONAL**
15 **REDISTRICTING**

16 **SEC. 501. SENSE OF CONGRESS WITH RESPECT TO ROLE OF**
17 **STATES IN CONGRESSIONAL REDISTRICTING.**

18 It is the sense of Congress that, while Congress is
19 authorized under the Constitution of the United States to
20 ensure that congressional redistricting is carried out in a
21 manner consistent with the Constitution, only a State has
22 the authority to establish maps of the congressional dis-
23 tricts of the State and to determine the procedures and
24 criteria used to establish such maps.

1 **TITLE VI—DISINFORMATION**
2 **GOVERNANCE BOARD**

3 **SEC. 601. TERMINATION OF THE DISINFORMATION GOV-**
4 **ERNANCE BOARD.**

5 The Disinformation Governance Board of the De-
6 partment of Homeland Security is hereby terminated.

7 **SEC. 602. PROHIBITION ON FUNDING THE ACTIVITIES OF**
8 **THE DISINFORMATION GOVERNANCE BOARD.**

9 No Federal funds authorized to be appropriated or
10 otherwise made available may be used to establish or carry
11 out the activities of any other entity that is substantially
12 similar to the Disinformation Governance Board termi-
13 nated by section 701.

14 **TITLE VII—SEVERABILITY**

15 **SEC. 701. SEVERABILITY.**

16 If any provision of this Act or any amendment made
17 by this Act, or the application of any such provision or
18 amendment to any person or circumstance, is held to be
19 unconstitutional, the remainder of this Act, and the appli-
20 cation of such provision or amendment to any other person
21 or circumstance, shall not be affected by the holding.



AMERICAN CONFIDENCE IN ELECTIONS ACT

Educate. Engage. Reform.

American Confidence in Elections Act (ACE Act)

Summary: The *American Confidence in Elections Act* (ACE Act) is the key Republican election integrity bill now that we are in the Majority. It focuses on the importance of strong election integrity reforms that meet the moment by bolstering voter confidence in our elections while respecting the Constitution, federalism, and conservative principles. Further, the ACE Act continues to address disappointing challenges faced by military and overseas voters and makes the biggest legislative effort in a generation to protect political speech in a climate where Democrats are doing everything in their power to determine “truth” and silence conservative voices.

General Findings

- States have the primary role in establishing election law and administering elections.
- All eligible voters must be able to vote, and all lawful votes must be counted.
- Political speech is protected speech and all voices must be protected.
- Includes the Committee’s report on the constitutional role of the states and Congress in election regulation.

Title I – Election Integrity and Voter Confidence

Providing States with the Tools to Bolster Voter Confidence and Improve Election Integrity

- General findings that explain Congress’ proper role under the Constitution.
- Establishes with the existing bipartisan Election Assistance Commission (EAC) Standards Board and Local Leadership Council a federal forum for states to share best practices and discuss successes and failures so that all may benefit from innovation and lessons learned across the country. The forum will create no binding recommendations but will release records of its conversations in the form of voluntary considerations on the following topics: the process for the administration of ballots delivered by mail, signature verification procedures, voter list maintenance, access for election observers, timely reporting of the results of ballot counting, recruiting poll workers, public education with respect to the certification and testing of voter machines prior to elections, post-election audits, and secure chain of custody procedures for ballots and election equipment.
- Directs the EAC to develop voluntary guidelines for the use of nonvoting election technology like electronic poll books.
- Establishes the EAC as the lead federal agency on all election administration matters and grants the agency exclusive authority to make election administration grant disbursements to states.
- Requires the National Institute of Science and Technology to provide status reports to Congress on its responsibilities under the *Help America Vote Act* (HAVA).
- Confirms that States must provide access for congressional election observers under Congress’ constitutional role to serve as the “Judge of the Elections, Returns and Qualifications of its own Members[.]”
- Requires the USPS to prioritize election mail and mark all election mail with the date of receipt, and process and deliver election mail even if the election officials’ account is underfunded or overdrawn. Allows the USPS to recoup any such costs in arrears. Adds criminal penalties for forging a postmark. (Massie Amendment)
- Allows national, state, and local political committees to use the non-profit rate for the purpose of cooperative mailings.
- Requires the USPS to coordinate with states to identify and assign a mailing address to each home in every state, including those residences on Native American land. (Cole)
- Amends the IRS code by allowing certain compensation of election workers to be excluded from gross income and removes the federal requirement that elections officials issue 1099 or W-2 forms to election workers, eliminating a major administrative burden.
- Expressly allows states to use HAVA dollars to conduct post-election audits.
- Requires any public communications paid for by HAVA dollars to contain a disclaimer.
- Allows states to provide preference to veterans and individuals with disabilities when hiring election workers.
- Disincentives “collusive” settlements by requiring SCOTUS to hear an appeal in any case that invalidates a state statute on federal constitutional grounds. (Repeals 1988 Biden law change)
- Clarifies that election materials that must be preserved for 22 months pursuant to HAVA include ballot envelopes of voted ballots only.
- Clarifies federal agency involvement in voter registration by establishing that Executive Order 14019 (Biden election executive order) shall have no force (except as may otherwise be required by law).
- Includes the *Promoting Free and Fair Elections Act* which prohibits federal agencies from engaging in voter registration/mobilization activities and requires agencies that submitted a plan for promoting voter registration under E.O. 14019 to give it to Congress. (H.R. 3072, Tenney)
- Prohibits the use of federal funds by states to administer elections for federal office unless the state imposes certain restrictions on ballot harvesting and the transmission of mail ballots.
- Establishes a bipartisan panel to recommend to Congress model legislation providing for an appropriate process to resolve any vacancy created by the death of a candidate in a contingent presidential or vice-presidential elect. (H.R. 4638, *Solving an Overlooked Loophole in Votes for Executives* (SOLVE) Act, 117th Congress, Davis, Spanberger, A. King, Portman)

Preventing Non-Citizens from Participating in Our Elections

- Clarifies that states have the authority to remove non-citizens from their federal voter registration lists under their regular voter list maintenance programs.
- Expressly restates that it is a felony for non-citizens to vote in federal elections.
- Penalizes states that allow non-citizen voting in state or local elections by reducing the share of new HAVA grant funds by 30%.
- Prohibits states from maintaining a single voter registration roll for state and Federal elections if the state permits non-citizens to vote in state and local elections. Prohibits states from using federal dollars to build or maintain a state-specific roll containing non-citizens.
- Requires states that allow non-citizen voting to have separate ballots for local races if the election occurs during a federal election and prohibits federal dollars to create ballots for non-citizens.
- Requires federal courts to notify the chief state election official and attorney general when non-citizens are excused from jury duty so that states may update their voter rolls. Requires election officials to coordinate their registration rolls with federal court jury lists.
- Prohibits foreign nationals from making financial or in-kind contributions in connection with state or local ballot initiatives or referendums and adds criminal penalties for doing so.
- Requires states to include with their existing biannual reports to the EAC the total number of inactive registrants and the number of registrants removed from the list of official voters. (Palmer)
- Allows a state's proof of citizenship requirement to be included in the state instructions on the national mail voter registration form maintained by EAC. (H.R. 8528, *State Instruction Inclusion Act*, 117th Congress, Palmer)

Other List Maintenance Provisions

- Subject to privacy considerations, requires federal agencies upon state request to share relevant information with state agencies for list maintenance and voter registration purposes.

Voter Identification

- Modernizes the existing HAVA first-time mail voter ID requirement to include all first-time voter registrations made using any method other than in-person at an elections office or state voter registration agency. Also requires certain voters who request a mail ballot or vote by mail to provide HAVA ID.
- Reforms the REAL ID Act to require "CITIZEN" to be printed on all qualifying individuals' identification documents issued or renewed after January 1, 2026.
- Recognizes REAL ID identification documents as appropriate for photographic voter identification, as recommended by the Carter-Baker Commission.

Ending Private Funding for Election Administration

- Includes the *End Zuckerbucks Act* which removes the federal tax exemption for direct, indirect, below-cost services, scholarships, subsidies, or other private funding for election administration. (H.R. 1725, Tenney)

Requiring D.C., Which Congress Controls, to Implement Election Integrity and Voter Confidence Measures

- In addition to the above, this bill implements in the District of Columbia the *American Confidence in Elections: D.C. Election Integrity and Voter Confidence Act*, which would serve as an example to the States of effective election administration. It includes:
 - a requirement for all voters to present a photo ID to vote in person or to request an absentee/mail ballot. It also requires D.C. to provide a free copy of the voter's ID and include photos or digital images of registered voters in the poll books with measures in place to protect privacy;
 - a requirement that voter roll list maintenance be conducted annually and a prohibition on same-day registration;
 - a prohibition on ballot harvesting (H.R. 6882, *Election Fraud Prevention Act*, 116th Congress, Davis) and certain restrictions on the use of ballot drop boxes;
 - a prohibition on mailing ballots except upon voter's request;
 - a prohibition on non-citizen voting;
 - a requirement for meaningful observer access;
 - a requirement for a signature verification process for mail ballots and a requirement for signatures to be dated;
 - a requirement that all ballots except military/overseas ballots be received by the close of polls and that election officials report unofficial results no later than 10:00 a.m. the following day;
 - a requirement that after the closing of polls on the date of a D.C. election, the District makes available on a publicly accessible website the total number of voted ballots in the possession of election officials as of the time of the closing of polls (Donalds) and publish the total number of *Uniformed and Overseas Citizens Absentee Voting Act* (UOCAVA) ballots requested and received, including UOCAVA ballots received that may have been sent pursuant to law without a request.
 - a requirement that D.C. officials ensure that all election administration activities are carried out in a bipartisan manner;
 - a requirement that provisional ballots only be counted when cast in the correct precinct; and
 - a requirement that an audit be conducted following each election before the time to contest the election expires.

Title II – Military Voting Administration

- Directs GAO to conduct a study on voting access for absent uniformed services voters.

Title III – Protecting Political Speech and Campaign Finance Reform

- Repeals limits on coordinated political party expenditures, allowing party committees to work directly with candidates without current restrictions that require the use of IE units, hybrid advertisements, and other methods.
- Allows two or more political committees to participate in joint fundraising activities without the hassle of establishing a joint fundraising agreement or a separate joint committee (but maintains existing formal requirements as an option).
- Raises contribution limits for state political party committees and allows the establishment of higher-limit building, legal, and convention funds as used by the national party committees and indexes limits for inflation.
- Increases qualifying threshold for political committees, candidate committees, and independent expenditure reporting requirements and indexes for inflation.
- Increases “at-home” event exemption amounts and indexes for inflation.
- Excludes certain costs related to party committee and candidate communications soliciting funds from treatment as contributions or expenditures.
- Prohibits the use of federal funds in support of congressional campaigns. (H.R. 4261, 116th Congress, Davis)
- Codifies existing donor disclosure protections for certain tax-exempt organizations. (*NAACP v. Alabama* and *AFPPF v. Bonta*)
- Removes statutory limits on aggregate individual contributions, which SCOTUS struck down in 2014. (*McCutcheon v. FEC*)
- Makes permanent the FEC’s alternative dispute resolution process, which had been extended on a temporary basis.
- Includes H.R.149 (114th Congress), which would permit candidates to name individuals who could disperse the funds of a federal campaign committee in accordance with the law in the event of a candidate’s death.
- Codifies the existing regulatory prohibition on making political contributions in the name of another person.
- Increases from \$5,000 to \$50,000 the gross receipts threshold used to determine the eligibility of tax-exempt organizations for the exemption from certain disclosure and reporting requirements. (S. 1105, *Don’t Weaponize the IRS Act*, M. Kelly, McConnell, Braun, Cassidy)
- Directs the Department of the Treasury to not issue, revise, or finalize any regulation revenue ruling, or other guidance not limited to a particular taxpayer relating to the standard which is used to determine whether an organization is operated exclusively for the promotion of social welfare for purposes of Section 501(c)(4) of the Internal Revenue Code.
- Modernizes reporting requirements for electioneering communications.
- Modernizes threshold amount and establishes a price index adjustment for political committee threshold.
- Repeals the requirement of persons making independent expenditures to report the identification of certain donors.
- Increases the threshold limits for the real or personal property exemption and the travel expenses exemption and then indexes them for inflation.
- Exempts any payment for information or communication on the internet as a contribution unless it is disseminated for a fee on another person’s website and expands the existing media exemption.
- Prohibits the Securities and Exchange Commission from issuing regulations regarding the disclosure of political contributions, contributions to tax-exempt organizations, or dues paid to trade associations.
- Requires unanimous consent of FEC Commissioners to decline to defend an action against the agency.
- Establishes a 5-year statute of limitations for all violations of the *Federal Election Campaign Act* of 1971.

Title IV – Election Security

- Directs the U.S. Department of Homeland Security (DHS) and the Director of National Intelligence to report on physical and cybersecurity threats to elections to Congress and the chief state election official of each state.
- Directs the Cybersecurity and Infrastructure Security Agency (CISA), in collaboration with the EAC, to determine if an elections-related cybersecurity advisory should be issued.
- Directs CISA, in collaboration with the Technical Guidelines Development Committee and the Standards Board of the EAC, to establish a voluntary process to test for and monitor covered voting systems for cybersecurity vulnerabilities.
- Directs any Federal entity that receives information about an election cybersecurity incident to promptly inform DHS.
- Requires DHS to notify state and local officials of election cybersecurity incidents and collaborate with the EAC for the development and release of any cybersecurity advisories.

Title V – Sense of Congress with Respect to the Role of State Legislatures in Congressional Redistricting

- Congress plays a very limited role in congressional redistricting, ensuring that states carry out the process consistent with the Constitution.
- States are best situated—and constitutionally hold the power—to determine the best redistricting methods in their jurisdictions.

Title VI – Disinformation Governance Board

- Terminates the Disinformation Governance Board at DHS and prevents the use of funds to establish the Disinformation Governance Board or any board similar in nature.

Questions? Contact Caleb Hays, Committee on House Administration Republican General Counsel & Deputy Staff Director, at Caleb.Hays@mail.house.gov.

From: Christina Adkins
Sent: Friday, March 17, 2023 4:29 PM
To: Kristi Hart; Adam Bitter; Sam Taylor
Subject: FW: IA Sec. Pate - Letter of Resignation
Attachments: Iowa Resignation from ERIC March 1 2023.pdf

From: Hamlin, Shane <shane.hamlin@ericstates.org>
Sent: Friday, March 17, 2023 4:27 PM
To: Hamlin, Shane <shane.hamlin@ericstates.org>
Cc: Haas, Ericka <ericka.haas@ericstates.org>; Whitt, Sarah <sarah.whitt@ericstates.org>
Subject: IA Sec. Pate - Letter of Resignation

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Sent to the ERIC Membership and Secondary Points of Contact

Members,

Please find attached Sec. Pate's letter of resignation from ERIC. Pursuit the Article II, Sec. 7, Iowa's resignation is effective 91 days from today. By my calculation, that is June 16, 2023. As I have with the other states that have resigned, I will work in good faith with Iowa on an orderly withdrawal consistent with ERIC's Bylaws and Membership Agreement.

The ERIC team will continue to provide the best service possible to ERIC's members, so that you can maintain the most accurate voter rolls possible, provide voter registration info to potentially eligible but unregistered individuals, and root out illegal voting.

Thank you,

-Shane

Shane Hamlin | Executive Director
ERIC | Electronic Registration Information Center
1201 Connecticut Ave NW, Suite 600
Washington, DC 20036
(202) 695-3464

www.ericstates.org

Paul D. Pate
Secretary of State



State Capitol
Des Moines, Iowa 50319

OFFICE OF THE IOWA SECRETARY OF STATE

March 17, 2023

Mr. Shane Hamlin, Executive Director of ERIC
ERIC Board Members
1201 Connecticut Ave NW, Suite 600
Washington, DC 20036

Dear Director Hamlin and Board Members:

Pursuant to ERIC's membership agreement, I am writing to notify you of Iowa's resignation from ERIC effective at the earliest possible date. It is an unfortunate but necessary step that is in the best interest of our state, our voters, and our taxpayers.

Sincerely,

A handwritten signature in black ink that reads "Paul D. Pate". The signature is written in a cursive style.

Paul D. Pate
Iowa Secretary of State

From: Christina Adkins
Sent: Thursday, July 13, 2023 3:53 PM
To: Adam Bitter
Subject: FW: IA Sec. Pate - Letter of Resignation
Attachments: Iowa Resignation from ERIC March 1 2023.pdf

From: Hamlin, Shane <shane.hamlin@ericstates.org>
Sent: Friday, March 17, 2023 4:27 PM
To: Hamlin, Shane <shane.hamlin@ericstates.org>
Cc: Haas, Ericka <ericka.haas@ericstates.org>; Whitt, Sarah <sarah.whitt@ericstates.org>
Subject: IA Sec. Pate - Letter of Resignation

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

****Sent to the ERIC Membership and Secondary Points of Contact****

Members,

Please find attached Sec. Pate's letter of resignation from ERIC. Pursuit the Article II, Sec. 7, Iowa's resignation is effective 91 days from today. By my calculation, that is June 16, 2023. As I have with the other states that have resigned, I will work in good faith with Iowa on an orderly withdrawal consistent with ERIC's Bylaws and Membership Agreement.

The ERIC team will continue to provide the best service possible to ERIC's members, so that you can maintain the most accurate voter rolls possible, provide voter registration info to potentially eligible but unregistered individuals, and root out illegal voting.

Thank you,

-Shane

Shane Hamlin | Executive Director
ERIC | Electronic Registration Information Center
1201 Connecticut Ave NW, Suite 600
Washington, DC 20036
(202) 695-3464

www.ericstates.org

Paul D. Pate
Secretary of State



State Capitol
Des Moines, Iowa 50319

OFFICE OF THE IOWA SECRETARY OF STATE

March 17, 2023

Mr. Shane Hamlin, Executive Director of ERIC
ERIC Board Members
1201 Connecticut Ave NW, Suite 600
Washington, DC 20036

Dear Director Hamlin and Board Members:

Pursuant to ERIC's membership agreement, I am writing to notify you of Iowa's resignation from ERIC effective at the earliest possible date. It is an unfortunate but necessary step that is in the best interest of our state, our voters, and our taxpayers.

Sincerely,

A handwritten signature in black ink that reads "Paul D. Pate". The signature is written in a cursive style.

Paul D. Pate
Iowa Secretary of State

From: Christina Adkins
Sent: Friday, March 17, 2023 2:45 PM
To: Sam Taylor; Adam Bitter; Joe Esparza
Cc: Kristi Hart
Subject: FW: OH Sec. LaRose - Letter of Resignation
Attachments: Letter re ERIC Membership 3_17[11].pdf

FYI -

From: Hamlin, Shane <shane.hamlin@ericstates.org>
Sent: Friday, March 17, 2023 2:42 PM
To: Hamlin, Shane <shane.hamlin@ericstates.org>
Cc: Haas, Ericka <ericka.haas@ericstates.org>; Whitt, Sarah <sarah.whitt@ericstates.org>
Subject: OH Sec. LaRose - Letter of Resignation

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to informationsecurity@sos.texas.gov.

Sent to the ERIC Membership and Secondary Points of Contact

Members,

Please find attached Sec. LaRose's letter of resignation from ERIC. Pursuit the Article II, Sec. 7, set forth in full below, Ohio's resignation is effective 91 days from today. By my calculation, that is June 16, 2023. As I have with the other states that have resigned, I will work in good faith with Ohio on an orderly withdrawal consistent with ERIC's Bylaws and Membership Agreement.

The ERIC team will continue to provide the best service possible to ERIC's members, so that you can maintain the most accurate voter rolls possible, provide voter registration info to potentially eligible but unregistered individuals, and root out illegal voting.

Thank you,

-Shane

Shane Hamlin | Executive Director
ERIC | Electronic Registration Information Center
1201 Connecticut Ave NW, Suite 600
Washington, DC 20036
(202) 695-3464

www.ericstates.org



Via Electronic Mail

March 17, 2023

Mr. Shane Hamlin
Executive Director, Electronic Registration Information Center (ERIC)
1201 Connecticut Ave., NW, Suite 600
Washington, D.C. 20036

Re: Notice of Resignation from ERIC

Dear Mr. Hamlin and ERIC Board Members:

I am hereby notifying you of Ohio's resignation from the Electronic Registration Information Center (ERIC), effective 91 days from the date of this letter as stated in the bylaws. This decision does not come without careful thought and extensive conversations with my counterparts in the organization. The action Ohio is taking today follows nearly a year of good faith, bipartisan efforts to reform ERIC's oversight and services. Unfortunately, these attempts to save what could be an unparalleled election integrity service have fallen short.

ERIC has chosen repeatedly to ignore demands to embrace reforms that would bolster confidence in its performance, encourage growth in its membership, and ensure not only its present stability but also its durability. Rather, you have chosen to double-down on poor strategic decisions, which have only resulted in the transformation of a previously bipartisan organization to one that appears to favor only the interests of one political party. I believe the current actions and inactions of ERIC will effectively set in motion its demise.

As stated in my March 6, 2023 letter: [T]he immediate action of the ERIC board at its March 17 meeting can potentially salvage their participation and ours, but ONLY if the proposed reforms win the approval of the board. These include:

1. Amending the bylaws to explicitly state that ERIC's membership should only consist of member states, who answer to the voters and taxpayers they represent,
2. Removing ex-officio membership positions from ERIC's bylaws, and
3. Permitting member states to utilize ERIC's data-sharing services 'a la carte,' in the manner which they believe best serves their local interests. For example, members should not be forced to meet specific requirements, such as Eligible but Unregistered voter mailings or cross-state fraud analysis, if they do not deem those actions necessary or relevant to the needs of their respective states.

Unfortunately, you chose to stifle action on these proposed reforms through questionable tactics at the board's February meeting and again today through a selective and overly aggressive enforcement of ERIC's bylaws. We fundamentally disagree with the legal interpretation that every member of ERIC, whether they have resigned or not, must waive notice to offer a proposed amendment for consideration – especially after the proposed amendment was previously noticed and voted on. One must ask what reasons motivated the author of the governing documents to intentionally draft them to be so restrictive and difficult to amend. Nonetheless, my staff solely took the initiative to comply with this onerous interpretation and achieved some of the reforms, while the rest were rejected.

I cannot justify the use of Ohio's tax dollars for an organization that seems intent on rejecting meaningful accountability, publicly maligning my motives, and waging a relentless campaign of misinformation about this effort. The conduct of ERIC and some of its hyper-partisan allies in recent weeks only heightens my suspicion and reinforces my decision. Additionally, I cannot accept the board's refusal – for a third time – to adopt basic reforms to the use of ERIC's data-sharing services. I fundamentally believe that every dues-paying ERIC member should have the right to use these services in the best interest of their own state and its taxpayers. This should be a non-controversial policy, yet you have chosen to make it a hyperbolic, partisan fight that has fractured an organization that had so much potential for good.

As every past and present member of ERIC knows, I have been a hopeful advocate for reform. You had every chance to deliver it, but you chose not to act. Therefore, you have left me with no choice but to look for a more accountable alternative.

Yours in service,



Frank LaRose
Ohio Secretary of State

From: Jennifer Hall [REDACTED]
Sent: Tuesday, May 2, 2023 9:04 AM
To: Christina Adkins
Cc: Elections Internet
Subject: Fw: Seeking help for predecessor in lawsuit by Democrat who lost election
Attachments: Cochran suit.04-23.pdf

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Good morning,

Just bumping this up in case you didn't see it before. I can understand missing it as there is a lot going on at the Capitol.

I greatly appreciate your consideration.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Jennifer Hall <[REDACTED]>
Sent: Friday, April 28, 2023 9:06 AM
To: Christina Adkins <CAdkins@sos.texas.gov>
Cc: Elections Internet <Elections@sos.texas.gov>
Subject: Fw: Seeking help for predecessor in lawsuit by Democrat who lost election

Good morning,

The former county chair in Morris county has been served with a suit for duties she performed during the last primary. She spoke with legal at SOS Elections and with us at RPT. We both told her the same thing and she did follow the advice she received.

The current county chair's email below is a synopsis of what happened. The former chair did not run again and found her replacement to run in the primary. The now current chair was kept in the loop during the primary to help her learn.

Because the person being sued was the county chair at the time and acting in her administrative duty, are primary funds used to cover her cost?

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Belinda McLaughlin [REDACTED]
Sent: Wednesday, April 26, 2023 7:22 PM
To: Jennifer Hall [REDACTED] >
Cc: Deborah Ramsey [REDACTED]
Subject: Seeking help for predecessor in lawsuit by Democrat who lost election

Jen,

Hello. I'm writing on behalf of Deb Ramsey, former county chairman of Morris County and my immediate predecessor from whom I took over in June 2022.

Deb has been named in a lawsuit by the Democrat who lost our county clerk's race last November.

We are hoping the Republican Party of Texas can help Deb. I'm sure she will be calling you as soon as possible.

You might recall that Morris County had a situation in our 2022 county clerk race in which our incumbent Republican clerk had filed in December 2021, then resigned his office in January 2022, past the deadline for a new candidate to file. At the time, Deb consulted multiple times with the RPT and the SOS and was assured that we, the Morris County Republican Party, or anyone else for that matter, could not replace the clerk on the ballot.

The Election Code read that if another candidate was already on the ballot, then we could not replace our Republican candidate. There was a Democratic candidate on the ballot, so we were advised that the Democratic candidate was considered "another candidate"; therefore, we were stuck with having to let the resigned Republican ride on the ballot. We didn't have the authority to remove his name; he would have to do that, and he refused to do so.

So, the November general election came and went after lots of acrimony all year. The Democrat (who also is my neighbor and who graduated high school with me -- awkward) lost to the resigned Republican by a margin of 2.25 to 1. The voters of Morris County thoroughly rejected the Democrat, despite a massive advertising campaign on his part.

Today, Deb got word that the Democrat -- nearly six months after he lost -- has filed a pro se lawsuit against Deb, against the young woman who was named as interim county clerk in early 2022 and again in January 2023, and against each member of the Morris County Commissioners Court, one of whom is my youngest brother (FYI).

I obtained a copy of the suit from that interim county clerk, Brittany Andrews, and scanned it into my computer. I am attaching it to this email.

The losing Democrat, Caryl (pronounced Carl) Cochran, has filed the suit pro se, so he feels confident enough to represent himself.

Besides the fact that he still thinks, apparently, that the name of the former clerk, Scott Sartain, could have been removed from the ballot, he also is claiming a conspiracy against him.

He is focused on the fact that Scott misplaced his own resignation letter. This was very unfortunate but no conspiracy. (During Scott's term of office, the county clerk's office was in disarray, including numerous nonexistent minutes of court meetings, which Brittany is slowly working to create from stored voice recordings.)

As you (or hopefully someone in the RPT) will read in the suit, Cochran went to the courthouse in August -- for some reason -- to get a copy of the signed resignation letter, but Brittany could not find it in the files. She printed out for Cochran the letter she presumed to be the resignation letter that she found in the computer.

In the suit, Cochran details a conversation at a September 2022 special commissioners court meeting in which the tax assessor-collector (also a fellow classmate) recalled the now-former clerk leaving the January 2022 special commissioners court meeting -- called specifically to accept his resignation -- to go print his resignation letter, then coming back in and handing it to the commissioners.

What the suit doesn't mention is that I was at both meetings and also vouched for seeing Scott Sartain leave the meeting, come back in, lean down to sign the letter and hand it to the county judge.

When the tax assessor-collector in September pointed out that Scott had done that in January, I said something to the effect of, "That's right, Kim. That's exactly the way it happened."

There simply was no conspiracy, as Cochran alleges in the suit.

TAC will represent the county clerk, the commissioners and the county judge, because they are all county employees, but Deb is not.

Our big question is: Can/will the RPT be there to help Deb?

She was in constant communication with the RPT and the SOS, along with the county judge, to follow the best legal course possible in the difficult situation the Morris County Republican Party was handed with the untimely resignation of a candidate.

The Morris County sheriff called today (Wednesday) and told Deb he will be serving her on Thursday. Because she is named as a co-defendant with the county clerk from whom I obtained a copy of the suit attached to this email, I'm confident her papers will be identical, except for the date of service.

Deb's phone number is 903-573-3177. I am CC'ing her on this email.

Please feel free to contact me if you need to ask me anything, 903-746-7512.

On behalf of Deb and our county party, I thank you in advance for your help.

Belinda McLaughlin

Morris County Republican chairwoman

CC: SD-1 SREC: Christin Bentley, Donnie Wisenbaker

CITATION
CAUSE NO. 27,557

COPI

CLERK OF THE COURT

ATTORNEY FOR PLAINTIFF

GWEN ASHWORTH
500 BROADNAX, SUITE J
DAINGERFIELD, TX 75638

PRO SE

THE STATE OF TEXAS

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you, or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the first Monday after the expiration of twenty (20) days after you were served this citation and petition, a default judgment may be taken against you." In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

TO: BRITTANY MICHELLE ANDREWS 500 BROADNAX
MORRIS COUNTY CLERK DAINGERFIELD, TX 75638
(APPOINTED)

GREETING:

You are commanded to appear by filing a written answer to **PLAINTIFF'S ORIGINAL PETITION** at or before 10:00 o'clock a.m. on the first Monday after the expiration of twenty (20) days after the date of service of this citation before the Honorable 76/276th District Court of Morris County, Texas in Daingerfield, Texas. Said Petition was filed on this the 25th day of April, 2023, numbered 27,557 and styled:

Caryl Ray Cochran
vs.

COUNTY OF MORRIS COMMISSIONERS COURT: DOUGLAS FRANKLIN REEDER, sued in his official capacity as County Judge of Morris County; and GREGORY ADRIAN FRAZIER, sued in his official capacity as Commissioner of Precinct 1; and KERRY BASAL MCCOY, sued in his official capacity as Commissioner of Precinct 2; and MICHAEL ALLEN CLAIR, sued in his official capacity as Commissioner of Precinct 3; and WILLIAM TODD FREEMAN, sued in his official capacity as Commissioner of Precinct 4; and BRITTANY MICHELLE ANDREWS, sued in her official capacity as County Clerk of Morris County and Elections Administrator for Morris county; and DEBORAH JOYCE RAMSEY, sued in her official capacity as Republican Party County Chairperson of Morris County, Defendants

The nature of Plaintiff's demand is fully shown by a true and correct copy of Plaintiff's Original Petition accompanying this citation and made a part hereof.

Issued and given under my hand and seal of said Court at office, on this the 25th day of April, 2023.



GWEN ASHWORTH, District Clerk
Morris County, Texas

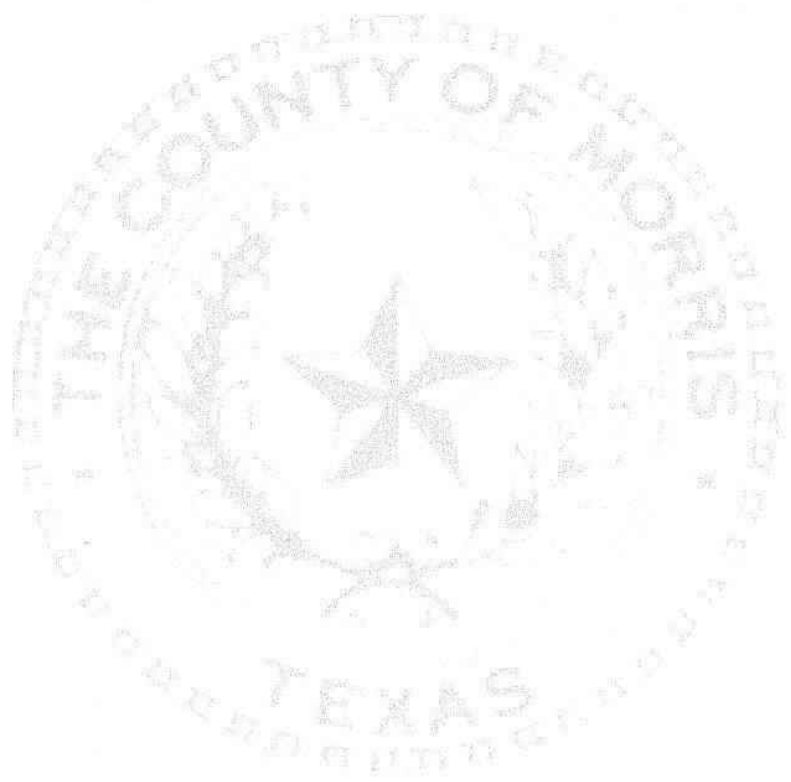
By: *Gwen Ashworth*, Deputy

OFFICER'S RETURN

Came to hand on the 26 day of April, 2023 at 7 o'clock PM. Executed at the county of Morris at 7 o'clock P.M., on the 26 day of April, 2023 by delivering to the within named DEFENDANT, in person, a true copy of this citation together with the accompanying copy of the petition. Having first attached such copy of said petition to such copy of citation and endorsed on such copy of citation the date of delivery.

*** NOT executed, the diligence used to execute being _____; for the following reason _____, the respondent may be found _____.

By: Open mailer Deputy, Constable, Process Server
SPR



Plaintiff, CARYL RAY COCHRAN (“COCHRAN”), acting *pro se litigant*, is a citizen and resident at 214 Jefferson Street, Daingerfield, Texas 75638, files this petition complaining of Defendants, MORRIS COUNTY COMMISSIONERS COURT: DOUGLAS FRANKLIN REEDER, sued in his official capacity as County Judge of Morris County; and GREGORY ADRIAN FRAZIER, sued in his official capacity as Commissioner of Precinct 1; and KERRY.BASAL MCCOY, sued in his official capacity as Commissioner of Precinct 2; and MICHAEL ALLEN CLAIR, sued in his official capacity as Commissioner of Precinct 3; and WILLIAM TODD FREEMAN, sued in his official capacity as Commissioner of Precinct 4; and BRITTANY MICHELLE ANDREWS, sued in her official capacity as County Clerk of Morris County and Elections Administrator; and DEBORAH JOYCE RAMSEY, sued in her official capacity as Republican Party County Chairperson of Morris County. The defendants conspired to conceal the official resignation of County Clerk Scott Sartain from the public and the Secretary of State thus violating *TEXAS PENAL CODE TITLE 8. OFFENSES AGAINST PUBLIC ADMINISTRATION CHAPTER 37, § 37.10 - Tampering With Governmental Record, (a) A person commits an offense if he: (3) intentionally destroys, conceals, removes, or otherwise impairs the verity, legibility, or availability of a governmental record.* In this action, COCHRAN was harmed financially and personally. In support hereof, COCHRAN will respectfully show the Court the following:

NATURE OF THE CASE

On or about January 28, 2022, the DEFENDANTS conspired to intentionally conceal the government record of the signed resignation of Scott Sartain from his position of County Clerk of Morris County from the Texas Secretary of State and the citizens of Morris County. Mr. Sartain clearly states in his resignation letter, “I have made the decision to withdraw my name as a candidate in the November 2022 General Election and therefore will not be on the General Election ballot.” The resignation was accepted January 28, 2022, by the Morris County Commissioners’ Court as required by *Texas Election code, Title 12-chapter 201 § 201.001 resigning or declining office. To be effective, a public official’s resignation or an officers elect declination must be in writing and signed by the officer or officer elect and delivered to the appropriate authority for acting on the resignation or declination the authority may not refuse to accept the resignation.*

The purpose of the concealment was to keep Scott Sartain on the 2022 General Election Ballot as the Republican Candidate. The DEFENDANTS were aware of *Election Code, Title 9, Chapter 145, Subchapter b, § 145.036, an executive committee may make a replacement nomination following a withdrawal only if: (2) no political party that held primary elections has a nominee for the office sought by the withdrawing candidate as of the time of the withdrawal.*

**CARYL RAY COCHRAN v. MORRIS COUNTY COMMISSIONER COURT
PLANTIFF’S ORIGINAL PETITION**

Page 2 of 17

The DEFENDANTS were also aware of *Texas Election Code Title 1, Chapter 2 § 2.056 Unopposed Candidate for Office of State or County Government*. COCHRAN was on the ballot as the Democratic Candidate for County Clerk of Morris County. The defendants had conspired to appoint the Defendant BRITTANY MICHELLE ANDREWS to the county clerk position. The only way COCHRAN could have been opposed in the 2022 General Election was by a write in candidate pursuant to *ELECTION CODE TITLE 9, CHAPTER 146. WRITE-IN CANDIDATE, SUBCHAPTER A. WRITE-INS GENERALLY*. COCHRAN, as the Democratic nominee, could only be challenged in this election by a write-in candidate. The signed resignation letter was disclosed by the DEFENDANTS on September 30, 2022, after COCHRAN made a public statement in the Commissioners Court special meeting alleging the Commissioners Court was in violation of Texas Election Code.

The DEFENDANTS wrongful and illegal conduct was willful, wanton, and malicious, and done with intent of causing injury to the Plaintiff. The DEFENDANTS placed their need to retain political power ahead of the Rule of Law. Their conduct further degrades the trust our citizens have in our institutions and our political officials. Their conduct is further display of political power corrupts and absolute power corrupts absolutely.

DISCOVERY CONTROL PLAN

1. Plaintiff intends to conduct discovery under Level 3 pursuant to Texas Rule of Civil Procedure 190.4. This case is not subject to the restrictions of expedited discovery under Texas Rule of Civil Procedure 169 because the potential relief sought by the Cochran in this action includes claims for monetary relief including penalties and attorneys' fees (if needed) in excess of \$1,000,000.

DEFENDANTS

2. Defendant, DOUGLAS FRANKLIN REEDER is a citizen and resident of Daingerfield, Texas. DOUGLAS FRANKLIN REEDER is the Morris County Judge and can be served with process at his office address, 500 Broadnax, Daingerfield, Texas 75638.
3. Defendant, GREGORY ADRIAN FRAZIER is a citizen and resident of Omaha, Texas. GREGORY ADRIAN FRAZIER is the Morris County Commissioner Precinct One (1) and can be served with process at his office address, 500 Broadnax, Daingerfield, Texas 75638.

4. Defendant, KERRY BASAL MCCOY is a citizen and resident of Daingerfield, Texas. KERRY BASAL MCCOY is the Morris County Commissioner Precinct Two (2) and can be served with process at his office address, 500 Broadnax, Daingerfield, Texas 75638.
5. Defendant, MICHAEL ALLEN CLAIR is a citizen and resident of Omaha, Texas. MICHAEL ALLEN CLAIR is the Morris County Commissioner Precinct Three (3) and can be served with process at his office address, 500 Broadnax, Daingerfield, Texas 75638.
6. Defendant WILLIAM TODD FREEMAN is a citizen and resident of Daingerfield, Texas. WILLIAM TODD FREEMAN is the Morris County Commissioner Precinct Four (4) and can be served with process at his office address, 500 Broadnax, Daingerfield, Texas 75638.
7. Defendant, BRITTANY MICHELLE ANDREWS is a citizen and resident of Naples, Texas. BRITTANY MICHELLE ANDREWS is the Morris County Clerk (Appointed) and can be served with process at her office address, 500 Broadnax, Daingerfield, Texas 75638.
8. DEBORAH JOYCE RAMSEY is a citizen and resident of Omaha, Texas. DEBORAH JOYCE RAMSEY is the former Republican Party County Chairperson of Morris County and can be served at 1557 County Road 3340 Omaha, TX 75571.

JURISDICTION AND VENUE

9. The subject matter in controversy is within the jurisdictional limits of this Court, and the Court has jurisdiction over this action pursuant to article V, section 8, of the Texas Constitution and section 24.007 of the Texas Government Code, as well as the Texas Uniform Declaratory Judgments Act. TEX. CIV. PRAC. & REM. CODE § 37.001, et seq.
10. Plaintiff reserves the right for a change of Venue at any time before trial date is set.

APPLICABLE FACTS

11. COCHRAN had filed to be a candidate in the Democrat Primary for Morris County Clerk on December 17, 2021. Cochran was unopposed in the March 2022 primary.
12. On January 25, 2022, a special notice was posted for a Special Meeting to;
 - a. Accept the resignation of Scott Sartain, County Clerk, effective January 28, 2022
 - b. Discuss and consider appointment to fulfill the unexpired term of Scott Sartain, County Clerk

13. On or about January 27, 2023, COCHRAN formally submitted a cover letter and resume to each commissioner and the county judge to be considered for the appointment to fulfill the unexpired term of Scott Sartain.
14. On January 28, 2022, the Morris County Commissioners Court met in Special Meeting
15. The Commissioners Court voted to accept the resignation of Scott Sartain.
16. The Commissioners Court voted to table the discussion and consideration of the appointment because Commissioner Clair was absent.
17. On January 28, 2022, COCHRAN met with defendant DOUGLAS FRANKLIN REEDER to express his interest in the appointment to fulfill the unexpired term of Morris County Clerk.
18. COCHRAN had a copy of ELECTION CODE, TITLE 9, CHAPTER 145, SUBCHAPTER B, Sec. 145.036. Defendant DOUGLAS FRANKLIN REEDER agreed that was the statute that applied to this situation. Defendant DOUGLAS FRANKLIN REEDER agreed that the Republican Party cannot name a replacement on the 2022 General Election Ballot.
19. COCHRAN and defendant DOUGLAS FRANKLIN REEDER discussed *ELECTION CODE TITLE 9, CHAPTER 146. WRITE-IN CANDIDATE, SUBCHAPTER A. WRITE-INS GENERALLY*. COCHRAN pointed out that he, as the Democratic nominee, could only be challenged in the 2022 General Election by a write-in candidate.
20. Defendant DOUGLAS FRANKLIN REEDER stated he wasn't sure that was the only way COCHRAN could be opposed in this election.
21. January 31, 2022, 2:00 PM Special Meeting. The Meeting Agenda listed the following items:
 1. Consider for approval of Resolution application of Juvenile Justice and Truancy Prevention Grant FY2023
 2. Discuss and consider appointment to fulfill the unexpired term of Scott Sartain, County Clerk
22. Defendant DOUGLAS FRANKLIN REEDER opened the discussion of Agenda Item Number 2 with the following statement:

“Item number 2 on the agenda is discuss and consider appointment to fulfill the unexpired term of Scott Sartain as county clerk. We accepted the resignation of Mr. Sartain on Friday and we're here to discuss and consider the appointment to fulfill his unexpired term under the local government code. It's up to the commissioner's court to fill that position for the unexpired term by appointment. So, Mr. Sartain nominated and recommended Brittany Andrews as his replacement. Brittany has been in the office for a few years and that was Mr. Sartain's

recommendation. There is no formal way to go about this appointment. There's no formal appointment process under 87-401. It's just up to the commissioners' court to fill that vacancy. So, I'm going to open it up to the commissioners for any comments or any nominees that they may have. What I'd like to do is, if we can, I just want to remind everybody that's here today, you know, obviously there's great interest in this and what the court is going to do. There are two things here. The court is responsible for appointing someone to fill this remaining unexpired term. We're not responsible or with regards to anything with regards to elections, nominees, or anything like that. That's the democratic process. That's in the election code and it's all handled through the election code so our job is to appoint the most qualified person that can do the best job for that office and for the county for the next 10-11 months. That's the most important thing for us to do. So, I'll open it up for any comments or nominees."

23. There was a pause in the meeting for a couple of minutes. Defendant COUNTY JUDGE DOUGLAS REEDER then said, "Let's start here then. Mr. Sartain has recommended Brittany as his replacement, as the appointee having worked with her. So, if the commissioners don't have any other nominees, then we can take that nominee and vote on that and discuss that. If there are any other nominees, we can hear those."
24. COCHRAN was quite surprised that Defendant COUNTY JUDGE DOUGLAS REEDER did not acknowledge his letter of interest and his resume that was submitted to the Judge and each Commissioner on January 27, 2022. COCHRAN had placed a copy in each of their inboxes located in the lobby of the courtroom. The discussion continued with defendant COMMISSIONER KERRY BASAL MCCOY acknowledging that COCHRAN had submitted his letter and resume for the appointment.
25. Defendant COMMISSIONER PRECINCT 1 GREG FRAIZER said, "So, Brittany is the only one that I know about. But is that true? Is that true with all y'all know from?"
26. Defendant COMMISSIONER PRECINCT 2 KERRY MCCOY replied, "Caryl has asked also. He's on the ballot."
27. Defendant COUNTY JUDGE DOUGLAS REEDER said, "There are again, there's a couple of different things. There may be some folks that are interested in trying to get on the ballot if there's a way to get Mr. Sartain off of the ballot and fill in that place and being on the ballot for election this fall."

Defendant COUNTY JUDGE DOUGLAS REEDER knew *ELECTION CODE, TITLE 9, CHAPTER 145, SUBCHAPTER B, Sec. 145.036* would not allow the republican party to place anyone on the Primary or the General Election ballots. He knew the only way for anyone to be on the ballot was through *ELECTION CODE TITLE 9, CHAPTER 146. WRITE-IN CANDIDATE, SUBCHAPTER A. WRITE-INS GENERALLY.*

28. In an exchange with Justice of the Peace Pct, 2 Jennifer Easley, Defendant COUNTY JUDGE DOUGLAS REEDER said, “And that's the thing. Right now, if you'd ask me about the elections part of it, which I want to I want to stay away from, is there's no guarantee that there will be anybody other than the person that's on that ballot. On that ballot right now. No guarantee.”
29. JUSTICE OF THE PEACE PRECINCT 2 JENNIFER EASLEY replied, “That is my interpretation as well.”
30. Defendant COUNTY JUDGE DOUGLAS REEDER went on to say, “There's no guarantee of that fact. OK. So, knowing everything that we know at the moment and how that's gonna, how that's going to shake out, that's going to be up to the voters. That's the democratic process. That's what we need to leave it to. OK.”
31. Defendant COUNTY JUDGE DOUGLAS REEDER acknowledged that there would not be “anybody other than the person that's on that ballot. On that ballot right now.”
32. The commissioners court went on to appoint Defendant, BRITTANY MICHELLE ANDREWS to the unexpired term of Scott Sartain.
33. On August 24 of 2022, COCHRAN went to the Morris County courthouse to the county clerk's office. COCHRAN requested a copy of Scott Sartain's resignation letter he had submitted to the commissioners court on January 28, 2022. Defendant, BRITTANY MICHELLE ANDREWS, acting county clerk, gave COCHRAN an unsigned resignation letter from Scott Sartain. Defendant BRITTANY MICHELLE ANDREWS said that they did not have a signed copy of his resignation, which was accepted by the commissioners' court on January 28, 2022.

34. Defendant, BRITTANY MICHELLE ANDREWS told COCHRAN that Sherry Ray (Defendant COUNTY JUDGE DOUGLAS REEDER'S secretary) should have a copy in her office. COCHRAN went to the county judge's office and requested a copy of the resignation from Sherry. She informed COCHRAN that she did not have a copy of the resignation in her office. COCHRAN once again ask Defendant, BRITTANY MICHELLE ANDREWS and Sherry Ray if there was a copy of a signed resignation letter and each said they did not have one. Defendant COUNTY JUDGE DOUGLAS REEDER was not in his office.
35. COCHRAN returned to the county clerk's office on Monday, August 28, 2022, to inquire if there had been any write in candidates for the Morris County clerks positions for the November 8th General Election. COCHRAN then asked to see the list of uncontested county offices for the November 8th General Election. Defendant, BRITTANY MICHELLE ANDREWS informed COCHRAN that Scott Sartain would be on the ballot as the Republican candidate for county clerk.
36. COCHRAN then went to Defendant COUNTY JUDGE DOUGLAS REEDER's office to meet with him. COCHRAN told Defendant COUNTY JUDGE DOUGLAS REEDER that he had started this with him on January 28, 2022, and needed to talk to him about why Scott Sartain remained on the ballot.
37. Defendant COUNTY JUDGE DOUGLAS REEDER informed COCHRAN that Mr. Sartain was going to remain on the ballot.
38. Defendant COUNTY JUDGE DOUGLAS REEDER once again told COCHRAN that this was constitutionally allowed by the Texas state constitution.
39. COCHRAN then said to Defendant COUNTY JUDGE DOUGLAS REEDER, "So you are part of this conspiracy?"
40. Defendant COUNTY JUDGE DOUGLAS REEDER replied, "I don't consider this a conspiracy, I consider it an inconvenience."

41. Defendant COUNTY JUDGE DOUGLAS REEDER went on to tell COCHRAN that he and defendant DEBORAH JOYCE RAMSEY, the Morris County Republican Chairperson, decided they would leave Scott Sartain on the ballot. COCHRAN asked Judge Reeder if he was okay with defrauding the citizens of Morris County by putting someone on the ballot who had resigned their position on January 28, 2022.
42. Defendant COUNTY JUDGE DOUGLAS REEDER replied that it was constitutionally allowed, and that he would let the voters decide.
43. COCHRAN replied that Defendant COUNTY JUDGE DOUGLAS REEDER was giving the voters a false choice. Defendant COUNTY JUDGE DOUGLAS REEDER then said that if Mr. Sartain won the election on November 8, 2022, there would be a special election in November of 2024.
44. COCHRAN repeatedly asked Defendant COUNTY JUDGE DOUGLAS REEDER if he was okay with defrauding the citizens of Morris County.
45. Defendant COUNTY JUDGE DOUGLAS REEDER replied again that it was constitutionally allowed, and that he would let the voters decide.
46. On September 30, 2022, COCHRAN attended the special meeting of the commissioners' court. COCHRAN made a public statement to the court that they were in violation of the Texas code for excepting a county officials' resignation. COCHRAN's statement to the commissioners' court is in the attached transcript titled MORRIS COUNTY COMMISSIONERS' COURT SEPTEMBER 30, 2022, page #18 line #18 through page #19 line #19. The complete transcript of the official meeting is attached.
47. The text of COCHRAN's statement is as follows:
CARYL COCHRAN: "And so, there is no signed copy. OK, what I like to do is site the Election code. Title 12-chapter 201 section 201.001 resigning or declining office. to be effective a public official's resignation or an officers elect declination must be in writing and signed by the

officer or officer elect and delivered to the appropriate authority for acting on the resignation or declination the authority may not refuse to accept the resignation.

So based on the Texas election code law, by, commissioners court accepted a resignation that was not signed. And what I did come, and Ms. Andrews did provide me a copy of what she claimed, what she told me was the resignation letter took off his computer. And I would like to put it in the record please:

‘Dated January 28, 2022, Morris County commissioners court then this notice is to inform the Morris County commissioners court of my resignation of my unexpired term of office ending December 31st, 2022, as a clerk of Morris County. I have made the decision to withdraw my name as a candidate in the November 2022 election and therefore will not be the general election ballot. I will retire immediately from the Texas County and district retirement system, and I have already accepted employment with an employment offer with another political subdivision. It is my recommendation that the county commissioners court appoint current Morris County current deputy clerk Brittany Andrews as the clerk until my unexpired term of office. My resignation is effective 5:00 PM on Friday January 28, 2022. Respectfully submitted, unsigned Scott Sartain, county clerk on Morris County Scott Sartain letterhead. So based on the law, you made an assignment without a signed copy. so, it's really invalid. I'm just citing the law. That's what I want to bring up.’”

48. Defendant COUNTY JUDGE DOUGLAS REEDER declared that no person in the courthouse had the official record of Scott Sartain's signed resignation letter.
49. Defendant COUNTY JUDGE DOUGLAS REEDER said, “And so, he, he (Sartain) submitted his resignation to us in writing and signed. I don't know where that signed and, and that these men will attest to it. I don't know where that signed copy is because he's the county clerk and those documents were in the county clerk's office. He was the county clerk at the time. I think we were all in attendance. He submitted it in writing also submitted in writing prior to that and then, and then, signed it for while we were all here.”

50. The discussion went on with Defendant WILLIAM TODD FREEMAN leaving the meeting to check his files for the signed copy on the resignation from his packet in his files.
51. MORRIS COUNTY TAX ASSESSOR/COLLECTOR KIM THOMMASSON said, "That being said, I was here for that meeting sitting over there. You asked for his resignation letter that morning he did not have it. He left. He went and drafted the letter and came back in here and laid it up there and signed it. That's what happened."
52. Defendant COUNTY JUDGE DOUGLAS REEDER replied, "And the reason I and, and it should be in the, It should be in the minutes and it should be on the tape. Because the reason, ask the reason I remember that he stood here and presented it to us in writing and signed is because I specifically asked Mr. Sartain that day asking him for his resignation in writing and he didn't have it. So, I don't know. What he did from the moment that those were taken to be to, be filed, those papers I don't know, and I apologize for that because, but I don't really have, you know, this court really doesn't oversee that and he was the clerk at the time so."
53. Defendant WILLIAM TODD FREEMAN returned with several file folders. He said he did have the minutes of the meeting but did not have a copy of the signed resignation. The meeting was then adjourned.
54. On October 4, 2022, COCHRAN returned to the Morris County clerk's office to request some voter information. Acting County Clerk Defendant BRITTANY MICHELLE ANDREWS told COCHRAN that Defendant COUNTY JUDGE DOUGLAS REEDER had found the signed resignation from Scott Sartain.
55. Defendant BRITTANY MICHELLE ANDREWS gave COCHRAN a copy of the signed resignation and it reiterated that that was Scott Sartain's original signature.
56. COCHRAN asked Defendant BRITTANY MICHELLE ANDREWS when she received it because it was date stamped January 28, 2022.

57. Defendant BRITTANY MICHELLE ANDREWS told COCHRAN that Defendant COUNTY JUDGE DOUGLAS REEDER had given it to her on Friday afternoon September 30, 2022.
58. COCHRAN asked Defendant BRITTANY MICHELLE ANDREWS why it was dated January 28, 2022, and Defendant BRITTANY MICHELLE ANDREWS said Defendant COUNTY JUDGE DOUGLAS REEDER instructed her to back date the government record to January 28, 2022.
59. COCHRAN asked Defendant BRITTANY MICHELLE ANDREWS that if she had received the resignation on September 30, 2022, it should have been officially stamped accordingly.
60. Defendant BRITTANY MICHELLE ANDREWS then took a copy and date stamped it September 30, 2022.
61. On October 5, 2022, COCHRAN made an appointment with Morris County District Attorney Ricky Shelton. Mr. Shelton asked COCHRAN what it was about on the phone, and he briefly described what had happened with county clerk, Defendant, BRITTANY MICHELLE ANDREWS. Mr. Shelton said that he and his investigator would meet with COCHRAN the following morning, October 6, 2022.
62. COCHRAN met with Morris County District Attorney Ricky Shelton and his assistant, Sarah Cooper on the morning of October 6, 2022.
63. Mr. Shelton told COCHRAN he had interviewed Defendant BRITTANY MICHELLE ANDREWS to get her side of the events.
64. Mr. Shelton said he agreed with the facts that COCHRAN had told him on the phone which is what is described above. Mr. Shelton said that county clerks have wide discretion on when they date documents.
65. Mr. Shelton told COCHRAN that he did not know much about election law, and that COCHRAN shouldn't rock the boat with the commissioners court.

66. Mr. Shelton informed COCHRAN that he was the attorney of record for Defendant BRITTANY MICHELLE ANDREWS, and all of the county elected officials and that he did not think that there was “hijinks” to the described actions.
67. COCHRAN repeatedly told Mr. Shelton that he did not believe in coincidences.
68. COCHRAN found it unusual that after he went public that the commissioners court was not in the legal grounds, that the signed resignation letter was delivered to the county clerk.
69. Mr. Shelton did not recite any other laws that may pertain to these issues.
70. Sarah Cooper also told COCHRAN that they lose documents in the courthouse all the time.
71. COCHRAN gave Mr. Shelton the copy of the resignation letter dated September 30, 2022, which believe he shredded.
72. Mr. Shelton then apologized to COCHRAN on behalf of Morris County for any inconvenience.
73. Defendant COUNTY JUDGE DOUGLAS REEDER disclosed the signed resignation letter on September 30, 2022, only after COCHRAN made a public statement in the Commissioners Court special meeting accusing the Commissioners Court of being in violation of *Texas Election code, Title 12-chapter, section 201.001 resigning or declining office to be effective a public official's resignation or an officers elect declination must be in writing and signed by the officer or officer elect and delivered to the appropriate authority for acting on the resignation or declination the authority may not refuse to accept the resignation.*

STATUTARY CAUSES OF ACTION

74. Plaintiff reiterates and adopts each and every allegation of the aforementioned paragraphs as if set forth herein verbatim.
75. The Defendants willfully concealed an official government record from the Secretary of State and the citizens of Morris County violating *TEXAS PENAL CODE TITLE 8. OFFENSES*

AGAINST PUBLIC ADMINISTRATION CHAPTER 37, § 37.10 - Tampering With Governmental Record, (a) A person commits an offense if he: (3) intentionally destroys, conceals, removes, or otherwise impairs the verity, legibility, or availability of a governmental record.

76. The Defendants willfully disregarded *ELECTION CODE, TITLE 9, CHAPTER 145, SUBCHAPTER B, § 145.036, an executive committee may make a replacement nomination following a withdrawal only if: (2) no political party that held primary elections has a nominee for the office sought by the withdrawing candidate as of the time of the withdrawal.*
77. The Defendants willfully disregarded *Election Code Title 9, Chapter 146, Write-in Candidate, Subchapter A. Write-ins Generally.*
78. The Defendants willfully disregarded *Texas Election Code Title 1, Chapter 2 § 2.056 Unopposed Candidate for Office of State or County Government.*
79. The wrongful and illegal conduct of the Defendants were willful, wanton, and malicious, and done with intent of causing injury to the Plaintiff. Accordingly, Plaintiff is entitled to punitive and exemplary damages from the Defendants in an amount no less than three times the actual damages as punishment to deter from similar unlawful acts, for which Plaintiff now sues.

DEMAND FOR JURY

81. Plaintiff demands a jury.

REQUEST FOR DISCLOSURES

82. Pursuant to Texas Rule of Civil Procedure 194.2, Plaintiffs hereby request that Defendants make the disclosures identified in Tex. R. Civ. P. 194.2(a-i) and (l) within thirty (30) days of the service of this Petition.

PRAAYER FOR RELIEF

WHEREFORE, premises considered, Plaintiff respectively request that this Court grant judgement as follows:

1. Actual compensatory damages in the amount of \$475,000.00;
2. Punitive and Exemplary damages;
3. Prejudgment interest as allowed by law;

**CARYL RAY COCHRAN v. MORRIS COUNTY COMMISSIONER COURT
PLANTIFF'S ORIGINAL PETITION**

Page 14 of 17

4. Postjudgment interest as allowed by law;
5. All cost in prosecuting these actions including court cost and other fees;
6. Such other and further relief, whether legal or equitable, to which Plaintiff may be justly entitled.

Respectfully submitted,

Caryl Ray Cochran, *Pro se litigant*

214 Jefferson Street

Daingerfield, Texas 75638

903-884-5738

caryl.cochran@yahoo.com



Caryl Ray Cochran, *Pro se litigant*

214 Jefferson Street

Daingerfield, Texas 75638

903-884-5738

caryl.cochran@yahoo.com

VERIFICATION

State of Texas

County of Morris

Before me, the undersigned notary public, on this day personally appeared Caryl Ray Cochran, who after being duly sworn, upon his oath stated he is the Plaintiff in the above action cause, that he has read the forgoing document; and that every statement contained herein is true and correct within his personal knowledge.

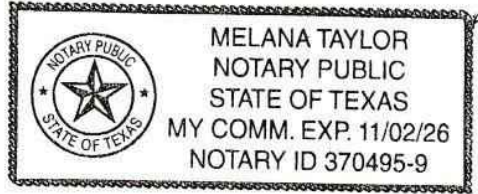
Caryl Ray Cochran

CARYL RAY COCHRAN

Subscribed and Sworn To before me on April 24, 2023 to which I place my official seal.

Melana Taylor

NOTARY SIGNATURE



Melana Taylor

PRINTED NAME OF NOTARY

My commission expires 11-02-2026

Notary Public in and for the State of Texas

CERIFICATE OF SERVICE

A copy of this Plaintiff's Original Petition has been mailed by USPS certified mail, return receipt requested, to each of the following defendants:

1. Defendant, DOUGLAS FRANKLIN REEDER is a citizen and resident of Daingerfield, Texas. DOUGLAS FRANKLIN REEDER is the Morris County Judge and will be mailed with process at his office address, 500 Broadnax, Daingerfield, Texas 75638.
2. Defendant, GREGORY ADRIAN FRAZIER is a citizen and resident of Omaha, Texas. GREGORY ADRIAN FRAZIER is the Morris County Commissioner Precinct One (1) and will be mailed with process at his postal address, P.O. Box 194, Daingerfield, Texas 75638.
3. Defendant, KERRY BASAL MCCOY is a citizen and resident of Daingerfield, Texas. KERRY BASAL MCCOY is the Morris County Commissioner Precinct Two (2) and will be mailed with process at his home address, 1603 CR 1103, Daingerfield, Texas 75638.
4. Defendant, MICHAEL ALLEN CLAIR is a citizen and resident of Omaha, Texas. MICHAEL ALLEN CLAIR is the Morris County Commissioner Precinct Three (3) and will be mailed with process at his home address, 3512 CR 3343, Omaha, TX 75571.
5. Defendant WILLIAM TODD FREEMAN is a citizen and resident of Daingerfield, Texas. WILLIAM TODD FREEMAN is the Morris County Commissioner Precinct Four (4) and will be served with process at his home address, 2201 HWY 259 N, Daingerfield, Texas 75638.
6. Defendant, BRITTANY MICHELLE ANDREWS is a citizen and resident of Naples, Texas. BRITTANY MICHELLE ANDREWS is the Morris County Clerk and Elections Administrator (Appointed) and will be served with process at her office address, 500 Broadnax, Daingerfield, Texas 75638.
7. DEBORAH JOYCE RAMSEY is a citizen and resident of Omaha, Texas. DEBORAH JOYCE RAMSEY is the former Republican Party County Chairperson of Morris County and will be served process her home address, 1557 County Road 3340 Omaha, TX 75571.



Caryl Ray Cochran, *Pro se litigant*

214 Jefferson Street

Daingerfield, Texas 75638

903-884-5738

caryl.cochran@yahoo.com

Page 17 of 17

**CARYL RAY COCHRAN v. MORRIS COUNTY COMMISSIONER COURT
PLANTIFF'S ORIGINAL PETITION**

From: Jennifer Hall [REDACTED]
Sent: Friday, April 28, 2023 9:07 AM
To: Christina Adkins
Cc: Elections Internet
Subject: Fw: Seeking help for predecessor in lawsuit by Democrat who lost election
Attachments: Cochran suit.04-23.pdf

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Good morning,

The former county chair in Morris county has been served with a suit for duties she performed during the last primary. She spoke with legal at SOS Elections and with us at RPT. We both told her the same thing and she did follow the advice she received.

The current county chair's email below is a synopsis of what happened. The former chair did not run again and found her replacement to run in the primary. The now current chair was kept in the loop during the primary to help her learn.

Because the person being sued was the county chair at the time and acting in her administrative duty, are primary funds used to cover her cost?

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Belinda McLaughlin [REDACTED]
Sent: Wednesday, April 26, 2023 7:22 PM
To: Jennifer Hall [REDACTED] >
Cc: Deborah Ramsey <[REDACTED]>; [REDACTED] >
Subject: Seeking help for predecessor in lawsuit by Democrat who lost election

Jen,

Hello. I'm writing on behalf of Deb Ramsey, former county chairman of Morris County and my immediate predecessor from whom I took over in June 2022.

Deb has been named in a lawsuit by the Democrat who lost our county clerk's race last November.

We are hoping the Republican Party of Texas can help Deb. I'm sure she will be calling you as soon as possible.

You might recall that Morris County had a situation in our 2022 county clerk race in which our incumbent Republican clerk had filed in December 2021, then resigned his office in January 2022, past the deadline for a new candidate to file. At the time, Deb consulted multiple times with the RPT and the SOS and was assured that we, the Morris County Republican Party, or anyone else for that matter, could not replace the clerk on the ballot.

The Election Code read that if another candidate was already on the ballot, then we could not replace our Republican candidate. There was a Democratic candidate on the ballot, so we were advised that the Democratic candidate was considered "another candidate"; therefore, we were stuck with having to let the resigned Republican ride on the ballot. We didn't have the authority to remove his name; he would have to do that, and he refused to do so.

So, the November general election came and went after lots of acrimony all year. The Democrat (who also is my neighbor and who graduated high school with me -- awkward) lost to the resigned Republican by a margin of 2.25 to 1. The voters of Morris County thoroughly rejected the Democrat, despite a massive advertising campaign on his part.

Today, Deb got word that the Democrat -- nearly six months after he lost -- has filed a pro se lawsuit against Deb, against the young woman who was named as interim county clerk in early 2022 and again in January 2023, and against each member of the Morris County Commissioners Court, one of whom is my youngest brother (FYI).

I obtained a copy of the suit from that interim county clerk, Brittany Andrews, and scanned it into my computer. I am attaching it to this email.

The losing Democrat, Caryl (pronounced Carl) Cochran, has filed the suit pro se, so he feels confident enough to represent himself.

Besides the fact that he still thinks, apparently, that the name of the former clerk, Scott Sartain, could have been removed from the ballot, he also is claiming a conspiracy against him.

He is focused on the fact that Scott misplaced his own resignation letter. This was very unfortunate but no conspiracy. (During Scott's term of office, the county clerk's office was in disarray, including numerous nonexistent minutes of court meetings, which Brittany is slowly working to create from stored voice recordings.)

As you (or hopefully someone in the RPT) will read in the suit, Cochran went to the courthouse in August -- for some reason -- to get a copy of the signed resignation letter, but Brittany could not find it in the files. She printed out for Cochran the letter she presumed to be the resignation letter that she found in the computer.

In the suit, Cochran details a conversation at a September 2022 special commissioners court meeting in which the tax assessor-collector (also a fellow classmate) recalled the now-former clerk leaving the January 2022 special commissioners court meeting -- called specifically to accept his resignation -- to go print his resignation letter, then coming back in and handing it to the commissioners.

What the suit doesn't mention is that I was at both meetings and also vouched for seeing Scott Sartain leave the meeting, come back in, lean down to sign the letter and hand it to the county judge.

When the tax assessor-collector in September pointed out that Scott had done that in January, I said something to the effect of, "That's right, Kim. That's exactly the way it happened."

There simply was no conspiracy, as Cochran alleges in the suit.

TAC will represent the county clerk, the commissioners and the county judge, because they are all county employees, but Deb is not.

Our big question is: Can/will the RPT be there to help Deb?

She was in constant communication with the RPT and the SOS, along with the county judge, to follow the best legal course possible in the difficult situation the Morris County Republican Party was handed with the untimely resignation of a candidate.

The Morris County sheriff called today (Wednesday) and told Deb he will be serving her on Thursday. Because she is named as a co-defendant with the county clerk from whom I obtained a copy of the suit attached to this email, I'm confident her papers will be identical, except for the date of service.

Deb's phone number is 903-573-3177. I am CC'ing her on this email.

Please feel free to contact me if you need to ask me anything, 903-746-7512.

On behalf of Deb and our county party, I thank you in advance for your help.

Belinda McLaughlin

Morris County Republican chairwoman

CC: SD-1 SREC: Christin Bentley, Donnie Wisenbaker

CITATION
CAUSE NO. 27,557

COPIES

CLERK OF THE COURT

ATTORNEY FOR PLAINTIFF

GWEN ASHWORTH
500 BROADNAX, SUITE J
DAINGERFIELD, TX 75638

PRO SE

THE STATE OF TEXAS

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you, or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the first Monday after the expiration of twenty (20) days after you were served this citation and petition, a default judgment may be taken against you." In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

TO: BRITTANY MICHELLE ANDREWS 500 BROADNAX
MORRIS COUNTY CLERK DAINGERFIELD, TX 75638
(APPOINTED)

GREETING:

You are commanded to appear by filing a written answer to **PLAINTIFF'S ORIGINAL PETITION** at or before 10:00 o'clock a.m. on the first Monday after the expiration of twenty (20) days after the date of service of this citation before the Honorable 76/276th District Court of Morris County, Texas in Daingerfield, Texas. Said Petition was filed on this the 25th day of April, 2023, numbered 27,557 and styled:

Caryl Ray Cochran
vs.

COUNTY OF MORRIS COMMISSIONERS COURT: DOUGLAS FRANKLIN REEDER, sued in his official capacity as County Judge of Morris County; and GREGORY ADRIAN FRAZIER, sued in his official capacity as Commissioner of Precinct 1; and KERRY BASAL MCCOY, sued in his official capacity as Commissioner of Precinct 2; and MICHAEL ALLEN CLAIR, sued in his official capacity as Commissioner of Precinct 3; and WILLIAM TODD FREEMAN, sued in his official capacity as Commissioner of Precinct 4; and BRITTANY MICHELLE ANDREWS, sued in her official capacity as County Clerk of Morris County and Elections Administrator for Morris county; and DEBORAH JOYCE RAMSEY, sued in her official capacity as Republican Party County Chairperson of Morris County, Defendants

The nature of Plaintiff's demand is fully shown by a true and correct copy of Plaintiff's Original Petition accompanying this citation and made a part hereof.

Issued and given under my hand and seal of said Court at office, on this the 25th day of April, 2023.



GWEN ASHWORTH, District Clerk
Morris County, Texas

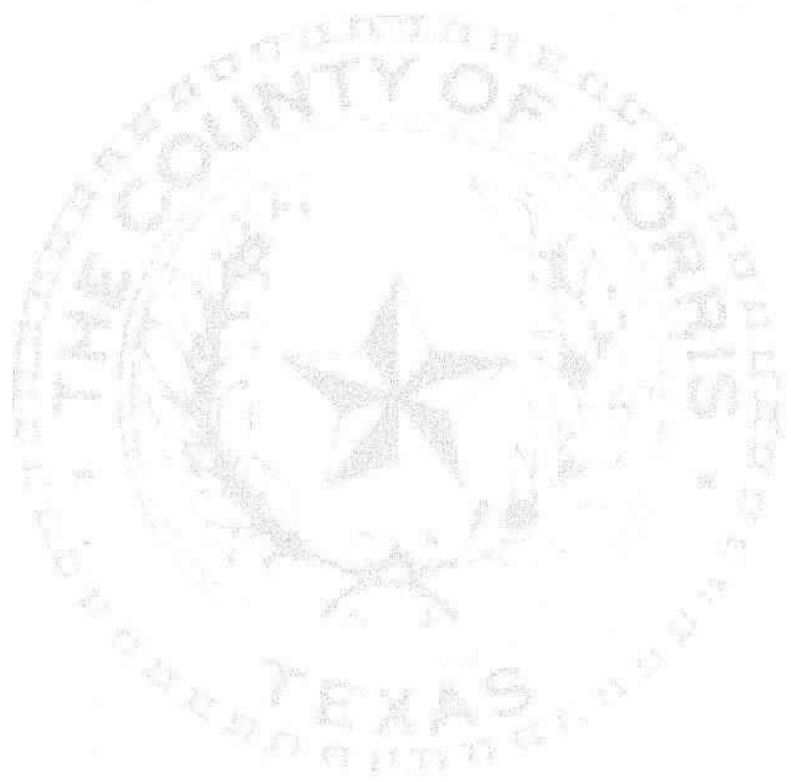
By: *Gwen Ashworth*, Deputy

OFFICER'S RETURN

Came to hand on the 26 day of April, 2023 at 7 o'clock PM. Executed at the county of Morris at 7 o'clock P.M., on the 26 day of April, 2023 by delivering to the within named DEFENDANT, in person, a true copy of this citation together with the accompanying copy of the petition. Having first attached such copy of said petition to such copy of citation and endorsed on such copy of citation the date of delivery.

*** NOT executed, the diligence used to execute being _____; for the following reason _____, the respondent may be found _____.

By: Open mailer Deputy, Constable, Process Server
SPRER



Plaintiff, CARYL RAY COCHRAN (“COCHRAN”), acting *pro se litigant*, is a citizen and resident at 214 Jefferson Street, Daingerfield, Texas 75638, files this petition complaining of Defendants, MORRIS COUNTY COMMISSIONERS COURT: DOUGLAS FRANKLIN REEDER, sued in his official capacity as County Judge of Morris County; and GREGORY ADRIAN FRAZIER, sued in his official capacity as Commissioner of Precinct 1; and KERRY.BASAL MCCOY, sued in his official capacity as Commissioner of Precinct 2; and MICHAEL ALLEN CLAIR, sued in his official capacity as Commissioner of Precinct 3; and WILLIAM TODD FREEMAN, sued in his official capacity as Commissioner of Precinct 4; and BRITTANY MICHELLE ANDREWS, sued in her official capacity as County Clerk of Morris County and Elections Administrator; and DEBORAH JOYCE RAMSEY, sued in her official capacity as Republican Party County Chairperson of Morris County. The defendants conspired to conceal the official resignation of County Clerk Scott Sartain from the public and the Secretary of State thus violating *TEXAS PENAL CODE TITLE 8. OFFENSES AGAINST PUBLIC ADMINISTRATION CHAPTER 37, § 37.10 - Tampering With Governmental Record, (a) A person commits an offense if he: (3) intentionally destroys, conceals, removes, or otherwise impairs the verity, legibility, or availability of a governmental record.* In this action, COCHRAN was harmed financially and personally. In support hereof, COCHRAN will respectfully show the Court the following:

NATURE OF THE CASE

On or about January 28, 2022, the DEFENDANTS conspired to intentionally conceal the government record of the signed resignation of Scott Sartain from his position of County Clerk of Morris County from the Texas Secretary of State and the citizens of Morris County. Mr. Sartain clearly states in his resignation letter, “I have made the decision to withdraw my name as a candidate in the November 2022 General Election and therefore will not be on the General Election ballot.” The resignation was accepted January 28, 2022, by the Morris County Commissioners’ Court as required by *Texas Election code, Title 12-chapter 201 § 201.001 resigning or declining office. To be effective, a public official’s resignation or an officers elect declination must be in writing and signed by the officer or officer elect and delivered to the appropriate authority for acting on the resignation or declination the authority may not refuse to accept the resignation.*

The purpose of the concealment was to keep Scott Sartain on the 2022 General Election Ballot as the Republican Candidate. The DEFENDANTS were aware of *Election Code, Title 9, Chapter 145, Subchapter b, § 145.036, an executive committee may make a replacement nomination following a withdrawal only if: (2) no political party that held primary elections has a nominee for the office sought by the withdrawing candidate as of the time of the withdrawal.*

**CARYL RAY COCHRAN v. MORRIS COUNTY COMMISSIONER COURT
PLANTIFF’S ORIGINAL PETITION**

Page 2 of 17

The DEFENDANTS were also aware of *Texas Election Code Title 1, Chapter 2 § 2.056 Unopposed Candidate for Office of State or County Government*. COCHRAN was on the ballot as the Democratic Candidate for County Clerk of Morris County. The defendants had conspired to appoint the Defendant BRITTANY MICHELLE ANDREWS to the county clerk position. The only way COCHRAN could have been opposed in the 2022 General Election was by a write in candidate pursuant to *ELECTION CODE TITLE 9, CHAPTER 146. WRITE-IN CANDIDATE, SUBCHAPTER A. WRITE-INS GENERALLY*. COCHRAN, as the Democratic nominee, could only be challenged in this election by a write-in candidate. The signed resignation letter was disclosed by the DEFENDANTS on September 30, 2022, after COCHRAN made a public statement in the Commissioners Court special meeting alleging the Commissioners Court was in violation of Texas Election Code.

The DEFENDANTS wrongful and illegal conduct was willful, wanton, and malicious, and done with intent of causing injury to the Plaintiff. The DEFENDANTS placed their need to retain political power ahead of the Rule of Law. Their conduct further degrades the trust our citizens have in our institutions and our political officials. Their conduct is further display of political power corrupts and absolute power corrupts absolutely.

DISCOVERY CONTROL PLAN

1. Plaintiff intends to conduct discovery under Level 3 pursuant to Texas Rule of Civil Procedure 190.4. This case is not subject to the restrictions of expedited discovery under Texas Rule of Civil Procedure 169 because the potential relief sought by the Cochran in this action includes claims for monetary relief including penalties and attorneys' fees (if needed) in excess of \$1,000,000.

DEFENDANTS

2. Defendant, DOUGLAS FRANKLIN REEDER is a citizen and resident of Daingerfield, Texas. DOUGLAS FRANKLIN REEDER is the Morris County Judge and can be served with process at his office address, 500 Broadnax, Daingerfield, Texas 75638.
3. Defendant, GREGORY ADRIAN FRAZIER is a citizen and resident of Omaha, Texas. GREGORY ADRIAN FRAZIER is the Morris County Commissioner Precinct One (1) and can be served with process at his office address, 500 Broadnax, Daingerfield, Texas 75638.

4. Defendant, KERRY BASAL MCCOY is a citizen and resident of Daingerfield, Texas. KERRY BASAL MCCOY is the Morris County Commissioner Precinct Two (2) and can be served with process at his office address, 500 Broadnax, Daingerfield, Texas 75638.
5. Defendant, MICHAEL ALLEN CLAIR is a citizen and resident of Omaha, Texas. MICHAEL ALLEN CLAIR is the Morris County Commissioner Precinct Three (3) and can be served with process at his office address, 500 Broadnax, Daingerfield, Texas 75638.
6. Defendant WILLIAM TODD FREEMAN is a citizen and resident of Daingerfield, Texas. WILLIAM TODD FREEMAN is the Morris County Commissioner Precinct Four (4) and can be served with process at his office address, 500 Broadnax, Daingerfield, Texas 75638.
7. Defendant, BRITTANY MICHELLE ANDREWS is a citizen and resident of Naples, Texas. BRITTANY MICHELLE ANDREWS is the Morris County Clerk (Appointed) and can be served with process at her office address, 500 Broadnax, Daingerfield, Texas 75638.
8. DEBORAH JOYCE RAMSEY is a citizen and resident of Omaha, Texas. DEBORAH JOYCE RAMSEY is the former Republican Party County Chairperson of Morris County and can be served at 1557 County Road 3340 Omaha, TX 75571.

JURISDICTION AND VENUE

9. The subject matter in controversy is within the jurisdictional limits of this Court, and the Court has jurisdiction over this action pursuant to article V, section 8, of the Texas Constitution and section 24.007 of the Texas Government Code, as well as the Texas Uniform Declaratory Judgments Act. TEX. CIV. PRAC. & REM. CODE § 37.001, et seq.
10. Plaintiff reserves the right for a change of Venue at any time before trial date is set.

APPLICABLE FACTS

11. COCHRAN had filed to be a candidate in the Democrat Primary for Morris County Clerk on December 17, 2021. Cochran was unopposed in the March 2022 primary.
12. On January 25, 2022, a special notice was posted for a Special Meeting to;
 - a. Accept the resignation of Scott Sartain, County Clerk, effective January 28, 2022
 - b. Discuss and consider appointment to fulfill the unexpired term of Scott Sartain, County Clerk

13. On or about January 27, 2023, COCHRAN formally submitted a cover letter and resume to each commissioner and the county judge to be considered for the appointment to fulfill the unexpired term of Scott Sartain.
14. On January 28, 2022, the Morris County Commissioners Court met in Special Meeting
15. The Commissioners Court voted to accept the resignation of Scott Sartain.
16. The Commissioners Court voted to table the discussion and consideration of the appointment because Commissioner Clair was absent.
17. On January 28, 2022, COCHRAN met with defendant DOUGLAS FRANKLIN REEDER to express his interest in the appointment to fulfill the unexpired term of Morris County Clerk.
18. COCHRAN had a copy of ELECTION CODE, TITLE 9, CHAPTER 145, SUBCHAPTER B, Sec. 145.036. Defendant DOUGLAS FRANKLIN REEDER agreed that was the statute that applied to this situation. Defendant DOUGLAS FRANKLIN REEDER agreed that the Republican Party cannot name a replacement on the 2022 General Election Ballot.
19. COCHRAN and defendant DOUGLAS FRANKLIN REEDER discussed *ELECTION CODE TITLE 9, CHAPTER 146. WRITE-IN CANDIDATE, SUBCHAPTER A. WRITE-INS GENERALLY*. COCHRAN pointed out that he, as the Democratic nominee, could only be challenged in the 2022 General Election by a write-in candidate.
20. Defendant DOUGLAS FRANKLIN REEDER stated he wasn't sure that was the only way COCHRAN could be opposed in this election.
21. January 31, 2022, 2:00 PM Special Meeting. The Meeting Agenda listed the following items:
 1. Consider for approval of Resolution application of Juvenile Justice and Truancy Prevention Grant FY2023
 2. Discuss and consider appointment to fulfill the unexpired term of Scott Sartain, County Clerk
22. Defendant DOUGLAS FRANKLIN REEDER opened the discussion of Agenda Item Number 2 with the following statement:

“Item number 2 on the agenda is discuss and consider appointment to fulfill the unexpired term of Scott Sartain as county clerk. We accepted the resignation of Mr. Sartain on Friday and we're here to discuss and consider the appointment to fulfill his unexpired term under the local government code. It's up to the commissioner's court to fill that position for the unexpired term by appointment. So, Mr. Sartain nominated and recommended Brittany Andrews as his replacement. Brittany has been in the office for a few years and that was Mr. Sartain's

recommendation. There is no formal way to go about this appointment. There's no formal appointment process under 87-401. It's just up to the commissioners' court to fill that vacancy. So, I'm going to open it up to the commissioners for any comments or any nominees that they may have. What I'd like to do is, if we can, I just want to remind everybody that's here today, you know, obviously there's great interest in this and what the court is going to do. There are two things here. The court is responsible for appointing someone to fill this remaining unexpired term. We're not responsible or with regards to anything with regards to elections, nominees, or anything like that. That's the democratic process. That's in the election code and it's all handled through the election code so our job is to appoint the most qualified person that can do the best job for that office and for the county for the next 10-11 months. That's the most important thing for us to do. So, I'll open it up for any comments or nominees."

23. There was a pause in the meeting for a couple of minutes. Defendant COUNTY JUDGE DOUGLAS REEDER then said, "Let's start here then. Mr. Sartain has recommended Brittany as his replacement, as the appointee having worked with her. So, if the commissioners don't have any other nominees, then we can take that nominee and vote on that and discuss that. If there are any other nominees, we can hear those."
24. COCHRAN was quite surprised that Defendant COUNTY JUDGE DOUGLAS REEDER did not acknowledge his letter of interest and his resume that was submitted to the Judge and each Commissioner on January 27, 2022. COCHRAN had placed a copy in each of their inboxes located in the lobby of the courtroom. The discussion continued with defendant COMMISSIONER KERRY BASAL MCCOY acknowledging that COCHRAN had submitted his letter and resume for the appointment.
25. Defendant COMMISSIONER PRECINCT 1 GREG FRAIZER said, "So, Brittany is the only one that I know about. But is that true? Is that true with all y'all know from?"
26. Defendant COMMISSIONER PRECINCT 2 KERRY MCCOY replied, "Caryl has asked also. He's on the ballot."
27. Defendant COUNTY JUDGE DOUGLAS REEDER said, "There are again, there's a couple of different things. There may be some folks that are interested in trying to get on the ballot if there's a way to get Mr. Sartain off of the ballot and fill in that place and being on the ballot for election this fall."

Defendant COUNTY JUDGE DOUGLAS REEDER knew *ELECTION CODE, TITLE 9, CHAPTER 145, SUBCHAPTER B, Sec. 145.036* would not allow the republican party to place anyone on the Primary or the General Election ballots. He knew the only way for anyone to be on the ballot was through *ELECTION CODE TITLE 9, CHAPTER 146. WRITE-IN CANDIDATE, SUBCHAPTER A. WRITE-INS GENERALLY.*

28. In an exchange with Justice of the Peace Pct, 2 Jennifer Easley, Defendant COUNTY JUDGE DOUGLAS REEDER said, “And that's the thing. Right now, if you'd ask me about the elections part of it, which I want to I want to stay away from, is there's no guarantee that there will be anybody other than the person that's on that ballot. On that ballot right now. No guarantee.”
29. JUSTICE OF THE PEACE PRECINCT 2 JENNIFER EASLEY replied, “That is my interpretation as well.”
30. Defendant COUNTY JUDGE DOUGLAS REEDER went on to say, “There's no guarantee of that fact. OK. So, knowing everything that we know at the moment and how that's gonna, how that's going to shake out, that's going to be up to the voters. That's the democratic process. That's what we need to leave it to. OK.”
31. Defendant COUNTY JUDGE DOUGLAS REEDER acknowledged that there would not be “anybody other than the person that's on that ballot. On that ballot right now.”
32. The commissioners court went on to appoint Defendant, BRITTANY MICHELLE ANDREWS to the unexpired term of Scott Sartain.
33. On August 24 of 2022, COCHRAN went to the Morris County courthouse to the county clerk's office. COCHRAN requested a copy of Scott Sartain's resignation letter he had submitted to the commissioners court on January 28, 2022. Defendant, BRITTANY MICHELLE ANDREWS, acting county clerk, gave COCHRAN an unsigned resignation letter from Scott Sartain. Defendant BRITTANY MICHELLE ANDREWS said that they did not have a signed copy of his resignation, which was accepted by the commissioners' court on January 28, 2022.

34. Defendant, BRITTANY MICHELLE ANDREWS told COCHRAN that Sherry Ray (Defendant COUNTY JUDGE DOUGLAS REEDER'S secretary) should have a copy in her office. COCHRAN went to the county judge's office and requested a copy of the resignation from Sherry. She informed COCHRAN that she did not have a copy of the resignation in her office. COCHRAN once again ask Defendant, BRITTANY MICHELLE ANDREWS and Sherry Ray if there was a copy of a signed resignation letter and each said they did not have one. Defendant COUNTY JUDGE DOUGLAS REEDER was not in his office.
35. COCHRAN returned to the county clerk's office on Monday, August 28, 2022, to inquire if there had been any write in candidates for the Morris County clerks positions for the November 8th General Election. COCHRAN then asked to see the list of uncontested county offices for the November 8th General Election. Defendant, BRITTANY MICHELLE ANDREWS informed COCHRAN that Scott Sartain would be on the ballot as the Republican candidate for county clerk.
36. COCHRAN then went to Defendant COUNTY JUDGE DOUGLAS REEDER's office to meet with him. COCHRAN told Defendant COUNTY JUDGE DOUGLAS REEDER that he had started this with him on January 28, 2022, and needed to talk to him about why Scott Sartain remained on the ballot.
37. Defendant COUNTY JUDGE DOUGLAS REEDER informed COCHRAN that Mr. Sartain was going to remain on the ballot.
38. Defendant COUNTY JUDGE DOUGLAS REEDER once again told COCHRAN that this was constitutionally allowed by the Texas state constitution.
39. COCHRAN then said to Defendant COUNTY JUDGE DOUGLAS REEDER, "So you are part of this conspiracy?"
40. Defendant COUNTY JUDGE DOUGLAS REEDER replied, "I don't consider this a conspiracy, I consider it an inconvenience."

41. Defendant COUNTY JUDGE DOUGLAS REEDER went on to tell COCHRAN that he and defendant DEBORAH JOYCE RAMSEY, the Morris County Republican Chairperson, decided they would leave Scott Sartain on the ballot. COCHRAN asked Judge Reeder if he was okay with defrauding the citizens of Morris County by putting someone on the ballot who had resigned their position on January 28, 2022.
42. Defendant COUNTY JUDGE DOUGLAS REEDER replied that it was constitutionally allowed, and that he would let the voters decide.
43. COCHRAN replied that Defendant COUNTY JUDGE DOUGLAS REEDER was giving the voters a false choice. Defendant COUNTY JUDGE DOUGLAS REEDER then said that if Mr. Sartain won the election on November 8, 2022, there would be a special election in November of 2024.
44. COCHRAN repeatedly asked Defendant COUNTY JUDGE DOUGLAS REEDER if he was okay with defrauding the citizens of Morris County.
45. Defendant COUNTY JUDGE DOUGLAS REEDER replied again that it was constitutionally allowed, and that he would let the voters decide.
46. On September 30, 2022, COCHRAN attended the special meeting of the commissioners' court. COCHRAN made a public statement to the court that they were in violation of the Texas code for excepting a county officials' resignation. COCHRAN's statement to the commissioners' court is in the attached transcript titled MORRIS COUNTY COMMISSIONERS' COURT SEPTEMBER 30, 2022, page #18 line #18 through page #19 line #19. The complete transcript of the official meeting is attached.
47. The text of COCHRAN's statement is as follows:
CARYL COCHRAN: "And so, there is no signed copy. OK, what I like to do is site the Election code. Title 12-chapter 201 section 201.001 resigning or declining office. to be effective a public official's resignation or an officers elect declination must be in writing and signed by the

officer or officer elect and delivered to the appropriate authority for acting on the resignation or declination the authority may not refuse to accept the resignation.

So based on the Texas election code law, by, commissioners court accepted a resignation that was not signed. And what I did come, and Ms. Andrews did provide me a copy of what she claimed, what she told me was the resignation letter took off his computer. And I would like to put it in the record please:

‘Dated January 28, 2022, Morris County commissioners court then this notice is to inform the Morris County commissioners court of my resignation of my unexpired term of office ending December 31st, 2022, as a clerk of Morris County. I have made the decision to withdraw my name as a candidate in the November 2022 election and therefore will not be the general election ballot. I will retire immediately from the Texas County and district retirement system, and I have already accepted employment with an employment offer with another political subdivision. It is my recommendation that the county commissioners court appoint current Morris County current deputy clerk Brittany Andrews as the clerk until my unexpired term of office. My resignation is effective 5:00 PM on Friday January 28, 2022. Respectfully submitted, unsigned Scott Sartain, county clerk on Morris County Scott Sartain letterhead. So based on the law, you made an assignment without a signed copy. so, it's really invalid. I'm just citing the law. That's what I want to bring up.’”

48. Defendant COUNTY JUDGE DOUGLAS REEDER declared that no person in the courthouse had the official record of Scott Sartain's signed resignation letter.
49. Defendant COUNTY JUDGE DOUGLAS REEDER said, “And so, he, he (Sartain) submitted his resignation to us in writing and signed. I don't know where that signed and, and that these men will attest to it. I don't know where that signed copy is because he's the county clerk and those documents were in the county clerk's office. He was the county clerk at the time. I think we were all in attendance. He submitted it in writing also submitted in writing prior to that and then, and then, signed it for while we were all here.”

50. The discussion went on with Defendant WILLIAM TODD FREEMAN leaving the meeting to check his files for the signed copy on the resignation from his packet in his files.
51. MORRIS COUNTY TAX ASSESSOR/COLLECTOR KIM THOMMASSON said, "That being said, I was here for that meeting sitting over there. You asked for his resignation letter that morning he did not have it. He left. He went and drafted the letter and came back in here and laid it up there and signed it. That's what happened."
52. Defendant COUNTY JUDGE DOUGLAS REEDER replied, "And the reason I and, and it should be in the, It should be in the minutes and it should be on the tape. Because the reason, ask the reason I remember that he stood here and presented it to us in writing and signed is because I specifically asked Mr. Sartain that day asking him for his resignation in writing and he didn't have it. So, I don't know. What he did from the moment that those were taken to be to, be filed, those papers I don't know, and I apologize for that because, but I don't really have, you know, this court really doesn't oversee that and he was the clerk at the time so."
53. Defendant WILLIAM TODD FREEMAN returned with several file folders. He said he did have the minutes of the meeting but did not have a copy of the signed resignation. The meeting was then adjourned.
54. On October 4, 2022, COCHRAN returned to the Morris County clerk's office to request some voter information. Acting County Clerk Defendant BRITTANY MICHELLE ANDREWS told COCHRAN that Defendant COUNTY JUDGE DOUGLAS REEDER had found the signed resignation from Scott Sartain.
55. Defendant BRITTANY MICHELLE ANDREWS gave COCHRAN a copy of the signed resignation and it reiterated that that was Scott Sartain's original signature.
56. COCHRAN asked Defendant BRITTANY MICHELLE ANDREWS when she received it because it was date stamped January 28, 2022.

57. Defendant BRITTANY MICHELLE ANDREWS told COCHRAN that Defendant COUNTY JUDGE DOUGLAS REEDER had given it to her on Friday afternoon September 30, 2022.
58. COCHRAN asked Defendant BRITTANY MICHELLE ANDREWS why it was dated January 28, 2022, and Defendant BRITTANY MICHELLE ANDREWS said Defendant COUNTY JUDGE DOUGLAS REEDER instructed her to back date the government record to January 28, 2022.
59. COCHRAN asked Defendant BRITTANY MICHELLE ANDREWS that if she had received the resignation on September 30, 2022, it should have been officially stamped accordingly.
60. Defendant BRITTANY MICHELLE ANDREWS then took a copy and date stamped it September 30, 2022.
61. On October 5, 2022, COCHRAN made an appointment with Morris County District Attorney Ricky Shelton. Mr. Shelton asked COCHRAN what it was about on the phone, and he briefly described what had happened with county clerk, Defendant, BRITTANY MICHELLE ANDREWS. Mr. Shelton said that he and his investigator would meet with COCHRAN the following morning, October 6, 2022.
62. COCHRAN met with Morris County District Attorney Ricky Shelton and his assistant, Sarah Cooper on the morning of October 6, 2022.
63. Mr. Shelton told COCHRAN he had interviewed Defendant BRITTANY MICHELLE ANDREWS to get her side of the events.
64. Mr. Shelton said he agreed with the facts that COCHRAN had told him on the phone which is what is described above. Mr. Shelton said that county clerks have wide discretion on when they date documents.
65. Mr. Shelton told COCHRAN that he did not know much about election law, and that COCHRAN shouldn't rock the boat with the commissioners court.

66. Mr. Shelton informed COCHRAN that he was the attorney of record for Defendant BRITTANY MICHELLE ANDREWS, and all of the county elected officials and that he did not think that there was “hijinks” to the described actions.
67. COCHRAN repeatedly told Mr. Shelton that he did not believe in coincidences.
68. COCHRAN found it unusual that after he went public that the commissioners court was not in the legal grounds, that the signed resignation letter was delivered to the county clerk.
69. Mr. Shelton did not recite any other laws that may pertain to these issues.
70. Sarah Cooper also told COCHRAN that they lose documents in the courthouse all the time.
71. COCHRAN gave Mr. Shelton the copy of the resignation letter dated September 30, 2022, which believe he shredded.
72. Mr. Shelton then apologized to COCHRAN on behalf of Morris County for any inconvenience.
73. Defendant COUNTY JUDGE DOUGLAS REEDER disclosed the signed resignation letter on September 30, 2022, only after COCHRAN made a public statement in the Commissioners Court special meeting accusing the Commissioners Court of being in violation of *Texas Election code, Title 12-chapter, section 201.001 resigning or declining office to be effective a public official's resignation or an officers elect declination must be in writing and signed by the officer or officer elect and delivered to the appropriate authority for acting on the resignation or declination the authority may not refuse to accept the resignation.*

STATUTARY CAUSES OF ACTION

74. Plaintiff reiterates and adopts each and every allegation of the aforementioned paragraphs as if set forth herein verbatim.
75. The Defendants willfully concealed an official government record from the Secretary of State and the citizens of Morris County violating *TEXAS PENAL CODE TITLE 8. OFFENSES*

AGAINST PUBLIC ADMINISTRATION CHAPTER 37, § 37.10 - Tampering With Governmental Record, (a) A person commits an offense if he: (3) intentionally destroys, conceals, removes, or otherwise impairs the verity, legibility, or availability of a governmental record.

76. The Defendants willfully disregarded *ELECTION CODE, TITLE 9, CHAPTER 145, SUBCHAPTER B, § 145.036, an executive committee may make a replacement nomination following a withdrawal only if: (2) no political party that held primary elections has a nominee for the office sought by the withdrawing candidate as of the time of the withdrawal.*
77. The Defendants willfully disregarded *Election Code Title 9, Chapter 146, Write-in Candidate, Subchapter A. Write-ins Generally.*
78. The Defendants willfully disregarded *Texas Election Code Title 1, Chapter 2 § 2.056 Unopposed Candidate for Office of State or County Government.*
79. The wrongful and illegal conduct of the Defendants were willful, wanton, and malicious, and done with intent of causing injury to the Plaintiff. Accordingly, Plaintiff is entitled to punitive and exemplary damages from the Defendants in an amount no less than three times the actual damages as punishment to deter from similar unlawful acts, for which Plaintiff now sues.

DEMAND FOR JURY

81. Plaintiff demands a jury.

REQUEST FOR DISCLOSURES

82. Pursuant to Texas Rule of Civil Procedure 194.2, Plaintiffs hereby request that Defendants make the disclosures identified in Tex. R. Civ. P. 194.2(a-i) and (l) within thirty (30) days of the service of this Petition.

PRAAYER FOR RELIEF

WHEREFORE, premises considered, Plaintiff respectively request that this Court grant judgement as follows:

1. Actual compensatory damages in the amount of \$475,000.00;
2. Punitive and Exemplary damages;
3. Prejudgment interest as allowed by law;

**CARYL RAY COCHRAN v. MORRIS COUNTY COMMISSIONER COURT
PLANTIFF'S ORIGINAL PETITION**

Page 14 of 17

4. Postjudgment interest as allowed by law;
5. All cost in prosecuting these actions including court cost and other fees;
6. Such other and further relief, whether legal or equitable, to which Plaintiff may be justly entitled.

Respectfully submitted,

Caryl Ray Cochran, *Pro se litigant*

214 Jefferson Street

Daingerfield, Texas 75638

903-884-5738

caryl.cochran@yahoo.com



Caryl Ray Cochran, *Pro se litigant*

214 Jefferson Street

Daingerfield, Texas 75638

903-884-5738

caryl.cochran@yahoo.com

VERIFICATION

State of Texas

County of Morris

Before me, the undersigned notary public, on this day personally appeared Caryl Ray Cochran, who after being duly sworn, upon his oath stated he is the Plaintiff in the above action cause, that he has read the forgoing document; and that every statement contained herein is true and correct within his personal knowledge.

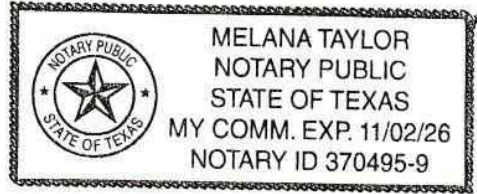
Caryl Ray Cochran

CARYL RAY COCHRAN

Subscribed and Sworn To before me on April 24, 2023 to which I place my official seal.

Melana Taylor

NOTARY SIGNATURE



Melana Taylor

PRINTED NAME OF NOTARY

My commission expires 11-02-2026

Notary Public in and for the State of Texas

CERIFICATE OF SERVICE

A copy of this Plaintiff's Original Petition has been mailed by USPS certified mail, return receipt requested, to each of the following defendants:

1. Defendant, DOUGLAS FRANKLIN REEDER is a citizen and resident of Daingerfield, Texas. DOUGLAS FRANKLIN REEDER is the Morris County Judge and will be mailed with process at his office address, 500 Broadnax, Daingerfield, Texas 75638.
2. Defendant, GREGORY ADRIAN FRAZIER is a citizen and resident of Omaha, Texas. GREGORY ADRIAN FRAZIER is the Morris County Commissioner Precinct One (1) and will be mailed with process at his postal address, P.O. Box 194, Daingerfield, Texas 75638.
3. Defendant, KERRY BASAL MCCOY is a citizen and resident of Daingerfield, Texas. KERRY BASAL MCCOY is the Morris County Commissioner Precinct Two (2) and will be mailed with process at his home address, 1603 CR 1103, Daingerfield, Texas 75638.
4. Defendant, MICHAEL ALLEN CLAIR is a citizen and resident of Omaha, Texas. MICHAEL ALLEN CLAIR is the Morris County Commissioner Precinct Three (3) and will be mailed with process at his home address, 3512 CR 3343, Omaha, TX 75571.
5. Defendant WILLIAM TODD FREEMAN is a citizen and resident of Daingerfield, Texas. WILLIAM TODD FREEMAN is the Morris County Commissioner Precinct Four (4) and will be served with process at his home address, 2201 HWY 259 N, Daingerfield, Texas 75638.
6. Defendant, BRITTANY MICHELLE ANDREWS is a citizen and resident of Naples, Texas. BRITTANY MICHELLE ANDREWS is the Morris County Clerk and Elections Administrator (Appointed) and will be served with process at her office address, 500 Broadnax, Daingerfield, Texas 75638.
7. DEBORAH JOYCE RAMSEY is a citizen and resident of Omaha, Texas. DEBORAH JOYCE RAMSEY is the former Republican Party County Chairperson of Morris County and will be served process her home address, 1557 County Road 3340 Omaha, TX 75571.



Caryl Ray Cochran, *Pro se litigant*

214 Jefferson Street

Daingerfield, Texas 75638

903-884-5738

caryl.cochran@yahoo.com

Page 17 of 17

**CARYL RAY COCHRAN v. MORRIS COUNTY COMMISSIONER COURT
PLANTIFF'S ORIGINAL PETITION**

From: Jennifer Hall [REDACTED]
Sent: Friday, May 19, 2023 10:22 AM
To: Christina Adkins
Subject: Fw: Synopsis of Iss using their drivers license as their ue to hand to SOS

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Chairman Travis Higginbotham's number is 903-724-9030 in case more information is needed.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Jennifer Hall [REDACTED] >
Sent: Thursday, April 13, 2023 5:43 PM
To: Christina Adkins <CAdkins@sos.texas.gov>
Subject: Fwd: Synopsis of Iss using their drivers license as their ue to hand to SOS

I keep forgetting to send this. I'm not sure why the county said there is no difference. Can you or your staff look at this? Thank you again.

The email info is below.

Jen

Get [Outlook for Android](#)

From: Travis Higginbotham [REDACTED]
Sent: Wednesday, March 29, 2023 11:09:12 AM
To: Jennifer Hall [REDACTED]
Subject: RE: Synopsis of Iss using their drivers license as their ue to hand to SOS

Statement of Travis Higginbotham, Rep. Chairman for Anderson County.

I was aware that undocumented individuals were able to get a drivers license if they presented their birth certificate from there prospective countries. This made me aware that they might try to vote in primaries and general elections using their license as ID. I went to the Palestine DMV and inquired as to how their license differed from our US drivers license. I want to train my election judges to recognize the difference. I was told that they get a regular drivers license no different from ours. This presents a problem with undocumented individuals voting in our elections exactly as the Democrats wanted.

Chairman Higginbotham,

Can you email me a short synopsis of the issue so I can hand that to Christina when I see her tomorrow? I want to make sure I have all the correct details for her.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Jennifer Hall [REDACTED]
Sent: Thursday, April 13, 2023 5:43 PM
To: Christina Adkins
Subject: Fwd: Synopsis of Iss using their drivers license as their ue to hand to SOS

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

I keep forgetting to send this. I'm not sure why the county said there is no difference. Can you or your staff look at this? Thank you again.

The email info is below.

Jen

Get [Outlook for Android](#)

From: Travis Higginbotham [REDACTED] >
Sent: Wednesday, March 29, 2023 11:09:12 AM
To: Jennifer Hall [REDACTED]
Subject: RE: Synopsis of Iss using their drivers license as their ue to hand to SOS

Statement of Travis Higginbotham, Rep. Chairman for Anderson County.

I was aware that undocumented individuals were able to get a drivers license if they presented their birth certificate from there prospective countries. This made me aware that they might try to vote in primaries and general elections using their license as ID. I went to the Palestine DMV and inquired as to how their license differed from our US drivers license. I want to train my election judges to recognize the difference. I was told that they get a regular drivers license no different from ours. This presents a problem with undocumented individuals voting in our elections exactly as the Democrats wanted.

Chairman Higginbotham,

Can you email me a short synopsis of the issue so I can hand that to Christina when I see her tomorrow? I want to make sure I have all the correct details for her.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: [REDACTED]
To: [Christina Adkins](#)
Subject: HB 4697 - Audit Concerns
Date: Wednesday, May 10, 2023 5:15:58 PM

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Dear Christina,

[HB 4697](#), an election bill that changes the partial manual count methodology, is concerning because it would make it more difficult to complete a full precinct level audit of all election results.

For this bill to preserve the ability to perform consistent precinct level audits across all data sets, we would need to amend it to require **early voting in person** and **election day in person** final election results be reported both:

1. **precinct-by-precinct** (which we do now), and
2. **polling location results reported precinct-by-precinct** for each location (which would be new).

Both of the above final reports could be produced by the central accumulator, posted for the public, and would provide conversion data between the two methods of reporting (precinct and polling location) and allow the audit division to perform precinct level audits consistently across all data sets.

Can we please involve the Forensic Auditing Division of the SoS so that we may share our concerns and allow them the opportunity to provide input on this issue?

Regards,
Laura

Laura Pressley, Ph.D.
Founder, True Texas Elections, LLC
313-720-5471

"Occupy till I come" - *Luke 19:13*

"As for those who persist in sin...rebuke them" - *1Timothy 5:20*

"Be not afraid nor dismayed...for the battle is not yours, but God's." - *2Chron 2:15*

The content of this message is TRUE TEXAS ELECTIONS, LLC CONFIDENTIAL.
If you are not the intended recipient, please notify me, delete this email and do not use or distribute this email.

From: Jennifer Hall [REDACTED] >
Sent: Monday, July 24, 2023 3:00 PM
To: Christina Adkins
Subject: Known Vacancies in Republican County Chairs

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

These are the known vacancies in Republican County Chairs

Castro (will be filled soon)

Culberson

Zavala

Questionable - in the process of confirming

Crockett

Sterling

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Jennifer Hall [REDACTED] >
Sent: Wednesday, April 19, 2023 2:42 PM
To: Elections Internet
Cc: Christina Adkins; Kristi Hart
Subject: New RPT Deputy Organization Director

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Christina, Kristi, and Team,

Hannah Weeks has joined me in the Organization dept. here at RPT. I just wanted to share her contact information with you.

[REDACTED]
512-492-8702

We know the primary is just around the corner. If there is anything we can do, please let us know. Appreciate all that you do!

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: [REDACTED]
To: [Christina Adkins](mailto:Christina.Adkins@senate.texas.gov)
Cc: Paul.Bettencourt@senate.texas.gov; [Jason Kirksey](mailto:Jason.Kirksey@senate.texas.gov); [REDACTED]; Sonya.Aston@Senate.Texas.Gov; Bryan.Hughes@senate.texas.gov; [Drew Tedford](mailto:Drew.Tedford@senate.texas.gov)
Subject: Open Records Request - SoS Certifications -Voting System Tabulator and EMS Reports
Date: Thursday, June 8, 2023 6:53:41 PM

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Dear Christina,

Hope you have had a bit of a break from the Legislature.

Please consider this an open records request pursuant to Tex. Gov't Code Chapter 552. Consistent with [Tex. Elec. Code 122.001\(a\)3](#) and related to the Texas Sec. of State certification of ES&S voting systems in Texas, please produce the following Texas certification documents showing Texas systems are in compliance with the following [2015 EAC Voluntary Guidelines](#) for producing election reports for auditing purposes:

- A. **Tabulators** (DS200's) that produce election reports as follows:
 - 1. "broken down by ballot style and precinct" - [2015 EAC Voluntary Guidelines](#), Section 2.4.4.2.a.3
- B. **Central accumulators** that produce EMS electronic reports that include precinct totals from each tabulator (DS200 at each location, etc.) as follows:
 - 1. "summary ballot counts and vote totals by tabulator, precinct, and polling place. Precinct totals include subtotals from each tabulator used in the precinct." - [2015 EAC Voluntary Guidelines](#), Section 2.4.4.3.a.iii.
 - 2. "EMS shall produce a report for each precinct including, i. Each tabulator included in the precinct with its identifier;" - [2015 EAC Voluntary Guidelines](#), Section 2.4.4.3.c.i.

Note the [2015 EAC Voluntary Guidelines](#) Glossary defines "tabulator," "precinct," and "polling place."

Because of the recent discussions with Senator Bettencourt's office on the concerns that our voting system precinct tabulators and central accumulators are not able to produce the above precinct, ballot style, and polling location reports, copying them and Senator Hughes to keep them in the loop.

Regards,
Laura

Laura Pressley, Ph.D.
Founder, True Texas Elections, LLC
313-720-5471

"Occupy till I come" - *Luke 19:13*

"As for those who persist in sin...rebuke them" - *1Timothy 5:20*

"Be not afraid nor dismayed...for the battle is not yours, but God's." - *2Chron 2:15*

The content of this message is TRUE TEXAS ELECTIONS, LLC CONFIDENTIAL.
If you are not the intended recipient, please notify me, delete this email and do not use or distribute this email.

From: Jennifer Hall [REDACTED]
Sent: Thursday, June 29, 2023 4:57 PM
To: Elections Internet; Christina Adkins
Subject: Please add me to the advisory email list

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hello all,

I've managed to fall off the email list for advisories again. I want to make sure to help get the info you provide to our county chairs.

Thank you so much!

Jen Hall
Republican Party of Texas
Organization Director

Get [Outlook for Android](#)

From: Jennifer Hall [REDACTED]
Sent: Wednesday, May 31, 2023 9:33 AM
To: Christina Adkins
Subject: Presidential Application
Attachments: Presidential Ballot Application (2).pdf

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

I hope you had a peaceful holiday weekend.

We are about to prescribe the application for a place on the ballot for the office of President.

The application is almost completely the same as last time. The only things added are the lines at the bottom to be more specific about received and accepted. I just thought it would be prudent to see if you could give it a once-over to make sure we aren't missing anything.

I'm pretty sure we can't require the occupation box to be completed. I can remove "(Do not leave blank)" if you think that would be better.

Thank you so much for your help!

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

All information is required to be provided unless indicated as optional and is subject to release as this is a public record.

APPLICATION FOR A PLACE ON THE REPUBLICAN PARTY GENERAL PRIMARY BALLOT FOR A FEDERAL OFFICE

TO: State Chair

I request that my name be placed on the above-named official primary ballot as a candidate for nomination to the office indicated below.

OFFICE SOUGHT (Include any place number or other distinguishing number, if any.)

President of the United States

FULL NAME (First, Middle, Last)

PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT

PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.)

PUBLIC MAILING ADDRESS (Address for which you receive campaign related correspondence.)

CITY

STATE

ZIP

CITY

STATE

ZIP

PUBLIC EMAIL ADDRESS (If available)

OCCUPATION (Do not leave blank)

DATE OF BIRTH

/ /

TELEPHONE CONTACT INFORMATION (Optional)

Home:

Work:

Cell:

LENGTH OF CONTINUOUS RESIDENCE IN THE UNITED STATES AS OF DATE APPLICATION SWORN

_____ year (s)

_____ month(s)

If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election.

Before me, the undersigned authority, on this day personally appeared (name) _____, who being by me here and now duly sworn, upon oath says:

"I, (name) _____, being a candidate for the office of President of the United States, swear that I will support and defend the Constitution and laws of the United States. I am a natural born citizen of the United States eligible to hold such office under the constitution of the United States.

I further swear that the foregoing statements included in my application are in all things true and correct."

X

SIGNATURE OF CANDIDATE

Sworn to and subscribed before me at _____, this the _____ day of _____, _____.

SEAL

Signature of Officer Administering Oath¹

Title of Officer Administering Oath

TO BE COMPLETED BY CHAIR:

THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE PAID BY: CASH, CHECK, MONEY ORDER, CASHIERS CHECK, OR PETITION IN LIEU OF FILING FEE.

This document and \$ _____ filing fee or a nominating petition of _____ is pages received.

Date Received

Received by

Date Accepted

Accepted - Signature of Chair

Toda la información requerida debe ser proporcionada a menos que se indique que es opcional y está sujeta a divulgación, ya que se trata de un registro público.

SOLICITUD PARA UN LUGAR EN LA BOLETA DE LA ELECCIÓN PRIMARIA GENERAL DEL PARTIDO REPUBLICANO PARA UN CARGO FEDERAL

A: Presidente Estatal del Partido

Solicito que mi nombre el cual aparece arriba aparezca en la boleta oficial de la primaria como candidato/a para la nominación del cargo indicado abajo.

CARGO OFICIAL SOLICITADO (Incluya cualquier número de cargo u otro número distintivo, si el cargo lo tiene).
Presidente de los Estados Unidos

NOMBRE COMPLETO (Primer Nombre, Segundo Nombre, Apellido)	ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA
--	---

DIRECCIÓN RESIDENCIAL PERMANENTE (No incluya una casilla postal o una ruta rural. Si usted no tiene una dirección residencial, describa la ubicación de su residencia.)	DIRECCIÓN POSTAL PÚBLICA (Dirección a la que recibirá correspondencia relacionada a su campaña)
--	--

CIUDAD	ESTADO	CÓDIGO POSTAL	CIUDAD	ESTADO	CÓDIGO POSTAL
---------------	---------------	----------------------	---------------	---------------	----------------------

CORREO ELECTRÓNICO PÚBLICO (Si está disponible)	OCUPACIÓN (No deje este espacio en blanco)	FECHA DE NACIMIENTO / /
--	---	-----------------------------------

INFORMACIÓN DE CONTACTO (Opcional) Tel. de Domicilio: Tel. de Oficina: Tel. Celular:	DURACION DE RESIDENCIA CONTINUA EN LOS ESTADOS UNIDOS EN LA FECHA QUE UD. HAGA EL JURAMENTO DE ESTA APLICACIÓN ____ año(s) ____ mes(es)
--	--

Si usted incluye un apodo como parte de su nombre en la boleta, usted también firma y jura lo siguiente: Yo también juro que mi apodo no constituye un lema ni tampoco es una indicación de mis creencias o afiliaciones políticas, económicas, sociales o religiosas. He sido conocido comúnmente por este apodo por más de tres años antes de esta elección.

Ante mí, la autoridad suscrita, apareció en persona (nombre) _____, quien habiendo aquí y ahora prestado juramento debido, bajo juramento dice:

“Yo, (nombre) _____, siendo candidato para el cargo oficial de Presidente de los Estados Unidos, solemnemente juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos. Soy ciudadano nato de los Estados Unidos elegible para ocupar tal cargo oficial bajo la Constitución de los Estados Unidos.”

Además juro que las anteriores declaraciones que incluyo en mi solicitud son verdaderas y correctas en todo sentido.”

X _____

FIRMA DEL CANDIDATO

Jurado y suscrito ante mí en _____, este día ____ de _____, _____.

SELLO	
Firma del oficial administrando el juramento ¹	Título del oficial administrando el juramento

TO BE COMPLETED BY CHAIR:
THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE PAID BY: CASH, CHECK, MONEY ORDER, CASHIERS CHECK, OR PETITION IN LIEU OF FILING FEE.

This document and \$_____ filing fee or a nominating petition of _____ is pages received.

Date Received	Received by	Date Accepted	Accepted - Signature of Chair
---------------	-------------	---------------	-------------------------------



From: Jennifer Hall <[REDACTED]>
Sent: Wednesday, June 7, 2023 2:28 PM
To: Christina Adkins
Subject: Question on List of Early Voting Lead Clerks

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

It sounds like you are getting the same question I'm getting about the appointment lists.

The question is do the county election offices have to use the county chair list for early voting for the 2023 November/Constitutional election?

I probably helped create this problem to be quite honest. We have been trying to get everyone to turn in their appointment lists because we don't have a good way to know which counties are doing a one-year or two-year appointment. In the past, we have had a few places where the county chairs were told the county is doing two-year elections and you didn't turn one in, so we don't have to use anything you send us. I'm trying to avoid that situation by having everyone turn in lists.

In one county, they took that to mean the county has to use its list for this November election. That happened because I was trying to correct some bad information that came to my attention about county chair lists being used in municipals, and I oversimplified my explanation because I forgot about 83.032 and was just looking at 32.002(f), 32.004, and 32.005

I was trying to explain to the county chairs that the counties do not use their lists for the municipals.

My hope is that the county chairs will still get their lists turned in. For counties where these lists don't apply this time, maybe the election offices will see it as a great source of information. I'm sure you know there are still counties that think they never have to take lists from county chairs.

I found the answer to the question we are getting now in the Election Advisory 2021-07. It is very clear.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Jennifer Hall [REDACTED]
Sent: Wednesday, June 28, 2023 2:45 PM
To: Christina Adkins
Subject: Questions - Emailing to Make it Easier to Discuss

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

I hope things are going well.

Here are the questions I mentioned the other day. It seems like there are others, but this is what I can remember right now. Thank you so much for your time and help!

1.A question I received from Denton County Republican Party

There are some precinct lines and numbers that are going to be changing 1/1/24. Not sure how many will be affected. This will happen after PC filing has closed. Do you know how we will handle this? Want to be prepared when the time comes.

2.District Chairs

171.052,

171.053,

171.054

It is my understanding that 171.052 deals with districts with lines that follow the county line

And 171.053 deals with districts where the lines fall fully within the county but only cover a portion of the county – the county chair calls the meeting to elect the district chair. In the case of the senate district, the senate district chair is the temporary chair of the senate district convention.

171.054 deals with districts that cover more than one county, but only cover a portion of some counties. In this case the state chair calls the meeting to elect a district chair. In the case of the senate district the senate district chair is the temporary chair of the convention.

I also believe that looking at 174.065 in conjunction may either solidify my understanding or completely obliterate it.

3.In the past when I was a county chair, I recall getting the SOS inspector reports from inspectors in my county. A few county chairs have reached out asking about when they will receive those from the 2022 general and the 2022 general

primary. I would have thought those would already have been sent. Is it possible for us at the state party to get copies of those as well?

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Jennifer Hall [REDACTED]
Sent: Tuesday, February 21, 2023 2:10 PM
To: Christina Adkins
Subject: Quick Question

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Christina,

I tried calling but it said I was leaving a message with a phone number that isn't the one I dialed to reach you.

When you have a minute can you give me a call? I have a quick question.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Laura Pressley [REDACTED]
Sent: Wednesday, April 26, 2023 4:05 PM
To: Christina Adkins
Subject: Re: 2023 May Elections - Williamson County Adherence to Tex. Elec. Code Sections 127.1232(b) & 33.0605(b)
Attachments: Affidavit May2022 Elections - notaraized.pdf

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hello Christina,

Thanks for discussing the concerns about Williamson County and their adherence to Tex. Elec. Code Sections 127.1232 and 33.0605 for our May 2023 elections.

Can you please let me know your assessment of these concerns and if your conversation with Chris Davis was fruitful?

Blessings,
Laura
313-720-5471

----- Forwarded Message -----

From: Laura Pressley [REDACTED] >
Date: On Monday, April 24th, 2023 at 3:00 PM
Subject: 2023 May Elections - Williamson County Adherence to Tex. Elec. Code Sections 127.1232(b) & 33.0605(b)
To: cjdavis@wilco.org <cjdavis@wilco.org>
CC: CAdkins@sos.texas.gov <CAdkins@sos.texas.gov>, Bryan.Hughes@senate.texas.gov <Bryan.Hughes@senate.texas.gov>, jfavreau@wilco.org <jfavreau@wilco.org>, Drew.Tedford@senate.texas.gov <Drew.Tedford@senate.texas.gov>, [REDACTED], comm3@wilco.org <comm3@wilco.org>, ctyjudge@wilco.org <ctyjudge@wilco.org>, nrister@wilco.org <nrister@wilco.org>, rarnold@wilco.org <rarnold@wilco.org>, partychair@wilcodemocrats.org <partychair@wilcodemocrats.org>, LGaddes@wilco.org <LGaddes@wilco.org>

Hello Mr. Davis,

Hope you are doing well. I am candidate for Florence School Board and have concerns regarding adherence of Williamson County to two election provisions that detect ballot fraud, Texas Election Code Sections 127.1232(b) and 33.0605(b).

We have two questions related to our May 2023 election in Williamson County:

1. With regard to surveillance systems specified by Sec. 127.1232(b), can you provide if Williamson County Elections will be implementing a video surveillance system that retains, records, and live streams all areas containing voted ballots (paper and electronic media) from the time they are dropped off on the premises, transferred through all hallways of the elections building, being checked in, handled by workers, processed, and transferred to storage?
2. With regard to watchers monitoring transfer and data storage activities specified by Sec. 33.0605(b), can you please provide if Williamson County Elections will allow duly appointed early voting poll watchers to monitor the drop off of early voting ballots and media on the premises, transferred through all hallways of the elections building, being checked in, handled by workers, processed, and transferred to storage?

We are seeking clarifications because in 2022 Williamson County's video surveillance did not show all areas in which early voted ballots and media were transferred, handled and/or processed by workers in the elections building. In addition, in 2022, duly appointed watcher, Cathy Jaster (affidavit attached) from the early voting polls was not permitted to enter the elections building to monitor the transfer, handling, and processing steps of all ballots and media.

Copying the Texas Secretary of State, Williamson County officials, and Texas State Senator Bryan Hughes. Thank you for helping clarify these issues.

Regards,
Laura Pressley, Ph.D.
Candidate Place 3, Florence School Board
313-720-5471

STATE OF TEXAS

§
§

COUNTY OF Williamson

AFFIDAVIT OF Cathy Jaster

BEFORE ME, the undersigned authority, personally appeared Cathy Jaster, who being on his oath sworn, stated:

“My name is Cathy Jaster. I am above the age of eighteen years, and I am fully competent to make this affidavit. My date of birth is June 11th, 1955. I reside at 317 Ridge View Dr, Georgetown Texas, 78628 and my Voter ID is 1156959657. I have not been convicted of a felony or a crime of moral turpitude. The following facts are within my personal knowledge and are true and correct.

I am a resident of Williamson County, Texas. I was a poll watcher for the True Texas Elections SPAC for the May 7th 2022 Constitutional Amendment and Special Election. This is my 3rd year as a poll watcher and I have previous experience working on Election Day at voting locations as a clerk and Alternate Judge.

Early Voting In Person Poll Watching at Florence City Hall

Tuesday 5/3/2022

6:54am I arrived at Florence City Hall voting location and had my poll watching paperwork signed by the election presiding judge, Judge Stone, and then began my poll watching activities. I performed my duties as poll watcher until 1pm and then returned at 5:55pm and stayed through the closing of the polls, closing down and packing up the equipment and following the equipment to elections headquarters.

Delivery to Elections Headquarters from Florence City Hall

7:58pm I arrived at Elections Headquarters, having followed the presiding Judge from the Florence City Hall voting location returning the Early Voting media and equipment to headquarters. I parked my car in the parking lot and then proceeded to the area where the judges arrived and dropped off their election media and equipment.

As soon as I walked to the drop off point in front of elections headquarters, Chris Davis, the Elections Administrator told me to “NOT even try to go into the building”. Chris would not talk to me directly and

did not sign my poll watcher's certificate of appointment papers and record in a written format explaining why I was being refused to follow the data in to observe any processing up to its final storage location in the elections office. We went back and forth with this; with me asking why I was not allowed to observe the election activities (pursuant to election code Sec 33.0605) while he either ignored me or verbally dismissed me or walked away from me.


Instead of allowing more observation of activities as guaranteed by the code on this evening, Chris went over to the Deputy in his car and asked him to tell me to stay back from the activities, to which the Deputy did politely and I complied.

I was being obstructed from carrying out my duties as a poll watcher after following the delivery of election records, according to the Election Code Sec. 33.0605.

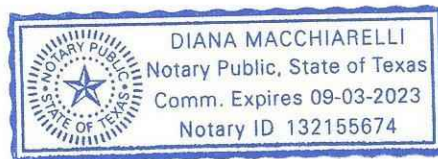
"Further affiant sayeth not."



IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this the 25 day of August, 2019.



Notary Signature



From: Christina Adkins
Sent: Monday, June 19, 2023 3:44 PM
To: Jennifer Hall
Cc: Hannah Weeks
Subject: Re: Bexar County Election Discussion

Definitely. I'll put it on my calendar!

From: Jennifer Hall [REDACTED]
Sent: Monday, June 19, 2023 3:42:03 PM
To: Christina Adkins <CAdkins@sos.texas.gov>
Cc: Hannah Weeks <hweeks@texasgop.org>
Subject: Re: Bexar County Election Discussion

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

I think Hannah and can do 10:30 a.m. on Thursday. Would that work for you?

Life outside of work is sometimes all-consuming. I've been there. [REDACTED]
[REDACTED] My questions can hold until later this week.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Christina Adkins <CAdkins@sos.texas.gov>
Sent: Monday, June 19, 2023 3:33 PM
To: Jennifer Hall [REDACTED] >
Cc: Hannah Weeks <[REDACTED]>
Subject: Re: Bexar County Election Discussion

Forgive me for the last response. [REDACTED].

I'm happy to hop on a call with you all. Tomorrow, I'm tied up all day with procurement work for our new TEAM system. I have some limited on Wednesday (8:30-9:30 and 1:00 to 2:00 pm). However, if you are open to alternatives, I'm wide open on Thursday.

Let me know what you think.

Christina Worrell Adkins

Director of Elections

Office of the Texas Secretary of State

1019 Brazos Street | Rudder Building, 2nd Floor | [Austin, Texas 78701](#)

1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov

For Voter Related Information, please visit:

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From: Jennifer Hall [REDACTED] >
Sent: Monday, June 12, 2023 4:00:53 PM
To: Christina Adkins <CAAdkins@sos.texas.gov>
Cc: Hannah Weeks [REDACTED]
Subject: Bexar County Election Discussion

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

The Bexar County Republican Party wants to do hand-counted paper ballots for the primary. I told them we would need to have a conference call with you to discuss the pros and cons. I told them I would advise against it. They have questions and seem to be attempting to approach it thoughtfully.

Do you have some time on either June 19, 20, or 21 to have a conference call with them and me? If you have time for a call, please include anyone from your office you feel is appropriate. They aren't ready to add Jacque Callanen yet. They are just in the discussion phase.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Jennifer Hall [REDACTED] >
Sent: Monday, June 19, 2023 3:42 PM
To: Christina Adkins
Cc: Hannah Weeks
Subject: Re: Bexar County Election Discussion

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

I think Hannah and I can do 10:30 a.m. on Thursday. Would that work for you?

Life outside of work is sometimes all-consuming. I've been there. [REDACTED]
[REDACTED] My questions can hold until later this week.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Christina Adkins <CAdkins@sos.texas.gov>
Sent: Monday, June 19, 2023 3:33 PM
To: Jennifer Hall [REDACTED] >
Cc: Hannah Weeks [REDACTED]
Subject: Re: Bexar County Election Discussion

Forgive me for the last response. [REDACTED]

I'm happy to hop on a call with you all. Tomorrow, I'm tied up all day with procurement work for our new TEAM system. I have some limited on Wednesday (8:30-9:30 and 1:00 to 2:00 pm). However, if you are open to alternatives, I'm wide open on Thursday.

Let me know what you think.

Christina Worrell Adkins

Director of Elections
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov
For Voter Related Information, please visit:

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From: Jennifer Hall [REDACTED]
Sent: Monday, June 12, 2023 4:00:53 PM
To: Christina Adkins <CADkins@sos.texas.gov>
Cc: Hannah Weeks [REDACTED]
Subject: Bexar County Election Discussion

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

The Bexar County Republican Party wants to do hand-counted paper ballots for the primary. I told them we would need to have a conference call with you to discuss the pros and cons. I told them I would advise against it. They have questions and seem to be attempting to approach it thoughtfully.

Do you have some time on either June 19, 20, or 21 to have a conference call with them and me? If you have time for a call, please include anyone from your office you feel is appropriate. They aren't ready to add Jacque Callanen yet. They are just in the discussion phase.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Christina Adkins
Sent: Monday, June 19, 2023 3:33 PM
To: Jennifer Hall
Cc: Hannah Weeks
Subject: Re: Bexar County Election Discussion

Forgive me for the last response. [REDACTED].

I'm happy to hop on a call with you all. Tomorrow, I'm tied up all day with procurement work for our new TEAM system. I have some limited on Wednesday (8:30-9:30 and 1:00 to 2:00 pm). However, if you are open to alternatives, I'm wide open on Thursday.

Let me know what you think.

Christina Worrell Adkins

Director of Elections

Office of the Texas Secretary of State

1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701

1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov

For Voter Related Information, please visit:

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From: Jennifer Hall [REDACTED] >
Sent: Monday, June 12, 2023 4:00:53 PM
To: Christina Adkins <CAdkins@sos.texas.gov>
Cc: Hannah Weeks [REDACTED] >
Subject: Bexar County Election Discussion

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

The Bexar County Republican Party wants to do hand-counted paper ballots for the primary. I told them we would need to have a conference call with you to discuss the pros and cons. I told them I would advise against it. They have questions and seem to be attempting to approach it thoughtfully.

Do you have some time on either June 19, 20, or 21 to have a conference call with them and me? If you have time for a call, please include anyone from your office you feel is appropriate. They aren't ready to add Jacque Callanen yet. They are just in the discussion phase.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Jennifer Hall <[REDACTED]>
Sent: Monday, June 19, 2023 3:59 PM
To: Christina Adkins
Cc: Hannah Weeks
Subject: Re: Bexar County Election Discussion

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Sounds great! Thanks!

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Christina Adkins <CAdkins@sos.texas.gov>
Sent: Monday, June 19, 2023 3:44 PM
To: Jennifer Hall <[REDACTED]>
Cc: Hannah Weeks <[REDACTED]>
Subject: Re: Bexar County Election Discussion

Definitely. I'll put it on my calendar!

From: Jennifer Hall <[REDACTED]>
Sent: Monday, June 19, 2023 3:42:03 PM
To: Christina Adkins <CAdkins@sos.texas.gov>
Cc: Hannah Weeks <[REDACTED]>
Subject: Re: Bexar County Election Discussion

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

I think Hannah and can do 10:30 a.m. on Thursday. Would that work for you?

Life outside of work is sometimes all-consuming. I've been there. [REDACTED]
[REDACTED]. My questions can hold until later this week.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Christina Adkins <CAdkins@sos.texas.gov>
Sent: Monday, June 19, 2023 3:33 PM
To: Jennifer Hall [REDACTED] >
Cc: Hannah Weeks <[REDACTED]>
Subject: Re: Bexar County Election Discussion

Forgive me for the last response. [REDACTED]

I'm happy to hop on a call with you all. Tomorrow, I'm tied up all day with procurement work for our new TEAM system. I have some limited on Wednesday (8:30-9:30 and 1:00 to 2:00 pm). However, if you are open to alternatives, I'm wide open on Thursday.

Let me know what you think.

Christina Worrell Adkins
Director of Elections
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov
For Voter Related Information, please visit:

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From: Jennifer Hall <[REDACTED]>
Sent: Monday, June 12, 2023 4:00:53 PM
To: Christina Adkins <CAdkins@sos.texas.gov>
Cc: Hannah Weeks [REDACTED]
Subject: Bexar County Election Discussion

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

The Bexar County Republican Party wants to do hand-counted paper ballots for the primary. I told them we would need to have a conference call with you to discuss the pros and cons. I told them I would advise against it. They have questions and seem to be attempting to approach it thoughtfully.

Do you have some time on either June 19, 20, or 21 to have a conference call with them and me? If you have time for a call, please include anyone from your office you feel is appropriate. They aren't ready to add Jacque Callanen yet. They are just in the discussion phase.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Christina Adkins
Sent: Wednesday, June 21, 2023 4:47 PM
To: Jennifer Hall
Subject: Re: Discussion with Bexar GOP

Zoom works great!

From: Jennifer Hall [REDACTED] >
Sent: Wednesday, June 21, 2023 3:56:55 PM
To: Christina Adkins <CAdkins@sos.texas.gov>
Subject: Discussion with Bexar GOP

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

I set up a Zoom meeting for the discussion tomorrow because I couldn't think of an easier way to have us all on the call. If you prefer a different method, I'm happy to use whatever works.

Here's the Zoom information in case that works for everyone.

Time: Jun 22, 2023 10:30 AM Central Time (US and Canada)

Join Zoom Meeting

[https://us02web.zoom.us/j/\[REDACTED\]](https://us02web.zoom.us/j/[REDACTED])

Meeting ID: [REDACTED]

Passcode: [REDACTED]

One tap mobile

+13462487799, [REDACTED]

Dial by your location

• +1 346 248 7799

Meeting ID: [REDACTED]

Passcode: [REDACTED]

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Christina Adkins
Sent: Friday, April 21, 2023 2:12 PM
To: Jennifer Hall
Cc: Elizabeth Nelson; Elizabeth Nelson
Subject: Re: Falls County Election Board & Election Commission

Jen,

We are unable to send anyone to the meeting on Monday, because it's the first day of early voting for the May elections so most of our folks are out in the field or dealing with early voting right now. Is there something that I can help with remotely? I'd be happy to hop on a call with someone if they need some guidance on this issue.

Let me know if there are other ways in which we can be of assistance.

Thanks!

Christina Worrell Adkins
Acting Director of Elections
Texas Secretary of State

From: Jennifer Hall [REDACTED] >
Sent: Friday, April 21, 2023 12:09 PM
To: Christina Adkins <CAAdkins@sos.texas.gov>
Cc: Elections Internet <Elections@sos.texas.gov>; Elizabeth Nelson [REDACTED]; Elizabeth Nelson [REDACTED] >
Subject: Falls County Election Board & Election Commission

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Christina,

One of our County Chairs, Elizabeth Nelson, has been working with Falls County to make sure they have an Election Board and an Election Commission that is meeting when they need to for handling their respective duties.

This is short notice, but it sounds like creating these on the agenda for the commissioner's court meeting just happened. Their meeting is this Monday. Chairwoman Nelson would like to know if SOS could send a trainer to the meeting to answer questions if needed.

Chairwoman Nelson would reach out herself, but the storms last night knocked out their internet. Since her internet is out and in case you have someone that could help, her phone number is 254-495-0322

I have copied her in case her internet comes back on soon.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Christina Adkins
Sent: Thursday, January 5, 2023 9:32 AM
To: Jennifer Hall; Rose Clouston
Cc: Kristi Hart; Keith Ingram; Brenda Cruz; Marco Orrantia; Lucy Trainor; Chad Shoemake
Subject: Re: Meeting in January re: Election Legislation

Wonderful. We are happy to host everyone in our office. If anyone wants to participate remotely, we can set something up with Microsoft teams or WebEx.

From: Jennifer Hall [REDACTED] >
Sent: Thursday, January 5, 2023 9:12:37 AM
To: Rose Clouston [REDACTED]; Christina Adkins <CAdkins@sos.texas.gov>
Cc: Kristi Hart <KHart@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>; Brenda Cruz [REDACTED]; Marco Orrantia <[REDACTED]>; Lucy Trainor [REDACTED]g>; Chad Shoemake [REDACTED]
Subject: Re: Meeting in January re: Election Legislation

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Yes. We look forward to having the discussion.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Rose Clouston [REDACTED] >
Sent: Thursday, January 5, 2023 9:07 AM
To: Christina Adkins <CAdkins@sos.texas.gov>
Cc: Jennifer Hall [REDACTED]; Kristi Hart <KHart@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>; Brenda Cruz [REDACTED]; Marco Orrantia <[REDACTED]>; Lucy Trainor [REDACTED]; Chad Shoemake <[REDACTED]>
Subject: Re: Meeting in January re: Election Legislation

Thanks, Christina! The Democratic Party team can do Friday, January 13th. We're pretty flexible on time, but to get the ball rolling I'd propose 11am. Would that work for you and your team, Jennifer?

On Wed, Jan 4, 2023 at 5:19 PM Christina Adkins <CAdkins@sos.texas.gov> wrote:

Would you all be available on Friday the 13th? We have a lot going on that week preparing for the legislative canvass . We can accommodate morning or afternoon.

Get [Outlook for iOS](#)

From: Jennifer Hall [REDACTED] >
Sent: Wednesday, January 4, 2023 4:29:17 PM
To: Rose Clouston [REDACTED]; Kristi Hart <KHart@sos.texas.gov>; Christina Adkins <CAdkins@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>
Cc: Brenda Cruz [REDACTED]; Marco Orrantia [REDACTED]; Lucy Trainor [REDACTED]; Chad Shoemake <[REDACTED]>
Subject: Re: Meeting in January re: Election Legislation

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Good afternoon, I'll do the next bump on the conversation.

I have a meeting on January 11th at 11 a.m. I'm available on the 9th or 10th just about anytime, or on the 12th before lunch.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Rose Clouston [REDACTED] >
Sent: Tuesday, January 3, 2023 11:47 AM
To: Kristi Hart <khart@sos.texas.gov>; Christina Adkins <CAdkins@sos.texas.gov>; Keith Ingram <kingram@sos.texas.gov>
Cc: Brenda Cruz [REDACTED]; Marco Orrantia [REDACTED]; Jennifer Hall [REDACTED]; Lucy Trainor [REDACTED]; Chad Shoemake [REDACTED]
Subject: Re: Meeting in January re: Election Legislation

Happy New Year! I hope everyone had a good holiday season and got some time off.

As folks are digging out of their inboxes, I just wanted to nudge this request for a meeting next week up to the top.

Hope to talk to everyone soon. Thank you!

On Mon, Dec 19, 2022 at 10:59 AM Rose Clouston [REDACTED] > wrote:

Good Morning Keith, Christina and Kristi --

The Texas Democratic Party and Republican Party of Texas met last week to discuss primary election, party business and administrative items that might benefit from legislation this session and identified a number of areas of potential agreement and alignment. We would like to meet jointly with your team (or the right members of your team) to get your insights on these items.

Is there a good time for you to meet the week of January 9th, either in person or via Zoom?

To preview: the biggest one that we're interested in exploring is shaving off a week at the end of the candidate filing period and providing for the needed administrative time to complete the candidate proofing and ballot order entry.

On our end, Brenda Cruz, our Deputy Voter Protection Director, will join as well as Marco Orrantia, Party Business Advisor, and me. Brenda will be spearheading our election-related legislative work this year, as I'll be leaving the State Party in January.

Thank You & Happy Holidays!

Rose

--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



From: Jennifer Hall [REDACTED]
Sent: Thursday, January 5, 2023 9:13 AM
To: Rose Clouston; Christina Adkins
Cc: Kristi Hart; Keith Ingram; Brenda Cruz; Marco Orrantia; Lucy Trainor; Chad Shoemake
Subject: Re: Meeting in January re: Election Legislation

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Yes. We look forward to having the discussion.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Rose Clouston [REDACTED]
Sent: Thursday, January 5, 2023 9:07 AM
To: Christina Adkins <CAdkins@sos.texas.gov>
Cc: Jennifer Hall [REDACTED]; Kristi Hart <KHart@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>; Brenda Cruz <[REDACTED]>; Marco Orrantia [REDACTED]; Lucy Trainor [REDACTED]
Chad Shoemake [REDACTED]
Subject: Re: Meeting in January re: Election Legislation

Thanks, Christina! The Democratic Party team can do Friday, January 13th. We're pretty flexible on time, but to get the ball rolling I'd propose 11am. Would that work for you and your team, Jennifer?

On Wed, Jan 4, 2023 at 5:19 PM Christina Adkins <CAdkins@sos.texas.gov> wrote:

Would you all be available on Friday the 13th? We have a lot going on that week preparing for the legislative canvass . We can accommodate morning or afternoon.

Get [Outlook for iOS](#)

From: Jennifer Hall [REDACTED]
Sent: Wednesday, January 4, 2023 4:29:17 PM
To: Rose Clouston <[REDACTED]>; Kristi Hart <KHart@sos.texas.gov>; Christina Adkins <CAdkins@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>
Cc: Brenda Cruz [REDACTED]; Marco Orrantia <[REDACTED]>; Lucy Trainor [REDACTED]

[REDACTED]; Chad Shoemake <[REDACTED]>

Subject: Re: Meeting in January re: Election Legislation

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Good afternoon, I'll do the next bump on the conversation.

I have a meeting on January 11th at 11 a.m. I'm available on the 9th or 10th just about anytime, or on the 12th before lunch.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Rose Clouston <[REDACTED]>

Sent: Tuesday, January 3, 2023 11:47 AM

To: Kristi Hart <khart@sos.texas.gov>; Christina Adkins <CAdkins@sos.texas.gov>; Keith Ingram <kingram@sos.texas.gov>

Cc: Brenda Cruz <[REDACTED]>; Marco Orrantia <[REDACTED]>; Jennifer Hall <[REDACTED]>; Lucy Trainor <[REDACTED]>; Chad Shoemake <[REDACTED]>

Subject: Re: Meeting in January re: Election Legislation

Happy New Year! I hope everyone had a good holiday season and got some time off.

As folks are digging out of their inboxes, I just wanted to nudge this request for a meeting next week up to the top.

Hope to talk to everyone soon. Thank you!

On Mon, Dec 19, 2022 at 10:59 AM Rose Clouston <[REDACTED]> wrote:

Good Morning Keith, Christina and Kristi --

The Texas Democratic Party and Republican Party of Texas met last week to discuss primary election, party business and administrative items that might benefit from legislation this session and identified a number of areas of potential agreement and alignment. We would like to meet jointly with your team (or the right members of your team) to get your insights on these items.

Is there a good time for you to meet the week of January 9th, either in person or via Zoom?

To preview: the biggest one that we're interested in exploring is shaving off a week at the end of the candidate filing period and providing for the needed administrative time to complete the candidate proofing and ballot order entry.

On our end, Brenda Cruz, our Deputy Voter Protection Director, will join as well as Marco Orrantia, Party Business Advisor, and me. Brenda will be spearheading our election-related legislative work this year, as I'll be leaving the State Party in January.

Thank You & Happy Holidays!

Rose

--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



From: Christina Adkins
Sent: Wednesday, January 4, 2023 5:20 PM
To: Jennifer Hall; Rose Clouston; Kristi Hart; Keith Ingram
Cc: Brenda Cruz; Marco Orrantia; Lucy Trainor; Chad Shoemake
Subject: Re: Meeting in January re: Election Legislation

Would you all be available on Friday the 13th? We have a lot going on that week preparing for the legislative canvass . We can accommodate morning or afternoon.

Get [Outlook for iOS](#)

From: Jennifer Hall [REDACTED] >
Sent: Wednesday, January 4, 2023 4:29:17 PM
To: Rose Clouston [REDACTED] >; Kristi Hart <KHart@sos.texas.gov>; Christina Adkins <CAdkins@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>
Cc: Brenda Cruz [REDACTED]; Marco Orrantia <[REDACTED]>; Lucy Trainor [REDACTED] >; Chad Shoemake [REDACTED]
Subject: Re: Meeting in January re: Election Legislation

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Good afternoon, I'll do the next bump on the conversation.

I have a meeting on January 11th at 11 a.m. I'm available on the 9th or 10th just about anytime, or on the 12th before lunch.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Rose Clouston [REDACTED]
Sent: Tuesday, January 3, 2023 11:47 AM
To: Kristi Hart <khart@sos.texas.gov>; Christina Adkins <CAdkins@sos.texas.gov>; Keith Ingram <kingram@sos.texas.gov>

Cc: Brenda Cruz [REDACTED] >; Marco Orrantia [REDACTED] >; Jennifer Hall

[REDACTED] >; Lucy Trainor [REDACTED] >; Chad Shoemake [REDACTED]

Subject: Re: Meeting in January re: Election Legislation

Happy New Year! I hope everyone had a good holiday season and got some time off.

As folks are digging out of their inboxes, I just wanted to nudge this request for a meeting next week up to the top.

Hope to talk to everyone soon. Thank you!

On Mon, Dec 19, 2022 at 10:59 AM Rose Clouston [REDACTED] wrote:

Good Morning Keith, Christina and Kristi --

The Texas Democratic Party and Republican Party of Texas met last week to discuss primary election, party business and administrative items that might benefit from legislation this session and identified a number of areas of potential agreement and alignment. We would like to meet jointly with your team (or the right members of your team) to get your insights on these items.

Is there a good time for you to meet the week of January 9th, either in person or via Zoom?

To preview: the biggest one that we're interested in exploring is shaving off a week at the end of the candidate filing period and providing for the needed administrative time to complete the candidate proofing and ballot order entry.

On our end, Brenda Cruz, our Deputy Voter Protection Director, will join as well as Marco Orrantia, Party Business Advisor, and me. Brenda will be spearheading our election-related legislative work this year, as I'll be leaving the State Party in January.

Thank You & Happy Holidays!
Rose

--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



From: Jennifer Hall <[REDACTED]>
Sent: Wednesday, January 4, 2023 4:29 PM
To: Rose Clouston; Kristi Hart; Christina Adkins; Keith Ingram
Cc: Brenda Cruz; Marco Orrantia; Lucy Trainor; Chad Shoemake
Subject: Re: Meeting in January re: Election Legislation

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Good afternoon, I'll do the next bump on the conversation.

I have a meeting on January 11th at 11 a.m. I'm available on the 9th or 10th just about anytime, or on the 12th before lunch.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Rose Clouston <[REDACTED]>
Sent: Tuesday, January 3, 2023 11:47 AM
To: Kristi Hart <khart@sos.texas.gov>; Christina Adkins <CAdkins@sos.texas.gov>; Keith Ingram <kingram@sos.texas.gov>
Cc: Brenda Cruz <[REDACTED]>; Marco Orrantia <[REDACTED]>; Jennifer Hall <[REDACTED]>; Lucy Trainor <[REDACTED]>; Chad Shoemake <[REDACTED]>
Subject: Re: Meeting in January re: Election Legislation

Happy New Year! I hope everyone had a good holiday season and got some time off.

As folks are digging out of their inboxes, I just wanted to nudge this request for a meeting next week up to the top.

Hope to talk to everyone soon. Thank you!

On Mon, Dec 19, 2022 at 10:59 AM Rose Clouston <[REDACTED]> wrote:
Good Morning Keith, Christina and Kristi --

The Texas Democratic Party and Republican Party of Texas met last week to discuss primary election, party business and administrative items that might benefit from legislation this session and identified a number of areas of potential

agreement and alignment. We would like to meet jointly with your team (or the right members of your team) to get your insights on these items.

Is there a good time for you to meet the week of January 9th, either in person or via Zoom?

To preview: the biggest one that we're interested in exploring is shaving off a week at the end of the candidate filing period and providing for the needed administrative time to complete the candidate proofing and ballot order entry.

On our end, Brenda Cruz, our Deputy Voter Protection Director, will join as well as Marco Orrantia, Party Business Advisor, and me. Brenda will be spearheading our election-related legislative work this year, as I'll be leaving the State Party in January.

Thank You & Happy Holidays!
Rose

--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



From: Christina Adkins
Sent: Friday, January 13, 2023 10:01 AM
To: 'Rose Clouston'
Cc: Jennifer Hall; Kristi Hart; Keith Ingram; Brenda Cruz; Marco Orrantia; Lucy Trainor; Chad Shoemake
Subject: RE: Meeting in January re: Election Legislation

We will take a look. Looking forward to visiting with you all soon.

From: Rose Clouston <[REDACTED]>
Sent: Friday, January 13, 2023 9:59 AM
To: Christina Adkins <CAdkins@sos.texas.gov>
Cc: Jennifer Hall <[REDACTED]>; Kristi Hart <KHart@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>; Brenda Cruz <[REDACTED]>; Marco Orrantia <[REDACTED]>; Lucy Trainor <[REDACTED]>; Chad Shoemake <[REDACTED]>
Subject: Re: Meeting in January re: Election Legislation

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to informationsecurity@sos.texas.gov.

Good Morning,

We're looking forward to seeing you all at 11am. Our colleague Ryan Garcia will be joining us as well since he's managing some of our legislative work, so the TDP contingent will be: Breda Cruz, Marco Orrantia, Ryan Garcia, and Rose Clouston.

[Here is a document](#) with the legislative items we'd like to discuss, most of which we had an initial discussion with RPT in December. We're looking forward to hearing updated thoughts and considerations from RPT, as well as the SOS team's feedback and recommendations.

Thank you,
Rose

On Fri, Jan 6, 2023 at 12:21 PM Rose Clouston <[REDACTED]> wrote:

We're all good to be in person. Thanks for hosting!

On Thu, Jan 5, 2023 at 9:31 AM Christina Adkins <CAdkins@sos.texas.gov> wrote:

Wonderful. We are happy to host everyone in our office. If anyone wants to participate remotely, we can set something up with Microsoft teams or WebEx.

From: Jennifer Hall <[REDACTED]>
Sent: Thursday, January 5, 2023 9:12:37 AM
To: Rose Clouston <[REDACTED]>; Christina Adkins <CAdkins@sos.texas.gov>
Cc: Kristi Hart <KHart@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>; Brenda Cruz <[REDACTED]>; Marco Orrantia <[REDACTED]>; Lucy Trainor <[REDACTED]>; Chad Shoemake <[REDACTED]>
Subject: Re: Meeting in January re: Election Legislation

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to informationsecurity@sos.texas.gov.

Yes. We look forward to having the discussion.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Rose Clouston [REDACTED] <[REDACTED]>
Sent: Thursday, January 5, 2023 9:07 AM
To: Christina Adkins <CAdkins@sos.texas.gov>
Cc: Jennifer Hall [REDACTED] <[REDACTED]>; Kristi Hart <KHart@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>; Brenda Cruz [REDACTED] <[REDACTED]>; Marco Orrantia [REDACTED] <[REDACTED]>; Lucy Trainor [REDACTED] <[REDACTED]>; Chad Shoemake <[REDACTED]>
Subject: Re: Meeting in January re: Election Legislation

Thanks, Christina! The Democratic Party team can do Friday, January 13th. We're pretty flexible on time, but to get the ball rolling I'd propose 11am. Would that work for you and your team, Jennifer?

On Wed, Jan 4, 2023 at 5:19 PM Christina Adkins <CAdkins@sos.texas.gov> wrote:

Would you all be available on Friday the 13th? We have a lot going on that week preparing for the legislative canvass . We can accommodate morning or afternoon.

Get [Outlook for iOS](#)

From: Jennifer Hall [REDACTED] <[REDACTED]>
Sent: Wednesday, January 4, 2023 4:29:17 PM
To: Rose Clouston [REDACTED] <[REDACTED]>; Kristi Hart <KHart@sos.texas.gov>; Christina Adkins <CAdkins@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>
Cc: Brenda Cruz <[REDACTED]>; Marco Orrantia [REDACTED] <[REDACTED]>; Lucy Trainor [REDACTED] <[REDACTED]>; Chad Shoemake [REDACTED] <[REDACTED]>
Subject: Re: Meeting in January re: Election Legislation

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to informationsecurity@sos.texas.gov.

Good afternoon, I'll do the next bump on the conversation.

I have a meeting on January 11th at 11 a.m. I'm available on the 9th or 10th just about anytime, or on the 12th before lunch.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Rose Clouston [REDACTED] >
Sent: Tuesday, January 3, 2023 11:47 AM
To: Kristi Hart <khart@sos.texas.gov>; Christina Adkins <CAdkins@sos.texas.gov>; Keith Ingram <kingram@sos.texas.gov>
Cc: Brenda Cruz [REDACTED] >; Marco Orrantia [REDACTED]; Jennifer Hall [REDACTED] >; Lucy Trainor [REDACTED]; Chad Shoemake <[REDACTED]>
Subject: Re: Meeting in January re: Election Legislation

Happy New Year! I hope everyone had a good holiday season and got some time off.

As folks are digging out of their inboxes, I just wanted to nudge this request for a meeting next week up to the top.

Hope to talk to everyone soon. Thank you!

On Mon, Dec 19, 2022 at 10:59 AM Rose Clouston [REDACTED] > wrote:

Good Morning Keith, Christina and Kristi --

The Texas Democratic Party and Republican Party of Texas met last week to discuss primary election, party business and administrative items that might benefit from legislation this session and identified a number of areas of potential agreement and alignment. We would like to meet jointly with your team (or the right members of your team) to get your insights on these items.

Is there a good time for you to meet the week of January 9th, either in person or via Zoom?

To preview: the biggest one that we're interested in exploring is shaving off a week at the end of the candidate filing period and providing for the needed administrative time to complete the candidate proofing and ballot order entry.

On our end, Brenda Cruz, our Deputy Voter Protection Director, will join as well as Marco Orrantia, Party Business Advisor, and me. Brenda will be spearheading our election-related legislative work this year, as I'll be leaving the State Party in January.

Thank You & Happy Holidays!

Rose

--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



--

Rose Clouston

she/her/hers

Voter Protection Director, Texas Democratic Party

Cell: 571-289-7974

Voter Assistance Hotline: 844-TX-VOTES



From: Christina Adkins
Sent: Tuesday, February 21, 2023 2:34 PM
To: Jennifer Hall
Subject: Re: Quick Question

Will call in about an hour if that's not too late. [REDACTED]

From: Jennifer Hall <jhall@texasgop.org>
Sent: Tuesday, February 21, 2023 2:09:34 PM
To: Christina Adkins <CAdkins@sos.texas.gov>
Subject: Quick Question

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Christina,

I tried calling but it said I was leaving a message with a phone number that isn't the one I dialed to reach you.

When you have a minute can you give me a call? I have a quick question.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: [Laura Pressley](#)
To: [Debra Bean](#)
Cc: desi.roberts@bellcounty.texas.gov; [Christina Adkins](#)
Subject: Re: Results in Bell County Reported by Precinct - Need Help
Date: Tuesday, May 16, 2023 3:16:22 PM

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Dear Ms. Bean,

Because the Bell County Florence ISD election results for my race in Place 3 were not counted appropriately and lawfully by precinct as noted in previous emails, and due to no error by the school district, can you please provide a statement/affidavit as such?

I will be requesting a recount primarily under Tex. Elec. Code 212.034(a) and other criteria that apply, and need your statement (that the count was done by precinct) for my petition for a simple Bell County ballot recount.

Thank you for your help with this.

Blessings,
Laura

----- Original Message -----

On Monday, May 15th, 2023 at 7:41 AM, Laura Pressley <[\[REDACTED\]](#)> wrote:

Christina and Desi,

Can you please help Ms. Bean? See the requests below. When the Election Code uses "shall," it means.....

Texas Election Code Sec. 1.003. CONSTRUCTION OF CODE.

(a) The **Code Construction** Act (Chapter [311](#), Government Code) applies to the construction of each provision in this code, except as otherwise expressly provided by this code.

(a-1) Election officials and other public officials shall strictly construe the provisions of this code to effect the intent of the legislature under Section [1.0015](#).

(b) When a provision of this code provides that it supersedes another specifically referenced provision of this code to the extent of any conflict, no conflict is created by the failure of the superseding provision, or of related provisions, to repeat the substance of the referenced provision; rather, a conflict exists only if the substance of the superseding and any related provisions is irreconcilable with the substance of the referenced provision. If the substance of the superseding provision, together with any related provisions, and the substance of the referenced provision can each be

applied to the same subject or set of circumstances, both provisions shall be given effect.

Texas Gov't Code Sec. 311.016. "MAY," "SHALL," "MUST," ETC.

The following constructions apply unless the context in which the word or phrase appears necessarily requires a different construction or unless a different construction is expressly provided by statute:

- (1) "May" creates discretionary authority or grants permission or a power.
- (2) "Shall" imposes a duty....
- (3) "Must" creates or recognizes a condition precedent....

Regards,
Laura

----- Original Message -----

On Friday, May 12th, 2023 at 7:23 PM, Laura Pressley

[REDACTED] > wrote:

Hello Christina and Desi,

Can you both are doing well. Can you both please help Florence ISD figure out how to report their Bell County results by precinct?

It was my understanding that the Bell County DS200's that were on loan were programmed to print *precinct level* results tapes. Yet on May 6th, the results tapes for ED and EV were printed as results summaries.

Can we please help them comply with the Election Code Sections below so they report and canvass results of our race by precinct according?

Sec. 87.1231. EARLY VOTING VOTES REPORTED BY PRECINCT.

Not later than the time of the local canvass, the early voting clerk shall deliver to the local canvassing authority a report of the total number of early voting votes for each candidate or measure by election precinct. The report may reflect the total for votes by mail and the total for votes by personal appearance.

Sec. 127.128. BALLOTS TABULATED BY PRECINCT.

The automatically counted ballots shall be separately tabulated according to election precinct.

Sec. 127.1301. CENTRALLY COUNTED OPTICAL SCAN BALLOTS.

(a) In an election using centrally counted optical scan ballots, the undervotes and overvotes on those ballots shall be tallied, tabulated, and reported by race and by election precinct in the form and manner prescribed by the secretary of state.

Sec. 67.004. PROCEDURE FOR LOCAL CANVASS.

(a) At the time set for convening the canvassing authority for the local canvass, the presiding officer of the canvassing authority shall deliver the sealed precinct returns to the authority. The authority shall open the returns for each precinct and canvass them as provided by this section. Two members of the authority constitute a quorum for purposes of canvassing an election.

(b) The canvassing authority shall prepare a tabulation stating for each candidate and for and against each measure:

- (1) the total number of votes received in each precinct; and
- (2) the sum of the precinct totals tabulated under Subdivision (1).
- (b-1) The tabulation in Subsection (b) must also include for each precinct the total number of voters who cast a ballot for a candidate or for or against a measure in the election. The secretary of state shall prescribe any procedures necessary to implement this subsection.
- (c) The canvassing authority may prepare the tabulation as a separate document or may enter the tabulation directly in the local election register maintained for the authority. The authority shall attach or include as part of the tabulation the report of early voting votes by precinct received under Section [87.1231](#).
- (d) The canvassing authority may compare the precinct returns with the corresponding tally list. If a discrepancy is discovered between the vote totals shown on the returns and those shown on the tally list for a precinct, the presiding judge of the precinct shall examine the returns and tally list and make the necessary corrections on the returns.
- (e) On completion of the canvass, the presiding officer of the canvassing authority shall deliver the tabulation to the custodian of the local election register unless it is entered directly in the election register. The custodian shall preserve the tabulation for the period for preserving the precinct election records.
- (f) On completion of the canvass, the presiding officer of the canvassing authority shall deliver the precinct returns, tally lists, and early voting precinct report used in the canvass to the general custodian of election records. The custodian shall preserve them for the period for preserving the precinct election records.
- (g) The presiding officer of the canvassing authority shall note the completion of the canvass in the minutes or in the recording required by Section [551.021](#), Government Code.

Laura

From: [Laura Pressley](#)
To: [Christina Adkins](#); desi.roberts@bellcounty.texas.gov
Cc: [Debra Bean](#)
Subject: Re: Results in Bell County Reported by Precint - Need Help
Date: Monday, May 15, 2023 7:42:04 AM

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Christina and Desi,

Can you please help Ms. Bean? See the requests below. When the Election Code uses "shall," it means.....

Texas Election Code Sec. 1.003. CONSTRUCTION OF CODE.

- (a) The **Code Construction** Act (Chapter [311](#), Government Code) applies to the construction of each provision in this code, except as otherwise expressly provided by this code.
- (a-1) Election officials and other public officials shall strictly construe the provisions of this code to effect the intent of the legislature under Section [1.0015](#).
- (b) When a provision of this code provides that it supersedes another specifically referenced provision of this code to the extent of any conflict, no conflict is created by the failure of the superseding provision, or of related provisions, to repeat the substance of the referenced provision; rather, a conflict exists only if the substance of the superseding and any related provisions is irreconcilable with the substance of the referenced provision. If the substance of the superseding provision, together with any related provisions, and the substance of the referenced provision can each be applied to the same subject or set of circumstances, both provisions shall be given effect.

Texas Gov't Code Sec. 311.016. "MAY," "SHALL," "MUST," ETC.

The following constructions apply unless the context in which the word or phrase appears necessarily requires a different construction or unless a different construction is expressly provided by statute:

- (1) "May" creates discretionary authority or grants permission or a power.
- (2) "Shall" imposes a duty....
- (3) "Must" creates or recognizes a condition precedent....

Regards,
Laura

----- Original Message -----

On Friday, May 12th, 2023 at 7:23 PM, Laura Pressley [REDACTED] wrote:

Hello Christina and Desi,

Can you both are doing well. Can you both please help Florence ISD figure out how to report their Bell County results by precinct?

It was my understanding that the Bell County DS200's that were on loan were programmed to print *precinct level* results tapes. Yet on May 6th, the results tapes for ED and EV were printed as results summaries.

Can we please help them comply with the Election Code Sections below so they report and canvass results of our race by precinct according?

Sec. 87.1231. EARLY VOTING VOTES REPORTED BY PRECINCT.

Not later than the time of the local canvass, the early voting clerk shall deliver to the local canvassing authority a report of the total number of early voting votes for each candidate or measure by election precinct. The report may reflect the total for votes by mail and the total for votes by personal appearance.

Sec. 127.128. BALLOTS TABULATED BY PRECINCT.

The automatically counted ballots shall be separately tabulated according to election precinct.

Sec. 127.1301. CENTRALLY COUNTED OPTICAL SCAN BALLOTS.

(a) In an election using centrally counted optical scan ballots, the undervotes and overvotes on those ballots shall be tallied, tabulated, and reported by race and by election precinct in the form and manner prescribed by the secretary of state.

Sec. 67.004. PROCEDURE FOR LOCAL CANVASS.

(a) At the time set for convening the canvassing authority for the local canvass, the presiding officer of the canvassing authority shall deliver the sealed precinct returns to the authority. The authority shall open the returns for each precinct and canvass them as provided by this section.

Two members of the authority constitute a quorum for purposes of canvassing an election.

(b) The canvassing authority shall prepare a tabulation stating for each candidate and for and against each measure:

(1) the total number of votes received in each precinct; and

(2) the sum of the precinct totals tabulated under Subdivision (1).

(b-1) The tabulation in Subsection (b) must also include for each precinct the total number of voters who cast a ballot for a candidate or for or against a measure in the election. The secretary of state shall prescribe any procedures necessary to implement this subsection.

(c) The canvassing authority may prepare the tabulation as a separate document or may enter the tabulation directly in the local election register maintained for the authority. The authority shall attach or include as part of the tabulation the report of early voting votes by precinct received under Section [87.1231](#).

(d) The canvassing authority may compare the precinct returns with the corresponding tally list. If a discrepancy is discovered between the vote totals shown on the returns and those shown on the tally list for a precinct, the presiding judge of the precinct shall examine the returns and tally list and make the necessary corrections on the returns.

(e) On completion of the canvass, the presiding officer of the canvassing authority shall deliver the tabulation to the custodian of the local election register unless it is entered directly in the election register. The custodian shall preserve the tabulation for the period for preserving the precinct election records.

(f) On completion of the canvass, the presiding officer of the canvassing authority shall deliver the precinct returns, tally lists, and early voting precinct report used in the canvass to the general custodian of election records. The custodian shall preserve them for the period for preserving the precinct election records.

(g) The presiding officer of the canvassing authority shall note the completion of the canvass in the minutes or in the recording required by Section [551.021](#), Government Code.

Laura

From: [Laura Pressley](#)
To: [Debra Bean](#)
Cc: desi.roberts@bellcounty.texas.gov; [Christina Adkins](#)
Subject: Re: Results in Bell County Reported by Precinct - Need Help
Date: Tuesday, May 16, 2023 3:23:51 PM

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Dear Ms. Bean (see correction in **bold** below),

Because the Bell County Florence ISD election results for my race in Place 3 were not counted appropriately and lawfully by precinct as noted in previous emails, and due to no error by the school district, can you please provide a statement/affidavit as such?

I will be requesting a recount primarily under Tex. Elec. Code 212.034(a) and other criteria that apply, and need your statement (that the count was **not** done by precinct) for my petition for a simple Bell County ballot recount.

Thank you for your help with this.

Blessings,
Laura

----- Original Message -----

On Monday, May 15th, 2023 at 7:41 AM, Laura Pressley

 > wrote:

Christina and Desi,

Can you please help Ms. Bean? See the requests below. When the Election Code uses "shall," it means.....

Texas Election Code Sec. 1.003. CONSTRUCTION OF CODE.

(a) The **Code Construction** Act (Chapter [311](#), Government Code) applies to the construction of each provision in this code, except as otherwise expressly provided by this code.

(a-1) Election officials and other public officials shall strictly construe the provisions of this code to effect the intent of the legislature under Section [1.0015](#).

(b) When a provision of this code provides that it supersedes another specifically referenced provision of this code to the extent of any conflict, no conflict is created by the failure of the superseding provision, or of related provisions, to repeat the substance of the referenced

provision; rather, a conflict exists only if the substance of the superseding and any related provisions is irreconcilable with the substance of the referenced provision. If the substance of the superseding provision, together with any related provisions, and the substance of the referenced provision can each be applied to the same subject or set of circumstances, both provisions shall be given effect.

Texas Gov't Code Sec. 311.016. "MAY," "SHALL," "MUST," ETC.

The following constructions apply unless the context in which the word or phrase appears necessarily requires a different construction or unless a different construction is expressly provided by statute:

- (1) "May" creates discretionary authority or grants permission or a power.
- (2) "Shall" imposes a duty....
- (3) "Must" creates or recognizes a condition precedent....

Regards,
Laura

----- Original Message -----

On Friday, May 12th, 2023 at 7:23 PM, Laura Pressley

[REDACTED] > wrote:

Hello Christina and Desi,

Can you both are doing well. Can you both please help Florence ISD figure out how to report their Bell County results by precinct?

It was my understanding that the Bell County DS200's that were on loan were programmed to print *precinct level* results tapes. Yet on May 6th, the results tapes for ED and EV were printed as results summaries.

Can we please help them comply with the Election Code Sections below so they report and canvass results of our race by precinct according?

Sec. 87.1231. EARLY VOTING VOTES REPORTED BY PRECINCT.

Not later than the time of the local canvass, the early voting clerk shall deliver to the local canvassing authority a report of the total number of early voting votes for each candidate or measure by election precinct. The report may reflect the total for votes by mail and the total for votes by personal appearance.

Sec. 127.128. BALLOTS TABULATED BY PRECINCT.

The automatically counted ballots shall be separately tabulated according to election precinct.

Sec. 127.1301. CENTRALLY COUNTED OPTICAL SCAN BALLOTS.

(a) In an election using centrally counted optical scan ballots, the undervotes and overvotes on those ballots shall be tallied, tabulated,

and reported by race and by election precinct in the form and manner prescribed by the secretary of state.

Sec. 67.004. PROCEDURE FOR LOCAL CANVASS.

(a) At the time set for convening the canvassing authority for the local canvass, the presiding officer of the canvassing authority shall deliver the sealed precinct returns to the authority. The authority shall open the returns for each precinct and canvass them as provided by this section. Two members of the authority constitute a quorum for purposes of canvassing an election.

(b) The canvassing authority shall prepare a tabulation stating for each candidate and for and against each measure:

(1) the total number of votes received in each precinct; and

(2) the sum of the precinct totals tabulated under Subdivision (1).

(b-1) The tabulation in Subsection (b) must also include for each precinct the total number of voters who cast a ballot for a candidate or for or against a measure in the election. The secretary of state shall prescribe any procedures necessary to implement this subsection.

(c) The canvassing authority may prepare the tabulation as a separate document or may enter the tabulation directly in the local election register maintained for the authority. The authority shall attach or include as part of the tabulation the report of early voting votes by precinct received under Section [87.1231](#).

(d) The canvassing authority may compare the precinct returns with the corresponding tally list. If a discrepancy is discovered between the vote totals shown on the returns and those shown on the tally list for a precinct, the presiding judge of the precinct shall examine the returns and tally list and make the necessary corrections on the returns.

(e) On completion of the canvass, the presiding officer of the canvassing authority shall deliver the tabulation to the custodian of the local election register unless it is entered directly in the election register. The custodian shall preserve the tabulation for the period for preserving the precinct election records.

(f) On completion of the canvass, the presiding officer of the canvassing authority shall deliver the precinct returns, tally lists, and early voting precinct report used in the canvass to the general custodian of election records. The custodian shall preserve them for the period for preserving the precinct election records.

(g) The presiding officer of the canvassing authority shall note the completion of the canvass in the minutes or in the recording required by Section [551.021](#), Government Code.

Laura

From: Jennifer Hall [REDACTED]
Sent: Tuesday, May 2, 2023 7:37 PM
To: Christina Adkins
Cc: Charles Pinney; [REDACTED]
Subject: Re: Seeking help for predecessor in lawsuit by Democrat who lost election

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Thank you

Jen

Get [Outlook for Android](#)

From: Christina Adkins <CAdkins@sos.texas.gov>
Sent: Tuesday, May 2, 2023 10:26:25 AM
To: Jennifer Hall <[REDACTED]>
Cc: Charles Pinney <CPinney@sos.texas.gov>; [REDACTED]
>
Subject: RE: Seeking help for predecessor in lawsuit by Democrat who lost election

Jen,

Thanks for the email. We have reviewed the facts presented, and we believe this is a reimbursable litigation expense.

Please let us know if you have any other questions or concerns.

Thank you,

Christina Worrell Adkins

Director of Elections

Office of the Texas Secretary of State

1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701

512-463-9859 (direct) | 1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From: Jennifer Hall <[REDACTED]>
Sent: Tuesday, May 2, 2023 9:04 AM
To: Christina Adkins <CAdkins@sos.texas.gov>
Cc: Elections Internet <Elections@sos.texas.gov>
Subject: Fw: Seeking help for predecessor in lawsuit by Democrat who lost election

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Good morning,

Just bumping this up in case you didn't see it before. I can understand missing it as there is a lot going on at the Capitol.

I greatly appreciate your consideration.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Jennifer Hall <[REDACTED]>
Sent: Friday, April 28, 2023 9:06 AM
To: Christina Adkins <CAdkins@sos.texas.gov>
Cc: Elections Internet <Elections@sos.texas.gov>
Subject: Fw: Seeking help for predecessor in lawsuit by Democrat who lost election

Good morning,

The former county chair in Morris county has been served with a suit for duties she performed during the last primary. She spoke with legal at SOS Elections and with us at RPT. We both told her the same thing and she did follow the advice she received.

The current county chair's email below is a synopsis of what happened. The former chair did not run again and found her replacement to run in the primary. The now current chair was kept in the loop during the primary to help her learn.

Because the person being sued was the county chair at the time and acting in her administrative duty, are primary funds used to cover her cost?

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Belinda McLaughlin [REDACTED] >
Sent: Wednesday, April 26, 2023 7:22 PM
To: Jennifer Hall [REDACTED] >
Cc: Deborah Ramsey [REDACTED] >;
[REDACTED] >
Subject: Seeking help for predecessor in lawsuit by Democrat who lost election

Jen,

Hello. I'm writing on behalf of Deb Ramsey, former county chairman of Morris County and my immediate predecessor from whom I took over in June 2022.

Deb has been named in a lawsuit by the Democrat who lost our county clerk's race last November.

We are hoping the Republican Party of Texas can help Deb. I'm sure she will be calling you as soon as possible.

You might recall that Morris County had a situation in our 2022 county clerk race in which our incumbent Republican clerk had filed in December 2021, then resigned his office in January 2022, past the deadline for a new candidate to file. At the time, Deb consulted multiple times with the RPT and the SOS and was assured that we, the Morris County Republican Party, or anyone else for that matter, could not replace the clerk on the ballot.

The Election Code read that if another candidate was already on the ballot, then we could not replace our Republican candidate. There was a Democratic candidate on the ballot, so we were advised that the Democratic candidate was considered "another candidate"; therefore, we were stuck with having to let the resigned Republican ride on the ballot. We didn't have the authority to remove his name; he would have to do that, and he refused to do so.

So, the November general election came and went after lots of acrimony all year. The Democrat (who also is my neighbor and who graduated high school with me -- awkward) lost to the resigned Republican by a margin of 2.25 to 1. The voters of Morris County thoroughly rejected the Democrat, despite a massive advertising campaign on his part.

Today, Deb got word that the Democrat -- nearly six months after he lost -- has filed a pro se lawsuit against Deb, against the young woman who was named as interim county clerk in early 2022 and again in January 2023, and against each member of the Morris County Commissioners Court, one of whom is my youngest brother (FYI).

I obtained a copy of the suit from that interim county clerk, Brittany Andrews, and scanned it into my computer. I am attaching it to this email.

The losing Democrat, Caryl (pronounced Carl) Cochran, has filed the suit pro se, so he feels confident enough to represent himself.

Besides the fact that he still thinks, apparently, that the name of the former clerk, Scott Sartain, could have been removed from the ballot, he also is claiming a conspiracy against him.

He is focused on the fact that Scott misplaced his own resignation letter. This was very unfortunate but no conspiracy. (During Scott's term of office, the county clerk's office was in disarray, including numerous nonexistent minutes of court meetings, which Brittany is slowly working to create from stored voice recordings.)

As you (or hopefully someone in the RPT) will read in the suit, Cochran went to the courthouse in August -- for some reason -- to get a copy of the signed resignation letter, but Brittany could not find it in the files. She printed out for Cochran the letter she presumed to be the resignation letter that she found in the computer.

In the suit, Cochran details a conversation at a September 2022 special commissioners court meeting in which the tax assessor-collector (also a fellow classmate) recalled the now-former clerk leaving the January 2022 special commissioners court meeting -- called specifically to accept his resignation -- to go print his resignation letter, then coming back in and handing it to the commissioners.

What the suit doesn't mention is that I was at both meetings and also vouched for seeing Scott Sartain leave the meeting, come back in, lean down to sign the letter and hand it to the county judge.

When the tax assessor-collector in September pointed out that Scott had done that in January, I said something to the effect of, "That's right, Kim. That's exactly the way it happened."

There simply was no conspiracy, as Cochran alleges in the suit.

TAC will represent the county clerk, the commissioners and the county judge, because they are all county employees, but Deb is not.

Our big question is: Can/will the RPT be there to help Deb?

She was in constant communication with the RPT and the SOS, along with the county judge, to follow the best legal course possible in the difficult situation the Morris County Republican Party was handed with the untimely resignation of a candidate.

The Morris County sheriff called today (Wednesday) and told Deb he will be serving her on Thursday. Because she is named as a co-defendant with the county clerk from whom I obtained a copy of the suit attached to this email, I'm confident her papers will be identical, except for the date of service.

Deb's phone number is 903-573-3177. I am CC'ing her on this email.

Please feel free to contact me if you need to ask me anything, 903-746-7512.

On behalf of Deb and our county party, I thank you in advance for your help.

Belinda McLaughlin

Morris County Republican chairwoman

CC: SD-1 SREC: Christin Bentley, Donnie Wisenbaker

From: Christina Adkins
Sent: Monday, May 15, 2023 9:02 AM
To: 'Tori Macfarlan'
Cc: Jacey Jetton
Subject: RE: Time for a Call?

Of course. Call me on my cell phone – 512-289-1468 at any time.

From: Tori Macfarlan <Tori.Macfarlan@house.texas.gov>
Sent: Monday, May 15, 2023 8:45 AM
To: Christina Adkins <CAdkins@sos.texas.gov>
Cc: Jacey Jetton <Jacey.Jetton@house.texas.gov>
Subject: Time for a Call?

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

Do you have time for a quick call today? Jacey has a bill on the floor Tuesday that I want to run by you. Thank you!

[Tori Macfarlan](#)

Chief of Staff
Representative Jacey Jetton
House District 26
Capitol Phone: (512) 463-0710

From: Jennifer Hall [REDACTED] >
Sent: Monday, July 24, 2023 2:51 PM
To: Christina Adkins
Subject: Request for Info - SOS Inspector Reports from 2022

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Christina,

May I get copies of the 2022 general and the 2022 general primary SOS Inspector Reports?

Thank you so much for your help!

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: Jennifer Hall [REDACTED]
Sent: Monday, June 26, 2023 1:04 PM
To: Christina Adkins
Subject: Request for SOS at Falls County Commissioners Court

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Christina,

Elizabeth Nelson, the Falls County Republican Chair is working with the county to set up an Election Board. It sounded like Donna had maybe spoken with you at some point about it. They would like to have you or someone from SOS attend on June 30th. They haven't chosen a time yet because they want to be flexible in hopes that someone from SOS can come to the meeting.

Elizabeth's email

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: [Laura Pressley](#)
To: [Christina Adkins](#); desi.roberts@bellcounty.texas.gov
Cc: [Debra Bean](#)
Subject: Results in Bell County Reported by Precinct - Need Help
Date: Friday, May 12, 2023 7:24:18 PM

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hello Christina and Desi,

Can you both are doing well. Can you both please help Florence ISD figure out how to report their Bell County results by precinct?

It was my understanding that the Bell County DS200's that were on loan were programmed to print *precinct level* results tapes. Yet on May 6th, the results tapes for ED and EV were printed as results summaries.

Can we please help them comply with the Election Code Sections below so they report and canvass results of our race by precinct according?

Sec. 87.1231. EARLY VOTING VOTES REPORTED BY PRECINCT.

Not later than the time of the local canvass, the early voting clerk shall deliver to the local canvassing authority a report of the total number of early voting votes for each candidate or measure by election precinct. The report may reflect the total for votes by mail and the total for votes by personal appearance.

Sec. 127.128. BALLOTS TABULATED BY PRECINCT.

The automatically counted ballots shall be separately tabulated according to election precinct.

Sec. 127.1301. CENTRALLY COUNTED OPTICAL SCAN BALLOTS.

(a) In an election using centrally counted optical scan ballots, the undervotes and overvotes on those ballots shall be tallied, tabulated, and reported by race and by election precinct in the form and manner prescribed by the secretary of state.

Sec. 67.004. PROCEDURE FOR LOCAL CANVASS.

(a) At the time set for convening the canvassing authority for the local canvass, the presiding officer of the canvassing authority shall deliver the sealed precinct returns to the authority. The authority shall open the returns for each precinct and canvass them as provided by this section. Two members of the authority constitute a quorum for purposes of canvassing an election.

(b) The canvassing authority shall prepare a tabulation stating for each candidate and for and against each measure:

(1) the total number of votes received in each precinct; and

(2) the sum of the precinct totals tabulated under Subdivision (1).

(b-1) The tabulation in Subsection (b) must also include for each precinct the total number of voters who cast a ballot for a candidate or for or against a measure in the election. The secretary of state shall prescribe any procedures necessary to implement this subsection.

(c) The canvassing authority may prepare the tabulation as a separate document or may enter the tabulation directly in the local election register maintained for the authority. The authority shall attach or include as part of the tabulation the report of early voting votes by precinct received under Section [87.1231](#).

(d) The canvassing authority may compare the precinct returns with the corresponding tally list. If a discrepancy is discovered between the vote totals shown on the returns and those shown on the tally list for a precinct, the presiding judge of the precinct shall examine the returns and tally list and make the necessary corrections on the returns.

(e) On completion of the canvass, the presiding officer of the canvassing authority shall deliver the tabulation to the custodian of the local election register unless it is entered directly in the election register. The custodian shall

preserve the tabulation for the period for preserving the precinct election records.

(f) On completion of the canvass, the presiding officer of the canvassing authority shall deliver the precinct returns, tally lists, and early voting precinct report used in the canvass to the general custodian of election records. The custodian shall preserve them for the period for preserving the precinct election records.

(g) The presiding officer of the canvassing authority shall note the completion of the canvass in the minutes or in the recording required by Section [551.021](#), Government Code.

Laura

From: Jennifer Hall [REDACTED]
Sent: Saturday, May 6, 2023 10:14 AM
To: Christina Adkins
Cc: [REDACTED]
Subject: San Antonio City Council Race Missing Candidate

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Christina,

I just received a call from Melissa Conway and Melinda at the Bexar GOP. She had a call about the Bowden polling location. The voter wanted to vote for candidate Cesario in the District 8 race. When he was looking at the screen, the candidate was not there. When he printed out the ballot with his selections, the candidate's name shows up but says no selection.

The voter told the judge about the issue before depositing his ballot. The judge did not offer to spoil the ballot and told the voter there wasn't anything that could be done about it.

Bexar County contact: Melinda Roberts - 210-685-5465

I'll also send you a text, but could you reach out to Jacque?

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: [REDACTED]
To: Reggie.Smith@house.texas.gov; Eddie.Morales@House.Texas.Gov; [Christina Adkins](mailto:Christina.Adkins@house.texas.gov)
Cc: Bryan.Hughes@senate.texas.gov; [Drew Tedford](mailto:Drew.Tedford@house.texas.gov)
Subject: SB 1661 - Related to Ballot Scanners at the Central Counting Station
Date: Friday, April 28, 2023 11:35:20 AM

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Dear Representative Smith, Representative Morales, and Mrs. Adkins,

Hope you are all doing well. With regard to some proposed changes for SB 1661 related to ballot scanner used at a central counting station,

- Based on testimony from the public and the Secretary, we all agree this bill needs to apply to **all ballot scanners** at the polls and at central count. As written, there are counties this will would not apply to because the bill states, "An authority operating a central counting station." There are smaller counties today using ballot scanners that are not using a central counting station.
- As written, the bill only addresses "cast vote records" as data not to be modified. There are other information sets such as metadata, audit logs, time date stamps, results tapes, zero tapes, etc. that are stored on that device that should also not be modified.

Thank you for being open to substituting language to address the points above. May we please work together to ensure the substituted language includes:

- **all ballot scanners** regardless of use of central counting station, and
- **all information on the device is protected from modification?**

Regards,
Laura

Laura Pressley, Ph.D.
Founder, True Texas Elections, LLC
313-720-5471

"Occupy till I come" - *Luke 19:13*

"As for those who persist in sin...rebuke them" - *1Timothy 5:20*

"Be not afraid nor dismayed...for the battle is not yours, but God's." - *2Chron 2:15*

The content of this message is TRUE TEXAS ELECTIONS, LLC CONFIDENTIAL.
If you are not the intended recipient, please notify me, delete this email and do not use or distribute this email.

From: Jennifer Hall [REDACTED]
Sent: Wednesday, June 7, 2023 2:37 PM
To: Christina Adkins
Subject: SOS Inspector Reports

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Christina,

In the past when I was a county chair, I recall getting the SOS inspector reports from inspectors in my county. A few county chairs have reached out asking about when they will receive those from the 2022 general and the 2022 general primary. I would have thought those would already have been sent. Is it possible for us at the state party to get copies of those as well?

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

From: [REDACTED]
To: Bryan.Hughes@senate.texas.gov; [Drew Tedford](#)
Cc: [Cathy Jaster](#); [Marcia Watson](#); [Christina Adkins](#)
Subject: Thank you - HB5180 - Amendment Language
Date: Tuesday, May 16, 2023 2:10:23 PM

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Dear Drew and Senator Hughes,

We are so very grateful for both of you and the help y'all provided yesterday regarding HB 5180. We all are so blessed that you and Christina Adkins moved with lightening speed to amend the bill at the perfect moment so that timely public access to electronic ballot records of *cast vote records* and *ballot images* was codified.

Since we did not see the final amended language, could you please verify that both record types, *cast vote records* and *ballot images*, are covered with an "and" and not an "or." Christina mentioned last night this may need a clarification.

Bless you both...
Laura

Laura Pressley, Ph.D.
Founder, True Texas Elections, LLC
313-720-5471

"Occupy till I come" - *Luke 19:13*

"As for those who persist in sin...rebuke them" - *1Timothy 5:20*

"Be not afraid nor dismayed...for the battle is not yours, but God's." - *2Chron 2:15*

The content of this message is TRUE TEXAS ELECTIONS, LLC CONFIDENTIAL.
If you are not the intended recipient, please notify me, delete this email and do not use or distribute this email.

On Monday, May 15, 2023 10:43 AM, Marcia Watson <[REDACTED]> wrote:

Jeff

Thank you for taking my call this morning. I know how incredibly busy you are. Attached is the amended language that we discussed for HB5180. This will resolve any concerns we have about accessing the electronic election data for all future elections.

Thank you for all you do.

Sincerely,

MARCIA WATSON

Executive Director Williamson County

512.430.7841 [REDACTED]

From: Tori Macfarlan <Tori.Macfarlan@house.texas.gov>
Sent: Monday, May 15, 2023 8:45 AM
To: Christina Adkins
Cc: Jacey Jetton
Subject: Time for a Call?

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hi Christina,

Do you have time for a quick call today? Jacey has a bill on the floor Tuesday that I want to run by you. Thank you!

[Tori Macfarlan](#)

Chief of Staff

Representative Jacey Jetton

House District 26

Capitol Phone: (512) 463-0710

From: [Laura Pressley](#)
To: [Debra Bean](#)
Cc: [Christina Adkins](#)
Subject: Unofficial precinct level election results for Florence ISD Race
Date: Wednesday, May 10, 2023 5:46:02 PM

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hello Ms. Bean,

Hope you are doing well. When can the District provide the unofficial precinct level results for the May 6 Florence ISD election? As a reference, the Election Code provides for unofficial precinct level results - see below. Copying the Texas Secretary of State to keep them in the loop.

Also, according to Texas Election Code Section 1.012, I'd like to come by on Friday, May 12, to review the Bell County election records (early voting and election day results tapes and list of voters). What would be a good time for you?

Sec. 66.056. UNOFFICIAL TABULATION OF PRECINCT RESULTS.

(a) As the general custodian of election records receives the precinct election records from each polling place, the custodian shall:

- (1) open the envelopes and remove the precinct election returns; and
- (2) prepare a tabulation stating for each candidate and for and against each measure:
 - (A) the total number of votes received in each precinct; and
 - (B) the sum of the precinct totals tabulated under Paragraph (A).

(b) The custodian shall periodically make a public announcement of the current state of the tabulation made under Subsection (a).

(c) The tabulation made under Subsection (a) is unofficial and does not affect the outcome of the election.

(d) The custodian shall preserve the unofficial tabulation for the period for preserving the precinct election records.

Blessings,
Dr. Laura Pressley
Candidate Place 3 Florence ISD Trustee

From: Jennifer Hall [REDACTED]
Sent: Saturday, March 25, 2023 2:08 PM
To: Christina Adkins
Cc: Vergel Cruz
Subject: Update to RPT Rules March 2023
Attachments: RPT-General-Rules-As-Amended-2023-03-04.pdf

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Christina,

Please see the attached letter from Chairman Rinaldi regarding amendments to RPT Rules. A copy of the rules is attached.

The RPT Rules have been updated to reflect the amendment to Rule No. 8(f) made earlier this month. We are filing with the Secretary of State in accordance with Election Code Chapter 163.006 and they are posted online at <https://texasgop.org/rules/>.

Best regards,

Jen Hall
Republican Party of Texas
Organization Director
512-879-4053 (office)
682-560-0358 (cell)

GENERAL RULES FOR ALL CONVENTIONS AND MEETINGS

Rule No. 1 – Adoption and Amendment of Rules; Clarification

These Rules, having been filed with the Secretary of State of Texas, together with the statutes, rules, and bylaws adopted by reference shall constitute the Rules of the Republican Party of Texas (“Rules”).

- a. Amendments – Amendments to Rules may be proposed by:
 1. Majority vote of the State Republican Executive Committee (“SREC”), at any meeting properly called and constituted, provided at least seven (7) days prior written notice of the full text proposed has been given in writing to each member thereof; or
 2. The Permanent Rules Committee of any State Convention.
- b. Adoption – These Rules, with the exception of Permanent State Executive Committee Rules required or authorized by state law, may be changed only by action of a State Convention, such action reflecting a majority of votes cast by delegates present and voting. When any change is made a certified copy of the changes shall be filed with the Secretary of State not later than thirty (30) days following their adoption.
- c. Temporary and Emergency Changes – The SREC in its best judgment, by a two-thirds (2/3) vote of those present and voting, provided prior written notice of the full text proposed has been given to each member thereof, may prescribe such temporary and emergency changes of these Rules so as to permit the orderly conduct of the affairs of the Republican Party of Texas in accordance with the intent and purpose of these Rules. Such temporary and emergency changes may be made when the conduct, operation, or implementation of these Rules will become frustrated or impracticable, or contrary to their intent and purpose, if by reason of:
 1. valid laws enacted by the Legislature of the State of Texas;
 2. any administrative or judicial action of any officer, or agency of the State of Texas or any county or political subdivision thereof, or of the Federal Government;
 3. any interpretation of these Rules as they relate to The Rules of the Republican Party (national) by any duly authorized official of the Republican National Committee; or
 4. technical inconsistencies or defects.Any such changes shall be valid only until such time, if any, as they are ratified or amended by the next subsequent State Convention, or until the adjournment of such State Convention, whichever shall occur first.
- d. Permanent State Executive Committee Rules – The SREC, by a two-thirds (2/3) vote of those present and voting, provided at least seven (7) days prior written notice of the full text proposed has been given to each member thereof, may prescribe Permanent State Executive Committee Rules that are not subject to amendment by action of a State Convention.
 1. These Permanent State Executive Committee Rules may be amended by the SREC by a two-thirds (2/3) vote of those present and voting at any meeting properly called and constituted, provided at least seven (7) days prior written notice of the full text proposed has been given in writing to each member thereof. Any Permanent State Executive Committee Rule shall be identified in these Rules by the notation “(Permanent State Executive Committee Rule).”

2. At the first meeting of each term the SREC may, by a vote of a majority of those present and voting, delegate temporary authority to amend a Permanent State Executive Committee Rule to a State Rules Committee of the subsequent State Convention, except for Rule No. 1, as the State Rules Committee determines and reports to the State Convention for consideration. Said temporary authority shall expire with the adjournment of the State Convention. Any Permanent State Executive Committee Rule delegated to the State Convention shall be identified in these Rules by the notation “(Permanent State Executive Committee Rule delegated to the State Convention).”
 - e. Any amendments made to these Rules and contained herein which govern or affect the Republican Party of Texas’ general or runoff primary elections, conventions, or nominees, are effective January 1 on the odd-numbered year following adoption.
 - f. Clarification – Any member of the Republican Party of Texas who discovers an ambiguity in these Rules may request in writing a clarification from the County Chairman or the State Chairman. Clarification from the State Chairman shall be binding on all members of the Republican Party of Texas until final clarification is made by majority vote of the SREC. Any clarification made shall be to maintain the intent and purpose of these Rules as originally adopted.
 - g. Definitions – When computing any period of days referred to in these Rules, the first (1st) day is excluded and the last day is included. Also, if the last day of any period of days is a Saturday, Sunday, or legal holiday, then the period is extended to include the next day that is not a Saturday, Sunday, or legal holiday.
 - h. Titles in any rules or supplemental rules of this party or its conventions are non-substantive and for informational purposes only.

Rule No. 2 – Publication and Distribution of Rules

In order to publicize these Rules throughout the state, the most recent version thereof shall be maintained on the Republican Party of Texas website and mailed or emailed to each County Chairman and each Senatorial District Convention Chairman with instructions to mail or email a copy to each Precinct Chairman and to each County or Senatorial District Convention Committee Chairman. Upon request, a copy shall be provided to any delegate or alternate to the State Convention and to any other interested person who shall request the same; and an adequate supply thereof shall be maintained at the Republican Party of Texas Headquarters to fill requests. A charge, which shall be no greater than the unit cost of printing and postage, may be made for requested copies of these Rules.

Rule No. 3 – Discrimination Prohibited

Participation in any Republican convention or meeting including, but not limited to, any primary caucus, any meeting or convention held for the purposes of selecting delegates to a County, District, State, or National Convention shall in no way be abridged for reason of sex, age, race, religion, color, or national origin.

Rule No. 4 – Adoption by Reference: Constitution of the United States and Constitution of the State of Texas

The Constitution of the United States and the Constitution of the State of Texas, insofar as they may be applicable, are hereby adopted by reference and shall govern the conduct of all conventions and meetings of the Republican Party of Texas from the precinct level through the state level. Nothing in these rules shall be deemed to waive any rights of the Republican Party of Texas.

Rule No. 5 – Parliamentary Authority

Unless otherwise provided for by the Constitution of the United States, the Constitution of the State of Texas, or these Rules, the current edition of *Robert's Rules of Order Newly Revised*, which is hereby adopted by reference, shall be the parliamentary authority governing all conventions and meetings of the Republican Party of Texas from the precinct level through the state level, inclusive.

Rule No. 6 – Proxies Prohibited

The use of proxies or proxy voting is hereby prohibited in all Republican Party of Texas proceedings, from the precinct level through the state level, inclusive, except the SREC, which allows proxies in accordance with SREC bylaws provided that the proxy resides in the district for which he or she would serve. Additionally, a person may not hold more than one proxy at any meeting.

Rule No. 7 – Casting Votes

- a. At all conventions, executive committee meetings, and any other Party meetings, votes shall be cast and counted in the manner prescribed by the current edition of *Robert's Rules of Order Newly Revised*; and except as provided in this rule, the vote of each member shall have equal weight. In any convention, except a Precinct Convention or a State Convention when organized in Congressional District Caucuses, any delegation present, upon request, shall be permitted, during a roll call vote or a secret ballot vote, to cast the number of votes equal to the number of delegates to which it is entitled on any item of business.
- b. A roll call vote shall be taken:
 1. when ordered by majority vote of the delegates at any convention, caucus, or meeting, or
 2. when demanded by one-fifth (1/5) of the participants at a Precinct Convention, or
 3. when demanded in writing by at least one-fifth (1/5) of the delegations from the precincts represented at a County or Senatorial District Convention, or
 4. when demanded in writing by at least one-fifth (1/5) of the delegations from the districts represented at a State Convention, or
 5. when demanded in writing by one-fifth (1/5) of the members in the case of a committee meeting, Party caucus, or
 6. when ordered by a Convention Chairman, or
 7. for final adoption of any SREC bylaw or standing rule, any amendment to an RPT rule, any item in the report of the resolutions committee, or other motion presented in the form of a resolution in a meeting of the SREC, except that this requirement may be waived for any individual motion by unanimous consent. The SREC secretary shall make the roll call vote available on the public portion of the RPT website within ten (10) business days of the adjournment of the SREC meeting.

In the event of a roll call vote at a convention other than a precinct convention, each Delegation Chairman shall poll the delegation and shall announce the result when the delegation is reached. If any delegate doubts the correctness of the announcement, the Secretary of the meeting shall poll such delegation and announce the result.

- c. A county executive committee may authorize voting to fill precinct chair vacancies via mail or email.
- d. For any Party meeting where online voting is permitted, a vote from an online participant shall have the same force as a vote from an in-person participant.

Rule No. 8 – Supplementary Executive Committee Rules and Meetings

- a. Compliance Required – The SREC, each county executive committee, each district executive committee, and any committee or subcommittee created by any Bylaws or Rules adopted by same, shall comply with and be established in accordance with these Rules.
- b. Supplemental Rules Permitted – The SREC elected at the biennial State Convention or a county executive committee elected in biennial primary election or a district executive committee created pursuant to the bylaws of any political subdivision within the Party, may adopt supplemental rules or bylaws, provided however that such rules or bylaws do not conflict with any rules or bylaws of a higher authority including, but not limited to, these Rules. All such rules and bylaws shall be filed with the SREC and with the Secretary of State and are hereby adopted by reference.
- c. Organizational Meeting and First Quarterly Meeting of the State Republican Executive Committee – The SREC shall hold its organizational meeting after the adjournment of the biennial State Convention. The agenda of the organizational meeting shall include, but not be limited to the adoption of Bylaws or Rules for the biennium. Upon the adoption of the SREC Bylaws or Rules by the SREC, at the SREC organizational meeting, the SREC Bylaws and Rules shall be amendable at this meeting and the first quarterly meeting by a majority of the entire membership.
- d. The SREC Bylaws may only be amendable by a two-thirds (2/3) vote of the full body for any SREC meeting following the first quarterly meeting subject only to adopted notice requirements.
- e. Organizational Meeting of a County Executive Committee (CEC) – A County Executive Committee shall hold its organizational meeting within forty-five (45) days after the term of office begins for the County Chairman and the Precinct Chairmen. (The term of office begins twenty (20) days after the Primary Runoff Election.) The County Chairman of the incoming term shall be responsible for calling the meeting; however, if the County Chairman does not call the meeting within the forty-five (45) days, then one-fourth (1/4) or fifty (50) of the Precinct Chairmen, whichever is fewer, may, by written demand, call an organizational meeting. Notice of the organizational meeting and a copy of any proposed Bylaws or Rules shall either be mailed via the USPS or emailed, but only if the precinct chair's email address is known, and be posted on the county party website, if available. The notice and any Bylaws or Rules may be sent prior to the end of the previous term. Delivery will be to the last known address of the members of the executive committee at least seven (7) days prior to the date of the meeting. Such notice shall state the time, date, and location of the meeting and the names(s) of the person(s) issuing the call. The agenda

- of the organizational meeting shall include, but not be limited to, the swearing in of the newly elected executive committee members and the adoption of Bylaws or Rules for the biennium. Failure to adopt Bylaws or Rules for the current biennium by a majority of those present and voting shall enact the previous biennium's Bylaws or Rules.
- f. Limitations on County Executive Committee (CEC) Meetings – No County Executive Committee meeting shall be held two (2) days prior, during, or two (2) days after the week of the biennial State Convention or during any calendar week in which committee meetings or general sessions of the quadrennial National Convention are scheduled. Once a County Executive Committee meeting has been properly noticed in accordance with these Rules and the Rules or Bylaws of the County Executive Committee, no other County Executive Committee meeting of any type, other than for statutory business, shall be held during the period that runs from two (2) days prior to two (2) days after the scheduled County Executive Committee meeting.
 - g. Open Meetings and Right to Testify – All meetings of any State or County Executive Committee (CEC) or its committees, subcommittees, or ad hoc committees shall be open to any member of that executive committee, and they shall have the right to appear before any such committee, subcommittee, or ad hoc committee and make recommendations for the committee's consideration or testify concerning any item under purview of the committee and to record or livestream the proceedings of any meeting not held in executive session with electronic devices. The committee may adopt reasonable rules including time limits for such presentations and may establish a reasonable limit of time for these presentations. This Rule does not preclude the committee from going into executive session; however, such executive session(s) shall be open to any member of the executive committee including ex-officio members.
 - h. The County Chairman shall maintain a current list of the name, mailing address, phone number, email address (if available), and precinct number of every Republican Precinct Chair who was elected in the Primary, the Primary Runoff, or was appointed by the County Executive Committee (CEC) to fill a Precinct Chair vacancy. The list shall be updated within seven (7) business days of an election changing the status of the list and shall be made available at reproduction costs or by email to any Republican Precinct Chair, Republican Party Official, Republican Elected Officeholder, or Republican Candidate for Elective Office of the county requesting such.
 - i. Filling Vacancies on a County Executive Committee (Permanent State Executive Committee Rule) – A County Executive Committee (CEC) shall, by majority vote at its organizational meeting, adopt a Bylaw or Rule for filling vacancies on the County Executive Committee.
 - j. Permit Electronic Executive Committee Meetings – In the event of a stated emergency, as declared by the Chairman, an Executive Committee Meeting may be conducted through use of electronic meeting services designated by the Chairman. In the event an Executive Committee Meeting is held electronically, the electronic meeting must allow for the real time sharing and viewing of committee documents, including the current motion, any amendments to that motion, and any reports that the Committee considers.
 - k. Removal of County Chairman for Abandonment of Office or Ineligibility – If the County Executive Committee (CEC), by a majority vote of the full body, finds that a County

Chairman has failed to perform his or her duties or is no longer eligible for office, the CEC shall send a resolution and supporting documentation to the SREC Officials Committee to begin an official review for remedy. Nothing in this rule prohibits any person affiliated with the Republican Party of Texas from causing a resolution to be considered by the State Republican Executive Committee. The County Chairman being reviewed must be notified at least seven (7) days in advance of any meeting concerning his or her removal and must be offered the opportunity to present his or her own defense before a vote on removal is taken.

- l. No member of a State Executive Committee, County Executive Committee (CEC), or State Convention Committee may vote on any issue for which the member is a registered lobbyist or has a substantial interest, as defined by the Local Government Code Title 5, Subtitle C, Section 171.002, with respect to the issue to be voted upon.
- m. SREC Officials Committee Mediation of Disputes – County Chairmen or County Executive Committees may elect to submit disputes between them to the SREC Officials Committee for mediation in lieu of litigation. The SREC Officials Committee may elect to accept or decline the role of mediator on a case-by-case basis.
- n. Elected Party Officials’ Misconduct in Office – A Precinct Chair, County Chairman, or SREC member may be deemed to be derelict in the execution of his or her responsibilities in office, by:
 1. Failing to perform statutory duties; or
 2. Failing to attend two (2) consecutive statutory Executive Committee Meetings; or
 3. Embezzling County Executive Committee funds; or
 4. Being convicted of election fraud; or
 5. At least three other documented instances of sufficiently egregious conduct that the Republican Party in that county or Senatorial District is subjected to public disgrace.

The Elected Party Official being reviewed must be notified at least seven (7) days in advance of any meeting concerning his or her sanction and must be offered the opportunity to present his or her own defense before a vote on sanction is taken.

Regarding a Precinct or County Chairman, a written complaint signed by at least sixty percent (60%) of the voting membership of the County Executive Committee, or regarding an SREC member, a written complaint signed by at least sixty percent (60%) of the voting membership of the District Executive Committee, shall be forwarded to the Officials Committee of the SREC. If the Officials Committee finds the complaint has merit, the Officials Committee shall conduct a hearing on the conduct of the Precinct or County Chairman, or SREC member, and shall forward a recommendation to the State Chairman to pursue appropriate remedy.

- o. All proposed disciplinary (including censure) actions by a County Executive Committee (CEC) that have continuing effect under these rules shall be in writing and shall be included by the Chairman on the agenda of the notice of meeting posted in compliance with the rules of the County Executive Committee. Upon receipt of a resolution regarding censure from a County Executive Committee, the Chairman of the Republican Party of Texas shall cause consideration of the resolution to be included on the agenda at the next scheduled meeting of the State Republican Executive Committee (SREC). Both bodies

shall send the subject of the disciplinary action (including censure) notice by certified mail at the same time as the notice of meeting is posted.

- p. The voting members of the County Executive Committee (CEC) are the County Chairman and Precinct Chairman. An SREC member is a non-voting ex-officio member of the CEC of every county with territory in his or her district, without the right to make motions. This rule shall not remove the SREC member's right to vote or make motions in his or her home county if the SREC member is a precinct or county chairman in that county.
- q. The County Executive Committee (CEC) shall have the authority, upon a majority vote, to require that the County Chairman include in writing in the regular committee reports of the CEC meeting specific information about the daily operation of the county party including, but not limited to, the details related to financial balances and expenditures from the county party's general fund.

Rule No. 8A – Petition Required for County Chairmen in Certain Counties

(Permanent State Executive Committee Rule) – Persons filing for the office of County Chairman in a county with a minimum of eight (8) incumbent precinct chairmen shall include a nominating petition containing the signatures of at least 10 percent of the incumbent precinct chairs serving on the County Executive Committee, or two (2) – whichever is greater, using a form of promulgated by the Republican Party of Texas. The nominating petition shall contain the candidate's sworn oath that each of the signatures thereon is of an incumbent Precinct Chair and was signed in the presence of the candidate. Any county executive committee of a county with a population of fewer than 300,000 may, by majority vote, opt out of this requirement.

Rule No. 9 – Executive Committee Quorum

- a. Non-Statutory Business and Filling Vacancies – At County or District Executive Committee meetings, one-fourth (1/4) of the membership, excluding vacancies, shall constitute a quorum for conduct of non-statutory business. The SREC has designated one-fourth (1/4) of the membership, excluding vacancies, or such greater percentage, not to exceed a majority of the membership, as may be specified in County Executive Committee (CEC) Bylaws or Rules as the quorum for filling vacancies on County Executive Committees (Permanent State Executive Committee Rule). At SREC meetings, the quorum for conduct of non-statutory business shall be in accordance with the SREC Bylaws. If the quorum provided above is not present at any executive committee meeting, then only statutory business may be transacted at the meeting.
- b. Statutory Business – At SREC, County or District Executive Committee meetings, a quorum for conduct of statutory business shall consist of those members present.

GENERAL RULES FOR ALL CONVENTIONS

Rule No. 10 – Supplementary Convention Rules

- a. Any convention may adopt temporary or permanent rules which supplement these Rules, as long as such supplemental rules do not conflict herewith.
- b. Any convention committee may adopt supplemental rules related to its proceedings provided that such rules do not conflict with these rules or any supplemental rules adopted by the convention.

Rule No. 11 – Convention Officials Listed – Challenge

- a. Convention Officials – The officers of any convention, whether it be in temporary or permanent organization, shall consist of a Chairman, a Secretary, a Sergeant-at-Arms, and such other officers as the Chairman may deem necessary. The Secretary and the Sergeant-at-Arms shall have the power to appoint assistants. The permanent officers, except parliamentarian, shall be elected or appointed from among the convention delegates.
- b. Challenge – Any officer or committee chairman of any convention, whether it be in temporary or permanent organization, who intentionally violates the Rules of the Republican Party of Texas shall be subject to a challenge filed under the provisions of Rule No. 27; and if such challenge is upheld by the Convention which hears the challenge, that officer or committee chairman shall be removed from serving as a delegate to any convention of the Party at any level for the rest of the year.

Rule No. 12 – Resolutions Authorized – No Unit Rule

Any convention may express its sense on an issue by adopting a resolution on that issue; however, the use of the unit rule (whereby the entire delegation votes as a unit not recognizing the minority votes within the delegation) or the practice of giving binding instructions to the delegates shall not be permitted at any level of the convention process.

Rule No. 13 – Convention Quorum – Adjournment

- a. Precinct Convention – There shall be no quorum to convene or continue a Precinct Convention.
- b. County or Senatorial District Convention – A quorum to convene a County or Senatorial District Convention shall consist of a majority of the delegates registered as attending. Thereafter, a quorum shall be considered present as long as:
 1. The number of votes represented by delegates in attendance comprises more than fifty percent (50%) of the total voting strength of the Convention;
 2. A majority of the seated precincts are present; and
 3. One-third (1/3) of the seated delegates are present.
- c. State Convention – A quorum to convene the State Convention shall consist of a majority of the delegates registered as attending. Thereafter, a quorum shall be considered present as long as:
 1. The number of votes represented by delegates in attendance comprises more than fifty percent (50%) of the total voting strength of the Convention;
 2. A majority of the seated districts are present; and

3. One-third (1/3) of the seated delegates are present.
- d. Adjournment – In order to adjourn a convention for lack of a quorum, the Chair shall verify the absence of a quorum, using the aforementioned criteria, and such verification shall be made part of the convention minutes.
- e. No quorum shall be required for consideration of the report of a nominations committee or for the election of delegates and alternates.
- f. A convention by majority vote may adopt rules to utilize an electronic system for determining which delegates and alternates are present.

Rule No. 14 – Open Meeting and Right to Testify

- a. All meetings of any convention, committee, or subcommittee, whether it be in temporary or permanent organization, shall be open to any delegate or alternate to that convention, any State or County Republican Party Officer, any elected Republican Public Officeholder, or any Republican Candidate. All the foregoing shall have the right to record or livestream the proceedings with digital devices, except the proceedings of any Nominations Committee. These same people shall have the right to appear before any convention committee or subcommittee and make recommendations for the committee’s consideration or testify concerning any item under purview of the committee. The committee may adopt reasonable rules including time limits for such presentations and may establish a reasonable limit of time for these presentations. This privilege shall include delegates and alternates under challenge at any convention pursuant to Rule No. 35. Nothing in this Rule shall be construed as to prohibit individual committee members, whether they be in temporary or permanent organization, from communicating with one another about business to come before their committee, in any manner they choose, prior to the convening of their first committee meeting or at any other time outside of their official committee meeting or meetings. Notice of any meetings of any temporary committee or subcommittee of any County or Senatorial District Convention shall be posted on the preferred digital platform(s), if any, as decided by the County Executive Committee (CEC), at least twenty-four (24) hours prior to the date of the meeting. If the notice is not posted as prescribed, the committee can only convene on the day of the convention. No executive session shall be held by any convention, convention committee, or convention subcommittee.
- b. An official video recording or livestream may be made of all general sessions and any meetings of any committee of the State Convention, whether it be in temporary or permanent organization.

Rule No. 15 – Identification Required

Any persons present at any convention must identify themselves when requested to do so by any Sergeant-at-Arms or any other officer of the convention.

Rule No. 15A – Distribution of Literature

Literature may be freely distributed in any State or County/Senatorial District Convention or Caucus, provided that the items being distributed display the name of the person or organization that paid for the

literature. Any such literature distributed without the name of the person or organization that paid for the literature shall be removed.

Rule No. 16 – Previous Question

- a. Previous Question – At any convention, when the previous question has been moved and seconded and is sustained by a two-thirds (2/3) vote, the question shall be deemed to have been called and a vote shall occur upon the pending question, except as provided in Section b of this Rule.
- b. Exception – At any convention, a motion to move the previous question or to close nomination concerning any election, including the election of delegates and alternates, shall not be in order until there has been reasonable opportunity for additional nominations, debate and/or amendment.
- c. State Convention Committees – Any State Convention committee or subcommittee may by a two-thirds (2/3) vote adopt a rule allowing the motion for the previous question.

Rule No. 17 – Debate

- a. Main Motions – No delegate shall speak more than five (5) minutes on a main motion without the general consent of the Convention, nor shall a delegate speak more than once on the same motion without general consent.
- b. Amendments and Secondary Motions – No delegate shall speak more than three (3) minutes on any amendment or debatable motion subsequently made while a main motion is pending without the general consent of the Convention; nor shall a delegate speak more than once on the same motion without general consent.
- c. Committee Reports – The delegate making the committee report and the delegate making the minority report of any convention committee may speak on such report for up to ten (10) minutes, and may then answer legitimate questions asked by any delegate relating to such report.
- d. Limiting Debate – Any Convention, by majority vote, may limit or extend equally the time and the number of speakers for each side of a debatable motion.

Rule No. 18 – Voting Strength – Number of Delegates

The Convention will continue to enjoy its full strength in the cases of preceding Conventions not electing all delegates to which it is entitled. No Convention shall elect fractional delegates; i.e. no Convention shall elect more delegates or alternates than the number to which it is entitled.

Rule No. 18A – No Amendments after Adjournment

The minutes of any precinct, county, or senatorial district convention may not be amended to add any delegate or alternate, or strike any elected delegate or alternate after adjournment of that convention.

GENERAL RULES FOR PRECINCT CONVENTIONS

Rule No. 19 – Date, Time and Place for Precinct Conventions (Permanent State Executive Committee Rule)

On or after the first Tuesday in March for each even numbered year, Precinct Conventions shall be held for each precinct at the date, time and place designated by the County Executive Committee (CEC) or, in its failure to act, the County Chairman; provided that the place of such convention shall be large enough to accommodate the expected number of participants and must meet the same requirements for access by the elderly and persons with physical disabilities as a polling place. If a County Executive Committee fails to allocate its precinct delegates or to send the precinct redistricting data to Republican Party of Texas five (5) days prior to the precinct convention, then the chair of each precinct convention shall call the convention to order, recess to the call of the chair, and immediately notify the Republican Party of Texas for further instructions.

Rule No. 20 – Qualifications for Participation

The only qualifications for participation in a Precinct Convention, being an officer of such convention or being elected a delegate to the County, Senatorial District, or State Conventions shall be that the person must be a registered voter of that precinct or a resident of that precinct who is eligible to vote a limited ballot and shall have established Party affiliation. Party affiliation may be established by voting in the Republican General Primary or by other means as prescribed by law, provided the person has not been disqualified under this Rule or Rule No. 11. A person who wishes to serve as a delegate or alternate must have fulfilled the requirement of Party affiliation at the time of election. For the purposes of participation in a convention, a person's residence as indicated by their current voter registration certificate or electronic records provided by their county voter registrar, is determinative. A person's residence for the purpose of conventions in a particular year is fixed as of the date of the General Primary Election, even if the person subsequently moves to a different precinct or district. A Precinct Chairman, or person acting in the absence of the Precinct Chairman, who convenes the Precinct Convention earlier than the hour determined by the County Executive Committee (CEC) shall be subject to challenge by any Republican General Primary voter in the precinct through the method outlined in Rule No. 27; and if the challenge is upheld by the County or Senatorial District Convention, such person shall be removed from serving as a delegate or alternate to any convention at any level throughout the remainder of the year. Children whose parents or guardians are participants in a Precinct Convention may attend the convention if space permits, but may not participate or disrupt. If there was no Convention held at the Precinct, Senatorial District, or County level, no Delegates or Alternates are qualified to participate in the next higher level convention from that Precinct, Senatorial District, or County.

Rule No. 21 – Agenda for Precinct Conventions

The agenda for each Precinct Convention shall include the following order of business:

- a. Call to order at the appointed hour by the Precinct Chairman or other participant if the Precinct Chairman is not present.
- b. Preparation of a list of and announcement of number of qualified participants present.
- c. Announcement of agenda and basic rules of procedure.
- d. Election of the permanent officers of the convention by majority vote.

- e. Announcement of County or District Convention and of temporary committee meetings, if known.
- f. Election of delegates and alternates to County or Senatorial District Convention, as the case may be, by majority vote, and certification of eligibility of each delegate and alternate by the Precinct Convention Secretary, where the primary voters list is available.
- g. Resolutions.
- h. Other business.
- i. Adjourn.

Rule No. 22 – Chairman’s Responsibilities

- a. Written or Electronic Records – The Permanent Chairman of the Precinct Convention shall be responsible for seeing that an accurate written or electronic record is prepared of all convention proceedings, including:
 - 1. The minutes of the Precinct Convention.
 - 2. The list of participants and their residence addresses and towns.
 - 3. The list of delegates and alternates elected to the County or Senatorial District Convention with residence addresses and towns.
 - 4. All resolutions, adopted or not adopted.
- b. Inspection of Records – The written record shall be signed by the Permanent Chairman of the Precinct Convention and made available for inspection and additional copying by any participant in the convention for a period of thirty (30) minutes immediately following adjournment of the convention. Upon request, the Permanent Chairman shall certify any correct copy with his or her signature.
- c. Transmittal of Records – The Permanent Chairman of the Precinct Convention shall safely transmit to the County Chairman the written or electronic record of all convention proceedings, and one (1) copy of the same. Transmittal may be:
 - 1. Electronic, delivered to the County Chairman’s electronic mail address or other website designated by the County Chairman for this purpose, not later than the third (3rd) day after the date of the Precinct Convention if not held on the same day or day immediately preceding the County or Senatorial District Convention. If the Precinct Convention is held on the same day or the day immediately preceding the County or Senatorial District Convention, the Permanent Chairman shall deliver the record not later than thirty (30) minutes prior to the start of the County Convention.
 - 2. By mail, deposited in the mail not later than the second (2nd) day after the date of the Precinct Convention if not held on the same day or day immediately preceding the County or Senatorial District Convention, or
 - 3. In person, delivered not later than the third (3rd) day after the date of the Precinct Convention if not held on the same day or day immediately preceding the County or Senatorial District Convention. If the Precinct Convention is held on the same day or the day immediately preceding the County or Senatorial District Convention, the Permanent Chairman shall deliver the record not later than thirty (30) minutes prior to the start of the County Convention.

In counties that do not hold Precinct Conventions on the same day of, or the day immediately preceding, the County or Senatorial District Convention, and contain multiple

Senatorial Districts, the County Chairman shall deliver the original records of each Precinct Convention to the Temporary Chairmen of the Senatorial District Conventions not later than the sixth (6th) day after the date of the Precinct Convention. The County Chairman shall deliver any records subsequently received from a Precinct Convention within two (2) business days after receipt.

- d. Preservation of Records – The Permanent Chairman of the Precinct Convention shall preserve a copy of the written or electronic record, which is not a public record, until the end of the voting year.

The County Chairman shall preserve a paper or electronic copy of the written records of each Precinct Convention until the end of the voting year. The copies are a public record, and shall be available for inspection. The County Chairman shall schedule a reasonable time and place for review of the records to occur within seven (7) days of receipt of a written request.

GENERAL RULES FOR COUNTY, SENATORIAL, DISTRICT AND STATE CONVENTIONS

Rule No. 23 – Convention Resolutions

- a. At County Conventions or Senatorial District Conventions, all resolutions including those offered by delegates for consideration by the Convention shall be filed with the Secretary of the Convention not later than thirty (30) minutes after the permanent committees are appointed (or elected, if applicable). The Secretary of the Convention shall automatically and without debate cause the resolutions to be referred to the appropriate permanent committee.
- b. At a State Convention, all resolutions including those offered by delegates for consideration by the Convention shall be filed with the Secretary of the Convention not later than thirty (30) minutes prior to the first meetings of the permanent committees. The Secretary of the Convention shall automatically and without debate cause the resolutions to be referred to the appropriate permanent committee.
- c. The Secretary of the Convention, or his or her designee, shall remain available in a publicly announced location easily accessible from the convention floor during the period in which such resolutions can be filed.
- d. All resolutions adopted by the next lower-level convention shall be considered by the committee appropriate to the subject of the next higher-level convention.
- e. A Temporary or Permanent Committee may originate resolutions.

Rule No. 23A – Delegate Allocations and Entitlements

- a. The delegate and alternate entitlements to the County or Senatorial District and State Conventions shall be based on the number of votes cast for the Party’s gubernatorial candidate in the most recent gubernatorial general election.
 - 1. Each Precinct Convention shall be entitled to elect one delegate and one alternate to the County or Senatorial District Convention based on a ratio of one (1) for each twenty-five (25) votes and major fraction thereof within the boundaries of the voting precinct and further shown in more detail on the following table, provided that any Precinct Convention shall be entitled to elect at least one (1) delegate and one (1) alternate:

Votes	Delegates	Alternates
0-37	1	1
38-62	2	2
63-87	3	3
88-112	4	4
113-137	5	5
etc.	etc.	etc.

- 2. Each County or Senatorial District Convention shall be entitled to elect one (1) delegate and one (1) alternate to the State Convention based on a ratio of one (1) for each 300 votes and major fraction thereof within the boundaries of the County or Senatorial District and further shown in more detail on the following table,

provided that any County or Senatorial District Convention shall be entitled to elect at least two (2) delegates and two (2) alternates:

Votes	Delegates	Alternates
0-750	2	2
751-1050	3	3
1051-1350	4	4
1351-1650	5	5
etc.	etc.	etc.

3. Each Precinct and County or Senatorial District Convention delegate and alternate delegate entitlement to the State Convention shall be increased or decreased proportionately among all delegations to achieve a State Convention potential delegate and alternate delegate roll of no less than 7,500 delegates and 7,500 alternate delegates and no more than 9,000 delegates and 9,000 alternate delegates to the State Convention.
- b. At the option of the local County Executive Committee (in counties containing only one senatorial district), Senatorial District Executive Committee (in a district comprising only a part of a single county), or the precinct chairs of the precincts residing in a particular senatorial district (for a county that is only partly situated in a senatorial district) by a two-thirds (2/3) vote of said committee, held no later than the date specified for the required drawing for a place on the general primary ballot, the delegate entitlement may be changed to a ratio of one (1) to forty (40) and major fraction thereof, or any ratio in between one (1) to twenty-five (25) and one (1) to forty (40), for that year only if said committee can justify among their peers that it is impractical due to size or availability of space to use the formula permitting the maximum number.
- c. The delegate and alternate entitlement in a presidential election year for a County or Senatorial District Convention which includes more than one (1) Congressional District shall be apportioned among the Congressional Districts in the same manner they are apportioned to the County or Senatorial Districts, provided that the total delegate and alternate entitlement from the County or Senatorial District does not exceed that provided for in this Rule. If the calculation of delegate and alternate entitlements by Congressional District are different from the calculation of delegate and alternate entitlements by County or Senatorial District, the following guidelines shall be used in adjusting the total delegate/alternate entitlements:
 1. The delegate and alternate totals shall not be greater than the delegate/alternate calculation for the County or Senatorial District except that any Congressional District shall be entitled to elect at least one (1) delegate and one (1) alternate which may cause the delegate/alternate entitlement for a County or Senatorial District to exceed the total entitlement for the County or Senatorial District by the number of delegates and alternates from one (1) or more Congressional Districts with less than enough votes to get an entitlement of greater than one (1) pursuant to Section a of this Rule, in a presidential election year;
 2. Except as provided in Subsection 1 above, if the calculation for delegates and alternates by Congressional District should exceed the number of delegates and

- alternates by Senatorial District, then the delegate and alternate entitlement to the Congressional District shall be reduced beginning with the smallest fraction, then continuing to the next higher fraction until the calculations are equal;
3. If the calculation for delegates and alternates by Senatorial District should exceed the number of delegates and alternates by Congressional District, then the delegate and alternate entitlement to the Congressional District shall be increased beginning with the highest fraction, then continuing to the next lower fraction until the calculations are equal;
 4. In a presidential election year, each delegate and each alternate shall have credentials for both the Senatorial District and the Congressional District Caucuses and if a delegate or alternate is not credentialed for both, the delegate or alternate shall not be credentialed for either.
- d. In the event of boundary changes among precincts or districts, or the creation or deletion of precincts or districts since the most recent gubernatorial election, the following rules shall govern the allocation of gubernatorial votes to the changed or newly created precincts or districts.
1. The apportionment of gubernatorial votes to the newly created or changed precincts or districts shall be made using any fair and equitable method for making such determination.
 2. The County Executive Committee shall apportion to each precinct the number of votes to be used in allocating the number of delegates and alternates which may be elected by such precincts using any fair and equitable method for making the determination.
 3. When the boundaries of a Senatorial District or Congressional District have changed or a new district formed causing a boundary change in an election precinct, the apportionment of gubernatorial votes to each precinct shall be used in allocating the number of delegates to be elected in each affected district.
 4. If the County Executive Committee fails to act before the first (1st) day of candidate filing for a place on the General Primary ballot for public office, the SREC shall make such apportionment of the gubernatorial vote to precincts. In an election cycle in which redistricting due to the decennial federal census is required, the following shall apply:
 - (a) Reallocation of precinct delegates by the County Executive Committee shall be completed as soon as practicable after the precinct redistricting information is available.
 - (b) The SREC, in conjunction with RPT staff, shall approve allocations for the new precinct boundaries based on available information and provide the respective allocations to each affected County Executive Committee. Any County Executive Committee which has not made precinct allocations by the time the SREC-approved precinct allocations are received, shall use the SREC-approved precinct allocations.
 - (c) In the event that precinct redistricting information for any county(ies) is not available prior to the SREC meeting immediately preceding the earliest date for Precinct Conventions, the SREC may authorize a formula to be used by

RPT staff to be applied to any subsequently acquired precinct redistricting data for said county(ies) and provide the allocation data to the county(ies) which shall be used if the County Executive Committee has not already approved precinct allocations by the time such data is received from RPT.

- e. The Permanent Convention Chair of the County Convention or Senatorial District Convention shall send Notice of Election to every Delegate and Alternate to the State Convention. If the Delegate or Alternate provided his or her email address on the Convention roster, Notice of Election may be by email, but if no email address was provided, the Notice of Election must be mailed to the address on the Delegate or Alternate Exhibit List.

Rule No. 24 – Minority Reports of Committees

At any convention other than a Precinct Convention, a minority report of a committee, shall be presented to the Convention, if a committee member has notified the committee chairman of the intent to file a minority report before the committee adjourns, and if it has been reduced to writing and signed by not less than two (2) or twenty percent (20%) of the members of such committee, whichever is greater, and presented to the chairman of the committee or the convention secretary not later than thirty (30) minutes after the committee adjourns. The committee members signing the minority report shall designate the member to present the minority report to the convention and the convention chairman shall permit that member to present the minority report to the convention and that member shall be permitted to move the implementing motion. In a state convention, if a committee chairman has been notified of a potential minority report before adjournment, and does not remain in the committee room for 30 minutes following adjournment, then the minority report may be presented to the convention secretary during the convention, but before the presentation of the Rules Committee report.

Rule No. 25 – Persons Admitted and Who May Address

- a. Admittance – At any convention other than a Precinct Convention, there shall be admitted to the convention floor only delegates whose names are listed on the temporary roll during the temporary organization or on the permanent roll when adopted by the Convention, alternates seated for absent delegates in accordance with Rule No. 26, past State Chairmen and Vice Chairmen, the present members of the SREC, its officers and employees, the National Committeeman and Committeewoman, past National Committeemen and Committeewomen, properly accredited members of the media, babies of nursing mothers who are delegates, Republican public officeholders, Republican candidates for public office, and persons assisting delegates that have physical disabilities.
- b. Badges – The Secretary of the Convention is instructed to issue identification badges in accordance with the above, and the Sergeants-at-Arms shall admit only authorized persons to the convention floor. Seating shall be provided for alternates in the section(s) designated for guests.
- c. Addressing Convention – At any convention other than a Precinct Convention, no person other than a Republican Party of Texas official, member of the SREC, delegate, or alternates seated for absent delegates in accordance with Rule No. 26, shall address the Convention or Caucus of the convention without the permission of the Chairman or the general consent of the Convention or Caucus of the convention.

- d. At any convention, registration and credentialing shall continue through adjournment.

Rule No. 26 – Seating of Alternates at Any Convention Other Than a Precinct Convention

- a. Order of Seating Alternates – Alternates shall be seated for absent delegates in the order listed in the minutes of the convention electing them; however, if instructions are provided by the Convention electing such alternates, said instructions shall be followed in the seating of alternates.
- b. Voting in Caucuses – Alternates shall be admitted to all district or precinct caucuses; however, they shall not vote or be provided any privileges of a delegate unless seated for an absent delegate.
- c. Limitations on Using Alternates – Alternates shall replace delegates absent from the voting floor only from the same convention electing such alternates.
- d. Timing of Seating – Alternates may be seated to replace absent delegates at any time in a convention by the chairman of a delegation and seated alternates shall relinquish their seat upon the return to the floor by the delegate except that:
 - 1. Alternates shall be seated to replace delegates absent from the voting floor prior to the beginning of any vote and shall not be seated or unseated during any vote.
 - 2. In caucuses, alternates shall be seated to replace delegates absent from the voting floor prior to roll call of the caucus or delegation of the caucus and shall not be seated or unseated during the roll call of the caucus or delegation of the caucus.
 - 3. Alternates under challenge pursuant to Rule No. 27 shall not be seated until the challenge is resolved.

Rule No. 27 – Challenges to Credentials of Delegates

- a. County or Senatorial District Conventions – The credentials of any delegate or alternate to a County or Senatorial District Convention may be challenged by any person who voted in the Republican General Primary and who resides in the same precinct as the challenged delegate by mailing to the County or District Convention Chairman a written challenge specifying the grounds for the challenge and detailing the specific Rule or Rules alleged to have been violated. The challenge shall be sent via certified or registered mail at least three (3) days before the date of the convention. A copy of this challenge shall be sent by certified or registered mail by the person initiating the challenge to the challenged delegate(s) or alternate(s). The County or District Convention Chairman shall send all challenges to the chairman of the Temporary Committee on Credentials of the convention in question.
- b. State Convention
 - 1. Filing of Challenge – The credentials of any delegate or alternate to the State Convention may be challenged by any person who voted in the Republican General Primary and who resides in the same County and Senatorial District as the challenged delegate or alternate by sending to the State Chairman and to each challenged delegate or alternate a written challenge specifying the grounds for the challenge and detailing the specific Rule or Rules alleged to have been violated. A challenge must include the number of the rule alleged to have been violated and the specific facts supporting the challenge based on a violation of that rule. A

challenge must also identify any allegations of fact and identify those alleged facts not personally known to the complainant. A challenge should use simple, concise, and direct statements. The challenge shall be sent via certified return receipt or registered mail not later than thirty (30) days following the date of the County or Senatorial District Convention. The State Chairman shall deliver all such challenges to the Officials Committee of the SREC (as constituted in the bylaws of the SREC, Article VII, Section 8). The names of the members of the SREC Officials Committee shall be posted on the website of the Republican Party of Texas.

2. Officials Committee – Without attempting to assess merit or lack of merit, the Officials Committee shall in open session without taking testimony conduct a preliminary review of each challenge in order to establish whether the basis for the challenge is valid under the Rules of the Republican Party of Texas. Both the person filing a challenge and the delegate or alternate challenged shall be notified of the date and time of the Officials Committee meeting in which the challenge is heard. The Officials Committee shall forward to the Temporary Committee on Credentials all challenges meeting the requirements of Party Rules with regard to form, content, and procedure. Any challenge not meeting these requirements shall not be forwarded to the Temporary Committee on Credentials, and the principal(s) who brought such challenge and the principal(s) against whom the challenge was brought shall be promptly notified by certified return receipt or registered mail. The Credentials Committee shall not hear a late challenge of a delegate or alternate.
3. Appeal – A decision of the Officials Committee may be appealed by either party to the Temporary Committee on Credentials by mailing notice of appeal via certified return receipt or registered mail to the Credentials Committee Chairman and to the principal(s) named in the challenge not later than ten (10) days prior to the date that the State Convention holds its first (1st) general session.
 - c. Status of Challenged Delegate – No delegate whose credentials are challenged shall lose the eligibility to serve on a temporary committee, although the challenged delegate may not vote in the Credentials Committee on his or her own challenge.
 - d. Committee on Credentials Procedure – At any convention other than a Precinct Convention, the Temporary Committee on Credentials, when it convenes, shall hear both sides of the challenge and shall report to the Convention the name of each delegate or alternate it believes to be entitled to participate in the convention. The Convention shall vote on the report of the Committee on Credentials on each challenge that is made. Challenged delegates shall be listed on the Temporary Roll, but may not vote on their own challenge. Furthermore, delegates from delegations that are being challenged may not be seated until the challenge is resolved.

Rule No. 27A – Date, Time and Place for County and Senatorial District Conventions (Permanent State Executive Committee Rule)

County and Senatorial District Conventions shall be held on the fourth Saturday in March. However, if that date occurs during Passover or on the day following Good Friday, the conventions shall be held on the next Saturday that does not occur during Passover or is not the day following Good Friday. The County Executive Committee in each county shall set the hour and place for convening County and Senatorial District Conventions in that county.

Rule No. 28 – Conventions in County with Multiple Senatorial Districts

If a county is situated in more than one state Senatorial District, instead of a County Convention, a Senatorial District Convention shall be held in each part of the county that is situated in a different Senatorial District, provided, however, that shared facilities may be utilized for separate Senatorial District Conventions that may be held outside the geographical boundaries of the Senatorial District, if party interests and public accessibility will be served as determined by a caucus of precinct chairmen in each affected Senatorial District within the county not later than the date on which drawing for a position on the primary ballot is conducted. A meeting for this purpose shall have been called by written notice to each precinct chairman in each respective Senatorial District within the county from the County Chairman not later than ten (10) days prior to the meeting.

Rule No. 29 – County or Senatorial District Convention Committees

- a. The County Chairman is the Temporary Chair of a County Convention. If a Senatorial district is situated in more than one county or the Senatorial District is completely within but does not include the entire county, the Temporary Chair shall be elected by the caucus of the Senatorial District Executive Committee at a properly called County Executive Committee (CEC) Meeting. The list of County Executive Committee members that will be caucusing with their SD for selection of Temporary Senatorial District Convention Chair shall be updated within seven (7) business days before this meeting and enforced by the County Sergeant-of-Arms.
- b. Prior to each County or Senatorial District Convention, the Temporary Chairman shall appoint the following committees and name the chairmen and members thereof before the temporary committees convene, provided that all members shall be delegates, and if the convention has more than fifty (50) delegates each such committee shall be composed of at least five (5) and not more than fifteen (15) delegates. The list of committee members shall be published in a manner accessible to delegates and once published shall not increase in number unless it falls below the minimum in which case it shall be brought back to no more than the minimum. The committees and their duties shall be as follows:
 1. Credentials: This committee shall hear any contest concerning delegates and shall recommend the Permanent Roll of the Convention.
 2. Rules: This committee shall recommend the Supplemental Rules for the Convention.
 3. Permanent Organization: This committee shall recommend permanent officers of the convention from among the delegates present.
 4. Resolutions: This committee shall conduct preliminary deliberations for the purpose of making recommendations to the Permanent Resolutions Committee.

5. Nominations: This committee shall conduct preliminary deliberations for the purpose of making recommendations to the Permanent Nominations Committee.
 6. Additionally, at the option of the Temporary Chairman, the following committee may be appointed: Legislative Priorities. This committee shall conduct preliminary deliberations for the purpose of making recommendations to the Permanent Legislative Priorities Committee.
- c. The Temporary Convention Chairman shall make available at the Chairman's podium, at the start of the convention, no fewer than five (5) copies of the Temporary Rules Committee report and no fewer than five (5) copies of the Temporary Resolutions Committee report, and announce they may be inspected by any delegate or alternate to the convention.
 - d. Immediately upon the election of the Permanent Convention Chairman, the permanent committees shall be chosen according to the convention supplementary rules or appointed by the Permanent Convention Chairman if the rules do not specify any method. The committee members shall be from among the delegates, whose duties shall be as stated below, and the chairmen thereof, provided that if the convention has more than fifty (50) delegates, each such committee shall be composed of at least five (5) and not more than fifteen (15) delegates. If the convention has more than twenty-five (25) but less than fifty (50) delegates, then each committee must be composed of at least three (3) delegates. The committees and their duties shall be as follows:
 1. Nominations: This committee shall present nominations for delegates and alternates to the State Convention, after considering the recommendations of the Temporary Nominations Committee.
 2. Resolutions: This committee shall recommend resolutions to the Convention, after considering the recommendations of the Temporary Resolutions Committee.
 3. Legislative Priorities: If a Legislative Priorities Temporary Committee was formed, then upon election of the Permanent Convention Chairman, the Permanent Legislative Priorities Committee shall be chosen according to the convention supplemental rules or appointed by the Permanent Convention Chairman if the rules do not specify otherwise.

Rule No. 30 – County or Senatorial District Convention Agenda

The agenda for each County or Senatorial District Convention shall include the following order of business.

- a. Call to order by the Temporary Chairman.
- b. Roll call of temporary roll of delegates. (Roll call may be taken by name or by Precinct Delegation count. The delegate registration list may be used at the start of the convention to establish the temporary roll and a quorum for the convention, when approved by a majority voice vote of the delegates present. Delegates must provide proper identification upon registration to obtain their credentials, if this method is to be used.) At the conclusion of roll call the Secretary shall announce:
 1. the number of delegations present;
 2. the combined voting strength of those delegations; and
 3. the number of attending delegates at the start of convention.

- c. Report of the Credentials Committee (this report shall be acted on prior to any further business).
- d. Report of the Rules Committee; adoption of supplemental rules.
- e. Report of the Permanent Organization Committee; election of permanent officers from among the delegates.
- f. Appointment of (or election, if applicable) Permanent Nominations and Permanent Resolutions Committees.
- g. Precinct Caucuses, if applicable.
- h. Report of the Legislative Priorities Committee (if applicable); adoption of the report.
- i. Report of the Resolutions Committee; adoption of the report.
- j. Report of the Nominations Committee; adoption of the report.
- k. Other business.
- l. Adjourn.

Provided, however, that such order of business, following item (c) may be changed by affirmative vote of a majority of the delegates present and voting.

Rule No. 31 – Report of Nominations Committee

At a County or Senatorial District Convention, the Committee on Nominations shall present a report including a list of delegates and alternates for election to the State Convention. The manner in which alternates shall replace absent delegates may be adopted in the supplemental convention rules, or if none are adopted shall be designated by the Nominations Committee report. That report may be amended by the Convention by the process of adding, or by striking and inserting, or by substitution. Supplemental rules regarding the manner in which alternates shall replace absent delegates can be amended by simple majority vote. The Convention shall then elect the delegates and alternates to the State Convention by adopting the report, or the report as amended, of the Nominations Committee. The Convention may provide in its supplemental rules a method for nominating some or all delegates and alternates in precinct caucuses of the Convention. Delegates and alternates nominated by precinct caucuses shall be reported to the Committee on Nominations to include in their report, and unless provided otherwise in the Convention supplemental rules, these nominations shall not be subject to amendment by the Committee, except to move an alternate to a delegate. In the absence of provisions for nomination of some or all delegates or alternates in precinct caucuses in the supplemental rules, all delegates and alternates will be elected at large.

Rule No. 32 – Certified List of Delegates

Delegates and alternates to the Republican State Convention shall be made aware, at the time they submit their names, that any contact information provided may be disclosed in accordance with the following:

- a. The Permanent Chairman of a County or Senatorial District Convention shall be responsible for making a certified list of the delegates and alternates chosen, with residence addresses including towns shown thereon, phone number (if available), and email address (if available), together with a copy of all resolutions adopted by the Convention, and shall sign the same, the Permanent Secretary of such convention attesting the signature of the Permanent Chairman; and within five (5) days after the convention shall forward such certified lists and resolutions to the State Chairman at the Republican Party of Texas State Headquarters. The SREC may specify a standard format and method of submission for the

lists, resolutions, and other records. The lists, resolutions and other records of the convention, only to the extent required by law, shall be made available by the Permanent Chairman for inspection and copying during office hours, at a charge not to exceed \$1.00 per page, or by electronic means when such method is available at a charge not to exceed \$10.00.

- b. All Republican Party of Texas party officeholders, candidates for party office, State Convention Caucus Chairs, Committee Chairs, and State Convention temporary caucus chairs shall be given a list of delegates and alternates, who have positively affirmed that they wish to share information with the Republican Party of Texas with all contact information for their political subdivision from the Republican Party of Texas as soon as they are available.
- c. Any compilation of delegate and alternate information prepared by the Republican Party of Texas shall not be treated as a public record. However, subject to appropriate proprietary agreements, said compilation shall be made available to any then current delegate or alternate of the Republican State Convention or any Republican officeholder or candidate for Party or public office or Party County Chairman at a charge not to exceed \$25.00 per 1,000 delegates and alternates provided. Said information and its updates shall be made available at the earliest practical date and initially not later than five (5) weeks from the date of the last County or Senatorial District Convention. Said information, once available, shall be provided to a qualified requestor within no more than seven (7) business days of the receipt by the Republican Party of Texas State Headquarters of the order form and payment.

GENERAL RULES FOR STATE CONVENTIONS

Rule No. 33 – Temporary Organization

- a. Date, Time, Place and Call. The SREC shall select the date, time and place of the State Convention, and the State Chairman shall include this information along with the date and place of temporary committee meetings in the call to the convention, which shall be posted on the website of the Republican Party of Texas (<http://www.texasgop.org>) at least thirty (30) days prior to the Convention. The State Chairman shall send the call via electronic mail twenty-five (25) days prior to the convention to each delegate and alternate on the temporary roll who has a valid email address on file with the Republican Party of Texas. All delegates and alternates who do not have a valid email address on file shall be mailed a copy of the call not less than fifteen (15) days prior to the convention. The State Chairman shall recommend the temporary convention agenda and order of business to the SREC.
- b. Temporary Committees. Within twenty (20) days following the County/Senatorial District Conventions, the two (2) SREC members representing each Senatorial District, either separately or jointly, shall recommend to the State Chairman one (1) representative from among their district's delegates to each of the State Convention temporary committees. The State Chairman shall appoint one (1) delegate from each Senatorial District to each of these committees from among these recommendations timely submitted, or of the State Chairman's own choosing if no names were submitted, or none were eligible or willing to serve. In addition to these members, the State Chairman shall appoint the Chairman for each temporary committee. These lists of members and Chairmen, including contact information, shall be posted on the Republican Party of Texas' website within thirty (30) days following the County or Senatorial District Conventions. The lists will be updated as new or corrected information is obtained. The temporary committees are:
 1. Credentials: This committee shall hear any contests concerning delegates and alternates and shall recommend the resolution of such contests, plus the temporary roll about which there is no contest, to the SREC. Contests shall include any issue, not filed as a challenge under Rule No. 27, related to the validity of a delegate's election to a State Convention or the delegate's qualifications under Rule No. 20. Additionally, this committee shall hear all challenges forwarded to it by the State Officials Committee, plus any challenge under appeal, and shall recommend the resolution thereof to the State Convention. Upon resolution by the State Convention of any challenges under this appeal process, this committee shall recommend the permanent roll to the State Convention.
 2. Organization: This committee shall recommend the temporary organization of the convention to the SREC. The State Chairman shall be the Temporary Chairman of the biennial State Convention. The officers of each State Convention shall include a registered parliamentarian appointed by the State Chairman. This committee shall also recommend the permanent organization to the State Convention after the State Convention's adoption of the permanent roll. The election of a permanent convention chairman shall not be in order until a majority of those delegates elected at County or Senatorial District Conventions have registered in attendance at the

- State Convention. For the purposes of this section, alternates seated as delegates shall be counted as delegates.
3. Rules: This committee shall recommend the Supplementary Rules for the Convention to the SREC and may recommend changes in these General Rules to the Permanent Committee on Rules.
 4. Legislative Priorities: This committee shall conduct the preliminary deliberations for the purpose of making recommendations to the Permanent Committee on Legislative Priorities.
 5. Platform and Resolutions: This committee shall conduct the preliminary deliberations for the purpose of making recommendations to the Permanent Committee on the Platform and Resolutions. The Platform and Resolutions Committee shall begin deliberations preparing the platform of the state convention by starting with the most recent state convention platform. The Committee shall review submitted resolutions and platform planks sent from the various County and Senatorial District Conventions to eliminate duplicates, consolidate similarly worded submissions, and check for existing planks of a substantially similar nature. The Committee shall only construct or diminish the previous platform through plank by plank votes. The report to the Permanent Platform Committee shall clearly make visible all insertions, modifications, and deletions.
- c. SREC Pre-convention Meeting. Prior to the convention, the SREC shall approve the following:
1. The temporary roll of the Convention, excluding those challenges, if any, to be resolved by the Convention as provided in Rule No. 27.
 2. The temporary Supplemental Rules of the Convention, which together with these General Rules shall be the Temporary Rules of the Convention.
 3. The temporary agenda and order of business of the convention.
 4. The temporary organization of the convention.
- d. Temporary Caucus Chairmen. Prior to each State Convention in Presidential election years the State Chairman shall appoint the Temporary Chairman of each Congressional District Caucus. Prior to each State Convention, the two (2) members from each Senatorial District of the SREC shall appoint one (1) representative from among their Senatorial District's delegates to be the Temporary Chairman in each Senatorial District Caucus; provided, however, that if requested in writing by Senatorial District Convention resolution, the State Chairman shall appoint the Permanent Chairman of the last Senatorial District Convention for those Senatorial Districts which lie solely within one (1) county, unless the Permanent Chairman is unable or unwilling to serve. If the two (2) SREC members cannot agree on a selection, then each shall submit a name to the State Chairman, who will select one (1) of the names submitted. If any appointed delegate is unable to serve, the State Chairman may appoint a replacement.

Rule No. 34 – Permanent Committees and Composition

At each biennial State Convention, the membership of each permanent committee listed below shall be composed of one (1) delegate from each Senatorial District, to be elected by caucus of the delegates in each such district, plus the Chairman thereof, to be appointed by the State Chairman. If there is a

temporary committee specified in these Rules corresponding to a permanent committee in this Rule, the scope of the permanent committee is not limited to what was considered by, voted upon, or recommended by the temporary committee counterpart. Such permanent committees shall be as follows:

- a. Credentials: This committee shall continue to add registered delegates and alternates to the permanent roll throughout the convention. This committee shall also address contests and challenges until the Permanent Credentials Committee has adjourned sine die.
- b. Rules and Order of Business: This committee shall recommend to the Convention the Supplementary Rules of the Convention, any amendments to these General Rules, and the Order of Business.
- c. Legislative Priorities: This committee shall recommend to the Convention proposed legislative priorities and related resolutions. The Legislative Priorities Committee of the biennial State Convention shall prepare a list of no more than fifteen (15) resolutions defining legislative priorities for the Republican Party of Texas State Convention to consider for the session of the Texas Legislature following the Convention. The State Convention will vote “Yes”, “No”, or “Abstain” for each of the fifteen (15). The top half, rounded up, shall become the Republican Party of Texas legislative priorities for the session of the Texas Legislature following the Convention. Legislative priorities shall be for specific changes, additions to or deletions from the law that directly support the Platform and the core values of the Republican Party of Texas. The SREC shall expend reasonable Party resources to promote passage of legislation crafted in support of these priorities. No one may add to or edit the Legislative Priorities after State Convention sine die.
- d. Platform and Resolutions: This committee shall recommend to the Convention the platform and resolutions.
- e. State Nominations: This committee shall report to the Convention nominations for the state positions to be filled by the Convention.
- f. State Grammar, Spelling, Formatting, and Punctuation Committee: The Permanent Convention Chair shall appoint a Grammar, Spelling, Formatting, and Punctuation Committee of qualified delegates who shall meet during the consideration of the Reports on the floor of the Convention for the purpose of reviewing non-substantive grammar, spelling, formatting, and punctuation of the language included in the Reports and shall incorporate the necessary corrections. Upon completion of their work, the committee will report back to the chair with their revisions for vote by the convention.

Rule No. 34A – National Nominations Committee

At the biennial State Convention in presidential election years, there shall also be a National Nominations Committee composed of one (1) delegate from each Congressional District, to be elected by caucus of the delegates in each such district, plus the chairman thereof, to be appointed by the State Chairman. The Chairman of the National Nominations Committee shall convene the meeting of the committee two (2) hours after the start of the Congressional Caucus with a quorum being present. This committee shall report to the Convention nominations for National Delegates and Alternates, Presidential Electors, and National Committeeman and National Committeewoman, which nominations have previously been made in accordance with Rule Nos. 39 and 40, and Sections 6 and 7 of Rule No. 38. National and Statewide elected officials, with the exception of the Governor, Lieutenant Governor, and State Party Vice

Chairman, are ineligible to be Delegates to the Republican National Convention, but may be elected as Alternates.

Rule No. 35 – Temporary Committee on Credentials – Contest

At a State Convention, any delegate or alternate who has filed a challenge or who has been challenged including delegates and alternates whose names are not listed on the Temporary Roll of the Convention, but are listed on County or Senatorial District Convention Minutes and Returns filed with the State Chairman shall be allowed admittance to the room in which the Temporary Committee on Credentials holds its meetings for the purpose of presenting a contest and may speak to the merits of their case within the time limits established by the committee. The contestants from only one (1) County or Senatorial District shall be admitted at one (1) time. Any contest will be reported by the Credentials Committee to the SREC, with a recommendation as to its resolution, and the decision of the SREC will be final in determining its effect on the Temporary Roll of the Convention. If the contest is filed as a challenge, in accordance with provisions of Rule No. 27, the issue will be presented by the Credentials Committee with a recommendation for its resolution, to the full Convention for final determination.

Rule No. 36 – Seating and Voting

Seating and voting at the biennial State Convention shall be by Congressional District or Senatorial District as appropriate.

Rule No. 37 – State Convention Exhibition Hall

Applications for booths and displays at the Exhibition Hall venue at the State Republican Convention shall be reviewed for approval by the SREC Officials Committee in accordance with the Preamble and Principles of the Platform. The denial of an application may be appealed by the applicant and the approval may be appealed by a member of the Officials Committee to the full body of the SREC which shall consider the application at their next meeting. A two-thirds (2/3) vote of the SREC shall be required to deny or approve the appeal of the application. The ruling of the SREC Officials Committee shall be final if there is no scheduled meeting before the State Republican Convention. All such votes of appeals shall be by roll call vote.

Rule No. 38 – National Convention Delegates and Alternates

Section 1. Presidential Primary, Application of Rule

- a. Presidential Primary: A Presidential Primary election shall be conducted by the Republican Party in the year 1980 and every fourth year thereafter in conjunction with the Party's General Primary Election for the purpose of permitting the qualified voters of Texas to express their respective preferences as to the nominee of the Republican Party to the office of President of the United States.
- b. Application of Rule: Such Presidential Primary shall be held, and the delegates and alternates to the National Convention for that year shall be selected and elected, in the manner and at the times set forth in this Rule.

Section 2. Method of Qualifying as Presidential Candidate

- a. Filing: Any person eligible to hold the office of President of the United States may qualify to participate as a Presidential candidate in the presidential primary by filing with the State

Chairman, not later than the date and time specified for the General Primary Election ballot filing deadline, a signed and acknowledged application for his or her name to be placed on the Presidential Primary ballot, accompanied by a supporting petition signed by a minimum of 300 registered voters of the state from each of a minimum of fifteen (15) Congressional Districts, or the payment of a filing fee of \$5,000.

- b. Signing Petition: A voter may sign only one (1) petition supporting one (1) candidate for President and may sign that petition only one (1) time. The name of any voter violating this provision shall be stricken from all petitions signed by that voter and shall not be counted for any purpose.
- c. Form of Petition: The SREC shall prescribe the form of all applications and petitions which are to be filed pursuant to this section and may by resolution provide for a method of verification of the petitions required here.
- d. Withdrawal or Death of Candidate: A Presidential candidate may withdraw from participation in the Presidential Primary at any time by filing with the Secretary of the SREC a signed and acknowledged request to that effect. If a Presidential candidate dies or withdraws before the seventy-ninth (79th) day prior to Election Day, the name of the candidate shall not appear on the ballot. If a candidate dies or withdraws during the seventy-nine (79) days before Primary Election Day, the votes cast for that candidate shall be counted and the delegate and alternates, if any, allocable to that candidate under this Rule shall be elected by the appropriate Congressional District Caucus from any qualified persons and they shall be uncommitted delegates and alternates.
- e. Replacement of Delegates of Withdrawn or Deceased Candidate: If a Presidential candidate withdraws or dies during the time between Primary Election Day and the convening of the State Convention, then any delegates and alternates to which such Presidential candidate would otherwise be entitled under this Rule shall lapse and the appropriate Congressional District Caucuses at the State Convention shall elect qualified delegates and alternates as uncommitted delegates and alternates in replacement of the delegates and alternates of such withdrawn or deceased candidate. For the purpose of this section, withdrawal shall be accomplished only by the candidate filing a signed and acknowledged request to that effect with the Secretary of the SREC.

Challenge to Petition: In the event of a challenge to a petition, the State Chairman shall follow the procedure for verification of signatures by means of statistical sampling. If signatures on a petition that is required to contain more than 1,000 signatures are to be verified by the authority with whom the candidate's application is required to be filed, the authority may use as the basis for the verification any reasonable statistical sampling method that ensures an accuracy rate of at least 95 percent.

Section 3. The Presidential Primary Ballot

- a. Listing on Ballot: The names of the qualifying Presidential candidates shall be printed on the ballot as a separate race (and as the first race if not prohibited by law) on the Party's Official Ballot for the General Primary. The names of the candidates shall be listed in a vertical column under the heading "Preference for Presidential Nominee." The order of appearance on the ballot in each county shall be determined by lot in each county at a meeting of the County Executive Committee (CEC).

- b. Uncommitted: In addition to the ballot listing of the names of the qualifying Presidential candidates, there shall appear at the bottom of such listing of candidates on said ballot a place designated “Uncommitted” in accordance with Section 4 of this Rule.
- c. Adjustment of Ballot for Various Methods of Voting: Appropriate changes shall be made in ballots for voting machines and electronic voting systems; consistent with the method of voting used.
- d. Style of Names: The type for all names of qualifying Presidential candidates shall be uniform and of the same size and the SREC shall prescribe a sample ballot and the State Chairman shall furnish a copy of the sample ballot to each County Chairman in time for appearance on the ballot.
- e. Write-in Prohibited: Write-in voting for presidential candidates shall not be permitted, and any write-in votes shall not be counted for any purpose.

Section 4. Uncommitted Delegates and Alternates

In addition to the foregoing, uncommitted delegates and alternates may be elected as follows:

- a. District Delegates: In those Congressional Districts entitled to uncommitted delegates and alternates under this Rule, the Congressional District Caucus convened at the State Convention shall elect and submit to the Convention for confirmation, in like manner with other delegates and alternates, the name(s) and appropriate number of qualified voters who reside in the district and who voted in the Republican Presidential Primary and who sign a pledge declaring themselves uncommitted at the time of their election as uncommitted district delegates and alternates to the National Convention, and such persons shall be confirmed by the Convention as uncommitted district delegates and alternates.
- b. Delegate Entitlement: For the purpose of determining entitlements under Sections 8 and 9 of this Rule, votes cast for “Uncommitted” on the ballot shall be considered as having been voted for a separate candidate.
- c. At-Large Delegates: In the event a canvass of the Republican Presidential Primary vote on a statewide basis demonstrates that the voters are entitled to one or more uncommitted delegates and alternates at-large under this Rule, the National Nominations Committee, as provided for under Rule No. 34A, shall nominate and include in its report to the Convention under Section 7, Subsection c, the appropriate number of qualified voters of the State who voted in the Republican Presidential Primary and who sign a pledge declaring themselves uncommitted at the time of their election, as at-large and uncommitted delegates and alternates to the National Convention.

Section 5. Canvass of Returns

For the purpose of selecting district delegates and alternates, the returns of votes cast for Presidential candidates in the Republican Presidential Primary shall be canvassed by the SREC at the same time as the returns for other offices and shall be canvassed and recorded by Congressional District. For the purpose of selecting at-large delegates and alternates, the returns shall be canvassed and counted on a statewide basis.

Section 6. Election of District Delegates and Alternates at State Convention

- a. Number of District Delegates and Alternates: Three (3) district delegates from each Congressional District and three (3) alternates shall be elected at the State Convention in accordance with this section and the entitlements set forth in Sections 8 and 9 hereof.
- b. At the State Convention, each Congressional District shall meet and shall elect those district delegates and alternates to which a candidate is entitled under Section 8. Elections for a candidate's committed delegates and alternates shall be from persons nominated from the floor at the said meeting, provided however, that said nominees agree to adhere to the pledge to the candidate required under Section 10 hereof. Nominations for uncommitted delegates, if there is such an entitlement, shall be provided under Section 4. Elections shall be by majority vote, one at a time, with all delegates being elected first and then all alternates. Those delegates and alternates elected by the Congressional District shall be submitted to the Convention, which shall confirm, and not amend, those district delegates and alternates who shall be the district delegates and alternates from Texas to the National Convention of the Republican Party, and shall be so certified in accordance with The Rules of the Republican Party.

Section 7. Election of At-Large Delegates and Alternates at State Convention

- a. As provided for in Rule No. 34A, each Congressional District Caucus shall meet at the State Convention, and elect one (1) person to serve as a member of the National Nominations Committee from persons nominated from the floor at the said meeting. Election to this committee shall be by majority vote. In the same manner, each Congressional District Caucus may recommend the name of one (1) member for consideration by the National Nominations Committee as a National Convention delegate or alternate, but the National Nominations Committee is not required to accept such recommendation, in accordance with The Rules of the Republican Party.
- b. At the State Convention, the National Nominations Committee shall meet to select nominees for all at-large delegates and alternate delegates, and consider the recommended names of members of the Congressional District Caucuses for possible selection as National Convention Delegates and Alternates. Those elected federal officeholders who have access to the floor of the National Convention by virtue of their office shall be prohibited for selection as an at-large national delegate or alternate, by the National Nominations Committee.
- c. Those at-large delegate and alternate nominees selected by the National Nominations committee shall be reported to the State Convention. This report shall not be amendable by the State Convention, but shall either be confirmed or rejected by the State Convention. If the report is rejected, it shall be immediately returned to the Committee for revision and then resubmitted to the State Convention, until the report is confirmed by the Convention. The at-large delegates and alternates shall also be bound by the pledge provisions of Section 10 of this Rule. At-large delegates and alternates nominated and elected from Texas in accordance with this Rule shall be certified as the delegates and alternates from Texas in accordance with The Rules of the Republican Party for the National Convention.

Section 8. District Delegate and Alternate Entitlements

For the purpose of determining the entitlement to district delegates and alternates by candidates, the provisions of this section shall apply as follows:

- a. **More than Fifty Percent (50%) of Vote Received by Candidate:** A candidate receiving more than fifty percent (50%) of the votes in any Congressional District shall be entitled to three (3) delegates and alternates from that Congressional District.
- b. **No Candidate Receives Majority of Vote:** If no candidate receives a majority of the votes in any Congressional District the plurality winner is entitled to two (2) delegates and alternates from that district and the candidate receiving the next highest number of votes receives one (1) delegate and alternate; provided, however, that if no candidate receives a majority vote in a Congressional District, and only one (1) candidate receives more than 20% of the Congressional District vote, such candidate shall be entitled to two (2) delegates and alternates. The remaining Congressional District delegate and alternate shall be awarded to the second (2nd) place candidate.
- c. **No Candidate Receives Twenty Percent (20%) of Vote:** If no candidate receives more than twenty percent (20%), each of the three (3) candidates receiving the highest number of votes shall receive one (1) delegate and alternate.

Section 9. At-Large Delegate and Alternate Entitlements

For the purpose of determining the entitlement to at-large delegates and alternates by candidates, the provisions of this section shall apply, as follows:

- a. **At-Large Delegates and Alternates Allocated by State Convention Caucus:** The delegates elected to participate in the State Convention shall caucus by secret ballot and select a presidential candidate by plurality vote to receive the entitlement of a number of at-large delegates and alternates that will represent twenty-five percent (25%) (rounded down) of the total number of Texas delegates and alternates to the Republican National Convention. The State Republican Executive Committee shall prescribe the process for each state convention delegate to cast their vote for their presidential preference by electronic or paper ballot. The National Nominations Committee shall canvass the vote and allocate the State Convention Caucus selection from among the at-large delegates prior to allocating the remaining at-large delegates as follows:
- b. **At-Large Delegates and Alternates Allocated by Presidential Primary:**
 1. **More than Fifty Percent (50%) of Vote Received by Candidate:** A candidate receiving more than fifty percent (50%) of the votes cast in the Presidential Primary canvassed on a statewide basis shall be entitled to all remaining at-large delegates and alternates allocated to Texas under The Rules of the Republican Party.
 2. **No Candidate Receives Majority of Vote:** If no candidate receives a majority of the votes cast statewide in the Presidential Primary, then the remaining at-large delegates and alternates shall be apportioned among the candidates receiving more than twenty percent (20%) of the statewide vote in the ratio which the number of votes received by each such candidate who received more than twenty percent (20%) of the statewide vote, bears to the total of all such candidates receiving more than twenty percent (20%) of the statewide vote, rounding fractional delegates and alternates upward to the next whole number beginning with the candidate receiving

the largest number of votes. However, if no candidate receives a majority of the votes cast statewide in the Presidential Primary and only one candidate receives twenty percent (20%) or more of the statewide vote, then the remaining at-large delegates and alternates shall be apportioned between the candidate receiving more than twenty percent (20%) of the statewide vote and the candidate receiving the second highest number of votes, in the ratio which the number of votes received by each such candidate bears to the total votes for both such candidates, rounding fractional delegates and alternates upward to the next whole number beginning with the candidate receiving the largest number of votes.

3. No Candidate Receives Twenty Percent (20%) of Vote: If no candidate receives more than twenty percent (20%) of the votes cast statewide in the Presidential Primary, the remaining at-large delegates and alternates shall be apportioned among all candidates, beginning with the candidate receiving the highest number of votes and rounding fractional delegates and alternates upward to the next whole number, and then awarding delegates and alternates to the second highest candidate in the same manner, and so forth until the remaining at-large delegates and alternates to be apportioned have been fully awarded.
- c. If, pursuant to The Rules of the Republican Party Rule No. 17, either the chairman of the Republican National Committee or the Republican National Committee Standing Committee on Rules, determines that subsection (a) of this section is in violation of The Rules of the Republican Party, all At-Large Delegates and Alternates will be allocated in accordance with subsection (b) of this section.

Section 10. Pledge of Delegates and Alternates.

- a. Commitment to Candidate: By assenting to nomination on a Presidential candidate's slate, each delegate and alternate representing a Presidential candidate becomes pledged to the Presidential candidate on whose slate the delegate and alternate is nominated in accordance with subsection (b) of this section.
- b. Length of Commitment: A person who is elected as a delegate or alternate to the National Convention on the slate of a Presidential candidate by the State Convention to represent that particular Presidential candidate at the National Convention and who does not resign from the position is pledged to support that Presidential candidate at the National Convention until the candidate is nominated or until the delegate or alternate is released from the pledges as follows:
 1. First Nomination Convention Ballot: A delegate or alternate shall be released from the pledge only in the event of death, withdrawal, or by decision of the candidate. For the first ballot taken at the National Convention to determine the nominee of the Republican Party for the office of President of the United States, the totals of the votes of the members of the Texas delegation shall be announced as assigned in accordance with these Rules. No poll of the members of the delegation, except those delegates who are uncommitted, shall be taken for the announcement of the vote.

2. Second Nominating Convention Ballot: A delegate or alternate shall be released from the pledge if the candidate has failed to receive twenty percent (20%) or more of the total vote cast on the preceding ballot; or by the decision of the candidate;
 3. Third and Subsequent Nominating Convention Ballots: All delegates and alternates are released from any pledge.
- c. Uncommitted Delegates: Uncommitted delegates and alternates may vote as they choose on all questions and candidates presented at the National Convention.

Section 11. Delegate/Alternate Resignation

- a. Written Notice: Any delegate or alternate may resign by giving written notice to the Delegation Chairman and the State Chairman at any time before the date of the National Convention.
- b. Filling Vacancy: Should a vacancy occur in the at-large delegation after the date of the State Convention but prior to the convening of the National Convention, the Chairman of the National Nomination Committee of the State Convention shall fill such vacancy by appointing, in writing, any at-large alternate to fill any at-large delegate position. To fill the vacancy of an at-large alternate, the said Chairman may select any person eligible under this Rule to hold said position, inasmuch as possible under The Rules of the Republican Party. In the case of a vacancy in a district delegate position, the paired alternate shall be moved over, and the presidential candidate or his or her designated representative shall appoint a new alternate, with the condition that the person so appointed shall reside in the same Congressional District at the time of appointment as the Congressional District in which the vacancy occurred. In the case of a vacancy in a district alternate position, the presidential candidate or his or her designated representative shall appoint a new alternate, with the condition that the person so appointed shall reside in the same Congressional District at the time of appointment as the Congressional District in which the vacancy occurred. All appointments shall be made from those nominated at the convention, if possible. If no potential nominee exists, then the presidential candidate or his or her designated representative shall appoint as a new alternate anyone eligible under this Rule to hold said position, provided that said nominee(s) agree to adhere to pledge to the candidate required under Section 10 hereof.

Section 12. Delegate/Alternate Qualifications

Each nominee for delegate and alternate must have voted in the Republican Presidential Primary, and must be qualified to be a delegate or alternate under The Rules of the Republican Party.

Rule No. 39 – Presidential Electors

At the Biennial State Convention in presidential election years, the delegates from each Congressional District shall nominate one (1) Presidential Elector and such nomination shall be presented to the National Nominations Committee; additionally, the National Nominations Committee shall select additional nominees to bring to total number of nominees to the number allowed by law. Each such nominee for Presidential Elector, prior to the report of the National Nominations Committee, shall file with the Chairman of the National Nominations Committee an affidavit in writing as to the nominee's commitment to vote for the Republican Party's nominees for President and Vice President. The report of

the National Nominations Committee shall include only nominees who have so filed such affidavit. The report of the National Nominations Committee must include the nominees from the Congressional District who have so filed affidavits. The Convention shall then elect the Presidential Electors. Any vacancy among the Presidential Electors shall be filled by majority vote of the SREC, with the conditions that: (1) the person elected to fill the vacancy shall have already filed with the State Chairman an affidavit in writing as to his or her commitment to vote for the Republican Party's nominees for President and Vice President and (2) if the vacancy occurs for a person who had been nominated by his or her Congressional District Caucus at the biennial State Convention then the SREC shall elect a person who has filed such an affidavit, has made an affiliation with the Republican Party of Texas, and resides in that same congressional district at the time he or she is elected by the SREC to be a replacement Presidential Elector.

Rule No. 40 – National Committeeman and Committeewoman

At the biennial State Convention held in presidential election years, each Congressional District shall caucus and recommend a man for Republican National Committeeman from Texas and a woman for Republican National Committeewoman from Texas. These recommendations shall be forwarded to the National Nominations Committee by the district's member to the committee, who shall support them on at least the first (1st) round of voting. The National Nominations Committee shall select one (1) man and one (1) woman from these recommendations to be submitted to the Convention as nominees for these positions. Nominations from the floor shall be allowed only for candidates recommended by at least three (3) districts, or by petition signed by delegates equal in number to at least twenty percent (20%) of the convention voting strength. In the event of a vacancy in the office of National Committeeman or Committeewoman the vacancy shall be filled by a majority vote of the State Republican Executive Committee.

Rule No. 41 – State Party Chairman and Vice Chairman

At the biennial State Convention, each Senatorial District shall caucus and recommend a man and woman for State Chairman and Vice Chairman. These recommendations shall be forwarded to the State Nominations Committee by the district's member to the committee, who shall support them on at least the first (1st) round of voting. The State Nominations Committee shall select one (1) man and one (1) woman from these recommendations to be submitted to the Convention as nominees for these positions. Nominations from the floor shall be allowed only for candidates recommended by at least three (3) districts, or by petition signed by delegates equal in number to at least twenty percent (20%) of the convention voting strength. No person shall be eligible to be elected Chairman or Vice Chairman for more than four (4) consecutive two-year terms to the same office.

Rule No. 42 – State Republican Executive Committee (SREC)

At the biennial State Convention, each Senatorial District shall caucus and recommend two (2) nominees to represent that Senatorial District on the SREC as Committeeman and Committeewoman. The results shall be forwarded to the State Nominations Committee by the district's member to the committee, and the committee shall include the results in its report to the Convention. Those members selected to represent a particular Senatorial District must be those recommended by the convention delegates representing that Senatorial District. For the purposes of election to, and service on, the SREC a person must be a resident of the district he or she represents as indicated by his or her current voter registration.

No person shall be eligible to be elected State Republican Executive Committee man or woman for more than four consecutive two-year terms. No member of the SREC may hold any elective federal, state or county office. All SREC candidates shall disclose to their respective caucuses prior to their election whether or not they receive compensation from any elected official, registered lobbyist, or political action committee. All SREC members shall disclose to the SREC whether or not they receive compensation from any elected official, registered lobbyist, or political action committee. The SREC shall be authorized to approve the minutes of the State Convention.

GENERAL RULES FOR CANDIDATES

Rule No. 43 – Candidate Platform Review

The Republican Party of Texas shall make an electronic copy of the most recent Platform available on its website. The County or State Chairman shall distribute a copy of the Platform to each candidate along with all other candidate application papers. The County or State Chairman shall request each non-judicial candidate to indicate whether the candidate agrees, disagrees, or is undecided for each bullet point item of the Party Principles included in the Preamble of the Platform and may include comments if desired. The County or State Chairman shall also request that each non-judicial candidate read the entire Platform and indicate at least ten (10) line items from the Platform that the candidate strongly supports. All candidates for non-judicial offices should file the completed Platform Review containing the candidate's responses at the time of filing for office. Candidates' responses shall be collected and recorded by the filing entity and may be published on the filing entity's website prior to the primary. If the filing entity has no website, a copy of the candidate's responses may be received from the filing entity. At the discretion of the Executive Committee of the filing entity, a candidate's response may be excluded from posting to the website of the filing entity.

Rule No. 43A

The Platform Committee of the biennial State Convention shall prepare a list of no less than ten (10) and no more than twenty (20) principles included in the Preamble of the Platform of the Republican Party of Texas which clearly defines the Party's values, with the knowledge and purpose that they be used to identify candidate values as stated in Rule No. 43. A candidate must return the candidate's completed Platform Review and the completed Candidate Resource Committee (CRC) funding application to be eligible to receive funds from the CRC of the SREC.

Rule No. 44 – Censure Process and Penalties

- a. A County or Senatorial District Convention or a County or District Executive Committee may, after notice and invitation to the officeholder to appear and be provided time to speak before a County or Senatorial Convention or a County or District Executive Committee, by a two-thirds (2/3) vote of those present and voting, but in no case by less than a majority of the County Executive Committee (CEC) in full, adopt a resolution censuring a Republican public officeholder representing all or a portion of that County or District for three (3) or more actions taken during the current biennium in opposition to the core principles of the Republican Party of Texas defined in the Preamble of the Party Platform as described in Rule No. 43A or to the Legislative Priorities adopted at the most recent State Convention as described in Rule 34(c). Any resolution of censure that does not meet those criteria shall be subject to challenge by a point of order. Such a resolution may include a request, to the SREC or any State Convention held prior to start of the filing period of a Republican Primary Election while these rules are in effect, that the named officeholder be penalized. If such a request is included, after not less than fourteen (14) days' notice and opportunity to the officeholder to appear and be provided time to speak before the SREC or the State Convention in conformity with the request, the delegates of the State Convention by majority vote in the case of (1) below, or by a two-thirds (2/3) vote in the case of (2) below, or the State Republican Executive Committee by a three-fifths (3/5) vote of the full

membership, may vote to concur with the resolution of censure and impose one or both of the following penalties:

1. declare that no Rule or Bylaw enacted by any division of the Party at any level that demands the Party be neutral in intraparty contests shall be observed with respect to the named officeholder, and no financial or other support shall be provided to their campaign by the Party except that which is required by law. If the officeholder files an application to run for any public office in the Republican Party primary following the censure resolution's passage, the SREC shall be authorized to spend up to twelve percent (12%) of the Party's general fund on voter education in the officeholder's district, by republishing the original censure resolution verbatim, using a media format determined by the SREC.
2. declare that the named officeholder is discouraged from participating in the Republican Party Primary following the censure passage.

Any above penalty imposed shall expire on the day following the date of the Primary runoff in which the officeholder would be up for reelection. The term "officeholder" as used in this rule shall mean a holder of public office except a justice of the peace, or a judge of a statutory county court, statutory probate court, district court, court of appeals, the Courts of Criminal Appeal, or the Supreme Court of Texas. Nothing within this Rule shall be construed to authorize the removal of a public officeholder; and likewise, nothing within this rule shall serve to limit the removal of any public officeholder under other rule or law.

- b. Any County Chairman who applies the provisions of Section (a)(1) and thereby becomes the subject of a lawsuit for doing so shall be indemnified by the Republican Party of Texas, who shall provide counsel to the County Chairman or pay for any expenses incurred related to any suit. The State Party Chairman shall defend in court any suit against the Party arising from the application of Rule No. 44.

Rule No. 45 – Clean Hands Rule

Any individual or leader of a Political Action Committee who has an outstanding fine or has been finally convicted by a local, state, or federal authority of an election law violation shall be ineligible to serve as an officer of the Republican Party at any level until or unless the fine has been paid or the sentence has been fulfilled whereupon the person may be reappointed or duly elected pursuant to Party rules for filling a vacancy.

Except for rules on electoral affairs, which take effect on January 1 of the odd-numbered year following the biennial Republican Party of Texas State Convention, amendments to these rules take effect: (1) upon adjournment sine die of each biennial Republican Party of Texas State Convention, or (2) immediately, when amended by the State Republican Executive Committee.

Republican Party of Texas 512-477-9821 (Telephone) 512-480-0709 (Fax)

These rules were originally adopted by the State Executive Committee on March 13, 1972 in Austin, Texas and amended by the:

State Convention on September 19, 1972 in Dallas, Texas;
State Convention on September 17, 1974 in Houston, Texas;
State Convention on June 19, 1976 in Fort Worth, Texas;
State Convention on September 11, 1976 in Austin, Texas;
State Convention on September 9, 1978 in Dallas, Texas;
State Convention on June 21, 1980 in Houston, Texas;
State Convention on September 6, 1980 in San Antonio, Texas;
State Convention on September 11, 1982 in Austin, Texas;
State Convention on September 22, 1984 in Corpus Christi, Texas;
State Executive Committee on November 23, 1985 in Austin, Texas;
State Convention on June 28, 1986 in Dallas, Texas;
State Executive Committee on May 30, 1987 in Austin, Texas;
State Executive Committee on November 21, 1987 in Copperas Cove, Texas;
State Convention on June 10, 1988 in Houston, Texas;
State Convention on June 30, 1990 in Fort Worth, Texas;
State Convention on June 20, 1992 in Dallas, Texas;
State Convention on June 11, 1994 in Fort Worth, Texas;
State Convention on June 13, 1998 in Fort Worth, Texas;
State Convention on June 16, 2000 in Houston, Texas;
State Convention on June 8, 2002 in Dallas, Texas;
State Convention on June 4, 2004 in San Antonio, Texas;
State Convention on June 3, 2006 in San Antonio, Texas;
State Convention on June 13, 2008 in Houston, Texas;
State Convention on June 12, 2010 in Dallas, Texas;
State Executive Committee on October 1, 2011 in Austin, Texas;
State Executive Committee on February 29, 2012 in Austin, Texas;
State Convention meeting on June 8, 2012 in Fort Worth, Texas;
State Executive Committee on December 7, 2013 in Austin, Texas;
State Convention on June 6, 2014 in Fort Worth, Texas;
State Executive Committee on March 7, 2015 in Austin, Texas;
State Executive Committee on September 12, 2015 in Austin, Texas;
State Convention on May 13, 2016 in Dallas, Texas;
State Executive Committee on March 4, 2017 in Austin, Texas;
State Executive Committee meeting on April 7, 2018 in Austin, Texas;
State Convention on June 16, 2018 in San Antonio, Texas;
State Executive Committee on September 14, 2019 in Austin, Texas;
State Convention on October 6, 2020 by electronic vote;
State Executive Committee on August 28, 2021 in Lubbock, Texas [amended Rule Nos. 1(e), 19, and 27A];
State Executive Committee on February 12, 2022 in Austin, Texas [amended Rule Nos. 19 and 23A];
State Convention on June 18, 2022 in Houston, Texas; and
State Executive Committee on September 24, 2022 in Austin, Texas [amended Rule No. 44(b) and proviso language]; and
State Executive Committee on March 4, 2023 in Austin, Texas [amended Rule No. 8(f)].

From: Laura Pressley [REDACTED] >
Sent: Wednesday, May 3, 2023 3:07 PM
To: Chris Davis
Cc: Valerie Covey; [REDACTED]; Christina Adkins; cjaster; Drew.Tedford@senate.texas.gov; Bryan.Hughes@senate.texas.gov; Debra Bean
Subject: Williamson Co. Surveillance Issues - Voted ballots not under surveillance
Attachments: May 2 2023 Williamson County Surveillance Issues - May 2023 Elections.pdf

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hello Mr. Davis,

Hope your day is going well. Some concerns have been raised regarding the security of Williamson County's early voting ballots for the May 2023 election.

Regarding the lack of surveillance of areas with voted ballots:

1. May 2 (7:30pm - 11 pm) - The surveillance cameras installed for the transfer of early voting ballots *did not* capture all areas used to transfer those materials. Many were transferred by clerks through a secondary entrance to the central counting station room that is directly left of the storage area *that was not* under surveillance. I believe one of those are from my Florence ISD race. Our watchers reported they communicated these issues and they were not permitted inside to watch.
2. May 2 (11pm) - May 3 (7:30pm) - The surveillance cameras in the Ballot and Media Storage area containing all early voting ballot boxes were off (screens totally black) from May 2nd around 11pm until May 3rd around 7:30am. The early voting materials for my Florence ISD race are included in those.
3. May 2 - May 3 - There are several early voting ballot boxes (2-3) and media bags that are stored near the door entrance in the Ballot and Media Storage room that are not in the view of the surveillance cameras. I believe one of those are from my Florence ISD race.

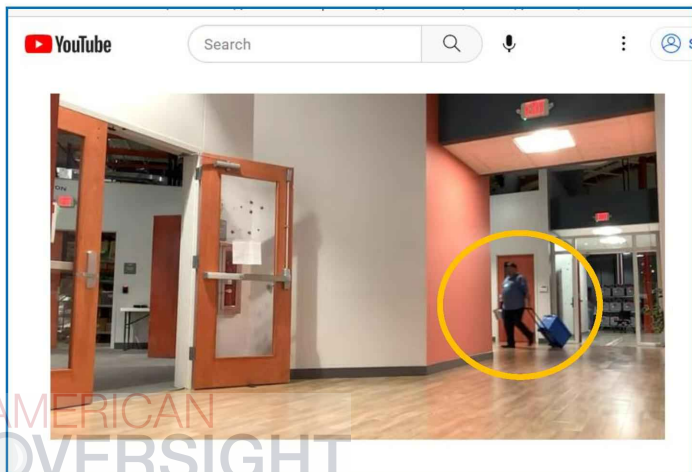
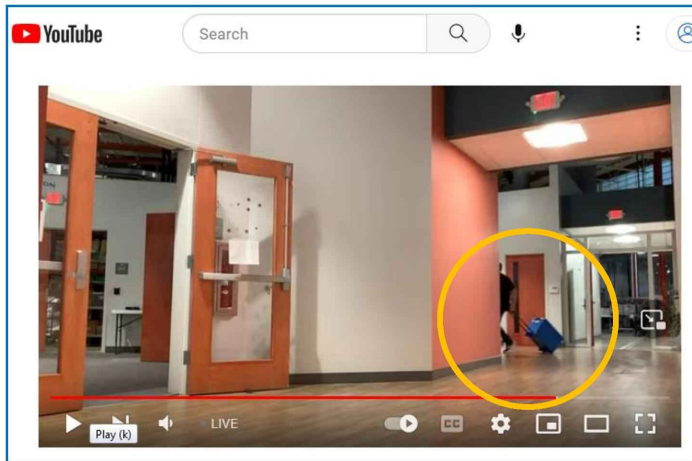
Please see the attached information that will provide images of the issues noted. Would you correct these so Williamson County is in compliance with securing early voting materials pursuant to Tex. Elec. Code 127.1232(b)?

Blessings,
Laura Pressley

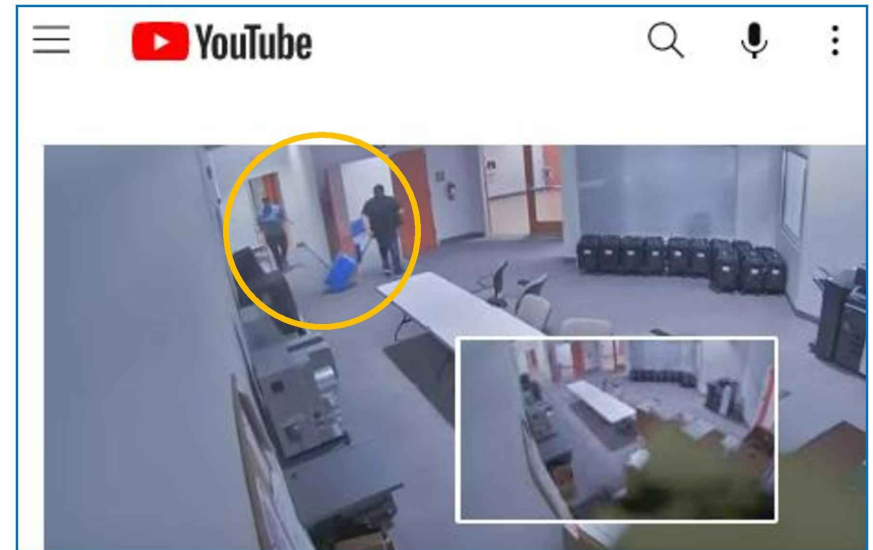
Williamson County May 2023 Election – Early Voted Ballot Boxes and Media Tex. Elec. Code 127.1232(b) Compliance Concerns

1. Hallway Used to Transfer Ballot Materials Was Not under surveillance - May 2, 2023

Transfer of 11 early voting blue ballot boxes occurred through a back hallway that was not under surveillance.



10 of the 17 early voting ballot boxes and media bags entered through a single door located to the right of the storage area. That door opens to a hallway that was not under surveillance.

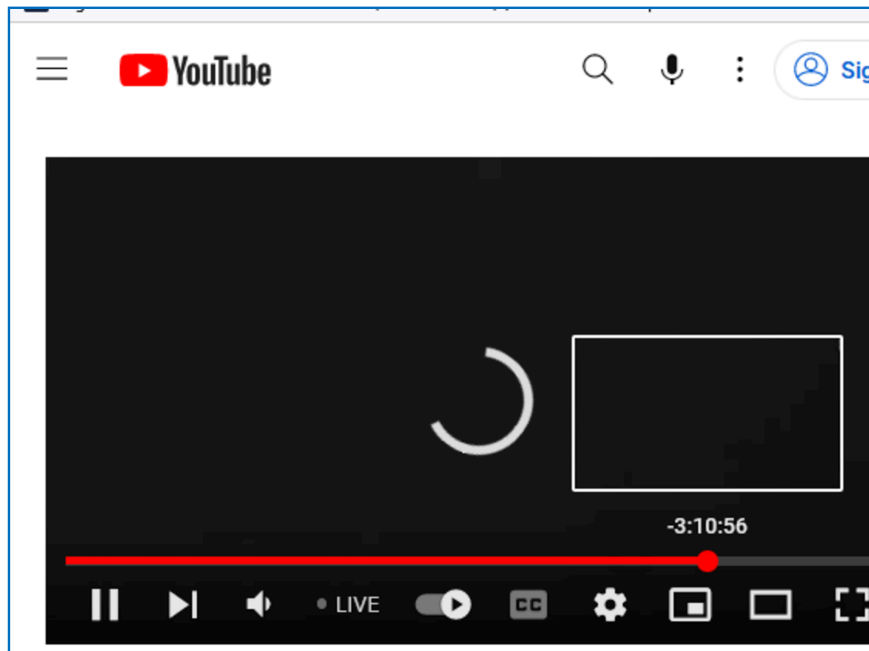


Based on the delivery time of the ballot boxes that came in through the unsurveilled area, one of those is suspected to be from the Florence City Hall polling location.

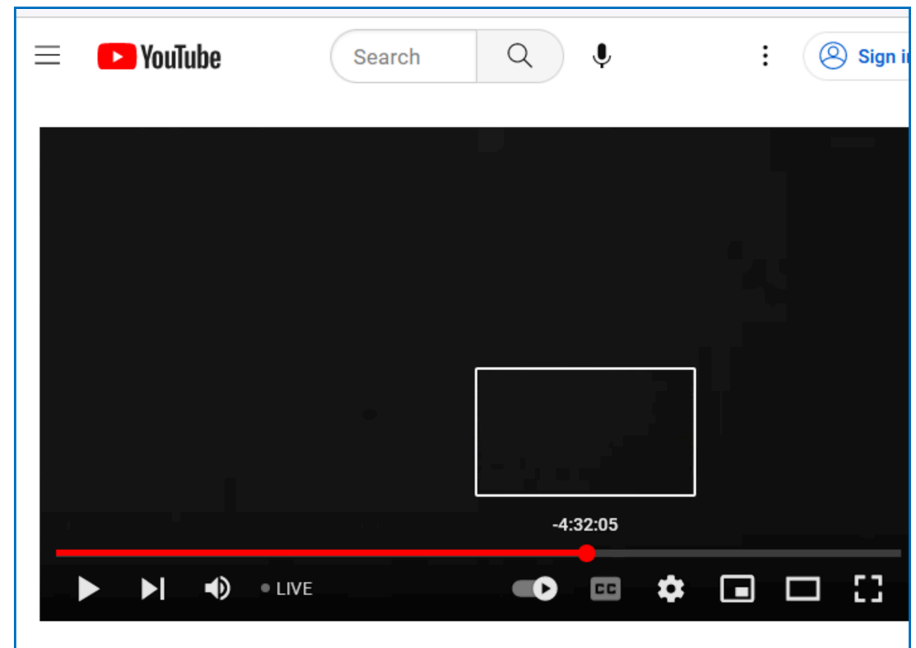
Williamson County May 2023 Election – Early Voted Ballot Boxes and Media Tex. Elec. Code 127.1232(b) Compliance Concerns

2. Ballot and Media Storage Room Was Not under continuous surveillance - May 2 & 3, 2023

Screen Shot of May 2, 2023 - Around 11pm the Ballot and Media Storage Room surveillance camera went black and stopped recording.



Screen Shot of May 3, 2023 - Around 7:30am the Ballot and Media Storage Room Surveillance camera was still not recording.

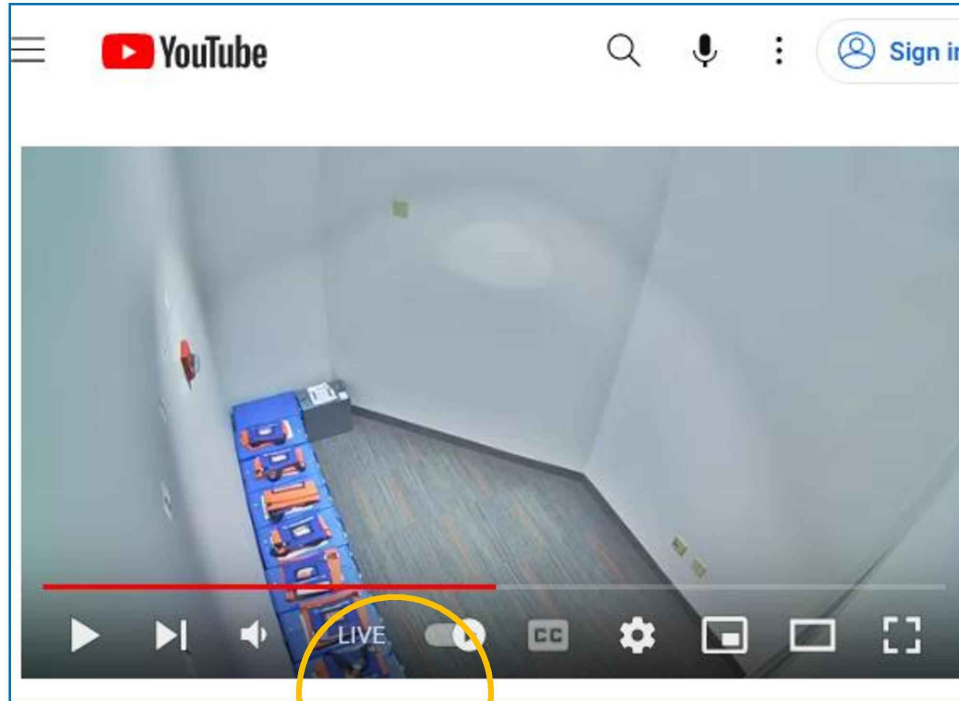


Williamson County May 2023 Election – Early Voted Ballot Boxes and Media

Tex. Elec. Code 127.1232(b) Compliance Concerns

3. Ballot Boxes Stored Near Door not Under Surveillance May 2 – May 3

Screen Shot of May 2, 2023 – There are at least two ballot boxes that are stored near the bottom left of the image below that are not in the view of the surveillance camera. Based on the delivery time of the ballot boxes not in the view of the camera, one of those is suspected to be from the Florence City Hall polling location.



From: Christina Adkins
Sent: Tuesday, May 2, 2023 5:06 PM
To: [REDACTED]; Williamson - Christopher Davis (cjDavis@wilco.org); 'vcovey@wilco.org'
Cc: [REDACTED]
Subject: Williamson County Poll Watcher Access

Good Afternoon everyone,

I would like to address a number of questions we have received regarding Williamson County's procedures related to the close out of early voting for the May 6, 2023 Elections. I have spoken to several individuals regarding this matter, and I would like to detail my conversations as well as clarify what is expressly provided for in the law and what the Secretary of State's office recommends as a best practice.

Per Section 33.0605 of the Texas Election Code, a watcher serving at a polling place may observe all activities related to the closing of a polling place. Additionally, this provision authorizes a watcher to follow the transfer of election materials from the polling place to a regional tabulating center, the central counting station, **or any other location designated to process election materials**. Section 33.060 also provides that a watcher shall be permitted to accompany election officers in making such deliveries to the designated locations. The law is specific to election day procedures. However, we consider Section 81.002 to apply this provision to early voting procedures, to the extent feasible. While the Election Code expressly allows watchers to observe the closeout of a polling place and the transfer of materials, it does not provide that watchers can observe anything else beyond the transfer at the early voting clerk's office. There are provisions that allow for duly appointed watchers to observe all activities at the central counting station; but if delivery is being made to the early voting clerk, there is no additional authority to continue poll watcher activities after that transfer of records has occurred.

Last week, I received an email and a phone call from Laura Pressley detailing the security surrounding voted ballots after the close of early voting. Dr. Pressley raised concerns regarding the accountability measures in place to ensure that voted ballots are properly secured. Dr. Pressley explained that after the early voting ballots were delivered to the early voting clerk at the close of early voting, the poll watchers were not allowed to follow the ballots into the office to ensure they were properly secured in the secure storage area. Dr. Pressley also indicated that while Williamson County has cameras as required by Section 127.1232 of the Texas Election Code that provide a livestream of the areas containing voted ballots, these cameras are not placed in the hallways to allow a person to observe the transport of the ballots to the secure storage area. After having conversations with Dr. Pressley and Elections Administrator Chris Davis, I was told that the parties agreed to allow poll watchers from each individual location to follow the ballots from their location to the secure storage area. Last night, I was informed by Dr. Pressley that Williamson County had rescinded its decision to allow poll watchers to follow the ballots based on guidance that our office issued regarding the poll watcher access to records. Dr. Pressley asked me to speak with Commissioner Valerie Covey regarding this issue. Commissioner Covey informed me that Williamson County had installed cameras to address Dr. Pressley's concerns. Since the county provided the additional coverage requested by Dr. Pressley, the county did not feel it was necessary to allow poll watchers to follow the ballots to the secure storage area as this issue was being addressed by the live stream. I spoke to Chris Davis this morning and confirmed the installation of cameras and the change in procedure. Mr. Davis also relayed that all processing activities regarding the early voting records happen upon transfer of records to the early voting clerk and that poll watchers are permitted to view this process. The only part that poll watchers cannot observe is the transport of those ballots to the secure room. However, this transportation process was now visible on the county's live streamed cameras.

Based on the plain text of the law, Williamson County is complying with the requirements of Sections 33.0605 and 33.060 of the Texas Election Code. As a best practice, I strongly recommend that all county election officials provide as

much transparency as possible when it comes to securing voted ballots. In our April 27, 2023 email sent to counties (attached), we advised that while the law doesn't require that poll watchers have access to this part of the process, early voting clerks may choose to allow those individuals in their office to observe the process. Although we recommend providing access to poll watchers to observe the securing of ballots, our office does not have the authority to mandate this access. Section 276.019 of the Election Code specifically provides that a public official or election official may not create, alter, modify, waive or suspend any election standard, practice or procedure mandated by law or rule in a manner not expressly authorized by the Code. I do not have statutory authority to create a rule extending this access beyond what is allowed by the Texas Election Code.

If you have any questions regarding this email, please do not hesitate to contact us.

Christina Worrell Adkins

Director of Elections

Office of the Texas Secretary of State

1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701

1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.