

Friday, March 8, 2024 at 10:35:55 Eastern Standard Time

Subject: RE: Public Records Request
Date: Thursday, March 7, 2024 at 7:47:25 PM Eastern Standard Time
From: Rob McQuade
To: AO Records
Attachments: image001.jpg, PRR A050.pdf

EXTERNAL SENDER

Ms. Stark,

Attached is the first tranche of records responsive to your request. We have identified additional responsive records but are nearing the statutorily allowed first two hours of free labor to process them pursuant to Idaho Code 74-102(10).

Currently, we estimate it will take approximately 4 more hours to review the responsive records. Per Idaho Code 74-102(10)(e), the rate for that employee is \$20 per hour. If the employee completes the request in a shorter amount of time, the remaining amount will be refunded and if the employee exceeds the amount of time needed, we may ask for additional funds. Please let us know if you would like us to continue to process the request and we can facilitate payment.

If you have any questions, please let me know.

Sincerely,

Rob McQuade

From: Rob McQuade <rmcquade@sos.idaho.gov>
Sent: Wednesday, March 6, 2024 5:48 PM
To: records@americanoversight.org
Subject: Re: Public Records Request

Hi Ms. Stark,

I tried calling earlier, but wanted to send an email in addition to my voicemail. Is there a time tomorrow we could touch base regarding the best way for us to share the records you requested?

All the best,

Rob McQuade

From: Rob McQuade
Sent: Friday, February 23, 2024 3:28:38 PM
To: records@americanoversight.org <records@americanoversight.org>
Subject: Public Records Request

Dear Ms. Stark,

This email responds to your request February 21, 2024, to examine records under the Idaho Public Records Act, Idaho Code Title 74, Chapter 1. Pursuant to Idaho Code Section 74-103(2), our office has determined that more than three days is needed to locate records responsive to your request. Accordingly, we will respond to your request no later than March 6, 2024.

Sincerely,

Rob McQuade



Robert H. McQuade, Jr.
Assistant Chief Deputy
Office of the Idaho Secretary of State
Direct: (208) 332-2821
Email: rmcquade@sos.idaho.gov
700 W Jefferson St, Boise, ID 83720

From: [Nicole Fitzgerald](#)
To: [Brian Benjamin](#)
Subject: Fwd: HAVA Funds Documentation - Opearent
Date: Tuesday, January 9, 2024 2:10:28 PM

From: Nicole Fitzgerald <nfitzgerald@sos.idaho.gov>
Sent: Thursday, December 21, 2023 4:13 PM
To: chadhouck@boisestate.edu <chadhouck@boisestate.edu>
Cc: Kathy Abbott <kathy.abbott@sos.idaho.gov>
Subject: HAVA Funds Documentation - Opearent

Good afternoon Chad,

Thank you for meeting last week. As discussed, and pursuant to EAC grant requirements, please provide an accounting of the money spent, including documentation, for our EAC reporting. You shared having spent \$14,000 on travel and other operating costs, \$66,000 on personnel, with \$20,000 unspent. Please provide receipts and invoices for travel and operating expenditures, payroll documentation, and proof of funds for the unspent portion. Please preserve any unspent funds for possible return to the Secretary of State's Democracy Fund.

Please provide the requested documents by close of business next Friday, December 29, 2023.

If you have any questions, please let me know.

Thank you,
Nicole

From: [Nicole Fitzgerald](#)
To: [Bryan Benjamin](#)
Subject: FW: [External] Re: HAVA- Operant Update
Date: Monday, February 26, 2024 10:46:00 AM

From: Nicole Fitzgerald
Sent: Sunday, December 10, 2023 8:10 PM
To: Chad Houck <chadhouck@boisestate.edu>
Subject: RE: [External] Re: HAVA- Operant Update

Hi Chad,

Thanks for such a quick response. We need more details to report to the EAC and it would be helpful to get an accounting of the funds spent. Can you please provide this to us? For unspent funds, we can come up with a plan to redirect them to other projects at Boise State that fit within HAVA guidelines.

Thank you,
Nicole

From: Chad Houck <chadhouck@boisestate.edu>
Sent: Tuesday, December 5, 2023 3:16 PM
To: Nicole Fitzgerald <nfitzgerald@sos.idaho.gov>
Subject: Re: [External] Re: HAVA- Operant Update

No he did not. We were trying to establish a base of five founding states, an effort in which we were not successful, which is what I was saying less directly in my original response.

Laying the groundwork for those states, including discussions with them and drafting preliminary agreements for their consideration, was part of that process and ultimately what was being funded.

Should the organization have launched membership, the setup and annual fees for Idaho would have been waived commensurate with their initial contribution. The benefit to Idaho regrettably, is that we explored and offered an approach that ultimately, other states were not willing to convene around at this time. There was no way to anticipate that going in, as initially we had verbal interest from 6-8 states, however the climate dramatically shifted once several actually pulled out of ERIC.

Chad

On Tue, Dec 5, 2023 at 2:22 PM Nicole Fitzgerald <nfitzgerald@sos.idaho.gov> wrote:

Hi Chad,

Thanks for sending this over. The invoice from last year states it is for "membership fees initial set up and annual". For our reporting purposes, we need to demonstrate how Idaho has received a benefit from Operant. The narrative below mentions drafting initial membership agreements. Did Secretary Denney sign an agreement that outlined any project outcomes?

Thank you,
Nicole

From: Chad Houck <chadhouck@boisestate.edu>
Sent: Thursday, November 9, 2023 2:07 PM
To: Nicole Fitzgerald <nfitzgerald@sos.idaho.gov>
Subject: [External] Re: HAVA- Operant Update

Nicole,

Opearent, through the Boise State INSURE center, continued to pursue advances in elections security research in 2023 by further development of prototype programming solutions for elections specific incident management and comparisons of state voter registration data. The two key projects, known as DARLA and EDISON, are still in a testing phases and part of active research by graduate students and faculty, however they would require additional funding to reach a deployable state for use by elections professionals.

Opearent, having secured its 501c3 status, completed the development of a company website and the preliminary drafting of initial membership agreements and operational documents. Opearent was also able to attend the 2023 NASS conference, where discussions with multiple state SOS elected officials and key staff members led to the eventual conclusion that the timing for deploying solutions like DARLA and EDISON was not favorable due to a consensus lack of trust in the "non-profit in the middle" model amongst elections leaders.

As such, further fund raising activities and operations/membership development on the non-profit side of the partnership has been suspended until such time as further interest is expressed by the multiple state parties that would be needed for a successful launch.

Opearent continues to maintain its connections with INSURE, and as an advisory partner, continues to provide elections specific support to INSURE and to the professors and graduate students at BSU who are researching elections related issues in the areas of cybersecurity, operations, and policy.

Thank you

Chad

On Mon, Nov 6, 2023 at 11:26 AM Nicole Fitzgerald <nfitzgerald@sos.idaho.gov> wrote:

Hi Chad,

Following up on this. Feel free to give me a call if you'd like to discuss. 208-830-9046.

Thanks,
Nicole

From: Nicole Fitzgerald
Sent: Wednesday, October 18, 2023 2:04 PM
To: chadhouck@boisestate.edu
Cc: Kathy Abbott <kathy.abbott@sos.idaho.gov>
Subject: HAVA- Operant Update

Hi Chad,

We are preparing our annual HAVA report and have \$100,000 of HAVA funds spent at the end of last year for Idaho's membership and services through Opearent. Can you provide us an update on Opearent?

Thanks,



Nicole Fitzgerald
Chief Deputy
Office of the Idaho
Secretary of State
Direct: (208) 332-2862
Office: (208) 334-2300
Email:
nfitzgerald@sos.idaho.gov
[700 W. Jefferson St.](#) E205,
Boise, ID 83720

From: [Nicole Fitzgerald](#)
To: [Brooke Brouman](#)
Subject: FW: [External] Updated INSURE NCOA Supplement
Date: Thursday, March 16, 2023 10:19:00 AM
Attachments: [INSURE - NCOA supplement.pdf](#)

From: Amit Jain <ajain@boisestate.edu>
Sent: Tuesday, March 14, 2023 3:39 PM
To: Nicole Fitzgerald <nfitzgerald@sos.idaho.gov>
Subject: [External] Updated INSURE NCOA Supplement

Hi Nicole,

Here is the updated NCOA supplement proposal. Let me know if you have any further questions or need details in more places. Note that I left out the monthly meeting that we talked about as the research office will make that a requirement rather than some thing we do mutually as needed. If this is agreeable, then I will work on my research office to generate a request to supplement the existing INSURE grant.

Sincerely,
--Amit

Amit Jain
Chair and Professor, Department of Computer Science
College of Engineering, Boise State University, Boise, Idaho 83725

Office: CCP 355, 777 W. Main Street, Boise, Idaho 83702
Phone: 208-426-3821 *Mail Stop:* 2055 *Dept. office:* 208-426-5766

From: [Nicole Fitzgerald](#)
To: [Kathy Abbott](#)
Subject: Issues_Challenges_V2
Date: Monday, January 29, 2024 3:44:00 PM
Attachments: [Issues_Challenges_V2.docx](#)

Hi Kathy,

Here is the current narrative.

Thanks,
Nicole

From: [Nicole Fitzgerald](#)
To: [Kathy Abbott](#)
Subject: RE: Opearent W9
Date: Friday, December 8, 2023 8:57:00 AM
Attachments: [image001.png](#)

Thanks, Kathy!

From: Kathy Abbott <kathy.abbott@sos.idaho.gov>
Sent: Friday, December 8, 2023 7:49 AM
To: Nicole Fitzgerald <nfitzgerald@sos.idaho.gov>
Subject: Opearent W9

Morning Nicole,
Here is the W9 for Opearent.

Thank you,



Kathy Abbott
Finance Director
Office of the Idaho Secretary of State
Direct: (208) 332-2824
Office: (208) 334-2300
Email: kathy.abbott@sos.idaho.gov
450 N 4th St. Boise, ID 83720

From: [Rob McQuade](#)
To: [Kathy Abbott](#)
Subject: RE: [External] ID Opearent account setup
Date: Thursday, December 21, 2023 8:29:00 AM

Thank you!

From: Kathy Abbott <kathy.abbott@sos.idaho.gov>
Sent: Thursday, December 21, 2023 8:29 AM
To: Rob McQuade <rmcquade@sos.idaho.gov>
Subject: FW: [External] ID Opearent account setup

Good Morning Rob,
Here is the email chain regarding the payment. I just wanted to forward this so you had a chance to see it before this afternoon.

Kathy

From: Lawrence Denney <ldenney@sos.idaho.gov>
Sent: Monday, December 19, 2022 7:15 AM
To: Kathy Abbott <kathy.abbott@sos.idaho.gov>
Subject: Re: [External] ID Opearent account setup

Yes, if you need my signature, I'll be in today around 10:30
Lawrence

Get [Outlook for iOS](#)

From: Kathy Abbott <kathy.abbott@sos.idaho.gov>
Sent: Monday, December 19, 2022 6:55:45 AM
To: Lawrence Denney <ldenney@sos.idaho.gov>
Subject: FW: [External] ID Opearent account setup

Good Morning Secretary,
Can I get your approval to pay this invoice from Opearent for the Erica project?

Thank you,
Kathy

From: Chad Houck <chad@chadhock.com>
Sent: Friday, December 16, 2022 12:33 PM
To: Kathy Abbott <kathy.abbott@sos.idaho.gov>
Subject: [External] ID Opearent account setup

chad@chadhock.com appears similar to someone who previously sent you email, but may not be that person.
[Learn why this could be a risk](#)

Kathy,

Attached are the documents you should need to establish the account for Opearent, as well as the invoice for the initial membership payment as discussed.

Let me know if you have any questions, and thank you,

Chad

From: [Nicole Fitzgerald](#)
To: [Kathy Abbott](#)
Subject: Re: [External] ID Opearent account setup
Date: Tuesday, December 5, 2023 1:27:00 PM

Thank you, Kathy. I have an email drafted to send to Chad but wanted to double check on an agreement. I have you cc'd and will send it shortly.

From: Kathy Abbott <kathy.abbott@sos.idaho.gov>
Sent: Tuesday, December 5, 2023 1:08:58 PM
To: Nicole Fitzgerald <nfitzgerald@sos.idaho.gov>
Subject: FW: [External] ID Opearent account setup

Hey Nicole,
Here is the original email. It was just the W9 and an IRS designation form.

Kathy

From: Chad Houck <chad@chadhouck.com>
Sent: Friday, December 16, 2022 12:33 PM
To: Kathy Abbott <kathy.abbott@sos.idaho.gov>
Subject: [External] ID Opearent account setup

chad@chadhouck.com appears similar to someone who previously sent you email, but may not be that person.
[Learn why this could be a risk](#)

Kathy,

Attached are the documents you should need to establish the account for Opearent, as well as the invoice for the initial membership payment as discussed.

Let me know if you have any questions, and thank you,

Chad

From: [Chad Houck](#)
To: [Phil McGrane](#)
Cc: [Kathy Abbott](#)
Subject: [External] Re: Contract
Date: Tuesday, March 14, 2023 3:49:57 PM
Attachments: [image001.png](#)

Thank you.

Chad Houck
Ideeuh Sales

Please excuse typos.

This email was composed by non-millennial thumbs on a 3" keyboard as an expedited reply. Thanks! ;)

On Mar 14, 2023, at 3:31 PM, Phil McGrane <pmcgrane@sos.idaho.gov> wrote:

Hi Chad,

Thanks for the follow up call. Sorry again for the confusion. As we discussed, we will extend the existing contract through the month of March per the terms of the agreement. Kathy will help facilitate things as usual. After this month, I we won't plan to extend it unless things come up and you and I discuss it. I really appreciate your responsiveness any time I have a question.

Thanks for making the transition so smooth,
Phil

<image001.png>

Phil McGrane, JD, MPA
Idaho Secretary of State

Office of the Idaho Secretary of State

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700 W Jefferson St, E205