

ICE will disclose personal information?

- 41. How is ICE's use and disclosure of personal information for the purpose of identifying voter fraud consistent with the applicable System of Records Notices under the Privacy Act?**
- 42. Does any other component of DHS provide personal information to state or local agencies for the purpose of identifying voter fraud? If yes, please provide responses to the questions above for that component of DHS.**
- 43. Has DHS provided any information to the now-defunct Voter Integrity Commission? If yes, what information did DHS provide?**

In describing the purported handoff from the Election Integrity Commission to the Department of Homeland Security, Mr. Kobach emphasized that "the investigation will continue, in the executive branch of the government, not in an open, bipartisan commission." As a result, "the Democrats effectively lost their seat at the table."

- 44. Will you commit to maintaining the Department's nonpartisan role in election security, and to providing the same opportunities, guidance, and services to election officials regardless of their political party?**
- 45. Is it accurate to characterize the Department of Homeland Security's work on election cybersecurity as nonpartisan and driven by career professionals within the National Protection and Programs Directorate?**

Implementation of the Cybersecurity Information Sharing Act of 2015

- 46. Which entities currently supply cybersecurity information to the Department under the Automated Indicator Sharing (AIS) program? Are any of those entities compensated by DHS for supplying that information?**
- 47. Which entities currently receive cybersecurity information from the Department under the AIS program?**
- 48. Please provide, for each month since the AIS program's inception, the number of indicators that DHS received and the number of indicators that DHS shared.**
- 49. Do you believe that the AIS program is successful? How do you intend to improve the program?**

National Protection and Programs Directorate Reorganization

The Cybersecurity and Infrastructure Security Agency Act of 2017 (H.R. 3359), which the Department supports, does not take a position on the appropriate component of DHS to house the Federal Protective Service.

50. Where do you believe FPS belongs within the Department?

H.R. 3359 does not provide the Department with new authorities to attract and retain skilled cybersecurity personnel.

51. Do you believe new authorities would be valuable, such as the authorities that the Department of Defense has received to conduct talent exchanges with the private sector?

Domestic Terrorism: White Supremacist Extremists

In May 2017, the FBI and DHS issued a bulletin titled “White Supremacist Extremism Poses Persistent Threat of Lethal Violence.” That document stated that white supremacist extremist groups were responsible for more homicides “than any other domestic extremist movement,” and further, were poised “to continue to pose a threat of lethal violence over the next year.”³

In your January 16 Judiciary Committee hearing, however, you initially focused on those who committed acts of terror and were not born in this country—to the exclusion of white supremacist groups. You later said “we have expanded our prevention efforts of terrorism in the Department of Homeland Security to ensure that we are in fact going after violence of any kind. Any kind is not appropriate and I will not allow it to occur if it’s within our authority to stop.”

52. Will you confirm whether it is within DHS’ authority to investigate, prevent, and/or combat white supremacist extremism?

53. Will you commit to making the prevention and combatting of white supremacist extremist threats a priority of DHS?

54. Will you keep this Committee apprised of new efforts undertaken toward that end, especially by reporting publicly at the end of this year the number of homicides resulting from white supremacist extremism in 2018, and accounting for the decrease or increase in such homicides?

³ U.S. DEP’T OF HOMELAND SEC. & FED. BUREAU OF INVESTIGATION, JOINT INTELLIGENCE BULLETIN: WHITE SUPREMACIST EXTREMIST POSES PERSISTENT THREAT OF LETHAL VIOLENCE (May 10, 2017), <https://www.documentcloud.org/documents/3924852-White-Supremacist-Extremism-JIB.html>.

Please provide information on the following to this Committee (and prior to such submission, provide the date by which you will submit this information). For data, please provide – at a minimum – data from the last five fiscal years:

- **Accounting of DHS resources addressing the white supremacist extremist (WSE) threat including:**
 - Budget
 - Staff
 - Special units/sections
 - Programming
 - Support for states and localities
- **The Scope and Nature of the threat of White Supremacist Extremism:**
 - Accounting of identified threats, including the number, geography, whether it also takes place online, threat level, and descriptor.)
 - Accounting and descriptor of impact to victims and communities including losses of life, injury, property, and mental health impact.
 - Accounting of complaints received and complaints received that resulted in opening investigations.
 - Analysis of beliefs, movements, and philosophy of white supremacist extremists; as well as how these beliefs, movements, and philosophies may be perpetuated online.
 - Whether and how law enforcement balances addressing white supremacist threats with First Amendment rights.
Whether it is necessary to amend the domestic terrorism statute to make domestic terrorism a federal crime; and if so, what are the potential costs to civil rights and civil liberties for such a change in law.
- **Government response to the threat:**
 - Accounting and descriptor of existent investigations.
 - Accounting and descriptor of law enforcement actions and prosecutions involving white supremacist extremists.
 - Accounting and descriptor of support and partnerships with states and localities.
 - Accounting and descriptor of partnerships and work with non-profits and the private sector.
 - Detail of agency plans to track and monitor acts of white supremacist extremists on more than a retrospective, ad hoc basis.
 - Detail of agency plans to monitor individuals believed to be traveling to various protest sites inciting violence.
- **Comparative resource assessment**

- Categories of domestic terror investigations in addition to white supremacist extremism.
- Accounting of complaints and open investigations in each of those categories.
- Accounting of homicides and/or violent incidents arising from each of those categories.
- Accounting of budget, dedicated staff members, special units, and programming for each of those categories.

ICE Director Homan's Threatened Criminal Charges For Elected Officials Supporting Sanctuary Policies

On January 2, 2018, ICE Acting Director Thomas Homan stated he had directed the Dept. of Justice to “look at” “these Sanctuary Cities that knowingly shield and harbor an illegal alien in their jail and won’t allow us access, that is, in my opinion, a violation of 8 U.S.C. § 1324, that’s an alien smuggling statute.”

This comment was specifically made with reference to California and the California Values Act. Director Homan’s intent is to target California for choosing how to prioritize their own resources dedicated to public safety.

During the hearing you said you “believe the request was made” to DOJ by your department, DHS, to look into such criminal charges.

55. Can you confirm if DHS is currently working with DOJ to bring such charges, or any criminal charges, against state or local officials?

56. Please detail the nature of the request made to DOJ by DHS.

57. Please provide a copy of this request that DHS submitted to DOJ.

58. Please identify any prior instance where a federal agency has sought a referral to the Department of Justice to arrest and prosecute any state official operating in their official capacity pursuant to a law promulgated by a state legislature and signed by the governor. What, if any, is the limit of an agency’s authority to do this? May DHS as a department challenge any state law with which it disagrees?

ICE Enforcement in California

In the same interview, Acting ICE Director Thomas Homan also stated, “I am going to significantly increase our enforcement presence in California. We’re already doing it. We’re going to detail additional enforcement assets to California. California better hold on tight, they’re about to see a lot more special agents, a lot more deportation officers in the State of California.”

In an interview on January 19, 2018 – responding to my and Senator Feinstein’s January 17, 2018 letter requesting a DHS briefing on reports of planned ICE raids targeting California and diversion of ICE enforcement assets to the state – Director Homan asserted that The California Values Act was “forcing” him to devote more ICE enforcement resources to California.

59. What additional ICE enforcement assets have been detailed to California for immigration enforcement since January 1, 2018? How many ERO and HSI special agents? Which localities are these agents operating in? Is this a temporary or permanent reallocation of resources?

###

Oversight of the United States Department of Homeland Security
The Honorable Kirstjen Nielsen
Secretary, Department of Homeland Security
Questions for the Record
Submitted January 23, 2018

QUESTIONS FROM SENATOR WHITEHOUSE

1. Has the Department of Homeland Security (DHS) – or, to your knowledge, any other component of the Trump administration – done any geographic mapping for a proposed new border wall?
 - a. How many acres of land does DHS project will be on the far side of the new proposed border wall?
 - b. What are DHS’s plans regarding the use of eminent domain with respect to land needed for the construction of a proposed new border wall?
2. You agreed during your testimony that the NIST Cybersecurity Framework needs to be updated to address the threats of today. What guidance, if any, has the Department of Homeland Security given—or what guidance does it intend to give—NIST with respect to necessary updates? Is there any legislation that you believe is required, or would be helpful, to support or to supplement the NIST framework?
3. When the President disbanded the Presidential Advisory Commission on Election Integrity (“the Commission”), the White House announced that the Commission’s “preliminary findings” would be sent to DHS to “determine the next courses of action.” Has DHS received those preliminary findings, and if so, what are they? What are DHS’s plans to “determine the next courses of action”?
 - a. What was DHS’s role in coordinating data collection and/or analysis with the Commission during its existence, and what will DHS’s role be in the future on issues of voter fraud or election integrity?
4. On October 17, 2017, and again on November 13, 2017, my colleagues and I sent letters to DHS about apparent violations of their sensitive locations policy. Those letters remain unanswered. When can we expect responses to those inquiries?

Non Responsive Record

Commission on Election Integrity

Top Line:

- At the President's direction, the Department continues to work in support of state governments who are responsible for administering elections, with efforts focused on securing elections against those who seek to undermine the election system or its integrity.
- Mr. Kobach is not advising DHS in a formal or informal manner.
- If an issue were to arise, the Department would work with him in his official capacity as the Kansas secretary of state as we do with any secretary of state and other state and local officials.

Background:

- On January 3, 2017, President Trump issued an Executive Order on the termination on the Presidential Advisory Commission on Election Integrity.
- Despite substantial evidence of voter fraud, many states have refused to provide the Presidential Advisory Commission on Election Integrity with basic information relevant to its inquiry.
- Rather than engage in endless legal battles at taxpayer expense, the President signed an executive order to dissolve the Commission, and asked the Department of Homeland Security to review its initial findings and determine next courses of action.

Non Responsive Record

From:	Wales, Brandon (b)(6) (b)(6)
To:	"Shah, Dimple (b)(6) (b)(6) "Maher, Joseph (b)(6) (b)(6) "Baroukh, Nader (b)(6) (b)(6)
CC:	"Wolf, Chad (b)(6) (b)(6) "Neumann, Elizabeth (b)(6) (b)(6)
Subject:	RE: Election Integrity Decisions/Tasks from S1 Meeting
Date:	2018/01/18 09:53:41
Priority:	Normal
Type:	Note

Joe/Dimple/Nader,

I wanted to followup on the below tasks from the Election Integrity meeting with S1. Thanks for sending (b)(5) Can you let me know where things stand on the other two tasks?

(b)(5)

Thanks!
Best,
Brandon

Brandon D. Wales

Senior Counselor to the Secretary
Department of Homeland Security
Office: (b)(6)
Mobile (b)(6)

From: Wales, Brandon
Sent: Wednesday, January 10, 2018 7:49 PM
To: Krebs, Christopher (b)(6); Shah, Dimple (b)(6); Maher, Joseph (b)(6); Baroukh, Nader (b)(6); Symons, Craig M (b)(6); Ries, Lora L (b)(6); Blank, Thomas (b)(6); Petyo, Briana

(b)(6); Short, Tracy (b)(6)
Dougherty, Michael <(b)(6)>; Jonathan Hoffman
(b)(6)
Cc: Wolf, Chad (b)(6) Neumann, Elizabeth
(b)(6)
Subject: Election Integrity Decisions/Tasks from S1 Meeting

All,

Sorry for the delay in getting this out, but I wanted to document yesterday's meeting with S1 on election integrity and make sure everyone knows what is expected.

(b)(5)

TASKS

(b)(5)

(b)(5)

That's what I have. If anyone has something I missed, please send it along. Also, as Chad said at today's Chiefs meeting, this is a high priority for the WH and S1, and we need rapid completion on assigned tasks. Unless I hear otherwise from you, I will assume you will complete your task by next Friday, but sooner is always appreciated. As work is completed, please send it to me and I will share, as appropriate, with this group.

If anyone has any questions or concerns, please let me know.

Best,
Brandon

Brandon D. Wales

Senior Counselor to the Secretary
Department of Homeland Security
Office: (b)(6)
Mobile

Sender:	Wales, Brandon (b)(6)
	(b)(6)
Recipient:	"Shah, Dimple (b)(6)
	(b)(6)
	"Maher, Joseph (b)(6)
	(b)(6)
	"Baroukh, Nader (b)(6)
	(b)(6)
	"Wolf, Chad (b)(6)
	(b)(6)
Sent Date:	"Neumann, Elizabeth (b)(6)
	(b)(6)
2018/01/18 09:53:41	

From:	Wales, Brandon <(b)(6)> (b)(6)
To:	"Blank, Thomas <(b)(6);(b)(7)(C)> (b)(6);(b)(7)(C)
CC:	"Wolf, Chad <(b)(6)> (b)(6) (b)(6) "Neumann, Elizabeth (b)(6) "Homan, Thomas <(b)(6);(b)(7)(C)> (b)(6);(b)(7)(C)
Subject:	RE: Voter Integrity
Date:	2018/01/12 09:34:58
Priority:	Normal
Type:	Note

Understood. Thanks.

Brandon D. Wales

Senior Counselor to the Secretary
Department of Homeland Security

(b)(6)

From: Blank, Thomas [mailto:(b)(6);(b)(7)(C)]
Sent: Friday, January 12, 2018 9:35 AM
To: Wales, Brandon <(b)(6)>
Cc: Wolf, Chad <(b)(6)>; Neumann, Elizabeth
<(b)(6)>; Homan, Thomas <(b)(6);(b)(7)(C)>
Subject: RE: Voter Integrity

Brandon:

Attached is an Executive Summary of the one individual who was removed for voter fraud in FY 17. (b)(5)

(b)(5)

Let us know what else you need.

Tom

From: Blank, Thomas
Sent: Wednesday, January 10, 2018 6:22 PM
To: Wales, Brandon
Cc: Wolf, Chad; Neumann, Elizabeth
Subject: FW: Voter Integrity

Brandon:

Tom Homan had a getback from the Voter Integrity call yesterday as noted below. Here is a preliminary response and I have requested Executive Summaries of each of the two removals for more detail. But I wanted to get you an interim response.

Thanks,

Tom

(b)(5)

Thomas Blank
Chief of Staff
US Immigration and Customs Enforcement
US Department of Homeland Security
500 12th Street SW
Washington, D.C. 20536

(b)(6)

From: Blank, Thomas

Sent: Tuesday, January 09, 2018 4:44 PM

To: Albence, Matthew (b)(6);(b)(7)(C)

Cc: (b)(6)

(b)(6)

Subject: Voter Integrity

Matt:

Tom was given one get back by SI from the Voter Integrity call today. How many aliens, if any, have been removed for voter fraud under sections 1182 or 1227. (b)(5)

(b)(5)

Thanks,

Tom

Sender: Wales, Brandon (b)(6)

	(b)(6)
Recipient:	"Blank, Thomas (b)(6):(b)(7)(C)
	(b)(6):(b)(7)(C)
	"Wolf, Chad (b)(6) (b)(6)
	(b)(6)
	"Neumann, Elizabeth
	(b)(6)
	"Homan, Thomas (b)(6):(b)(7)(C)
	(b)(6):(b)(7)(C)
Sent Date:	2018/01/12 09:34:57
Delivered Date:	2018/01/12 09:34:58

From:	Wales, Brandon (b)(6)	
To:	"Maher, Joseph (b)(6) "Shah, Dimple (b)(6)	
CC:	"Wolf, Chad <(b)(6)>	
Subject:	FW: Election Integrity Decisions/Tasks from S1 Meeting	
Date:	2018/01/11 11:15:51	
Priority:	Normal	
Type:	Note	

Joe/Dimple,

This morning the S1 brought up (b)(5) She now needs our write up by the end of this week or Monday at the latest.

Can you let me know if that is going to be a problem?

Best,

Brandon

Brandon D. Wales

Senior Counselor to the Secretary
Department of Homeland Security

(b)(6)

From: Wales, Brandon

Sent: Wednesday, January 10, 2018 7:49 PM

To: Krebs, Christopher (b)(6) Shah, Dimple (b)(6); Maher, Joseph (b)(6); Baroukh, Nader <(b)(6)>; Symons, Craig M <(b)(6)> Ries, Lora L (b)(6); Blank, Thomas (b)(6); Petyo, Briana <(b)(6)> Short, Tracy <(b)(6)> Dougherty, Michael <(b)(6)> Jonathan Hoffman

(b)(6)
Cc: Wolf, Chad (b)(6) Neumann, Elizabeth

(b)(6)
Subject: Election Integrity Decisions/Tasks from S1 Meeting

All,

Sorry for the delay in getting this out, but I wanted to document yesterday's meeting with S1 on election integrity and make sure everyone knows what is expected.

(b)(5)

Page 0107

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

From:	Wales, Brandon (b)(6)
To:	"Symons, Craig M <(b)(6)>" "Ries, Lora L <(b)(6)>"
CC:	"Wolf, Chad <(b)(6)>" "Neumann, Elizabeth <(b)(6)>"
Subject:	RE: Election Integrity Decisions/Tasks from S1 Meeting
Date:	2018/01/18 09:48:41
Priority:	Normal
Type:	Note

All,

I wanted to follow-up on the below tasks from the Election Integrity meeting with S1. Can you let me know where things stand, particularly on any follow-up conversations with Nevada and Texas?

(b)(5)

Also I wanted to give you a heads up, there is significant Hill interest in how the Department is handling the election integrity issue. We will likely need to do a briefing soon, and will ask you to brief SAVE.

Thanks!

Best,
Brandon

Brandon D. Wales

Senior Counselor to the Secretary
Department of Homeland Security

(b)(6)

From: Wales, Brandon

Sent: Wednesday, January 10, 2018 7:49 PM

To: Krebs, Christopher (b)(6); Shah, Dimple (b)(6); Maher, Joseph (b)(6); Baroukh, Nader

From:	Wolf, Chad (b)(6) (b)(6)	
To:	"Wales, Brandon (b)(6)	
Subject:	RE: Election Integrity Commission	
Date:	2018/01/07 22:25:20	
Priority:	Normal	
Type:	Note	

This should be your #1 issue to bring up at Staff tomorrow. I talked with her over the weekend about it but we both got distracted with immigration discussions.

Chad F. Wolf
(Acting) Chief of Staff
Department of Homeland Security

From: Wales, Brandon
Sent: Friday, January 5, 2018 9:51 PM
To: Wolf, Chad <(b)(6)>
Cc: Hoffman, Jonathan (b)(6) Maher, Joseph (b)(6) Shah, Dimple (b)(6)
Subject: Election Integrity Commission

Chad,

Per our conversation, Jonathan and I recommend that the Department clearly and publicly lay out what it will and won't do related to the now shuttered Election Integrity Commission. As you can see in the below article, the press is not letting up, and we think we need guidance from the S1 early next week.

As I mentioned, we had a call today with OGC (along with ICE and CIS GC), DOJ (Gene H) and White House Counsel's Office. (b)(5)

(b)(5)

After talking with Jonathan and Dimple, our recommendation (b)(5)

(b)(5)

(b)(5)

Jonathan/Joe/Dimple, feel free to jump in and add or correct to anything I have laid out above.

Best,
Brandon

Brandon D. Wales

Senior Counselor to the Secretary
Department of Homeland Security

(b)(6)

From: Houlton, Tyler

Sent: Friday, January 5, 2018 5:51 PM

To: Hoffman, Jonathan (b)(6) Wales, Brandon

(b)(6)

Subject: RE: Story on Trump voter commission

Story below.

DHS election unit has no plans for probing voter fraud: sources
Reuters

Dustin Volz & Julia Harte
January 5, 2018 – 3:28 PM

<https://www.reuters.com/article/us-usa-election-dhs/dhs-election-unit-has-no-plans-for-probing-voter-fraud-sources-idUSKBN1EU1YF>

WASHINGTON (Reuters) - The U.S. Department of Homeland Security's election security unit has no immediate plans to probe allegations of electoral fraud, despite President Donald Trump's announcement this week he was giving the issue to the agency, according to administration officials.

Trump said on Wednesday that he had asked the Department of Homeland Security (DHS) to review voter fraud and determine appropriate courses of action, as he announced he was disbanding a presidential commission dedicated to the matter.

Multiple officials and sources familiar with the matter said they were unaware of plans within DHS, a sprawling agency responsible for a wide array of national security issues, to investigate voter fraud.

State and federal officials said that having DHS pursue voter fraud allegations would undermine efforts to protect voting systems from cyber attacks, a current DHS priority.

Asked whether the DHS has immediate plans to pursue voter fraud issues, agency spokesman Tyler Houlton said it "continues to work in support of state governments who are responsible for administering elections, with efforts focused on securing elections against those who seek to undermine the election system or its integrity."

Trump has said repeatedly, without providing evidence, that fraud may have accounted for his loss by nearly 3 million votes in the popular vote to Democrat Hillary Clinton in the 2016 election. Trump, a Republican, won the state-by-state electoral college vote which decides the winner of U.S. presidential elections.

Any further delay in investigating voter fraud is likely to further weaken Trump's allegations. But investigating voter fraud might complicate efforts by DHS to help states prevent cyber attacks on the 2018 midterm elections.

The commission, which Democrats and voting rights experts have attacked as meritless, was established in May last year but its work stalled when many states refused its request for data about registered voters.

Given almost no advance notice, DHS officials scrambled on Wednesday night to inform stakeholders that Trump's mandate would not interfere with efforts to help state and local election officials bolster their voting infrastructure against potential cyber attacks, according to a senior U.S. official.

The order to investigate claims of voter fraud might damage cooperation with states on cyber security, which officials see as a threat heading into the midterms in November.

States have been increasingly eager to work with the Trump administration on cyber issues but many have criticized the voter fraud initiative, saying it is groundless and distracts from legitimate issues, like hacking threats.

"If (DHS) were to start investigating these non-existent voter fraud claims, that would be very problematic," said Edgardo Cortes, Virginia's chief election official, who rejected the commission's request last year for data about voters registered in Virginia. Cortes said he would also turn down DHS if it asked for the same data.

White House Press Secretary Sarah Sanders told reporters on Thursday that the Trump administration was sending "preliminary findings" to DHS, which would "make determinations on the best way forward from that point."

DHS spokesman Houlton added that Kansas Secretary of State Kris Kobach, a former co-chairman of the White House's now-disbanded election integrity commission, was not advising DHS.

Kobach told news media this week that he expected officials from Immigration and Customs Enforcement, a branch within DHS, to continue the work of the commission. Kobach's office did not respond to requests for comment from Reuters.

Tyler Q. Houlton
Press Secretary (Acting)
Department of Homeland Security
(b)(6)

From: Hoffman, Jonathan
Sent: Friday, January 5, 2018 5:49 PM
To: Wales, Brandon (b)(6); Houlton, Tyler (b)(6)
Subject: FW: Story on Trump voter commission

Where are we with this? It is picking up steam and becoming a problem.

From: Houlton, Tyler
Sent: Friday, January 5, 2018 5:48 PM
To: Hoffman, Jonathan (b)(6)
Subject: FW: Story on Trump voter commission

Reuters story is picking up some steam. I think we let it ride with what we've already provided unless you have anything else we can update with. Thoughts?

Tyler Q. Houlton
Press Secretary (Acting)
Department of Homeland Security
(b)(6)

From: (b)(6)
Sent: Friday, January 5, 2018 5:42 PM
To: Houlton, Tyler (b)(6)
Cc: Media Inquiry
Subject: Re: Story on Trump voter commission

Hi Tyler,

Does the department have an update on working on voter fraud with the election security unit?
Saw Reuters reporting there are no plans.

Thank you again!

(b)(6)

On Wed, Jan 3, 2018 at 8:59 PM, Houlton, Tyler (b)(6) wrote:

Attributable to DHS Acting Press Secretary Tyler Q. Houlton:

“The Department continues to focus our efforts on securing elections against those who seek to undermine the election system or its integrity. We will do this in support of State governments who are responsible for administering elections.”

From: (b)(6)
Sent: Wednesday, January 03, 2018 8:55:26 PM
To: Media Inquiry
Subject: Story on Trump voter commission

Hello,

I'm working on a story about the end of Presidential Advisory Commission on Election Integrity. Will DHS now investigate the voter fraud issue?

The president's statement said he "asked the Department of Homeland Security to review its initial findings and determine next courses of action."

Thank you,

(b)(6)

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(b)(6)
web producer | Washington Examiner

(b)(6)

--

(b)(6)

web producer | Washington Examiner

(b)(6)

Sender:	Wolf, Chad (b)(6)	
Recipient:	"Wales, Brandon" (b)(6)	
Sent Date:	2018/01/07 22:25:19	
Delivered Date:	2018/01/07 22:25:20	

From:	Wales, Brandon <(b)(6)>
To:	"Blank, Thomas <(b)(6)>"
CC:	"Wolf, Chad <(b)(6)>" "Neumann, Elizabeth <(b)(6)>"
Subject:	RE: Voter Integrity
Date:	2018/01/10 18:25:51
Priority:	Normal
Type:	Note

Thank you.

Brandon D. Wales
Senior Counselor to the Secretary
Department of Homeland Security

O (b)(6)
M (b)(6)

From: Blank, Thomas [mailto:(b)(6)]
Sent: Wednesday, January 10, 2018 6:22 PM
To: Wales, Brandon <(b)(6)>
Cc: Wolf, Chad <(b)(6)> Neumann, Elizabeth
(b)(6)
Subject: FW: Voter Integrity

Brandon:

Tom Homan had a getback from the Voter Integrity call yesterday as noted below. Here is a preliminary response and I have requested Executive Summaries of each of the two removals for more detail. But I wanted of get you an interim response.

Thanks,

Tom

There were 2 removals with a sustained charge related to voter fraud in FY17; one for 212(a)(10)(D) and one for 237(a)(6) of the INA.

There were no removals with those charges in FY15 and FY16.

Thomas Blank
Chief of Staff

From:	Claffey, Lauren <(b)(6)> (b)(6)
To:	"Wolf, Chad <(b)(6)> (b)(6)
Subject:	FW: Donald J. Trump Tweets
Date:	2018/01/04 06:35:01
Priority:	Normal
Type:	Note

From: Waldman, Katie

Sent: Thursday, January 04, 2018 6:31:20 AM

To: Claffey, Lauren; Costanzo, Emily; (b)(6) Hoffman, Jonathan; Houlton, Tyler; Lansing, Christyn

Subject: FW: Donald J. Trump Tweets

From: Comms Alert

Sent: Thursday, January 04, 2018 6:20:35 AM

Subject: Donald J. Trump Tweets

Donald J. Trump

@realDonaldTrump

Many mostly Democrat States refused to hand over data from the 2016 Election to the Commission On Voter Fraud. They fought hard that the Commission not see their records or methods because they know that many people are voting illegally. System is rigged, must go to Voter I.D.

<https://twitter.com/realDonaldTrump/status/948872192284155904>

As Americans, you need identification, sometimes in a very strong and accurate form, for almost everything you do.....except when it comes to the most important thing,
VOTING for the people that run your country. Push hard for Voter Identification!

<https://twitter.com/realDonaldTrump/status/948874586006925313>

Sender:	Claffey, Lauren (b)(6)
Recipient:	"Wolf, Chad (b)(6)
Sent Date:	2018/01/04 06:35:01

Significant Correspondence Report



1/3/2018

JOHN M. BOGGS, KENTUCKY
 RUBEN BORTMAN, OHIO
 RAND PAUL, KENTUCKY
 JAMES L. S. BORTMAN, OKLAHOMA
 MICHAEL B. ENZI, WYOMING
 JOHN HOEVEN, NORTH DAKOTA
 STEVE DAINES, MONTANA

CLAYTON K. CASSELL, MISSOURI
 THOMAS H. CARPER, DELAWARE
 JON TESTER, MONTANA
 HEIDI HEITKAMP, NORTH DAKOTA
 GARY L. PETERS, MICHIGAN
 MARGARET WOOD HANSEN, NEW HAMPSHIRE
 KAMAL A. D. HARRIS, CALIFORNIA

United States Senate

CHRISTOPHER HIXON, STAFF DIRECTOR
 MARGARET B. M. HIXON, STAFF DIRECTOR

COMMITTEE ON
 HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

January 2, 2018

2018 JAN -3 AM 8:02
 SCANNED/RECEIVED
 BY ESCC SEC

The Honorable Kirstjen Nielsen
 Secretary
 U.S. Department of Homeland Security
 3801 Nebraska Avenue NW
 Washington, DC 20528

Dear Secretary Nielsen:

I write to request information about the interactions between the Department of Homeland Security (DHS) and the Presidential Advisory Commission on Election Integrity (Commission).

Following public reports that the Commission would have full-time staff from the Department of Homeland Security,¹ I asked then-Secretary John Kelly for information on DHS' role related the Commission.² Specifically, I asked for details of any plans to staff the Commission with DHS employees.³ He responded that the executive order establishing the Commission established that General Services Administration (GSA), not DHS, would "provide support to the Commission, including any staff necessary to carry out its mission."⁴

Recently-released documents indicate that DHS may have more involvement with the Commission than previously known. The Commission recently disclosed an index of documents withheld in litigation that suggest DHS may be providing technical assistance to the Commission. This index confirmed that the Commission's designated federal officer, Andrew Kossack, and Mr. Kobach himself had repeated email contact with DHS from June through late August 2017. One email recently disclosed that Kossack, Kobach, and the Office of the Vice President exchanged correspondence categorized as "Email chain about potential partnership

¹ *Civil Rights Groups Fume About Trump's Choice Of Kris Kobach For Voter Fraud Panel*, Kansas City Star (May 11, 2017) (www.kansascity.com/news/politics-government/article149910457.html).

² Senate Committee on Homeland Security and Governmental Affairs, Questions for the Record to Secretary John Kelly, Department of Homeland Security, *Hearing on the Department of Homeland Security Fiscal Year 2018 Budget Request*, 115th Cong. (June 6, 2017).

³ *Id.*

⁴ *Id.*

opportunities with DHS.”⁵ Other emails authored by DHS officials indicate discussions included “potential future coordination / overlap between entities.”⁶

To assist me in understanding the nature and level of support being provided by DHS to the Commission, I request that you provide the following information and documents on or before January 23, 2018:

1. Please provide all internal and external communications of DHS personnel regarding the Presidential Advisory Commission on Election Integrity.
2. On June 28, 2017, the Commission sent requests to state election officials seeking an extensive set of state voter records. Please describe the role of DHS in this process and provide all related documents and records.
3. Please provide all data or information possessed by DHS that has been shared with the Commission and explain what steps has DHS taken to ensure its security.

If you have any questions please contact Charles Shaw and Lucy Balcezak of my staff at (202) 224-2627. Please send any official correspondence related to this request to Lucy Balcezak at Lucy_Balcezak@hsgac.senate.gov. Thank you for your prompt attention to this matter.

Sincerely,



Claire McCaskill
Ranking Member

cc: Ron Johnson
Chairman

⁵ Defendants’ *Vaughn Index* at entry 383 (Sept. 29, 2017), *Lawyers’ Committee for Civil Rights Under Law v. Presidential Advisory Commission on Election Integrity et al.*, D.D.C. (No. 1:17 CV 01354) (www.scribd.com/document/360511302/Vaughn-Index).

⁶ See, Defendants’ *Vaughn Index* at entries 365, 384, 445, 472, 475, and 705 (Sept. 29, 2017), *Lawyers’ Committee for Civil Rights Under Law v. Presidential Advisory Commission on Election Integrity et al.*, D.D.C. (No. 1:17 CV 01354) (www.scribd.com/document/360511302/Vaughn-Index).

From:	Wales, Brandon (b)(6) (b)(6)
	(b)(6)
	"Krebs, Christopher <(b)(6)>
	"Hoffman, Jonathan <(b)(6)>
To:	"Houlton, Tyler <(b)(6)>
	(b)(6)
	"Wolf, Chad <(b)(6)>
	(b)(6)
	"Neumann, Elizabeth (b)(6)
Subject:	RE: Election Commission
Date:	2018/01/04 00:18:32
Priority:	Normal
Type:	Note

There are additional quotes in the politico story that everyone needs to see:

<https://www.politico.com/story/2018/01/03/trump-disbands-voter-fraud-commission-322621>

Brandon D. Wales

Senior Counselor to the Secretary

Department of Homeland Security

(b)(6)

From: Krebs, Christopher

Sent: Wednesday, January 03, 2018 10:18:06 PM

To: Hoffman, Jonathan; Houlton, Tyler; Wolf, Chad; Wales, Brandon; Neumann, Elizabeth

Subject: RE: Election Commission

Yes please. I'm managing messaging with stakeholders now.

From: Hoffman, Jonathan

Sent: Wednesday, January 3, 2018 10:12 PM

To: Houlton, Tyler <(b)(6)>; Krebs, Christopher
<(b)(6)>; Wolf, Chad <(b)(6)>; Wales, Brandon <(b)(6)>; Neumann, Elizabeth
<(b)(6)>

Subject: Election Commission

Let's discuss in person tomorrow. This will receive significant attention. See quotes from Kobach.

<https://mobile.nytimes.com/2018/01/03/us/politics/trump-voter-fraud-commission.html?action=click&module=Top%20Stories&pgtype=Homepage>

Sender:	Wales, Brandon <(b)(6)> (b)(6)
Recipient:	"Krebs, Christopher <(b)(6)> "Hoffman, Jonathan <(b)(6)> "Houlton, Tyler </O= (b)(6)> "Wolf, Chad </O=DH (b)(6)> "Neumann, Elizabeth (b)(6)>
Sent Date:	2018/01/04 00:18:32

From:	Claffey, Lauren </O=	(b)(6)
To:	"Wolf, Chad </O=	(b)(6)
Subject:	FW: (b)(6)	tweet
Date:	2018/01/04 17:19:04	
Priority:	Normal	
Type:	Note	

FYI

From: Waldman, Katie

Sent: Thursday, January 04, 2018 5:18:02 PM

To: Claffey, Lauren; Costanzo, Emily; (b)(6) Hoffman, Jonathan; Houlton, Tyler; Lansing, Christyn

Subject: (b)(6) Tweet

(b)(6)

(b)(6)

Sender:	Claffey, Lauren (b)(6)	
Recipient:	"Wolf, Chad (b)(6) "Krebs, Christopher (b)(6)	
Sent Date:	2018/01/04 17:19:03	
Delivered Date:	2018/01/04 17:19:04	

From:	Krebs, Christopher <(b)(6)>
	(b)(6)
	"Wales, Brandon (b)(6)
	(b)(6)
	"Hoffman, Jonathan (b)(6)
To:	"Houlton, Tyler <(b)(6)>
	(b)(6)
	"Wolf, Chad <(b)(6)>
	(b)(6)
	"Neumann, Elizabeth (b)(6)
	(b)(6)
Subject:	RE: Election Commission
Date:	2018/01/04 00:27:54
Priority:	Normal
Type:	Note

Thanks, Brandon.

Assuming the storm doesn't sock us all in, I can also be up at the nac mid-afternoon prior to the WEF meeting if we want to discuss in person.

Thx

From: Wales, Brandon
Sent: Thursday, January 4, 2018 12:19 AM
To: Krebs, Christopher <(b)(6)>; Hoffman, Jonathan (b)(6); Houlton, Tyler (b)(6); Wolf, Chad (b)(6); Neumann, Elizabeth (b)(6)
Subject: RE: Election Commission

There are additional quotes in the politico story that everyone needs to see:
<https://www.politico.com/story/2018/01/03/trump-disbands-voter-fraud-commission-322621>

Brandon D. Wales
Senior Counselor to the Secretary
Department of Homeland Security

(b)(6)

From: Krebs, Christopher
Sent: Wednesday, January 03, 2018 10:18:06 PM

(b)(5)

From: Nielsen, Kirstjen
Sent: Monday, July 03, 2017 11:18:00 AM
To: Krebs, Christopher; Hoffman, Jonathan; Cissna, Tiffany
Cc: Neumann, Elizabeth; Wolf, Chad
Subject: RE: Jeannette and new hires

Chris

Could you please draft an email to send to (b)(5) to let them know our concerns with (b)(5) and asking for a guide/ charter as to what the commission will be focusing on

From: Krebs, Christopher

Sent: Monday, July 3, 2017 11:16 AM

To: Nielsen, Kirstjen (b)(6); Hoffman, Jonathan

(b)(6) Cissna, Tiffany (b)(6)

Cc: Neumann, Elizabeth (b)(6); Wolf, Chad (b)(6)

Subject: RE: Jeannette and new hires

One item that may come up this week: in Kobach's letter to state Secretaries he asked how the commission could help with IT security and vulnerabilities.

That piece of the letter hasn't been picked up on, instead focusing on the request for last four and DOB. But IT issues weren't in the original scoping of the commission.

(b)(5)

The letter:

<https://www.documentcloud.org/documents/3881856-Correspondence-PEIC-Letter-to-North-Carolina.html>

Politico article:

<http://www.politico.com/story/2017/07/01/trump-voter-fraud-panel-hackers-240168>

Christopher C. Krebs
Department of Homeland Security

(b)(6)

(b)(5)



- The labor pool is aging, but we are also seeing people who could be working but are staying home. We badly need them to go back to work.
- Our welfare system often creates disincentives for people to seek work. We intend to change that.
- We need to reform welfare to ensure it helps those truly in need of it, but does not encourage people to stay home.
- Smart energy strategy
 - The president's "all of the above" energy strategy expands the economy's growth potential.
 - Yes, it puts coal miners back to work. But cheaper, cleaner, more abundant energy will also increase investment and employment across dozens of industries, from chemicals to automobiles.
 - By ensuring reliable supplies and stable prices, the president's energy plan will reduce uncertainty, especially in the manufacturing sector, thereby reducing the risks associated with building new plants and hiring more American workers.
- Rebuilding America's infrastructure
 - The president's plan to rebuild America's infrastructure will create immediate job opportunities.
 - More important, it will boost the long-term productivity of American industry.
 - Rebuilding roads, bridges, airports and ports will pay dividends both now and in the future.
- Fair trade for America
 - The U.S. is frequently abused when it comes to international trade.
 - Ensuring that other nations do not undermine our economy by unduly taxing our products, by dumping products here, or by stealing our intellectual property is essential to our economic future.
- Government spending restraint
 - When government spends a lot, it takes money away from private investment.
 - Private investment is always a more efficient allocator of capital than government.
 - We will continue to fund critical government functions, including a social safety net that gives people the comfort of knowing they will not be overlooked while encouraging them to be more willing to take chances.
 - But we will watch every dollar to minimize waste.

President's Election Integrity Commission

- This meeting is in response to President Trump's Executive Order calling for a commission to help "promote fair and honest federal elections."
 - The Commission is composed of a bipartisan group of public officials from all levels of government, federal, state, and local. (Of the 12 members 5 are Democrats, 7 are Republicans)
 - The Commission includes five current or former Secretary of States.
- Election integrity is vital to every American, as President Coolidge said the "whole system of American government rests on the ballot box."
- There are no preordained results of this Commission, it is purely for fact-finding, and a report of findings will be presented to the President.
- Members of the commission will speak to their own unique perspective. This is the first of several meetings that will be held over the coming months.
- The Commission has already begun work by requesting publicly available data.
 - More than thirty states have indicated they will provide information that is pursuant to the laws of their states.
- The mainstream media's general assertion that the commission is looking for a problem in the name of voter suppression is insulting:
 - A Pew Research Center study found 1.8 million dead people were listed as voters, 12 million records with incorrect data, and 2.75 million persons registered in more than one state.
 - A Heritage Foundation database has compiled 1,071 cases of proven instances of voter fraud across the U.S.

POTUS' SIX MONTHS OF AMERICA FIRST

"Together, we are working every day for the citizens of this country: protecting their safety, bringing back their jobs and, in all things, putting AMERICA FIRST." – President Donald J. Trump

Top Line

- In his first six months in office, President Trump's leadership has made the American people stronger, safer, and more prosperous – and we are just getting started.
- A renewed spirit of optimism and the President's America First policies have led to economic growth unlike anything we have seen in many years.

From:	(b)(6)	
To:		
Subject:	RE: Kansas	
Date:	2017/11/13 16:24:13	
Priority:	Normal	
Type:	Note	

(b)(6)

Thank you for the two KS and the SC article.

(b)(6)

(b)(6)

Special Assistant

U.S. Department of Homeland Security

USCIS

SAVE Program

(b)(6)

From: (b)(6)

Sent: Monday, November 13, 2017 2:23 PM

To: (b)(6)

Cc:

Subject: Kansas

NB. Virginia used bar code readers at the polls in the recent election.

<http://www.kansascity.com/opinion/editorials/article183791936.html>

Why didn't Kansas Real ID licenses work correctly on Election Day?

By The Kansas City Star Editorial Board

November 09, 2017 6:28 PM

Hundreds, perhaps thousands of Kansans who went to the polls Tuesday ran into an unexpected problem when they provided required photo identification.

The foul-up — involving a new driver's license called [Real ID](#) — did not appear to affect anyone's right to vote. But it was an inconvenience for voters and poll workers, and it suggests Kansas needs to pay closer attention to the basic tools for casting ballots.

The snafu may also feed doubts about the state's voter ID requirements, Real ID, safety and the right to vote.

Kansas began issuing Real ID driver's licenses in August. [They're part of a national program designed to strengthen identification documents in the states.](#) By the year 2020, you'll need a Real ID-compliant license to fly on an airline.

[Real ID driver's licenses](#) include a white star in the corner and two pictures of the license holder. On the back, there are bar codes that provide information about the holder.

That's where Tuesday's problem comes in. **Kansans who presented Real ID licenses to poll workers soon learned the bar codes didn't work. The scanners couldn't read them.**

Instead, election workers using [electronic poll books](#) had to manually search for voter data. The process added a minute or so to casting a ballot.

It turns out the Real ID bar codes had changed, but no one from the state told local election workers about it.

"We honestly did not know," said [Bruce Newby](#), Wyandotte County election commissioner.

Someone should be embarrassed. It seems obvious that officials needed to make sure the Real ID bar codes would work with existing equipment.

It's equally obvious someone should have notified election authorities that a change was coming.

This happened across the state, and authorities have promised to fix the problem, but Kansans have a right to be nervous. **Will there be a bar code issue when fliers use Real ID licenses at airports?**

And what about voters?

Kansas Secretary of State Kris Kobach led the effort to force [Kansans to present a valid photo ID](#) to exercise their rights as citizens. On Tuesday, some Kansans who tried to comply by using a state-issued document discovered it wouldn't work as intended.

[Perhaps Kobach can pause from his work](#) on the Election Integrity Commission long enough to make sure voters' rights in Kansas are fully protected and that election systems work.

(We're not confident. On Thursday, a member of the commission sued to find out more about the group's own work.)

[The Kansas Department of Revenue, which issues driver's licenses](#), also has some work to do to make sure this problem doesn't resurface next year.

We don't want to overstate our concerns. Again, there's no evidence anyone was prevented from voting because of the bar code blunder.

Instead of investing time and energy chasing virtually non-existent voter fraud, though, the state should work to make sure the process is convenient and secure.

It should also make sure Real IDs work as intended. Those goals should be met before Kansans cast ballots again.

Read more here:

<http://www.kansascity.com/opinion/editorials/article183791936.html#storylink=cpy>

Sender:	(b)(6)	
Recipient:		
Sent Date:	2017/11/13 16:24:13	

From:	Hoffman, Jonathan (b)(6)
To:	(b)(6)
Subject:	FW: Media Request, Breitbart News (b)(6)
Date:	2017/07/09 10:52:22
Priority:	Normal
Type:	Note

Ma'am,

Can you call me about the below before you head for vacation?

Thank you

Jonathan

(b)(6)

From: Lapan, David

Sent: Saturday, July 08, 2017 7:41:24 PM

To: Hoffman, Jonathan; Johnson, Liz

Subject: FW: Media Request, Breitbart News (b)(6)

See this...

From: (b)(6)

Sent: Saturday, July 08, 2017 7:14:05 PM

To: Media Inquiry

Subject: Media Request, Breitbart News, (b)(6)

Hi,

I am writing to inquire about a recent leak to media from a "DHS official." The article in question is here:

<http://www.thedailybeast.com/mr-voter-fraud-goes-to-washington-cant-get-job>

The quote of concern is here:

“The ICE workforce, which Chris Crane claims to support, would be far better served if he focused his efforts on supporting ICE’s expanded enforcement priorities, instead of undermining them with false personal attacks,” said a DHS official. “Mr.

Crane's comments are strikingly out of touch with the impressive gains made in the enforcement of immigration law under the Trump administration."

My sources claim that Acting ICE Director Thomas Roman's advisor, Jon Freere, reached out to Gillian Christensen, ICE SPOX, and that she then contacted the Daily Beast and gave the quote as an "unnamed DHS official." The quote clearly smears ICE Officer Chris Crane, a whistleblower who was praised as a hero by Attorney General Jeff Sessions and by the Trump campaign.

What steps is DHS taking to identify the leaker who used their position to put personal attacks against an ICE officer in the media? Would such behavior be seen as an issue for DHS?

Also, Gillian Christensen left ICE and went to USCIS after engaging me in her defense of Acting ICE Director Homan. Was this planned or is it a result of her alleged leaking to press?

Christensen has had issues before, specifically in 2015, as she was identified as a leaker who used her position in ICE to smear another law enforcement officer who took advantage of whistleblower protections. Here is the link to that 2015 incident.

<http://dailycaller.com/2015/12/29/exclusive-ice-flack-tries-to-slime-whistleblower/>

Another area of concern for me is that DHS Secretary Kelly sent an on-the-record statement to the same reporter who published the leaked smear. He did so 10-12 hours after the unnamed DHS official smear was published. This gives the impression

that Secretary Kelly was validating the original comments from the unnamed source, as he did not offer any objection while commenting on the subject matter of the original article.

Please provide comment on this as well. Was Secretary Kelly’s intention to validate the unnamed DHS source’s comments? If not, does he have a comment on such a leak that smears one of his own law enforcement officers?

Thank you,

(b)(6)

(b)(6)

Sender:	Hoffman, Jonathan (b)(6)	
Recipient:	(b)(6)	

Sent Date:	2017/07/09 10:52:21
Delivered Date:	2017/07/09 10:52:22

Page 0138

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 0139

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 0140

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

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Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Page 0154

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

From:	Barsa, John (b)(6)
To:	"Hamilton, Gene (b)(6)
Subject:	FW: Nevada (b)(7)(A)
Date:	2017/08/24 18:25:18
Priority:	Normal
Type:	Note

Gene,

I can't seem to find a record of me forwarding this to you. I remember speaking with you about the issue of Nevada's (b)(7)(A) but am not sure if I actually forwarded this email with the contact information for the Nevada Attorney General.

Are you still willing to speak w/ him?

John

From: (b)(6)
Sent: Friday, August 11, 2017 6:41 PM
To: Barsa, John (b)(6)
Subject: Nevada Voter Fraud Investigation

John,

Thank you for your call today. I enjoyed speaking with you about working towards a solution to the issues we are having in Nevada with our (b)(7)(A) Nevada Senior Deputy Attorney General Brin Gibson, has been advising the Secretary of State's Office on these matters and we would greatly appreciate the opportunity to speak with Mr. Gene Hamilton at his convenience.

Please feel free to call or email me regarding the date and time Mr. Hamilton is available for a phone call and I will arrange with our team.

(b)(6)

Sincerely,

(b)(6)

(b)(6) | Chief Criminal Investigator

State of Nevada | Secretary of State | Securities Division

(b)(6)

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Sender:	Barsa, John <(b)(6)> (b)(6)
Recipient:	"Hamilton, Gene (b)(6) (b)(6)"
Sent Date:	2017/08/24 18:25:17
Delivered Date:	2017/08/24 18:25:18

From:	Barsa, John (b)(6)	
To:	"Hamilton, Gene (b)(6)	
CC:	"Cassil, Susanne (b)(6)	
Subject:	FW: Nevada (b)(7)(A)	
Date:	2017/08/11 19:11:14	
Priority:	Normal	
Type:	Note	

Gene,

I spoke with the Nevada AG's office and they would most definitely welcome a call with you at your convenience to discuss their issue. See below.

Do you think you might be able to call them next week?

John

From: (b)(6)
Sent: Friday, August 11, 2017 6:41 PM
To: Barsa, John (b)(6)
Subject: Nevada (b)(7)(A)

John,

Thank you for your call today. I enjoyed speaking with you about working towards a solution to the issues we are having in Nevada with our (b)(7)(A). (b)(7)(A) Nevada Senior Deputy Attorney General Brin Gibson, has been advising the Secretary of State's Office on these matters and we would greatly appreciate the opportunity to speak with Mr. Gene Hamilton at his convenience.

Please feel free to call or email me regarding the date and time Mr. Hamilton is available for a phone call and I will arrange with our team.

(b)(6)

Sincerely,

(b)(6)

(b)(6) | Chief Criminal Investigator

State of Nevada | Secretary of State | Securities Division

(b)(6)

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Sender:	Barsa, John (b)(6)	
	(b)(6)	
Recipient:	"Hamilton, Gene	
	(b)(6)	
	"Cassil, Susanne	
Sent Date:	2017/08/11 19:11:13	
	Delivered Date: 2017/08/11 19:11:14	

From:	Krebs, Christopher <(b)(6)>
To:	"Hamilton, Gene <(b)(6)>
Subject:	RE: Query on voter fraud commission
Date:	2017/05/23 16:02:06
Priority:	Normal
Type:	Note

Im around...

Christopher C. Krebs
Department of Homeland Security

(b)(6)

From: Hamilton, Gene
Sent: Tuesday, May 23, 2017 3:59 PM
To: Krebs, Christopher <(b)(6)>
Subject: FW: Query on voter fraud commission

Let's circle up on this later.

Gene P. Hamilton
Senior Counselor to the Secretary
U.S. Department of Homeland Security

From: Nielsen, Kirstjen
Sent: Tuesday, May 23, 2017 8:02 AM
To: Neumann, Elizabeth <(b)(6)>; Lapan, David <(b)(6)>
Hoffman, Jonathan <(b)(6)>; Taylor, Miles <(b)(6)>
Hamilton, Gene <(b)(6)>; Krebs, Christopher <(b)(6)>
Subject: RE: Query on voter fraud commission

+ Chris who has DHS point.
Chris let's discuss

From: Neumann, Elizabeth
Sent: Tuesday, May 23, 2017 7:56:14 AM
To: Lapan, David; Hoffman, Jonathan; Taylor, Miles; Hamilton, Gene; Nielsen, Kirstjen
Subject: RE: Query on voter fraud commission

+Kirstjen

S1 has some very specific guidance on how DHS should interact with Commission. Let's discuss offline

From: Lapan, David
Sent: Tuesday, May 23, 2017 7:54:05 AM
To: Hoffman, Jonathan; Taylor, Miles; Hamilton, Gene
Cc: Neumann, Elizabeth
Subject: Query on voter fraud commission

(b)(6) of Washington Times has asked me for a DHS comment on this story (excerpts below, also from the Wash Times) about the new voter fraud commission, particularly what data DHS would be able to provide the commission. What can we say at this point?

(b)(6) wrote to me that "Kobach did not say whether he had made contact with DHS. At the White House, he told our reporter that DHS has data on every legal immigrant and they want to compare that to voter rolls."

President Trump established a commission Thursday to study voter fraud and suppression, tapping Vice President Mike Pence and Kansas Secretary of State Kris W. Kobach to lead an effort that is drawing fire even before its first meeting.

On an issue where anecdotes, conjecture and accusations from both sides have dominated the debate, the commission hopes to break new ground by producing a comprehensive national look at the extent of voter fraud.

The commission, for the first time, will delve into Homeland Security databases in an effort to determine the scope of noncitizens who end up illegally registered to vote — and sometimes even cast ballots.

"People have their different opinions about whether this is big enough to be considered a problem, how big a problem is it. But oftentimes they don't have a whole lot of data to work with. This commission will provide that data," Mr. Kobach told The Washington Times just after Mr. Trump signed an executive order creating the commission

Although academics and voting officials have studied voter fraud for years, Mr. Kobach said, they have never been able to take a comprehensive look because they have not had access to important data.

He said the commission will be able to use Homeland Security data that lists every legal immigrant and visa holder in the country — and will run a sample of state voter files against that data to try to spot noncitizens who are registered to vote.

Mr. Kobach said the commission also may tap Social Security's Death Master File to see how often dead people show up on local voting rolls.

Conservative groups said there are hints of how bad the fraud problem is.

North Carolina's Board of Elections has identified 41 noncitizens who voted in its election last year, and Nevada has an active investigation. The Washington Times has asked for documents on that probe, but Nevada has delayed its answers.

David Lapan
Deputy Assistant Secretary for Media Operations/Press Secretary
Department of Homeland Security

(b)(6)

Sender:	Krebs, Christopher (b)(6)	
Recipient:	"Hamilton, Gene <(b)(6)>	
Sent Date:	2017/05/23 16:02:04	
Delivered Date:	2017/05/23 16:02:06	

From:	Hamilton, Gene <(b)(6)>
To:	"Krebs, Christopher (b)(6)"
Subject:	FW: Washington Times: Immigration agency won't commit to giving noncitizen data to voter fraud commission
Date:	2017/07/05 16:32:35
Priority:	Normal
Type:	Note

Gene P. Hamilton
Senior Counselor to the Secretary
U.S. Department of Homeland Security

From: Lapan, David
Sent: Wednesday, July 05, 2017 4:16:54 PM
To: Neumann, Elizabeth; Hamilton, Gene
Subject: FW: Washington Times: Immigration agency won't commit to giving noncitizen data to voter fraud commission

(b)(5)

From: Short, Michael C. EOP/WHO
Sent: Wednesday, July 05, 2017 9:44:19 AM
To: Hoffman, Jonathan; Lansing, Christyn; Lapan, David
Subject: FW: Washington Times: Immigration agency won't commit to giving noncitizen data to voter fraud commission

(b)(5)

From: Comms Alert [mailto:(b)(6)]
Sent: Wednesday, July 5, 2017 6:18 AM
Subject: Washington Times: Immigration agency won't commit to giving noncitizen data to voter fraud commission

Immigration agency won't commit to giving noncitizen data to voter fraud commission
Washington Times
Rowan Scarborough
July 4, 2017

<http://www.washingtontimes.com/news/2017/jul/4/immigration-agency-balks-at-giving-records-to-vote/>

The U.S. immigration agency that holds millions of records on noncitizens living legally in the U.S. will not commit to turning over that data to President Trump's commission on voter fraud.

The Commission on Election Integrity already has clashed with Democrat-run states that are refusing to meet its written requests to provide voter rolls. The information is considered public and is often given or sold to political groups.

Commission Vice Chairman Kris Kobach, the Kansas secretary of state, told The Washington Times in May that he also wants U.S. Citizenship and Immigration Services to provide the identifications of noncitizens living as permanent residents with green cards.

The idea is to compare that huge list with another large database, this one of registered voters maintained by the states. Under federal law, it is illegal for noncitizens to register and to vote in federal elections. Polls and some spot-check investigations suggest that many do.

The Times asked CIS, a branch of the Department of Homeland Security, whether it would comply with a request from the commission, which is headed by Vice President Mike Pence.

The agency provided a statement to The Times that fell short of a commitment: "It would be speculative and premature to comment on any future hypothetical request from the Commission to DHS for information."

The statement also noted that Mr. Trump's executive order states that the commission's work "shall be implemented consistent with applicable law."

Homeland Security's answer suggests that federal law may block data transfer.

The Trump executive order states, "Relevant executive departments and agencies shall endeavor to cooperate with the Commission."

Acquiring immigration data would seem critical to the commission if it is to settle a raging question: How many noncitizens in the U.S. vote illegally? Liberals generally say few, if any, go to the polls. Conservative activists and Mr. Trump contend that many cast ballots, and mostly for Democrats.

The only way to find hard numbers, at least for legal immigrants, would be to compare voter rolls with immigration rolls, and the only agency that keeps such noncitizen data is the Homeland Security Department.
How many legal noncitizens of voting age live in the U.S. today?

James Agresti, president of Just Facts, said the U.S. Census Bureau puts the number at 11.29 million and Homeland Security statistics calculate a higher number: 11.9 million.

The polling estimate for illegal immigrants living in the U.S. is another 11 million, approximately, with most of voting age.

“I think DHS needs to make it available,” said Tom Fitton, Judicial Watch president. “They’ve made it difficult, if not impossible, for states to use that information. And if they get in the way of a presidential commission doing it, then that shows you the deep state is still running the show.”

The “deep state” is a label conservatives use to describe federal government employees and officials appointed by President Obama who are conspiring to sabotage the Trump administration.

“This is a serious issue. Voter fraud is a serious issue,” Mr. Fitton said. Whether it’s a few hundred thousand or a few million, we need to figure out what the scope of the problem is so it can be addressed. The data is available. It’s just a matter of matching data. It’s not an issue of going out and knocking on doors.”

But Myrna Perez, who heads the Brennan Center’s voting rights and elections project, called Mr. Kobach’s plan a “witch hunt.”

“I think engaging in some sort of witch hunt to try to find noncitizen voters on the rolls is a tremendous waste of time and a misuse of taxpayer resources,” Ms. Perez said. “There have been numerous analyses of studies that indicate that there are not that many noncitizens on the rolls, and very few of them vote.”

Ms. Perez, who authored the study “Noncitizen Voting: The Missing Millions,” also said Homeland Security’s information can be unreliable.

“I also think we do not have in our country an always up-to-date list of noncitizens,” she said. “DHS will have some of them. We don’t make everybody register like that. We don’t have a citizenship registry. And then people’s statuses change. For example, some of the states have issues whereby they think someone will be a noncitizen because they presented a green card for a driver’s license, but they got the driver’s license four years ago, and in the last two years, they became a citizen. It’s hard to correct for things like that.”

The Times reported on June 4 that Homeland Security has another source of data that could go a long way in determining the breadth of noncitizen voting.

All permanent residents who apply for citizenship must answer, under penalty of perjury, whether they have illegally registered to vote and whether they have voted.

It is perhaps the only government questionnaire that asks such questions.

The Times filed a Freedom of Information Act request for the answers to those two questions going back 10 years and involving millions of applicants.

The U.S. immigration agency denied the request, saying the answers are not compiled and archived. They would have to be individually searched on millions of forms if the Pence-Kobach commission made such a request.

Sender:	Hamilton, Gene <(b)(6)> (b)(6)	
Recipient:	"Krebs, Christopher (b)(6)"	
Sent Date:	2017/07/05 16:32:34	
Delivered Date:	2017/07/05 16:32:35	



U.S. Citizenship
and Immigration
Services



The Use of SAVE for Voter Registration

Background

The Systematic Alien Verification for Entitlements (SAVE) program is required, by statute, to respond to inquiries made by federal, state, or local government agencies seeking to verify or ascertain citizenship or immigration status of any individual within the jurisdiction of the agency “for any purpose authorized by law.” SAVE’s origins are found in the Immigration Reform and Control Act of 1986 (IRCA), Public Law (Pub. L.) No. 99-603. IRCA prohibited certain federal agencies from granting specified federal public benefits to certain non-U.S. citizens, and imposed obligations upon those benefit granting agencies to determine the citizenship and/or immigration status of benefit applicants. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), Pub. L. No. 104-208, as amended, expanded SAVE’s purview by requiring DHS to respond to inquiries by federal, state and local government agencies seeking to verify or determine the citizenship or immigration status of any individual within the jurisdiction of the agency for any lawful purpose. See 8 U.S.C. § 1373(c).

The SAVE Verification Process

Before gaining access to SAVE for voter registration, the state agency must provide USCIS with all applicable legal authorities and voter registration procedures that authorize the agency to engage in voter registration activities. These authorities are reviewed by the USCIS Office of Chief Counsel and the DHS Office of the General Counsel (OCC) is also notified of the state’s request. The state’s application to use SAVE for voter registration or voter list maintenance is not approved until the state demonstrates that they have adequate notification and appeal processes in place to ensure that any voter denied registration has adequate due process.

Once an agency is approved, SAVE’s role in verifying voter registration eligibility is limited to verifying naturalized or derived citizenship. SAVE cannot verify U.S. born citizens under any circumstances. To use SAVE to verify naturalized or derived citizenship of individuals registering or registered to vote, a user agency **must** provide SAVE with the numeric identifiers (i.e., alien registration number and/or certificate number) found on the individual’s immigration-related documents (e.g., a Certificate of Naturalization or a Certificate of Citizenship), first and last name, and date of birth. There are various other limitations related to the information necessary to conduct verifications:

- SAVE cannot conduct verifications based on Social Security Number.
- Derived citizens often do not have a document of any type to show U.S. citizenship and in these cases, no citizenship record will exist with DHS.
- Department of State-adjudicated derived citizens may not have a record with USCIS and U.S. Passports cannot be verified in SAVE.¹

SAVE can take up to three possible verification steps in order to reach a final verification result. The first step is electronic and takes only 3-5 seconds. If SAVE cannot verify the individual as a U.S. Citizen, the requesting voter registration agency must perform any additional verification procedures the SAVE Program requires and/or the applicant requests. Accordingly, when the initial response is “Institute Additional Verification” or the individual requests additional verification because the status returned does not match their claimed citizenship status, second step additional verification is required. If the second step verification does not match their claimed citizenship status, the voter registration agency must submit a copy of the document (Naturalization Certificate or Certificate of Citizenship) for a third step verification. The additional verification steps must be performed in these situations because it allows USCIS staff to manually check data sources and provide a correct response. If the requesting agency has any concerns about a SAVE additional verification, it may call USCIS to discuss the verification. If an agency has alternative processes upon which to base its decision regarding the individual’s citizenship status, additional verification is not required.

Current Enrollees

SAVE is currently used by a limited number of agencies for voter registration related verifications (either at point of registration or later for voter roll maintenance):

- a. Arizona Counties – 1) Maricopa 2) La Paz 3) Pima 4) Yuma 5) Yavapai. They do verification at the point of registration. SAVE is in negotiations with the State of Arizona to provide all 15 Arizona counties with access under a single uniform Memorandum of Agreement (MOA) with the state.
- b. Colorado – Secretary of State. Verifies voters already on the rolls.
- c. Florida – Secretary of State. Verifies voters already on the rolls.
- d. North Carolina – State Board of Elections. Verifies voters already on the rolls.
- e. Virginia - Board of Elections. Verifies voters already on the rolls.
- f. Georgia – Secretary of State. Verification at the point of registration.

¹ SAVE is only able to verify information that relates to information found in the databases accessed by the system. Accordingly, if an individual with derived citizenship status has not applied for a Certificate of Citizenship with USCIS, the agency may not have that individual’s citizenship status in its databases, and SAVE will not be able to confirm that individual’s derived citizenship status. However, many derived citizens have received U.S. passports from the Department of State (DOS). If the DOS has provided USCIS with a record of the passport citizenship adjudication and USCIS has updated the individual’s alien file, SAVE would be able to find the citizenship record with the individual’s Alien number.

From:	Hamilton, Gene (b)(6)	
To:	"Krebs, Christopher (b)(6) "Shah, Dimple (b)(6)	
Subject:	RE: touch base tomorrow?	
Date:	2017/07/11 07:59:49	
Priority:	Normal	
Type:	Note	

Gene P. Hamilton

Senior Counselor to the Secretary

U.S. Department of Homeland Security

From: Hamilton, Gene

Sent: Tuesday, July 11, 2017 7:58:58 AM

To: Krebs, Christopher; Shah, Dimple

Subject: RE: touch base tomorrow?

Probably at some point. Just let me know when

Gene P. Hamilton

Senior Counselor to the Secretary

U.S. Department of Homeland Security

From: Krebs, Christopher

Sent: Tuesday, July 11, 2017 7:42:21 AM

To: Hamilton, Gene; Shah, Dimple

Subject: RE: touch base tomorrow?

Do you mind? Can you hop on a call with the VPs office?

Christopher C. Krebs

Department of Homeland Security

(b)(6)

From: Hamilton, Gene

Sent: Tuesday, July 11, 2017 7:41:21 AM

To: Krebs, Christopher; Shah, Dimple

Subject: RE: touch base tomorrow?

If y'all want to talk today, just let me know

Gene P. Hamilton

Senior Counselor to the Secretary

U.S. Department of Homeland Security

From: Krebs, Christopher

Sent: Monday, July 10, 2017 11:50:22 PM

To: Shah, Dimple

Cc: Hamilton, Gene

Subject: touch base tomorrow?

Dimple, welcome back (officially!). Do you have time to catch up tomorrow on a matter related to the VP's Commission on Election Integrity? Gene and I circled last week and need to get back to the Commission tomorrow and just want to

make sure I have the right backing. I can share more tomorrow.

Thanks!

Christopher C. Krebs

Senior Counselor to the Secretary

Office of the Secretary

Department of Homeland Security

Mobile: (b)(6)

Sender:	Hamilton, Gene <(b)(6)>	
Recipient:	"Krebs, Christopher (b)(6) "Shah, Dimple <(b)(6)>	
Sent Date:	2017/07/11 07:59:48	
Delivered Date:	2017/07/11 07:59:49	

From:	Hamilton, Gene <(b)(6)>
To:	"McCament, James W <(b)(6)> "Short, Tracy <(b)(6)> "Symons, Craig M <(b)(6)> "Homan, Thomas <(b)(6)> "Risch, Carl C <(b)(6)> "Blank, Thomas <(b)(6)> "Edge, Peter T <(b)(6)> "Maher, Joseph <(b)(6)> "Clark, Alaina <(b)(6)>
Subject:	RE: Follow Up
Date:	2017/05/04 15:01:40
Priority:	Normal
Type:	Note

Please do. Thank you, James!

Gene P. Hamilton
Senior Counselor to the Secretary
U.S. Department of Homeland Security

From: McCament, James W
Sent: Thursday, May 4, 2017 9:52 AM
To: Hamilton, Gene <(b)(6)>; Short, Tracy <(b)(6)>; Symons, Craig M <(b)(6)>; Homan, Thomas <(b)(6)>; Risch, Carl C <(b)(6)>; Blank, Thomas <(b)(6)>; Edge, Peter T <(b)(6)>; Maher, Joseph <(b)(6)>; Clark, Alaina <(b)(6)>
Subject: RE: Follow Up

Good morning Gene,

USCIS can provide an overview of the technical capabilities of SAVE. (b)(6) is an excellent and versed expert on our verification programs. She could contact Jonathan if you like along with, I suggest, an OCC Verification attorney.

The referral and enhanced processing question I believe will need a further

USCIS/ICE/OGC conversation.

James

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150

(b)(6)

~~This email (including any attachments) is intended solely for the use of the addressee(s) and may contain information that is sensitive or otherwise protected by applicable law. If you are not the intended recipient, your disclosure, copying, distribution or other use of (or reliance upon) the information contained in this email is strictly prohibited. If you are not the intended recipient, please notify the sender immediately and delete or destroy all copies. Thank You.~~

From: Hamilton, Gene

Sent: Thursday, May 04, 2017 7:54:52 AM

To: Short, Tracy; Symons, Craig M; Homan, Thomas; McCament, James W; Risch, Carl C; Blank, Thomas; (b)(6) Edge, Peter T; Maher, Joseph; Clark, Alaina

Subject: FW: Follow Up

Good morning, all,

Please see the below. The Texas AG's office is very interested in SAVE, voter fraud, referring cases to ICE, etc. Who would be the best POC to discuss technical capabilities with SAVE, to discuss these types of capabilities, and to discuss accepting increased referrals from the AG's office for immigration enforcement actions when they find evidence of voter registration/false claims to USC status (and the statute of limitations has run, for example). Seems as though they have more than just a few cases.

Looping in Alaina for obvious reasons.

Thanks!

Gene

Gene P. Hamilton

Senior Counselor to the Secretary
U.S. Department of Homeland Security

From: (b)(6)
Sent: Wednesday, May 03, 2017 5:54:41 PM
To: Hamilton, Gene
Cc: (b)(6)
Subject: Follow Up

Gene:

It was great to speak with you today. I've cc'd (b)(6) leads OAG's illegal voting prosecutions, and is interested in enhancing cooperation with USCIS and ICE. When you have the opportunity, please put Jonathan in contact with the relevant POCs.

Thank you!

(b)(6)
Special Counsel to the First Assistant Attorney General

(b)(6)

Austin, TX 78701

(b)(6)



cid:image001.jpg@01D0AE93.11B7D430

Sender:	Hamilton, Gene (b)(6)
	(b)(6)
Recipient:	"McCament, James W <(b)(6)> (b)(6)
	"Short, Tracy <(b)(6)> (b)(6)
	"Symons, Craig M <(b)(6)> (b)(6)
	"Homan, Thomas <(b)(6)> (b)(6)
	"Risch, Carl C <(b)(6)> (b)(6)
	"Blank, Thomas <(b)(6)> (b)(6)
	"Edge, Peter T <(b)(6)> (b)(6)
	"Maher, Joseph <(b)(6)> (b)(6)
	"Clark, Alaina <(b)(6)>

	(b)(6)
Sent Date:	2017/05/04 15:01:40

From:	Hamilton, Gene <(b)(6)>
To:	"Cassil, Susanne <(b)(6)>
Subject:	FW: Washington Times: Immigration agency won't commit to giving noncitizen data to voter fraud commission
Date:	2017/07/06 12:46:23
Priority:	Normal
Type:	Note

Let's just use the call-in line so Jonathan can participate if he can.

Gene P. Hamilton
Senior Counselor to the Secretary
U.S. Department of Homeland Security

From: (b)(6)
Sent: Thursday, July 6, 2017 12:38 PM
To: Hamilton, Gene <(b)(6)>
Cc: Lapan, David <(b)(6)>; Krebs, Christopher <(b)(6)>
(b)(6); (b)(6); Cassil, Susanne <(b)(6)>
Subject: RE: Washington Times: Immigration agency won't commit to giving noncitizen data to voter fraud commission

Should be able to make 1:30 work. I've got a 1pm with DHS PA here at the WH but don't think it will run longer than 30 mins. How about I call y'all? What's the best #?

From: Hamilton, Gene [mailto:(b)(6)]
Sent: Thursday, July 6, 2017 11:27 AM
To: (b)(6)
Cc: Lapan, David <(b)(6)>; Krebs, Christopher <(b)(6)>
(b)(6); Cassil, Susanne <(b)(6)>
Subject: RE: Washington Times: Immigration agency won't commit to giving noncitizen data to voter fraud commission

1:30? Or after 5:00?

Gene P. Hamilton
Senior Counselor to the Secretary
U.S. Department of Homeland Security

From: (b)(6)
Sent: Wednesday, July 5, 2017 7:00 PM
To: Hamilton, Gene <(b)(6)>
Cc: Lapan, David <(b)(6)>; Krebs, Christopher <(b)(6)>
(b)(6); Cassil, Susanne <(b)(6)>

Subject: Re: Washington Times: Immigration agency won't commit to giving noncitizen data to voter fraud commission

Yes let me know when so I can try to get (b)(6) on the phone with me. I'm free anytime.

Sent from my iPhone

On Jul 5, 2017, at 6:57 PM, Hamilton, Gene <(b)(6)> wrote:

Thanks, Dave. (b)(6), can we talk tomorrow sometime? Chris and I can explain the situation.

Best,

Gene P. Hamilton
Senior Counselor to the Secretary
U.S. Department of Homeland Security

From: Lapan, David
Sent: Wednesday, July 5, 2017 4:52 PM
To: (b)(6); (b)(6)
Cc: Krebs, Christopher <(b)(6)>; Hamilton, Gene
(b)(6); (b)(6)
Subject: RE: Washington Times: Immigration agency won't commit to giving noncitizen data to voter fraud commission

Adding Chris and Gene, who can help explain where we are on this.

From: (b)(6); (b)(6)
Sent: Wednesday, July 5, 2017 3:57 PM
To: Hoffman, Jonathan <(b)(6)>; Lapan, David
<(b)(6)>; Lansing, Christyn (b)(6)
Subject: RE: Washington Times: Immigration agency won't commit to giving noncitizen data to voter fraud commission

Anything new on this front? (b)(5)

From: Hoffman, Jonathan (b)(6)
Sent: Wednesday, July 5, 2017 10:58 AM
To: Lapan, David (b)(6); (b)(6)
(b)(6); Lansing, Christyn (b)(6)
Subject: RE: Washington Times: Immigration agency won't commit to giving noncitizen data to voter fraud commission

(b)(5)

That's correction worthy.

From: Lapan, David

Sent: Wednesday, July 05, 2017 10:52:23 AM

To: (b)(6) Hoffman, Jonathan; Lansing, Christyn

Subject: RE: Washington Times: Immigration agency won't commit to giving noncitizen data to voter fraud commission

(b)(5)

From: (b)(6)

Sent: Wednesday, July 5, 2017 9:44 AM

To: Hoffman, Jonathan (b)(6); Lansing, Christyn

(b)(6) Lapan, David (b)(6)

Subject: FW: Washington Times: Immigration agency won't commit to giving noncitizen data to voter fraud commission

(b)(5)

From: Comms Alert (b)(6)

Sent: Wednesday, July 5, 2017 6:18 AM

Subject: Washington Times: Immigration agency won't commit to giving noncitizen data to voter fraud commission

Immigration agency won't commit to giving noncitizen data to voter fraud commission

Washington Times

Rowan Scarborough

July 4, 2017

<http://www.washingtontimes.com/news/2017/jul/4/immigration-agency-balks-at-giving-records-to-vote/>

The U.S. immigration agency that holds millions of records on noncitizens living legally in the U.S. will not commit to turning over that data to President Trump's commission on voter fraud.

The Commission on Election Integrity already has clashed with Democrat-run states that are refusing to meet its written requests to provide voter rolls. The information is considered public and is often given or sold to political groups.

Commission Vice Chairman Kris Kobach, the Kansas secretary of state, told The Washington Times in May that he also wants U.S. Citizenship and

Immigration Services to provide the identifications of noncitizens living as permanent residents with green cards.

The idea is to compare that huge list with another large database, this one of registered voters maintained by the states. Under federal law, it is illegal for noncitizens to register and to vote in federal elections. Polls and some spot-check investigations suggest that many do.

The Times asked CIS, a branch of the Department of Homeland Security, whether it would comply with a request from the commission, which is headed by Vice President Mike Pence.

The agency provided a statement to The Times that fell short of a commitment: "It would be speculative and premature to comment on any future hypothetical request from the Commission to DHS for information."

The statement also noted that Mr. Trump's executive order states that the commission's work "shall be implemented consistent with applicable law."

Homeland Security's answer suggests that federal law may block data transfer.

The Trump executive order states, "Relevant executive departments and agencies shall endeavor to cooperate with the Commission."

Acquiring immigration data would seem critical to the commission if it is to settle a raging question: How many noncitizens in the U.S. vote illegally? Liberals generally say few, if any, go to the polls. Conservative activists and Mr. Trump contend that many cast ballots, and mostly for Democrats.

The only way to find hard numbers, at least for legal immigrants, would be to compare voter rolls with immigration rolls, and the only agency that keeps such noncitizen data is the Homeland Security Department.
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"I think DHS needs to make it available," said Tom Fitton, Judicial Watch president. "They've made it difficult, if not impossible, for states to use that information. And if they get in the way of a presidential commission doing it, then that shows you the deep state is still running the show."

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“I think engaging in some sort of witch hunt to try to find noncitizen voters on the rolls is a tremendous waste of time and a misuse of taxpayer resources,” Ms. Perez said. “There have been numerous analyses of studies that indicate that there are not that many noncitizens on the rolls, and very few of them vote.”

Ms. Perez, who authored the study “Noncitizen Voting: The Missing Millions,” also said Homeland Security’s information can be unreliable.

“I also think we do not have in our country an always up-to-date list of noncitizens,” she said. “DHS will have some of them. We don’t make everybody register like that. We don’t have a citizenship registry. And then people’s statuses change. For example, some of the states have issues whereby they think someone will be a noncitizen because they presented a green card for a driver’s license, but they got the driver’s license four years ago, and in the last two years, they became a citizen. It’s hard to correct for things like that.”

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The U.S. immigration agency denied the request, saying the answers are not compiled and archived. They would have to be individually searched on millions of forms if the Pence-Kobach commission made such a request.

Sender:	Hamilton, Gene (b)(6)	
Recipient:	"Cassil, Susanne (b)(6)	
Sent Date:	2017/07/06 12:46:22	
Delivered Date:	2017/07/06 12:46:23	

From:	Clark, Alaina <(b)(6)>	(b)(6)
To:	"Hoffman, Jonathan (b)(6) "Lapan, David (b)(6) (b)(6)	
CC:	"Hamilton, Gene <(b)(6)> (b)(6) "Hyer, Brian (b)(6) (b)(6)	
Subject:	FW: 4/25 - S1 Meeting Readout w/ TX AG Paxton	
Date:	2017/04/28 08:30:09	
Priority:	Normal	
Type:	Note	

Readout from mtg below.

From: Clark, Alaina

Sent: Wednesday, April 26, 2017 12:17:53 PM

To: Nielsen, Kirstjen; Neumann, Elizabeth; Hamilton, Gene

Subject: 4/25 - S1 Meeting Readout w/ TX AG Paxton

Good Afternoon,

Please find below a readout with action items for the Secretary's meeting with the Texas Attorney General on Tuesday, April 25th.

Readout:

The TX AG raised three issues with the Secretary: 1) border security; 2) illegal voting; and 3) human trafficking. On border security the Secretary discussed his recent trips and engagements to the Texas border, the strong partnership and relationship with Mexico, the increase in judges going to the border and the deterrence message that we have been successful with implementing as apparent with the significantly decreased numbers in illegal crossings at the border. The AG offered to provide whatever assistance he could as he has lawyers with specialized experience with eminent domain. In regards to illegal voting the AG discussed the concern they have with illegal immigrants voting in elections and what they have done to crack down on this, they have about 50 active cases right now. Gene discussed the SAVE program at USCIS and mechanisms at ICE that might be able to assist. Finally, the AG raised Human Trafficking and the importance he has placed on this within the State of Texas and his efforts to train thousands of Texas state employees and address this issue statewide. Alaina discussed the Blue Campaign, FLETC training efforts, as well as HSI resources to support the AG in this effort.

Getbacks:

•

(b)(5)



Regards,

Alaina

Sender:	Clark, Alaina <(b)(6)> (b)(6)	
Recipient:	"Hoffman, Jonathan" (b)(6) "Lapan, David" <(b)(6)> (b)(6) "Hamilton, Gene <(b)(6)> (b)(6) "Hyer, Brian" <(b)(6)> (b)(6)	
Sent Date:	2017/04/28 08:30:08	
Delivered Date:	2017/04/28 08:30:09	

From:	Hamilton, Gene (b)(6)
To:	"Lapan, David (b)(6) "Taylor, Miles (b)(6) "Hoffman, Jonathan (b)(6) "Krebs, Christopher (b)(6)
Subject:	RE: Press inquiry: Trump elections commission
Date:	2017/10/02 11:10:38
Priority:	Normal
Type:	Note

I think that's fine. We've been working (b)(5)

(b)(5)

Gene P. Hamilton
Senior Counselor to the Secretary
U.S. Department of Homeland Security

From: Lapan, David
Sent: Monday, October 2, 2017 11:09 AM
To: Hamilton, Gene (b)(6); Taylor, Miles (b)(6); Hoffman, Jonathan (b)(6); Krebs, Christopher (b)(6)
Subject: RE: Press inquiry: Trump elections commission

To address this part of the question -- In a court document the commission filed as part of one of the lawsuits against, it appears that the DHS has been in touch with some commission members staff since I last was in touch -- (b)(5)

(b)(5)

From: Hamilton, Gene
Sent: Monday, October 2, 2017 11:05 AM
To: Lapan, David (b)(6); Taylor, Miles (b)(6); Hoffman, Jonathan (b)(6); Krebs, Christopher (b)(6)
Subject: RE: Press inquiry: Trump elections commission

No. We haven't shared anything with anyone. The lawyers are still reviewing the proposal. (b)(5)

(b)(5)

Gene P. Hamilton
Senior Counselor to the Secretary
U.S. Department of Homeland Security

From: Lapan, David
Sent: Monday, October 2, 2017 11:03 AM
To: Hamilton, Gene <(b)(6)>; Taylor, Miles <(b)(6)> Hoffman, Jonathan <(b)(6)>; Krebs, Christopher <(b)(6)>
Subject: FW: Press inquiry: Trump elections commission

See below. Same reporter revisiting this issue.

From: (b)(6)
Sent: Monday, October 2, 2017 10:58 AM
To: Lapan, David <(b)(6)>
Subject: Re: Press inquiry: Trump elections commission

Hi David,

In a court document the commission filed as part of one of the lawsuits against, it appears that the DHS has been in touch with some commission members staff since I last was in touch, so just wanted to check in again. Has the DHS shared any data with the commission? Have the conversations been related to the data that some commission members have said they were seeking? My cell is (b)(6)

Thanks,

(b)(6)

On Thu, Aug 3, 2017 at 3:13 PM, (b)(6) > wrote:

Ok...thanks for checking for me. Keep me posted if the DHS does provide data for the Elections Commission.

Best,

(b)(6)

On Thu, Aug 3, 2017 at 3:11 PM, Lapan, David <(b)(6)> wrote:

(b)(6) sorry, I don't have any more on this topic right now.

From: (b)(6) (b)(6)
Sent: Thursday, August 3, 2017 2:06 PM
To: Lapan, David <(b)(6)>
Subject: Re: Press inquiry: Trump elections commission

Was it a formal request? Was there a letter from the commission or something that you can send me? Was it regarding the DHS form on which a non-citizen can indicate he or she has been registered to vote? Or DHS non-citizen data more generally?

On Thu, Aug 3, 2017 at 1:59 PM, Lapan, David <(b)(6)> wrote:

Yes, they have reached out to us.

From: (b)(6) (b)(6)
Sent: Thursday, August 3, 2017 1:05 PM
To: Lapan, David <(b)(6)>
Subject: Re: Press inquiry: Trump elections commission

Thanks David, I appreciate your willingness to keep me in the loop.

Can you confirm or deny whether the elections commission reached out seeking data or information about the data DHS keeps?

On Thu, Aug 3, 2017 at 12:05 PM, Lapan, David <(b)(6)> wrote:
(b)(6) No DHS data has been provided at this point. We will provide an update when and if that changes.

Regards,

David Lapan
Deputy Assistant Secretary for Media Operations/Press Secretary
Department of Homeland Security

(b)(6)

From: (b)(6) (b)(6)
Sent: Thursday, August 3, 2017 9:25 AM
To: Media Inquiry <(b)(6)>
Subject: Press inquiry: Trump elections commission

Good morning,

(b)(6) from Talking Points Memo here. I am reaching out regarding the Presidential Advisory Commission on Election Integrity and its desire to obtain DHS data on noncitizens and information about DHS forms that include voter registration questions. At the commission's meeting two weeks ago, the commissioners said they would be looking into DHS forms where the person indicates as a non-citizen they were registered to vote as well as the larger question of accessing DHS non-citizen data.

- 1) Has the commission reached out seeking that data or any other data sets maintained by the DHS?
- 2) Has the sought information on non-citizen data information being maintained by the DHS and if states can access it to check against their voter rolls?
- 3) If any data has been handed over to the commission, what data? were there any conditions in handing it over? what security precautions were taken?

You can reach me at (b)(6)

Thanks,

(b)(6)

--

(b)(6)

Talking Points Memo

(b)(6)

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(b)(6)

Talking Points Memo

(b)(6)

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(b)(6)

Talking Points Memo

(b)(6)

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(b)(6)

Talking Points Memo

(b)(6)

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(b)(6)

Talking Points Memo

(b)(6)

Sender:	Hamilton, Gene <(b)(6)>	
Recipient:	"Lapan, David <(b)(6)> (b)(6) "Taylor, Miles <(b)(6)> (b)(6) "Hoffman, Jonathan (b)(6) "Krebs, Christopher <(b)(6)>	
Sent Date:	2017/10/02 11:10:37	
Delivered Date:	2017/10/02 11:10:38	

Page 0190

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 0191

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(b)(5)

of the Freedom of Information and Privacy Act

Page 0192

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Page 0193

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Page 0194

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 0195

Withheld pursuant to exemption

(b)(6) ; (b)(7)(E)

of the Freedom of Information and Privacy Act

Page 0196

Withheld pursuant to exemption

(b)(6) ; (b)(7)(E)

of the Freedom of Information and Privacy Act

Page 0197

Withheld pursuant to exemption

(b)(6) ; (b)(7)(E)

of the Freedom of Information and Privacy Act

From:	Lapan, David (b)(6) (b)(6)
To:	"Hamilton, Gene <(b)(6)> "Hoffman, Jonathan (b)(6) "Taylor, Miles (b)(6) "Krebs, Christopher (b)(6)
Subject:	RE: Press inquiry: Trump elections commission
Date:	2017/08/03 12:06:02
Priority:	Normal
Type:	Note

Done.

From: Hamilton, Gene
Sent: Thursday, August 3, 2017 12:04 PM
To: Hoffman, Jonathan (b)(6); Lapan, David (b)(6)
Taylor, Miles (b)(6); Krebs, Christopher (b)(6)
Subject: RE: Press inquiry: Trump elections commission

I concur with Jonathan's assessment.

Gene P. Hamilton
Senior Counselor to the Secretary
U.S. Department of Homeland Security

From: Hoffman, Jonathan
Sent: Thursday, August 3, 2017 12:03 PM
To: Lapan, David (b)(6); Hamilton, Gene (b)(6); Taylor, Miles (b)(6); Krebs, Christopher (b)(6)
Subject: RE: Press inquiry: Trump elections commission

(b)(5)

From: Lapan, David
Sent: Thursday, August 03, 2017 12:00:09 PM
To: Hamilton, Gene; Taylor, Miles; Hoffman, Jonathan; Krebs, Christopher
Subject: RE: Press inquiry: Trump elections commission

(b)(5)

(b)(5)

From: Hamilton, Gene

Sent: Thursday, August 3, 2017 11:55 AM

To: Taylor, Miles (b)(6); Hoffman, Jonathan (b)(6)

Lapan, David (b)(6); Krebs, Christopher (b)(6)

Subject: RE: Press inquiry: Trump elections commission

We have a call on one issue related to this today. No data has been provided at this time.

Gene P. Hamilton

Senior Counselor to the Secretary

U.S. Department of Homeland Security

From: Taylor, Miles

Sent: Thursday, August 3, 2017 10:25 AM

To: Hoffman, Jonathan (b)(6); Lapan, David (b)(6)

Krebs, Christopher (b)(6)

Cc: Hamilton, Gene

Subject: RE: Press inquiry: Trump elections commission

Gene* & Krebs

From: Hoffman, Jonathan

Sent: Thursday, August 3, 2017 10:16 AM

To: Lapan, David (b)(6); Krebs, Christopher (b)(6)

Taylor, Miles (b)(6)

Subject: RE: Press inquiry: Trump elections commission

I believe Miles, Krebs and OGC are meeting on this today.

From: Lapan, David

Sent: Thursday, August 3, 2017 10:15 AM

To: Krebs, Christopher (b)(6); Taylor, Miles (b)(6)

Cc: Hoffman, Jonathan (b)(6)

Subject: FW: Press inquiry: Trump elections commission

Where do we stand now on questions like these related to the election commission?

From: (b)(6) (b)(6)

Sent: Thursday, August 3, 2017 9:25 AM

To: Media Inquiry (b)(6)

Subject: Press inquiry: Trump elections commission

Good morning.

(b)(6) from Talking Points Memo here. I am reaching out regarding the Presidential Advisory Commission on Election Integrity and its desire to obtain DHS data on noncitizens and

information about DHS forms that include voter registration questions. At the commission's meeting two weeks ago, the commissioners said they would be looking into DHS forms where the person indicates as a non-citizen they were registered to vote as well as the larger question of accessing DHS non-citizen data.

- 1) Has the commission reached out seeking that data or any other data sets maintained by the DHS?
- 2) Has the sought information on non-citizen data information being maintained by the DHS and if states can access it to check against their voter rolls?
- 3) If any data has been handed over to the commission, what data? were there any conditions in handing it over? what security precautions were taken?

You can reach me at (b)(6)

Thanks,

(b)(6)

--

(b)(6)

Talking Points Memo

(b)(6)

Sender:	Lapan, David <(b)(6)>	
	(b)(6)	
Recipient:	"Hamilton, Gene <(b)(6)>	
	(b)(6)	
	"Hoffman, Jonathan	
	(b)(6)	
	"Taylor, Miles <(b)(6)>	
	(b)(6)	
	"Krebs, Christopher	
	(b)(6)	
Sent Date: 2017/08/03 12:06:01		
Delivered Date: 2017/08/03 12:06:02		

From:	Lapan, David (b)(6) (b)(6)
To:	"Krebs, Christopher" (b)(6) "Hamilton, Gene (b)(6)" (b)(6)
CC:	(b)(6) "Neumann, Elizabeth" (b)(6)
Subject:	RE: Draft RTQ for voter commission
Date:	2017/07/06 08:59:21
Priority:	Normal
Type:	Note

Agree.

This section seems spot on -- Currently, states have access to SAVE, but the problem with the system is that it wasn't designed to search for people by name, only by alien registration number. (This is a common problem of trying to repurpose for election administration reasons a database that was designed for another purpose.) So it's useful only if you already know someone is a noncitizen or is naturalized. It's useless for spotting noncitizens inadvertently showing up on voter rolls.

From: Krebs, Christopher
Sent: Thursday, July 6, 2017 8:46 AM
To: Lapan, David (b)(6) Hamilton, Gene (b)(6)
Cc: (b)(6); Neumann, Elizabeth
 (b)(6)
Subject: RE: Draft RTQ for voter commission

This is actually a pretty good article and favorable to DHS:

<http://www.politico.com/magazine/story/2017/07/03/what-is-kris-kobach-up-to-215332>

Christopher C. Krebs
 Department of Homeland Security
 (b)(6)

From: Lapan, David
Sent: Thursday, July 06, 2017 7:44:52 AM
To: Hamilton, Gene; Krebs, Christopher
Cc: (b)(6) Neumann, Elizabeth
Subject: Draft RTQ for voter commission

(b)(5)

David Lapan
Deputy Assistant Secretary for Media Operations/Press Secretary
Department of Homeland Security

(b)(6)

Sender:	Lapan, David <(b)(6)>	
	(b)(6)	
Recipient:	"Krebs, Christopher	
	(b)(6)	
	"Hamilton, Gene </d	
	(b)(6)	
	"Neumann, Elizabeth	

	(b)(6)	
Sent Date:	2017/07/06 08:59:20	
Delivered Date:	2017/07/06 08:59:21	

From:	Krebs, Christopher <(b)(6)>	
	"Hamilton, Gene (b)(6)"	
To:	"Lapan, David (b)(6)"	
	"Cassil, Susanne (b)(6)"	
	"Neumann, Elizabeth (b)(6)"	
CC:		
Subject:	RE: WashTimes	
Date:	2017/07/05 14:36:25	
Priority:	Normal	
Type:	Note	

Yep

Christopher C. Krebs
Department of Homeland Security

(b)(6)

From: Hamilton, Gene
Sent: Wednesday, July 05, 2017 2:33:21 PM
To: (b)(6); Lapan, David; Cassil, Susanne; Neumann, Elizabeth
Cc: (b)(6); Krebs, Christopher
Subject: RE: WashTimes

Adding Krebs

Gene P. Hamilton
Senior Counselor to the Secretary
U.S. Department of Homeland Security

From: (b)(6)
Sent: Wednesday, July 05, 2017 2:25:08 PM
To: Lapan, David; Cassil, Susanne; Hamilton, Gene; Neumann, Elizabeth
Cc: (b)(6)

Subject: RE: WashTimes

Same here.

From: Lapan, David
Sent: Wednesday, July 05, 2017 1:59 PM
To: Cassil, Susanne; Hamilton, Gene; Neumann, Elizabeth
Cc: (b)(6)
Subject: RE: WashTimes

Good here.

David Lapan
Deputy Assistant Secretary for Media Operations/Press Secretary
Department of Homeland Security

(b)(6)

From: Cassil, Susanne
Sent: Wednesday, July 5, 2017 1:44 PM
To: Lapan, David <(b)(6)>; Hamilton, Gene <(b)(6)>;
Neumann, Elizabeth <(b)(6)>
Cc: (b)(6)
(b)(6)
Subject: RE: WashTimes

Would a 4:30PM call work for everyone?

Susanne Cassil
Confidential Assistant | Office of the Secretary
Department of Homeland Security

(b)(6)

From: Lapan, David
Sent: Wednesday, July 5, 2017 12:46 PM
To: Hamilton, Gene <(b)(6)>; Neumann, Elizabeth
(b)(6)
Cc: (b)(6)
(b)(6); Cassil, Susanne <(b)(6)>
Subject: RE: WashTimes

Sometime before 5:00? I'm generally open except for the 2:30 scheduling meeting.

From: Hamilton, Gene
Sent: Wednesday, July 5, 2017 12:43 PM
To: Lapan, David (b)(6); Neumann, Elizabeth
(b)(6)
Cc: (b)(6);
(b)(6) Cassil, Susanne <(b)(6)>
Subject: RE: WashTimes

Talk this PM?

Gene P. Hamilton
Senior Counselor to the Secretary
U.S. Department of Homeland Security

From: Lapan, David
Sent: Wednesday, July 05, 2017 10:31:13 AM
To: Neumann, Elizabeth; Hamilton, Gene
Cc: (b)(6) (b)(6)
Subject: RE: WashTimes

Gene, Elizabeth, need to discuss soonest.

Washington Times wrote a story yesterday and WH Comms is asking us about it.

I recall at the time (late May), we gave (b)(6) a general response because we hadn't received a request from the commission at that point. Kobach was saying he "planned to ask DHS" for data.

From: Lapan, David
Sent: Tuesday, May 23, 2017 7:33 PM
To: Neumann, Elizabeth <(b)(6)>
Cc: OPA (b)(6)
Subject: FW: WashTimes

Still need guidance on this...

From: (b)(6) (b)(6)
Sent: Monday, May 22, 2017 7:19 PM
To: Lapan, David <(b)(6)>
Subject: Re: WashTimes

Kobach did not say whether he had made contact with DHS. At the White House, he told our reporter that DHS has data on every legal immigrant and they want to compare that to voter rolls.

<http://www.washingtontimes.com/news/2017/may/11/donald-trump-sign-order-creating-voter-fraud-panel/>

Can you give me a statement on what you would be able to provide?

On May 22, 2017, at 6:50 PM, Lapan, David

(b)(6) wrote:

No, I haven't. Has he said he's discussed with DHS getting access to the data we have (which is limited)?

-----Original Message-----

From: (b)(6)

(b)(6)

Sent: Monday, May 22, 2017 4:57 PM

To: Lapan, David <(b)(6)>

Subject: Re: WashTimes

Did you see that that the incoming co chair of voter fraud commission says he will rely a lot on DHS immigration data.

that's why I'm asking some of this stuff.

On May 22, 2017, at 4:51 PM,

Lapan, David

<(b)(6)> wrote:

(b)(6): As these questions involve USCIS, I asked them and they advised they have responded to some and are working on others for you.

Dave

-----Original Message-----

From: (b)(6)

(b)(6)

[et\]](#)

Sent: Monday, May 22, 2017 4:48 PM

To: Lapan, David

<(b)(6)>

Subject: WashTimes

Dave, are you going to respond to my query?

(b)(6)

National Security Reporter
The Washington Times

(b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

National Security Reporter
The Washington Times

(b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

Sender: Krebs, Christopher (b)(6)

(b)(6)

"Hamilton, Gene <

Recipient:

(b)(6)

"Lapan, David <

(b)(6)

	"Cassil, Susanne (b)(6) (b)(6) "Neumann, Elizabeth (b)(6)	(b)(6)
Sent Date:	2017/07/05 14:36:24	
Delivered Date:	2017/07/05 14:36:25	

From:	Hamilton, Gene (b)(6) (b)(6)
To:	"Neumann, Elizabeth (b)(6)
Subject:	RE: WashTimes
Date:	2017/07/05 12:42:10
Priority:	Normal
Type:	Note

Been dealing with other taskings/questions from Kirstjen. Will handle today.

Gene P. Hamilton

Senior Counselor to the Secretary

U.S. Department of Homeland Security

From: Neumann, Elizabeth

Sent: Wednesday, July 05, 2017 12:15:40 PM

To: Hamilton, Gene

Subject: FW: WashTimes

Have you handled this?

From: Lapan, David

Sent: Wednesday, July 5, 2017 10:31 AM

To: Neumann, Elizabeth <(b)(6)> Hamilton, Gene
(b)(6)

Cc: (b)(6)

(b)(6)

Subject: RE: WashTimes

Gene, Elizabeth, need to discuss soonest.

Washington Times wrote a story yesterday and WH Comms is asking us about it.

I recall at the time (late May), we gave (b)(6) a general response because we hadn't received a request from the commission at that point. Kobach was saying he "planned to ask DHS" for data.

From: Lapan, David

Sent: Tuesday, May 23, 2017 7:33 PM

Proposed Way Ahead –Voting Infrastructure Cybersecurity Action Campaign

(b)(5)



Page 0213

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 0214

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of the Freedom of Information and Privacy Act

Page 0215

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of the Freedom of Information and Privacy Act

Voter Registration Verification by USCIS SAVE

Overview

USCIS' Systematic Alien Verification for Entitlements (SAVE) program is used by some state voter registration agencies to verify the citizenship of individuals registering to vote or to maintain voter rolls by verifying those already registered. The data that agencies send to USCIS for a voter registration SAVE check is either an immigration identification number (e.g. alien registration number or naturalization certificate number) provided by the individual on the voter registration form or that was previously provided by the registrant to the state DMV to do the SAVE check associated with the driver's license application. The states that use SAVE for maintenance of their voter rolls compare their voter roll to the citizenship or immigration status claimed by registrants when they obtained a driver's license or state ID. If SAVE is unable to verify the individual's citizenship with the state form or DMV provided information, the state voter registration agency has to follow-up with the individual for additional citizenship information.

The five states and five Arizona counties that currently use SAVE for list maintenance or voter registration are:

- Colorado – SAVE Agreement with Secretary of State. Verifies voters already on the rolls by running DMV data through SAVE. Colorado ran 211 cases in FY 2017
- Florida – SAVE Agreement with Secretary of State. Verifies voters already on the rolls by running DMV data through SAVE. Florida did not run any cases in FY 2017.
- North Carolina – SAVE Agreement with State Board of Elections. Verifies voters already on the rolls by running DMV data through SAVE. North Carolina ran 10,029 cases in FY 2017.
- Virginia – SAVE Agreement with Board of Elections. Verifies voters already on the rolls by running DMV data through SAVE. Virginia did not run any cases in FY 2017.
- Georgia – SAVE Agreement with Secretary of State. Verification at the point of registration. Georgia did not run any cases in FY 2017.
- Arizona – SAVE Agreement with participating counties include: 1) Maricopa 2) La Paz 3) Pima 4) Yuma 5) Yavapai. They do verification at the point of registration. Yavapai County ran 23 cases in FY 2017 and Maricopa ran 494.

SAVE has also been contacted by the following states regarding voter registration (and some even started the process to register for SAVE access), but none of them completed the process of registering to use SAVE: Kansas; Michigan; Mississippi; Oregon; Tennessee; Maryland; Minnesota; New Mexico; Ohio; Pennsylvania; Texas; and Washington. Iowa was registered to use SAVE at one time, but its MOA was terminated in 2015 after a Federal court struck down the administrative rule that gave it the authority to use SAVE.

SAVE Registration

When a state voter registration agency registers to use SAVE, it provides its legal authority and copies of any standardized notice letters used to inform registrants when there is a problem with their citizenship verification. This ensures that states can legally use SAVE for the requested purpose and that it provides adequate appeals and notification procedures. These authorities, procedures, and letters are reviewed by USCIS counsel and necessary changes are made to the letters to ensure that the notice is adequate. Attached, for example, are copies of the initial and follow-up notice letters approved for Virginia.

SAVE Process and Voter Registration Forms

Also attached, for example, are voter registration forms from Arizona, Colorado, Florida, Georgia and North Carolina. Only Arizona and Georgia use SAVE to verify citizenship at the point of voter registration; the other states use SAVE only to maintain voter lists. Arizona's form collects an alien registration number ("A" number), which it uses to query SAVE for voter registration. The Georgia voter registration application includes a check box to indicate that individuals do not have a driver's license or Social Security number; if they check this box they are then given the alternative to present another identifier, such as an A-file number. The states of Colorado, Florida, and North Carolina do voter list maintenance by running the SAVE query with DMV provided data.

SAVE Outreach

USCIS' SAVE program staff have engaged with the National Association of Secretaries of State (NASS) and presented at their conferences in 2013 and 2017. NASS includes members from the 37 states where the secretary of state is the chief elections officer with oversight over voter registration. To further, and more effectively, promote SAVE usage for voter maintenance and registration, engagement at the DHS Secretary level with NASS and the National Governors Association is recommended.

Potential Expansion of USCIS Role in Verifying Accuracy of Voting-Related Responses on USCIS Forms

In addition to promoting SAVE usage for voter maintenance and registration, USCIS is considering using its authority to verify responses to citizenship and voting questions on the Application to Register Permanent Residence or Adjust Status (Form I-485) and the Application for Naturalization (N-400).

While the Form I-485 would need to be updated to include the same questions as the Form N-400, the Application for Naturalization already includes the following:

- Have you EVER claimed to be a U.S. citizen (in writing or any other way)?
- Have you EVER registered to vote in any Federal, state, or local election in the United States?
- Have you EVER voted in any Federal, state, or local election in the United States?

For the states that permit DHS to use an applicant's information to search their publicly available online voter information, officers could use the applicant's information provided on his or her application to verify any negative responses to the questions above. If there is a match and if it appears the applicant falsely or incorrectly answered those questions, USCIS could issue a Notice of Derogatory Information and provide the applicant an opportunity to address the voter information found. If it is established that the voter system match is accurate and that the alien did not accurately respond to those questions, not only could the alien be found ineligible for the benefit, USCIS (directly or via ICE) may be able to refer over these cases to the states for possible prosecution. USCIS staff are currently reviewing the policy, operational, and legal aspects of the proposal.



SCANNED/RECEIVED
BY ESEC SEC

2017 MAR -9 PM 3: 59

TOM SCHEDLER
SECRETARY OF STATE

Secretary of State
State of Louisiana

P.O. Box 94125
BATON ROUGE, LA 70804-9125
www.sos.louisiana.gov

February 22, 2017

The Honorable John F. Kelly
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Kelly,

As the chief election officer for the state of Louisiana I was greatly dismayed by the unexpected news that you anticipate moving forward with the last minute designation of the Obama administration classifying the nations' voting systems as critical infrastructure. I believe this decision is ill-advised at best and was politically motivated by the previous administration to achieve a nationalization of our election system at worst. Given either option, I implore you to reconsider this decision with the upmost care and with ample input from those of us with hands-on experience running elections operations.

While on face value it may seem appropriate in the fight against voter fraud, I strongly contend that the designation is nothing more than a back door attempt via administrative policy to allow federal intrusion into State election processes. What's more, this power grab goes well beyond constitutional or statutory authority. Article I, Section 4 of the Constitution recognizes the States' authority to regulate the time, place, and manner of elections, subject to the laws of Congress. Without a clear declaration from Congress via passage of legislation that the Department of Homeland Security (DHS) may regulate election systems, there is no federal power to interfere with elections, even in the name of national security.

The Obama administration justification for designating elections as critical infrastructure was the perceived threat of foreign hacking. However, when I directly asked Department of Homeland Security Secretary Jeh Johnson on a phone conference before the election whether there was any evidence of a credible threat to voting systems, his answer was "no." Additionally, a declassified report released the day before Secretary Johnson announced the designation entitled, "Assessing Russian Activities and Intentions in Recent U.S. Elections" also outlined that while "Russian intelligence has researched U.S. electoral processes and related technology and equipment," it specifically stated **no vote tallying systems were targeted or compromised by Russian hacking**. That report's singular finding (which contained no evidentiary support for its conclusions) was that only the Democratic National Committee database was hacked, not state election systems. With all due respect, it is the

responsibility of the political parties to secure their own computer networks, not the government.

Despite this lack of evidence, Secretary Johnson took it upon himself to include not only elections information and technology systems, but also any physical, brick-and-mortar elements of the election process, like polling places and voting machine warehouses. In Louisiana alone, this would include 64 parish courthouses (comprising offices of local elected officials, such as Sheriffs, Clerks of Court, Assessors, Registrars of Voters, etc.), 64 warehouses and approximately 28 [other] early voting sites in addition to 2,067 Election Day polling locations across the state representing 3,904 precincts.

There are no “cyber” locks on the doors of voting machine warehouses. The Parish Boards of Election Supervisors are not live-tweeting as they count absentee ballots. The voting machines aren’t WiFi hotspots; they cannot virtually interact with each other, let alone with the internet. Clerks of Court do not email machine ballot results to the Secretary of State on election night. The voting machine cartridges are hand-delivered from the precincts by the Commissioners-in-Charge and the results are transmitted via closed networks on computers that have never been connected to the internet. In other words, *there is nothing to hack*. If the justification for the designation was “solely” based on cybersecurity issues, the decision to include physical locales and physical election systems that never touch the internet simply does not make sense.

Another area of concern involves who can enter a polling location. Without the critical infrastructure designation, the FBI and DHS have no legal right to access polling places, and currently Department of Justice (DOJ) election monitors may only enter polling places under very specific circumstances or by court order. With the critical infrastructure designation, DHS and DOJ may unconstitutionally grant themselves access to any aspect of our elections that they “deem” to be threatened, and could require Louisiana (or any other state) to change its procedures or voting systems regardless of whether they are counterproductive to the State’s current laws/procedures for conducting its elections or of any additional cost that could be incurred.

During the November 2016 Presidential Election, for example, the DOJ attempted, without notice to my office, to send the lead DOJ attorney in a case pending against this State to “monitor” polling places in Orleans Parish. Such “monitoring” was not permitted by statute, but the DOJ would have illegally entered the polling places anyway if I had not found out about the plan hours before the election. The designation that you plan to continue could result in a likewise illegal back door route into polling places for not only DOJ attorneys, but also the FBI and DHS personnel.

The continued designation of elections as critical infrastructure also causes very significant conflicts of interest within the federal government. For instance, the DOJ is currently suing the State of Louisiana and several state officials, including myself, over alleged violations of the National Voter Registration Act. In that lawsuit, the DOJ unsuccessfully attempted to gain

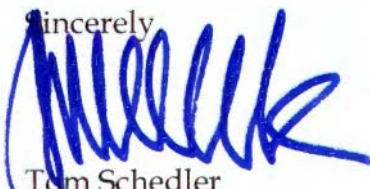
unfettered access to the Louisiana Electronic Registration Information Network (ERIN) database. Imagine, by simply raising the red flag of a potential breach, the designation of elections as critical infrastructure could potentially be used to now obtain what the previous administration could not – access to citizens private and protected information. There would be no need to show any proof of an actual threat, because information on critical infrastructures can be withheld from the public. Nothing could be worse for voter confidence in elections than for the processes and procedures to become secretive as would happen under the critical infrastructure designation.

Given all of the concerns outlined within this correspondence, as well as the formal resolution I authored and was adopted by the National Association of Secretaries of State (NASS) with bipartisan support, I formally ask that you reconsider this designation. Absent a review of this incredibly important designation and additional dialogue among the elected officials charged with perfecting elections across our country, this approach will irreparably damage the system of voting which I vowed to protect, as well as the confidence of voters.

In my opinion, this is only the tip of the iceberg in terms of the need to oppose this gargantuan power grab by the federal government. I strongly urge you to meet with Secretaries of State (Republican and Democrat) to understand our position on this issue. I expressed my grave concerns on this designation last week to House Majority Whip, Steve Scalise and I will be sending a letter to the President and Vice President requesting a meeting between them and Republican and Democrat Secretaries of State on this important issue. I never expected the Obama administration to give us a fair hearing due to their strict adherence to partisan political ideology at any cost; however, for the Trump administration to endorse this is simply beyond my comprehension.

I look forward to hearing from you and your staff.

Sincerely,



Tom Schedler
Secretary of State

TS/fa

Enclosure: NASS Resolution

cc: President Donald J. Trump
Vice President Michael R. Pence



NASS

National Association
of Secretaries of State

NASS Resolution Opposing the Designation of Elections as Critical Infrastructure

WHEREAS, the United States Constitution recognizes the authority of the legislatures of each State to regulate the times, places, and manner of holding federal elections; and

WHEREAS, the election infrastructure of the United States is utilized to conduct federal, state, and local elections alike; and

WHEREAS, on January 6, 2017, U.S. Homeland Security Secretary Jeh Johnson announced that he had designated election infrastructure as a subsector of the existing Government Facilities critical infrastructure sector; and

WHEREAS, Secretary Johnson's scope of the designation of elections as critical infrastructure includes physical elements, such as "storage facilities, polling places, and centralized vote tabulations locations," to which cybersecurity issues do not apply, "voter registration databases," of which redundant copies are separately stored, and "other systems to manage the election process and report and display results," which are not critical to the determination of official certified election results; and

WHEREAS, Section 1016(e) of the USA Patriot Act of 2001 (42 USC § 5195c(e), the "Critical Infrastructure Protection Act") defines critical infrastructure as, "systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters[,]"; and

WHEREAS, the election infrastructure in the United States is highly decentralized and constitutionally under the purview and control of the states and their local jurisdictions; and

WHEREAS, the opposition to designating elections as critical infrastructure is bipartisan, as evidenced by a September 28, 2016, letter signed by Paul D. Ryan, Speaker of the United States House of Representatives, Nancy Pelosi, Democratic Leader of the United States House of Representatives, Mitch McConnell, Majority Leader of the United States Senate, and Harry Reid, Democratic Leader of the United States Senate, stating, "we would oppose any effort by the federal government to exercise any degree of control over the states' administration of elections by designating these systems as critical infrastructure[,]"; and

WHEREAS, Secretary Johnson stated that he would not designate elections as critical infrastructure without a thorough discussion with members of this body; and

WHEREAS, questions submitted by numerous members of this body and other election officials remain unanswered; and

WHEREAS, numerous members of this body and other federal, state, and local election officials have publicly opposed the designation of elections as critical infrastructure; and

WHEREAS, several states have discovered attempted intrusions by the Department of Homeland Security under former Secretary Johnson, which need to be thoroughly investigated by the Department of Homeland Security's Inspector General, including regarding such attempted intrusions to the designation process; and

WHEREAS, on February 7, 2017, current U.S. Homeland Security Secretary John F. Kelly indicated during testimony before the U.S. House of Representatives' Homeland Security Committee that he intends to uphold the former secretary's designation of elections as critical infrastructure, and;

WHEREAS, the U.S. Department of Homeland Security has no authority to interfere with elections, even in the name of national security;

NOW THEREFORE BE IT RESOLVED that the National Association of Secretaries of State (NASS) opposes the designation of elections as critical infrastructure.

Adopted the 18th day of February 2017
in Washington, DC

EXPIRES: Winter 2022

Non Responsive Record

23). President Trump issued an Executive Order on January 3, 2018, terminating the Presidential Advisory Commission on Election Integrity. On the same day President Trump terminated the Commission, Kris Kobach said he would serve as an “informal adviser” to DHS.

What formal or informal arrangement does DHS have with Mr. Kobach?

Has DHS discussed any such role or relationship involving Mr. Kobach with Mr. Kobach himself or any other agency or department?

Will you confirm that Mr. Kobach will not serve as an advisor to the agency in any capacity related to voter fraud?

(b)(5)



Commission on Election Integrity

Top Lines:

- At the President's direction, the Department continues to work in support of state governments who are responsible for administering elections, with efforts focused on securing elections against those who seek to undermine the election system or its integrity.
- Mr. Kobach is not advising DHS in a formal or informal manner.
- If an issue were to arise, the Department would work with him in his official capacity as the Kansas secretary of state as we do with any secretary of state and other state and local officials.

Background:

- On January 3, 2017, President Trump issued an Executive Order on the termination on the Presidential Advisory Commission on Election Integrity.
- Despite substantial evidence of voter fraud, many states have refused to provide the Presidential Advisory Commission on Election Integrity with basic information relevant to its inquiry.
- Rather than engage in endless legal battles at taxpayer expense, the President signed an executive order to dissolve the Commission, and asked the Department of Homeland Security to review its initial findings and determine next courses of action.

(b)(5)



From:	(b)(6)
To:	"Carroll, Kevin (b)(6) (b)(6)
Subject:	FW: Michael Haverluck: "Feds could prove Trump right about voter fraud"
Date:	2017/02/01 17:05:09
Type:	Note

<http://www.gopusa.com/feds-could-prove-trump-right-about-voter-fraud/>



TUESDAY, JANUARY 31, 2017

- **HOME**
- **THE LOFT**
- **NEWS**
- **COMMENTARY**
- **FRESH INK**

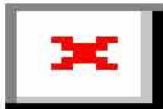
Home Fresh Ink

Feds could prove Trump right about voter fraud

Michael Haverluck,

OneNewsNow.com

January 31, 2017 at 6:47 am



(AP Photo/Michael Dwyer)

Since the months leading into last November's election, President Donald Trump has consistently accused the mainstream of playing down voter fraud, and as his inauguration as come and gone, proof continues to mount that the freshly sworn-in commander-in-chief was right in his assertion that massive voter fraud benefitting the Democrats took place.

Trump recently revived the debate when he claimed at a private meeting that his former Democratic presidential rival Hillary Clinton received 3–5 million votes from illegal aliens, which put her on top in the popular vote nationally – even though the Republican handily won the Electoral College vote 304–227.

Rampant voter fraud to be exposed soon?

Following Trump's comments about the 2016 Election's rampant voter fraud, White House Press Secretary Sean Spicer was grilled on Tuesday by the media, which asked him why the president has not called for an investigation into the matter if he is so sure that it took place. The next day, the newly installed president obliged the media, and he is now pursuing a massive probe on the matter.

"I will be asking for a major investigation into VOTER FRAUD, including those registered to vote in two states, those who are illegal and ... even, those registered to vote who are dead (and many for a long time)," Trump announced in a couple of posts on Twitter. "Depending on results, we will strengthen up voting procedures!"

The debate is not new, as the Leftist media and the conservative press have laid out their arguments over the issue for years.

"The reporters' brazenness could well have been prompted by articles from mainstream media outlets, such as the New York Times, insisting there was no evidence of voter fraud," WND reported. "But that's not true. Ample evidence has been published indicating widespread voter fraud, as WND and other media outlets have reported over the years."

Two experts on the issue of voter fraud are confident that there is much evidence to support Trump's claim, with the only question being just how extensive the fraud actually is.

National Review National Affairs Columnist John Fund and Heritage Foundation Senior Legal Fellow Hans von Spakovsky, who co-authored *Who's Counting? How Fraudsters and Bureaucrats Put Your Vote at Risk*, insist that the Democrats' voter fraud has worked toward their advantage for years. Both drafted an op-ed they submitted for publication, from which they permitted WND to quote, titled "*Trump's probe of voter fraud long overdue. No one should oppose collecting the data Obama's administration has been hiding.*"

Cleaning up the democratic process

Even though Trump won the election fair-and-square, Fund and his colleague von Spakovsky – who is former member of the Federal Election Commission – are looking forward to the new president's revived desire to get to the bottom of things.

"Conducting an investigation that will help resolve the size of the voter fraud problem is straightforward," Fund and von Spakovsky insisted in their drafted op-ed, according to WND. "The Department of Homeland Security should cooperate with states wanting to check the citizenship status of voters on their rolls. The Justice Department should put pressure on or sue counties and states that refuse to clean up their rolls."

Dead voters and voters who illegally cast numerous ballots in November could be exposed

by such means, but detecting the votes of non-citizens and illegal aliens is a whole other ballgame.

“The IRS has issued 11 million Individual Taxpayer Identification Numbers – most of them to illegal immigrants – so they can file taxes,” the experts on the election process informed. “Privacy rules allow the IRS to share information for some law enforcement purposes, but not in a way that results in deportations. Those rules could be tweaked to allow states to compare the names of illegal immigrants the IRS has with their voter records.”

The authors say existing research already exists that would corroborate evidence dug up in a federal probe that would pit Democrats in the middle of a new major scandal, as they brought up *“a 2012 study from the Pew Center on the States estimating that one out of every eight voter registrations is inaccurate, out-of-date or a duplicate.”*

And the numbers are nothing to sweep under the rug.

“About 2.8 million people are registered in more than one state, according to the study, and 1.8 million registered voters are dead,” Fund and von Spakovsky pointed out. “In most places, it’s easy to vote under the names of such people with little risk of detection.”

Furthermore, up to 2.8 million votes could have been dropped by illegal aliens into ballot boxes during elections held in 2008 and 2010, according to a 2014 study published in the Electoral Studies Journal.

“Trump is right – millions of illegals probably did vote in 2016,” Investors Business Daily remarked about the study in late November, according to WND. “And when you consider the population of illegal inhabitants has only grown since then, it’s not unreasonable to suppose that their vote has, too. Remember, a low-ball estimate says there are at least 11 million to 12 million illegals in the U.S., but that’s based on faulty Census data. More likely estimates put the number at 20 million to 30 million.”

Critics have contested the results of the study, but claims made by Leftists in the academic world, such as a team at Harvard University that stated back in 2015 that **“the likely percent of noncitizen voters in recent U.S. elections is 0”** is considered by many on both sides of the party line to be ridiculous – at best.

Dems OK with fraud

Regardless of party affiliation, it is acknowledged by Americans that extensive voter fraud exists.

“The Washington Post conducted a poll last October using the Polfish firm that found 84 percent of Republicans believe that a ‘meaningful amount’ of voter fraud occurs in U.S. elections, along with 75 percent of Independents,” Fund and von Spakovsky recounted. “A majority of Democrats – 52 percent – also believed there was meaningful voter fraud.”

And despite their overwhelming support of immigration reform, a good proportion of those on the Left acknowledge that illegal aliens are impacting the voting process.

“A quarter of Democrats believed illegal immigrants were voting,” WND’s Garth Kant pointed out.

Statistics support the assertion that illegals can indeed turn elections in key swing states.

“A postelection survey conducted by Americas Majority Foundation found that 2.1 percent of noncitizens voted in the Nov. 8 election,” Fund and von Spakovsky informed. “In the battleground states of Michigan and Ohio, 2.5 percent and 2.1 percent, respectively, of noncitizens reported voting.”

In fact, in parts of the United States where Hillary won by a landslide in the 2016 Election, such as Washington, D.C. –where she took 94 percent of the vote – and California, lenient identification processes have interestingly worked out to greatly favor Democrats at the ballot box.

“Other evidence of the strong potential for voter fraud includes what Gateway Pundit dug up and WND reported in October, that 12 states and the District of Columbia allow driver’s licenses to be given to illegal immigrants, *and almost half of California’s driver’s licenses went to illegal aliens last year*,” Kant explained. “And Democrats seem more than well-aware how that works to their advantage, as evidenced in an email revealed by WikiLeaks in October, sent by Clinton campaign manager John Podesta on Feb. 3, 2015, indicating he is not troubled by voter fraud.”

Unintentionally shooting his own party in the foot, Podesta pointed out in the email how easy it is for illegals to use easily acquired identification cards to vote illegally.

“On the picture ID, the one thing I have thought of in that space is that if you show up on Election Day with a drivers license with a picture, attest that you are a citizen, you have a right to vote in Federal elections,” he pointed out.

In fact, undercover investigators for Project Veritas were told by an activist for the Democratic party that his party has been rigging elections for half a century in America.

“You know what? We’ve been busing people in to deal with you [expletives] for 50 years, and we’re not going to stop now,” said Americans United for Change Field Director Scott Foval, according to WND.

Dem cover-up

Kant insists that rife voter fraud has not been exposed in the U.S. because federal government over the past eight years has been run by the Democrats – and the feds determine

whether or not such information is investigated, and therefore publicized. Studies show that Democrats do not have a problem with illegal elections when they work in their favor.

“A Rasmussen Reports poll earlier this year found that 53 percent of the Democratic Party supports letting illegals vote, even though it’s against the law,” Investors Business Daily stated. *“It’s pretty clear why Leftist get-out-the-vote groups openly urge noncitizens to vote during election time, and the registration process is notoriously loose.”*

This is also corroborated by Fund and von Spakovsky, who attest that Obama not only allowed voter fraud, but supported it.

“The Obama administration did everything it could to avoid complying with requests from states to verify voter registration records against federal records of legal noncitizens and illegal immigrants who have been detained by law enforcement to find noncitizens who have illegally registered and voted,” the two noted, adding that Christian Adams – a former attorney for the Justice Department – testified under oath that he witnessed then-Deputy Assistant Attorney General Julie Fernandes telling DOJ prosecutors at a November 2009 meeting that the Obama administration would not be enforcing federal law that requires local officials to remove illegitimate names from their voter rolls.

“The Justice Department has also opposed every effort by states – such as Kansas, Arizona, Alabama and Georgia – to implement laws that require individuals registering to vote to provide proof of citizenship,” the experts revealed. “This despite evidence that noncitizens are indeed registering and casting ballots. **In 2015, one Kansas county began offering voter registration at naturalization ceremonies. Election officials soon discovered about a dozen new Americans who were already registered – and who had voted as noncitizens in multiple elections.** These blatant attempts to prevent states from learning if they have a real problem with illegal votes makes it impossible to learn if significant numbers of noncitizens and others are indeed voting illegally – perhaps enough to make up the margin in some close elections.”

Now that a Republican with a desire to set the record straight through a probe is in the White House, it is believed that it is just a matter of time before the massive voter fraud taking place over the past eight-plus years is exposed.

Sender:	(b)(6)	
Recipient:		
	"Carroll, Kevin (b)(6)	
	(b)(6)	
Sent Date:	2017/02/01 17:04:49	
Delivered Date:	2017/02/01 17:05:09	

From:	(b)(6)
To:	"Carroll, Kevin (b)(6)
Subject:	Trump argument bolstered: Clinton received 800,000 votes from noncitizens, study finds
Date:	2017/01/27 09:13:30
Type:	Note

Home
News
Politics

Trump argument bolstered: Clinton received 800,000 votes from noncitizens, study finds

Hillary Clinton is estimated to have collected 81 percent of noncitizen votes, which may have helped her carry a state, a researcher says. (Associated Press) [more >](#)

By Rowan Scarborough - The Washington Times - Thursday, January 26, 2017

Hillary Clinton garnered more than 800,000 votes from noncitizens on Nov. 8, an approximation far short of President Trump's estimate of up to 5 million illegal voters but supportive of his charges of fraud.

Political scientist Jesse Richman of Old Dominion University in Norfolk, Virginia, has worked with colleagues to produce groundbreaking research on noncitizen voting, and this week he posted a blog in response to Mr. Trump's assertion.

Based on national polling by a consortium of universities, a report by Mr. Richman said 6.4 percent of the estimated 20 million adult noncitizens in the U.S. voted in November. He extrapolated that that percentage would have added 834,381 net votes for Mrs. Clinton, who received about 2.8 million more votes than Mr. Trump.

SEE ALSO: Trump backs group examining voter fraud

Mr. Richman calculated that Mrs. Clinton would have collected 81 percent of noncitizen votes.

"Is it plausible that non-citizen votes added to Clinton's margin? Yes," Mr. Richman wrote. "Is it plausible that non-citizen votes account for the entire nation-wide popular vote margin held by Clinton? Not at all."

Still, the finding is significant because it means noncitizens may have helped Mrs. Clinton carry a state or finish better than she otherwise would have.

SEE ALSO: Watchdog sees need for election fraud probe

Mr. Trump's unverified accusation to congressional leaders this week, as reported by The Washington Post, has sent the issue skyward.

He apparently was referring to all types of fraud, such as the "dead" voting or multiple votes from the same person. But the thrust of his estimate appears to be that illegal immigrants and noncitizens carried the popular vote.

He returned to the issue Thursday in Philadelphia, where he spoke to congressional Republicans mapping this year's legislative calendar.

"We also need to keep the ballot box safe from illegal voting," the president said. "And, believe me, you take a look at what's registering, folks. Take a look at what's registering.

We are going to protect the integrity of the ballot box, and we are going to defend the votes of the American citizen, so important."

The mainstream media reacted to Mr. Trump's assertion with derision. Liberal pundits said there is no evidence of fraud.

CNN's Jake Tapper called it "a stunning allegation for which the White House is providing no evidence. And there is a reason they are providing no evidence — there is no evidence. It is not true."

Esquire.com said, "The most bizarre lie of Donald Trump's presidency so far is his claim of widespread voter fraud in an election he won."

But conservative activists say the liberal media are ignoring evidence — that noncitizen voting is illegal and, thus, fraud. They say the Justice Department in the Obama administration was more concerned with preventing states from cleansing rosters of dead and inactive voters than in mounting any investigation into fraud.

"Most voters are never asked for voter ID, so it is dishonest to suggest that with the tens of millions of illegal and legal aliens here, there is no voter fraud," said Tom Fitton, who heads the conservative watchdog group Judicial Watch. "If the key Old Dominion study results on the 2008 election are applied to 2016 — 1.41 million aliens may have voted illegally, with 1.13 million voting for Democrats."

"A federal voter fraud investigation is long overdue," Mr. Fitton said. "It would be a simple matter of analyzing voter registration databases against federal databases of aliens and deceased individuals. Why is the left afraid to even ask the questions? The jig is up."

There does not appear to be any concerted postelection effort by states to take on the daunting task of checking voter rolls and ballots to verify citizenship. In some states, no ID is required to register and vote.

In the absence of detailed accounting, the only scientific way to make an estimate is by post-vote polling.

Mr. Richman relies on a one-of-a-kind poll: the Cooperative Congressional Election Survey. Every two years, a consortium of 28 universities produces a detailed report on voters and their views based on polling by YouGov.

Tucked inside the lengthy questionnaire is a question on citizenship status: A significant number of respondents anonymously acknowledged they were not citizens when they voted. Three professors at Old Dominion University — Mr. Richman, Gulshan A. Chattha and David C. Earnest — took these answers, did further research and extrapolated that of a 19.4 million estimate of adult noncitizens, about 620,000 were illegally registered to vote in the 2008 presidential election. Using other measuring tools, they said, the actual number of noncitizen voters could be as low as 38,000 and as high as 2.8 million.

The U.S. Census Bureau reported in 2012 that there are 22 million noncitizens in the country. The group comprises illegal immigrants and people in the U.S. legally on a visa or permanent resident green card. Of this 22 million, 20 million were 18 or older, the U.S. voting age requirement.

Conservatives have long suspected that Democrats are tacitly encouraging illegal immigrants to vote. Liberal leaders have created "sanctuary cities" across the nation that refuse to work with federal immigration enforcement authorities.

President Obama was asked during the campaign last year if illegal immigrants had anything to fear from federal authorities if they voted in the presidential race.

"Many of the millennials, Dreamers, undocumented citizens — and I call them citizens because they contribute to this country — are fearful of voting," he was asked on a Latino YouTube channel. "'So if I vote, will Immigration know where I live? Will they come for my family and deport us?'"

"Not true, and the reason is, first of all, when you vote, you are a citizen yourself," Mr. Obama said. "And there is not a situation where the voting rolls somehow are transferred over and people start investigating, etc. The sanctity of the vote is strictly confidential." Some conservatives interpreted Mr. Obama's answer as a go-ahead signal, with his questionable assertion that voter rolls are off limits to federal investigators. The WikiLeaks dump of Clinton campaign manger John Podesta's emails contained one message on directing immigrants to vote. He said immigrants should obtain driver's licenses and then attest at a polling place that they are U.S. citizens.

(b)(6)

Sender:	(b)(6)	
	(b)(6)	
Recipient:	"Carroll, Kevin (b)(6)	
	(b)(6)	

	(b)(6)	
Sent Date:	2017/01/27 09:13:23	
Delivered Date:	2017/01/27 09:13:30	

From:	(b)(6)	
To:	"Carroll, Kevin (b)(6) (b)(6)	
Subject:	FW: Do Illegal Votes Decide Elections?	
Date:	2017/01/24 20:15:37	
Importance:	High	
Priority:	Urgent	
Type:	Note	

They are giving Trump hell for even suggesting that there is voting by illegal immigrants.....guess no one took the time to read this. You sent it to me on 12/1/16.

Opinion Commentary

Do Illegal Votes Decide Elections?

There's no way to know. But the evidence suggests that significant numbers of noncitizens cast ballots.

By Hans von Spakovsky and John Fund
Nov. 30, 2016 7:10 p.m. ET

Donald Trump's claim that illegal voting may have cost him a popular-vote majority has touched off outrage. Widespread voter fraud, the media consensus suggests, isn't possible. But there is a real chance that significant numbers of noncitizens and others are indeed voting illegally, perhaps enough to make up the margin in some elections.

There's no way of knowing for sure. The voter-registration process in almost all states runs on the honor system. The Obama administration has done everything it can to keep the status quo in place. The Obama Justice Department has refused to file a single lawsuit to enforce the requirement of the National Voter Registration Act that states maintain the accuracy of their voter-registration lists. This despite a 2012 study from the Pew Center on the States estimating that one out of every eight voter registrations is inaccurate, out-of-date or duplicate. About 2.8 million people are registered in more than one state, according to the study, and 1.8 million registered voters are dead. In most places it's easy to vote under the names of such people with little risk of detection.

An undercover video released in October by the citizen-journalist group Project Veritas shows a Democratic election commissioner in New York City saying at a party, "I think there is a lot of voter fraud." A second video shows two Democratic operatives mulling how it would be possible to get away with voter fraud.

The Justice Department has opposed every effort by states—such as Kansas, Arizona, Alabama and Georgia—to verify the citizenship of those registering to vote. This despite evidence that noncitizens are indeed registering and casting ballots. In 2015 one Kansas county

began offering voter registration at naturalization ceremonies. Election officials soon discovered about a dozen new Americans who were already registered—and who had voted as noncitizens in multiple elections.

How common is this? If only we knew. Political correctness has squelched probes of noncitizen voting, so most cases are discovered accidentally instead of through a systematic review of election records.

The danger looms large in states such as California, which provides driver's licenses to noncitizens, including those here illegally, and which also does nothing to verify citizenship during voter registration. In a 1996 House race, then-challenger Loretta Sanchez defeated incumbent Rep. Bob Dornan by under 1,000 votes. An investigation by a House committee found 624 invalid votes by noncitizens, nearly enough to overturn the result.

How big is this problem nationally? One district-court administrator estimated in 2005 that up to 3% of the 30,000 people called for jury duty from voter-registration rolls over a two-year period were not U.S. citizens. A September report from the Public Interest Legal Foundation found more than 1,000 noncitizens who had been removed from the voter rolls in eight Virginia counties. Many of them had cast ballots in previous elections, but none was referred for possible prosecution.

The lack of prosecutions is no surprise. In 2011, the Electoral Board in Fairfax County, Va., sent the Justice Department, under then-Attorney General Eric Holder, information about 278 noncitizens registered to vote in Fairfax County, about half of whom had cast ballots in previous elections. There is no record that the Justice Department did anything.

A 2014 study by three professors at Old Dominion University and George Mason University used extensive survey data to estimate that

6.4% of the nation's noncitizens voted in 2008 and that 2.2% voted in 2010. This study has been criticized by many academics who claim that voter fraud is vanishingly rare. Yet the Heritage Foundation maintains a list of more than 700 recent convictions for voter fraud.

A postelection survey conducted by Americas Majority Foundation found that 2.1% of noncitizens voted in the Nov. 8 election. In the battleground states of Michigan and Ohio, 2.5% and 2.1%, respectively, of noncitizens reported voting. In 2013, pollster McLaughlin & Associates conducted an extensive survey of Hispanics on immigration issues. Its voter-profile tabulation shows that 13% of noncitizens said they were registered to vote. That matches closely the Old Dominion/George Mason study, in which 15.6% of noncitizens said they were registered.

Fixing this problem is very straightforward. The Trump administration should direct the Department of Homeland Security to cooperate with states that want to verify the citizenship of registered voters. Since this will only flag illegal immigrants who have been detained at some point and legal noncitizens, states should pass laws, similar to the one in Kansas, that require proof of citizenship when registering to vote.

The Justice Department, instead of ignoring the issue, should again start prosecuting these cases.

The bottom line is that the honor system doesn't work. There are people—like those caught voting illegally—who are willing to exploit these weaknesses that damage election integrity.

Mr. von Spakovsky, a former member of the Federal Election Commission, is a senior legal fellow at the Heritage Foundation. Mr. Fund is the national affairs columnist for National Review. They are the authors of **"Who's Counting? How Fraudsters and Bureaucrats Put Your Vote at Risk"** (Encounter, 2012).

Sender:	(b)(6)	
Recipient:	"Carroll, Kevin (b)(6)	
Sent Date:	2017/01/24 20:15:29	
Delivered Date:	2017/01/24 20:15:37	

From:	Nielsen, Kirstjen (b)(6)
To:	(b)(6)
Subject:	FW: CK list
Date:	2017/05/11 23:18:07
Priority:	Normal
Type:	Note

Kobach and 90 day strategy parts for SI list

From: Krebs, Christopher
Sent: Thursday, May 11, 2017 11:13 PM
To: Nielsen, Kirstjen <(b)(6)>
Cc: Neumann, Elizabeth <(b)(6)>
Subject: RE: CK list

Kobach:

- Vice Chair of the [Commission on Election Integrity](#), signed out by EO today. VPOTUS is the Chair.
- 12 member commission, current and former secretaries of state to study voter fraud related issues.
 - o Laws, rules, policies, activities, strategies, and practices that enhance confidence in integrity of voting processes
 - o Laws....that undermine confidence in the integrity of voting processes
 - o Vulnerabilities in systems that could lead to improper voting registrations and voting (I DO NOT read this as cyber-related)
- Report due in 2018, may include recommendations, but the commission is solely advisory and expires 30 days after report.
- Support to the Commission will be provided by GSA (I've seen reporting that DHS will provide support, but it's not in the EO).

NPPD Reorg

- House Homeland accepted our changes, though they don't like the name (we said Cyber & Infra Security Agency. They prefer Protection over Security. They also prefer Director over Administrator).

Christopher C. Krebs
Department of Homeland Security

(b)(6)

From: Nielsen, Kirstjen
Sent: Thursday, May 11, 2017 8:15 PM
To: Krebs, Christopher <(b)(6)>
Cc: Neumann, Elizabeth
Subject: CK list

--what is Kobach doing? Integrity of elections or ethics of elections or...?
--NPPD reorg update- do we have something I can read/review?
--hearing yesterday on cyber with McCaskill- what happened? Do we have a read out?
--what is status of the 90 day strategies? There were two right?
--need list of cyber topics. He wants briefs and paper to read. Send me list and let's triage

Kirstjen Nielsen
Chief of Staff
Department of Homeland Security

(b)(6)

~~This message and any attachments may contain agency deliberative communications, which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security before disclosing any information contained in this email.~~

Sender:	Nielsen, Kirstjen (b)(6)
Recipient:	(b)(6)
Sent Date:	2017/05/11 23:18:06
Delivered Date:	2017/05/11 23:18:07

From:	(b)(6)
To:	"Wuco, Frank (b)(6) (b)(6)
Subject:	RE: Guidance Check - E.O. 13806
Date:	2017/08/02 08:21:06
Priority:	Normal
Type:	Note

No—that E.O. set up a Presidential Commission and did not task Departments. This new one requires several deliverables.

(b)(6)

Chief of Staff
Executive Order Task Force
U.S. Department of Homeland Security

(b)(6)

From: Wuco, Frank
Sent: Tuesday, August 1, 2017 10:48 PM
To: (b)(6)
Subject: RE: Guidance Check - E.O. 13806

We never did one of these for the Voter Fraud EO, which has national infrastructure parts and pieces, die we?

From: (b)(6)
Sent: Tuesday, August 1, 2017 2:23 PM
To: Hamilton, Gene <(b)(6)>; Taylor, Miles
(b)(6); Cissna, Tiffany <(b)(6)>; Krebs, Christopher <(b)(6)>; Wolf, Chad <(b)(6)>
Cc: Wuco, Frank <(b)(6)>; Price, Daniel

(b)(6)

Subject: Guidance Check - E.O. 13806

Good afternoon—Just checking in on guidance for E.O. 13806 “Assessing and Strengthening the Manufacturing and Defense Industrial Base and Supply Chain Resiliency of the United States”—there are PLCY Trade, NPPD (Critical Manufacturing and Defense Industrial Base sectors) and other equities across DHS. We can start pulling

a group together to discuss and work to set up a kick off, but wanted to get your thoughts. Many thanks!

(b)(6)

Chief of Staff
Executive Order Task Force
U.S. Department of Homeland Security

(b)(6)

Sender:	(b)(6)
Recipient:	"Wuco, Frank <(b)(6)> (b)(6)
Sent Date:	2017/08/02 08:21:05
Delivered Date:	2017/08/02 08:21:06

From:	Krebs, Christopher (b)(6)
To:	"Nielsen, Kirstjen" (b)(6)
Subject:	RE: Election Integrity Commission
Date:	2017/07/10 22:40:16
Priority:	Normal
Type:	Note

Perfect! Thanks.

Christopher C. Krebs
Department of Homeland Security
(b)(6)

From: Nielsen, Kirstjen
Sent: Monday, July 10, 2017 10:40 PM
To: Krebs, Christopher (b)(6)
Subject: RE: Election Integrity Commission

Take Dimple or have her join too
Immigration+law

-----Chief of Staff
Department of Homeland Security

From: Krebs, Christopher
Sent: Monday, July 10, 2017 10:38:19 PM
To: Nielsen, Kirstjen
Subject: RE: Election Integrity Commission

Simply a matter of matching up calendars across 6 ppl. While the initial approach was about election infrastructure/cyber, I sensed it turning to voter roll databases, so I needed Gene. We couldn't get the times to match up Friday, but I'll do the call tomorrow and stitch him in later on.

Christopher C. Krebs
Department of Homeland Security
(b)(6)

From: Nielsen, Kirstjen
Sent: Monday, July 10, 2017 10:12 PM
To: Krebs, Christopher (b)(6)
Subject: RE: Election Integrity Commission

(b)(5)

-----Chief of Staff
Department of Homeland Security

From: Krebs, Christopher
Sent: Monday, July 10, 2017 10:10:43 PM
To: Nielsen, Kirstjen
Cc: Neumann, Elizabeth
Subject: RE: Election Integrity Commission

Will do.

Thx

Christopher C. Krebs
Department of Homeland Security

(b)(6)

From: Nielsen, Kirstjen
Sent: Monday, July 10, 2017 9:31 PM
To: Krebs, Christopher <(b)(6)>
Cc: Neumann, Elizabeth
Subject: FW: Election Integrity Commission

Chris
Pis reach out to them first thing tomorrow
Thanks

From: (b)(6)
Sent: Monday, July 10, 2017 5:45:04 PM
To: Krebs, Christopher; Hamilton, Gene
Cc: Nielsen, Kirstjen; (b)(6)

(b)(6)

Subject: Re: Election Integrity Commission

Just re-upping this. Chris/Gene, do you have any availability tomorrow?

Thanks,

(b)(6)

(b)(6)

Associate Counsel

Office of the Vice President

Email: (b)(6)

Cell: (b)(6)

Sent from my iPhone

On Jul 8, 2017, at 2:50 PM, (b)(6) wrote:

Chris,

What time are you and Gene available on Monday?

(b)(6)

(b)(6)

Counsel to the Vice President

(b)(6)

From: Krebs, Christopher (b)(6)

Sent: Thursday, July 6, 2017 11:00 PM

To: (b)(6)

Cc: Nielsen, Kirstjen (b)(6)

(b)(6)

(b)(6) Hamilton, Gene (b)(6)

Subject: RE: Election Integrity Commission

No worries, let me huddle w/ Gene and get back to you on a time.

Thanks,

Chris

Christopher C. Krebs

Department of Homeland Security

(b)(6)

From: (b)(6)

Sent: Thursday, July 6, 2017 6:35 PM

To: Krebs, Christopher (b)(6)

Cc: Nielsen, Kirstjen (b)(6)

(b)(6)

(b)(6) Hamilton, Gene (b)(6)

Subject: RE: Election Integrity Commission

Chris,

Sorry, was in meeting from 4 until just now. We can talk now or in the am. Anxious to connect up. Thanks.

(b)(6)

Counsel to the Vice President

(b)(6)

From: Krebs, Christopher (b)(6)
Sent: Thursday, July 6, 2017 4:56 PM

To: (b)(6)

Cc: Nielsen, Kirstjen (b)(6)

(b)(6)

(b)(6) Hamilton, Gene (b)(6)

Subject: RE: Election Integrity Commission

Mark, any chance you're free at 5:30?

From: (b)(6)

Sent: Thursday, July 6, 2017 12:18 PM

To: Krebs, Christopher <(b)(6)>

Cc: Nielsen, Kirstjen <(b)(6)>

(b)(6)

(b)(6)

Subject: Re: Election Integrity Commission

Does 230 work? Or 430?

(b)(6)

Counsel to the Vice President

(b)(6)

Sent from my iPhone

On Jul 6, 2017, at 9:53 AM, Krebs, Christopher <(b)(6)> wrote:

+ Gene

(b)(6)

Let's definitely get on a call today – I'll bring along Gene Hamilton & we can close the loop on CIS's SAVE database, too.

Thanks,
Chris

From: (b)(6)
Sent: Thursday, July 6, 2017 9:31 AM
To: Nielsen, Kirstjen (b)(6)
Cc: (b)(6); Krebs, Christopher (b)(6)
(b)(6)
Subject: Re: Election Integrity Commission

Kirstjen,

(b)(5)
Can we have a conference call today with our team and you and/or Chris? We spoke with Chris a couple of weeks ago and wanted to follow up on our discussion.
Thanks.

(b)(6)
Counsel to the Vice President

(b)(6)

Sent from my iPhone

On Jul 4, 2017, at 7:55 AM, (b)(6)
(b)(6) wrote:

Thanks, Kirstjen.
Yes, let me connect you with (b)(6) on this.
Happy 4th!

Sent from my iPhone

On Jul 3, 2017, at 5:13 PM, Nielsen, Kirstjen
(b)(6) wrote:

Hi Josh,
How are you?

(b)(5)

(b)(5)

Thanks in advance – the Department is standing by to help the Vice President in his efforts!

Hope you have a fabulous 4th of July!

Best,
Kirstjen

Sender:	Krebs, Christopher (b)(6)
Recipient:	(b)(6)
Sent Date:	"Nielsen, Kirstjen (b)(6)
	(b)(6)
	2017/07/10 22:40:16

From:	Krebs, Christopher (b)(6)
To:	"Nielsen, Kirstjen (b)(6)
CC:	"Neumann, Elizabeth (b)(6)
Subject:	RE: CK list
Date:	2017/05/11 23:32:46
Priority:	Normal
Type:	Note

I picked it apart this afternoon and didnt end up in cyber land. Will have time with Joyce in the am and will get his take.

Christopher C. Krebs
Department of Homeland Security

(b)(6)

From: Nielsen, Kirstjen
Sent: Thursday, May 11, 2017 11:17:37 PM
To: Krebs, Christopher
Cc: Neumann, Elizabeth; (b)(6)
Subject: RE: CK list

Chris

Thanks very helpful

One bold return

I will find time on Monday- (b)(6) need substantial time with Chris- will look

From: Krebs, Christopher
Sent: Thursday, May 11, 2017 11:13 PM
To: Nielsen, (b)(6)
Cc: Neumann, Elizabeth (b)(6)
Subject: RE: CK list

Kobach:

- Vice Chair of the [Commission on Election Integrity](#), signed out by EO today. VPOTUS is the Chair.
- 12 member commission, current and former secretaries of state to study voter fraud related issues.
 - o Laws, rules, policies, activities, strategies, and practices that enhance confidence in integrity of voting processes
 - o Laws....that undermine confidence in the integrity of voting processes

From:	Wales, Brandon (b)(6)
To:	"Neumann, Elizabeth (b)(6)
Subject:	FW: S1 TPs on Election Integrity
Date:	2018/01/13 21:33:14
Priority:	Normal
Type:	Note

These are what I sent to Chad on Friday, but these were for messaging to the WH, not to the media.

Brandon D. Wales

Senior Counselor to the Secretary

Department of Homeland Security

(b)(6)

From: Wales, Brandon

Sent: Friday, January 12, 2018 9:51:38 AM

To: Wolf, Chad

Cc: Neumann, Elizabeth; Hoffman, Jonathan

Subject: S1 TPs on Election Integrity

Chad,

Here are the S1 TPs on Election Integrity you asked for. I will update these as things change.

Best,

Brandon

Brandon D. Wales

Senior Counselor to the Secretary

Department of Homeland Security

(b)(6)

Sender:	Wales, Brandon (b)(6)
Recipient:	"Neumann, Elizabeth (b)(6)
Sent Date:	2018/01/13 21:33:14

From:	Krebs, Christopher (b)(6)
To:	(b)(6) "Wales, Brandon (b)(6) (b)(6) "Neumann, Elizabeth (b)(6) (b)(6)
Subject:	RE: Election Integrity Commission
Date:	2018/01/06 21:49:29
Priority:	Normal
Type:	Note

In free tomorrow.

From: Wales, Brandon
Sent: Saturday, January 06, 2018 9:48:23 PM
To: Neumann, Elizabeth
Cc: Krebs, Christopher
Subject: RE: Election Integrity Commission

Do we still want to talk this weekend? I am available tomorrow if we want to connect.
Best,
Brandon

Brandon D. Wales
Senior Counselor to the Secretary
Department of Homeland Security

(b)(6)

From: Neumann, Elizabeth
Sent: Friday, January 05, 2018 11:14:36 PM
To: Wales, Brandon
Cc: Krebs, Christopher
Subject: RE: Election Integrity Commission

Thanks Brandon. Let's talk tomorrow so I can share what Chad and I heard today so you and Chris can be more prepared to respond when we set up the meeting.

From:	(b)(6)
To:	
Subject:	FW: Do Illegal Votes Decide Elections?
Date:	2017/01/26 06:47:52
Importance:	High
Priority:	Urgent
Type:	Note

Dear (b)(6) :

Why else would the progressives in the sanctuary cities violate the law protecting illegal immigrants then paper them with identification papers and drivers licenses ? They are protecting these illegal voters because they vote for Democrats. It is not out of the goodness of their hearts.

The President has called for an investigation of these two states where the senior public officials are promoting and protecting these illegals to gain their votes and then cover it up by claiming voter suppression when correct identification of citizenship status is called for.

All you need is for the Voting Rights Section of the Civil Rights Division to subpoena the voting records from New York and California and check the names against the citizenship and morgue records. Hell that is cheaper than the bogus Keating Five circus.

But:

FLASHBACK: WaPo Publishes Study That Claims Millions of Illegal

...

www.dailywire.com/news/.../flashback-wapo-publishes-study-claims-millions-john-no...

21 hours ago - When The Washington Post's Phil Rucker describes Trump's belief that millions of illegal aliens voted as "his unsubstantiated theory"; when ...

You called for an investigation of the Russian influence on the election why not check out the outlaw practices of the progressive democrats in their home sanctuary cities and states? After all, the DNC keeps telling us they won the popular vote from totals out of NY and California. Why not check those totals just like the Clinton campaign checked on the votes Wisconsin, Michigan, PA with no factual basis? Let's not forget ACORN and Detroit.

Opinion Commentary

Do Illegal Votes Decide Elections?

There's no way to know. **But the evidence suggests that significant numbers of noncitizens cast ballots.**

By Hans von Spakovsky and John Fund
Nov. 30, 2016 7:10 p.m. ET

Donald Trump's claim that illegal voting may have cost him a popular-vote majority has touched off outrage. Widespread voter fraud, the media consensus suggests, isn't possible. But there is a real chance that significant numbers of noncitizens and others are indeed voting illegally, perhaps enough to make up the margin in some elections.

There's no way of knowing for sure. The voter-registration process in almost all states runs on the honor system. The Obama administration has done everything it can to keep the status quo in place. **The Obama Justice Department has refused to file a single lawsuit to enforce the requirement of the National Voter Registration Act that states**

maintain the accuracy of their voter-registration lists. This despite a 2012 study from the Pew Center on the States estimating that one out of every eight voter registrations is inaccurate, out-of-date or duplicate. About 2.8 million people are registered in more than one state, according to the study, and 1.8 million registered voters are dead. In most places it's easy to vote under the names of such people with little risk of detection.

An undercover video released in October by the citizen-journalist group Project Veritas shows a Democratic election commissioner in New York City saying at a party, "I think there is a lot of voter fraud." A second video shows two Democratic operatives mulling how it would be possible to get away with voter fraud.

The Justice Department has opposed every effort by states—such as Kansas, Arizona, Alabama and Georgia—to verify the citizenship of those registering to vote. This despite evidence that noncitizens are indeed registering and casting ballots. In 2015 one Kansas county began offering voter registration at naturalization ceremonies. Election officials soon discovered about a dozen new Americans who were already registered—and who had voted as noncitizens in multiple elections.

How common is this? If only we knew. Political correctness has squelched probes of noncitizen voting, so most cases are discovered accidentally instead of through a systematic review of election records.

The danger looms large in states such as California, which provides driver's licenses to noncitizens, including those here illegally, and which also does nothing to verify citizenship during voter registration. In a 1996 House race, then-challenger Loretta Sanchez defeated incumbent Rep. Bob Dornan by under 1,000 votes. An investigation by a House committee found 624 invalid votes by noncitizens, nearly enough to overturn the result.

How big is this problem nationally? One district-court administrator estimated in 2005 that up to 3% of the 30,000 people called for jury duty from voter-registration rolls over a two-year period were not U.S. citizens. A September report from the Public Interest Legal Foundation found more than 1,000 noncitizens who had been removed from the voter rolls in eight Virginia counties. Many of them had cast ballots in previous elections, but none was referred for possible prosecution.

The lack of prosecutions is no surprise. In 2011, the Electoral Board in Fairfax County, Va., sent the Justice Department, under then-Attorney General Eric Holder, information about 278 noncitizens registered to vote in Fairfax County, about half of whom had cast ballots in previous elections. There is no record that the Justice Department did anything.

A 2014 study by three professors at Old Dominion University and George Mason University used extensive survey data to estimate that 6.4% of the nation's noncitizens voted in 2008 and that 2.2% voted in 2010. This study has been criticized by many academics who claim that voter fraud is vanishingly rare. Yet the Heritage Foundation maintains a list of more than 700 recent convictions for voter fraud.

A postelection survey conducted by Americas Majority Foundation found that 2.1% of noncitizens voted in the Nov. 8 election. In the battleground states of Michigan and Ohio, 2.5% and 2.1%, respectively, of noncitizens reported voting. In 2013, pollster McLaughlin & Associates conducted an extensive survey of Hispanics on immigration issues. Its voter-profile tabulation shows that 13% of noncitizens said they were registered to vote. That matches closely the Old Dominion/George Mason study, in which 15.6% of noncitizens said they were registered.

Fixing this problem is very straightforward. The Trump administration should direct the Department of Homeland Security to cooperate with

states that want to verify the citizenship of registered voters. Since this will only flag illegal immigrants who have been detained at some point and legal noncitizens, states should pass laws, similar to the one in Kansas, that require proof of citizenship when registering to vote.

The Justice Department, instead of ignoring the issue, should again start prosecuting these cases.

The bottom line is that the honor system doesn't work. There are people—like those caught voting illegally—who are willing to exploit these weaknesses that damage election integrity.

Mr. von Spakovsky, a former member of the Federal Election Commission, is a senior legal fellow at the Heritage Foundation. Mr. Fund is the national affairs columnist for National Review. They are the authors of **"Who's Counting? How Fraudsters and Bureaucrats Put Your Vote at Risk"** (Encounter, 2012).

Sender:	(b)(6)
Recipient:	
Sent Date:	2017/01/26 06:47:44
Delivered Date:	2017/01/26 06:47:52

From:	DHS Legislative Affairs (b)(6)
SentVia:	(b)(6)
To:	"Cassidy, Ben (b)(6) (b)(6) "Micone, Vincent (b)(6) (b)(6) (b)(6)
CC:	"DHS Legislative Affairs (b)(6) (b)(6)
Subject:	HEARING TRANSCRIPT 01-16-2018 S1 Nielsen before SJC regarding DHS oversight
Date:	2018/01/17 10:16:07
Priority:	Normal
Type:	Note

Please find attached and appended below the *Bloomberg Government* transcription of the following S1 hearing held Tuesday, January 16, 2018:

“Oversight of the United States Department of Homeland Security”

Senate Committee on the Judiciary

Witness: **DHS Secretary** Kirstjen Nielsen

10:00 a.m., 216 Hart [WEBCAST](#)