plaintiffs *must* 'be given an opportunity for discovery of facts necessary to establish jurisdiction prior to decision of a 12(b)(1) motion.'" *Briscoe v. United States*, No. 16-cv-809, 2017 WL 3188954, at *8 (D.D.C. July 25, 2017) (emphasis added) (quoting *Ignatiev v. United States*, 238 F.3d 464, 467 (D.C. Cir. 2001)).

"In this circuit, 'if a party demonstrates that it can supplement its jurisdictional allegations through discovery, then jurisdictional discovery is justified.'" *Judicial Watch, Inc. v. Tillerson*, -- F. Supp. 3d --, 2017 WL 5198161, at *11 (D.D.C. Nov. 9, 2017) (quoting *GTE New Media Servs. Inc. v. BellSouth Corp.*, 199 F.3d 1343, 1351 (D.C. Cir. 2000)). This standard is "'quite liberal.'" *NBC-USA Hous., Inc. Twenty-Six v. Donovan*, 741 F. Supp. 2d 55, 60 (D.D.C. 2010) (quoting *Diamond Chem. Co. v. Atofina Chems., Inc.*, 268 F. Supp. 2d 1, 15 (D.D.C. 2003)); *see Duarte v. Nolan*, 190 F. Supp. 3d 8, 15 (D.D.C. 2016) (jurisdictional "discovery 'is generally to be freely permitted'" (quoting *Urban Inst. v. FINCON Servs.*, 681 F. Supp. 2d 41, 48 (D.D.C. 2010))). Courts therefore allow jurisdictional discovery "'to verify allegations of specific facts,'" *Crist v. Republic of Turkey*, 995 F. Supp. 5, 13 (D.D.C. 1998) (Lamberth, J.) (quoting *Arriba Ltd. v. Petroleos Mexicanos*, 962 F.2d 528, 534 (D.C. Cir. 1992)), when a plaintiff has "'a good faith belief that . . . discovery will enable it to show that the court' enjoys jurisdiction over the suit," *Judicial Watch*, 2017 WL 5198161, at *12 (quoting *Caribbean Broad. Sys., Ltd. v. Cable & Wireless PLC*, 148 F.3d 1080, 1090 (D.C. Cir. 1998)), and "make[s] a 'detailed showing of what discovery it wishes to conduct or what results it thinks such discovery would produce,'" *id.* (quoting *NBC-USA Hous.*, 774 F. Supp. 2d at 295).

The specific facts that Plaintiffs have alleged, and about which Plaintiffs would seek limited discovery if necessary to assure the Court of its jurisdiction, are:

- The Commission is presently undertaking an investigation of alleged voter fraud. *See, e.g.*, Am. Compl. at 4; *id.* ¶¶ 55, 60-63, 72, 76, 106(a), 106(b), 106(c).

- In furtherance of its investigation, the Commission has requested data from DHS. *See, e.g.*, *id.* ¶¶ 6, 54, 71, 73, 124.
- In furtherance of the Commission's investigation, DHS "has [disclosed] and/or imminently will disclose . . . data" concerning Plaintiff Kennedy and "other naturalized citizens[] . . . to the Commission." *Id.* ¶ 6; *see, e.g.*, *id.* ¶¶ 125, 131.
- In furtherance of its investigation, the Commission has begun the process of crosschecking data it has received from states against data it has received from DHS. *See, e.g.*, *id.* at 3; *id.* ¶¶ 6, 53, 54, 71, 102, 106(d), 124-25, 131.

Discovery of these facts would answer any question the Court might have about whether Plaintiffs' factual allegations consist of mere "speculat[ion] about what DHS and the Commission might do in the future," Defs.' Mot. at 15, and, in particular, mere speculation "that the Commission will collect information from DHS," *id.* at 35, and that "DHS will agree to share such data," *id.* at 36.[4] Plaintiffs would propose to discover these facts through a minimal number of interrogatories and document requests to Defendant Commission and Defendant DHS, and short Fed. R. Civ. P. 30(b)(6) depositions of the Commission and of DHS.

In response, Defendants may try to double-down on their assertion that Plaintiffs' claims are speculative. *See FC Inv. Grp. LC v. IFX Mkts., Ltd.*, 529 F.3d 1087, 1094 (D.C. Cir. 2008) (requests "for jurisdictional discovery cannot be based on mere conjecture or speculation"). Any such argument would necessarily invite the Court to ignore the factual allegations in Plaintiffs' complaint, which, of course, the Court cannot do. If past is prologue, however, Defendants may protest in particular about Plaintiffs' allegation that the Commission has commenced the process of crosschecking state data against DHS data. At the August 1, 2017 hearing on Plaintiffs'

[4] Plaintiffs' discovery requests are "targeted to resolve the jurisdictional issue" that Defendants have attempted to raise. *Sibley v. U.S. Supreme Court*, 786 F. Supp. 2d 338, 347 (D.D.C. 2011). However, to the extent that any "disputed jurisdictional facts . . . are inextricably intertwined with the merits," the D.C. Circuit has instructed the Court to "defer its jurisdictional decision until the merits are heard." *Herbert v. Nat'l Acad. of Sciences*, 974 F.2d 192, 198 (D.C. Cir. 1992) (citing *Land v. Dollar*, 330 U.S. 731, 731 (1947)).

motion for a temporary restraining order, for example, in arguing that Plaintiffs' allegations were "purely speculative," Defendants represented that at that time, "the Commission [was] not receiving data from [DHS] and [DHS had] not committed to any kind of data exchange." 8/1 Oral Arg. Tr. at 29. Crucially, Defendants further represented that, "while the Commission may, in the future, explore the feasibility of exchanging data with [DHS], they haven't done so [yet]." *Id.*

However, in response to Judge Kollar-Kotelly's August 30, 2017 Order in *LCCR*, ECF No. 28, on September 29, 2017, Defendants supplied that court with an "index detailing what specific documents have been collected with respect to the Commission" for potential disclosure under section 10(b) of the Federal Advisory Committee Act, *id.* at 1, where Defendants list at least 23 communications between the Commission and DHS, or among Commission and other staff concerning DHS, from May 12, 2017, to August 24, 2017, *see* Defs.' Doc. Index at 21-22, 25-26, 36-39 (entries 365, 383, 384, 445, 472, 475, 681, 682, 689, 693, 701, 703, 705, 706, 711, 735, 738, 739, 741, 742, 744, 749, 750). Some of these are email chains comprising an undisclosed number of messages, and Defendants have characterized two of these communications as "[s]ubstantive." Third Decl. of Andrew J. Kossack ¶ 12(x), *LCCR* (D.D.C. filed Sept. 29, 2017), ECF No. 33-1; *see* Defs.' Doc. Index at 36-37 (entries 681 and 705, marked "(x)" to correspond to Third Decl. of Andrew J. Kossack ¶ 12(x) ("[s]ubstantive")).

Indeed, the very first communication that Defendants list between "Commission/[Office of the Vice President] Staff and Other Government Entities" is an "[e]mail chain from DHS requesting information about the scope of the Commission's work," which Defendants characterize as "[s]ubstantive." *See* Defs.' Doc. Index at 36 (entry 681). Defendants have also acknowledged an "email chain" among Commission staff and staff in the Office of the Vice

President "about potential partnership opportunities with DHS," *id.* at 22 (entry 383), and an email chain among Commission staff and the Department of Justice concerning "collecting data from non-state entities," *id.* at 39 (entry 748), such as DHS. Defendants list emails to arrange multiple phone calls between the Commission and DHS, *see id.* at 36-39 (entries 682, 689, 693, 706, 735, 738, 741, 742, 744, 749); emails to arrange meetings between the Commission and DHS, *see id.* at 36-37, 39 (entries 701, 711, 750); and, perhaps most tellingly, an "[e]mail about potential future coordination/overlap between" the Commission and DHS, *see id.* at 37 (entry 705). That email, which Defendants characterize as "[s]ubstantive," was sent on July 6, 2017, *see id.*, about three weeks before the August 1, 2017 hearing where Defendants argued that Plaintiffs' claims regarding DHS were "purely speculative" and represented that the Commission and DHS had not even "explore[d] the feasibility of exchanging data," 8/1 Oral Arg. Tr. at 29.[5] In their motion to dismiss, Defendants make no mention of the communications between the Commission and DHS that they have now disclosed, nor do they attempt to square those communications with Defendants' representations at the August 1, 2017 hearing. Those communications are fatal to any further argument by Defendants that Plaintiffs can only "speculate" about collaboration and data sharing between the Commission and DHS.

Because Plaintiffs have demonstrated their "good faith belief" that discovery will enable them to confirm that their jurisdictional allegations are sound, *Caribbean Broad. Sys.*, 148 F.3d at 1090, Plaintiffs' request fits comfortably within this Circuit's caselaw approving jurisdictional discovery. In *GTE New Media Services*, for example, although the D.C. Circuit rejected the

[5] At the August 1, 2017 hearing, Defendants also characterized any claim that the Social Security Administration would share data with the Commission as "purely speculative." 8/1 Oral Arg. Tr. at 29. Yet just over two weeks later, the Commission in fact had "[e]mail contact with SSA re: SSA data." Defs.' Doc. Index at 39 (entry 747).

district court's finding of personal jurisdiction, *see* 199 F.3d at 1345, and even went so far as to characterize the jurisdictional record "as plainly inadequate," *id.* at 1352, the Court did not order dismissal but rather remanded for jurisdictional discovery, *see id.* at 1351-52. The Court did so even though it "[could not] tell whether jurisdictional discovery [would] assist [the plaintiff]." *Id.* at 1352. Here, by contrast, Plaintiffs have amply demonstrated how limited jurisdictional discovery would resolve any questions concerning whether Plaintiffs' allegations of defendants' activities are speculative.

Similarly, in *Ignatiev*, even after observing that the "statement of . . . facts" in the plaintiff's complaint was "no doubt at the shorter and plainer end of the descriptive continuum," the D.C. Circuit nonetheless reversed the district court's dismissal for lack of subject matter jurisdiction and remanded for jurisdictional discovery, reaffirming that its caselaw "require[s] that plaintiffs be given an opportunity for discovery of facts necessary to establish jurisdiction prior to decision of a 12(b)(1) motion." 238 F.3d at 467 (citing *El-Fadl v. Cent. Bank of Jordan*, 75 F.3d 668, 676 (D.C. Cir. 1996), *abrogated on other grounds*, *Samantar v. Yousef*, 560 U.S. 305 (2010)). And in *El-Fadl*, even though the D.C. Circuit agreed that the plaintiff's "jurisdictional allegations [were] insufficient," it reversed the district court's dismissal for lack of personal jurisdiction and remanded for jurisdictional discovery because the plaintiff had "sufficiently demonstrated that it [was] possible that he could supplement [his jurisdictional allegations] through discovery," in that his allegations were "not conclusory" and "not implausible." 75 F.3d at 676.[6] If the D.C. Circuit concluded that jurisdictional discovery was

[6] *See, e.g.*, *Briscoe*, 2017 WL 3188954, at *8 (upon finding that the plaintiffs had not sufficiently alleged subject matter jurisdiction, and even after observing that the "plaintiffs [did] not appear to have any specific grounds to claim" that the court had subject matter jurisdiction, nonetheless denying the defendants' motion to dismiss and ordering jurisdictional discovery); *Diamond Chem. Co.*, 268 F. Supp. 2d at 15 (following *GTE New Media Services* and ordering

warranted in *GTE New Media Services*, *Ignatiev*, and *El-Fadl*, then to the extent this Court requires any assurance it is plainly warranted here, where Plaintiffs have demonstrated its utility with specificity and alleged facts sufficient to plausibly establish subject-matter jurisdiction.

CONCLUSION

Plaintiffs respectfully request that, if the Court has any doubt as to its subject-matter jurisdiction, the Court grant Plaintiffs' request for limited jurisdictional discovery.

Dated: November 28, 2017

Respectfully submitted,

/s/ *Skye L. Perryman*
Javier M. Guzman (D.C. Bar No. 462679)
Skye L. Perryman (D.C. Bar No. 984573)
Josephine Morse, *pro hac vice**
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* Admitted in New York; practicing under the supervision of members of the D.C. Bar while D.C. Bar application is pending.

Counsel for Plaintiffs

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jurisdictional discovery "even though [the plaintiff had] not made out a *prima facie* case of jurisdiction").

CERTIFICATE OF SERVICE

I hereby certify that on November 28, 2017, I electronically filed a copy of the foregoing. Notice of this filing will be sent via email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM-ECF system.

/s/ *Skye L. Perryman*
Skye L. Perryman

From:	(b)(6)
To:	
Subject:	RE: DHS Election Integrity Task Force
Date:	2017/12/15 09:19:56
Priority:	Normal
Type:	Note

Sure. Anytime.

From: (b)(6)
Sent: Friday, December 15, 2017 9:19 AM
To: (b)(6)
Subject: RE: DHS Election Integrity Task Force

(b)(6)

My computer is now back online (upgraded to 10) so I'm going to start into this – are you free to discuss?

(b)(6)
Attorney Advisor
Office of the General Counsel
Legal Counsel Division
(b)(6)

From: (b)(6)
Sent: Thursday, December 14, 2017 9:27 PM
To: (b)(6)
Subject: FW: DHS Election Integrity Task Force

(b)(6) and (b)(6) could you both please start looking into this issue? Thanks. (b)(6)

From: Quinn, Cameron
Sent: Thursday, December 14, 2017 7:39:26 PM
To: Sutherland, Daniel
Cc: Palmer, David; (b)(6)
Subject: FW: DHS Election Integrity Task Force

Dan – this is really big to me, given my knowledge of the elections administrators & how I know they'll react. Are you aware of any work done in OGC already that would inform this issue?

From: Quinn, Cameron
Sent: Thursday, December 14, 2017 7:37 PM
To: (b)(6)
Subject: FW: DHS Election Integrity Task Force

(b)(5)

From: Sultan, Jennifer
Sent: Thursday, December 14, 2017 5:02 PM
To: Quinn, Cameron <(b)(6)
Cc: Venture, Veronica <(b)(6)
<(b)(6); Shuchart, Scott <(b)(6)>
Subject: DHS Election Integrity Task Force

Cameron,

I am flagging this for your attention given your background in election law and my discussion with Scott about the potential interest here for CRCL. NPPD recently stood up an Election Integrity Task Force. Apparently, Bob Kolasky, the Acting Deputy Under Secretary for NPPD (who is concurrently serving as the Acting Assistant Secretary for the Office of Infrastructure Protection within NPPD) is leading this effort. (b)(6) spoke with an NPPD contact who reports that the organizational structure, goals, and agenda are still in development and the first meeting was held earlier this month. While we have very limited information at this point, (b)(6) has offered to find out more if we would like her to do so.

Potential interest for CRCL: We can imagine DHS election security efforts developing in ways that would benefit from CRCL (and likely PRIV) input and expertise.

- (b)(5)

If you would like, we would be happy to try to find out more information to better determine whether CRCL might have equities and to offer CRCL support if so. We could also provide you with the appropriate higher level contacts if you would prefer to reach out to someone at your level.

Jen

Sender:	(b)(6)
Recipient:	
Sent Date:	2017/12/15 09:19:56

From:	(b)(6)
To:	
CC:	
Subject:	RE: DHS Election Integrity Task Force
Date:	2017/12/15 14:14:23
Priority:	Normal
Type:	Note

(b)(6),

I looked into this and spoke to (b)(6) and (b)(6) at NPPLD. The short answer to (b)(5)

(b)(5)

(b)(5)

Thank you and let me know,

(b)(6)
Attorney Advisor
Office of the General Counsel
Legal Counsel Division
(b)(6)

From:	(b)(6)
To:	
Subject:	RE: DHS Election Integrity Task Force
Date:	2017/12/14 21:30:28
Priority:	Normal
Type:	Note

Will do.

From: (b)(6)
Sent: Friday, December 15, 2017 2:27:27 AM
To: (b)(6)
Subject: FW: DHS Election Integrity Task Force

(b)(6) and (b)(6) could you both please start looking into this issue? Thanks. (b)(6)

From: Quinn, Cameron
Sent: Thursday, December 14, 2017 7:39:26 PM
To: Sutherland, Daniel
Cc: Palmer, David; (b)(6)
Subject: FW: DHS Election Integrity Task Force

Dan – this is really big to me, given my knowledge of the elections administrators & how I know they'll react. Are you aware of any work done in OGC already that would inform this issue?

From: Quinn, Cameron
Sent: Thursday, December 14, 2017 7:37 PM
To: (b)(6)
Subject: FW: DHS Election Integrity Task Force

(b)(6) – (b)(5)
(b)(5)

From:	(b)(6)
To:	
Subject:	(b)(5)
Date:	2017/08/17 10:43:45
Priority:	Normal
Type:	Note

Thanks. Will ping him later today.

From: (b)(6)
Sent: Thursday, August 17, 2017 10:41 AM
To: (b)(6)
Subject: (b)(5)
(b)(5)

We had an internal OCC call yesterday. It was my understanding that (b)(6) was going to reach out to you (b)(5)

From: (b)(6)
Sent: Wednesday, August 16, 2017 4:44 PM
To: (b)(6)
Subject: (b)(5)
(b)(5)

Also… I am planning pinging USCIS OCC on this tomorrow as well.

(b)(6) said that he assigned this to you.

There is an open question on (b)(5)

Just a heads up.

(b)(6)

From: (b)(6)
Sent: Thursday, August 10, 2017 10:11 AM
To: (b)(6)
(b)(6)
Cc: (b)(6)
(b)(6)
Subject: (b)(5)
(b)(5)

Thank you (b)(6)! Adding (b)(6) who is graciously the ALD point of contact, at least for the time being.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Columbia

Common Cause *Plaintiff(s)* v. Presidential Advisoy Commission on Election Integrity, U.S. Department of Homeland Security, and U.S. Social Security Agency *Defendant(s)*	)	Civil Action No. 17-cv-01398-CKK

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* U.S. Department of Homeland Security
Office of the General Counsel
245 Murray Lane, S.W.
Washington, D.C. 20528

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Javier M. Guzman
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 07/18/2017

/s/ Simone Bledsoe
Signature of Clerk or Deputy Clerk

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

COMMON CAUSE 805 15th Street N.W. Washington, D.C. 20005, *Plaintiff*, vs. PRESIDENTIAL ADVISORY COMMISSION ON ELECTION INTEGRITY The White House 1600 Pennsylvania Avenue, N.W. Washington, D.C. 20405, and U.S. DEPARTMENT OF HOMELAND SECURITY 245 Murray Lane, S.W. Washington, D.C. 20528, and U.S. SOCIAL SECURITY ADMINISTRATION 6401 Security Boulevard Baltimore, MD 21235, *Defendants*.	Case No.

COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF

Plaintiff, Common Cause, hereby sues Defendants, Presidential Advisory Commission on Election Integrity ("PACEI" or the "Commission"), the U.S. Department of Homeland Security ("DHS"), and the U.S. Social Security Administration ("SSA"), and alleges as follows.

Introduction

1. This is an action under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(7), and the Administrative Procedure Act (APA), 5 U.S.C. § 706, to halt the unlawful collection,

maintenance, use, and dissemination of the sensitive and personal voting data of millions of Americans by the Commission.

2. In the wake of the Watergate scandal and revelations that the White House had compiled information on individuals with opposing political viewpoints, Congress passed the Privacy Act to regulate the collection, maintenance, use, and dissemination of sensitive personal information by federal agencies. Among other safeguards, the Act proscribes the collection of information that "describ[es] how any individual exercises rights guaranteed by the First Amendment." 5 U.S.C. § 552a(e)(7).

3. After campaigning on unsubstantiated claims of voter fraud and rigged elections, President Donald J. Trump asserted that he "won the popular vote if you deduct the millions of people who voted illegally." Within days of his inauguration, President Trump called for "a major investigation into VOTER FRAUD."

4. The Commission was created with the aim of examining this purported voter fraud and has opened a broad and unprecedented investigation into Americans' voting habits and political affiliations. The Commission's first project is to assemble a national voter file and compare this information to data sets maintained by other federal agencies (including the Department of Homeland Security and the Social Security Administration) in order to discover the names of individuals that it believes are ineligible to vote. To carry out this review, it initially gave all 50 states and the District of Columbia a deadline of July 14, 2017 to comply with a sweeping request for their residents' voting and other personal data, including information regarding the quintessentially First Amendment-protected activities of voting history and party affiliation.

5. The Commission initially sought to have states upload the voting data to a Department of Defense website, from which the data would then be transferred to White House computers. But after the Court in a separate lawsuit filed against the Commission inquired of the Government if the Department of Defense should be joined as a defendant, the Commission abruptly shifted course to "repurpos[e]" a computer system within the White House's Information Technology "enterprise" to collect, maintain, and use the data. *See Elect. Privacy Info. Ctr. v. Presidential Advisory Comm'n on Election Integrity*, No. 1:17-cv-1320 (CKK) (D.D.C.) (EPIC lawsuit). And when asked by the Court to describe the involvement of other federal agencies in this enterprise, the Government stated that the "mechanics" of it were "something that may not be appropriate to say in a public setting." *See id.*

6. The Privacy Act's protections—designed to curb this very type of encroachment on citizens' First Amendment activities by an earlier White House—cannot be so circumvented. The Commission's collection, maintenance, and use of this data in cooperation with DHS and SSA, among other federal agencies either within or outside the White House,[1] violates both the Privacy Act and the APA. Plaintiff therefore seeks to enjoin Defendants from collecting, maintaining, using, or disseminating this data and to destroy or return any such data that has already been collected and is being maintained in violation of the law.

[1] Plaintiff intends to seek discovery from the federal defendants and third-parties, if necessary, to determine whether additional agencies should be added as defendants based on their activities with regard to the electronic databases described herein. *Bailey v. U.S. Marshal Serv.*, 584 F. Supp. 2d 128, 134 (D.D.C. 2008) ("[I]t is generally proper to allow discovery to determine the identity of unknown defendants.").

Parties

7. Plaintiff, Common Cause, is a nonprofit corporation organized and existing under the laws of the District of Columbia. Common Cause is one of the nation's leading democracy reform organizations and has over 900,000 members nationwide. Common Cause also has a strong presence in 30 states, with either staff or volunteer boards. Since its founding in 1970, Common Cause has been dedicated to the promotion and protection of the democratic process, such as the right of all citizens, including its eligible members, to be registered for and vote in fair, open, and honest elections. Common Cause brings this action on behalf of itself and its members.

8. Common Cause conducts significant nonpartisan voter-protection, advocacy, education, and outreach activities to ensure that voters are registered to vote and have their ballots counted as cast. Common Cause also advocates for policies, practices, and legislation – such as automatic and same-day registration – that facilitate voting for eligible voters and ensure against disenfranchisement. Common Cause opposes efforts that burden registration and/or voting, including restrictive voter identification laws, partisan gerrymandering, and any other effort that could potentially chill citizens' rights to register or stay registered. Common Cause advocates the safeguarding of personal information, in keeping with the dictates of both state and federal law.

9. Common Cause and its members have been and will be injured by the Defendants' activities, including the efforts to obtain personal and private information regarding voter affiliation, vote history, and other related details. Common Cause has already expended staff time and resources to engage in non-litigation related outreach and communications efforts to oppose the impermissible collection of voter information as

sought by the Commission, diverting resources from its core activities. These expenditures are aimed at counteracting the harm that the Commission's impermissible attempt to collect voter information will cause to Common Cause's mission of encouraging and facilitating voter participation and engagement.

10. The Commission's attempt to collect voter information will also harm Common Cause's and its members' efforts to encourage voter registration and participation. For voters and prospective voters facing political polarization, the threat that the federal government will monitor their electoral participation and even their party affiliations is deeply troubling and has deterred and will continue to deter the exercise of their First Amendment-protected rights to express their views through the ballot box. Further, the Commission's effort to collect voter information may cause registrants and voters, including Common Cause members, to cancel their registration status (as has already occurred in Florida and Colorado) or forgo registering and voting altogether. Such actions would directly undo the work to which Common Cause has devoted itself over the past few decades and would limit voter engagement and participation in our democracy.

11. Defendant PACEI is a federal agency within the meaning of 5 U.S.C. § 552a(a)(1) and 5 U.S.C. § 551(1) that is headquartered in Washington, D.C.

12. Defendant U.S. Department of Homeland Security is a federal agency within the meaning of 5 U.S.C. § 552a(a)(1) and 5 U.S.C. § 551(1) that is headquartered in Washington, D.C.

13. Defendant U.S. Social Security Administration is a federal agency within the meaning of 5 U.S.C. § 552a(a)(1) and 5 U.S.C. § 551(1) that is headquartered in Baltimore, MD.

Jurisdiction and Venue

14. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331, because this action arises under federal law, specifically the Privacy Act, 5 U.S.C. § 552a(e)(7), and the APA, 5 U.S.C. §§ 701-706.

15. Venue is proper in this district pursuant to 28 U.S.C. § 1391(e), because at least one of Defendants is headquartered in Washington, D.C. and a substantial part of the events or omissions giving rise to Plaintiff's claims occurred here.

Factual Allegations

Candidate Donald J. Trump's Repeated, Unsubstantiated Claims of Voter Fraud

16. Prior to his election, then-presidential candidate Donald J. Trump repeatedly made unsubstantiated assertions of voter fraud.

17. On October 10, 2016, Candidate Trump tweeted that, "Of course there is large scale voter fraud happening on and before election day." @realDonaldTrump, Twitter (Oct. 10, 2016, 8:33 AM), *available at* https://twitter.com/realdonaldtrump/status/787995025527410688?lang=en.

18. On October 17, 2016, candidate Trump told supporters at a campaign rally in Wisconsin that "voter fraud is very, very common," including voting by "people that have died 10 years ago" and "illegal immigrants." C-SPAN, *Donald Trump Campaign Event in Green Bay, Wisconsin* (Oct. 17, 2016), *available at* https://www.c-span.org/video/?417019-1/donald-trump-campaigns-green-bay-wisconsin.

19. On November 8, 2016, Donald J. Trump was elected as the forty-fifth president of the United States.

20. On November 27, 2016, president-elect Trump tweeted that, "In addition to winning the Electoral College in a landslide, I won the popular vote if you deduct the millions of people who voted illegally." @realDonaldTrump, Twitter (Nov. 27, 2016, 3:30 PM), *available at* https://twitter.com/realdonaldtrump/status/ 802972944532209664.

21. Three days later, Kansas Secretary of State Kris W. Kobach echoed the president-elect's assertion, telling reporters that, "I think the president-elect is absolutely correct when he says the number of illegal votes cast exceeds the popular vote margin between him and Hillary Clinton." Hunter Woodall, *Kris Kobach Agrees With Donald Trump That 'Millions' Voted Illegally But Offers No Evidence*, Kansas City Star (Nov. 30, 2016), *available at* http://www.kansascity.com/news/politics-government/ article117957143.html.

22. Asked in a televised interview on December 2, 2016 about president-elect Trump's claim that "millions of people voted illegally," Trump senior adviser Kellyanne Conway said that she has "been receiving information about the irregularities and about the illegal votes, particularly from sources, officials like Kris Kobach." Emily Shapiro, *Kellyanne Conway Dodges Question on Trump's Claim That 'Millions' Voted Illegally*, ABC News (Dec. 2, 2016), *available at* http://abcnews.go.com/Politics/ kellyanne-conway-dodges-question-trumps-claim-millions-voted/story?id=43924056.

Creation of the Presidential Advisory Commission on Election Integrity

23. On January 20, 2017, Donald J. Trump was inaugurated as President of the United States.

24. Five days later, President Trump tweeted on his official Twitter account: "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). Depending on results, we will strengthen up voting procedures!" @realDonaldTrump, Twitter (Jan. 25, 2017, 7:10 AM and 7:13 AM), *available at* https://twitter.com/realDonaldTrump/status/824227824903090176 and https://twitter.com/realdonaldtrump/status/824228768227217408?lang=en.

25. In a televised interview on January 25, 2017, President Trump reiterated his claims that allegedly fraudulent votes were cast for his opponent: "We're gonna launch an investigation to find out. And then the next time—and I will say this, of those votes cast, none of 'em come to me. None of 'em come to me. They would all be for the other side. None of 'em come to me. But when you look at the people that are registered: dead, illegal and two states and some cases maybe three states—we have a lot to look into." He vowed to "make sure it doesn't happen again." *TRANSCRIPT: ABC News anchor David Muir interviews President Trump,* ABC News (Jan. 25, 2017), *available at* http:// abcnews.go.com/Politics/transcript-abc-news-anchor-david-muir-interviews-president/story?id=45047602.

26. That same day, CNN reported that according to a senior administration official, "President Donald Trump could sign an executive order or presidential memorandum initiating an investigation into voter fraud as early as Thursday." Dan Merica, Eric Bradner, and Jim Acosta, *Trump considers executive order on voter fraud*, CNN (Jan. 25,

2017), *available at* http://www.cnn.com/2017/01/25/politics/trump-calls-for-major-investigation-into-voter-fraud/index.html. The official further informed CNN that "[t]he investigation would be carried out through the Department of Justice." *Id.*

27. On May 11, 2017, the White House issued Executive Order No. 13,799 establishing the Commission, which President Trump has described as a "Voter Fraud Panel." *See* Executive Order No. 13,799, 82 Fed. Reg. 22389 (May 11, 2017); @realDonaldTrump, Twitter (July 1, 2017, 9:07 AM) *available at* https://twitter.com/realdonaldtrump/status/881137079958241280.

28. The Commission's stated "mission" is studying, "consistent with applicable law," the "registration and voting processes used in Federal elections." *Id.*

29. The Commission is chaired by Vice President Michael Pence and is to be composed of up to 15 additional members having knowledge and experience in "elections, election management, election fraud detection and voter integrity efforts" or having "knowledge or experience that the President determines to be of value to the Commission." *Id.*

30. On the same day that the Commission was established, Kansas Secretary of State Kobach was appointed as a member and Vice Chair. Kobach is the only Secretary of State in the nation with the power to prosecute voter fraud directly. *See Interview of Kris W. Kobach on Fox News Channel* (May 11, 2017), *available at* https://www.youtube.com/watch?v=Fm0MjHmYSJU.

31. The Commission presently has ten additional members, consisting of a current member of the United States Elections Assistance Commission, present and former state

officials, and an employee of the Heritage Foundation. It will also have a staff of approximately three full-time equivalent employees.

32. The Executive Order directs "relevant" executive departments and agencies to "endeavor to cooperate with the Commission." Executive Order No. 13799, 82 Fed. Reg. 22389 (May 11, 2017).

33. The Commission's estimated annual operating costs for Fiscal Years 2017 and 2018 are approximately $250,000.

34. Consistent with President Trump's description of the Commission as a voter fraud panel, Kobach has described the Commission's focus as "voter fraud more broadly, all forms of it," *see* Gary Moore, *Tucker Carlson: Kris Kobach - Trump Executive Order Creates Voter Fraud Commission: 5/11/2017*, YouTube (May 11, 2017), *available at* https://www.youtube.com/watch?v=Fm0MjHmYSJU, and has explained that the Commission's "goal is to, for the first time, have a nationwide fact-finding effort, to see what evidence there is of different forms of voter fraud across the country." *See Transcript of Interview of Kris W. Kobach on New Day,* CNN (May 15, 2017), *available at* http://www.cnn.com/TRANSCRIPTS/1705/15/nday.06.html.

35. Asked how the Commission would prove President Trump's unsubstantiated claims of widespread voter fraud, Kobach explained that, "The federal government has a database of every known alien who has a greencard or a temporary visa. States have in the past asked, 'can we please run our voter rolls against that database, and see if any of those aliens are on our voter rolls?' The federal government has always said no. Well, now we're going to be able to run that database against one or two states and see how many people are known aliens residing in the United States and also on the voter rolls."

Gary Moore, *Tucker Carlson: Kris Kobach - Trump Executive Order Creates Voter Fraud Commission: 5/11/2017*, YouTube (May 11, 2017), *available at* https://www.youtube.com/watch?v=Fm0MjHmYSJU.

36. Describing in further detail which other agencies' data the Commission would be working with on its voter fraud investigation, Kobach explained that "what we'll be doing is for the first time in our country's history, we'll be gathering data from all 50 states and we'll be using the federal government's databases which can been very valuable. The Social Security Administration has data on people when they pass away. The Department of Homeland Security knows of the millions of aliens who are in the United States legally and that data that's never been bounced against the state's voter rolls to see whether these people are registered." *Kobach talks goals of new voter fraud commission*, Fox News, Sunday Morning Futures (May 14, 2017), *available at* http://www.foxnews.com/transcript/2017/05/14/kobach-talks-goals-new-voter-fraud-commission-commerce-secretary-on-nkorea-missile-test-china-trade-deal.html.

The Commission's Sweeping and Unprecedented Request for Personal and Voter Data

37. Despite the Executive Order's directive that the Commission hold public meetings, it convened as a group for the first time on June 28, 2017 without any prior public notice. A brief "readout" of the meeting supplied by the White House later that day stated Kobach had informed the other commissioners that a letter would be sent to all 50 states and the District of Columbia requesting data from state voter rolls. *See* Press Release, The White House, Readout of the Vice President's Call with the Presidential Advisory Commission on Election Integrity (June 28, 2017), *available at* https://

www.whitehouse.gov/the-press-office/2017/06/28/readout-vice-presidents-call-presidential-advisory-commission-election.

38. On June 28, 2017, Kobach "directed" that a letter be sent under his signature to the Secretaries of State or other election officials in all 50 states and the District of Columbia. Declaration of Kris W. Kobach ¶ 4 (July 5, 2017). The other commissioners neither reviewed nor vetted the actual language of the letter before it was sent. Sam Levine, *Trump Voter Fraud Commission Was Cautioned About Seeking Sensitive Voter Information*, Huffington Post (July 5, 2017), *available at* http://www.huffingtonpost.com/entry/trump-voter-fraud-commission_us_595d511fe4b02e9bdb0a073d; Celeste Katz, *Trump election integrity commission member: "We should have predicted" the backlash*, Mic (July 5, 2017), *available at* https://mic.com/articles/181510/trump-election-integrity-commission-member-we-should-have-predicted-the-backlash#.oeqOZx3hl.

39. Kobach's letter "invite[d]" state officials, among other things, to share "evidence or information . . . you have regarding instances of voter fraud or registration fraud in your state" and asked *how* the Commission could "support" state election officials "with regard to information technology security and vulnerabilities." *See, e.g.*, Letter from Kris W. Kobach, Vice Chair, PACEI to the Honorable Matt Dunlap Secretary of State of Maine, at 1 (June 28, 2017).

40. The letter requested that the recipients provide by July 14, 2017 "the publicly available voter roll data for [your state], including, if publicly available under the laws of your state, the full first and last names of all registrants, middle names or initials if available, addresses, dates of birth, political party (if recorded in your state), last four digits of social security number if available, voter history (elections voted in) from 2006

onward, active/inactive status, cancelled status, information regarding any felony convictions, information regarding voter registration in another state, information regarding military status, and overseas citizen information." *Id.* at 1-2.

41. The letter instructed recipients to "submit your responses electronically to ElectionIntegrityStaff@ovp.eop.gov or by utilizing the Safe Access File Exchange ("SAFE"), which is a secure FTP site the federal government uses for transferring large data files. You can access the SAFE site at https://safe.amrdec.army.mil/safe/ Welcome.aspx." *Id.* at 2.

42. The letter closed by warning that "any documents that are submitted to the full Commission will also be made available to the public." *Id.*

43. After reports indicated that certain state officials might decline to provide some or all of the personal and voter data requested by Kobach, President Trump tweeted: "Numerous states are refusing to give information to the very distinguished VOTER FRAUD PANEL. What are they trying to hide?" @realDonaldTrump, Twitter (July 1, 2017, 9:07 AM) *available at* https://twitter.com/realdonaldtrump/status/ 881137079958241280.

44. Kobach has stated that the purpose of his request is "to have the best data possible" to support the Commission's "purpose . . . to quantify different forms of voter fraud and registration fraud and offer solutions." Bryan Lowry, *Kris Kobach Wants Every U.S. Voter's Personal Information for Trump's Commission*, Kansas City Star (June 29, 2017), *available at* http://www.kansascity.com/news/politics-government/ article158871959.html.

45. The Vice President's office has confirmed that the Commission intends to run the data it receives "through a number of different databases" to check for potential fraudulent registration. Jessica Huseman, *Election Experts See Flaws in Trump Voter Commission's Plan to Smoke Out Fraud*, ProPublica (July 6, 2017), *available at* https://www.propublica.org/article/election-experts-see-flaws-trump-voter-commissions-plan-to-smoke-out-fraud.

46. The same day that Kobach sent his letter, the Voting Section of the Civil Rights Division of the Department of Justice ("DOJ") sent its own letter to states requesting their procedures for complying with the statewide voter registration list maintenance provisions of the National Voter Registration Act. DOJ stated that under the NVRA states must make reasonable efforts to remove from voter rolls the names of voters who have become ineligible by reason of death or change of address. DOJ requested that states provide their policies for removing ineligible voters and identify the officials responsible for doing so. *See, e.g.*, Letter from DOJ to Hon. Kim Westbrook Strach, Executive Director, N.C. State Bd. of Elections (June 28, 2017).

The Commission Shifts Its Plans to House the Personal and Voting Data

47. In a declaration filed on July 5, 2017 in the EPIC lawsuit against the Commission for failure to comply with federal privacy laws, Kobach stated that he "intended" that only "narrative responses" provided in response to the letter be sent to the eop.gov email address in the letter and that "voter roll data" be uploaded onto the Safe Access File Exchange (SAFE), which he described as a "tested and reliable method of secure file transfer used routinely by the military for large, unclassified data sets" that "also supports encryption by individual users." Declaration of Kris W. Kobach ¶ 4.

48. The SAFE website is operated by the U.S. Army Aviation and Missile Research Development and Engineering Center, a component within the U.S. Army.

49. After the Court in the EPIC lawsuit inquired at a July 7, 2017 hearing if the Department of Defense, by virtue of its role in collecting and maintaining the data on the SAFE website, should be joined as a defendant the Commission changed course on its storage plans. In a subsequent declaration filed on July 10, 2017, Kobach stated that "[i]n order not to impact the ability of other customers to use" SAFE, the Director of White House Information Technology was "repurposing an existing system" to collect the information "within the White House Information Technology enterprise." Third Declaration of Kris W. Kobach ¶ 1.

50. Asked by the Court at the same July 7 hearing what other federal agencies support the White House's computer system, the Government stated that the "mechanics" of the White House's information technology program are "something that may not be appropriate to say in a public setting." Transcript, Temporary Restraining Order Hearing in *Elect. Privacy Info. Ctr. v. Presidential Advisory Comm'n on Election Integrity*, 1:17-cv-1320 (CKK) (D.D.C.) (July 7, 2017).

Several States Intend to Provide Voter History and Party Affiliation Data

51. As of July 5, 2017, "20 states have agreed to provide the publicly available information requested by the Commission and another 16 states are reviewing which information can be released under their state laws." Press Release, The White House, Statement from Kris Kobach, Kansas Secretary of State and Vice Chair of the Presidential Advisory Commission on Election Integrity (July 5, 2017) *available at*

https://www.whitehouse.gov/the-press-office/2017/07/05/statement-kris-kobach-kansas-secretary-state-and-vice-chair-presidential.

52. The State of Arkansas had provided the Commission voter history and party affiliation through the SAFE website. In light of the pending motion for a temporary restraining order in the EPIC lawsuit, the Commission advised the Court that the Arkansas data would not be downloaded to White House computers and would be deleted from the SAFE website.

53. Several states intend to provide the Commission with voter history and party affiliation data. This group includes Arkansas, Colorado, Florida, North Carolina, and Ohio. *See, e.g.*, "Arkansas to give partial voter information to Voter Integrity Commission," 40/29 NEWS (July 5, 2017), *available at* http://www.4029tv.com/article/arkansas-to-give-partial-voter-information-to-voter-integrity-commission/10261303; "News Release: Secretary Williams' Response to request for public voter files," COLORADO SECRETARY OF STATE (June 29, 2017), *available at* https://content.govdelivery.com/accounts/COSOS/bulletins/1a66cee; Ltr from Ken Detzner, Florida Secretary of State to Kris W. Kobach (July 6, 2017), *available at* http://www.politico.com/states/f/?id=0000015d-19cb-d1a7-a95d-5bcf970e0001; *Request Voter Registration Data*, SUPERVISOR OF ELECTIONS, BREVARD COUNTY *available at* http://www.votebrevard.com/statistics-and-data/request-voter-registration-data; North Carolina: *Q&A: Election Integrity Commission's Data Request*, NORTH CAROLINA STATE BOARD OF ELECTIONS AND ETHICS ENFORCEMENT (July 10, 2017), *available at* https://s3.amazonaws.com/dl.ncsbe.gov/Requests/QA_Election_Integrity_Commission_Request.pdf; *Statement from*

Secretary Husted, OHIO SECRETARY OF STATE (June 30, 2017), *available at* http://www.sos.state.oh.us/sos/mediaCenter/2017/2017-06-30-a.aspx; Dana Branham, "Ohio's Jon Husted to Trump election commission: We won't turn over confidential voter info," CINCINNATI.COM (June 30, 2017), *available at* http://www.cincinnati .com/story/news/2017/06/30/kentucky-refuses-federal-request-voter-roll-data-while-ohio-mulls-over/442492001/.

54. The Commission has directed states not to provide the requested voter data while the motion for a temporary restraining order is pending in the EPIC lawsuit.

The Privacy Act

55. The Privacy Act of 1974 regulates the government's collection, maintenance, use, and dissemination of sensitive personal information.

56. Congress, which passed the Act following revelations during Watergate that the White House had collected information on its political adversaries, was "concerned with curbing the illegal surveillance and investigation of individuals by federal agencies that had been exposed during the Watergate scandal." Department of Justice, Overview of the Privacy Act of 1974 (2015 edition), *available at* https://www.justice.gov/opcl/policy-objectives.

57. Section 552a(e)(7) of the Act provides that an agency shall "maintain no record describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity."

58. As the D.C. Circuit has explained: "The legislative history of the Act reveals Congress' own special concern for the protection of First Amendment rights, as borne out

by statements regarding 'the preferred status which the Committee intends managers of information technology to accord to information touching areas protected by the First Amendment of the Constitution.'" *Albright v. United States*, 631 F.2d 915, 919 (D.C. Cir. 1980) (citing S. Rep. No. 1183, 93d Cong., 2d Sess., reprinted in (1974) U.S. Code Cong. & Admin. News, pp. 6916, 6971.)). That same legislative history also "reveals a concern for unwarranted collection of information as a distinct harm in and of itself." *Id.* In particular, Congress directed Section 552a(e)(7) at "inquiries made for research or statistical purposes which, even though they may be accompanied by sincere pledges of confidentiality are, by the very fact that government make (sic) the inquiry, infringing on zones of personal privacy which should be exempted from unwarranted Federal inquiry." *Id.* (citing S. Rep. No. 1183, (1974) U.S. Code Cong. & Admin. News at 6971-72)).

59. The initial implementation guidelines for the Act promulgated by the Office of Management and Budget (OMB) underscore the special status accorded by the Act to records concerning individuals' First Amendment-protected activities. According to OMB's guidelines, Section 552a(e)(7) established a "rigorous standard governing the maintenance of records regarding the exercise of First Amendment rights," including "political beliefs" and "freedom of assembly," and asked agencies to "apply the broadest reasonable interpretation" in determining whether a particular activity is protected by Section 552a(e)(7). OMB, Responsibilities for the Maintenance of Records About Individuals by Federal Agencies, 40 Fed. Reg. 28,948, 28,965 (July 9, 1975).

60. Accordingly, the D.C. Circuit has held that an agency "may not so much as collect information about an individual's exercise of First Amendment rights except under very circumscribed conditions" and that Section 552a(e)(7) applies regardless

whether a record is maintained in an agency's system of records. *Albright*, 631 F.2d at 919.

61. The Privacy Act incorporates the definition of "agency" found in the Freedom of Information Act, *id.* § 552a(a)(1), which in turn defines "agency" as "any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency." *Id.* § 552(f).

62. The Commission is an agency. In cooperation with an as-yet-unknown number of other federal agencies, the Commission will function as a federal investigative body with a dedicated staff and budget to conduct a widescale and first-of-its-kind investigation into alleged voter fraud. Presently, the Commission is amassing the personal and voting data of millions of American citizens and will cross-check this information against databases maintained by other federal agencies, including the Department of Homeland Security and the Social Security Administration, to identify and ultimately have removed individuals whom it believes have fraudulently registered to vote.

63. The Commission's functions and actions therefore go well beyond solely advising and assisting the President, and its structure shows that it is self-contained, is not operationally close to the President, and exercises substantial independent authority.

Claims for Relief

Count One (Violation of 5 U.S.C. § 552a(e)(7))

64. Plaintiff hereby realleges all allegations in the above paragraphs as if fully set forth herein.

65. Section 552a(e)(7) of the Privacy Act provides that an agency shall "maintain no record describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity."

66. The Privacy Act defines "maintain" to include "maintain, collect, use, or disseminate." 5 U.S.C. § 552a(a)(3).

67. Through the collection, maintenance, use, and/or dissemination of data on individuals' voter history and party affiliation, activity that is protected by the First Amendment, Defendants have violated, and will violate, Section 552a(e)(7).

68. The collection, maintenance, use, and/or dissemination of these records was not within the scope of a valid law enforcement activity.

69. Defendants' violation has caused and continues to cause ongoing harm to Plaintiff.

Count Two (Violation of APA – Arbitrary and Capricious Action)

70. Plaintiff hereby realleges all allegations in the above paragraphs as if fully set forth herein.

71. In collecting, maintaining, using, and/or disseminating data on individuals' voter history and party affiliation, activity that is protected by the First Amendment, in violation of 5 U.S.C. § 552a(e)(7), Defendants have acted arbitrarily, capriciously, in excess of statutory jurisdiction and authority, and otherwise contrary to law, in violation of the APA, 5 U.S.C. § 706.

Prayer for Relief

WHEREFORE, plaintiff pray that this Court:

1. Declare that Defendants' collection, maintenance, use, and dissemination of voter history and party affiliation data violates the Privacy Act and the APA;
2. Enjoin Defendants from the collection, maintenance, use, and dissemination of voter history and party affiliation data;
3. Order Defendants to provide an accounting of all voter history and party affiliation data in its custody, possession, or control; all copies that have been made of that data; all persons and agencies with whom Defendants have shared that data; and all uses that have been made of that data;
4. Order Defendants to return to any supplying State all voter history and party affiliation data received from that state or otherwise securely delete such data; and
5. Award Plaintiff its costs and reasonable attorneys' fees incurred in this action; and
6. Grant such other relief as the Court may deem just and proper.

Dated: July 14, 2017

Respectfully submitted,

/s/ *Javier Guzman*

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(D.C. Bar No. 462679)
Karianne M. Jones (*pro hac vice motion to be filed*)*
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CIVIL COVER SHEET

JS-44 (Rev. 6/17 DC)

I. (a) PLAINTIFFS
Common Cause

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF _____
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS
Presidential Advisory Commission on Election Integrity, U.S. Department of Homeland Security, and U.S. Social Security Administration

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Javier M. Guzman
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043

ATTORNEYS (IF KNOWN)

II. BASIS OF JURISDICTION
(PLACE AN x IN ONE BOX ONLY)

- ○ 1 U.S. Government Plaintiff
- ○ 3 Federal Question (U.S. Government Not a Party)
- ◉ 2 U.S. Government Defendant
- ○ 4 Diversity (Indicate Citizenship of Parties in item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) **FOR DIVERSITY CASES ONLY!**

	PTF	DFT		PTF	DFT
Citizen of this State	○ 1	○ 1	Incorporated or Principal Place of Business in This State	○ 4	○ 4
Citizen of Another State	○ 2	○ 2	Incorporated and Principal Place of Business in Another State	○ 5	○ 5
Citizen or Subject of a Foreign Country	○ 3	○ 3	Foreign Nation	○ 6	○ 6

IV. CASE ASSIGNMENT AND NATURE OF SUIT

(Place an X in one category, A-N, that best represents your Cause of Action and one in a corresponding Nature of Suit)

○ **A.** ***Antitrust***

- ☐ 410 Antitrust

○ **B.** ***Personal Injury/ Malpractice***

- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Medical Malpractice
- ☐ 365 Product Liability
- ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Product Liability

○ **C.** ***Administrative Agency Review***

- ☐ 151 Medicare Act

Social Security
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

Other Statutes
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 890 Other Statutory Actions (If Administrative Agency is Involved)

○ **D.** ***Temporary Restraining Order/Preliminary Injunction***

Any nature of suit from any category may be selected for this category of case assignment.

(If Antitrust, then A governs)

○ **E.** ***General Civil (Other)*** **OR** ○ **F.** ***Pro Se General Civil***

Real Property
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent, Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

Personal Property
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

Bankruptcy
- ☐ 422 Appeal 27 USC 158
- ☐ 423 Withdrawal 28 USC 157

Prisoner Petitions
- ☐ 535 Death Penalty
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Conditions
- ☐ 560 Civil Detainee – Conditions of Confinement

Property Rights
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 835 Patent – Abbreviated New Drug Application
- ☐ 840 Trademark

Federal Tax Suits
- ☐ 870 Taxes (US plaintiff or defendant)
- ☐ 871 IRS-Third Party 26 USC 7609

Forfeiture/Penalty
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

Other Statutes
- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 430 Banks & Banking
- ☐ 450 Commerce/ICC Rates/etc.
- ☐ 460 Deportation
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions
- ☐ 470 Racketeer Influenced & Corrupt Organization
- ☐ 480 Consumer Credit
- ☐ 490 Cable/Satellite TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes
- ☐ 890 Other Statutory Actions (if not administrative agency review or Privacy Act)

○ G. *Habeas Corpus/ 2255* ☐ 530 Habeas Corpus – General ☐ 510 Motion/Vacate Sentence ☐ 463 Habeas Corpus – Alien Detainee	○ H. *Employment Discrimination* ☐ 442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) *(If pro se, select this deck)*	⊙ I. *FOIA/Privacy Act* ☐ 895 Freedom of Information Act ☒ 890 Other Statutory Actions (if Privacy Act) *(If pro se, select this deck)*	○ J. *Student Loan* ☐ 152 Recovery of Defaulted Student Loan (excluding veterans)
○ K. *Labor/ERISA (non-employment)* ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Mgmt. Relations ☐ 740 Labor Railway Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Empl. Ret. Inc. Security Act	○ L. *Other Civil Rights (non-employment)* ☐ 441 Voting (if not Voting Rights Act) ☐ 443 Housing/Accommodations ☐ 440 Other Civil Rights ☐ 445 Americans w/Disabilities – Employment ☐ 446 Americans w/Disabilities – Other ☐ 448 Education	○ M. *Contract* ☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholder's Suits ☐ 190 Other Contracts ☐ 195 Contract Product Liability ☐ 196 Franchise	○ N. *Three-Judge Court* ☐ 441 Civil Rights – Voting (if Voting Rights Act)

V. ORIGIN

⊙ 1 Original Proceeding ○ 2 Removed from State Court ○ 3 Remanded from Appellate Court ○ 4 Reinstated or Reopened ○ 5 Transferred from another district (specify) ○ 6 Multi-district Litigation ○ 7 Appeal to District Judge from Mag. Judge ○ 8 Multi-district Litigation – Direct File

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)
5 U.S.C. § 557a(e)(7) and 5 U.S.C. § 706, suit to halt the unlawful collection of the personal voting data of Americans

VII. REQUESTED IN COMPLAINT CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 **DEMAND $** **JURY DEMAND:** Check YES only if demanded in complaint YES ☐ NO ☒

VIII. RELATED CASE(S) IF ANY (See instruction) YES ☒ NO ☐ If yes, please complete related case form

DATE: 07/12/2017 **SIGNATURE OF ATTORNEY OF RECORD** /s/ Javier M. Guzman

INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44
Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and services of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the cover sheet.

I. COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff if resident of Washington, DC, 88888 if plaintiff is resident of United States but not Washington, DC, and 99999 if plaintiff is outside the United States.

III. CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.

IV. CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of the case.

VI. CAUSE OF ACTION: Cite the U.S. Civil Statute under which you are filing and write a brief statement of the primary cause.

VIII. RELATED CASE(S), IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk's Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

CLERK'S OFFICE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CO-932
Rev. 4/96

NOTICE OF DESIGNATION OF RELATED CIVIL CASES PENDING
IN THIS OR ANY OTHER UNITED STATES COURT

Civil Action No. _____
(To be supplied by the Clerk)

NOTICE TO PARTIES:

Pursuant to Rule 40.5(b)(2), you are required to prepare and submit this form at the time of filing any civil action which is related to any pending cases or which involves the same parties and relates to the same subject matter of any dismissed related cases. This form must be prepared in sufficient quantity to provide one copy for the Clerk's records, one copy for the Judge to whom the cases is assigned and one copy for each defendant, so that you must prepare 3 copies for a one defendant case, 4 copies for a two defendant case, etc.

NOTICE TO DEFENDANT:

Rule 40.5(b)(2) of this Court requires that you serve upon the plaintiff and file with your first responsive pleading or motion any objection you have to the related case designation.

NOTICE TO ALL COUNSEL

Rule 40.5(b)(3) of this Court requires that as soon as an attorney for a party becomes aware of the existence of a related case or cases, such attorney shall immediately notify, in writing, the Judges on whose calendars the cases appear and shall serve such notice on counsel for all other parties.

The plaintiff, defendant or counsel must complete the following:

I. RELATIONSHIP OF NEW CASE TO PENDING RELATED CASE(S).

A new case is deemed related to a case pending in this or another U.S. Court if the new case: [Check appropriate box(es) below.]

- [x] (a) relates to common property
- [x] (b) involves common issues of fact
- [x] (c) grows out of the same event or transaction
- [ ] (d) involves the validity or infringement of the same patent
- [ ] (e) is filed by the same pro se litigant

2. RELATIONSHIP OF NEW CASE TO DISMISSED RELATED CASE(ES)

A new case is deemed related to a case dismissed, with or without prejudice, in this or any other U.S. Court, if the new case involves the same parties and same subject matter.

Check box if new case is related to a dismissed case: [ ]

3. NAME THE UNITED STATES COURT IN WHICH THE RELATED CASE IS FILED (IF OTHER THAN THIS COURT):

_____

4. CAPTION AND CASE NUMBER OF RELATED CASE(ES). IF MORE ROOM IS NEED PLEASE USE OTHER SIDE.

Electronic Privacy Information Center v. PACEI C.A. No. 17-1320

07/14/2017
DATE

Signature of Plaintiff/Defendant (or counsel)

American Civil Liberties Union v. Trump, No. 17-1351 (CKK)

Lawyer's Committee for Civil Rights v. ~~Trump~~ PACEI, No. 17-1354 (CKK)

Public Citizen, Inc. v. U.S. Department of the Army, No. 17-1355 (CKK)

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

U.S. Department of Homeland security
Office of the General Counsel
245 Murray Lane SW
Washington, DC 20528

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 7011 2000 0001 3860 7606

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Democracy Forward Foundation

7011 2000 0001 3860 7606

PLACE STICKER AT TOP OF THE ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL™

Quality Assurance
JUL 24 2017
CRDSMAIL # 2

Mail # 902
JUL 24 2017
DHS-CRDS SCREENING
Notice of mail
and parcel inspection

U.S. Department of Homeland Security
Office of the General Counsel
245 Murray Lane S.W.
Washington, DC 20528

A

A-1p
0485
Delivery Point
Bldg 1

Processed By: DSS-990M-016
7/25/2017 8:42:58 AM
7011 2000 0001 3860 7606

UNITED STATES POSTAGE
PITNEY BOWES
$008.13⁰
02 1P
0001997813 JUL 18 2017
MAILED FROM ZIP CODE 20005

Received DAMAGED
CRDS Postal Operation.

TICKER AT TOP OF ENVELOPE TO THE RIGHT

From:	(b)(6)
To:	
Subject:	(b)(5)
Date:	2017/08/08 15:46:46
Priority:	Normal
Type:	Note

Thanks!

From: OGC LCD Litigation
Sent: Tuesday, August 8, 2017 3:38 PM
To: Palmer, David <(b)(6) Wolf, Chad <(b)(6); Hamilton, Gene (b)(6) Hoffman, Jonathan <(b)(6)>; Lapan, David <(b)(6)>; Cassidy, Ben <(b)(6); Corbin, Susan <(b)(6)>
Cc: (b)(6) (b)(6) OGC LCD Litigation <(b)(6)
Subject: (b)(5)
(b)(5)

Good afternoon,

(b)(5)

Thank you,
(b)(6)

(b)(6)
Attorney-Advisor (Privacy)

Legal Counsel Division,
Office of the General Counsel
U.S. Department of Homeland Security
(b)(6)

Sender:	(b)(6)
Recipient:	
Sent Date:	2017/08/08 15:46:46

From:	(b)(6)
To:	
Subject:	(b)(5)
Date:	2017/08/08 15:41:57
Priority:	Normal
Type:	Note

Hi (b)(6)

(b)(5)

Thanks, and please let me know if you have any questions, comments, or concerns.

Best,
(b)(6

(b)(6)
Attorney-Advisor (Privacy)
Legal Counsel Division,
Office of the General Counsel
U.S. Department of Homeland Security
(b)(6)

From: OGC LCD Litigation
Sent: Tuesday, August 8, 2017 3:38 PM
To: Palmer, David <(b)(6)>; Wolf, Chad <(b)(6)>; Hamilton, Gene <(b)(6) Hoffman, Jonathan <(b)(6)>; Lapan, David <(b)(6)>; Cassidy, Ben <(b)(6)>; Corbin, Susan <(b)(6)>
Cc: (b)(6)

<(b)(6) ; OGC LCD Litigation
(b)(6)

Subject: (b)(5)
(b)(5)

Good afternoon,

(b)(5)

Thank you,
(b)(6)

(b)(6)
Attorney-Advisor (Privacy)
Legal Counsel Division,
Office of the General Counsel
U.S. Department of Homeland Security
(b)(6)

Sender:	(b)(6)
Recipient:	
Sent Date:	2017/08/08 15:41:57

From:	(b)(6)
To:	
Subject:	(b)(5)
Date:	2017/08/10 08:40:04
Priority:	Normal
Type:	Note

FYSA (decided not to attach anything ☺)

From: (b)(6)
Sent: Thursday, August 10, 2017 8:39 AM
To: (b)(6)
(b)(6)
Cc: (b)(6)
(b)(6)
Subject: (b)(5)
(b)(5)

Hi (b)(6),

(b)(5)

Please let me what your thoughts are on this interpretation.

Thanks,
(b)(6)

From: (b)(6)
Sent: Wednesday, August 9, 2017 4:53 PM
To: (b)(6)
(b)(6)
Cc: (b)(6)

Page 0732

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 0733

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 0734

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Office of the General Counsel
U.S. Department of Homeland Security
Washington, DC 20528

August 8, 2017

Memorandum For: Recipient List

From: René E. Browne
Acting Associate General Counsel, Legal Counsel Division

Subject: (b)(5)

(b)(5)

Page 0736

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 0737

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

From:	(b)(6)
To:	
CC:	
Subject:	(b)(5)
Date:	2017/08/08 15:02:08
Priority:	Normal
Type:	Note

Thanks, (b)(6)

(b)(5)

Here is the draft email to send (reminder – make sure voting button is on):

(b)(5)

(b)(6)
Attorney-Advisor (Privacy)
Legal Counsel Division,
Office of the General Counsel

U.S. Department of Homeland Security
(b)(6)

From: (b)(6)
Sent: Tuesday, August 8, 2017 12:21 PM
To: (b)(6)
Subject: (b)(5)
(b)(5)

Hi (b)(6) here is the sample email I received from (b)(6) and have been using to draft my own (see below). Note the subject line here too.

From: (b)(6)
Sent: Monday, June 12, 2017 4:38 PM
To: (b)(6)
Subject: (b)(5)
(b)(5)

The example transmittal email is below. I'm attaching the last Word version I have. I think this should match the pdf that went out aside from the date.

(b)(6)
Attorney Advisor, Litigation
U.S. Department of Homeland Security
Office of the General Counsel
(b)(6)

From: OGC LCD Litigation
Sent: Friday, May 12, 2017 3:49 PM
To: Palmer, David (b)(6)
<(b)(6) Havranek, John
(b)(6)
I&A Exec Sec <(b)(6)
(b)(6)
Cc: OGC LCD Litigation <(b)(6) ; Browne, Rene
<(b)(6)
(b)(6)
Subject: (b)(5)
(b)(5)

Good afternoon,

(b)(5)

Thank you,
(b)(6)

(b)(6)
Attorney Advisor, Litigation
U.S. Department of Homeland Security
Office of the General Counsel
(b)(6)

Sender:	(b)(6)
Recipient:	
Sent Date:	2017/08/08 15:02:07
Delivered Date:	2017/08/08 15:02:08

Page 0742

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 0743

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 0744

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

From:	(b)(6)
To:	
Subject:	RE: Common cause v. presidential advisory commission on Election Integrity et al.
Date:	2017/08/03 14:59:02
Priority:	Normal
Type:	Note

Thanks, (b)(6).

I've already been in communication with DOJ on this. I'll forward you the latest.

From: (b)(6)
Sent: Thursday, August 3, 2017 2:29 PM
To: (b)(6)
Subject: FW: Common cause v. presidential advisory commission on Election Integrity et al.

Hi (b)(6), forwarding this to you for your awareness at this point. It's a PA lawsuit relating to the Commission investigating voter fraud.

(b)(6)
Assistant General Counsel for Strategic Oversight
Legal Counsel Division
Office of the General Counsel
U.S. Department of Homeland Security
(b)(6)

From: Browne, Rene
Sent: Wednesday, August 2, 2017 6:02 PM
To: (b)(6)
Cc: (b)(6)
Subject: RE: Common cause v. presidential advisory commission on Election Integrity et al.

Thanks (b)(6). Adding (b)(6) since this is a Privacy Act lawsuit. (b)(6), let's discuss tomorrow.

Rene

Rene E. Browne
Acting Associate General Counsel, Legal Counsel Division

Office of the General Counsel
U.S. Department of Homeland Security
(b)(6)

From: (b)(6)
Sent: Wednesday, August 2, 2017 9:26 AM
To: (b)(6)
Cc:
Subject: FW: Common cause v. presidential advisory commission on Election Integrity et al.

The mailroom received the attached summons and complaint regarding the election integrity commission. Looks like DHS is included because of public statements of officials saying that state provided info could be run against DHS databases.

This is the suit:

https://www.washingtonpost.com/local/public-safety/us-judge-denies-common-cause-effort-to-block-trump-voter-commission/2017/08/01/57abf36c-76d3-11e7-9eac-d56bd5568db8_story.html?utm_term=.28caa5ef37f8

(b)(6)
Deputy Chief of Staff/Managing Counsel
Office of the General Counsel
Department of Homeland Security
(b)(6)

From: (b)(6)
Sent: Tuesday, August 1, 2017 6:39 PM
To: (b)(6)
Subject: Common cause v. presidential advisory commission on Election Integrity et al.

Best regards,

(b)(6)
Legal Correspondence Specialist

Office of General Counsel
Department of Homeland Security
3801 Nebraska Avenue
Washington, D.C. 20016-2705
Nebraska Avenue Complex
(b)(6)

Sender:	(b)(6)
Recipient:	
Sent Date:	2017/08/03 14:59:02

From:	(b)(6)
To:	
Subject:	FW: Common Cause v. Presidential Advisory Commission on Electoral Integrity, et al
Date:	2017/08/02 12:10:19
Priority:	Normal
Type:	Note

Hi (b)(6),

Jonathan C. suggested I reached out to you on this.

DHS was sued, along the others, regarding the Electoral Integrity Commission's request for voter data – see the complaint.

(b)(5)

(b)(5)

Thanks,
(b)(6)

(b)(6)
Attorney-Advisor (Privacy)
Legal Counsel Division,
Office of the General Counsel
U.S. Department of Homeland Security
(b)(6)

From: (b)(6)
Sent: Wednesday, August 2, 2017 12:04 PM

To: (b)(6)
Cc:
(b)(6)
Subject: RE: Common Cause v. Presidential Advisory Commission on Electoral Integrity, et al

Sounds good. Thanks.

Any idea who the DHS contact is? ☺

Cheers,
(b)(6)

From: (b)(6)
Sent: Wednesday, August 2, 2017 12:00 PM
To: (b)(6)
Cc:
(b)(6)
Subject: RE: Common Cause v. Presidential Advisory Commission on Electoral Integrity, et al

Hi (b)(,

(b)(5)

Best,
(b)(6)

_____----
(b)(6)
Trial Attorney, U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Ave. NW | Washington, DC 20530
(b)(6)

From: (b)(6)
Sent: Tuesday, August 01, 2017 2:52 PM
To: (b)(6)
Cc: (b)(6)
(b)(6)
Subject: RE: Common Cause v. Presidential Advisory Commission on Electoral Integrity, et al

Thanks, (b)(6) for the update.

Please let me know if you need anything from us.

Cheers,
(b)(6)

(b)(6)
Attorney-Advisor (Privacy)
Legal Counsel Division,
Office of the General Counsel
U.S. Department of Homeland Security
(b)(6)

From: (b)(6)
Sent: Tuesday, August 1, 2017 2:27 PM
To: (b)(6)
Cc:
(b)(6)
Subject: RE: Common Cause v. Presidential Advisory Commission on Electoral Integrity, et al

Hi (b)(6)

The hearing this morning went well and the Court denied the TRO.

Our response to the Motion for a Preliminary Injunction is currently due on or before Friday, August 4; however, (b)(5) We'll keep you posted. In the meantime, please let us know if you have any questions.

Best,
(b)(6)

From: (b)(6)
Sent: Tuesday, August 01, 2017 7:50 AM
To: (b)(6)
Cc:
(b)(6)
Subject: RE: Common Cause v. Presidential Advisory Commission on Electoral Integrity, et al

Thanks, (b)(6)

-(b)(6

(b)(6)
Attorney-Advisor (Privacy)
Legal Counsel Division,
Office of the General Counsel
U.S. Department of Homeland Security
(b)(6)

From: (b)(6)
Sent: Monday, July 31, 2017 4:57 PM
To: (b)(6)
Cc: (b)(6)
(b)(6)
Subject: RE: Common Cause v. Presidential Advisory Commission on Electoral Integrity, et al

Thanks (b)(6) ! Moving forward we will leave you off the e-mails.

(b)(5);(b)(6)

Best,
(b)(6)

(b)(5)

(b)(6)
Trial Attorney, U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Ave. NW | Washington, DC 20530
(b)(6)

From: (b)(6)
Sent: Monday, July 31, 2017 1:00 PM

To: (b)(6)
Cc:
(b)(6)
Subject: RE: Common Cause v. Presidential Advisory Commission on Electoral Integrity, et al

Hi (b)(6),

My colleague (b)(6) CC'd here, will be the POC.

Thanks,

(b)(6)
Legal Counsel Division
Office of the General Counsel
U.S. Department of Homeland Security
(b)(6)

From: (b)(6)
Sent: Monday, July 31, 2017 4:42:39 PM
To: (b)(6)
Cc: (b)(6)
Subject: Common Cause v. Presidential Advisory Commission on Electoral Integrity, et al

Hi (b)(6)

(b)(5)

Thank you!
(b)(6)

_____----
(b)(6)
Trial Attorney, U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Ave. NW | Washington, DC 20530

(b)(6)

Sender:	(b)(6)
Recipient:	
Sent Date:	2017/08/02 12:10:18
Delivered Date:	2017/08/02 12:10:19

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MATTHEW DUNLAP, Plaintiff, v. PRESIDENTIAL ADVISORY COMMISSION ON ELECTION INTEGRITY, *et al.*, Defendants.	Civil Action No. 1:17-cv-2361 (CKK)

SECOND DECLARATION OF CHARLES C. HERNDON

I, Charles C. Herndon, declare as follows:

1. I am the Director of White House Information Technology ("WHIT") and Deputy Assistant to the President. I am the senior officer responsible for the information resources and information systems provided to the President, Vice President and Executive Office of the President. I report to the White House Deputy Chief of Staff and Assistant to the President for Operations, and through him to the Chief of Staff and the President. I am part of what is known as the White House Office. This declaration is based on my personal knowledge and upon information provided to me in my official capacity.

2. On January 3, 2018, the President signed an Executive Order terminating the Presidential Advisory Commission on Election Integrity.

3. All of the state voter data provided to the Commission is encrypted and stored in a separate container within the domain electionintegrity.whitehouse.gov. Only four members of WHIT's staff have had and continue to have access to the data. These staff members are not

authorized to transfer or utilize this data. No Commission member was provided access to the state voter data prior to the Commission's termination and none has access now. Although my original declaration stated that the Commission would receive dedicated laptops on which it could access the data, that did not occur and no dedicated laptops were issued.

4. The state voter data has never been transferred to, or accessed or utilized by, the Department of Homeland Security ("DHS") or any other agency. The state voter data will not be transferred to, or accessed or utilized by, DHS or any other agency, except to the National Archives and Records Administration ("NARA"), pursuant to federal law, if the records are not otherwise destroyed. Pending resolution of outstanding litigation involving the Commission, and pending consultation with NARA, the White House intends to destroy all state voter data. Until such disposition, the data will continue to be maintained by the WHIT technical staff as Presidential Records.

5. The Commission did not create any preliminary findings. In any event, no Commission records or data will be transferred to the DHS or another agency, except to NARA, if required, in accordance with federal law. Commission documents and records remain publicly accessible on the former Commission's public webpage at https://www.whitehouse.gov/articles/presidential-advisory-commission-election-integrity/. Non-public Commission records will continue to be maintained as Presidential Records.

I declare under penalty of perjury that the foregoing is true and correct.

***

Executed this 9th day of January 2018.

Charles C. Herndon

From:	(b)(6)
To:	"Lapan, David (b)(6) (b)(6)
Subject:	FW: HuffPost inquiry
Date:	2017/10/02 15:10:59
Priority:	Normal
Type:	Note

Dave (b)(6),

I was going to refer this over to the commission, but wanted to flag for you first in case you wanted to say anything for the department more broadly. It doesn't appear these communications were NPPD.

From: (b)(6)
Sent: Monday, October 2, 2017 10:50 AM
To: (b)(6)
Subject: HuffPost inquiry

Hi (b)(6)

I hope you had a nice weekend.

I had a couple questions related to communication between DHS and the Presidential Advisory Commission on Election Integrity. On Friday, the commission released a log (attached) of all of its communications to date and there is repeated contact between DHS and the commission ((Items 365, 383, 384, 472, 475, **681**, 682, 689, 693, 701, 703, **705,** 706, 711, 735, 739, 749).

Based on these communications, I wanted to ask what the relationship between the Department of Homeland Security and the commission is. Has DHS had any conversation with the commission about allow it to access DHS data?

Thanks so much,
(b)(6)

--
(b)(6)
Associate Politics Editor | HuffPost
(b)(6)

Sender:	(b)(6)
Recipient:	"Lapan, David (b)(6) (b)(6)

Sent Date:	2017/10/02 15:10:58
Delivered Date:	2017/10/02 15:10:59

EXHIBIT 3

ACRONYMS

Commission or PACEI	Presidential Advisory Commission on Election Integrity
DFO	Designated Federal Officer
DHS	Department of Homeland Security
DOD	Department of Defense
DOJ	Department of Justice
DWHIT	Director of White House Information Technology
EEOB	Eisenhower Executive Office Building
EFT	Electronic Funds Transfer
EOP	Executive Office of the President
EPIC	Electronic Privacy Information Center
FACA	Federal Advisory Committee Act
FOIA	Freedom of Information Act
GAI	Government Accountability Institute
GAO	Government Accountability Office
GSA	General Services Administration
IT	Information Technology
MOU	Memorandum of Understanding
NARA	National Archives and Records Administration
NASS	National Association of Secretaries of State
OMB	Office of Management and Budget
OVP	Office of the Vice President
PRA	Presidential Records Act
SAFE	Safe Access File Exchange
SGE	Special Governmental Employee
SoS	Secretary of State
SSA	Social Security Administration
TRO	Temporary Restraining Order
VP	Vice President

1	**Document(s)/Category Description**	**Document Originator (if applicable)**	**Document Recipient(s) (if applicable)**	**Date Document Created and/or Shared (if applicable)**	**Commission Views as Subject to 10(b)?**	**Has Document Been Currently Disclosed?**	**Rational for non-disclosure (see 3d Kossack Decl. ¶ 12)**
2							
3	*Public Documents Related to the Creation and Organization of the Commission*						
4	Executive Order No. 13,799, establishing the Commission	The President	Members of the Public	11-May-17	Yes	Yes	NA
5	White House Press Release: President Announces Formation of Bipartisan Presidential Commission on Election Integrity (May 11, 2017)	White House Press Secretary	Members of the Public	11-May-17	Yes	Yes	NA
6	Charter: Presidential Advisory Commission on Election Integrity	Commission Staff	Commission Members	23-Jun-17	Yes	Yes	NA
7	*Public Documents Related to June 28 Organizational Call*						
8	Agenda for June 28, 2017, Organizational Conference Call	Commission Staff	Commission Members	For June 28 call	Yes	Yes	NA
9	Email regarding June 28, 2017, initial organizational call	Kossack	Commission Members	For June 28 call	No	discretionary release	NA
10	Readout of the Vice President's Call with the Presidential Advisory Commission on Election Integrity	White House Office of the Vice President	Members of the Public	28-Jun-17	Yes	Yes	NA
11	*Public Documents Related to July 19 Meeting*						
12	PACEI Bylaws (as adopted and as drafted)	Commission Staff	Commission Members	For July 19 meeting	Yes	Yes	NA
13	List of Possible Topics for Commission to Address	Kobach	Commission Members	For July 19 meeting	Yes	Yes	NA
14	GSA briefing on FACA and Presidential Records Act	GSA	Commission Members	Presentation delivered at an administrative session held before the July 19 meeting began	No	discretionary release	NA

1	Document(s)/Category Description	Document Originator (if applicable)	Document Recipient(s) (if applicable)	Date Document Created and/or Shared (if applicable)	Commission Views as Subject to 10(b)?	Has Document Been Currently Disclosed?	Rational for non-disclosure (see 3d Kossack Decl. ¶ 12)
15	GSA briefing on Ethics Training for SGEs	GSA	Commission Members	Presentation delivered at an administrative session held before the July 19 meeting began	No	discretionary release	NA
16	Heritage Foundation: Database entitled A sampling of Election Fraud Cases From Across the Country	Shared by von Spakovsky	Commission Members	For July 19 meeting	Yes	Yes	NA
17	Report: Election Administration and Voting Survey - 2016 Comprehensive Report (by U.S. Election Assistance Commission)	Shared by McCormack	Commission Members	For July 19 meeting	Yes	Yes	NA
18	Opening Statement of J. Kenneth Blackwell (shared with other members)	Blackwell	Commission Members	For July 19 meeting	Yes	Yes	NA
19	PowerPoint presentation by Hans von Spakovsky (untitled)	von Spakovksy	Commission Members	For July 19 meeting	Yes	Yes	NA
20	Yale Law & Policy Review Article: The Other Voting Right: Protecting Every Citizen's Vote by Safeguarding the Integrity of the Ballot Box, by J. Kenneth Blackwell & Kenneth A. Klukowski	Shared by Blackwell	Commission Members	For July 19 meeting	Yes	Yes	NA
21	Video of the July 19 PACEI Meeting	Commission Staff	Commission Members	For July 19 meeting	Yes	Yes	NA
22	Remarks by President Trump and Vice President Pence at the Presidential Advisory Commission on Election Integrity meeting	White House Press Secretary	Members of the Public	19-Jul-17	Yes	Yes	NA
23	Remarks by Vice President Pence and Elected Officials at the First Meeting of the Presidential Advisory Commission on Election Integrity	White House Office of the Vice President	Members of the Public	19-Jul-17	Yes	Yes	NA
24	July 19, 2017 meeting agenda	Commission Staff	Commission Members	For July 19 meeting	Yes	Yes	NA
25	Revised July 19, 2017 meeting agenda	Commission Staff	Commission Members	For July 19 meeting	Yes	Yes	NA
26	Federal Register Meeting Notice for July 19 meeting	Commission Staff	Members of the Public	5-Jul-17	Yes	Yes	NA
27	*Public Documents Related to September 12 Meeting*						
28	Announcement of September 12 Commission Meeting	White House Press Secretary	Members of the Public	24-Aug-17	Yes	Yes	NA

1	Document(s)/Category Description	Document Originator (if applicable)	Document Recipient(s) (if applicable)	Date Document Created and/or Shared (if applicable)	Commission Views as Subject to 10(b)?	Has Document Been Currently Disclosed?	Rational for non-disclosure (see 3d Kossack Decl. ¶ 12)
29	Federal Register Meeting Notice for September 12, 2017 meeting	Commission Staff	Members of the Public	24-Aug-17	Yes	Yes	NA
30	Agenda for September 12, 2017 Commission Meeting	Commission Staff	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
31	Written statement by Donald Palmer, Panelist at Sept. 12 meeting, entitled "Election Integrity Issues Affecting Public Confidence"	Donald Palmer (Panelist)	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
32	PowerPoint presentation by Andrew E. Smith, Panelist at Sept. 12 meeting, entitled "Turnout and Voter Trust"	Andrew E. Smith (Panelist)	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
33	PowerPoint presentation by John R. Jott, Jr., Panelist at Sept. 12 meeting, entitled "A suggestion and some evidence"	John R. Lott, Jr. (Panelist)	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
34	Updated PowerPoint presentation by John R. Lott, Jr., Panelist at Sept. 12 meeting, entitled "A suggestion and some evidence"	John R. Lott, Jr. (Panelist)	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
35	PowerPoint presentation by Ronald L. Rivest, Panelist at September 12 meeting, entitled "Remarks on Election Integrity"	Ronald L. Rivest (Panelist)	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
36	Report by Government Accountability Institute: "America the Vulnerable: The Problem of Duplicate Voting"	Shared by von Spakovsky	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
37	PowerPoint presentation by Hans von Spakovsky, PACEI Member/Panelist at Sept. 12 meeting (untitled)	von Spakovksy	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
38	PowerPoint presentation by Harri Hursti, Panelist at Sept. 12 meeting, entitled "Threat models and the tools of the industry"	Harri Hursti (Panelist)	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
39	PowerPoint presentation by Ken Block, Panelist at Sept. 12 meeting, entitled "Data Mining for Potential Voter Fraud"	Ken Block (Panelist)	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
40	PowerPoint presentation by Kimball Brace, panelist at Sept. 12 meeting, entitled "The Election Process From a Data Prospective"	Kimball Brace (Panelist)	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
41	Updated PowerPoint presentation by Kimball Brace, panelist at Sept. 12 meeting, entitled "The Election Process From a Data Prospective"	Kimball Brace (Panelist)	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
42	Letter from Shawn N. Jasper, Speaker of the New Hampshire House of Representatives, to New Hampshire Secretary of State and Commissioner of Department of Public Safety re: efforts to insure the accuracy and validity of New Hampshire's voter checklists	Shared by Secretary Gardner	Commission Members	For Sept. 12 meeting	Yes	Yes	NA

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43	PowerPoint presentation by William Gardner, Commission Member/Sept. 12 meeting host (untitled)	Gardner	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
44	PowerPoint presentation by Andrew W. Appel, Panelist at Sept. 12 meeting, entitled "Record and counting votes in a trustworthy way"	Andrew W. Appel (panelist)	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
45	Press release by N.H. Speaker Jasper re: response to inquiry of NH Departments of State and Safety	Shared by Gardner	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
46	Response to N.H. Speaker's request for information by N.H. Department of State and Department of Safety, re: voter verification request	Shared by Gardner	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
47	Written statement by Judge Alan L. King, PACEI Member, entitled "Statement of Issues/Recommendations"	King	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
48	Paper: "Evidence of Voter Fraud and the Impact that Regulations to Reduce Fraud have on Voter Participation Rates," by John R. Lott, Jr. (2007)	John R. Lott, Jr. (Panelist)	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
49	Report: "Garden State Gotcha" by Public Interest Legal Foundation (Sept. 2017)	Shared byAdams	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
50	Belitto v. Sinipes, 221 F. Supp. 3d 1354 (S.D. Fla. 2016)	Shared by Adams	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
51	ACLU v. Martinez-Rivera, 166 F. Supp. 3d 779 (S.D. Fla. 2017)	Shared by Adams	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
52	Voter Integrity Project NC, Inc. v. Wake Cty. Bd. of Elections, No. 5:16-cv-683-BR (E.D.N.C. Feb. 21, 2017)	Shared by Adams	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
53	Bates in the News: Nov. 11, 2016 - Voter Suppression (by Jay Burns)	Shared by Dunlap	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
54	Written Statement by Robert D. Popper, Panelist at Sept. 12 meeting, entitled "It is Time to Start Enforcing the National Voter	Robert D. Popper (panelist)	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
55	Article: "It Appears That Out-of-State Voters Changed The Outcome of the New Hampshire U.S. Senate Race" (by Kris Kobach, published on Breitbart)	Kobach	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
56	List of panelists and biographies for Sept. 12 Meeting	Commission Staff	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
57	Report: "Alien Invasion II: The Sequel to the Discovery and Cover-Up of Non-Citizen Registration and Voting in Virginia" (by Public Interest Legal Foundation)	Mentioned by Adams	Commission Members	For Sept. 12 meeting	Yes	Yes	NA
58	Guare v. New Hamshire, No. 2014-5 (N.H. 2015)	Mentioned by Kobach	Commission Members	For Sept. 12 meeting	Yes	Yes	NA

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59	New Hampshire Voter Registration Form	Mentioned by Kobach	Commission Members	For Sept. 12 meeting	yes	Yes	NA
60	*Public Documents Related to Request to States for Data/Views*						
61	June 28, 2017, letter from Kobach to states, requesting views, recommendations, and publically available data (identical copies sent to election officials of the 50 states and District of Columbia)	Kobach	State Election Officials	28-Jun-17	Yes	Yes	NA
62	Statement from Kobach, Kansas Secretary of State and Vice Chair of the Presidential Advisory Commission on Election Integrity (related to data collection)	White House Press Secretary	Members of the Public	5-Jul-17	Yes	Yes	NA
63	July 26, 2017, letter from Kobach to state election officials, renewing June 28 informational request (identical copies sent to election officials of the states and the District of Columbia)	Kobach	State Election Officials	26-Jul-17	Yes	Yes	NA
64	Response to Data Request Letter	Michele Reagan, Arizona Secretary of State	Kobach	3-Jul-17	Yes	Yes	NA
65	Response to Data Request Letter	John Merril, Alabama Secretary of State	Kobach	5-Jul-17	Yes	Yes	NA
66	Response to Data Request Letter	Jesse White, Illinois Secretary of State	Kobach	5-Jul-17	Yes	Yes	NA
67	Response to Data Request Letter	Ken Drezner, Florida Secretary of State	Kobach	6-Jul-17	Yes	Yes	NA
68	Response to Data Request Letter	Paul Zirax, Secretary of the Oklahoma State Election Board	Kobach	6-Jul-17	Yes	Yes	NA
69	Response to Data Request Letter	Kenneth R. Menzel, General Counsel, Illinois State Board of Elections	Kobach	7-Jul-17	Yes	Yes	NA
70	Response to Data Request Letter	Shantel Krebs, South Dakota Secretary of State	Kobach	10-Jul-17	Yes	Yes	NA
71	Response to Data Request Letter	Frank Jung, General Counsel, Missouri Secretary of State	Kobach	10-Jul-17	Yes	Yes	NA

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72	Response to Data Request Letter	Mac Warner, West Virginia Secretary of State	Kobach	11-Jul-17	Yes	Yes	NA
73	Response to Data Request Letter	Wayne W. Williams, Colorado Department of State	Kobach	14-Jul-17	Yes	Yes	NA
74	Response to Data Request Letter	Ed Murray, Wyoming Secretary of State	Kobach	14-Jul-17	Yes	Yes	NA
75	Response to Data Request Letter	Tre Hargett, Tennessee Secretary of State	Kobach	14-Jul-17	Yes	Yes	NA
76	Response to Data Request Letter	Delbert Hosemann, Mississippi Secretary of State	Kobach	19-Jul-17	Yes	Yes	NA
77	Response to Data Request Letter	James C. Condos, Vermont Secretary of State	PACEI	19-Jul-17	Yes	Yes	NA
78	Response to Data Request Letter	John Husted, Ohio Secretary of State	Commission Members	24-Jul-17	Yes	Yes	NA
79	Response to Data Request Letter	John Husted, Ohio Secretary of State	PACEI	24-Jul-17	Yes	Yes	NA
80	Response to Data Request Letter	Paul O. Pate, Iowa Secretary of State	Kobach	26-Jul-17	Yes	Yes	NA
81	Response to Data Request Letter	Scoti T. Nago, Chief Election Officer, Hawaii	Kobach	27-Jul-17	Yes	Yes	NA
82	Response to Data Request Letter	Bryan A. Caskey, Director of Elections, Kansas Secretary of State	Williams	27-Jul-17	Yes	Yes	NA
83	Response to Data Request Letter	John Conklin, Director of Public Information, NYS Board of Elections	Kossack	27-Jul-17	Yes	Yes	NA
84	Email re: point of contact for secure transfer of voting data	Brandon Newell, Office of Secretary of State, Arkansas	Williams	27-Jul-17	Yes	Yes	NA

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85	Response to Data Request Letter	Wayne Thorley, Nevada Deputy Secretary of State for Elections	Williams	28-Jul-17	Yes	Yes	NA
86	Response to Data Request Letter	Matthew Dunlap, Maine Secretary of State	Kobach	31-Jul-17	Yes	Yes	NA
87	Letter containing instructions to request information from Texas databases	Lindsey Aston, General Counsel, Texas Secretary of State	Kobach	31-Jul-17	Yes	Yes	NA
88	Response to Data Request Letter	Jerold A. Bonnet, General Counsel, Office of the Indiana Secretary of State	Kobach	4-Aug-17	Yes	Yes	NA
89	Response to Data Request Letter	Tom Schedler, Louisiana Secretary of State	PACEI	9-Aug-17	Yes	Yes	NA
90	Response to Data Request Letter	Jade K. Fountain-Tanigawa, Office of the County Clerk, County of Kauai	Kobach	10-Aug-17	Yes	Yes	NA
91	Response to Data Request Letter	Bryon Mallott, Alaska Lt. Gov.	Kobach	21-Aug-17	Yes	Yes	NA
92	Response to Data Request Letter	Steve Simon, Minnesota Secretary of State	Kobach	22-Aug-17	Yes	Yes	NA
93	Response to Data Request Letter	Elaine Manlove, Delaware State Election Commissioner	Kobach	28-Aug-17	Yes	Yes	NA
94	Response to Data Request Letter	Alvin A. Jaeger, North Dakota Secretary of State	PACEI	5-Sep-17	Yes	Yes	NA
95	Response to Data Request Letter	John A. Gale, Nebraska Secretary of State	Kobach	19-Sep-17	Yes	Yes	NA

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96	Response to Data Request Letter	Kenneth Menzel, General Counsel, Illinois State Board of Elections	Kobach	19-Sep-17	Yes	Yes	NA
97	*State Data Received -- Listed by State*						
98	Arkansas				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
99	North Carolina				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
100	Florida				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
101	Ohio				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
102	Colorado				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
103	Washington				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
104	Nevada				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
105	New York				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
106	Kansas				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
107	Oklahoma				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
108	New Jersey				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11

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109	Hawaii (Kaua'i County)				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
110	Montana				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
111	Pennsylvania				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
112	West Virginia				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
113	Alaska				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
114	Idaho				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
115	Oregon				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
116	Missouri				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
117	Iowa				Yes	No	Exempt pursuant to (b)(6). See 3d Kossack Decl. ¶ 11
118	*Other Public Documents*						
119	Book: Who's Counting? How Fraudsters and Bureaucrats Put Your Vote at Risk, by June Fund and Hans von Spakovsky	Shared by Hans von Spakovsky	Commission Members	Shared after July 19 meeting	Yes	Yes	NA
120	Public Comments received from members of the public to the Commission's email address and posted online	Members of the Public	Commission Members	6/29/17 - 09/12/2017	Yes	Yes	NA
121	Public Comments received from members of the public to the Commission's regulations.gov website and posted online	Members of the Public	Commission Members	Accepted through the submission of the Commission's final report	Yes	Yes	NA

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122	Public comments submitted to Commission, but not posted publicly because comments are overly profane and/or contain threats, and contain nothing by way of substance	Members of the Public	Commission Members	Since June 2017	No	No	(a)
123	Letter from Sen. Amy Klobuchar, et al. re: Commission activities	Members of Congress	The Vice President and Kobach	6/29/2017	Yes	Yes	NA
124	Letter from Sen. Amy Klobuchar, et al. re: Commission activities	Members of Congress	The Vice President and Kobach	7/6/2017	Yes	Yes	NA
125	Letter from Sen. Tester and Gov. Bullock re: Commission activities	Montana officials	The Vice President and Kobach	7/11/2017	Yes	Yes	NA
126	Letter from Rep. Cummings, et al. re: Commission activities	Members of Congress	Commission Members	7/18/2017	Yes	Yes	NA
127	Letter from Rep. Eshoo, et al. re: Commission activities	Members of Congress	The Vice President and Kobach	7/18/2017	Yes	Yes	NA
128	Letter from Sens. Klobuchar and Whitehouse re: Commission activities	Sens. Klobuchar and Whitehouse	Commission Members	9/12/2017	Yes	Yes	NA
129	Statement by Sen. Shaheen re: Sept 12 meeting re: Commission activities	Sen. Shaheen	Commission Members	9/12/2017	Yes	Yes	NA
130	*Emails Sent by Commission DFO to Commission Membership* (To avoid repetitition, these documents are not also listed separately under each Commissioner)						
131	Welcome and Initial Organizational Call	Kossack	Commission Members	26-Jun-17	No	discretionary release	N/A
132	Email planner holding June 28, 2017 Organizational Call	Kossack	Commission Members	27-Jun-17	No	No	(b)
133	Email sending agenda for June 28, 2017 organizational call	Kossack	Commission Members	27-Jun-17	No	No	(b)
134	Updated email planner sending dial-in information for June 28 organizational call	Kossack	Commission Members	27-Jun-17	No	No	(b)
135	Email containing dial-in information related to June 28 call as well as documents related to ethics standards for special government employees	Kossack	Commission Members	27-Jun-17	No	No	(b)
136	Email containing copy of June 28 Kobach letter, to be sent to secretaries of state and chief state election officials	Kossack	Commission Members	28-Jun-17	No	No	(b)

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137	Email forwarding email sent from Commission to States, asking them to hold off sending data pending resolution of EPIC TRO	Kossack	Commission Members	10-Jul-17	No	No	(b)
138	Email regarding financial disclosure, EFT Enrollment form, and travel logistics for July 19 meeting	Kossack	Commission Members	11-Jul-17	No	No	(b)
139	Email regarding booking travel for July 19 meeting and reminder to submit 450 Financial Disclosure form	Kossack	Commission Members	13-Jul-17	No	No	(b)
140	Email containing agenda for July 19 meeting	Kossack	Commission Members	14-Jul-17	No	No	(b)
141	Email forwarding email from GSA containing information on how to book travel; cover email reviews meeting location and schedule	Kossack	Commission Members	14-Jul-17	No	No	(b)
142	Email containing logistical information for attending July 19 meeting and ethics question related to financial disclosure	Kossack	Commission Members	17-Jul-17	No	No	(b)
143	Email containing draft By-Laws, revised agenda, and reminder about July 19 meeting logistics	Kossack	Commission Members	18-Jul-17	No	No	(b)
144	Email containing instructions for travel expense reimbursements	Kossack	Commission Members	20-Jul-17	No	No	(b)
145	Email containing copies of letters received from Colorado and Wyoming secretaries of state	Kossack	Commission Members	21-Jul-17	No	No	(b)
146	Email containing letter from Ohio Secretary of State	Kossack	Commission Members	25-Jul-17	No	No	(b)
147	Email containing copy of July 26 letter from Kobach to states regarding data collection	Kossack	Commission Members	26-Jul-17	No	No	(b)
148	Email containing follow up communication from GSA regarding Hatch Act	Kossack	Commission Members	2-Aug-17	No	No	(b)
149	Email containing litigation holds (and attachments, i.e., complaints/filings)	Kossack	Commission Members	7-Aug-17	No	No	(b)
150	Email containing save-the-date for September 12 meeting	Kossack	Commission Members	18-Aug-17	No	No	(b)
151	Email containing travel and logistical information for September 12 meeting	Kossack	Commission Members	24-Aug-17	No	No	(b)
152	Email containing letter from Kobach regarding submission of meeting materials for September 12 meeting and reminder of litigation hold letter	Kossack	Commission Members	30-Aug-17	No	No	(b)
153	Email promising proposed agenda for September 12 meeting soon and asking members to submit any written materials by Sept. 7	Kossack	Commission Members	1-Sep-17	No	No	(b)

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154	Email containing reminder of ethics rules that govern teaching, speaking, and writing	Kossack	Commission Members	5-Sep-17	No	No	(b)
155	Email containing agenda for September 12 meeting	Kossack	Commission Members	5-Sep-17	No	No	(b)
156	Email containing revised agenda for September 12 meeting	Kossack	Commission Members	6-Sep-17	No	No	(b)
157	Email containing materials for September 12 meeting	Kossack	Commission Members	8-Sep-17	No	No	(b)
158	Email stating that materials prepared for September 12 meeting are posted online	Kossack	Commission Members	8-Sep-17	No	No	(b)
159	Email containing logistical information for September 12 meeting and reminder about FACA open-meeting requirements	Kossack	Commission Members	11-Sep-17	No	No	(b)
160	*Materials of Commission Member J. Christian Adams*						
161	Email forwarding news article	Adams	OVP Counsel	13-May-17	No	No	(h)
162	Email forwarding information about potential staff member for Commission	Adams	OVP Counsel	18-May-17	No	No	(g)
163	Email forwarding news article	Adams	OVP Counsel	30-May-17	No	No	(h)
164	Email forwarding news article	Adams	OVP Counsel	31-May-17	No	No	(h)
165	Email addressing potential research opportunities for Commission	Adams	OVP Counsel	5-Jun-17	No	No	(f)
166	Email addressing election integrity; suggesting potential outreach options	Adams	Kossack	5-Jul-17	No	No	(f)
167	Email about potential participants in Commission	Adams	Kossack, OVP Counsel	6-Jul-17	No	No	(g)
168	Email forwarding press release	Adams	Kossack, OVP Counsel, von Spakovsky	6-Jul-17	No	No	(h)
169	Email requesting Adam's preferred title for appointment announcment	Kossack	Adams	11-Jul-17	No	No	(c)
170	Email forwarding press release re: Adams' appointment to Commission	Adams	Kossack, OVP Counsel	11-Jul-17	No	No	(h)
171	Email forwarding link to television appearance	Adams	Kossack, OVP Counsel, von Spakowsky, Blackwell	17-Jul-17	No	No	(h)
172	Cover email forwarding material to be used for July 19 meeting	Adams	Kossack, OVP Counsel	18-Jul-17	No	No	(c)

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173	Email requesting copy of photograph from July 19 meeting	Adams	OVP Counsel	20-Jul-17	No	No	personal
174	Email chain discussing potential data analysts	Adams	Kossack	28-Jul-17	No	No	(i)
175	Email exchange in response to press inquiry about Commission	Adams	Kossack, OVP Counsel, von Spakowsky	14-Aug-17	No	No	(j)
176	Email asking about September 12 meeting location	Adams	Kossack	18-Aug-17	No	No	(c)
177	Email forwarding news article	Adams	Kossack	31-Aug-17	No	No	(h)
178	Email sending copy of materials to be used at September 12 presentation	Adams	Kossack, von Spakovsky	1-Sep-17	No	No	(c)
179	Email forwarding third-party individual's request for press credentials for September 12 meeting	Adams	Kossack	1-Sep-17	No	No	(c)
180	Email responding to ethics reminder	Adams	Kossack, OVP Counsel, Williams	5-Sep-17	No	No	(c)
181	Cover email sending copy of materials to be used at September 12 presentation	Adams	Kossack, Kobach, OVP Counsel, Williams	7-Sep-17	No	No	(c)
182	Email forwarding link to article	Adams	Kossack	7-Sep-17	No	No	(h)
183	Email forwarding link to article	Adams	Kossack, OVP Counsel	10-Sep-17	No	No	(h)
184	Email sending copy of press release	Adams	Kossack, OVP Counsel	11-Sep-17	No	No	(h)
185	Email sending link to news article	Adams	Kossack, OVP Counsel, Williams	13-Sep-17	No	No	(h)
186	Email about potential witnesses at a future Commission meeting	Adams	Kossack, OVP Counsel, Williams	15-Sep-17	No	No	(f)
187	Email forwarding news article	Adams	Kossack, OVP Counsel, Williams	20-Sep-17	No	No	(h)
188	Miscellaneous emails related to travel booking				No	No	(c)
189	Miscellaneous emails related to the submission of financial disclosure and government ethics forms; copies of government ethics forms				No	No	(c)
190	*Materials of Commission Member Kenneth Blackwell*						
191	Email re: scheduling time to speak	OVP Counsel	Blackwell	19-May-17	No	No	(c)

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192	Email re: appointment documents and background information	OVP	Blackwell	19-May-17	No	No	(c)
193	Email chain sharing multiple news articles	Blackwell	OVP counsel, WHO members	7/5/2017 - 7/6/2017	No	No	(h)
194	Mass email sharing tweets/facebook posts	Blackwell	Mass email, received by Kossack	11-Jul-17	No	No	(h)
195	Email sharing link to news article	Blackwell	OVP and EOP staff members	14-Jul-17	No	No	(h)
196	Emails sending copy of opening remarks and law review article	Blackwell	Kossack	18-Jul-17	No	No	(c)
197	Email re: Blackwell's media availability	Blackwell	EOP staff member	18-Jul-17	No	No	(c)
198	Four tweets posted on July 19, 2017	Blackwell	Twitter	19-Jul-17	No	Yes	(h)
199	Email containing photo of commissioners	Blackwell	Kossack, Kobach, von Spakovsky, Adams	20-Jul-17	No	No	personal
200	Email re: interview request	News Producer	Blackwell	10-Aug-17	No	No	(j)
201	Email re: formation of a new interest group	Blackwell	Kossack, Kobach, OVP Counsel	14-Aug-17	No	No	(h)
202	Email re: time to speak	Kossack	Blackwell	18-Aug-17	No	No	(c)
203	Travel authorization documents for September 12 meeting	Travel Agency	Blackwell	6-Sep-17	No	No	(c)
204	Email chain re: time to speak	Kossack	Blackwell	7-Sep-17	No	No	(c)
205	Handwritten notes from September 12 meeting	Blackwell	N/A	12-Sep-17	No	No	(k)
206	Miscellaneous emails related to travel booking				No	No	(c)
207	Miscellaneous emails related to the submission of financial disclosure and government ethics forms; copies of government ethics forms				No	No	(c)
208	*Materials of Commission Member Matthew Dunlap*						
209	Request for interview and email exchange with Dunlap staff member regarding logistics	Reporter	Dunlap and staff	11-May-17	No	No	(j)
210	Press Release	Office of California Secretary of State	Members of the Press/Public	11-May-17	No	No	(n)
211	Email forwarding public statement of Kentucky Secretary of State	NASS staffer	Dunlap and staff	11-May-17	No	No	(o)
212	Email forwarding press release	Advocacy group	Dunlap and staff	18-May-17	No	No	(n)

1	Document(s)/Category Description	Document Originator (if applicable)	Document Recipient(s) (if applicable)	Date Document Created and/or Shared (if applicable)	Commission Views as Subject to 10(b)?	Has Document Been Currently Disclosed?	Rational for non-disclosure (see 3d Kossack Decl. ¶ 12)
213	Emails regarding public record requests	Maine Secretary of State Communications Director	Dunlap and staff	5/18/17, 5/19/17, 5/22/17	No	No	(n)
214	Email acknowledging National Association of Secretaries of State (NASS) alert about Commission	Dunlap	NASS staffer	22-May-17	No	No	(m), (n)
215	Cover email attaching letter from Kobach to Dunlap in his official capacity as Secretary of State requesting publicly available voter roll information	Commission Staff	Dunlap	28-Jun-17	No	No	(n)
216	Email forwarding media request	Maine SoS Staff	Dunlap and staff	28-Jun-17	No	No	(j)
217	Email exchange regarding interview request and logistics	Reporter	Dunlap staff	29-Jun-17	No	No	(j)
218	Press Release regarding Commission's Request for publicly available voter roll information	Dunlap staff	Members of the Press/Public	30-Jun-17	No	No	(n)
219	E-mail coordinating response to citizen calls about the Commission	Maine Deputy Secretary of State	Dunlap and staff	30-Jun-17	No	No	(n)
220	E-mail from news organization to Dunlap's office requesting comment	Reporter	Dunlap and staff	30-Jun-17	No	No	(j)
221	E-mail exchange regarding request for Maine's voter information	Reporter	Dunlap	30-Jun-17	No	No	(n)
222	Email exchange about June 30 letter	Reporter	Dunlap	6/30/17, 7/6/17	No	No	(j)
223	Letter from Dunlap in official capacity as Secretary of State to Kobach responding to June 28 letter requesting voter information	Dunlap	Kobach	3-Jul-17	No	No	(n)
224	Email regarding data request	Dunlap	Maine SoS Communications Director	3-Jul-17	No	No	(n)
225	Press release regarding Dunlap's response to June 26 letter requesting voter information	Maine Secretary of State Communications Director	Members of the Press/Public	3-Jul-17	No	No	(n)
226	Draft letter responding to June 26 letter requesting voter information	Dunlap	Maine SoS staff	3-Jul-17	No	No	(n)
227	Email from advocacy group attaching legal memorandum	Advocacy group	Dunlap	7/4/17, 7/6/17	No	No	(o)
228	Email from from advocacy group to Dunlap	Advocacy group	Dunlap	5-Jul-17	No	No	(o)
229	Email with attachment about attempts to influence 2016 election	Third party	Kobach, Dunlap, Lawson, Gardner	5-Jul-17	No	No	(o)
230	Email exchange forwarding July 6 email from advocacy group	Dunlap staff	Dunlap	6-Jul-17	No	No	(m)
231	Email exchange	Dunlap	Reporter	6-Jul-17	No	No	(j)

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232	Email regarding press interest in July 19 meeting	Maine Secretary of State Communications Director	Dunlap	13-Jul-17	No	No	(j)
233	Press Release regarding Dunlap's participation in July 19 meeting	Maine Secretary of State Communications Director	Members of the Press/Public	20-Jul-17	No	No	(j)
234	Email inviting Dunlap to attend July 28 meeting to discuss Commission	Advocacy group	Dunlap	25-Jul-17	No	No	(j)
235	Email from advocacy group about providing voter information	Advocacy group	Dunlap	28-Jul-17	No	No	(o)
236	Letter from Dunlap in official capacity as Secretary of State to Kobach responding to July 26 letter requesting voter information	Dunlap	Kobach	31-Jul-17	No	No	(n)
237	Email requesting information	Reporter	Dunlap staff	1-Aug-17	No	No	(j)
238	Email chain confirming receipt of Dunlap's July 31, 2017 letter to Kobach regarding request for voter information	Dunlap Staff	Williams, Commission Staff and Dunlap	1-Aug-17	No	No	(n)
239	Email inquiring about status of letter responding to July 26 request for voter information	Dunlap Staff	Dunlap	1-Aug-17	No	No	(n)
240	Email forwarding Kossack's Aug 2 email about the Hatch Act to Commission Members	Dunlap	Dunlap staff	2-Aug-17	No	No	(c)
241	Email forwarding August 7 email from Kossack to Commission Members regarding Litigation Hold	Dunlap	Dunlap staff	7-Aug-17	No	No	(c)
242	Email chain re: location/date for September 12 meeting	Dunlap	Maine SoS Communications Director	24-Aug-17	No	No	(c)
243	Email exchange regarding request to attend September 12 meeting	Maine SoS Communications Director	Kossack	8/29/17 - 8/30/17	No	No	(c)
244	Email forwarding NASS handout for August 30 call	Dunlap	Kossack	1-Sep-17	No	No	(h)
245	Email forwarding link to news article	Dunlap	Kossack	7-Sep-17	No	No	(h)
246	Email exchanges regarding media coordination/inquiries	Maine Secretary of State Communications Director	Dunlap	5/11, 12, 15, 16/17; 6/19, 22, 23, 26, 27, 29, 30/17; 7/6/17	No	No	(j)
247	Handwritten notes/logs of constituent phone calls to Dunlap's office	Members of the Public	Dunlap	5/2017 - 8/2017	No	No	(n)

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248	Emails, postcards, and letters from constituents, advocacy groups regarding Commission	Members of the Public	Dunlap	6/2017 - 9/2017	No	No	(o)
249	Miscellaneous emails related to travel booking				No	No	(c)
250	Miscellaneous emails related to the submission of financial disclosure and government ethics forms; copies of government ethics forms				No	No	(c)
251	Miscellaneous emails forwarding procedural/logistic emails from Kossack to Maine Secretary of State staff				No	No	(c)
252	*Materials of Commission Member David Dunn*						
253	Email requesting guidance on responding to press questions	Dunn	Kossack	5-Jul-17	No	No	(j)
254	Email exchange confirming July 19 meeting	Dunn	Kossack	10-Jul-17	No	No	(c)
255	Typed Prepared Introductory Remarks for July 19 meeting	Dunn	N/A	18-Jul-17	No	No	(l)
256	Email exchange re: update on pending litigation	Dunn	Kossack	23-Jul-17	No	No	(c), (v)
257	Email exchange re: scheduling September meeting	Dunn	Kossack	11-Aug-17	No	No	(c)
258	Email exchange re: confirming Dunn's e-mail address; forwarding August 30 e-mail from Kossack to Commission Members re: letter from Vice Chair Kobach regarding submission of meeting materials for the September 12th meeting	Dunn	Kossack	30-Aug-17	No	No	(c)
259	Statement by Senator Jeanne Shaheen	Sen. Shaheen	Commission Members	12-Sep-17	Yes	Yes	N/A
260	Miscellaneous emails related to travel booking				No	No	(c)
261	Miscellaneous emails related to the submission of financial disclosure and government ethics forms; copies of government ethics forms				No	No	(c)
262	*Materials of Commission Member William Gardner*						
263	Document containing various quotes on election administration and turnout from academic articles and newspapers	Gardner	N/A	27-Jun-16	No	No	(l)
264	Email forwarding article about Gardner's participation in Commission	NH Secretary of State's Office	Gardner	22-May-17	No	No	(m)
265	Copy of June 28 letter sent to Gardner's SoS account	Kobach	Gardner	28-Jun-17	No	No	(n)
266	Copy of July 26 letter sent to Gardner's SoS account	Kobach	Gardner	28-Jun-17	No	No	(n)
267	Copy of July 10 request to hold off email sent to Gardner's SoS account	Kossack	Gardner	10-Jul-17	No	No	(n)
268	Email including names of staff members for attendance at July meeting [and associated email chain]	Gardner (via staff)	Kossack	7/14/2017, 7/18/2017	No	No	(c)
269	Email re: Gardner's potential press availability	OVP Staff member	Gardner	17-Jul-17	No	No	(j)

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270	Email forwarding July 19 meeting materials	Gardner	NH SecState office	7/17/2017, 7/18/2017	No	No	(c)
271	Handwritten notes made on July 19 handout	Gardner	N/A	19-Jul-17	No	No	(k)
272	Typed draft remarks for July 19 meeting	Gardner	N/A	19-Jul-17	No	No	(l)
273	Copy of chart on voting turnout	Gardner	N/A	19-Jul-17	No	No	(l)
274	Email attaching filings in court case	Gardner (via staff)	Kossack	7-Aug-17	No	No	(h)
275	Email attaching statistics, editorial	Gardner (via staff)	Kossack	9-Aug-17	No	No	(h)
276	Email attaching copy of press release	Gardner (via staff)	Kossack	10-Aug-17	No	No	(h)
277	News article printed for personal research	Gardner	N/A	10-Aug-17	No	No	(m)
278	Email requesting point of contact for data collection and information on study Gardner mentioned	Williams	Gardner	14-Aug-17	No	No	(f), (u)
279	Email attaching news article	Gardner (via staff)	Kossack	14-Aug-17	No	No	(h)
280	Email about potential participation in meeting	Potential panelist	Gardner	14-Aug-17	No	No	(r)
281	Article printed for personal research	Gardner	N/A	14-Aug-17	No	No	(m)
282	News article printed for personal research	Gardner	N/A	14-Aug-17	No	No	(m)
283	Article printed for personal research	Gardner	N/A	14-Aug-17	No	No	(m)
284	Email about uploading data; requesting contact information for potential panelists	Williams	NH SecState, Gardner	8/14/2017, 8/17/2017	No	No	(c)
285	Email attaching: news article, panelist bios	Gardner (via staff)	Kossack	15-Aug-17	No	No	(h)
286	Email attaching book excerpt	Gardner (via staff)	Kossack	15-Aug-17	No	No	(h)
287	Email re draft release announcing September meeting	Kossack	Gardner	17-Aug-17	No	No	(p)
288	Email forwarding press release about Sept. 12 meeting	Gardner	St. Anselm	18-Aug-17	No	No	(c)
289	Email forwarding press release about Sept. 12 meeting	Gardner	NH Deputy Secretary of State	21-Aug-17	No	No	(c)
290	Email about uploading data	Williams	NH Ssecretary of State's office, Gardner	21-Aug-17	No	No	(n)
291	Email attaching link to news article	Gardner (via staff)	Kossack	21-Aug-17	No	No	(h)
292	Email from Gardner to Kossack (via admin), attaching link to news article	Gardner (via staff)	Kossack	21-Aug-17	No	No	(h)
293	Email re: Contact information for potential September 12 meeting panelists	Williams	Gardner	22-Aug-17	No	No	(c)
294	Email forwarding press release	Gardner	NH SecState Office	23-Aug-17	No	No	(h)
295	Email chain about press release for September 12 meeting	Kossack	Gardner, Kobach	24-Aug-17	No	No	(p)
296	Email from about uploading data	Williams	NH SecState, Gardner	24-Aug-17	No	No	(n)

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297	Email re invitation to PACEI Sept. 12 meeting	Gardner	Staffer in Schumer office	28-Aug-17	No	No	(m)
298	Invitations to Congressional delegation	Gardner	Sens. Haasan, Shaheen, Schumer, Reps. Kuster, Shea-Porter	29-Aug-17	No	No	(m)
299	Email forwarding email from King stating that he will be unable to attend Sept. 12 meeting	Kossack	Gardner	30-Aug-17	No	No	(c)
300	Email chain about draft agenda for September 12 meeting (inc. attachment)	Kossack	Gardner	31-Aug-17	No	No	(p)
301	Email from constituent requesting to attend Sept. 12 meeting	Constituent	Gardner	1-Sep-17	No	No	(c), (o)
302	Email from constituent about Commission	Constituent	Gardner	1-Sep-17	No	No	(o)
303	Email about public comment at September 12 meeting	Constituent	Gardner, Williams	2-Sep-17	No	No	(o)
304	Email chain about draft agenda for September 12 meeting	Kossack	Gardner	5-Sep-17	No	No	(p)
305	Email re: agenda for September 12 meeting	Gardner	Reporter	6-Sep-17	No	No	(j)
306	Email chain re: time to speak	Kossack	Gardner	6-Sep-17	No	No	(c)
307	Email forwarding ethics reminder	Gardner	NH Deputy Secretary of State	6-Sep-17	No	No	(c)
308	Marked up copy of panelist list for Sept. 12 meeting	Commission Staff	Gardner	12-Sep-17	No	No	(k)
309	Statement by Sen. Shaheen re: Sept 12 meeting	Sen. Shaheen	Gardner	12-Sep-17	Yes	Yes	NA
310	Handwritten notes re: remarks for Sept 12 meeting	Gardner	N/A	12-Sep-17	No	No	(k)
311	Statements for Sept 12 meeting	Gardner	N/A	12-Sep-17	No	No	(l)
312	Email chain after Sept. 12 meeting	Panelist	Gardner	14-Sep-17	No	No	(r)
313	Article printed for personal research	Gardner	N/A	undated	No	No	(m)
314	Attendee lists for September 12 meeting (with handwritten notes)	Commission Staff	Gardner	undated	No	No	(k)
315	NH State FOIA requests				No	No	(n)
316	Postcards, letters, and other correspondence from members of the public regarding Commission				No	No	(o)
317	Miscellaneous mails related to travel booking				No	No	(c)
318	Miscellaneous emails related to the submission of financial disclosure and government ethics forms; copies of government ethics forms				No	No	(c)
319	*Materials of Commission Member Alan King*						
320	Email chain where King accepts offer to join Commission	King	Kossack	30-Jun-17	No	No	(c)

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321	Email forwarding news article	Third party	King	30-Jun-17	No	No	(o)
322	Email forwarding news article	Third party	King	30-Jun-17	No	No	(o)
323	Email re: collecting research materials about Commission subject-matter	King	King's staff member	2-Jul-17	No	No	(m)
324	Email asking staff member to conduct research	King	King's staff member	3-Jul-17	No	No	(m)
325	Email exchange about King's schedule	King	Kossack	20-Jul-17	No	No	(c)
326	Email forwarding fundraising campaign	Third party	King	21-Jul-17	No	No	(o)
327	Email forwarding news article	Third party	King	5-Aug-17	No	No	(o)
328	Email exchange about King's role on Commission	Third party	King	5-Aug-17	No	No	(o)
329	Email with third party forwarding news article (and marked-up copy of article)	Third party	King	14-Aug-17	No	No	(o)
330	Copy of news article (marked-up copy)	Printed by King		14-Aug-17	No	No	(m)
331	Copy of article (marked-up copy)	Printed by King		14-Aug-17	No	No	(m)
332	Copy of news article (marked-up copy)	Printed by King		14-Aug-17	No	No	(m)
333	Email exchange about unavailability for September 12 meeting and future availability schedule	King	Kossack	15-Aug-17	No	No	(c)
334	Email about participation in Commission	King	Third party	25-Aug-17	No	No	(o)
335	Email about Interstate Crosscheck program	Third party	King	1-Sep-17	No	No	(o)
336	Copy of news article	Printed by King		1-Sep-17	No	No	(m)
337	Email forwarding copy of news article	Third party	King	5-Sep-17	No	No	(o)
338	Email forwarding news articles	Third party	King	8-Sep-17	No	No	(o)
339	Email re how to respond to press inquiries	King	Kossack	8-Sep-17	No	No	(c)
340	Email forwarding news article	Third party	King	12-Sep-17	No	No	(o)
341	Email forwarding news stories	Third party	King	9/12/2017, 9/13/2017	No	No	(o)
342	Email forwarding magazine article	Third party	King	13-Sep-17	No	No	(o)
343	Email exchange re: sending materials for litigation index	Kossack	DOJ, King	15-Sep-17	No	No	(v)
344	Third party forwarding mass email by advocacy organization	Third party	King	15-Sep-17	No	No	(o)
345	Email exchange re: reporter inquiry	King	Reporter (forwarded by personal friend of King)	17-Sep-17	No	No	(j)
346	Email forwarding mass emails	Third party	King	17-Sep-17	No	No	(o)
347	Copy of online article about elections	Printed by King			No	No	(m)
348	Copy of National Confernece of State Legislatures report	Printed by King			No	No	(m)
349	Miscellaneous mails related to travel booking				No	No	(c)

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350	Miscellaneous emails related to the submission of financial disclosure and government ethics forms; copies of government ethics forms				No	No	(c)
351	*Materials of Commission Vice Chair Kris Kobach*						
352	Email forwarding news article on launch of Commission	OVP Counsel	Kobach	5/11/2017	No	No	(f)
353	Email forwarding copy of Executive Order	OVP Counsel	Kobach	5/11/2017	No	No	(f)
354	Email forwarding research on voter fraud	Third party	Kobach	12-May-17	No	No	(m)
355	Email chain re: press interviews	Kobach	OVP Counsel, OVP staff	12-May-17	No	No	(j)
356	Email forwarding article that had been forwarded by Adams	OVP Counsel	Kobach	13-May-17	No	No	(h)
357	Email exchange re: potential Commission member	von Spakovsky	Kobach, Adams, OVP Counsel, OVP staff	15-May-17	No	No	(g)
358	Email exchange re: time to talk	OVP Counsel	Kobach	5/15/2017, 5/16/2017	No	No	(c)
359	Email forwarding email exchange with reporter	von Spakovsky	Kobach	16-May-17	No	No	(j)
360	Email chain about introductory phone call	Kossack	Kobach, von Spakovsky, Adams, OVP Counsel, OVP staff	13-Jun-17	No	No	(c)
361	Email from about potential Commission member (and chain discussing that member and other potential individuals)	OVP Counsel	Kossack, Adams, von Spakovksy, and Kossack	6/14/2017, 6/15/2017	No	No	(g)
362	Email re potential commission members	Kossack	Kobach	16-Jun-17	No	No	(g)
363	Email forwarding link to news article	Adams	Kobach	16-Jun-17	No	No	(h)
364	Emails about potential candidates for Commission	Kobach	Kossack	6/17/17, 6/19/17	No	No	(g)
365	Email about setting up call with DHS	Kossack	DHS official (Kobach copied)	6/19/2017 - 6/20/2017	No	No	(q)
366	Email re potential commission members (with biographical attachments)	Kossack	Kobach	20-Jun-17	No	No	(g)
367	Email chain regarding letters to state officials re data collection (present and future) [including draft letter attachments]	Kossack	Kobach, von Spakovsky, Adams, OVP staff	6/21/2017, 6/22/2017, 6/23/2017, 6/27/2017	No	No	(p)
368	Email chain re: reporter inquiry on Commission	Reporter	Kobach	21-Jun-17	No	No	(j)
369	Email re: potential Commission Member	Kossack	Kobach	22-Jun-17	No	No	(g)

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370	Email re: mechanics of state data collection	Kossack	Kobach	23-Jun-17	No	No	(c)
371	Email re: potential Commission member	Kossack	Kobach	26-Jun-17	No	No	(g)
372	Press inquiry	OVP Press Secretary	Kobach	26-Jun-17	No	No	(j)
373	Email exchange re: information requests	Kossack	Kobach, von Spakovsky, Adams, OVP Counsel	26-Jun-17	No	No	(c)
374	Email re: potential Commission Member	Kossack	Kobach	26-Jun-17	No	No	(g)
375	Email re: news article; study author	Kobach	Kossack, OVP Counsel	27-Jun-17	No	No	(f)
376	Email chain re: draft agenda for June 28 organizational call (with attachment)	Kossack	Kobach	27-Jun-17	No	No	(p)
377	Email re: talking points for June 28 organizational call	Kossack	Kobach	27-Jun-17	No	No	(l)
378	Email chain requesting finalization of letters to public officials re: voter collection	Kossack	Kobach	27-Jun-17	No	No	(p)
379	Email chain re: potential members of the Commission	Adams	Kobach, von Spakovsky, OVP Counsel	28-Jun-17	No	No	(g)
380	Email chain re: content of public official letters	Kossack	Kobach	28-Jun-17	No	No	(p)
381	Email re: phone number	Kossack	Kobach	28-Jun-17	No	No	(c)
382	Email chain re: updated letter to state election officials (including attachments)	Kossack	Kobach	28-Jun-17	No	No	(p)
383	Email chain about potential partnership opportunities with DHS	Kossack	Kobach, OVP Staff	28-Jun-17	No	No	(f)
384	Follow-up email with DHS official	Kossack	DHS official (Kobach copied)	28-Jun-17	No	No	(q)
385	Email chain forwarding examples of letters requesting voter information	Kossack	Kobach, OVP Counsel	28-Jun-17	No	No	(p)
386	Email asking for call	OVP Counsel	Kobach	28-Jun-17	No	No	(c)
387	Email forwarding WH press release	OVP Counsel	Kobach, von Spakovsky	29-Jun-17	No	No	(c)
388	Email re: potential Commission staff	Kobach	Kossack, OVP Counsel	29-Jun-17	No	No	(i)
389	Email re: potential Commission staff	Kobach	Kossack, OVP Counsel	29-Jun-17	No	No	(i)
390	Email re: potential witness for future committee meeting	Kobach	Kossack, OVP Counsel	29-Jun-17	No	No	(f)

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391	Email re: discussing public responses to information requests	Kobach	Kossack, OVP Counsel	29-Jun-17	No	No	(i)
392	Email chain about draft statement from Kobach re: appointment of von Spakovsky	Kobach	Kossack, OVP Counsel	29-Jun-17	No	No	(c)
393	Email re: potential witness at future Commission meeting	Kobach	Kossack, OVP Counsel	29-Jun-17	No	No	(f)
394	Email re: news article about and responses to June 28 letter	Kobach	Kossack, OVP Counsel	29-Jun-17	No	No	(h)
395	Email forwarding WH press release	White House Press Office	Kobach	29-Jun-17	No	No	(c)
396	Email attaching talking points to print (one attachment)	Kobach	Kobach	30-Jun-17	No	No	(l)
397	Email chain forwarding Pew Study on Voter Registration	Kobach	OVP Counsel, Kossack	30-Jun-17	No	No	(h)
398	Email about von Spakovsky press availability	OVP Counsel	Kossack, Kobach, OVP Press	30-Jun-17	No	No	(j)
399	Email chain re: discussing potential responses to questions raised by June 28 letter	Kossack	Kobach, OVP Counsel	30-Jun-17	No	No	(j)
400	Email chain discussing press interview	Kobach	Kossack, OVP Counsel	30-Jun-17	No	No	(j)
401	Email re: talking points for media interviews	OVP Staff	Kobach	30-Jun-17	No	No	(c)
402	Email forwarding Letter to Vice President from Members of Congress	OVP Counsel	Kobach	30-Jun-17	No	No	(c)
403	Email re: media interviews	Kobach	OVP Counsel, OVP staff	30-Jun-17	No	No	(j)
404	Email forwarding Tweet	OVP Staff	Kobach (copying OVP Counsel)	30-Jun-17	No	No	(c)
405	Email forwarding talking points to print (two attachments)	Kobach	Kobach	30-Jun-17	No	No	(c)
406	Email forwarding link to news article	Kobach	Kossack, OVP Counsel, Commission staff	30-Jun-17	No	No	(h)
407	Email asking for call	OVP Counsel	Kobach	1-Jul-17	No	No	(c)
408	Email forwarding Luis Borunda's resignation email	OVP Counsel	Kobach	3-Jul-17	No	No	(c)
409	Email fowarding tweet	OVP Counsel	Kobach	3-Jul-17	No	No	(c)
410	Email chain re: article written by Kobach (incl. draft of article); follow-up email	Kobach	OVP Counsel, Kossack	7/3/2017, 7/4/2017	No	No	(j)

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411	Email chain sharing link to newspaper article discusssing data collection	Kobach	Kossack, OVP Counsel, OVP Press	4-Jul-17	No	No	(j)
412	Email regarding logistics for a call	OVP Counsel	Kobach	4-Jul-17	No	No	(c)
413	Email chain re: discussing follow-up letter to information requests	Kobach	OVP Counsel, Kossack	5-Jul-17	No	No	(p)
414	Email chain re: responding to press inquiry	Kobach	Kossack, OVP Counsel, OVP Press	5-Jul-17	No	No	(j)
415	Email requesting confirmation of access to email	OVP Counsel	Kobach	5-Jul-17	No	No	(c)
416	Email re: draft media statement	OVP Staff	Kobach (copying OVP Counsel)	5-Jul-17	No	No	(j)
417	Email confirming wifi/email access	OVP	Kobach	5-Jul-17	No	No	(c)
418	Email exchange re: information about data availability	von Spakovsky	Kobach, Kossack, Adams	6-Jul-17	No	No	(f)
419	Email forwarding draft data collection follow-up letter for review	OVP Counsel	Kobach	6-Jul-17	No	No	(p)
420	Email forwarding draft follow up letter with comments	OVP Counsel	Kobach	6-Jul-17	No	No	(p)
421	Email about the availability of data from a third party	von Spakovsky	Kossack (copying Kobach)	6-Jul-17	No	No	(f)
422	Email re: follow-up letter to states (plus attachment)	Kossack, OVP counsel	Kobach	7/6/2017, 7/7/2017	No	No	(p)
423	Email chain re: follow-up letter to states	Kobach	Kossack, OVP Counsel	7-Jul-17	No	No	(p)
424	Email exchange with person who offered to assist the Commission	Member of the Public	Kobach	7-Jul-17	No	No	(w)
425	Email chain re: draft statements regarding potential outcome of July 7 court hearing	OVP Counsel	Kobach (copying OVP staff)	7-Jul-17	No	No	(j)
426	Email re: how to reach Kobach via telephone	Kobach	OVP Counsel, OVP staff	7-Jul-17	No	No	(c)
427	Email re: availability for call	OVP Counsel	Kobach	9-Jul-17	No	No	(c)
428	Email re: draft agenda for July 19 meeting	Kossack	Kobach	11-Jul-17	No	No	(p)
429	Email re: litigation summary	Kossack	Kobach	11-Jul-17	No	No	(v)
430	Email forwarding information about Colorado's Motor Voter law	Third party	Kobach	12-Jul-17	No	No	(m)
431	Email forwarding blank EFT form	Kossack	Kobach	13-Jul-17	No	No	(c)
432	Email re: edits to draft PACEI by-laws	Kobach	Kossack	17-Jul-17	No	No	(p)

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433	Email chain re: draft by-laws (including attachments)	Kossack	Kobach	7/17/2017 - 7/18/2017	No	No	(p)
434	Email re: draft of possible topics for Commission to address (plus attachment)	Kossack	Kobach	18-Jul-17	No	No	(p)
435	Email chain re: draft article written by Kobach	Kobach	OVP Counsel, OVP Press	18-Jul-17	No	No	(j)
436	Email forwarding link to news article	Reporter	Kobach, von Spakovsky	18-Jul-17	No	No	(j)
437	Email chain re: current status of state responses to data request	Kobach	Kossack, OVP Counsel, OVP Press	18-Jul-17	No	No	(f)
438	Email re: update on number of states providing data	Kobach	Kossack, OVP Counsel, OVP Comms	7/18/17 - 7/19/17	No	No	(c)
439	Email chain re: Kobach opening statement for July 2017 meeting	Kobach	OVP staff	7/18/17 - 7/19/17	No	No	(l)
440	Email re: Letter drafted by members of PA House of Representatives	Kobach	OVP Counsel, Press, Kossack	19-Jul-17	No	No	(o)
441	White House Press Release of Remarks by President and Vice President at July 19 meeting	White House Press Office	Kobach	19-Jul-17	No	No	(c)
442	Email commenting on media interview	OVP Counsel	Kobach	19-Jul-17	No	No	(c)
443	Email exchange about request for voter information and letter member sent to Governor regarding request	Member, Pennsylvania House of Representatives	Kobach	19-Jul-17	No	No	(w)
444	Email inquiring if Kobach is available for a possible call	Kossack	Kobach	20-Jul-17	No	No	(c)
445	Email chain re: availability for call with DHS	Kossack	Kobach	7/20/2017 - 7/24/2017	No	No	(q)
446	Email chain about press statement	OVP Counsel	Kobach, Kossack	24-Jul-17	No	No	(j)
447	Email re: draft follow up letter to states re: data collection (with attachment)	Kossack	Kobach	24-Jul-17	No	No	(p)
448	Email re: updated draft follow up letter to states re: data collection (with attachment)	Kossack	Kobach	24-Jul-17	No	No	(p)
449	Email exchange with reporter	Reporter	Kobach	7/24/17 - 7/25/17	No	No	(j)
450	Email re: communication with Plaintiff's counsel in PACEI-related litigation	Kobach	Kossack	25-Jul-17	No	No	(v)
451	Email re: updated follow-up letter to states re: data collection and litigation update	Kossack	Kobach	25-Jul-17	No	No	(p)

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452	Email chain regarding July 26th data collection follow-up letter (and draft attachments)	Kossack	Kobach, OVP Counsel, OVP staff	26-Jul-17	No	No	(p)
453	Email re: contact information	Kossack	Kobach	26-Jul-17	No	No	(c)
454	Email requesting telephone number for a scheduled telephone call	Kossack	Kobach	26-Jul-17	No	No	(c)
455	Email from Kobach's Secretary of State account to Kobach sending back attached letter from Kobach to states	Kobach	Kossack	27-Jul-17	No	No	(n)
456	Email chain re: September meeting date/location and Kansas matching program	Kobach	Kossack	27-Jul-17	No	No	(f)
457	Email re: photographs from July 19 meeting	Kossack	Kobach	27-Jul-17	No	No	personal
458	Email forwarding July 26, 2017, letter	Kossack	Kobach	27-Jul-17	No	No	(c)
459	Email chain re: possible themes/topics for future meetings (and attachment)	Kossack	Kobach	7/27/2017 - 7/28/2017	No	No	(p)
460	Email forwarding article	von Spakovsky	Kobach	28-Jul-17	No	No	(h)
461	Email re: speaker request for Kobach	Kossack	Kobach	1-Aug-17	No	No	(j)
462	Email re: letter from Dunlap about data collection	Kossack	Kobach	1-Aug-17	Yes	Yes	N/A (posted as Maine's response letter, see above)
463	Email re: press article on litigation	Kossack	Kobach	1-Aug-17	No	No	(h)
464	Email re: data collection process	Kobach	OVP Staff	2-Aug-17	No	No	(f)
465	Email re: plan for September meeting (and attachment)	Kossack	Kobach	3-Aug-17	No	No	(f)
466	Email about time to speak	OVP Counsel	Kobach, Williams	14-Aug-17	No	No	(c)
467	Email re: plan for September meeting (plus attachments related to potential speakers)	Kossack	Kobach	15-Aug-17	No	No	(f)
468	Email regarding availability for a telephone call	OVP Counsel	Kobach	16-Aug-17	No	No	(c)
469	Email re: draft announcement of September meeting	Kossack	Kobach	17-Aug-17	No	No	(p)
470	Email chain re: getting additional staff support for Commission	Kobach	OVP staff	20-Aug-17	No	No	(i)
471	Email chain re: getting additional staff support for Commission	Kobach	OVP Counsel, Kossack	22-Aug-17	No	No	(i)
472	Email chain re: phone call with Kobach, OVP, and DHS staff	Kossack	OVP/DHS staff and Kobach	22-Aug-17	No	No	(q)
473	Email chain re: data collection sources	Kobach	Kossack, OVP and EOP staff	22-Aug-17	No	No	(i)
474	Email re: press release about September meeting announcement	Kossack	Kobach & Gardner	24-Aug-17	No	No	(p)

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475	Email re: phone number for DHS call	Kossack	Kobach	24-Aug-17	No	No	(q)
476	Email chain forwarding a press release announcing Secretary of State Gardner will host September 12 meeting	Kossack	Kobach, OVP Counsel, Commission staff	24-Aug-17	No	No	(c)
477	Email forwarding draft letter re: meeting material deadline	Kossack	Kobach	29-Aug-17	No	No	(p)
478	Emails re: draft letter instructing Commissioners about meeting materials (and drafts)	Kossack	Kobach	8/29/2017 - 8/30/2017	No	No	(p)
479	Email forwarding draft statement for review	Kossack	Kobach	30-Aug-17	No	No	(p)
480	Email re: draft statement	OVP Counsel	Kobach	30-Aug-17	No	No	(p)
481	Email from OVP counsel forwarding proposed press statement re: August 30, 2017, Court order	OVP Counsel	Kobach	30-Aug-17	No	No	(j)
482	Email exchange regarding news article	Third party	Kobach	30-Aug-17	No	No	(m)
483	Email re: draft agenda for September meeting (and attachment)	Kossack	Kobach	31-Aug-17	No	No	(p)
484	Email chain re NH voting study	Kossack	Kobach	9/6/2017 - 9/7/2016	No	No	(f)
485	Email re: media availability	Kobach	OVP staff	7-Sep-17	No	No	(j)
486	Email attaching materials for the September 12 meeting	Adams	Kobach, Kossack, Commission Staff, OVP Counsel	7-Sep-17	No	No	(r)
487	Email forwarding August 16, 2017 letter from N.H. Speaker of the House to Secretary Gardner, and Secretary Gardner's September 6, 2017, response	Kossack	Kobach, OVP Counsel	7-Sep-17	No	No	(c)
488	Email forwarding news article	OVP Counsel	Kobach	7-Sep-17	No	No	(c)
489	Email forwarding 2016 NH election results	OVP Counsel	Kobach, copying Kossack	7-Sep-17	No	No	(c)
490	Email forwarding article	Kossack	Kobach (copying OVP Counsel)	7-Sep-17	No	No	(c)
491	Email re: press (and associated call scheduling emails)	Kossack	Kobach	9/7/2017 - 9/8/2017	No	No	(j)
492	Email chain re: scheduling a telephone call	Kossack	Kobach, copying OVP Counsel	8-Sep-17	No	No	(c)
493	Email chain re: response to media inquiry	OVP Staff	Kobach; Kobach staff	9/10/17 - 9/11/17	No	No	(j)

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494	Email forwarding summary of presentations and member submissions for September 12 meeting	Kossack	Kobach (copying OVP Counsel)	11-Sep-17	No	No	(c)
495	Email forwarding link to news article	Reporter	Kobach, von Spakovsky, Adams,	14-Sep-17	No	No	(j)
496	Email forwarding information about alleged voter fraud in New Hampshire	Member of the Public	Kobach, Blackwell, Adams, von Spakovsky	14-Sep-17	No	No	(m)
497	Email chain re: media inquiry	Reporter	Kobach, OVP Counsel	9/14/17 - 9/15/17	No	No	(j)
498	Media inquiry	Reporter	Kobach	15-Sep-17	No	No	(j)
499	Press inquiry	Reporter	Kobach, forwarded to OVP	15-Sep-17	No	No	(j)
500	Press inquiry	Reporter	Kobach	15-Sep-17	No	No	(j)
501	Email re: press inquiry [and chain]	Kobach	Kossack, OVP Counsel	18-Sep-17	No	No	(j)
502	Media inquiry	Reporter	Kobach	18-Sep-17	No	No	(j)
503	Email re: submission of litigation document collection material	Kossack	Kobach	21-Sep-17	No	No	(c)
504	Litigation-related material based on Kobach's status as a defendant; covered by attorney work product doctrine and/or attorney-client privilege				No	No	(e), (v)
505	Miscellaneous emails related to travel booking				No	No	(c)
506	Miscellaneous emails related to the submission of financial disclosure and government ethics forms; copies of government ethics forms				No	No	(c)
507	Handwritten notes made for or at Commission meetings				No	No	(k)
508	Text messages re: administrative topics like scheduling				No	No	(c)
509	*Materials of Commission Member Connie Lawson*						
510	Letter making public records request	Advocacy group	Indiana SoS	18-May-17	No	No	(n)
511	Letter acknowledging state records request	Indiana SoS	Advocacy group	19-May-17	No	No	(n)
512	Letter acknowledging records request	Indiana SoS	Advocacy group	22-May-17	No	No	(n)
513	June 28 Kobach letter, sent to Lawson in capacity as SoS	Kobach	Lawson	28-Jun-17	No	No	(n)
514	Email to Senate intelligence committee following June 21, 2017 testimony before Senate Intelligence Committee	Deputy Indiana SoS	Kossack	29-Jun-17	No	No	(n)

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515	Legal memorandum re: propriety of data collection letter	Advocacy group	Sent to Lawson by email	4-Jul-17	No	No	(m)
516	Copy of letter from advocacy group to OMB	Advocacy group	Sent to Lawson by email	5-Jul-17	No	No	(m)
517	Copy of Kossack July 10 email requesting states hold off from sending data pending resolution of EPIC TRO	Kossack	Lawson (as SoS)	10-Jul-17	No	No	(n)
518	Opening statement by Lawson for July 19 meeting (marked up)	Lawson	N/A	19-Jul-17	No	No	(l)
519	Email correspondence re: responding to reporter question	Indiana SoS	Kossack	2-Aug-17	No	No	(j)
520	Email correspondence about Hatch Act	Indiana SoS	Lawson	3-Aug-17	No	No	(m)
521	Letter responding to June 28 Kobach letter (narrative responses)	Lawson	Kobach	4-Aug-17	No	No	(n)
522	Letter responding to June 28 Kobach letter (request for data, including IEC-3 form for requesting information)	Indiana SoS GC	Kobach	4-Aug-17	No	No	(n)
523	Email acknowledging public records request and sharing responses	Indiana SoS	Reporter	23-Aug-17	No	No	(n)
524	Lawson statement to Interim Committee on Elections	Lawson	Indiana Interim Committee on Elections	30-Aug-17	No	No	(n)
525	Letter making public records request	Advocacy group	Indiana SoS	6-Sep-17	No	No	(n)
526	Email acknowledging public records request	Indiana SoS	constituent	7-Sep-17	No	No	(n)
527	Email acknowledging public records request	Indiana SoS	Advocacy group	7-Sep-17	No	No	(n)
528	Public comments received through Indiana SoS website re: Commission	Members of the Public	Lawson	6/28/17 - late July 2017	No	No	(o)
529	Miscellaneous emails related to travel booking				No	No	(c)
530	Miscellaneous emails related to the submission of financial disclosure and government ethics forms; copies of government ethics forms				No	No	(c)
531	*Materials of Former Commission Member Luis Borunda*						
532	Follow-up emails re: appointment	Borunda	OVP Staff	5/30/2017; 6/12/2017	No	No	(c)
533	Email re: time to speak	OVP Counsel	Borunda	6/12/2017; 6/19/2017	No	No	(c)
534	Email with background information about role of Secreatary of state in elections	Borunda	OVP Counsel	26-Jun-17	No	No	(h)
535	Resignation email	Borunda	OVP Counsel	3-Jul-17	No	No	(c)
536	Email re: setting up time to talk after resignation	OVP Counsel	Borunda	3-Jul-17	No	No	(c)
537	Emails with personnel forms	Borunda	OVP Staff	Misc	No	No	(c)

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538	*Materials of Commission Member Christy McCormick*						
539	Email forwarding White House Press Release Announcing Commission	OVP Counsel	McCormick	11-May-17	No	No	(c)
540	Email forwarding talking points	McCormick	unknown	11-May-17	No	No	(j)
541	Email exchange re: Chicago Board of Election	DOJ official	McCormick	15-May-17	No	No	(m)
542	Email providing name and contact information for possible Commission staff	McCormick	OVP Counsel	23-Jun-17	No	No	(i)
543	Email exchange discussing potential sources of information and topics the Commission should consider studying	McCormick	Kossack	26-Jun-17	No	No	(f)
544	Email exchange discussing voting issue with attachment	DOJ official	McCormick	7/5/17 - 7/6/17	No	No	(m)
545	NASS Resolution Reaffirming Commitment to Strengthening Elections	National Association of Secretaries of State	NASS Members	10-Jul-17	No	No	(m)
546	Email forwarding link to news article	McCormick	Kossack	13-Jul-17	No	No	(h)
547	handwritten notes taken on July 19 meeting handout	McCormick	McCormick	19-Jul-17	No	No	(k)
548	Handwritten notes prepared for introductory remarks at July 19 meeting	McCormick	McCormick	19-Jul-17	No	No	(l)
549	Email exchange about media appearance	Blackwell	McCormick and producer	7/20/17 - 7/21/17	No	No	(j)
550	Email exchange discussing possible staff support for Commission	McCormick	Kossack	21-Jul-17	No	No	(i)
551	Email attaching resolutions from NASS meeting	McCormick	Kossack	24-Jul-17	No	No	(h)
552	Email requesting Commission's general email address and discussing invitation to speak at a meeting.	McCormick	Kossack	26-Jul-17	No	No	(c)
553	Email suggesting locations for future Commission meetings.	McCormick	Kossack and OVP Counsel	26-Jul-17	No	No	(c)
554	Email forwarding names of a potential staff person for the Commission	McCormick	Kossack	30-Jul-17	No	No	(i)
555	Letter to Kobach from potential staff person	Potential staff	Kobach	15-Aug-17	No	No	(w)
556	Email attaching resume, letter, and sample analysis	Potential staff	McCormick	15-Aug-17	No	No	(w)
557	Sample analysis	Potential staff	McCormick	15-Aug-17	No	No	(w)
558	Potential staff resume	Potential staff	McCormick	15-Aug-17	No	No	(w)
559	Email attaching resume, letter, and sample analysis	Potential staff	McCormick	16-Aug-17	No	No	(w)
560	Email exchange regarding availability for call/meeting	Potential staff	McCormick	16-Aug-17	No	No	(w)
561	Email requesting call	McCormick	Kobach	18-Aug-17	No	No	(c)
562	Email forwarding potential staff person's resume, letter, and sample analysis	McCormick	Kobach	19-Aug-17	No	No	(i)
563	Prepared Remarks to Election Center discussing Commission	McCormick	Election Center	21-Aug-17	No	No	(j)

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564	E-mail forwarding link to news article	DOJ official	McCormick	5-Sep-17	No	No	(m)
565	Email exchange discussing Chicago voting issue	Third party	McCormick, DOJ official	9/6/27, 9/11/17	No	No	(m)
566	Email exchange regarding certificate left at September 12 meeting	McCormick	Kossack	12-Sep-17	No	No	personal
567	Handwritten notes taken at September 12 meeting	McCormick	McCormick	12-Sep-17	No	No	(k)
568	Email exchange discussing completion of records search	Kossack	McCormick	9/19/17 - 9/20/17	No	No	(c)
569	NASS Resolution Calling for Federal Agency Assistance in Maintaining Accurate and Comprehensive State Voter Registration Lists	NASS	Secretaries of State; McCormick	Adopted Summer 2012; Reauthorized Summer 2017	No	No	(m)
570	Correspondence sent to McCormick at EAC from members of the public	Members of the Public	McCormick	5/2017 - 9/2017	No	No	(n)
571	Handwritten notes on Election Administration & Voting Survey	McCormick	McCormick	undated	No	No	(m)
572	Prepared Remarks discussing Commission	McCormick	unknown	unknown	No	No	(j)
573	Mail from Various Senders	Members of the Public	McCormick	various dates	No	No	(o)
574	Miscellaneous emails related to travel booking				No	No	(c)
575	Miscellaneous emails related to the submission of financial disclosure and government ethics forms; copies of government ethics forms				No	No	(c)
576	*Materials of Commission Member Hons von Spakovsky*						
577	Email re: introductory call	von Spakovsky	Kossack	13-Jun-17	No	No	(c)
578	Email chain about potential Commission members	von Spakovsky	Kobach, von Spakovsky, Adams, OVP Counsel, Kossack	6/14/17 - 6/15/17; 6/28/17	No	No	(g)
579	Email exchange re: scheduling a meeting	Kossack	von Spakovsky	28-Jun-17	No	No	(c)
580	Email forwarding link to best practices booklet on accurate voter roles	von Spakovsky	Kossack	29-Jun-17	No	No	(h)
581	Email forwarding link to 2005 GAO report on voter registration lists	von Spakovsky	Kossack	29-Jun-17	No	No	(h)
582	Email forwarding news article	von Spakovsky	Kossack	29-Jun-17	No	No	(h)
583	Email exchange re: press availability	von Spakovsky	Kossach	6/30/17, 7/6/17	No	No	(j)

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584	Email exchange discussing media interviews and forwarding June 28 letter to the Iowa Secretary of State	von Spakovsky	Kossack	30-Jun-17	No	No	(j)
585	Email containing statutory citations	von Spakovsky	Kossack	30-Jun-17	No	No	(h)
586	Email forwarding email from third party offering to work with the Commission	von Spakovsky	Kossack	5-Jul-17	No	No	(i)
587	Email forwarding link to article and discussing upcoming interview	von Spakovsky	Kossack, Adams	6-Jul-17	No	No	(j)
588	Email exchange regarding call received about data availability	von Spakovsky	Kossack, Kobach	6-Jul-17	No	No	(i)
589	Email forwarding July 8, 2017 email about data availability	von Spakovsky	Commission Staff	10-Jul-17	No	No	(i)
590	Email exchange regarding von Spakovsky interview	von Spakovsky	Kossack	10-Jul-17	No	No	(j)
591	Email exchange confirming von Spakovsky's title and discussing recent interviews	Kossack	von Spakovsky	11-Jul-17	No	No	(c)
592	Email exchange regarding request for guests to attend July 19 meeting	von Spakovsky	Kossack	17-Jul-17	No	No	(c)
593	Typed remarks with handwritten notations for July 19 meeting	von Spakovsky	von Spakovsky	19-Jul-17	No	No	(l)
594	Email re update on von Spakovsky interview	von Spakovsky	Kossack	23-Jul-17	No	No	(j)
595	Email forwarding link to von Spakovsky interview	von Spakovsky	Commission Staff	25-Jul-17	No	No	(h)
596	Email exchange regarding von Spakovsky's recommendation of an expert	von Spakovsky	Kossack	28-Jul-17	No	No	(i)
597	Email forwarding op-ed	von Spakovsky	Commission Staff	3-Aug-17	No	No	(h)
598	Email forwarding media inquiry	OVP Counsel	von Spakovsky, Adams, Kossack	14-Aug-17	No	No	(j)
599	Email exchange regarding scheduling call	Commission Staff	von Spakovsky	21-Aug-17	No	No	(c)
600	Email forwarding link to news article	von Spakovsky	Kossack	27-Aug-17	No	No	(h)
601	Email exchange about forwarding the materials for Sept. 12, 2017	Kossack	von Spakovsky	8-Sep-17	No	No	(r)
602	Cover email attaching power point presentation for Sept. 12 meeting	von Spakovsky	Commission Staff	8-Sep-17	No	No	(r)
603	Email exchange regarding request for guests to attend September 12 meeting	von Spakovsky	Kossack	11-Sep-17	No	No	(c)
604	Correspondence from members of the public	Members of the Public	von Spakovsky	various dates between 7/2017 - 9/2017	No	No	(o)

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605	Miscellaneous mails related to travel booking				No	No	(c)
606	Miscellaneous emails related to the submission of financial disclosure and government ethics forms; copies of government ethics forms				No	No	(c)
607	*Materials of Commission Member Mark Rhodes*						
608	Email follow-up from news reporter	Reporter	Rhodes	22-Jun-17	No	No	(j)
609	Email request for interview by reporter	Reporter	Rhodes	22-Jun-17	No	No	(j)
610	Email from WV SoS Office about appointment to PACEI (and drafts)	WV SoS	Rhodes	22-Jun-17	No	No	(n)
611	Email request for interview	Reporter	Rhodes	2-Jul-17	No	No	(j)
612	Email chain re request for interview	Producer	Rhodes	3-Jul-17	No	No	(j)
613	Lists of cancelled Wood County voters and related emails discussing data (in response to public records request about List Maintenance policies)	Third-party requestor	Rhodes	7/11/17 - 7/28/17	No	No	(n)
614	Email request for interview	Reporter	Rhodes	17-Jul-17	No	No	(j)
615	Email request for interview	Producer	Rhodes	19-Jul-17	No	No	(j)
616	Email request for interview (and chain)	Producer	Rhodes	19-Jul-17	No	No	(j)
617	Email request for interview	Reporter	Rhodes	19-Jul-17	No	No	(j)
618	Email request for interview	Reporter	Rhodes	19-Jul-17	No	No	(j)
619	Email from NASS to members; forwarded on to Rhodes, including election-related news and disclosures (and attachments)	WV Secretary of State	Rhodes	22-Jul-17	No	No	(n)
620	Email forwarding editorial	WV Secretary of State employee	Rhodes	22-Jul-17	No	No	(n)
621	Email request for meeting with advocacy organization (and follow-up)	Advocacy organization	Rhodes	26-Jul-17	No	No	(j)
622	Email correspondence about voting machines	Third party	Rhodes	10-Aug-17	No	No	(m)
623	Email request for interview	Reporter	Rhodes	23-Aug-17	No	No	(j)
624	Email request for interview	Reporter	Rhodes	25-Aug-17	No	No	(j)
625	Email chain responding to State FOIA request for documents (and copy of redacted documents)	Rhodes	reporter	28-Aug-17	No	No	(n)
626	Email request for interview	Reporter	Rhodes	13-Sep-17	No	No	(j)
627	Email sharing link to Sept. 12 meeting and an attached request from DOJ re document collection	Kossack	Rhodes	13-Sep-17	No	No	(c)
628	Materials from members of the public	Members of the public	Rhodes	various dates	No	No	(o)
629	Miscellaneous emails related to travel booking				No	No	(c)

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630	Miscellaneous emails related to the submission of financial disclosure and government ethics forms; copies of government ethics forms				No	No	(c)
631	*Materials sent to or from September 12 meeting panelists*						
632	Email about scheduling time to speak	Kossack	Palmer	3-Aug-17	No	No	(r)
633	Email about logistics for visit to EEOB	Kossack	Palmer	8/7/2017 - 8/8/2017; 8/10/2017	No	No	(r)
634	Email re: GAI report and request to set up time for discussion	OVP Counsel	Block	8/11/17 - 8/13/17; 8/15/17	No	No	(r)
635	Email re: recommendations for topics to present during September 12 meeting	Williams	Popper	16-Aug-17	No	No	(r)
636	Email about unpublished study (study was not shared with Commission)	Williams	Popper	8/16/17 - 8/17/17	No	No	(r)
637	Email sharing contact information of a data analysis expert	Palmer	Kossack	17-Aug-17	No	No	(i)
638	Emails re: coordinating publication of Popper's participation in panel	Judicial Watch Public Affairs	Williams, OVP Staff	8/17/17 - 8/18/17; 9/5/17 - 9/8/17	No	No	(r)
639	Email with contact information	Kossack	Lott, Kossack	22-Aug-17	No	No	(r)
640	Email about meeting participation	Kossack	Lott	22-Aug-17	No	No	(r)
641	Email re: potential participation in meeting	Kossack	Rivest	23-Aug-17	No	No	(r)
642	Introductory email chain seeking to discuss participation in Commission meeting; referral from Secretary Gardner	Kossack	Appel	23-Aug-17	No	No	(r)
643	Email about timing for panel	Lott	Kossack	30-Aug-17	No	No	(r)
644	Email about reimbursement form	Kossack	Palmer	8/30/2017 - 8/31/2017	No	No	(r)
645	Email re: time to speak about September 12 meeting	Kossack	Rivest	1-Sep-17	No	No	(r)
646	Email re: contact information	Kossack	Smith	1-Sep-17	No	No	(r)
647	Email about potential meeting participation and time for discussion	Kossack	Hursti	9/1/2017; 9/5/2017	No	No	(r)
648	Email sharing copy of public testimony (for release); requesting additional information on agenda	Appel	Kossack	9/4/2017, 9/6/2017	No	No	(r)
649	Email re: reimbursements	Kossack	Hursti	5-Sep-17	No	No	(r)
650	Email re: meeting travel bookings	Kossack	Lott	5-Sep-17	No	No	(r)
651	Email re: meeting agenda and time to submit presentation materials	Kossack	Rivest	5-Sep-17	No	No	(r)
652	Email re: panel name and participants	Kossack	Hursti	6-Sep-17	No	No	(r)

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653	Email about preferred presenter title	Palmer	Kossack	6-Sep-17	No	No	(r)
654	Email with contact information	Kossack	Block	7-Sep-17	No	No	(r)
655	Email with presentation and question re: logistics	Block	Kossack	7-Sep-17	No	No	(r)
656	Email re: posting report to webpage	Kossack	Block	7-Sep-17	No	No	(r)
657	Cover email sending rough draft of presentation (final version is posted) and copy of research paper to be discussed at meeting (paper is posted)	Lott	Kossack	7-Sep-17	No	No	(r)
658	Email re: draft meeting presentation, including link to newspaper article	Lott	Kossack	9/7/2017, 9/8/17	No	No	(r)
659	Email re: physical format of panel & presentation materials	Rivest	Kossack	9/7/2017, 9/9/2017	No	No	(r)
660	Email sharing presenter materials for Sept. 12 meeting (and follow-up with link to public website posting)	Kossack	Panelists	8-Sep-17	No	No	(r)
661	Email with Popper's attached written statement (plus additional draft with non-text changes)	Popper	Williams, Kossack	8-Sep-17	No	No	(r)
662	Emails re: event timing	Judicial Watch Public Affairs	Lotter, Kossack	8-Sep-17	No	No	(r)
663	Email re: draft slides	Hursti assistant	Kossack	8-Sep-17	No	No	(r)
664	Email re: providing copy of slides (and follow-up email)	Smith	Kossack	8-Sep-17	No	No	(r)
665	Email about logistics for September 12 meeting	Kossack	Panelists	11-Sep-17	No	No	(r)
666	Email about meeting logistics	Hursti	Kossack	11-Sep-17	No	No	(r)
667	Email with changes to presentation	Block	Kossack	11-Sep-17	No	No	(r)
668	Email re: fixing typo in presentation	Lott	Kossack	11-Sep-17	No	No	(r)
669	Email re: presentation time	Rivest	Williams/Kossack	11-Sep-17	No	No	(r)
670	Email re: bringing copy of presentation	Smith	Kossack	11-Sep-17	No	No	(r)
671	Press release about Popper participation in PACEI	Judicial Watch Public Affairs	Forwarded to Kossack, VP Press, VP Counsel	11-Sep-17	No	No	(r)
672	Emails re: meeting logistics	Kossack	Lott, Kossack	9/11/2017; 9/12/2017	No	No	(r)
673	Email re: link to September 12 video	Lott	Kossack	12-Sep-17	No	No	(r)
674	Email re: fixing a typo in slides	Rivest	Kossack	12-Sep-17	No	No	(r)
675	Email re: reimbursement	Appel	Kossack	17-Sep-17	No	No	(r)
676	Email re: lunch plans and reimbursements	Kossack	Lott	19-Sep-17	No	No	(r)
677	Email re: reimbursement	Lott	GSA (copying Kossack)	20-Sep-17	No	No	(r)

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678	Email including article about Lott	Lott	Kossack	22-Sep-17	No	No	(r)
679	Email re: posting of Sept. 12 video	Rivest	Kossack	23-Sep-17	No	No	(r)
680	*Communications between Commission/OVP Staff and Other Government Entities*						
681	Email chain from DHS requesting information about the scope of the Commission's work	DHS	OVP Counsel	12-May-17	No	No	(x)
682	Email chain re: scheduling a telephone call	DHS	OVP Counsel	05/15/2017, 05/16/2017	No	No	(q)
683	Email chain with GSA about initial steps required to establish a commission	GSA staff	OVP Counsel	30-May-17	No	No	(s)
684	Email chain about Commission by-laws	Kossack	GSA staff	6-Jun-17	No	No	(s)
685	Email chain about IT issues	Kossack	GSA staff	6/7/17, 6/8/17	No	No	(s)
686	Email exchange with GSA about personnel paperwork	Kossack	GSA staff	13-Jun-17	No	No	(s)
687	Email about setting up time to speak	Kossack	DOJ official	15-Jun-17	No	No	(q)
688	Email chain about Charter review	Kossack	GSA staff	6/15/2017, 6/19/17	No	No	(s)
689	Email about setting up time to talk about Commission	Counsel to OVP	DHS, Kossack	6/19/2017, 6/20/2017	No	No	(q)
690	Email about websites that can accept public comments	Kossack	GSA staff	20-Jun-17	No	No	(s)
691	Email about Kossack's appointment as Designated Federal Officer	GSA staff	Kossack	6/20/2017, 6/26/2017	No	No	(s)
692	Email about role of Designated Federal Officer	GSA staff	Kossack	21-Jun-17	No	No	(s)
693	Planner for a call with DHS personnel	Kossack	DHS personnel, OVP staff, Kobach	21-Jun-17	No	No	(q)
694	Email chain re: Budget	GSA staff, OMB	OVP, Kossack	6/22/2017; 6/23/2017	No	No	(s)
695	Email chain about 15-day publication requirement and ethics and FACA training	GSA staff	Kossack	26-Jun-17	No	No	(s)
696	Email re: member names and logistics (i.e., swearing in) [and chain]	Kossack	GSA staff	6/26/17 - 7/7/17	No	No	(s)
697	Email chain about draft SGE appointment letters	Kossack	GSA staff	6/26/2017, 6/27/2017	No	No	(s)
698	Email chain about FACA and ethics briefing	GSA staff	Kossack	27-Jun-17	No	No	(s)
699	Email chain re: room reservation	Kossack	GSA staff	27-Jun-17	No	No	(s)
700	Email re: meeting notices and SF 50 forms	Kossack	GSA staff	28-Jun-17	No	No	(s)
701	Follow up scheduling email with DHS personnel	Kossack	DHS staff	28-Jun-17	No	No	(q)

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702	Email re: publication of meeting notice	Kossack	GSA staff	6/30/2017, 7/3/2017	No	No	(s)
703	Follow-up email re: getting response	DHS Official	Kossack	1-Jul-17	No	No	(q)
704	Email re: meeting publication notices	GSA	Kossack, OVP staff, OVP counsel, EOP	6-Jul-17	No	No	(s)
705	Email about potential future coordination/overlap between entities	DHS	OVP staff, OVP counsel, Kossack	6-Jul-17	No	No	(x)
706	Email re: setting up time to talk	DHS Official	OVP Counsel, Kossack	6-Jul-17	No	No	(q)
707	Email discussion re: FACA briefing	GSA	Kossack	7/6/2017, 7/7/2017	No	No	(s)
708	Email re: travel	Kossack	GSA Staff	7-Jul-17	No	No	(s)
709	Email discussion re: travel requests	GSA	Kossack	7-Jul-17	No	No	(s)
710	Email discussion re: interagency agreement (mainly for travel)	GSA	OA	7/7/2017, 7/10/2017, 7/12/2017, 7/13/2017	No	No	(s)
711	Email discussion about time for meeting	OVP Counsel	DHS Official	8-Jul-17	No	No	(q)
712	Email discussion about data submission	Kossack	Arkansas SoS Office	10-Jul-17	No	No	(u)
713	Communication about data request	PA House State Government Staffer	Kossack, forwarded from Kobach	10-Jul-17	No	No	(u)
714	Email chain re: press guidance	Chief of Public Affairs, U.S. Army Cyber Command	OVP, DWHIT, DOD	7/10/17 - 7/11/17	No	No	(t)
715	Email re swearing in	Kossack	GSA staff	11-Jul-17	No	No	(s)
716	Email re: Electronic Funds Transfer (ETF) form	Kossack	GSA staff	11-Jul-17	No	No	(s)
717	Email re: EFT form for members	GSA	Kossack	11-Jul-17	No	No	(s)
718	Email chain starting with talking points relating to SAFE site and litigation	DOD	EOP Staff	11-Jul-17	No	No	(t)
719	Email re: draft FACA presentation and plan for July 19 meeting	GSA	Kossack	7/11/2017, 7/16/2017, 7/17/2017	No	No	(s)
720	Email re: travel	Kossack	GSA staff	12-Jul-17	No	No	(s)
721	Email re: transcriptionist	Kossack	GSA staff	12-Jul-17	No	No	(s)
722	Email chain regarding: EFT forms	Kossack	GSA staff	12-Jul-17	No	No	(s)

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723	Email re: collection of Arkansas data in SAFE site	DOD & IT	Kossack, OVP counsel	12-Jul-17	No	No	(t)
724	Email about an MOU among states participating in voter registration data comparison program	Indiana state official	Kossack	12-Jul-17	No	No	(u)
725	Email re: swearing in	Kossack	GSA staff	13-Jul-17	No	No	(s)
726	Email chain regarding: member preauthorization for travel	Kossack	GSA staff	13-Jul-17	No	No	(s)
727	Email about new FACA contact	GSA Staff	Kossack	13-Jul-17	No	No	(s)
728	Email re: membership list	Kossack	GSA staff	17-Jul-17	No	No	(s)
729	Communication about employees attending July 19 FACA training	GSA staff	Kossack	17-Jul-17	No	No	(s)
730	Communication about slide deck for July 19 FACA presentation	GSA staff	Kossack	18-Jul-17	No	No	(s)
731	Email re: presentation on FACA operations	GSA staff	Kossack, EOP	18-Jul-17	No	No	(s)
732	Follow-up regarding FACA next steps	GSA Staff	Kossack	19-Jul-17	No	No	(s)
733	Email discussion re: posting/making documents available	Kossack	GSA staff	20-Jul-17	No	No	(s)
734	Communication about uploading comments to regulations.gov	GSA staff	Kossack	25-Jul-17	No	No	(s)
735	Scheduling call	Kossack	DHS Official OVP staff, OVP counsel	25-Jul-17	No	No	(q)
736	Communication about Hatch Act	GSA	Kossack	27-Jul-17	No	No	(s)
737	Communication about panelist reimbursement	Kossack	GSA staff	1-Aug-17	No	No	(s)
738	Email chain and planner setting a time for call [related to litigation]	Kossack	DHS Official and Staff, DOJ	1-Aug-17	No	No	(q)
739	Call about litigation	Kossack	DHS	1-Aug-17	No	No	(q)
740	Communication about updating FACA database (https://www.facadatabase.gov/)	GSA staff	Kossack	2-Aug-17	No	No	(s)
741	Email chain and planner setting a time for call [related to litigation]	DHS Official	Kossack, DHS, DOJ	2-Aug-17	No	No	(q)
742	Email chain and planner setting a time for call [related to litigation]	Kossack	DHS Official	3-Aug-17	No	No	(q)
743	Email chain re: disclosability of state-provided data	AZ Secretary of State's Office	Kossack	9-Aug-17	No	No	(x)
744	Email chain and planner setting a time for call	Kossack	DHS Official, OVP	8/15/17 - 8/16/17	No	No	(q)
745	Communication about Federal Register notice for Sept. 12 meeting	GSA	Kossack	17-Aug-17	No	No	(s)

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746	Communication regarding process for procurement of third-party vendors	GSA	Kossack	17-Aug-17	No	No	(s)
747	Email contact with SSA re: SSA data	SSA Official	Kossack	17-Aug-17	No	No	(x)
748	Email re: collecting data from non-state entities (chain)	Kossack	DOJ	22-Aug-17	No	No	(v)
749	Email chain and planner about setting up a time to speak	Kossack	DHS Official, Kobach, OVP	8/22/2017, 8/24/2017	No	No	(q)
750	Email about setting-up meeting	DHS	Kobach	24-Aug-17	No	No	(q)
751	Email re: presentations for 9/12 meeting and member updates in FACA database (https://www.facadatabase.gov/)	GSA	Kossack	5-Sep-17	No	No	(s)
752	Email from NARA about PRA	NARA	OVP Counsel, NARA staff	18-Sep-17	No	No	(s)
753	Staff discussions with individual states about the mechanics of transferring data	Commission Staff	State Election Officials	7/26/2017 - date of log	No	No	(u)
754	*Categories of Materials* ("internal" refers to communications among Commisison staff, OVP staff, and/or EOP staff):						
755	Internal discussions about media requests & media strategy				No	No	(e)
756	Internal communications re: data collection process				No	No	(t)
757	Internal emails re: potential staff support person				No	No	(e)
758	Internal discussions and documents re: potential Commission members				No	No	(e)
759	Internal discussion and documents re: potential panelists				No	No	(e), (r)
760	Internal research on critical infrastructure designation for election systems				No	No	(e)
761	Internal briefing memos about Commission activities				No	No	(e)
762	Internal discussions about meeting logistics				No	No	(d)
763	Internal discussions about letterhead design				No	No	(d)
764	Internal discussions about June 28 call				No	No	(e)
765	Internal discussion about OVP meetings with third-parties about Commission asssitance				No	No	(e)
766	Internal discussions about disclosure forms and Hatch Act requirements				No	No	(d)
767	Email discussions with or about DFO on President's Commission on Drug Addiction and Opioid Crisis about managing a committee				No	No	(q)
768	Internal discussions re: response to June 28 letter and Borunda resignation				No	No	(e)
769	Internal discussions about responding to inquiries from public officials				No	No	(d)