

Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134
Date: Tuesday, November 22, 2022 at 4:31:40 PM Eastern Standard Time
From: GeneralCounsel
To: AO Records
CC: GeneralCounsel
Attachments: 11.22.22 Documents.zip, How to appeal the withholding of information under 552.136.pdf

EXTERNAL SENDER

Good afternoon,

As a follow-up to our October 21, 2022 email, please find the attached zipped folder containing documents responsive to your request for information under the Public Information Act, Chapter 552 of the Texas Government Code.

The information you requested contains access device information that is collected, assembled, or maintained by or for a governmental body. This information is confidential under section 552.136 of the Texas Government Code. Section 552.136 allows us to withhold this specific information without requesting a ruling from the attorney general. You have the right to appeal our decision to withhold this information from you. Instructions for appeal are attached. If you do not want to appeal, you do not need to do anything else.

The responsive information also includes file names, locations, and other computer information that “has no other significance than its use as a tool for the maintenance, manipulation, or protection of public property.” Open Records Decision No. 581 at 7 (1990). The Attorney General’s Open Records Division has concluded that this type of information is not subject to the Public Information Act and thus need not be released in response to a public-information request. See Open Records Decision No. 581 at 7; OR2022-35050 at 2. Accordingly, this information has been redacted from the attached production.

We require more time to continue reviewing our records and produce additional responsive information. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on December 27, 2022. See Tex. Gov’t Code § 552.221(d).

Sincerely,

Adam Bitter
General Counsel
Office of the Texas Secretary of State

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, October 21, 2022 4:03 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134

Good afternoon,

As a follow up to our September 23 email, we appreciate your patience as we complete the review of your request in accordance with the terms of the PIA. We require additional time to review our records and produce any additional responsive documents. We will provide you any additional responsive documents—to the extent such information is not excepted from disclosure under state or federal law—by 5:00 p.m. on November 22, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

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

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, September 23, 2022 2:57 PM
To: 'AO Records' <records@americanoversight.org>
Cc: Sam Taylor <SMTaylor@sos.texas.gov>; GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134

Good afternoon,

Consistent with our September 9 email, please find the attached zipped folder containing documents responsive to your request for information under Chapter 552 of the Texas Government Code.

The responsive documents contain personal, non-governmental email addresses that are considered confidential under section 552.137 of the Texas Government Code. The attorney general authorized all governmental bodies to withhold certain email addresses without first requesting an attorney general opinion in Open Records Decision No. 684 (2009). Thus, this information has been redacted.

The responsive information includes file names, locations, and other computer information that “has no other significance than its use as a tool for the maintenance, manipulation, or protection of public property.” *See* Open Records Decision No. 581 at 7 (1990). The Attorney General’s Open Records Division has concluded that this type of information is not subject to the Public Information Act and thus need not be released in response to a public-information request. *See* Open Records Decision No. 581 at 7; OR2019-14210 at 2 (May 29, 2019) (file names and locations). Thus, this information has been redacted.

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on October 21, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

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

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, September 9, 2022 3:07 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>; Sam Taylor <SMTaylor@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134

Good afternoon,

Consistent with our August 19 email, please find the attached zipped folder containing documents responsive to your request for information under Chapter 552 of the Texas Government Code.

The responsive documents contain personal, non-governmental email addresses that are considered confidential under section 552.137 of the Texas Government Code. The attorney general authorized all governmental bodies to withhold certain email addresses without first requesting an attorney general opinion in Open Records Decision No. 684 (2009). Thus, this information has been redacted.

The responsive information includes file names, locations, and other computer information that “has no other significance than its use as a tool for the maintenance, manipulation, or protection of public property.” *See* Open Records Decision No. 581 at 7 (1990). The Attorney General’s Open Records Division has concluded that this type of information is not subject to the Public Information Act and thus need not be released in response to a public-information request. *See* Open Records Decision No. 581 at 7; OR2019-14210 at 2 (May 29, 2019) (file names and locations); OR2019-09843 at 2 (Apr. 11, 2019) (username and password information). Thus, this information has been redacted.

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on September 23, 2022. *See* Tex. Gov’t Code § 552.221(d).

Kind regards,

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

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, August 19, 2022 9:36 AM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134

Good morning,

Consistent with our July 22 email, please find the attached zipped folder containing documents responsive to your request for information under Chapter 552 of the Texas Government Code.

The responsive information includes file names, locations, and other computer information that “has no other significance than its use as a tool for the maintenance, manipulation, or protection of public property.” *See* Open Records Decision No. 581 at 7 (1990). The Attorney General’s Open Records Division has concluded

that this type of information is not subject to the Public Information Act and thus need not be released in response to a public-information request. *See* Open Records Decision No. 581 at 7; OR2019-14210 at 2 (May 29, 2019) (file names and locations). Thus, certain information has been redacted.

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on September 9, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

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

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, July 22, 2022 10:26 AM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134 (2 of 2)

Good morning,

Please find the second batch attached.

As stated below, we appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on August 19, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

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

From: GeneralCounsel <>
Sent: Friday, July 22, 2022 10:25 AM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134 (1 of 2)

Good morning,

Consistent with our July 8 email, please find the attached zipped folder containing documents responsive to your request for information under Chapter 552 of the Texas Government Code. Due to file size, an additional

email will follow containing another zipped folder.

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

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on August 19, 2022. See Tex. Gov't Code § 552.221(d).

Kind regards,

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

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, July 8, 2022 4:41 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134

Good afternoon,

Consistent with our June 17 email, please find the attached zipped folder containing documents responsive to your request for information under Chapter 552 of the Texas Government Code.

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

The information you requested contains a credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body. This information is confidential under section 552.136 of the Texas Government Code. Section 552.136 allows us to withhold this specific information without requesting a ruling from the attorney general. You have the right to appeal our decision to withhold this information from you. Instructions for appeal are attached. If you do not want to appeal, you do not need to do anything else.

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on July 22, 2022. See Tex. Gov't Code § 552.221(d).

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel

Office of the Texas Secretary of State

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, June 17, 2022 4:18 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134

Good afternoon,

Regarding our May 27 email, we appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on July 8, 2022. See Tex. Gov't Code § 552.221(d).

Kind regards,

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

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, May 27, 2022 2:41 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134

Good afternoon,

Regarding our April 29 email, we appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on June 17, 2022. See Tex. Gov't Code § 552.221(d).

Kind regards,

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

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, April 29, 2022 3:31 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134

Good afternoon,

Consistent with our April 1 email, please find the attached zipped folder containing documents responsive to your request for information under Chapter 552 of the Texas Government Code.

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

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you any additional responsive documents—to the extent such information is not excepted from disclosure under state or federal law—by 5:00 p.m. on May 27, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

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

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, April 1, 2022 2:24 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134

Good afternoon,

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you any additional responsive documents—to the extent such information is not excepted from disclosure under state or federal law—by 5:00 p.m. on April 29, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

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

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Monday, March 21, 2022 3:32 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134

Good afternoon,

Regarding our February 28 email, we appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you any additional responsive documents—to the extent such information is not excepted from disclosure under state or federal law—by 5:00 p.m. on April 1, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

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

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Monday, February 28, 2022 4:38 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134

Good afternoon,

Consistent with our February 7 letter, please see the attached document containing information responsive to Items 1-5 of your request. We appreciate your patience as we continue to process this portion of your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you any additional responsive documents—to the extent such information is not excepted from disclosure under state or federal law—by 5:00 p.m. on March 21, 2022. *See* Tex. Gov't Code § 552.221(d).

We received your clarification with respect to Items 6 and 7 and will address this clarified portion of the request on March 4, 2022.

Kind regards,

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

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Monday, February 7, 2022 3:51 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134

Good afternoon,

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

Kind regards,

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

From: GeneralCounsel
Sent: Wednesday, January 26, 2022 2:03 PM
To: 'AO Records' <records@americanoversight.org>
Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134

Thank you for contacting the Office of the Texas Secretary of State. This email acknowledges receipt of your request for information under the Public Information Act, and we will process it in accordance with Chapter 552 of the Texas Government Code.

We will let you know if we have any questions or need clarification.

Regards,

Office of the Texas Secretary of State

From: AO Records <records@americanoversight.org>
Sent: Monday, January 24, 2022 2:28 PM
To: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: Public Information Request (TX-SOS-22-0092)

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

Dear Public Information Officer:

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

Sincerely,

--

Sarah Wishingrad

Pronouns: she/her

Paralegal

American Oversight

records@americanoversight.org

www.americanoversight.org | @weareoversight

PIR: TX-SOS-22-0092

From: Beva Kellison
Sent: Tuesday, February 8, 2022 11:26 AM
To: Forensic Audit Division Staff
Subject: FW: MASS EMAIL ADVISORY (CC/EA/VR - 1031) Advisory 2022-08 - Opportunity to Correct Defects on ABBM and Carrier Envelope
Attachments: ADV2022-08 - Opportunity to Correct Defects (Final).pdf; 6-13 FORM Notice of Surrendered Ballot.pdf; 8-20 - SAMPLE Roster of Voters with Def. Carrier - Returned to the Voter by Mail.pdf; 8-21 - SAMPLE Roster of ABBM Voters Def. Carrier Envelopes - Phone or Email.pdf; 8-22 - SAMPLE Roster of FPCA Voters Def. Carrier Envelopes -Notified by Phone or Email.pdf; 8-23 - FORM Notice of Carrier Defect - Carrier Envelope Returned to Voter by Mail.pdf; 8-24 - FORM - Notice of Carrier Defect - Voter Notified by Phone or Email.pdf; 6-14 - FORM Corrective Action Form for Carrier Envelope.pdf

An email that was sent out for a Webinar, has a lot of learning attachments on it.

Beva

From: Elections Internet
Sent: Friday, January 28, 2022 5:32 PM
To: Elections Internet <Elections@sos.texas.gov>
Subject: MASS EMAIL ADVISORY (CC/EA/VR - 1031) Advisory 2022-08 - Opportunity to Correct Defects on ABBM and Carrier Envelope

Dear Election Officials,

Our office has released **Advisory No. 2022-08 - NEW LAW: Senate Bill 1 – Opportunity to Correct Defects on Application for a Ballot by Mail and Carrier Envelope**. The advisory is attached to this email as a PDF. In addition to this advisory, we have released the following forms:

- Notice of Carrier Defect – Carrier Envelope Returned to the Voter by Mail (8-23) – Attached as PDF (Spanish translation pending)
- Notice of Carrier Defect – Voter Notified of Carrier Envelope Defect by Phone or Email (8-24) – Attached as PDF (Spanish translation pending)
- SAMPLE Roster of Voters with Defective Carrier Envelopes (8-20, 8-21, 8-22) – Attached as PDF
- Corrective Action Form for Defective Carrier Envelope (6-14) – Attached as PDF
- Notice of Surrendered Ballot by Mail (6-13) – Attached as PDF

Previously, we released the following forms referenced in Advisory No. 2022-08:

- [Notice of Rejected Application for Ballot by Mail – Missing or Incorrect Personal Identification Number \(6-3\)](#)
- [Notice of Rejected Application for Ballot by Mail – Required Personal Identification Number is Not Associated with your Voter Record \(6-4\)](#)

We will be offering a webinar on this advisory on Tuesday, February 1, 2021 at 2:00 pm. The log-in information for this webinar is located below.

Date	Time	Event	Link	Password	Audio Conference #	Access Code
February 1	2:00 pm	Opportunity to Correct Defects on Application for a Ballot by Mail and Carrier Envelope	[REDACTED]	[REDACTED]	408-418-9388	[REDACTED]

As you review the advisory and the associated forms, please let us know if you have additional questions. We will be working with our early voting clerks through the implementation of this new processes, and we will provide additional webinars and resources as needed.

Thank you for all that you do for Texas elections.

Christina Worrell Adkins

Legal Director – Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

John B. Scott
Secretary of State

ELECTION ADVISORY **NO. 2022-08**

TO: Election Officials

FROM: Keith Ingram, Director, Elections Division 

DATE: January 28, 2022

RE: NEW LAW: Senate Bill 1 – Opportunity to Correct Defects on Application for a Ballot by Mail and Carrier Envelope

Senate Bill 1 (87th Leg., 2nd C.S., 2021) added new identification requirements related to the ballot by mail process. SB 1 took effect on December 2, 2021. Any elections ordered on or after December 2, 2021, must adhere to the changes in law made by SB 1 and the procedures outlined in this advisory.

This advisory details the new requirements on the Application for Ballot by Mail (ABBM) form and the carrier envelope, and it outlines the new process that allows voters to correct certain defects on their ABBM or carrier envelope. As authorized by the Legislature, the Secretary of State is prescribing these procedures to implement the corrective action process mandated in SB 1. (Secs. 87.0271(f), 87.0411(f), Texas Election Code).

All statutory references in this advisory are to the Texas Election Code (“the Code”), unless otherwise indicated.

New Requirements for Application for Ballot by Mail (ABBM)

As amended by SB 1, Section 84.002 of the Election Code provides that a voter who seeks to vote by mail must include one of the following on their ABBM:

- The number of the applicant’s driver’s license, election identification certificate (EIC), or personal identification card issued by the Department of Public Safety (DPS);
- The last four digits of the applicant’s social security number, if the applicant has not been issued a DPS number; or
- A statement that the applicant has not been issued one of these numbers. (Sec. 84.002(a)(1-a)).

A person may use the number of a DPS-issued driver’s license, EIC, or personal identification card that has expired for the purpose of fulfilling the identity requirements in Section 84.002(a)(1-a) if the license or identification is otherwise valid. (Sec. 84.002(b-1)).

The official ABBM form has been revised to include a space for the required identification information. (Sec. 84.011). If a voter requests an ABBM form, the county must send the new form that includes a space for the identification information. If a voter uses an old version of the ABBM form, the early voting clerk must follow the procedures outlined below in rejecting the application. Please be advised that there are other changes to the ABBM form that will be addressed in a separate advisory.

Requirements for Processing Applications for Ballot by Mail

It is the early voting clerk's responsibility to review applications for ballot by mail, determine whether the applicant is entitled to vote by mail, and provide ballot materials to the voter. (Secs. 86.001, 86.002).

Section 86.001 outlines the process that an early voting clerk must follow when reviewing a voter's submitted ABBM. Among other things, the early voting clerk must verify that the personal identification information provided by the voter on the application—i.e., a DPS-issued driver's license, EIC, or personal identification card number, the last four digits of the applicant's social security number, or a statement that the applicant has not been issued any of these numbers—identifies the same voter identified on the applicant's voter registration record. (Sec. 86.001(f)).

If the voter fails to provide any of the required identification information on the ABBM or the information provided by the voter on the ABBM does not match the information on the voter's voter registration record, the early voting clerk shall reject the ABBM and provide notice of the rejection (Form 6-3, Notice of Rejected Application for Ballot by Mail – Missing or Incorrect Personal Identification Number). Similarly, if the voter provides one or both of the required identification numbers but the voter's voter registration record does not contain either number, the early voting clerk must reject the ABBM and promptly notify the voter of the rejection (Form 6-4, Notice of Rejected Application for Ballot by Mail - Required Personal Identification Number Not Associated with Voter Record).

These SOS-prescribed notices include instructions on how the voter can correct the applicable defect online, as required by Section 86.001(f-1). If the rejection occurs on or before the 18th day before election day, the early voting clerk must also send the voter a new ABBM along with the rejection notice. (Sec. 86.008). Section 86.008(d) further provides that the early voting clerk may deliver a second ABBM to a voter in person if the defective original ABBM is timely and the clerk may receive, before the deadline, the corrected ABBM in person from the voter, as long as the clerk applies these procedures uniformly to all ABBMs covered by the subsection.

Below, we discuss several scenarios that early voting clerks may encounter in reviewing ABBMs, and we outline the opportunities provided to voters to cure certain ABBM defects, including additional information regarding the forms that the SOS has prescribed for early voting clerks to send voters when notifying them that their ABBMs have been rejected.

Possible Scenarios:

- **Scenario 1:** Voter provides a DPS-issued driver's license number on the ABBM. The early voting clerk validates that this number matches the driver's license number in the voter's voter registration record. If the voter is otherwise eligible to vote by mail, the early voting clerk must accept the ABBM and send a ballot to the voter.

- **Scenario 2:** Voter provides a DPS-issued driver's license number on the ABBM. The early voting clerk is unable to validate this number, as the voter registration record contains the voter's social security number but not a driver's license number. The early voting clerk must reject the ABBM and provide notice of the rejection, which must include information explaining how to correct or add information to cure the defect. (Sec. 86.001(f-1)). See Notice of Rejected Application for Ballot by Mail – Missing or Incorrect Personal Identification Number.
 - **NOTE:** If a voter has not provided the required personal identification information by the 11th day before election day, the ABBM will be finally rejected, but the voter may still vote in person if otherwise eligible. (Sec. 84.007(c)).

- **Scenario 3:** Voter provides the last four digits of their social security number on the ABBM. The voter registration record contains a driver's license number and social security number. The early voting clerk is able to validate that the partial social security number on the ABBM matches the number in the voter's registration record. The early voting clerk must accept the ABBM and send a ballot to the voter.
 - **NOTE:** As a reminder, the early voting clerk's obligation in reviewing the identification information on an ABBM is to determine if the information provided by the voter on the ABBM identifies the same voter identified on the applicant's voter registration record. (Sec. 86.001(f)).

- **Scenario 4:** Voter indicates on their ABBM that they have not been issued any of the required personal identification numbers, but the voter registration record contains one or both numbers. The early voting clerk must reject the ABBM and provide notice of the rejection, which must include information explaining how to correct or add information to cure the defect. (Sec. 86.001(f-1)). See Notice of Rejected Application for Ballot by Mail – Missing or Incorrect Personal Identification Number.
 - **NOTE:** If a voter has not provided the required personal identification information by the 11th day before election day, the ABBM will be finally rejected, but the voter may still vote in person if otherwise eligible. (Sec. 84.007(c)).

- **Scenario 5:** Voter provides one of the required personal identification numbers on their ABBM, but the voter's voter registration record does not contain either number. The early voting clerk must reject this ABBM and provide notice of the rejection, which must include instructions on how the voter can update their voter registration record to include the personal identification numbers. (Sec. 86.001(f)). See Notice of Rejected Application for Ballot by Mail – Required Personal Identification Number Not Associated with Voter Record.
 - **NOTE:** A voter cannot vote by mail unless at least one of the required numbers is added to the voter's registration record. If the ABBM is otherwise valid, the voter must be given the opportunity to update their voter registration record in order to finish processing the ABBM. The early voting clerk will need to re-check ABBMs in this category to determine if the voter updated their voter registration record with one or more required personal identification numbers. If a voter has not updated their voter registration record by the 11th day before election day, the ABBM will be finally rejected, but the voter may still vote in person if otherwise eligible. (Sec. 84.007(c)).

- **Scenario 6:** Voter provides both types of personal identification numbers (ex: driver's license number and last four digits of social security number) on their ABBM. The voter registration record contains both types of personal identification numbers; one number on the ABBM matches the record, but the other does not match. Because the early

voting clerk is able to validate one of the numbers to the voter's voter registration record (and thus verify the identity of the voter), the clerk must accept the ABBM and send a ballot to the voter.

- **Scenario 7:** Voter provides both types of personal identification numbers (ex: driver's license number and last four digits of social security number) on their ABBM. The voter registration record only contains the social security number, which matches with the partial number on the ABBM. The early voting clerk must accept the ABBM and send a ballot to the voter.
- **Scenario 8:** Voter indicates on the ABBM that they have not been issued any of the required personal identification numbers. If the voter's voter registration record does not contain any of these numbers, the early voting clerk must accept the ABBM and send a ballot to the voter.
- **Scenario 9:** The voter uses an old ABBM form that does not contain any of the required identification information or leaves the personal identification information section blank and does not indicate that they have not been issued any of the required numbers. The early voting clerk must reject the ABBM and provide notice of the rejection, which must include information explaining how to correct or add information to cure the defect. (Sec. 86.001(f-1)). See Notice of Rejected Application for Ballot by Mail – Missing or Incorrect Personal Identification Number.
 - **NOTE:** If a voter has not provided the required personal identification information by the 11th day before election day, the ABBM will be finally rejected, but the voter may still vote in person if otherwise eligible. (Sec. 84.007(c)).

Opportunity to Correct Rejection of ABBM

As described above, if the early voting clerk rejects an ABBM because the voter failed to provide any of the required identification information or the information included on the ABBM does not match the voter's voter registration record, the early voting clerk must provide the voter with notice of the rejection in accordance with Section 86.001(c). (Sec. 86.001(f-1)). The notice must include information explaining how to correct the defect by using the online Ballot by Mail Tracker, available at www.votetexas.gov. (Sec. 86.001(f-1)). The SOS has prescribed Notice of Rejected Application for Ballot by Mail – Missing or Incorrect Personal Identification Number (Form 6-3) for this rejection notice. If the applicant corrects the missing or incorrect number by validating the required information through the Ballot by Mail Tracker, and this information subsequently identifies the same voter identified on the applicant's voter registration record, the early voting clerk shall provide a ballot to the applicant. (Sec. 86.001(f-2)).

NOTE: The early voting clerk should retain the documentation from TEAM that shows the voter validated their personal identification number(s). This documentation should be retained with the voter's original ABBM and provided to the early voting ballot board so that the board is notified that the defect has been cured.

If the early voting clerk rejects an ABBM because the voter's voter registration record does not contain any of the personal identification information provided on the ABBM, the clerk must offer the voter an opportunity to correct this defect. The notice must include instructions on how the voter can update their voter registration record to include one or more of the required identification numbers by submitting a new voter registration application to the registrar or by validating their personal identification numbers on texas.gov. The SOS has prescribed Notice of Rejected Application for Ballot by Mail – Required Personal Identification Number Not Associated with Voter Record (Form 6-4) for this rejection notice.

Missing or incorrect personal identification information on the ABBM or the voter registration record is the only defect that can be corrected on an ABBM. If the application is rejected on any other grounds, a voter must submit a new ABBM if they still wish to vote by mail instead of voting in person. (Secs. 86.001(c), (f), (f-1), 86.008).

Any written notice of an ABBM rejection must state the reason for the rejection and be delivered to the voter at both the voter's residence address and the mailing address on the ABBM, if different. Additionally, if the voter provided an email address on the ABBM, the early voting clerk may also send notification by email of the reason for rejection. (Sec. 86.001(c)).

Please see pages 18-20 of this advisory for additional information regarding forms that SOS has prescribed for use in notifying voters of rejected ABBMs.

Deadline to Correct Defects in Application for Ballot by Mail

If a voter receives a Notice of Rejected Application for a Ballot by Mail or the voter logs into the Ballot by Mail Tracker and sees that there is missing or incorrect personal identification information, the voter must either (1) complete the required validation on the Ballot by Mail Tracker no later than the 11th day before election day, or (2) complete a new ABBM that must be received by the early voting clerk no later than the 11th day before election day. (Secs. 84.007(c), 86.015).

The early voting clerk must review all pending ABBMs that were initially rejected due to missing or incorrect personal identification information. If the applicant did not subsequently provide the missing or corrected identification information, the early voting clerk should send a final rejection notice. The early voting clerk can use the standard Notice of Rejected Application for Ballot by Mail form (Form 6-2) and mark reason 16 on the form.

If a voter corrects a defective ABBM after early voting by personal appearance has begun, the early voting clerk should confirm that the voter did not vote in person before sending balloting materials to the voter.

Please review the Secretary of State's election law calendar for additional details about ballot by mail deadlines.

New Requirements for Carrier Envelope

As amended by SB 1, Section 86.002 requires that the carrier envelope include a space that is hidden from view when the envelope is sealed for the voter to enter one of the following: (1) the number of the voter's driver's license, EIC, or personal identification card issued by DPS; (2) the last four digits of the voter's social security number, if the voter has not been issued a DPS number; or (3) a statement that the applicant has not been issued one of these numbers. (Sec. 86.002(g)).

The carrier envelope has been updated to include a place for the voter to add an email address and/or telephone number so that the early voting ballot board or signature verification committee can contact the voter to notify them of a defect in their carrier envelope. Please note that there are other changes to the carrier envelope that will be addressed in a separate advisory.

New Comparison Requirements for Early Voting Ballot Board (EVBB) and Signature Verification Committee (SVC)

Section 87.041 directs the early voting ballot board to determine whether to accept a voted ballot by mail and provides that a ballot can be accepted only if it meets several specified requirements. Based on changes to this provision made by SB 1, the EVBB must now review additional information when qualifying a voted ballot by mail. The EVBB shall only accept a voted ballot by mail if, among other things, the personal identification information provided by the voter on the carrier envelope identifies the same voter identified on the voter's voter registration record. (Sec. 87.041(b)(8)). In performing its assigned duties, the signature verification committee, if established, may also review the personal identification information on the voter's carrier envelope. (Secs. 87.027, 87.0271). If the voter includes an identification number on the carrier envelope, the number on the carrier envelope does not have to match the type of number on the voter's ABBM as long as they are both associated with the voter's registration record.

Rebuttable Presumption

Under Section 87.041, if the voter provides personal identification information on the carrier envelope that matches the voter's registration record, the signatures on the ABBM and the carrier envelope shall be rebuttably presumed to be the signatures of the voter. (Sec. 87.041(d-1)). Thus, the only way to reject a mail ballot due to a signature mismatch is for a member of the SVC or EVBB to rebut this presumption. The presumption may be rebutted by presenting other past signatures on file with the early voting clerk or voter registrar that would support a finding that the signatures on the carrier envelope and ABBM are not those of the same voter.

Any findings by the SVC that the signatures are not those of the same voter can be overridden by the EVBB. (Sec. 87.027(j)). This decision can be overridden even in circumstances when the voter has been provided an opportunity to correct a signature mismatch (notified by phone or email of the defect and subsequent corrective action process), but the voter did not complete the corrective action process. (Sec. 87.027(j)).

Possible Scenarios:

- **Scenario 1:** Voter provides a personal identification number on the carrier envelope that matches the number in the voter's voter registration record. The SVC or EVBB has completed the verification of personal identification information and should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, the ballot would be accepted.
- **Scenario 2:** Voter provides a personal identification number on the carrier envelope that matches the number in the voter's voter registration record, but it is a different type of number than what the voter listed on the ABBM. (Example: Voter provided last four digits of social security number on ABBM and a driver's license number on carrier envelope.) Because the voter's voter registration record contains both personal identification numbers, the SVC or EVBB is able to verify the voter's identity. The SVC or EVBB should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, the ballot would be accepted.

- **Scenario 3:** Voter provides the last four digits of their social security number on the carrier envelope. The voter registration record contains a driver's license number and social security number. The SVC or EVBB is able to validate that the partial social security number on the carrier envelope matches the number in the voter's voter registration record. The SVC or EVBB should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, the ballot would be accepted.
 - **NOTE:** As explained above with respect to the early voting clerk's acceptance of ABBMs, the obligation of the SVC or EVBB in reviewing the identification information on a carrier envelope is to determine if the information provided by the voter on the envelope identifies the same voter identified on the voter's voter registration record. (Secs. 87.027, 87.0271, 87.041(b)(8), 87.0411).
- **Scenario 4:** Voter indicates on the carrier envelope that they have not been issued any of the required personal identification numbers, and the voter's voter registration record does not contain any of these numbers. The SVC or EVBB has completed the verification of personal identification information, and it must rely on the signature comparison process for this part of the review. The SVC or EVBB should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, the ballot would be accepted.
- **Scenario 5:** Voter provided one of the required personal identification numbers on the ABBM that matched the voter's voter registration record, but the voter does not include an identification number on the carrier envelope. The SVC or EVBB must notify the voter of their ability to correct this defect in the carrier envelope, as described in more detail below. If the voter timely corrects the defect, and there are no other grounds for rejection, the ballot would be accepted.
- **Scenario 6:** Voter provided one of the required personal identification numbers on the ABBM that matched the voter's voter registration record, but the voter indicates on the carrier envelope that they have not been issued one of the applicable identification numbers. The SVC or EVBB must notify the voter of their ability to correct this defect in the carrier envelope. If the voter timely corrects the defect, and there are no other grounds for rejection, the ballot would be accepted.

Signature Verification Committee Corrective Action Process

SB 1 added Section 87.0271 of the Code to provide a process by which the signature verification committee, if established, shall offer voters the opportunity to correct certain defects in the required paperwork associated with a voted mail ballot. The signature verification committee is created by the early voting clerk and can be appointed for any election. (Sec. 87.027(a)). The signature verification committee may begin meeting as early as 20 days before election day. (Sec. 87.027(f)).

Because the early voting ballot board in counties with a population of under 100,000 are not permitted to meet to qualify mail ballots until the end of the period for early voting by personal appearance, the **Secretary of State's office strongly recommends that all entities create a signature verification committee so that voters will be timely notified of defects in their carrier envelopes.** See Section 87.027 for more details on the creation and administration of a signature verification committee.

The following defects are eligible for correction when identified by the signature verification committee (Sec. 87.0271(a)):

- The voter did not sign the carrier envelope certificate.
- The SVC cannot determine whether the signature on the carrier envelope is that of the voter.
- The personal identification information required under Section 84.002(a)(1-a) (ABBM) or Section 86.002 (carrier envelope) was missing or contained incorrect information.
- If a voter used a witness for completion of the carrier envelope, the witness information was incomplete.

NOTE: Incomplete information about an assistant cannot be corrected and will result in a rejected mail ballot, but the voter may still vote in person if otherwise eligible.

Only the early voting ballot board has the authority to open a carrier envelope for those voters who submitted their request using an ABBM. (Sec. 87.041(a)). As the SVC does not have the authority to open a carrier envelope, the SVC is unable to determine whether a carrier envelope contains a completed statement of residence (SOR). Because the authority to open a carrier envelope to determine whether a voter submitted a completed SOR lies solely with the early voting ballot board, the SVC cannot notify voters of defects related to a missing SOR.

The signature verification committee can open a sealed carrier envelope, or envelope used for mailing the voted ballot and balloting materials, for voters who submitted their request to vote by mail using an FPCA, as signature sheets are expressly authorized for this process.

Early Voting Ballot Board Corrective Action Process

SB 1 also added Section 87.0411 of the Code to provide a process by which the early voting ballot board shall offer voters the opportunity to correct certain defects on their carrier envelope or in the required paperwork associated with the voted mail ballot. The first day that an EVBB can convene to qualify mail ballots depends on the size of the county, and for local political subdivisions (city, school, water district, etc.) contracting with a county. As noted above, the early voting ballot board in counties with a population of under 100,000, and in local entities that are not contracting with a county, are not permitted to meet to qualify mail ballots until the end of early voting by personal appearance. (Secs. 87.022, 87.0222).

The following defects are eligible for correction when identified by the early voting ballot board (Sec. 87.0411(a)):

- The voter did not sign the carrier envelope certificate.
- The EVBB cannot determine whether the signature on the carrier envelope is that of the voter.
- The voter did not include the required statement of residence.
- The personal identification information required under Section 84.002(a)(1-a) (ABBM) or Section 86.002 (carrier envelope) was missing or contained incorrect information.
- If a voter used a witness for completion of the carrier envelope, the witness information was incomplete.

NOTE: Incomplete information about an assistant cannot be corrected and will result in a rejected mail ballot, but the voter may still vote in person if otherwise eligible.

Corrective Action Process Timelines

The SVC or EVBB has two methods by which they can notify a voter of their ability to correct one or more of the defects outlined above.

Returning the Carrier Envelope by Mail: If the SVC or EVBB determines that it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the SVC or EVBB must mail the original defective carrier envelope to the voter. This determination must be made not later than the second business day after the SVC or EVBB discovers a defect, and before the SVC or EVBB decides whether to accept or reject a timely delivered mail ballot. (Secs. 87.0271(b), 87.0411(b)).

Notifying the Voter by Phone or Email: If the SVC or EVBB determines that it would not be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the SVC or EVBB may notify the voter of the defect by telephone or email and inform the voter that the voter may come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect. (Secs. 87.0271(c), 87.0411(c)).

If the SVC or EVBB takes one of the actions described above, the committee or board must take that action with respect to each ballot in the election to which these options apply. (Secs. 87.0271(d), 87.0411(d)).

Recommended Timelines/Plan for the SVC and EVBB

The SOS recommends that before qualifying mail ballots, the early voting clerk meet with the SVC or EVBB to determine dates to convene and to establish timelines for the corrective action process. (Secs. 87.0411, 87.0271).

Establishing Timelines and Guidelines for the Corrective Action Process

- The SVC or EVBB must set a uniform policy for when carrier envelopes will be mailed to the voter versus when voters will be notified of the defect by phone or email. See recommendations below regarding establishing a specific deadline for transitioning to phone/email notification.
- The SVC or EVBB should determine whether it will notify voters of a defect by both phone and email, if both are available.
- The SVC or EVBB should establish a policy for making multiple attempts to reach a voter if it is unsuccessful in reaching a voter by phone or email on the first attempt.

Recommended Timelines for Notification Process

When the SVC or EVBB is determining whether there is adequate time to return a defective carrier envelope to the voter by mail, we strongly recommend that it takes into account postal delivery time frames. According to the [United States Postal Service](#) (USPS), first-class delivery can take up to five business days. Because a defective carrier envelope needs to be returned to the voter, and then mailed back to the early voting clerk, the SOS recommends that the SVC or EVBB implement a policy to provide notification of a defect by phone or email to all voters whose ballots are reviewed by the SVC or EVBB on or after the 14th day before election day (approximately 10 business days). Although early voting ballot boards in counties with a population of 100,000 or greater cannot begin meeting until 12 days before election day, the SVC is authorized to return a defective carrier envelope by mail during this time.

Rolling Review of Carrier Envelopes

To ensure that voters are given the maximum amount of time to correct a defective carrier envelope, the SOS recommends that the SVC or EVBB meet on the first possible day allowed under the Texas Election Code to qualify all mail ballots received up until that point (as identified in the chart below). The SOS recommends the SVC or EVBB continue their qualification of ballots on a rolling basis throughout the authorized meeting period to ensure that voters who are eligible to correct defects are notified as quickly as possible of the defect and their correction options. Notice of all SVC or EVBB meeting times should be posted timely to ensure that poll watchers are aware of when the SVC or EVBB meetings will occur.

	First Day Mail Ballots can be Reviewed	Texas Election Code Section
Signature Verification Committee (All counties and local political subdivisions)	20th day before election day	Sec. 87.027(f)
Early Voting Ballot Board (Counties with a population of 100,000 or more)	12th day before election day	Sec. 87.0222(a)
Early Voting Ballot Board (Counties with a population under 100,000)	4th day before election day	Sec. 87.022

Methods of Correcting Defects in Carrier Envelope

Correcting Defect by Returning Carrier Envelope by Mail

If the SVC or EVBB determines that it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the SVC or EVBB shall return the original carrier envelope containing the voter's marked ballot to the voter by mail to allow the voter to correct the defect. (Secs. 87.0271(b), 87.0411(b)).

When the carrier envelope is sent to the voter for corrective action, the voter MUST return the carrier envelope by 7:00 p.m. on election day. If the voter is hand-delivering the carrier envelope to the early voting clerk's office on election day, it must be received by the early voting clerk no later than 7:00 p.m. Only the voter may hand-deliver their carrier envelope, and the voter must present a valid form of voter ID (either a List A ID or a List B ID with reasonable impediment declaration) at the time of delivery.

Procedures

The SOS recommends that when preparing to return the voter's carrier envelope containing the voter's marked ballot, the SVC or EVBB take several actions, including the following:

1. Stamp or mark the voter's carrier envelope with the words "Corrective Action Required."
2. Note the appropriate defect on the Notice of Carrier Defect – Carrier Envelope Returned to the Voter by Mail.

3. Mail the voter's defective carrier envelope along with the Notice of Carrier Defect – Carrier Envelope Returned to the Voter by Mail. The early voting clerk should include an envelope for the voter to return the corrected carrier envelope to the early voting clerk. This envelope should contain the Official Election Mail logo prescribed by the USPS. The voter must be notified if the return envelope needs additional postage.
4. Enter the voter's information on the Roster of Voters with Defective Carrier Envelopes – Returned to the Voter by Mail.

Correcting Defect by Appearing in Person at Early Voting Clerk's Office

If the SVC or EVBB determines that it would not be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the SVC or EVBB may notify the voter of the defect by telephone or email and inform the voter that the voter may come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect. The SVC or EVBB must also inform the voter that he or she may request to have their application for ballot by mail cancelled in a manner described by Section 84.032. (Secs. 87.0271(c), 87.0411(c)).

Upon appearing at the early voting clerk's office, the voter will be asked to submit the Corrective Action Form for Defective Carrier Envelope. This form allows the voter to provide the information necessary to address the defects in their carrier envelope.

Procedures

The SOS recommends that when notifying the voter of a defect, the SVC or EVBB take certain actions, including the following:

- **If notifying by email:**
 1. Send the voter the Notice of Carrier Defect – Voter Notified of Carrier Envelope Defect by Phone or Email via email.
 2. The voter's name should be entered on the Roster of Voters with Defective Carrier Envelopes – Notified by Phone or Email, and the action taken by the voter should be noted on the roster.
 3. **Parameters for Email Notification:** The SOS recommends that the early voting clerk set up an email address for corrective action notifications. The early voting clerk and the SVC or EVBB should establish rules and procedures for utilizing this email address. Any emails sent or received through the corrective action process are considered election records under the Election Code, are subject to the Public Information Act, and should be retained by the general custodian of election records. The general custodian should consult with their attorney regarding any requests for such emails, as certain information may be exempt from disclosure under the Public Information Act.
- **If notifying by phone:**
 1. Contact the voter using any known phone number on file with the early voting clerk or in the possession of the SVC or EVBB.

NOTE: As a reminder, the voter registrar may not transcribe, copy or otherwise record a telephone number furnished on a voter registration application. (Sec. 13.004). The SVC or EVBB may be able to review a voter registration application at the voter registrar's office to obtain a phone

number. The registrar may also read a phone number from a voter registration application to a member of the SVC or EVBB, if necessary.

2. The SVC or EVBB should create a phone script that explains to the voter that the voter's mail ballot was received by the early voting clerk's office and has been reviewed by the SVC or EVBB, whichever is applicable.
 3. The SOS recommends that the SVC or EVBB confirm the voter's identity using publicly available information.
 - **Example:** Ask the voter to confirm their voter registration address and whether they requested a mail ballot for the given election.
 4. The voter should be told that upon review of the carrier envelope, the SVC or EVBB discovered a defect in the carrier envelope. The specific defect should be explained.
 5. The SVC or EVBB should explain the process for the voter to correct the defect in the carrier envelope as well as the process to cancel their mail ballot and vote in person during early voting or on election day.
 6. The SVC or EVBB should provide a return phone number that the voter may use to confirm that they were contacted by the SVC or EVBB. The number provided should be the number of the early voting clerk's office so the voter can verify this information and obtain details about the corrective action process during times that the SVC or EVBB are not meeting.
 7. The voter's name should be entered on the Roster of Voters with Defective Carrier Envelopes – Notified by Phone or Email, and the action taken by the SVC or EVBB should be noted on the roster.
- **If the SVC or EVBB is unable to contact the voter:**
 1. The SVC or EVBB should leave a detailed message explaining that the SVC or EVBB determined there was a defect in the voter's carrier envelope and explain the process for correcting the defect.
 2. The SVC or EVBB should NOT provide any details related to a voter's personally identifiable information on a voicemail or with a person who is not the voter.
 3. The SVC or EVBB should leave a return number that the voter may use to validate the information provided by phone.
 4. The SVC or EVBB should mail the voter a Notice of Carrier Defect – Voter Notified of Carrier Envelope Defect by Phone or Email to inform the voter of their ability to correct the defect by appearing at the early voting clerk's office or by cancelling their mail ballot and voting in person during early voting or on election day.
 5. The voter's name should be entered on the Roster of Voters with Defective Carrier Envelopes – Notified by Phone or Email, and the action taken by the SVC or EVBB should be noted on the roster.
 - **If the SVC or EVBB does not have a phone number or email to notify the voter:** The SVC or EVBB should mail a Notice of Carrier Defect – Voter Notified of Carrier Envelope Defect by Phone or Email to inform the voter of their ability to correct the defect by appearing at the early voting clerk's office or by cancelling their mail ballot and voting in person during early voting or on election day.

If a voter's carrier envelope has a defect that may be corrected, the SVC or EVBB must provide this status information to the county early voting clerk, who submits the information via TEAM to update the Ballot by Mail Tracker.

Any actions taken by the SVC or EVBB shall be uniformly applied to every ballot in the election to which this procedure applies. (Secs. 87.0271(d), 87.0411(d)). A poll watcher is entitled to observe any action taken by the SVC or EVBB related to the corrective action process. (Secs.

87.0271(e), 87.0411(e)). Poll watchers may not transcribe or make notes of any voter's personally identifiable information while observing the activities of the SVC or EVBB.

Correcting Certain Defects Through Ballot by Mail Tracker

If the SVC or EVBB determines that the identification information required under Section 84.002(a)(1-a) (ABBM) or Section 86.002 (carrier envelope) was missing or contained incorrect information, the voter may cure this defect through the SOS's Ballot by Mail Tracker. However, if the SVC or EVBB has returned the voter's carrier envelope by mail for correction, the voter also **MUST** return the carrier envelope to the early voting clerk no later than 7:00 p.m. on election day for the ballot to be processed and counted. (Secs. 87.0271(b), 87.0411(b)). The Notice of Carrier Defect form provides information on how to utilize the tracker. Information validated through the Ballot by Mail Tracker should be provided to the EVBB for their final review of the ballot before determining acceptance or rejection.

If a voter's carrier envelope has a defect that may be corrected, the SVC or EVBB must give this information to the early voting clerk, who submits it via TEAM to update the tracker.

Correcting Defect by Cancellation

If the voter received a defective carrier envelope in the mail or was notified by telephone or email about a defect, the voter may request to have their ABBM/marked ballot cancelled in accordance with Section 84.032. If the voter has possession of the defective carrier envelope, it may be surrendered at an early voting or election day polling place in order to vote a regular ballot in person. The voter may also surrender the ballot at the early voting clerk's office and be given a Notice of Surrendered Ballot by Mail to take to the polling place and vote a regular ballot.

Cancellation Options

After receiving a Notice of Carrier Defect by mail or receiving notification via email or phone, the voter may opt to cancel their ballot by mail and vote a regular ballot in person. All cancellations must be completed in accordance with Section 84.032. If the voter is an Annual ABBM voter, a cancellation request submitted for these purposes applies only to the current election unless the voter specifically requests to cancel their Annual ABBM. (Sec. 84.038).

- **Cancellation by Surrendering Mail Ballot at Polling Place During Early Voting or on Election Day:** If a voter has possession of their mail ballot, they may surrender that ballot at any early voting or election day polling place. Upon surrendering the ballot and completing the Application to Cancel a Ballot by Mail for Use in the Polling Place form, the voter will be given a regular ballot for voting. (Sec. 84.032(c), (d)).
- **Cancellation at Polling Place Without Surrendering Mail Ballot:** If a voter appears at a polling place during early voting or on election day after receiving a Notice of Carrier Defect, but does not have the defective carrier envelope to surrender, the voter may complete the Application to Cancel a Ballot by Mail for Use in the Polling Place form. The voter should vote provisionally and the election judge should check reason #4 on the Affidavit of Provisional Voter Envelope. (Secs. 84.032(c), 84.035(b)).
- **Cancellation at Early Voting Clerk's Office**
 - If the voter appears at the early voting clerk's office and submits a cancellation request in writing and surrenders the mail ballot, the voter will be permitted to vote a regular ballot in person. The voter will be issued a Notice of Surrendered

Ballot by Mail. This notice will be taken to the polling place and presented to the presiding judge. The presiding judge must issue the voter a regular ballot for voting. (Secs. 84.032(a), (c), (d), 84.035(b)).

- If the voter appears at the early voting clerk's office and submits a cancellation request in writing but does **NOT** surrender their mail ballot, the voter will be permitted to vote, but they must be issued a provisional ballot. The voter must complete a proper affidavit on cancellation form. The voter should be sent to their applicable polling location to vote provisionally. (Secs. 84.032(a), (c), 84.035(b)).
 - **NOTE:** The early voting clerk's office may not always contain the main early voting polling place. If a voter appears during early voting, the voter should be directed to the nearest early voting location to vote.
- **Cancellation by Voter who was Notified of the Defect by Phone or Email:** If a voter was notified of the defect in their carrier envelope by phone or email, the voter may cancel their mail ballot application and vote in person.
 - If the voter appears at the early voting clerk's office and submits a cancellation request in writing and the early voting clerk can verify that ballot is in the possession of the EVBB, the early voting clerk can issue a Notice of Surrendered Ballot by Mail. This notice will be taken to the polling place and presented to the presiding judge. The presiding judge must issue the voter a regular ballot for voting. (Secs. 84.032(a), (c), (d), 84.035(b)).
 - If the voter appears at the polling place and completes a written cancellation request, the voter may be given a provisional ballot. The presiding judge should mark reason number 4 on the provisional ballot affidavit envelope. The presiding judge may also want to add a notation that the voter was notified of a defect on their carrier envelope by phone or email. (Sec. 84.032(b), (c)).

There is no process under Texas law by which a voter can cancel a mail ballot application by phone. All cancellations must be in writing and completed in accordance with Section 84.032 of the Code. A written, signed, and scanned copy of a cancellation request may be submitted by email or fax. The request must contain an original, wet ink signature; an electronic or digital signature is not permissible. If a voter has possession of their mail ballot, they must still surrender their mail ballot at the polling place or early voting clerk's office in order to vote a regular ballot in person even if they submit a cancellation request.

Provisional Voting

If the voter does not have possession of the carrier envelope, Notice of Improper Delivery, or Notice of Surrendered Ballot by Mail, but would like to cancel their mail ballot, the voter can go to an early voting or election day polling place and vote a provisional ballot.

Correcting in the Early Voting Clerk's Office when Voter is Notified of Defect by Phone or Email

If a voter has been notified of a defect by phone or email and the voter has not been sent their defective carrier envelope, the voter may appear in person at the early voting clerk's office not later than the sixth day after election day to take certain corrective actions. (Secs. 87.0271(c), 87.0411(c)).

Upon appearing at the early voting clerk's office and informing the early voting clerk that they have been notified that their carrier envelope had a defect, the early voting clerk should review the appropriate Roster of Voters with Defective Carrier Envelopes (or other applicable records)

provided to the early voting clerk from the SVC or EVBB to determine what corrective action is necessary.

If the voter has a completed Corrective Action Form for Defective Carrier Envelope, the early voting clerk will take the form and make a notation on the appropriate roster that the form was received.

If the voter does not have a completed Corrective Action Form for Defective Carrier Envelope, the early voting clerk shall provide the form to the voter and have the voter complete the paperwork. After completion of paperwork, the early voting clerk will take the corrective action form and make a notation on the appropriate roster that the form was received.

The early voting clerk must review the documentation provided by the voter to ensure that the voter has completed the necessary corrective actions. The early voting clerk or deputy early voting clerk will then complete the remaining notations on the roster. The Corrective Action Form for Defective Carrier Envelope must be securely retained until the records are transferred back to the SVC or EVBB.

The early voting clerk should make arrangements with the SVC chair and/or the EVBB presiding judge to receive an updated copy of the Roster of Voters with Defective Carrier Envelopes after each meeting of the SVC or EVBB in which the committee or board qualifies voted ballots for signature comparison or makes a determination to accept or reject voted ballots. Additionally, the early voting clerk shall provide any Corrective Action Form for Defective Carrier Envelope received along with an updated copy of the roster to the EVBB for the board's final review of ballots. The SOS recommends that this information be provided to the EVBB prior to any meeting of the EVBB. On election day, if the EVBB is meeting prior to the closing of the polls, it should be provided with any Corrective Action Form for Defective Carrier Envelope received before its meeting and any forms received up until the polls close on election day.

The early voting clerk should provide instructions about how to process voters who appear in person to correct defects in their carrier envelopes to all deputy early voting clerks who may be assisting with the corrective action process or answering phone or email inquiries.

Required Actions by Early Voting Ballot Board for all Ballots Subject to Corrective Action Process

Upon receiving any defective carrier envelopes that have been corrected and returned by mail, any Corrective Action Form for Defective Carrier Envelope that voters provided in person, or a notification from the early voting clerk that a voter provided missing or incorrect personal identification information through the Ballot by Mail Tracker, the EVBB must review the carrier envelope and associated paperwork to make a determination whether to accept or reject the ballot. (Sec. 87.0411(g)).

If a voter has been notified of a defect by phone or email, the voter has until the sixth day after election day to correct the defect. (Secs. 87.0271(c), 87.0411(c)). The voter's ballot may not be finally rejected for the reason provided in the Notice of Carrier Defect before the seventh day after election day. (Secs. 87.0271(g), 87.0411(g)). If a voter was mailed their defective carrier envelope, the revised carrier envelope containing the voted ballot MUST be returned to the early voting clerk by the time the polls close on election day. (Secs. 87.0271(b), 87.0411(b)).

Impacts on Federal Post Card Application (FPCA) Voters

The new requirements that an ABBM contain a voter's personal identification information apply to Federal Post Card Application voters. The FPCA form already includes a place for a voter to provide this information, as the form is also used for voter registration purposes. If a voter fails to include their personal identification number on the FPCA, the voter may correct this defect by submitting a new FPCA or by validating their identification number in the Ballot by Mail Tracker.

Likewise, the new identification requirements for carrier envelopes apply to mail ballots for FPCA voters. Our FPCA materials have been revised to reflect this change. Many FPCA voters receive their balloting materials by email, and an FPCA voter cannot construct the carrier envelope with a sufficient secrecy flap. Additionally, all FPCA ballots must be carried by the USPS free of postage. To facilitate the mailing of FPCA balloting materials, early voting clerks may use any type of mailing envelope that contains the Official Election Mail logo and the required postage-paid information as long as the early voting clerk includes a required signature sheet for the voter to complete.

All FPCA voters must be provided with an Official Election Signature Sheet for an FPCA Voter if their balloting materials were sent by email. If the balloting materials were sent by physical mail, but the early voting clerk is using one of the FVAP envelopes that does not contain all of the requirements for the carrier envelope, the voter **MUST** be provided with an Official Election Signature Sheet for an FPCA Voter to return with their marked ballot.

The SOS has prescribed a version of the carrier envelope that contains the required postage-paid information to be used only for FPCA voters. The personal identification number requirements have been added to the FPCA signature sheet.

Actions by Signature Verification Committee or Early Voting Ballot Board Regarding FPCA Voters

The SVC or EVBB, whichever is applicable, must review an FPCA voter's returned carrier envelope or signature sheet just as they would for a regular ABBM voter. However, as many FPCA voters will be utilizing a signature sheet that is contained within a sealed envelope, the SVC may have to open the sealed envelope to determine if the voter included a required signature sheet. The SVC may **ONLY** open FPCA carrier envelopes containing these voted ballots to ensure that the signature sheet has been included and that it contains the necessary information required for validation of personal identification numbers and/or signatures.

Correction of Defects by FPCA Voters

If the FPCA voter provides missing or incorrect identification information on their carrier envelope or signature sheet, or did not include the Official Election Signature Sheet for an FPCA Voter, the voter must be notified of the defect in the same manner as a regular ABBM voter. Because the signature sheet is separate from the voted ballot and is authorized under state and federal law, FPCA voters who have a defect in their signature sheet have additional methods for returning this corrected or missing required documentation. Specifically, an FPCA voter may submit a corrected signature sheet by email, fax, personal delivery, or mail. The SVC or EVBB should make an appropriate notation on their roster to indicate how FPCA voters were notified of a defect and how the FPCA voter provided the corrected signature sheet to the SVC or EVBB. (Secs. 1.007, 31.003, 31.004, 87.0271(f), 87.0411(f), 101.007, 101.109).

Validating Voter Registration Information When an Entity or Political Subdivision Does Not Contract with County Election Officer

The requirements to verify voters' personal identification information with their voter registration records apply to all elections regardless of whether a political subdivision contracts with the county election officer to conduct the election on its behalf. For those entities that are running their own elections, the following verification process must be completed.

Verifying Personal Identification Information on ABBM/FPCA

- For Annual ABBM/FPCA voters who file applications with the county: When the county election office forwards the list of ABBM/FPCA voters along with copies of their mail ballot applications, the county shall only forward those applications for which the personal identification information provided on the ABBM/FPCA matches the information in the voter's voter registration record. The county election officer should prepare a certification, included with the forwarded list, confirming that the information provided on each forwarded application matches the voter's voter registration record. If the early voting clerk does not want to rely on the county's certification, the clerk must coordinate with the county election officer to determine a date and time to go to the county's office to validate the information on the ABBM/FPCA with the voter's voter registration record.
- If a local entity receives an ABBM or FPCA directly from a voter, the early voting clerk must make arrangements with the county election officer to verify that the information provided on the application matches the voter's voter registration record. This verification may be made over the telephone or in person before the early voting clerk sends the voter's balloting materials. Verification of personal identification information should be confirmed on a separate document or directly on the ABBM (as long as the notation does not obscure any of the applicant's markings). The notation should indicate that the verification occurred and include the date of verification.

NOTE: If a local entity receives an Annual ABBM/FPCA, the entity must forward the application to the county as soon as possible for the county's use. (Sec. 86.0015(d)).

Verifying Personal Identification Information on Carrier Envelope

- Because the early voting clerk already validated the personal identification information on the voter's ABBM, if the information submitted on the carrier envelope matches the information on the ABBM, the EVBB may accept the information and proceed to signature verification.
- If the information submitted on the carrier envelope does NOT match the information on the voter's ABBM, the SVC or EVBB must verify that the information on the carrier envelope matches the voter's voter registration record. The SVC or EVBB must verify this information with the voter registrar or county election officer. The verification may be performed over the telephone or in person at the voter registrar's or county election officer's office, or a member of the voter registrar's or county election officer's staff may be on site at the SVC or EVBB meeting to look up the voter registration records. Verification of personal identification information should be confirmed on a separate document or directly on the ABBM (provided that the notation does not obscure any of the applicant's markings). The notation should indicate that the verification occurred and

include the date of verification. The verification, method used for verification, and the individuals involved in the verification must all be documented by the SVC or EVBB, and these records should be maintained for the applicable preservation period.

Forms Related to Corrective Action Process

The SOS has prescribed several forms pertaining to the procedures identified in this advisory.

Notice of Rejected Application for Ballot by Mail – Missing or Incorrect Personal Identification Number (Form 6-3)

The SOS has prescribed a specific form for early voting clerks to use when notifying a voter that their ABBM is subject to rejection because the voter failed to provide any of the required personal identification information on the ABBM or the information provided by the voter on the ABBM does not match the voter's voter registration record. This new form provides detailed information on how the voter can correct this defect by utilizing the SOS's Ballot by Mail Tracker to validate their personal identification numbers, as required by Section 86.001(f-1). If the missing or incorrect identification information is the only basis for rejecting the ABBM, we recommend that early voting clerks use Form 6-3 as it explains the correction process.

The SOS has also added language regarding missing or incorrect personal identification information to the standard Notice of Rejected Application for Ballot by Mail form (Form 6-2). If there are multiple defects with an ABBM (including missing or incorrect identification information), we recommend that the early voting clerk send the standard Form 6-2 because the voter must submit a new ABBM to resolve the other defects even if the voter utilizes the Ballot by Mail Tracker to correct the missing or incorrect information.

Notice of Rejected Application for Ballot by Mail – Required Personal Identification Number Not Associated with Voter Record (Form 6-4)

The SOS has prescribed a specific form for early voting clerks to use when notifying a voter that their ABBM is subject to rejection because the voter's voter registration record does not contain one or more of the required personal identification numbers. This notice provides instructions on how a voter can add their personal identification number(s) to their voter registration record through texas.gov or by submitting a new voter registration application to the voter registrar. A postage-paid voter registration application must accompany this notice so that the voter may add the numbers to his or her voter registration record if the voter does not have online access.

Notice of Carrier Defect (Forms 8-23, 8-24)

The SOS has prescribed two different Notice of Carrier Defect forms to notify voters of defects in their carrier envelope and the available corrective actions. For voter convenience, we have included a copy of the Corrective Action Form for Defective Carrier on the reverse side of each Notice of Carrier Defect.

- The Notice of Carrier Defect – Carrier Envelope Returned to the Voter by Mail is to be used for those voters who are mailed back their carrier envelope for correction.
- The Notice of Carrier Defect – Voter Notified of Carrier Envelope Defect by Phone or Email is to be used for those voters who are notified of their carrier envelope defect by phone or email.

The notice must be completed by members of the SVC or EVBB. Any phone call or email notifying a voter of a defect in their carrier envelope should be made or sent during the time the SVC or EVBB is convened. The SVC or EVBB may utilize employees of the early voting clerk to assist with this process if all activities are completed while the SVC or EVBB is officially convened so that poll watchers may be present to observe the activities.

Roster of Voters with Defective Carrier Envelopes (Forms 8-20, 8-21, 8-22)

The SVC or EVBB should create a Roster of Voters with Defective Carrier Envelopes – Returned to the Voter by Mail and a Roster of Voters with Defective Carrier Envelopes – Notified by Phone or Email to record and detail the voters whose carrier envelopes have been mailed to a voter or are pending review by the SVC or EVBB. The roster should include the following information:

- Voter's Name/VUID;
- Type of defect on the carrier envelope;
- Date the SVC or EVBB provided notice of defect, if applicable;
- How notice was provided (returned carrier, phone call, email); and
- Who on the SVC or EVBB provided the notice.

A copy of the roster should be provided to the early voting clerk on a regular basis so that they are aware of voters who may appear at the early voting clerk's office to complete any corrective actions associated with their carrier envelope or cancel their mail ballot application.

The SOS has prescribed three different sample rosters that may be used for these purposes. The SVC or EVBB may choose to complete the roster or track this information electronically, as long as the SVC or EVBB is able to generate a report with the required information that can be provided to the early voting clerk to assist with the corrective action process.

Voters' names entered on this roster are not eligible for public inspection until after the voter has returned the corrected carrier envelope, canceled their mail ballot, or appeared in person to correct any necessary defects. (Sec. 87.121).

Corrective Action Form for Defective Carrier Envelope (Form 6-14)

The SOS has prescribed a specific form that voters should use when appearing in person at the early voting clerk's office to correct certain defects in their carrier envelope. This form allows the voter to provide the missing or incorrect information from their carrier envelope. When completed, the early voting clerk must provide this form to the EVBB so that the board can make a final determination on acceptance or rejection of a voted mail ballot.

The Corrective Action Form for Defective Carrier Envelope also contains the elements of a statement of residence. Voters may want to consider completing all portions of the corrective action form; if the EVBB subsequently discovers a different defect in the carrier envelope (such as a missing SOR form), and the voter provided all the required information in the corrective action form, this form can be used to correct the newly found defects.

The SOS has prescribed a standalone Corrective Action Form for Defective Carrier, but has also included this form on the reverse side of the Notice of Carrier Defect form for voter convenience.

Notice of Surrendered Ballot by Mail (Form 6-13)

The SOS has prescribed a Notice of Surrendered Ballot by Mail to use when a voter surrenders their mail ballot to the early voting clerk and is eligible to vote a regular ballot in person. Upon surrendering their mail ballot, the voter will be issued the Notice of Surrendered Ballot by Mail. The voter will take this form to their early voting or election day polling place and present the form to the election judge, entitling the voter to vote a regular ballot in person.

Address Confidentiality Program

When reviewing the Confidential Voter Registration Form and Early Voting Ballot Application of a voter in the Attorney General's address confidentiality program, the early voting clerk will not compare the personal identification information on the application form to a voter registration record as these voters are not registered voters in the statewide voter registration system.

After the voter returns their carrier envelope, the early voting clerk or applicable designee must confirm that the personal identification information on the carrier envelope matches the information on the Confidential Voter Registration Form and Application for Ballot by Mail. If the information does not match, the early voting clerk or designee must generate a Notice of Carrier Defect. The voter's name is not entered on the Roster of Voters with Defective Carrier Envelopes. Instead, a notation of the defect is made on the [Roster for Early Voting by Mail for Address Confidential Applicants](#).

As these individuals are not registered voters in the statewide registration system, the Ballot by Mail Tracker will not contain information regarding their ballot application or carrier envelope. Voters wishing to verify the receipt of their carrier envelope must contact the early voting clerk.

Early Voting Clerk Notification to Voter of Defects in Carrier Envelope

Under Section 86.011(d) of the Code, if an early voting clerk receives a timely carrier envelope that does not comply with the applicable requirements of the Code, the early voting clerk may deliver the carrier envelope in person or by mail to the voter so that the voter may correct the defect. Additionally, the early voting clerk may notify the voter of the defect by phone and advise the voter that they may come to the early voting clerk's office to correct the defect or cancel their ABBM and vote in person. The early voting clerk may utilize this provision for defects such as a missing signature by the voter, a partially completed witness or assistant box (if applicable), or a ballot that is not returned in a carrier envelope.

If an early voting clerk chooses to notify voters of defects in their carrier envelope under Section 86.011(d), the clerk must apply these procedures uniformly to all voters in similar circumstances. Additionally, the SOS recommends keeping a log to track the ballots mailed to voters and the ballots in the possession of the early voting clerk before ballots are delivered to the SVC or EVBB. If the early voting clerk notifies a voter of a defect in their carrier envelope by mail, the clerk should include a letter explaining the actions that the voter needs to take to correct and return the carrier envelope.

Please be advised that the early voting clerk can only notify voters of certain defects under Section 86.011(d). If the early voting clerk receives a mail ballot with an obvious defect, but it is within the time frame that the SVC or EVBB can meet, the early voting clerk should expeditiously deliver these ballots to the SVC or EVBB so that they may complete their full

review and the voter can be notified of all defects in a timely fashion. The SVC or EVBB should review the ballots with obvious defects first to ensure that those voters are timely notified of their options to correct or cancel their mail ballot.

Types of Defects and Corrective Action Options

Type of Defect	Carrier Envelope Returned by Mail to Voter	Voter Notified of Defect by Phone or Email
<p>Voter did not sign the carrier envelope certificate.</p>	<p>Voter should sign original carrier envelope and return the carrier envelope to the early voting clerk by mail by 7:00 p.m. on election day, or, if on election day, the voter may hand-deliver their signed carrier envelope to the early voting clerk's office. Voter can make corrections directly on the returned carrier envelope. They do not need a Corrective Action for Carrier Envelope form.</p> <p>OR</p> <p>Voter can cancel their mail ballot application and vote in person. If voter surrenders their mail ballot, they should be given a regular ballot. If the voter does not surrender their mail ballot, they must vote provisionally.</p>	<p>Voter can complete Corrective Action Form for Defective Carrier Envelope and return the form in person to the early voting clerk's office by the 6th day after election day.</p> <p>OR</p> <p>Voter can cancel their mail ballot application and vote in person.</p> <ul style="list-style-type: none"> • If voter cancels at the early voting clerk's office and is given a Notice of Surrendered Ballot by Mail, the voter votes a regular ballot. • If voter surrenders ballot at the polling place, voter may fill out cancellation form and vote a regular ballot. • If voter appears at the polling place without a Notice of Surrendered Ballot by Mail and no ballot, the voter may fill out cancellation form and be given a provisional ballot.
<p>The EVBB/SVC cannot determine whether the signature on the carrier envelope is that of the voter.</p>	<p>Voter can complete Corrective Action Form for Defective Carrier Envelope form and return the form AND the original carrier envelope to the early voting clerk's office. Carrier envelope and Corrective Action for Carrier Envelope form must be received by the early voting clerk by 7:00 p.m. on election day.</p> <p>OR</p> <p>Voter can cancel their mail ballot application and vote in person. If voter surrenders their mail ballot, they should be given a regular</p>	<p>Voter can complete Corrective Action Form for Defective Carrier Envelope and return the form in person to the early voting clerk's office by the 6th day after election day.</p> <p>OR</p> <p>Voter can cancel their mail ballot application and vote in person.</p> <ul style="list-style-type: none"> • If voter cancels at the early voting clerk's office and is given a Notice of Surrendered Ballot by Mail, the voter votes a regular ballot. • If voter surrenders ballot at the

Type of Defect	Carrier Envelope Returned by Mail to Voter	Voter Notified of Defect by Phone or Email
	<p>ballot. If the voter does not surrender their mail ballot, they must vote provisionally.</p>	<p>polling place, voter may fill out cancellation form and vote a regular ballot.</p> <ul style="list-style-type: none"> • If voter appears at the polling place without a Notice of Surrendered Ballot by Mail and no ballot, the voter may fill out cancellation form and be given a provisional ballot.
<p>Voter did not include the required Statement of Residence form.</p>	<p>Voter can complete Corrective Action Form for Defective Carrier Envelope and Statement of Residence form and return the forms AND the original carrier envelope to the early voting clerk's office. Carrier envelope, SOR form, and Corrective Action Form for Defective Carrier Envelope must be received by the early voting clerk by 7:00 p.m. on election day.</p> <p>OR</p> <p>Voter can cancel their mail ballot application and vote in person. If voter surrenders their mail ballot, they should be given a regular ballot. If the voter does not surrender their mail ballot, they must vote provisionally. Voter may be required to complete a SOR when appearing to vote in person.</p>	<p>Voter can complete Corrective Action Form for Defective Carrier Envelope and Statement of Residence form and return the form in person to the early voting clerk's office by the 6th day after election day.</p> <p>OR</p> <p>Voter can cancel their mail ballot application and vote in person.</p> <ul style="list-style-type: none"> • If voter cancels at the early voting clerk's office and is given a Notice of Surrendered Ballot by Mail, the voter votes a regular ballot. • If voter surrenders ballot at the polling place, voter may fill out cancellation form and vote a regular ballot. • If voter appears at the polling place without a Notice of Surrendered Ballot by Mail and no ballot, the voter may fill out cancellation form and be given a provisional ballot. • Voter may be required to complete a SOR when appearing to vote in person.
<p>The personal identification information required under Section 84.002(a)(1-a) (ABBM) or Section 86.002 (carrier envelope) was missing or contained incorrect information.</p>	<p>Voter can complete Corrective Action Form for Defective Carrier Envelope and return the form AND the original carrier envelope to the early voting clerk's office. Carrier envelope and Corrective Action Form for Defective Carrier Envelope must be received by the early voting clerk by 7:00 p.m. on election day.</p>	<p>Voter can complete Corrective Action Form for Defective Carrier Envelope and return the form in person to the early voting clerk's office by the 6th day after election day.</p> <p>OR</p> <p>Voter can log into the Ballot by Mail Tracker on www.votetexas.gov to</p>

Type of Defect	Carrier Envelope Returned by Mail to Voter	Voter Notified of Defect by Phone or Email
	<p>OR</p> <p>Voter can enter the missing information on the original carrier envelope that was returned to the voter and return the carrier envelope to the early voting clerk.</p> <p>OR</p> <p>Voter can cancel their mail ballot application and vote in person. If voter surrenders their mail ballot, they should be given a regular ballot. If the voter does not surrender their mail ballot, they must vote provisionally.</p>	<p>complete the verification of the missing or incorrect personal identification information.</p> <p>OR</p> <p>Voter can cancel their mail ballot application and vote in person.</p> <ul style="list-style-type: none"> • If voter cancels at the early voting clerk’s office and is given a Notice of Surrendered Ballot by Mail, the voter votes a regular ballot. • If voter surrenders ballot at the polling place, voter may fill out cancellation form and vote a regular ballot. • If voter appears at the polling place without a Notice of Surrendered Ballot by Mail and no ballot, the voter may fill out cancellation form and be given a provisional ballot.
<p>If a voter used a witness for completion of the carrier envelope, the witness information was incomplete.</p>	<p>Voter can complete, or have a witness help complete, the Corrective Action Form for Defective Carrier Envelope and return the form AND the original carrier envelope to the early voting clerk’s office. Carrier envelope and Corrective Action Form for Defective Carrier Envelope must be received by the early voting clerk by 7:00 p.m. on election day.</p> <p>OR</p> <p>Voter/witness can enter the missing information on the original carrier envelope or Corrective Action Form for Defective Carrier Envelope and return the carrier envelope to the early voting clerk.</p> <p>OR</p> <p>Voter can cancel their mail ballot application and vote in person. If voter surrenders their mail ballot, they should be given a regular</p>	<p>Voter can have the witness complete the Corrective Action Form for Defective Carrier Envelope, and voter can return the form in person to the early voting clerk’s office by the 6th day after election day.</p> <p>OR</p> <p>Voter can appear in person at the early voting clerk’s office by the 6th day after election day and the early voting clerk/deputy early voting clerk can serve as a witness for the voter on the corrective action form.</p> <p>OR</p> <p>Voter can cancel their mail ballot application and vote in person.</p> <ul style="list-style-type: none"> • If voter cancels at the early voting clerk’s office and is given a Notice of Surrendered Ballot by Mail, the voter votes a regular ballot. • If voter surrenders ballot at the polling place, voter may fill out

Type of Defect	Carrier Envelope Returned by Mail to Voter	Voter Notified of Defect by Phone or Email
	ballot. If the voter does not surrender their mail ballot, they must vote provisionally.	cancellation form and vote a regular ballot. <ul style="list-style-type: none"> • If voter appears at the polling place without a Notice of Surrendered Ballot by Mail and no ballot, the voter may fill out cancellation form and be given a provisional ballot.

Questions and Answers

1. **What if a voter does not use the new ABBM form or otherwise does not include any of the required personal identification information?**
 - A. The early voting clerk must reject the voter’s ABBM and provide notice of the rejection. If the missing identification information is the only defect in the ABBM, the early voting clerk should send the voter a Notice of Rejected Application for Ballot by Mail – Missing or Incorrect Personal Identification Number. The voter may correct this defect by submitting a new ABBM or by validating their personal identification information through the Ballot by Mail Tracker on votetexas.gov.

2. **What information does a voter need to access the Ballot by Mail Tracker?**
 - A. To access the Ballot by Mail Tracker on votetexas.gov, the voter must enter their DPS-issued number, the last four digits of their social security number, and their residence address as listed in their voter registration record.

3. **A voter can’t access the Ballot by Mail Tracker because their voter registration record does not contain a required personal identification number. What should the voter do?**
 - A. If a voter is unable to enter the Ballot by Mail Tracker because they do not have an identification number associated with their voter registration record, the voter needs to update their voter registration record. They can do so by submitting a new voter registration application to the registrar or by validating their personal identification numbers on texas.gov if the voter has a DPS-issued driver’s license or personal identification card. The process for updating the voter registration record is explained to the voter in Notice of Rejected Application for Ballot by Mail – Required Personal Identification Number Not Associated with Voter Record (Form 6-4).

4. **If the personal identification information on the carrier envelope matches the voter’s voter registration record, should the SVC or EVBB still review the signatures on the ABBM and carrier envelope?**
 - A. Yes, but there is a rebuttable presumption that the signatures on the ABBM and carrier envelope are those of the voter. The only way to reject a ballot due to a signature mismatch is for a member of the SVC or EVBB to rebut the presumption. The presumption may be rebutted by presenting other past

signatures on file with the early voting clerk or voter registrar that would support a finding that the signatures on the carrier envelope and ABBM are not those of the same voter.

- 5. What if a voter includes an incomplete or unsigned Statement of Residence form?**
 - A. A voter should be notified of an incomplete SOR and provided an opportunity to correct this defect, similar to the process for a missing SOR.
- 6. Can someone other than the voter return a voter's corrected carrier envelope or corrective action form in person?**
 - A. No. Only the voter can hand-deliver their corrected carrier envelope on election day, or complete the Corrective Action Form for Defective Carrier Envelope, in person at the early voting clerk's office. If necessary, the voter may have someone accompany the voter to serve as a witness.
- 7. If the SVC or EVBB attempts to call a voter and is unable to reach the voter by phone, should they leave a message? Can the SVC or EVBB call multiple times?**
 - A. The SVC or EVBB can leave a message for the voter, but they should avoid providing any personally identifiable information on the voicemail so as not to compromise the privacy of the voter. Additionally, the SVC or EVBB can make multiple attempts to reach a voter by phone. The SOS recommends that the SVC or EVBB set a policy on the number of attempts allowed and what information will be provided in a voicemail message. Any actions that the EVBB/SVC takes for one voter must be uniformly applied to all voters in similar circumstances for that election.
- 8. If the SVC or EVBB is unable to reach the voter by phone, what number should the SVC or EVBB provide as a return number in a voicemail message?**
 - A. The SOS recommends that the SVC or EVBB provide a telephone number that will be routinely staffed by members of the SVC or EVBB, or by deputy early voting clerks, so that voters can receive information about the corrective action process in a timely fashion. As a best practice, the SVC or EVBB should identify the days and hours that someone will be available to answer calls. In addition, if a voicemail is set up with the return phone number, this voicemail should be routinely checked and any voicemails should be logged and tracked to ensure that voters are being provided uniform information in a timely fashion. The SVC or EVBB does not need a separate phone line. They can use the early voting clerk's main number, but the SVC or EVBB must work with the early voting clerk to develop a procedure for tracking calls about the correction process.
- 9. Can the SVC or EVBB contact voters both by email and phone?**
 - A. Yes. As long as the SVC or EVBB apply the same procedures uniformly to all voters in similar circumstances, they can contact a voter by phone and email to notify them of the defect. The SVC or EVBB should set a policy regarding the number and/or methods of attempts to contact a voter. In addition, all attempts to contact a voter should be documented on the applicable roster.

- 10. A voter has contacted our office and indicated that the personal identification number in their voter registration record is wrong; what can the voter do?**
- A. The voter can correct their personal identification number by submitting a new voter registration application to the voter registrar.
- 11. If the voter lists a personal identification number on an ABBM that is not contained in their voter registration record, can the early voting clerk update the voter registration record?**
- A. No. The voter should be notified that their voter registration record does not contain the identification number listed on the ABBM. The voter can update their voter registration record by submitting a new voter registration application to the registrar or by validating their personal identification numbers on [texas.gov](https://www.texas.gov).
- 12. If a voter validates their DPS-issued driver's license number or social security number through [texas.gov](https://www.texas.gov) to update their voter registration record, how long does it take for this change to be effective?**
- A. This is an immediate update. It does not take 30 days for the update to become effective.
- 13. If a voter hand-delivers their ABBM to the early voting clerk, can the clerk review whether the personal identification information on the ABBM matches the voter's voter registration record before the voter submits their application?**
- A. Upon receipt of the ABBM, the early voting clerk can review the application even if the voter remains in the clerk's presence. However, any such actions taken as to one voter should be uniformly applied to all voters in similar circumstances. Thus, if the early voting clerk intends to review hand-delivered ABBMs for completeness or accuracy in the voter's presence, the clerk should follow the same process for all voters who hand-deliver their ABBMs.
- 14. Can a poll watcher challenge the acceptance of a signature by the EVBB?**
- A. No. A poll watcher has no authority to challenge the acceptance of a signature or any actions taken by the SVC or EVBB during the course of their regular meetings. The poll watcher can point out an election irregularity to the EVBB presiding judge or the SVC chair, after which the poll watcher has no further authority to take any actions with respect to their observations.
- 15. What email address should the SVC or EVBB use when notifying voters of a defect by email?**
- A. The SOS recommends that the early voting clerk set up an email address for these notifications. The early voting clerk and the SVC or EVBB should establish rules and procedures for utilizing the email address. Any emails sent or received through the corrective action process are considered election records under the Election Code, are subject to the Public Information Act, and should be retained by the general custodian of election records. The general custodian should consult with their attorney regarding any requests for such emails, as certain information may be exempt from disclosure under the Public Information Act.

16. What if a voter comes to the early voting clerk's office to correct a defect in their carrier envelope and the reason for voting by mail is absence from the county?

- A. If a voter appears in person to correct a defect with their carrier envelope, the voter must be provided an opportunity to correct the defect, and the early voting clerk must send any completed corrective action form to the early voting ballot board. The EVBB should not reject a correction merely because the voter applied to vote by mail due to expected absence from their county of residence.

17. If a county election officer is forwarding applicable annual ABBMs and FPCAs to a local entity, how should that information be transmitted to the entity?

- A. The county election officer should transmit copies of the applicable ABBMs and FPCAs through a secure method. This may include hand-delivering the copies, arranging for the local entity to pick up the copies, or utilizing an encrypted email or file transfer protocol.

18. If a voter is mailed their carrier envelope to correct a defect, is the voter's name removed from the roster of voters who voted by mail under Section 87.121?

- A. No. The voter's name will stay on the early voting roster as the voter has properly and timely submitted their mail ballot. The voter's name will subsequently be entered on the Roster of Voters with Defective Carrier Envelopes – Returned to the Voter by Mail to track the status of the ballot in the correction process.

19. Can a voter call and ask what personal identification number the voter registrar has on file for that voter?

- A. Yes. A voter can ask to confirm the number listed, but the number should be provided by the voter and the early voting clerk can confirm whether that number is accurate. The early voting clerk should not provide any personal identification number from the voter registration record to a person over the phone. If the voter provides an incorrect number, the voter registrar can tell the voter that the number is incorrect, but the voter registrar should not read the number to the voter over the phone. The voter registrar can also confirm the type of number listed on file (driver's license or social security number).

20. What if an entity has a mailed a corrected ballot and the voter returns both ballots, but the second, corrected ballot has a defect in the carrier envelope (ex: missing personal identification information)? Can the SVC or EVBB review the original carrier envelope to obtain the missing information?

- A. No, the original ballot may not be reviewed or counted. The initial carrier envelope is never sent to the SVC or EVBB if the corrected ballot has been returned. If there is a defect in the corrected ballot, the SVC or EVBB must notify the voter of the defect and allow the voter an opportunity to correct the defect. Even if the voter does not resolve the defect in the corrected ballot, the SVC or EVBB may not review the original ballot, as the corrected ballot is now the timely returned ballot.

21. If the SVC or EVBB is unable to locate a voter's email or phone number to notify the voter of a defect in their carrier envelope, what should the SVC or EVBB do?

- A.** The SVC or EVBB should mail a Notice of Carrier Defect to inform the voter of their ability to correct the defect by appearing at the early voting clerk's office or by cancelling their mail ballot and voting in person during early voting or on election day.

22. Can the early voting clerk retain the voter's ABBM and a copy of the Notice of Rejected Application for Ballot by Mail electronically?

- A.** Yes. There is no prohibition on an early voting clerk scanning these documents for storage and retention. However, the original document must be kept for the retention period associated with precinct election records.

If you have any questions regarding this advisory, please contact the Elections Division toll-free at 1-800-252-VOTE(8683).

KI:CA

NOTICE OF SURRENDERED BALLOT BY MAIL
AVISO DE BOLETA POSTAL RENUNCIADA

To the Presiding Judge or Deputy Early Voting Clerk:
(*Para el Juez Presidente o el Secretario Adjunto de Votación Adelantada*):

This is to certify that (*Se certifica que*)

Name of voter (*Nombre del votante*) VUID # (*Número del votante*) Precinct Number (*Número de precinto*)

has surrendered his/her Ballot by Mail (ABBM) or Federal Post Card Ballot by Mail (FPCA) at the Office of the Early Voting Clerk, and has not voted by mail. The voter is eligible to vote a regular ballot.
(*ha renunciado a su Boleta Postal (ABBM por sus siglas en inglés) o a su Boleta Postal de Tarjeta Postal Federal (FPCA por sus siglas en inglés) en la oficina del Secretario de Votación Adelantada y no ha votado por correo. El votante es elegible para votar una boleta regular.*)

Name of County
(*Nombre del Condado*)

Signature of Early Voting Clerk
(*Firma del Secretario de Votación Adelantada*)

NOTICE OF SURRENDERED BALLOT BY MAIL
AVISO DE BOLETA ENTREGADA POR CORREO

To the Presiding Judge or Deputy Early Voting Clerk:
(*Para el Juez Presidente o el Secretario Adjunto de Votación Adelantada*):

This is to certify that (*Se certifica que*)

Name of voter (*nombre del votante*) VUID # (*número del votante*) Precinct Number (*número de precinto*)

has surrendered his/her Ballot by Mail (ABBM) or Federal Post Card Ballot by Mail (FPCA) at the Office of the Early Voting Clerk, and has not voted by mail. The voter is eligible to vote a regular ballot.
(*ha entregado su Boleta por Correo o Tarjeta Federal Postal Boleta por Correo en la oficina del Secretario de Votación Adelantada y no ha votado por correo. El votante es elegible para votar una boleta regular.*)

Name of County
(*Nombre del Condado*)

Signature of Early Voting Clerk
(*Firma del Secretario de Votación Adelantada*)

NOTICE OF CARRIER DEFECT

Carrier Envelope Returned to the Voter by Mail

Your Carrier Envelope has been received and reviewed, but is defective for the reason(s) checked below. Texas law allows a voter to correct certain defects on his or her Carrier Envelope after the marked ballot has been returned to the Early Voting Clerk. Your Carrier Envelope is enclosed with this notice so that you can make the necessary corrections. All defects listed below are able to be corrected. You must correct the defect and ensure that the Carrier Envelope is received by the Early Voting Clerk no later than 7:00 p.m. on Election Day.

There is a checkmark next to the reason(s) that your Carrier Envelope was Defective

- _____ 1. The Carrier Envelope you returned to the Early Voting Clerk was not signed.
- _____ 2. When the signature on your Application for Ballot by Mail was compared to the signature on your Carrier Envelope, it could not be immediately determined that the signatures were made by the same person.
- _____ 3. A required Statement of Residence was not included in the Carrier Envelope you returned to the Early Voting Clerk.
- _____ 4. Your Carrier Envelope did not contain your Texas Driver's License Number, Texas Personal Identification Number, Texas Election Identification Certificate Number or the Last 4 digits of your Social Security Number; OR
the number provided did not match the number associated with your voter registration record as provided by your County's Voter Registrar; OR
if you were not issued one of the documents with the required number, you did not indicate this fact on the Carrier Envelope.
- _____ 5. The Carrier Envelope you returned to the Early Voting Clerk contained incomplete information with respect to a witness.

How to Correct the Defect on Your Carrier Envelope that was Returned to You by Mail

You must correct the defect directly on the Carrier Envelope or by using the Corrective Action Form located on the back of this notice. If you use the Corrective Action Form, the completed form and the Carrier Envelope must both be received the Early Voting Clerk no later than 7:00 p.m. on Election Day.

Defect Correction Process by Number

- **Defect #1** – Sign the Carrier Envelope in the designated space and return it to the Early Voting Clerk using the envelope provided in this packet.
- **Defect #2** – Complete and sign the Signature Box on the Corrective Action Form. There is already a signature on the Carrier Envelope.
- **Defect #3** – Complete and sign the Statement of Residence portion of the Corrective Action Form.
- **Defect #4** – You may correct Defect #4 online through the Texas Secretary of State Ballot by Mail Tracker at www.votetexas.gov or by providing your personal identification information in Box #4 of the Corrective Action Form or by providing your personal identification information on the Carrier Envelope. If you use the Corrective Action Form, you must complete and sign the Signature Box. You must mail back the Carrier Envelope so that it is received by the Early Voting Clerk no later than 7:00 p.m. on Election Day.
- **Defect #5** – If you used a witness for your Carrier Envelope because you were not able to sign or make your mark and the witness information was missing or incomplete, please ask a witness to complete the witness portion of the Carrier Envelope or the Corrective Action Form. You may use a different person as a witness if the same person is not available. **NOTE:** If you no longer need a witness, you must be able to sign or make your mark on the Carrier Envelope or on the Corrective Action Form in the Signature Box.

Correcting Defect #4 Using the Ballot by Mail Tracker

When you log into the Ballot by Mail Tracker, you will have the opportunity to enter your personal identification number(s). Both your Texas Driver's License or Texas Personal Identification Card number AND your Social Security number must be associated with your voter registration record to use the Ballot by Mail Tracker. Once your personal identification number is validated by the Mail Ballot Tracker, **you must still return your Carrier Envelope by mail, common or contract carrier or hand delivery** so that it is received no later than 7:00 p.m. on Election Day. **NOTE:** You can only personally hand-deliver your own Carrier Envelope to the Early Voting Clerk's Office on Election Day between 7:00 a.m. and 7:00 p.m.

To utilize the Ballot by Mail Tracker, you must enter:

- Your Texas Driver's License Number or Texas Personal Identification Number, AND
- The last four digits of your Social Security number AND
- Your residence address as listed in your voter registration record

Cancelling Your Ballot by Mail - If you do not wish to correct the defect, you may still vote in person by cancelling your Ballot by Mail. You may appear at an Early Voting or Election Day polling place and surrender your Carrier Envelope with the official ballot inside. Upon the surrender of your Ballot by Mail, you are entitled to vote a regular ballot. If you do not surrender your Ballot by Mail, you will be given a Provisional Ballot.

If you have any questions or concerns about making a correction to your Carrier Envelope please contact the Early Voting Clerk's Office at:

Authority Conducting the Election (<i>Autoridad Administrando la Elección</i>)	Date of Correction (<i>Fecha de la Corrección</i>)
Title of Election (<i>Título de la Elección</i>)	Printed Name of Early Voting Clerk's Representative <i>Nombre de Representante del Secretario de votación Adelantada</i>

CORRECTIVE ACTION FORM FOR DEFECTIVE CARRIER ENVELOPE

Name of Voter (<i>Nombre del Votante</i>)	Voter's VUID# (<i>Número de registración del votante (VUID#)</i>)
--	--

Early Voting Clerk: Circle the number(s) to indicate the voter's Carrier Envelope Defect(s)

1.	Voter Did Not Sign the Carrier Envelope Certificate (<i>El votante no firmó el Sobre de Envío</i>)
2.	Signature on Carrier Envelope Certificate Could Not Immediately be Determined to be That of the Voter <i>(No se pudo determinar inmediatamente que la firma en el Certificado del Sobre de Envío es la del votante)</i>
3.	Required Statement of Residence Was Not Included with the Carrier Envelope <i>(La Constancia de Domicilio Permanente requerida no se incluyó con el Sobre de Envío)</i>
4.	Missing or Incorrect Personal Identification Numbers or Social Security Number <i>(Números de Identificación Personal o Número de Seguro Social faltantes o incorrectos)</i>
	_____ or (o) _____
	Texas Driver's License or Texas Personal Identification Card Last 4 Digits of Social Security Number <i>(Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas)</i> <i>(Los 4 últimos dígitos de número de Seguro Social)</i>
	<input type="checkbox"/> I have not been issued a Texas Driver's License or Personal Identification Card or Social Security Number <i>No se me ha emitido una Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas o Número de Seguro Social.</i>
5.	Incomplete Information with Respect to a Witness (<i>Información incompleta con respecto a un testigo</i>)
	Signature of Witness (<i>Firma del testigo</i>) _____ Printed Name of Witness (<i>Nombre en letra de molde del testigo</i>) _____
	Street Address of Witness (<i>Domicilio residencial del testigo</i>) _____
Signature Box	I, _____, on ____/____/____ submit this form to correct the defect on my Carrier Envelope that was identified above. By my signature below, I attest that all information that I have given is true and correct. <i>(Yo, _____, en el día ____/____/____ presento este formulario para corregir el defecto en mi Sobre de Envío que se identificó anteriormente. Con mi firma a continuación, doy fe de que toda la información que he dado es verdadera y correcta).</i>
	X _____ Signature of Voter (<i>Firma del Votante</i>)

STATEMENT OF RESIDENCE (*CONSTANCIA DE DOMICILIO PERMANENTE*)

For persons whose residence address does not match the voter registration address on the list of registered voters
Para personas cuya dirección no coincide con la que aparece en la lista oficial de votantes inscritos

Last Name Include suffix, if any <i>Apellido Incluir sufijo, si lo hay (Jr., Sr., III)</i>	First Name <i>Nombre de Pila</i>	Middle Name (if any) <i>Segundo Nombre (si lo hay)</i>	Former Name <i>Apellido Anterior</i>
Residence Address: Street Address and Apartment Number, City State, and Zip. <i>If none, describe where you live. (Do not include P.O. Box, Rural Route, or Business Address)</i> Domicilio Residencial: Número y calle, y número de apartamento, Ciudad, Estado, y Código Postal. <i>(Si no existe un domicilio, describe donde vive (no incluya apartados postales, rutas rurales o dirección del trabajo))</i>			Gender (Optional) <i>Sexo (Opcional)</i> <input type="checkbox"/> Male Masculino <input type="checkbox"/> Female Femenino
Mailing Address: Address, City, State, and Zip (If mail cannot be delivered to your residence address) <i>Dirección Postal: Número y calle, y número de apartamento, Ciudad, Estado, y Código Postal (Si no se puede entregar correo en su domicilio residencial)</i>		Date of Birth: Month, Day, Year <i>Fecha de Nacimiento: Mes, Día, Año</i> ____/____/____	
City and County of Former Residence in Texas <i>Ciudad y Condado de residencia anterior en Texas</i>	City and County of Current Residence in Texas <i>Ciudad y Condado de residencia actual en Texas</i>	Telephone Number (Optional) Include Area Code <i>Teléfono (Opcional) – Incluya Código de Área</i>	
Texas Driver's License Number or Texas Personal Identification Card Number <i>(Issued by the Department of Public Safety)</i> Número de Licencia de Conducir de Texas o Número de Tarjeta de Identificación Personal de Texas <i>(Expedido por el Departamento de Seguridad Pública)</i>		If you do not have a Texas Driver's License or Personal Identification Card, give the last 4 digits of your Social Security Number. <i>Si no tiene una Licencia de Conducir de Texas o número de Tarjeta de Identificación Personal, proporcione los 4 últimos dígitos de su número de Seguro Social.</i>	

I have not been issued a Texas Driver's License or Personal Identification Card or Social Security Number
Yo no tengo una Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas o número de Seguro Social.

I understand that giving false information to procure a voter registration is perjury, and a crime under state and federal law. Conviction of this crime may result in imprisonment up to one year in jail, a fine up to \$4,000, or both. Please read all three statements to affirm before signing.
Entiendo que el dar información falsa para obtener una tarjeta de registro electoral constituye un delito de perjurio bajo las leyes estatales y federales. La condena por este delito puede resultar en encarcelamiento de hasta un año de cárcel, una multa de hasta \$4,000, o ambas cosas. Por favor, lea cada una de las tres declaraciones antes de firmar.

- I am a resident of this County and a U.S. citizen; and
- I have not been finally convicted of a felony, or, if a felon, I have completed all of my punishment including any term of incarceration, parole, supervision, period of probation, or I have been pardoned; and
- I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote.
- Soy residente de este condado y ciudadano de los Estados Unidos; y
- No he sido finalmente condenado por un delito grave, o si soy un delincuente, he purgado mi pena por completo, incluyendo cualquier plazo de encarcelamiento, libertad condicional, supervisión, periodo de libertad condicional, o he sido indultado; y
- No he sido determinado por un fallo final de un corte que ejerce la jurisdicción testamentaria que estoy totalmente incapacitado mentalmente o parcialmente incapacitado mentalmente sin derecho a voto

X _____

Date: ____/____/____
(fecha:)

Signature of Applicant or Agent and Relationship to Applicant or printed Name of Applicant if Signed by Witness and Date.
Firma del solicitante o su agente (apoderado) y relación de éste con el solicitante, o nombre en letra de molde del solicitante si la firma es la de un testigo, y fecha.

NOTICE OF CARRIER DEFECT

Voter Notified of Carrier Envelope Defect by Phone or Email

Your Carrier Envelope has been received and reviewed, but is defective for the reason(s) checked below.

Texas law allows a voter to correct certain defects on his or her Carrier Envelope after the marked ballot has been returned to the Early Voting Clerk. Your Carrier Envelope is being held at the Early Voting Clerk's Office so that you can make the necessary corrections because there was not sufficient time to return your Carrier Envelope to you by mail. The defect(s) listed below are able to be corrected no later than the 6th day after Election Day by appearing in person at the Early Voting Clerk's Office.

There is a checkmark next to the reason(s) that your Carrier Envelope was Defective

- _____ 1. The Carrier Envelope you returned to the Early Voting Clerk was not signed.
- _____ 2. When the signature on your Application for Ballot by Mail was compared to the signature on your Carrier Envelope, it could not be immediately determined that the signatures were made by the same person.
- _____ 3. A required Statement of Residence was not included in the Carrier Envelope you returned to the Early Voting Clerk.
- _____ 4. Your Carrier Envelope did not contain your Texas Driver's License Number, Texas Personal Identification Number, Texas Election Identification Certificate Number or the Last 4 digits of your Social Security Number; OR
the number provided did not match the number associated with your voter registration record as provided by your County's Voter Registrar; OR
if you were not issued one of the documents with the required number, you did not indicate this fact on the Carrier Envelope
- _____ 5. The Carrier Envelope you returned to the Early Voting Clerk contained incomplete information with respect to a witness.

How to Correct a Defect on Your Carrier Envelope by Appearing in Person at the Early Voting Clerk's Office

Defects number 1, 2, 3, and 5 can be corrected by completing the Corrective Action Form included with your notification of defect. You must deliver the completed Corrective Action Form in person to the Early Voting Clerk's Office.

Defect Correction Process by Number

- **Defect #1** – Complete and sign the Signature Box on the Corrective Action Form.
- **Defect #2** – Complete and sign the Signature Box on the Corrective Action Form.
- **Defect #3** – Complete and sign the Statement of Residence portion of the Corrective Action Form.
- **Defect #4** – You may correct Defect #4 online through the Texas Secretary of State Ballot by Mail Tracker at www.votetexas.gov or by providing your personal identification information in Box #4 of the Corrective Action Form. If you use the Corrective Action Form, you must complete and sign the Signature Box.
- **Defect #5** – If you used a witness for your Carrier Envelope because you were not able to sign or make your mark and the witness information was missing or incomplete, please ask a witness to complete the witness portion of the Corrective Action Form. You may use a different person as a witness if the same person is not available.
NOTE: If you no longer need a witness, you must be able to sign or make your mark on the Corrective Action Form in the Signature Box.

Correcting Defect #4 Using the Ballot by Mail Tracker

You may correct Defect #4 online through the Texas Secretary of State Ballot by Mail Tracker at www.votetexas.gov or by delivering the Corrective Action Form to the Early Voting Clerk's Office no later than the 6th day after Election Day. When you log into the Ballot by Mail Tracker, you will have the opportunity to enter your personal identification number(s). Both your Texas Driver's License or Texas Personal Identification Card number AND your Social Security number must be associated with your voter registration record to use the Ballot by Mail Tracker. Once your personal identification number is validated by the Ballot by Mail Tracker, the Carrier Envelope you previously submitted will be processed. Once your corrective action has been reviewed, the date of review and the status of your Carrier Envelope will be displayed on the Ballot by Mail Tracker. You do not have to appear in person at the Early Voting Clerk's Office if you make your correction online.

To utilize the Ballot by Mail Tracker, you must enter:

- Your Texas Driver's License Number or Texas Personal Identification Number, AND
- The last four digits of your social security number AND
- Your residence address as listed in your voter registration record

Cancelling Your Ballot by Mail - If you do not wish to correct the defect, you may still vote in person by cancelling your Ballot by Mail. If you cancel your Ballot by Mail in person at the Early Voting Clerk's Office, you will be given a Notice of Surrendered Ballot to take to the polls. This entitles you to vote a regular ballot. If you do not cancel at the Early Voting Clerk's Office, you will be able to vote a Provisional Ballot at the polling place. You may not vote in person after Election Day.

If you have any questions or concerns about making a correction to your Carrier Envelope please contact the Early Voting Clerk's Office at:

Phone Number of Early Voting Clerk

Signature of Reviewing Election Official

Printed Name of Election Official

Address of the Early Voting Clerk's Office

TX-SOS-22-0092-I-000037

Authority Conducting the Election (<i>Autoridad Administrando la Elección</i>)	Date of Correction (<i>Fecha de la Corrección</i>)
Title of Election (<i>Título de la Elección</i>)	Printed Name of Early Voting Clerk's Representative <i>Nombre de Representante del Secretario de Votación Adelantada</i>

CORRECTIVE ACTION FORM FOR DEFECTIVE CARRIER ENVELOPE

Name of Voter (<i>Nombre del Votante</i>)	Voter's VUID# (<i>Número de registración del votante (VUID#)</i>)
--	--

Early Voting Clerk: Circle the number(s) to indicate the voter's Carrier Envelope Defect(s)

1.	Voter Did Not Sign the Carrier Envelope Certificate (<i>El votante no firmó el Sobre de Envío</i>)
2.	Signature on Carrier Envelope Certificate Could Not Immediately be Determined to be That of the Voter <i>(No se pudo determinar inmediatamente que la firma en el Certificado del Sobre de Envío es la del votante)</i>
3.	Required Statement of Residence Was Not Included with the Carrier Envelope <i>(La Constancia de Domicilio Permanente requerida no se incluyó con el Sobre de Envío)</i>
4.	Missing or Incorrect Personal Identification Numbers or Social Security Number <i>(Números de Identificación Personal o Número de Seguro faltantes o incorrectos)</i>
	_____ or (o) _____
	Texas Driver's License or Texas Personal Identification Card Last 4 Digits of Social Security Number <i>(Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas)</i> <i>(Los 4 últimos dígitos de número de Seguro Social)</i>
	<input type="checkbox"/> I have not been issued a Texas Driver's License or Personal Identification Card or Social Security Number <i>No se me ha emitido una Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas o Número de Seguro Social.</i>
5.	Incomplete Information with Respect to a Witness (<i>Información incompleta con respecto a un testigo</i>)
	Signature of Witness (<i>Firma del testigo</i>) _____ Printed Name of Witness (<i>Nombre en letra de molde del testigo</i>) _____
	Street Address of Witness (<i>Domicilio residencial del testigo</i>) _____
Signature Box	I, _____, on ___/___/_____ submit this form to correct the defect on my Carrier Envelope that was identified above. By my signature below, I attest that all information that I have given is true and correct. <i>(Yo, _____, en el día ___/___/_____ presento este formulario para corregir el defecto en mi Sobre de Envío que se identificó anteriormente. Con mi firma a continuación, doy fe de que toda la información que he dado es verdadera y correcta.)</i>
	X _____ Signature of Voter (<i>Firma del Votante</i>)

STATEMENT OF RESIDENCE (*CONSTANCIA DE DOMICILIO PERMANENTE*)

For persons whose residence address does not match the voter registration address on the list of registered voters
Para personas cuya dirección no coincide con la que aparece en la lista oficial de votantes inscritos

Last Name Include suffix, if any <i>Apellido Incluir sufijo, si lo hay (Jr., Sr., III)</i>	First Name <i>Nombre de Pila</i>	Middle Name (if any) <i>Segundo Nombre (si lo hay)</i>	Former Name <i>Apellido Anterior</i>
Residence Address: Street Address and Apartment Number, City State, and Zip. <i>If none, describe where you live. (Do not include P.O. Box, Rural Route, or Business Address)</i> Domicilio Residencial: Número y calle, y número de apartamento, Ciudad, Estado, y Código Postal. <i>(Si no existe un domicilio, describe donde vive (no incluya apartados postales, rutas rurales o dirección del trabajo)</i>			Gender (Optional) <i>Sexo (Opcional)</i> <input type="checkbox"/> Male Masculino <input type="checkbox"/> Female Femenino
Mailing Address: Address, City, State, and Zip (if mail cannot be delivered to your residence address) <i>Dirección Postal: Número y calle, y número de apartamento, Ciudad, Estado, y Código Postal (Si no se puede entregar correo en su domicilio residencial)</i>		Date of Birth: Month, Day, Year <i>Fecha de Nacimiento: Mes, Día, Año</i> _____/_____/_____	
City and County of Former Residence in Texas <i>Ciudad y Condado de residencia anterior en Texas</i>	City and County of Current Residence in Texas <i>Ciudad y Condado de residencia actual en Texas</i>	Telephone Number (Optional) Include Area Code <i>Teléfono (Opcional) – Incluya Código de Área</i>	
Texas Driver's License Number or Texas Personal Identification Card Number <i>(Issued by the Department of Public Safety)</i> Número de Licencia de Conducir de Texas o Número de Tarjeta de Identificación Personal de Texas (<i>Expedido por el Departamento de Seguridad Pública</i>)		if you do not have a Texas Driver's License or Personal Identification Card, give the last 4 digits of your Social Security Number. <i>Si no tiene una Licencia de Conducir de Texas o número de Tarjeta de Identificación Personal, proporcione los 4 últimos dígitos de su número de Seguro Social.</i>	

I have not been issued a Texas Driver's License or Personal Identification Card or Social Security Number
Yo no tengo una Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas o número de Seguro Social.

I understand that giving false information to procure a voter registration is perjury, and a crime under state and federal law. Conviction of this crime may result in imprisonment up to one year in jail, a fine up to \$4,000, or both. Please read all three statements to affirm before signing.
Entiendo que el dar información falsa para obtener una tarjeta de registro electoral constituye un delito de perjurio bajo las leyes estatales y federales. La condena por este delito puede resultar en encarcelamiento de hasta un año de cárcel, una multa de hasta \$4,000, o ambas cosas. Por favor, lea cada una de las tres declaraciones antes de firmar.

- I am a resident of this County and a U.S. citizen; and
- I have not been finally convicted of a felony, or, if a felon, I have completed all of my punishment including any term of incarceration, parole, supervision, period of probation, or I have been pardoned; and
- I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote.
- Soy residente de este condado y ciudadano de los Estados Unidos; y
- No he sido finalmente condenado por un delito grave, o si soy un delincuente, he purgado mi pena por completo, incluyendo cualquier plazo de encarcelamiento, libertad condicional, supervisión, periodo de libertad condicional, o he sido indultado; y
- No he sido determinado por un fallo final de un corte que ejerce la jurisdicción testamentaria que estoy totalmente incapacitado mentalmente o parcialmente incapacitado mentalmente sin derecho a voto

X

Date: ____/____/_____
(fecha:)

Signature of Applicant or Agent and Relationship to Applicant or printed Name of Signed by Witness and Date.
Firma del solicitante o su agente (apoderado) y relación de éste con el solicitante, o nombre en letra de molde del solicitante si la firma es la de un testigo, y fecha.

Authority Conducting the Election (<i>Autoridad Administrando la Elección</i>)	Date of Correction (<i>Fecha de la Corrección</i>)
Title of Election (<i>Título de la Elección</i>)	Printed Name of Early Voting Clerk's Representative <i>Nombre de Representante del Secretario de votación Adelantada</i>

CORRECTIVE ACTION FORM FOR DEFECTIVE CARRIER ENVELOPE

Name of Voter (<i>Nombre del Votante</i>)	Voter's VUID# (<i>Número de registraci3n del votante (VUID#)</i>)
--	--

Early Voting Clerk: Circle the number(s) to indicate the voter's Carrier Envelope Defect(s)

1.	Voter Did Not Sign the Carrier Envelope Certificate (<i>El votante no firm3 el Sobre de Envío</i>)
2.	Signature on Carrier Envelope Certificate Could Not Immediately be Determined to be That of the Voter <i>(No se pudo determinar inmediatamente que la firma en el Certificado del Sobre de Envío es la del votante)</i>
3.	Required Statement of Residence Was Not Included with the Carrier Envelope <i>(La Constancia de Domicilio Permanente requerida no se incluy3 con el Sobre de Envío)</i>
4.	Missing or Incorrect Personal Identification Numbers or Social Security Number <i>(Números de Identificaci3n Personal o Número de Seguro Social faltantes o incorrectos)</i>
	_____ or (o) _____
	Texas Driver's License or Texas Personal Identification Card Last 4 Digits of Social Security Number <i>(Licencia de Conducir de Texas o Tarjeta de Identificaci3n Personal de Texas)</i> <i>(Los 4 últimos dígitos de número de Seguro Social)</i>
	<input type="checkbox"/> I have not been issued a Texas Driver's License or Personal Identification Card or Social Security Number <i>No se me ha emitido una Licencia de Conducir de Texas o Tarjeta de Identificaci3n Personal de Texas o Número de Seguro Social.</i>
5.	Incomplete Information with Respect to a Witness (<i>Informaci3n incompleta con respecto a un testigo</i>)
	Signature of Witness (<i>Firma del testigo</i>) _____ Printed Name of Witness (<i>Nombre en letra de molde del testigo</i>) _____
	Street Address of Witness (<i>Domicilio residencial del testigo</i>) _____
Signature Box	I, _____, on ____/____/____ submit this form to correct the defect on my Carrier Envelope that was identified above. By my signature below, I attest that all information that I have given is true and correct. <i>(Yo, _____, en el día ____/____/____ presento este formulario para corregir el defecto en mi Sobre de Envío que se identific3 anteriormente. Con mi firma a continuaci3n, doy fe de que toda la informaci3n que he dado es verdadera y correcta).</i>
	X _____ Signature of Voter (<i>Firma del Votante</i>)

STATEMENT OF RESIDENCE (*CONSTANCIA DE DOMICILIO PERMANENTE*)

For persons whose residence address does not match the voter registration address on the list of registered voters
Para personas cuya direcci3n no coincide con la que aparece en la lista oficial de votantes inscritos

Last Name Include suffix, if any <i>Apellido Incluir sufijo, si lo hay (Jr., Sr., III)</i>	First Name <i>Nombre de Pila</i>	Middle Name (if any) <i>Segundo Nombre (si lo hay)</i>	Former Name <i>Apellido Anterior</i>
Residence Address: Street Address and Apartment Number, City State, and Zip. <i>If none, describe where you live. (Do not include P.O. Box, Rural Route, or Business Address)</i> Domicilio Residencial: Número y calle, y número de apartamento, Ciudad, Estado, y Código Postal. <i>(Si no existe un domicilio, describe donde vive (no incluya apartados postales, rutas rurales o direcci3n del trabajo))</i>			Gender (Optional) <i>Sexo (Opcional)</i> <input type="checkbox"/> Male Masculino <input type="checkbox"/> Female Femenino
Mailing Address: Address, City, State, and Zip (if mail cannot be delivered to your residence address) <i>Direcci3n Postal: Número y calle, y número de apartamento, Ciudad, Estado, y Código Postal (Si no se puede entregar correo en su domicilio residencial)</i>		Date of Birth: Month, Day, Year <i>Fecha de Nacimiento: Mes, Día, Año</i> ____/____/____	
City and County of Former Residence in Texas <i>Ciudad y Condado de residencia anterior en Texas</i>	City and County of Current Residence in Texas <i>Ciudad y Condado de residencia actual en Texas</i>	Telephone Number (Optional) Include Area Code <i>Teléfono (Opcional) – Incluya Código de Área</i>	
Texas Driver's License Number or Texas Personal Identification Card Number <i>(Issued by the Department of Public Safety)</i> Número de Licencia de Conducir de Texas o Número de Tarjeta de Identificaci3n Personal de Texas (<i>Expedido por el Departamento de Seguridad Pública</i>)		If you do not have a Texas Driver's License or Personal Identification Card, give the last 4 digits of your Social Security Number. <i>Si no tiene una Licencia de Conducir de Texas o número de Tarjeta de Identificaci3n Personal, proporcione los 4 últimos dígitos de su número de Seguro Social.</i>	

I have not been issued a Texas Driver's License or Personal Identification Card or Social Security Number
Yo no tengo una Licencia de Conducir de Texas o Tarjeta de Identificaci3n Personal de Texas o número de Seguro Social.

I understand that giving false information to procure a voter registration is perjury, and a crime under state and federal law. Conviction of this crime may result in imprisonment up to one year in jail, a fine up to \$4,000, or both. Please read all three statements to affirm before signing.
Entiendo que el dar informaci3n falsa para obtener una tarjeta de registro electoral constituye un delito de perjurio bajo las leyes estatales y federales. La condena por este delito puede resultar en encarcela miento de hasta un año de cárcel, una multa de hasta \$4,000, o ambas cosas. Por favor, lea cada una de las tres declaraciones antes de firmar.

- I am a resident of this County and a U.S. citizen; and
- I have not been finally convicted of a felony, or, if a felon, I have completed all of my punishment including any term of incarceration, parole, supervision, period of probation, or I have been pardoned; and
- I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote.
- Soy residente de este condado y ciudadano de los Estados Unidos; y
- No he sido finalmente condenado por un delito grave, o si soy un delincuente, he purgado mi pena por completo, incluyendo cualquier plazo de encarcelamiento, libertad condicional, supervisi3n, periodo de libertad condicional, o he sido indultado; y
- No he sido determinado por un fallo final de un corte que ejerce la jurisdicci3n testamentaria que estoy totalmente incapacitado mentalmente o parcialmente incapacitado mentalmente sin derecho a voto

X _____

Date: ____/____/____
(fecha:)

Signature of Applicant or Agent and Relationship to Applicant or printed Name of Applicant if Signed by Witness and Date.
Firma del solicitante o su agente (apoderado) y relaci3n de éste con el solicitante, o nombre en letra de molde del solicitante si la firma es la de un testigo, y fecha.

From: Beva Kellison
Sent: Tuesday, February 8, 2022 9:52 AM
To: Forensic Audit Division Staff
Subject: FW: MASS EMAIL (CC/EA/VR - 1031) - UPDATED Webinar Schedule for February 2022

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, February 2, 2022 9:12 PM
To: Elections Internet
Subject: MASS EMAIL (CC/EA/VR - 1031) - UPDATED Webinar Schedule for February 2022

Dear Election Officials:

To assist with upcoming elections, we are offering the following webinars for the month of February 2022. In addition to topic specific webinars, we will be offering a weekly webinar leading up to the Primary election to address Frequently Asked Questions the Elections Division has received that week. We hope that this weekly webinar will help our election officials receive timely information to assist with various election processes.

Please note that due to inclement weather affecting the state, we have postponed the webinars that were scheduled for tomorrow. The new dates and times for the webinars are noted below.

Date	Time	Event	Link	Password	Audio Conference #	Access Code
February 7	2:00 pm	FAQs with the Elections Division (UPDATED)	https://texassos.webex.com/texassos/onstage/ [REDACTED]	[REDACTED]	408-418-9388	[REDACTED]
February 8	9:00 am	County Contact & Precinct Information (UPDATED)	https://texassos.webex.com/texassos/onstage/ [REDACTED]	[REDACTED]	408-418-9388	[REDACTED]
February 8	2:00 pm	Training for EVBB/SVC members on new Ballot by Mail Procedures (Primary Focused)	https://texassos.webex.com/texassos/onstage/ [REDACTED]	[REDACTED]	408-418-9388	[REDACTED]
February 9	9:00 am	Reviewing Candidate Applications (Local Political Subdivisions)	https://texassos.webex.com/texassos/onstage/ [REDACTED]	[REDACTED]	408-418-9388	[REDACTED]

February 9	2:00 pm	Contracting and Joint Elections (Local Political Subdivisions)	https://texassos.webex.com/texassos/onstage/g [REDACTED]	[REDACTED]	408-418-9388	[REDACTED]
February 10	9:00 am	Cancellation of Mail Ballots (Primary focused)	https://texassos.webex.com/texassos/onstage/g [REDACTED]	[REDACTED]	408-418-9388	[REDACTED]
February 10	2:00 pm	FAQs with the Elections Division	https://texassos.webex.com/texassos/onstage/g [REDACTED]	[REDACTED]	408-418-9388	[REDACTED]
February 15	9:00 am	Cancellation of An Election for Local Entities (Local Political Subdivisions)	https://texassos.webex.com/texassos/onstage/g [REDACTED]	[REDACTED]	408-418-9388	[REDACTED]
February 17	9:00 am	Central Counting Station Procedures (Primary Focused)	https://texassos.webex.com/texassos/onstage/g [REDACTED]	[REDACTED]	408-418-9388	[REDACTED]
February 17	2:00 pm	FAQs with the Elections Division	https://texassos.webex.com/texassos/onstage/g [REDACTED]	[REDACTED]	408-418-9388	[REDACTED]
February 24	2:00 pm	FAQs with the Elections Division	https://texassos.webex.com/texassos/onstage/g [REDACTED]	[REDACTED]	408-418-9388	[REDACTED]

Please let us know if you have any additional questions or concerns. We look forward to working with you in preparations for your upcoming elections.

Thank you,

Christina Worrell Adkins

Legal Director – Elections Division

Office of the Texas Secretary of State

1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701

1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.



From: Beva Kellison
Sent: Monday, February 7, 2022 11:39 AM
To: Kristi Hart; Keith Ingram
Cc: Chad Ennis; Beva Kellison
Subject: New Elections Officials

Good Morning:

The Forensics Audit Division would like to be added to the email list of divisions notified of new county clerks, elections administrators and county judges when you get that paperwork in.

Thanks;

Beva Kellison
Forensics Audit Division
The Office of the Secretary of State
1019 Brazos, Austin, Texas 78711
bkellison@sos.texas.gov

From: Beva Kellison
Sent: Monday, January 31, 2022 4:29 PM
To: AMontgomery@sos.texas.gov
Cc: Beva Kellison
Subject: RE: Issue #47609: NEW FTE: Darla Dixon, Elections, starts (2/7/2022) (Admin. Services Division)

Okay, thank you Amanda.

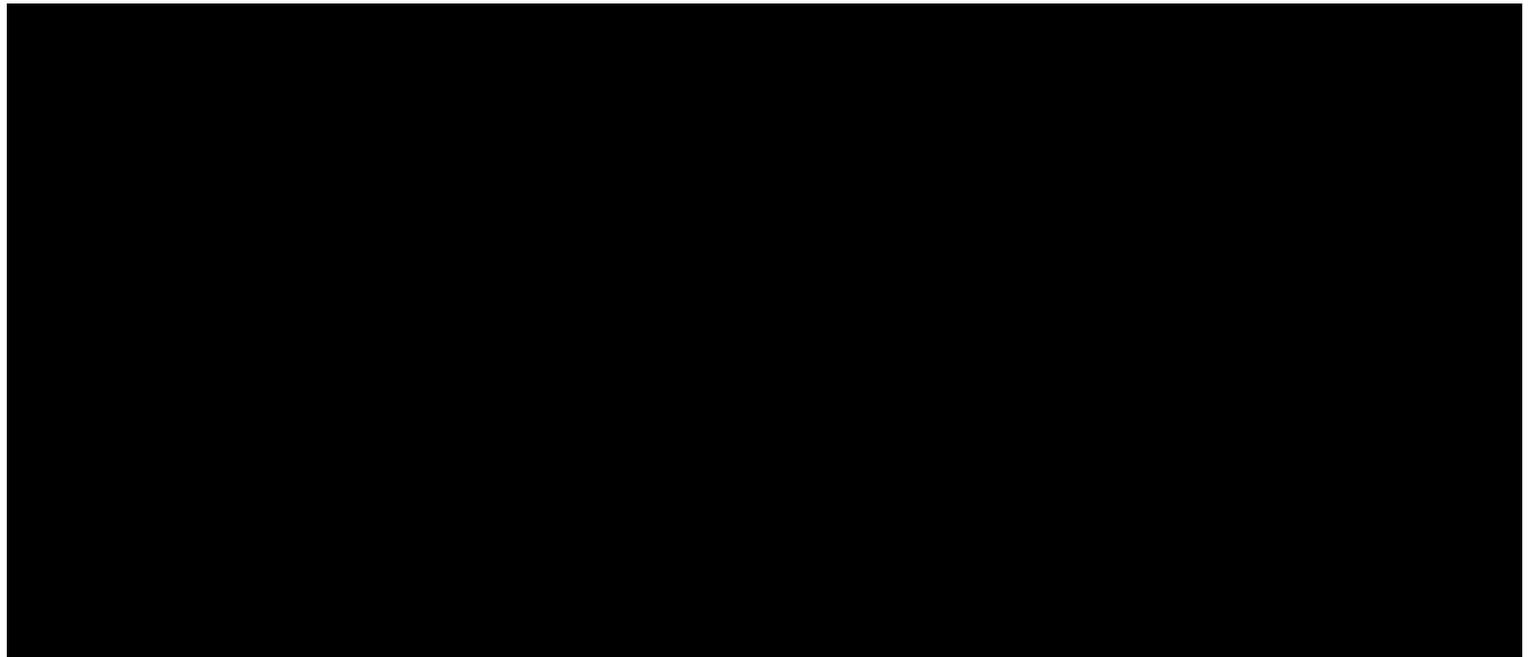
From: AMontgomery@sos.texas.gov <AMontgomery@sos.texas.gov>
Sent: Monday, January 31, 2022 4:23 PM
To: Beva Kellison <BKellison@sos.texas.gov>
Subject: Issue #47609: NEW FTE: Darla Dixon, Elections, starts (2/7/2022) (Admin. Services Division)

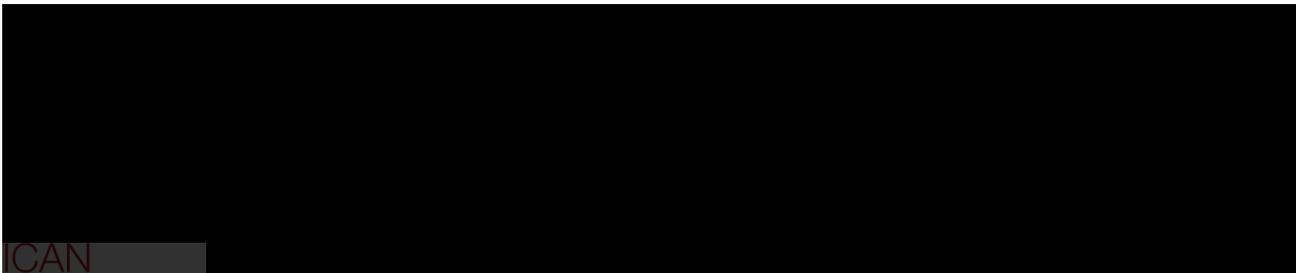
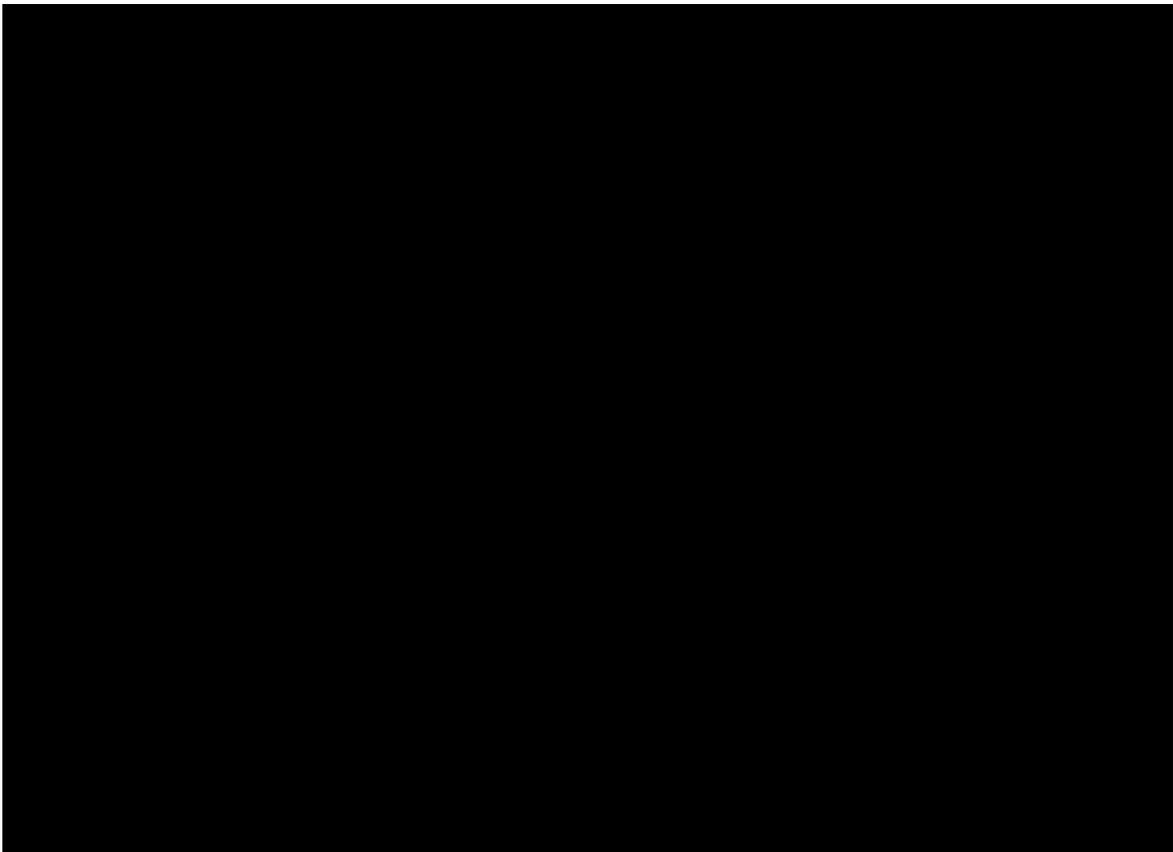
Hi Beva,

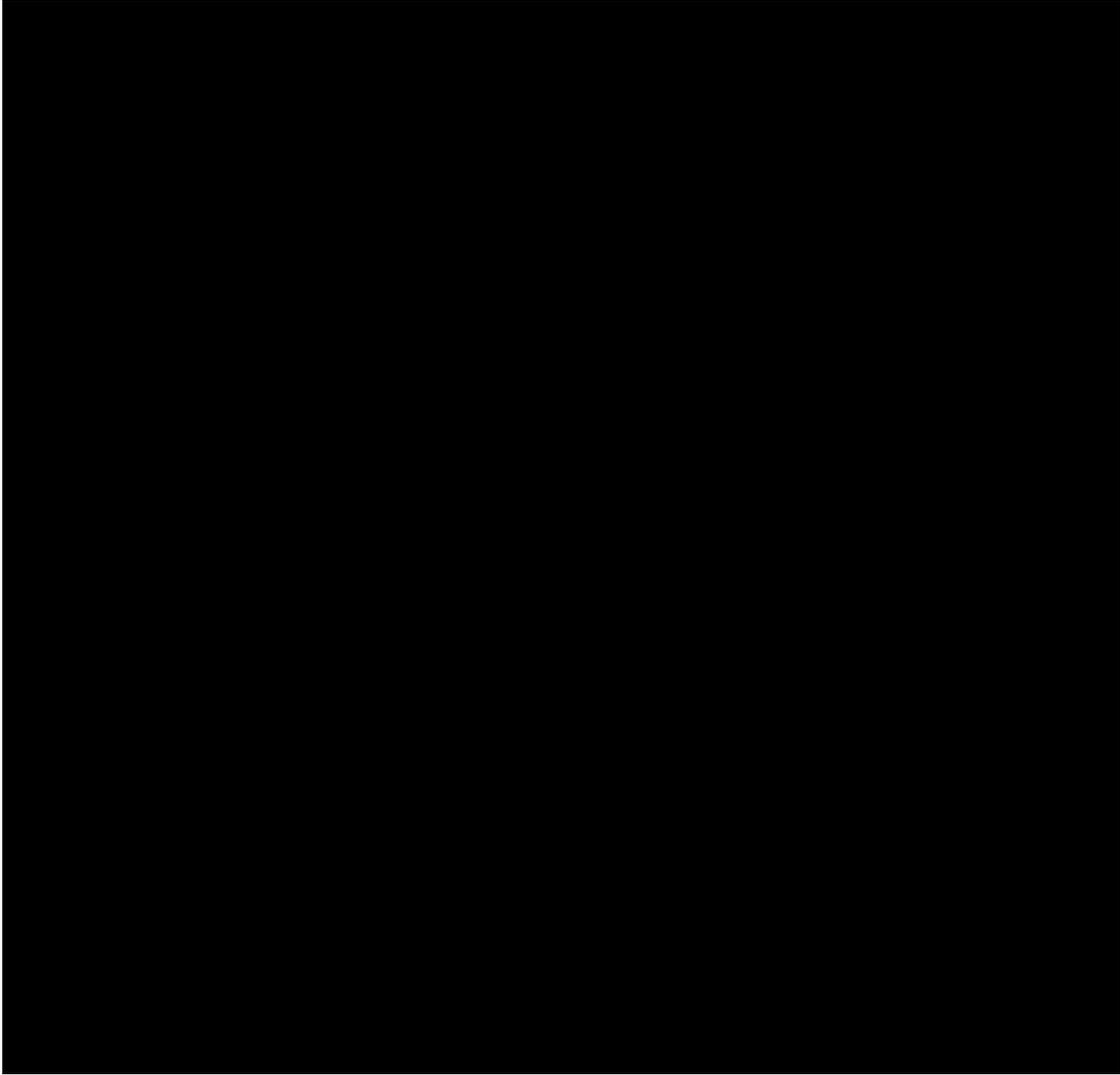
I have requested that the description be changed on this one to FAD, and I updated the VoIP tasks to reflect your name instead of Kristi's. Please let me know if you have any questions.

Thank you,

Amanda







From: Beva Kellison
Sent: Monday, January 31, 2022 4:30 PM
To: Amanda Montgomery
Cc: Beva Kellison
Subject: RE: Issue #47609, Task Assigned: NEW FTE: Darla Dixon, Elections, starts (2/7/2022) (Admin. Services Division) As Task Assignee

Thanks Amanda, I will reach out

Beva

From: Amanda Montgomery
Sent: Monday, January 31, 2022 4:29 PM
To: Beva Kellison <BKellison@sos.texas.gov>
Subject: FW: Issue #47609, Task Assigned: NEW FTE: Darla Dixon, Elections, starts (2/7/2022) (Admin. Services Division) As Task Assignee

Hi Beva,

Kristi asked me to reach out to let you know how to access the setup forms. They are located on the [SOSConnect](#) page under Employee Forms. It is a DocuSign form that will require you to enter your name and email as the onboarding specialist and the director's name and email.

Please don't hesitate to reach out to me if you have any questions about the form.

Amanda Montgomery

Information Technology - Operations
Texas Secretary of State



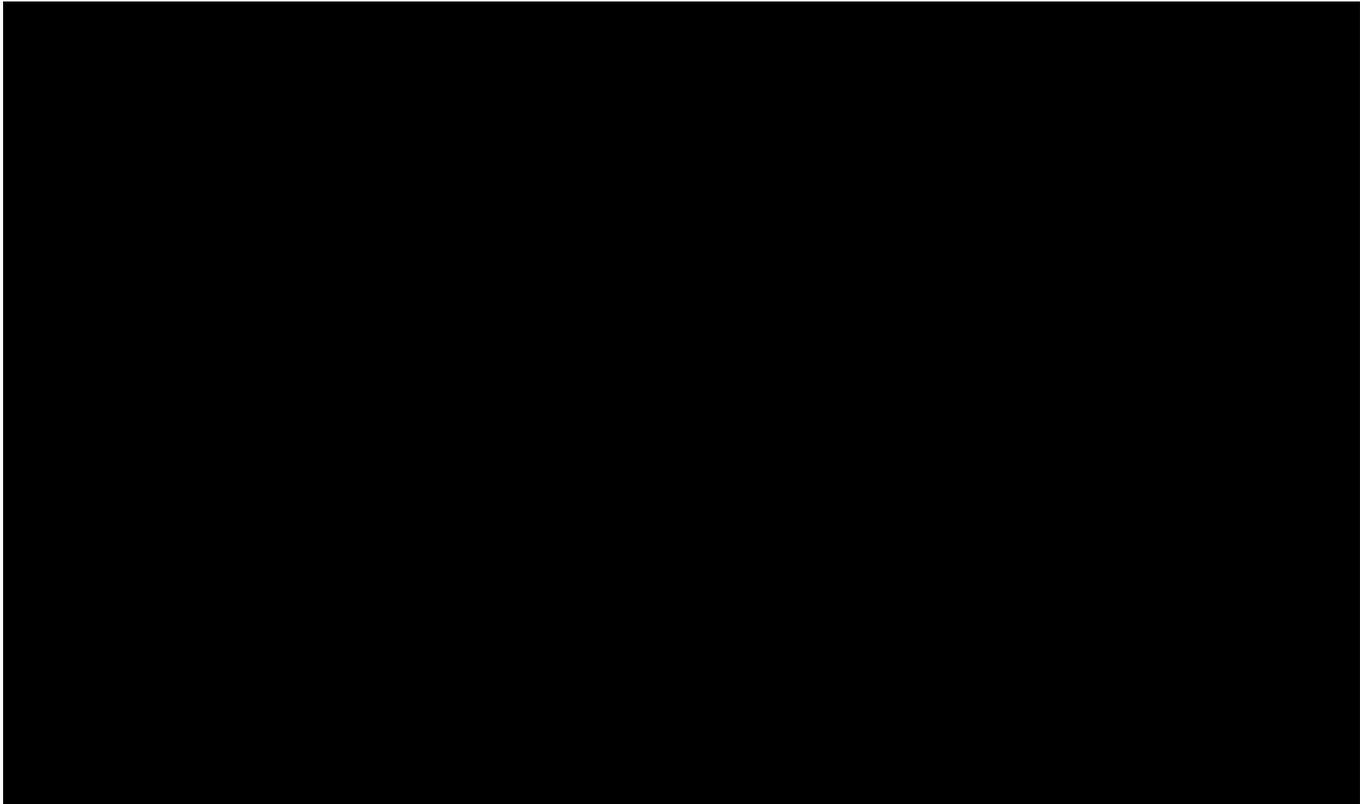
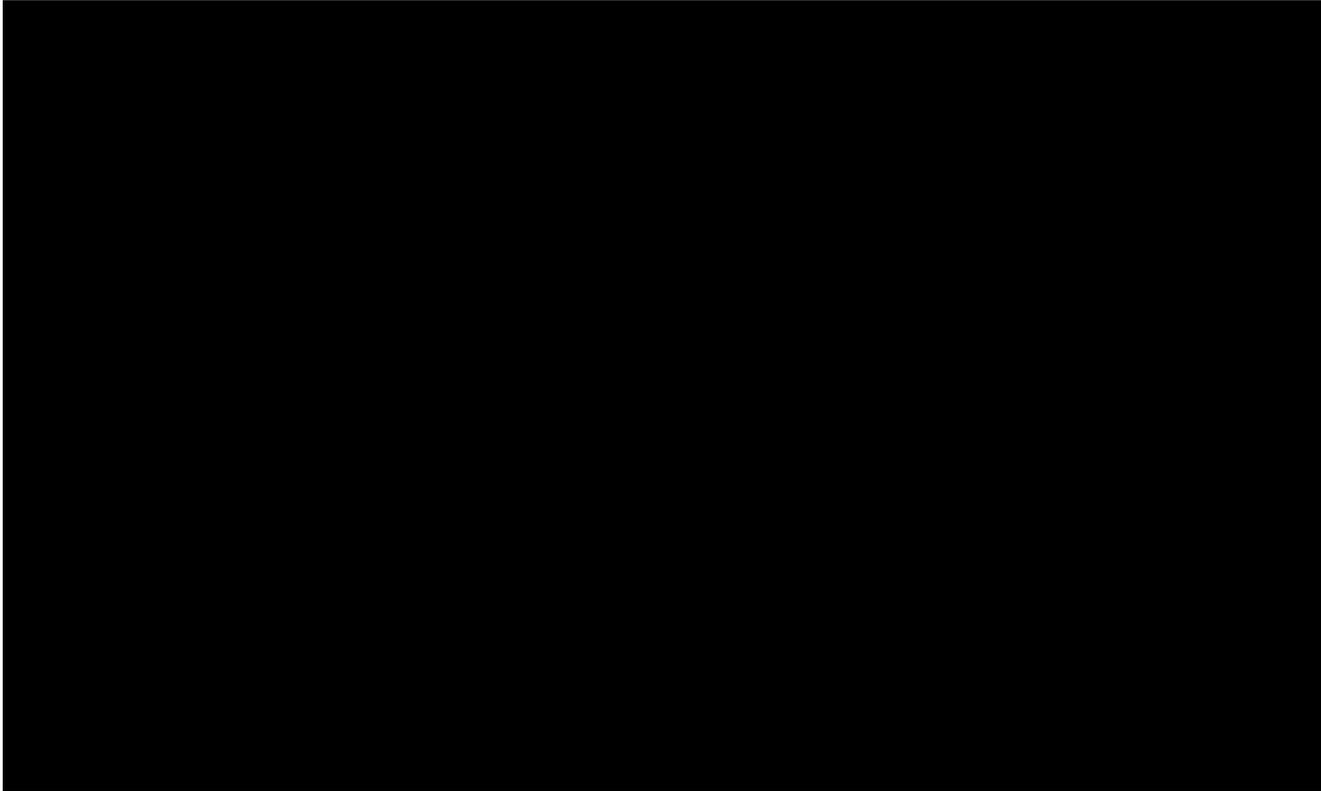
From: Kristi Hart
Sent: Monday, January 31, 2022 2:51 PM
To: Amanda Montgomery <AMontgomery@sos.texas.gov>
Subject: FW: Issue #47609, Task Assigned: NEW FTE: Darla Dixon, Elections, starts (2/7/2022) (Admin. Services Division) As Task Assignee

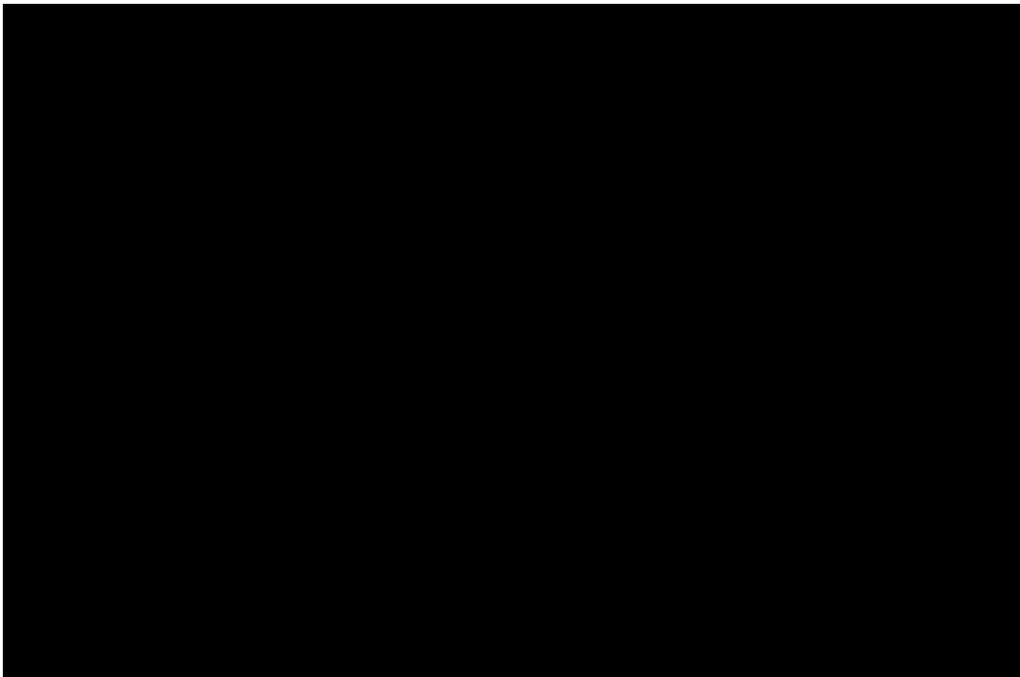
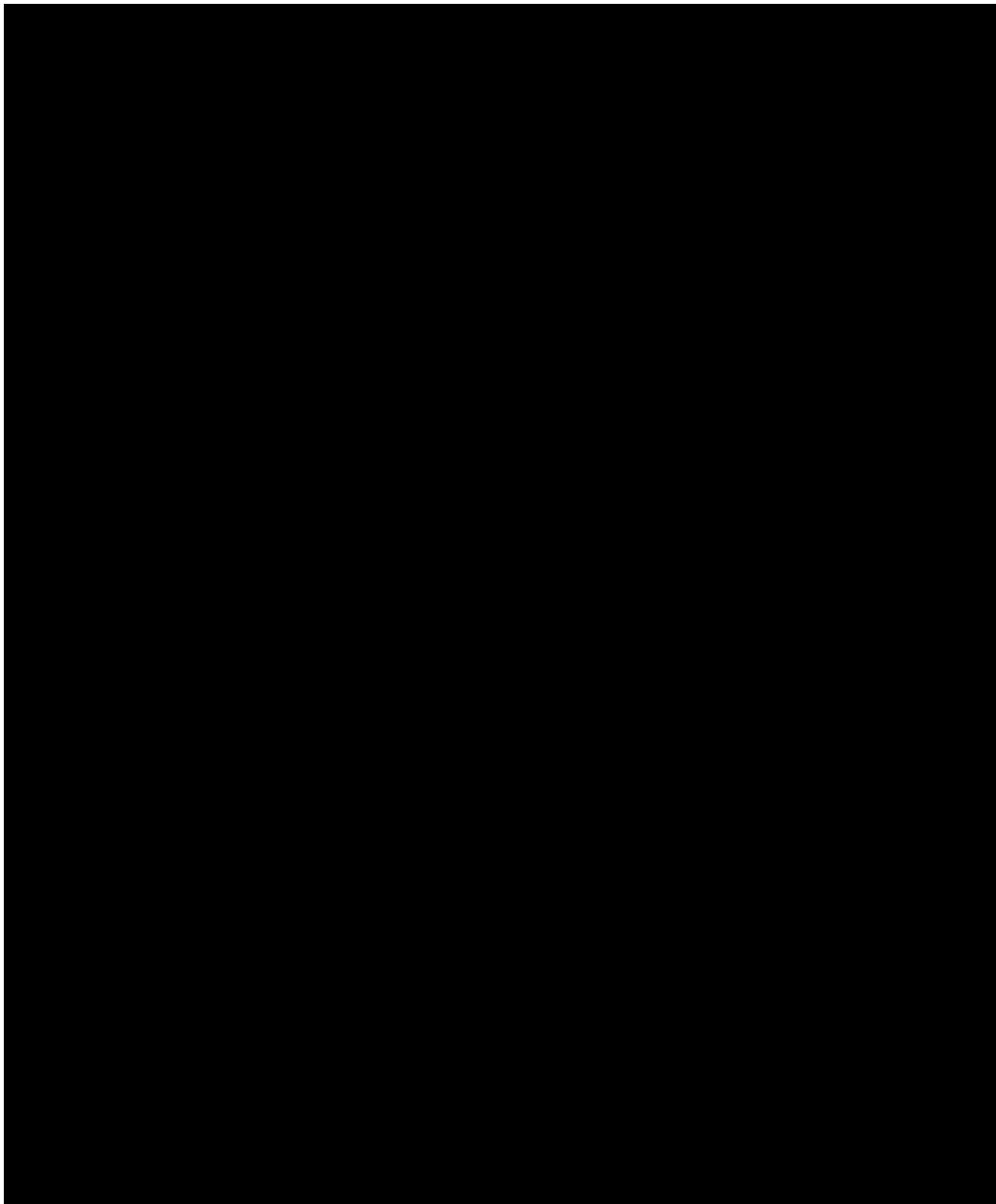
This is an auditor for the Forensic Audit group. Beva has moved to that division and will be assisting the new director with the setup forms.

From: IT Help Desk Ticket <HelpDeskTickets@sos.texas.gov>
Sent: Monday, January 31, 2022 2:38 PM
To: Kristi Hart <KHart@sos.texas.gov>

Subject: Issue #47609, Task Assigned: NEW FTE: Darla Dixon, Elections, starts (2/7/2022) (Admin. Services Division) As Task Assignee

Please do not reply to this message. This e-mail is automatically generated from an email address that is not monitored. Please direct correspondence to ITHelpDesk@sos.texas.gov.







From: Chad Ennis
Sent: Monday, February 7, 2022 2:37 PM
To: Beva Kellison
Subject: RE: Access to Purchasing

4170 is correct.

From: Beva Kellison
Sent: Monday, February 7, 2022 1:43 PM
To: Chad Ennis <CEnnis@sos.texas.gov>
Cc: Beva Kellison <BKellison@sos.texas.gov>
Subject: FW: Access to Purchasing

From: Stephanie Alvarado
Sent: Monday, February 7, 2022 11:58 AM
To: Beva Kellison <BKellison@sos.texas.gov>
Subject: FW: Access to Purchasing

Hey Beva,

Can you please send me the answers to the e-mail below.

Thanks,
Steph

From: Anna Karpova <AKarpova@sos.texas.gov>
Sent: Monday, February 7, 2022 11:38 AM
To: Stephanie Alvarado <SAlvarado@sos.texas.gov>; Louis Ng <LNg@sos.texas.gov>; Alfonso Royal <ARoyal@sos.texas.gov>
Subject: RE: Access to Purchasing

Hello,

I need some clarifications, please.

Is the Forensics Audit Division same as Dept 4170 - ENSURING ELECTION INTEGRITY?

Will Chad approve PRs submitted by Beva?

Thanks,
Anya

From: Stephanie Alvarado <SAlvarado@sos.texas.gov>
Sent: Monday, February 7, 2022 10:33 AM
To: Anna Karpova <AKarpova@sos.texas.gov>; Louis Ng <LNg@sos.texas.gov>; Alfonso Royal <ARoyal@sos.texas.gov>
Subject: FW: Access to Purchasing

Morning,

Beva and Chad are needing purchasing rights in CAPPs. They are needing to be able to enter PR's and do receiving.

Thanks,
Stephanie Alvarado

From: Beva Kellison <BKellison@sos.texas.gov>
Sent: Monday, February 7, 2022 10:01 AM
To: Stephanie Alvarado <SAlvarado@sos.texas.gov>
Cc: Chad Ennis <CEnnis@sos.texas.gov>; Beva Kellison <BKellison@sos.texas.gov>
Subject: Access to Purchasing

Good Morning Stephanie:

Per our conversation this email is to notify you that Chad Ennis and myself will need access to the purchasing system for the Forensic Audit Division. Let me know if you need anything else.

Thanks;

Beva Kellison
Forensics Audit Division
The Office of the Secretary of State
1019 Brazos, Austin, Texas 78711
bkellison@sos.texas.gov

From: Beva Kellison
Sent: Monday, February 14, 2022 12:30 PM
To: Dara Stone
Cc: Beva Kellison
Subject: RE: CAPPs

Will do, thanks Dara!

Beva

From: Dara Stone
Sent: Monday, February 14, 2022 12:28 PM
To: Beva Kellison <BKellison@sos.texas.gov>
Subject: RE: CAPPs

You should be good to go for tomorrow. Let me know if it hasn't changed. Thanks!

*Dara Stone, PHR
Director of Human Resources
P: (512)463-5592*

From: Beva Kellison <BKellison@sos.texas.gov>
Sent: Monday, February 14, 2022 12:13 PM
To: Dara Stone <DStone@sos.texas.gov>
Cc: Beva Kellison <BKellison@sos.texas.gov>
Subject: RE: CAPPs

Will do

Thanks;
Beva

From: Dara Stone
Sent: Monday, February 14, 2022 12:05 PM
To: Beva Kellison <BKellison@sos.texas.gov>
Subject: RE: CAPPs

We need to get you updated in CAPPs, please hold off on completing your timesheet until further notice. Thanks!

*Dara Stone, PHR
Director of Human Resources
P: (512)463-5592*

From: Beva Kellison <BKellison@sos.texas.gov>
Sent: Monday, February 14, 2022 7:59 AM
To: Dara Stone <DStone@sos.texas.gov>

Cc: Beva Kellison <BKellison@sos.texas.gov>

Subject: CAPPS

Good Morning Dara:

I need to update my timesheet however, it still shows Kristi as my boss. I need for Chad to get the notifications. Should I just wait until the end of the month to update?



Beva Kellison
Auditor - Forensics Audit Division
Texas Secretary of State



From: Greg Jones
Sent: Thursday, February 10, 2022 11:59 AM
To: Beva Kellison
Cc: Chad Ennis
Subject: RE: Extra Chairs

Ok we will take care of it.

Greg

From: Beva Kellison <BKellison@sos.texas.gov>
Sent: Thursday, February 10, 2022 11:57 AM
To: Greg Jones <GJones@sos.texas.gov>
Cc: Chad Ennis <CEnnis@sos.texas.gov>; Beva Kellison <BKellison@sos.texas.gov>
Subject: RE: Extra Chairs

Thanks Greg, already took it down there and it is sitting next to that rooms doors.

Beva

From: Greg Jones
Sent: Thursday, February 10, 2022 11:56 AM
To: Beva Kellison <BKellison@sos.texas.gov>
Cc: Chad Ennis <CEnnis@sos.texas.gov>
Subject: RE: Extra Chairs

Hey Beva,

We will grab that chair from you and take it downstairs.

Thanks,
Greg Jones

From: Beva Kellison <BKellison@sos.texas.gov>
Sent: Thursday, February 10, 2022 10:56 AM
To: Greg Jones <GJones@sos.texas.gov>
Cc: Chad Ennis <CEnnis@sos.texas.gov>; Beva Kellison <BKellison@sos.texas.gov>
Subject: Extra Chairs

Greg:

We have a chair that needs to be done away with. Do I just put it there in that basement room by the cargo elevator?

Beva Kellison
Forensics Audit Division
The Office of the Secretary of State

1019 Brazos, Austin, Texas 78711
bkellison@sos.texas.gov

From: Shamika Fehr
Sent: Monday, February 7, 2022 9:28 AM
To: John Rodriguez
Cc: Beva Kellison
Subject: RE: FAD paper showing where people sit

Sensitivity: Personal

Here you are:

Rm 508 - Assistant General Counsel - Zach Rhines – Start Date 2/14

5th Floor Exec Suite for the FAD Admin:

Rm 530 (Exec Office) – Chad Ennis - FAD Director – Start date 2/1

Rm 533 (DSOS Office) - Attorney IV – Start Date TBD

Rm 532 – Admin Assist. V - Olga Rosca - Start Date 2/7

Rm 532 - Admin Assist. V – Start Date TBD

Auditors will be on 3rd floor south east corner cubicles:

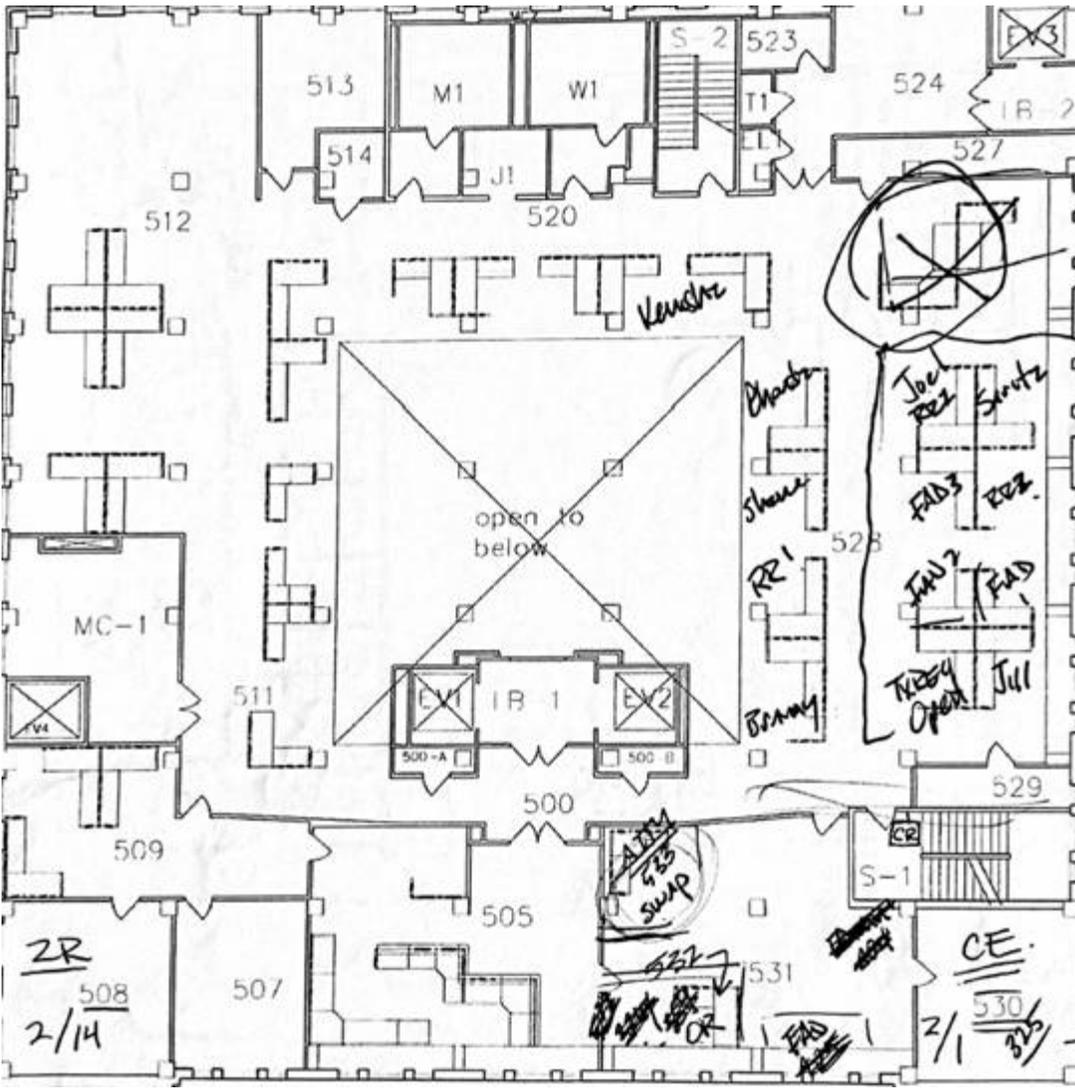
322 Space 7 – Program Spec. V - Beva Kellison – Start Date 2/1

322 Space 6 – Program Spec. V - Darla Dixon - Start Date 2/7

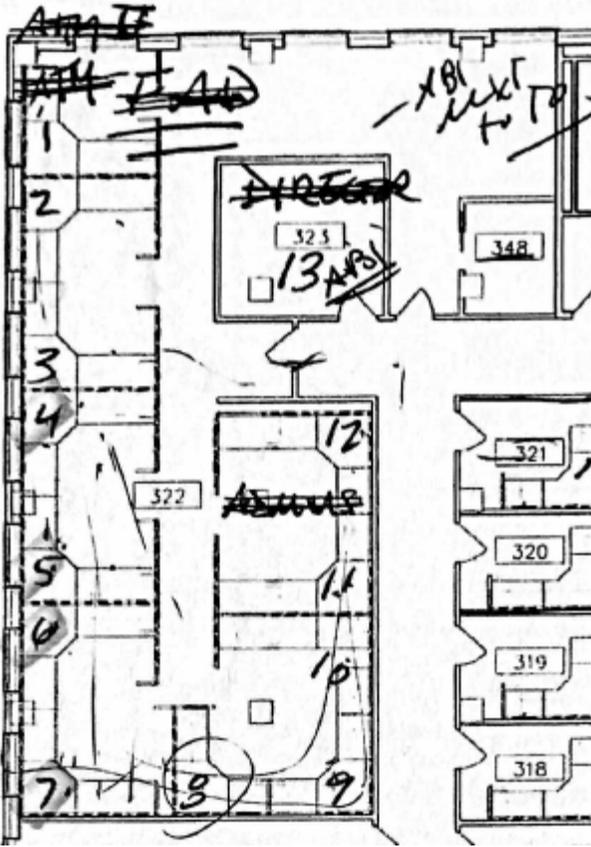
322 Space 10 – Program Spec. V - Holly Justice – Start Date 2/7

322 Space 9 or 8 - Program Spec. V – Start Date TBD

5th floor:



3rd Floor



Thanks,
Shamika

From: John Rodriguez
Sent: Monday, February 7, 2022 9:17 AM
To: Shamika Fehr <sfehr@sos.texas.gov>
Cc: Beva Kellison <BKellison@sos.texas.gov>
Subject: FAD paper showing where people sit
Sensitivity: Personal

Hey Shamika,

Can you send me the paper showing where everyone in FAD is sitting?

From: Beva Kellison
Sent: Thursday, February 3, 2022 1:33 PM
To: Amanda Montgomery; Shamika Fehr; Russel Medina
Cc: Beva Kellison
Subject: RE: Jabber

Okay, played around and figured out how to remove and add people. Thank you everyone.

Beva

From: Amanda Montgomery
Sent: Thursday, February 3, 2022 1:04 PM
To: Shamika Fehr <sfehr@sos.texas.gov>; Beva Kellison <BKellison@sos.texas.gov>; Russel Medina <RMedina@sos.texas.gov>
Subject: RE: Jabber

These are manually set up by users. Beva, you should be able to delete those entries. Let me know if you have any questions.

Amanda Montgomery

Information Technology - Operations
Texas Secretary of State



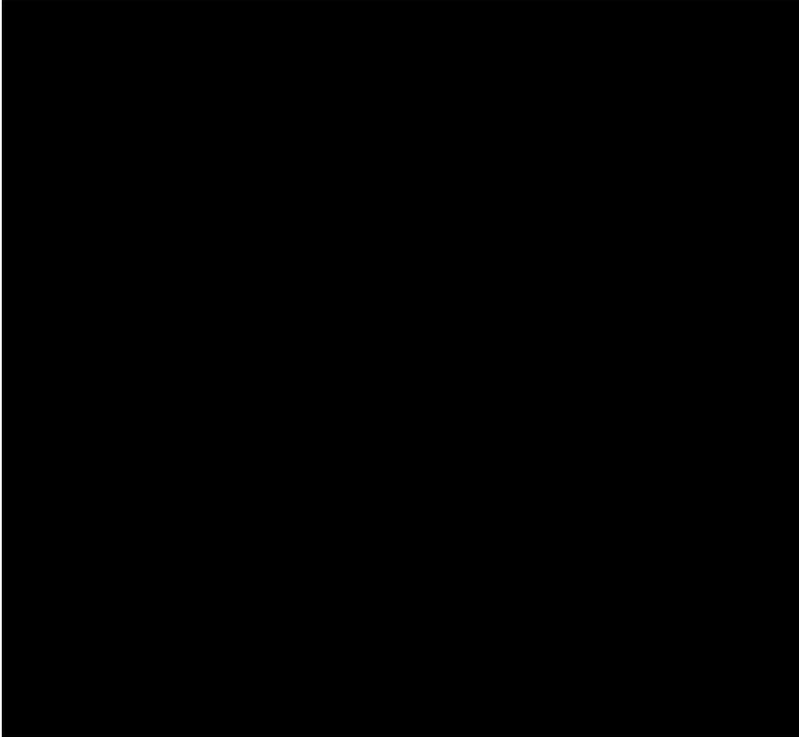
From: Shamika Fehr
Sent: Thursday, February 3, 2022 12:06 PM
To: Beva Kellison <BKellison@sos.texas.gov>; Russel Medina <RMedina@sos.texas.gov>; Amanda Montgomery <AMontgomery@sos.texas.gov>
Subject: RE: Jabber

...including Amanda. This doesn't appear to be an Active Directory issue. How do we get that changed? Is it something that has to be submitted to DIR or is it a client side change.

Thanks,
Shamika

From: Beva Kellison
Sent: Thursday, February 3, 2022 11:20 AM
To: Shamika Fehr <sfehr@sos.texas.gov>; Russel Medina <RMedina@sos.texas.gov>
Cc: Beva Kellison <BKellison@sos.texas.gov>
Subject: Jabber

I just noticed that Jabber still has me listed under Elections



Beva Kellison
Forensics Audit Division
The Office of the Secretary of State
1019 Brazos, Austin, Texas 78711
bkellison@sos.texas.gov

From: Kristi Hart
Sent: Monday, February 14, 2022 4:26 PM
To: Beva Kellison
Cc: Julia Montes; Christina Adkins; Chad Ennis
Subject: RE: New County Election Officials

Beva,

We received your email last week related to the election officials. In speaking with Chad, we explained why we would prefer to not mix the two divisions especially on our internal procedures. As you know, there are many moving parts to this and until we receive the appropriate paperwork and complete the process, we do not need to provide that information to other divisions. As Christina reminded me as well, we must be careful from a PIR perspective about this type of situation and keep clear lines where we can.

With that said, we are more than happy to provide any data your need. As you know the election officials are presented on the website once they are updated and can be downloaded. If you need this information in a different format, let me know and we will work to get you whatever you need. I do ask that these requests be directed to me rather than the members of my team. I just want to be sure we are doing everything as we are supposed to be.

Let me know if I can help!

Kristi Hart

Director of Election Administration
& Voter Registration
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From: Beva Kellison <BKellison@sos.texas.gov>
Sent: Monday, February 14, 2022 3:28 PM
To: Julia Montes <JMontes@sos.texas.gov>
Cc: Forensic Audit Division Staff <FADStaff@sos.texas.gov>
Subject: New County Election Officials

Julia:

Can you please add FADStaff@sos.texas.gov to your email distribution list of new county officials. We will be using the Election Officials but will take what you send and sort through it on our end.

Thanks;
Beva

From: Aimee McKnight Mitchell
Sent: Thursday, February 3, 2022 7:23 AM
To: Beva Kellison
Subject: RE: Phone Numbers
Attachments: 1 Office Phone List January 10, 2022 for Internal Use.pdf

Good morning 😊. This is the latest I have.

From: Beva Kellison
Sent: Thursday, February 3, 2022 7:19 AM
To: Aimee McKnight Mitchell <AMitchell@sos.texas.gov>
Cc: Beva Kellison <BKellison@sos.texas.gov>
Subject: Phone Numbers

Good Morning! Happy Ice Day!! 😊 Can you send me the Division phone numbers doc? I don't have access to anything anymore and I would like to have that.

Thanks!

Beva Kellison
Forensics Audit Division
The Office of the Secretary of State
1019 Brazos, Austin, Texas 78711
bkellison@sos.texas.gov

1019 Brazos, Austin, TX 78701
P.O. Box 12060, Austin, TX 78711
Elections Main # 800-252-8683
Elections Local # 512-463-5650
County Officials # 800-252-2216

Elections Fax 512-475-2811
Chap 19/Primary Fin Fax 512-463-7552
SOS Websites: www.sos.texas.gov www.votetexas.gov
Elections Mailbox elections@sos.texas.gov
Elections Storage/Rusk Basement-P-128 3-5696

Keith Ingram	3-9871	29
Aimee Mitchell	4-5581	25
Alexa Buxkemper	5-2855	None
Alicia Castruita	4-5583	26
Andre Montgomery	3-3455	21
Andria Perales	3-9867	23
Beva Kellison	3-9862	18
Christina Adkins	3-9859	15
Chuck Pinney	3-9874	32
Clay Wilson	3-3362	None
Dan Glotzer	3-9861	None
David Gattuso	5-9450	46
David Velez-Perez	5-2859	None
Debbie Abrego	5-2842	
Denique Williams		
Elizabeth Hawkins	5-2843	
Emily Harwell	3-9864	20
Erik Buntin	5-2840	
Ernest Fuentes	3-2835	44
Heidi Martinez	3-9876	07
Julia Montes	3-9853	01
Julie Nanyes	3-8599	47
Kate Fisher	3-2484	02
Kristi Hart	3-3204	11
Lena Proft	5-2821	42
Lexi Hill	5-2688	09
Lily Eder	3-4421	04
Mary Eliassen	3-9869	None
Melanie Best	3-9863	19
Michele Leatherwood	4-5582	37
Milagros Cardenas	3-5587	43
Tamara Schoonmaker	3-5653	38
Tessa Rowland	5-2841	
Tiffany Owens	3-9858	14
VACANT (Legal)	5-2847	41

OTHER NUMBERS

Governor's Office	512-463-2000
Legislative Council	512-463-1151
Archives	512-463-5455
Comptroller/Lottery	800-531-5441
TX Ethics Commission	512-463-5800
201 E 14 th Street, (campaign/contributions, PAC)	
Austin, TX 78701	
TX Ethics Fax	512-463-5777
F.E.C. (Fed Elec Comm)	800-424-9530
D.O.J. (Dept. of Justice)	202-307-2767
Attorney General's Open Government:	877-673-6839
Comptroller's Sales and Use Tax Division:	800-252-5555
Comptroller's Property Tax Division:	800-252-9121

Executive	463-5770
Executive Fax	475-2761
Notary	463-5705
Information Technology	463-5609
IT HELP DESK	463-5638
Administrative Services	463-8000
Administrative Svcs Fax	475-2819
Travel	475-2782
Travel Fax	463-6039
Corporations	463-5555
Corporations Fax	463-5709
Statutory Documents	463-5705
Statutory Documents Fax	463-0873
Citations	463-5560
Texas Register	463-5561
UCC	475-2700
Rudder Guard Desk	6-2463
Mailroom	3-5680

Elections Division Sections Ext. (ACD)

ADM (main line)	3-5650
EFM	3-5966
Legal	3-2898
VR TEAM	3-2897
Elec. Div. Conf Rm Analog #	3-3096
Voice mail shortcut	5-4888
MEDIA CALLS: Sam Taylor	463-5770
EXEC GENERAL COUNSEL: Adam Bitter	475-2813
NOTARIES: Alicia, Andria, Beva, Christina, Ernest, Julia, Michele, Kristi, Tamara	

Texas Republican Party

www.texasgop.org
PO Box 2206 Austin, TX 78768
807 Brazos, Suite 701 Austin, TX 78701
Phone: 512.477.9821
Fax: 512.480.0709

Texas Democratic Party

www.txdemocrats.org
PO Box 15707 Austin, TX 78761
314 E. Highland Blvd., Suite 104
Austin, TX 78752
Phone: 512.478.9800
Fax: 512.480.2500

Libertarian Party of Texas

www.lptexas.org
111 Congress Ave, Suite 400 Austin, TX 78701
PO Box 1766 Austin, TX 78767
Phone: 800.422.1776

Green Party of Texas

www.txgreens.org
PO Box 271080 Houston, TX 77277-1080
Phone: 713.866.6285

From: Beva Kellison
Sent: Thursday, February 3, 2022 7:38 AM
To: Aimee McKnight Mitchell
Cc: Beva Kellison
Subject: RE: Phone Numbers

Thanks Aimee!!!

Beva

From: Aimee McKnight Mitchell
Sent: Thursday, February 3, 2022 7:23 AM
To: Beva Kellison <BKellison@sos.texas.gov>
Subject: RE: Phone Numbers

Good morning 🤔. This is the latest I have.

From: Beva Kellison
Sent: Thursday, February 3, 2022 7:19 AM
To: Aimee McKnight Mitchell <AMitchell@sos.texas.gov>
Cc: Beva Kellison <BKellison@sos.texas.gov>
Subject: Phone Numbers

Good Morning! Happy Ice Day!! 🤔 Can you send me the Division phone numbers doc? I don't have access to anything anymore and I would like to have that.

Thanks!

Beva Kellison
Forensics Audit Division
The Office of the Secretary of State
1019 Brazos, Austin, Texas 78711
bkellison@sos.texas.gov

From: Sam Taylor
Sent: Tuesday, February 8, 2022 11:28 AM
To: Joe Esparza
Cc: Chad Ennis
Subject: RE: SOS Morning News Clips 2/8/22

Sensitivity: Personal

Added to my listserv!

From: Joe Esparza <JEsparza@sos.texas.gov>
Sent: Tuesday, February 8, 2022 10:47 AM
To: Sam Taylor <SMTaylor@sos.texas.gov>
Cc: Chad Ennis <CEnnis@sos.texas.gov>
Subject: RE: SOS Morning News Clips 2/8/22
Sensitivity: Personal

If you haven't, can you include Chad to the clips?

From: Sam Taylor <SMTaylor@sos.texas.gov>
Sent: Tuesday, February 8, 2022 8:15 AM
Subject: SOS Morning News Clips 2/8/22
Sensitivity: Personal



Texas Secretary of State Morning News Clips February 8, 2022

[Early voting for the Texas Primary starts on Feb. 14; North Texas election officials are ready for the increased workload](#), WFAA-TV, February 7, 2022

[Early Voting for Texas Primary Election Starts Feb. 14](#), KXAS-TV, February 8, 2022

[What you should know about changes to voting by mail](#), Texas Standard, February 7, 2022

[Gov. Abbott Holds Burning Cash in Billboard Campaign Calling to End 'Sham' Audit](#), Dallas Observer, February 7, 2022

[Civil rights groups sue Texas secretary of state over voter purge program](#), *Spectrum News*, February 8, 2022

[The man who brought drive-thru voting to Texas wants to be Houston's next mayor](#), *Texas Tribune*, February 7, 2022

[What the Electoral Count Act is — and why some argue reforming it can protect future elections](#), *CNN*, February 7, 2022

[Supreme Court sides with GOP in Alabama election map case](#), *Associated Press*, February 7, 2022

[The RGV is at a Political Crossroads](#), *Texas Observer*, February 7, 2022

[16 bodies found in street and warehouse in disputed territory in central Mexico](#), *Associated Press*, February 7, 2022

Early voting for the Texas Primary starts on Feb. 14; North Texas election officials are ready for the increased workload

Scoop Jefferson

WFAA-TV

February 7, 2022

<https://www.wfaa.com/article/news/local/vote/early-voting-for-the-texas-primary-starts-on-feb-14-north-texas-election-officials-are-ready/287-7172bb02-6077-42c7-8c8a-90661db6d8a6>

TARRANT COUNTY, Texas — Troy Havard serves as the Tarrant County assistant elections administrator.

"When you have more people, you're going to have more registered voters," said Havard.

Havard and Tarrant County election workers have spent weeks preparing to serve more voters than ever before -- the Lone Star State has grown leaps and bounds.

"People are moving to Texas from other states. So, we're getting demographics from all over the United States, moving to Texas," said Havard.

Havard wants every voter to have the information they need to go to the polls. Election workers would love for Texans to prepare before early voting starts on Valentine's Day. That includes printing a sample ballot ahead of time.

"You can actually take that sample ballot with you to the polling location. Use that to make your choices as you vote," said Havard.

Havard said that will also cut down on how much time you spend at the polls. Election workers will use clean-pens between each voter, and they want residents to feel free to wear their masks, but it's not required.

"No one will be turned away from a polling location for not having a mask," said Havard.

Right now, the election office is also getting hit with all kinds of questions from voters.

"What the hours are for early voting, where the early voting locations are," said Havard.

One of the most asked questions is where to vote. Tarrant County participates in county-wide vote centers, which allow people to vote at any location during the primary and general elections. Many more counties have joined the growing list of counties with voting centers.

"Any registered voter in Tarrant County can go to any polling location to vote. And it doesn't matter if it's a primary election or a runoff or a general election," Havard.

Right now, all of the voting centers can use more volunteers. People who sign up to help at the polls undergo training. They look mostly for people willing to travel and accept assignments at locations that need help the most.

Voters can check on their registration, obtain a sample ballot, learn voting dates and hours and sign up to volunteer at the Texas Secretary of State website: <https://www.sos.state.tx.us/index.html>.

[\[BACK TO TOP\]](#)

Early Voting for Texas Primary Election Starts Feb. 14

Julie Fine

KXAS-TV

February 8, 2022

<https://www.nbcdfw.com/news/politics/lone-star-politics/early-voting-for-texas-primary-election-starts-february-14/2882417/>

Voters will head to the polls soon for the March 1 Texas primary election. Early voting starts on Feb. 14 and will run for two weeks until Feb. 25.

Local election officials told NBC 5 Monday the in-person voting experience will be very similar to what they are used to.

"You are going to see the normal locations still being used. Inside the polling place you are going to see the procedures being probably close to identical to what they were last year or the year before," said Collin County Elections Administrator Bruce Sherbet.

For larger counties, early voting locations must be open for nine hours on weekdays during the first week, 12 open hours on Saturday, and six open hours on Sunday. During the second week of early voting, 12 open hours are required each day. Specific hours are set by the counties.

You can cast an early ballot at any location in your county.

The Tarrant County elections administrator strongly suggests voting early and taking a look at a sample ballot before you go (see below). Things may have changed due to redistricting.

“After redistricting some people are going to be in a different precinct, in a different senate district, house district, JP district, whatever might have changed. So it’s very important that you don’t assume that you are voting for the same representative you might have had in the past or the same district,” said Tarrant County Elections Administrator Heider Garcia.

The same identification requirements that have been in place in the past will also be in place for this election. However, some voters have noticed changes in the mail-in ballot application. A driver’s license number or a state-issued ID number or a social security number is now required.

“We can’t say enough please include both because those numbers have to match up what we have on file, so if you include your social security but on file is your driver’s license it could get rejected,” said Nick Solorzano, Dallas County Elections Department Communications Director.

Applications for mail-in ballots must be received, not postmarked, by Feb. 18.

The Texas Secretary of State's Website has more information; you can find it [here](#). You can also check with your local county.

[\[BACK TO TOP\]](#)

What you should know about changes to voting by mail

Shelly Brisbin

Texas Standard

February 7, 2022

<https://www.texasstandard.org/stories/what-you-should-know-about-changes-to-voting-by-mail/>

Changes made to Texas election law last year as part of Senate Bill 1, along with increased interest in voting by mail, have resulted in confusion about how the process works and what voters must do to verify their eligibility to cast a mail-in ballot.

County officials say that early in the current primary season, they were forced to reject up to 50% of vote-by-mail applications when the ID information on those applications did not match the number a voter had used when they had first registered to vote in Texas. The Texas secretary of state’s office, which administers Texas elections, now provides a tracking site where voters can check and correct their application for a mail-in ballot.

To address questions and confusion about the vote-by-mail process, Texas Standard spoke with Sam Taylor, assistant secretary of state for communications. Listen to an extended version of the interview in the audio player above, or read the interview transcript below.

This interview has been edited lightly for clarity.

Texas Standard: In order to cast a ballot by mail in Texas, you have to meet some very specific eligibility requirements and then apply for a ballot. Can you walk us briefly through what that process is like?

Sam Taylor: First, it's important for voters to know that in order to vote by mail in Texas, you've got to meet certain criteria. Either you are 65 and older, you're disabled, [or] you are going to be out of the county during the early-voting period and on Election Day. And actually, a new qualification that was added under SB 1 is that if you're expected to give birth within three weeks of Election Day, you can also vote by mail, and then folks who are incarcerated but otherwise eligible to vote can also vote by mail.

So first, you have to meet those qualifications. And then one of the new requirements is that on the actual application for ballot-by-mail, as well as the carrier envelope that your actual ballot goes into, you have to provide an identification number issued by [the Texas Department of Public Safety] or the last four digits of your Social Security number, or if you haven't been issued one of those, you just have to check a box saying, I've not been issued one of those two, then the early-voting clerk will compare that to your voter registration record. And as long as that information matches what is on your voter-registration record, then you'll get sent a ballot by mail and your ballot-by-mail will count, once you put that identifying number on the carrier envelope itself.

That DPS identification number of some sort would mean your driver's license. What else would fall into that category?

Either your driver's license or your state ID. If you're not a driver, you can get those issued by DPS. Or there's another type of ID called the Election Identification Certificate, which issues to people specifically to have a photo ID to vote.

Let's turn to some listener questions here. One listener wanted to know if a voter who has an active case of COVID-19 is eligible for a mail-in ballot.

That's a great question, and I know that there was a lot of confusion about that back in in 2020. Essentially, if you have some sort of disability or physical condition that prevents you from going to the polling place without injuring yourself, then you are eligible to vote by mail. But for those voters, we also want to let them know that there is still the curbside voting option. A lot of people have seen headlines about 24-hour and drive-thru voting being banned, but that didn't do anything to the curbside voting, which is still available to folks who are disabled, who cannot get out of their car. They can actually request that a machine be brought to them and they can vote from their car curbside if they're disabled.

Under the new election law, voters need to indicate on their ballot application whether they used a driver's license or state ID number or Social Security number when they first registered to vote. For lots of folks, that could have been many years ago. What happens if you honestly don't remember which you used. Is there a way to be sure they can get a ballot?

Sure. So there's actually been a lot of misconception about that. An early version of SB 1 said that it had to be the same number that was on the voter's original registration record. Of course there was a quorum break, and what eventually became SB 1 went through multiple changes, and where it ultimately ended up is that it just has to identify the same voter. So it doesn't actually have to be the

same exact number that you originally registered with. It just has to match the number that's on your voter-registration record.

Now, we've got about 17.1 million registered voters in Texas, and of those 17.1 million voters, The vast majority – about 96% – have both numbers in their record. So you actually don't have to remember what you originally registered to vote with. You just have to put a number that matches what's on your voter-registration record.

What we're recommending – county officials and our office – is that if you're unsure, if you only have one on your record, then go ahead and put both. And as long as one of them matches, you will get a ballot by mail.

So, just play it safe and but put both numbers there?

It's not required, but it can't hurt.

So we heard early in this cycle from county officials who said they had to reject a great many ballot applications. I think up to 50% was what we were hearing because a voter wasn't able to indicate which number they used to register. And then your office began adding ID information to voting records provided to counties. Is that right? And has the process of adding driver's license and Social Security information to database actually been completed now?

Yes. That has helped a lot. That's the process that we've been doing with the Department of Public Safety over the past several months. And actually, the reason why we saw those high rejection rates initially is because a lot of people were using the old forms that didn't even have a field for that ID information. So folks were using old forms, maybe sent to them by campaigns or third-party groups who hadn't gotten the updated form for whatever reason. So folks were sending it in and either leaving that section blank or they were just filling out the old version of the form. So they had to be rejected.

Over time, folks, realized that the new form is what's in place. They started correcting that. And counties got more direction from our office, and we provided some additional guidance on how to process those. We've got a new ballot tracker online. The counties have been entering data into that ballot tracker, and as of last Friday, the statewide rejection rate was about 6.7%, so down significantly from what we saw initially because I think a lot of folks were using those old forms or just not putting down an ID number.

What happens if an application to vote by mail is rejected? Under the new law, county officials are limited in the ways they can communicate with voters. So how can the voter actually learn their status, add needed information to their application and reapply?

There's a couple different ways. So first of all, when the county rejects it, they're required to send you a Notice of Rejection. And that includes all the instructions on how you can cure that rejection, meaning, add the missing or incorrect ID information that was on the original application. So you'll get a letter in the mail with that. But if you don't want to wait for that letter in the mail, you can always go votetexas.gov and click on "Track My Ballot." And then when you enter the ballot tracker, you enter the information that's required on that screen. You can actually see where your application is in the

process, and if it's been rejected, you can click "Review" and then "Correct," and it will add that information to your application for ballot by mail so that the county early-voting clerk can process it correctly and send you a ballot.

I know that there were some delays in getting that site up and running in fully populated. What's the status now and what can people learn when they actually go there?

Votetexas.gov is kind of our clearinghouse for all voting information. We're actually in the process of updating it and making it a lot more user friendly. So we're going to be rolling out a new votetexas.gov layout this week. And it's going to have all the information that folks need to know for voting in person, voting by mail, what kinds of ID requirements there are for both, and then some other frequently asked questions such as: "How do I become a poll worker?" "How do I become a poll watcher?" "How do I become a student voting clerk?" And all kinds of different ways that you can get involved and get the resources of training through our office.

If a voter isn't able to go online for whatever reason, how can they first get an application for a mail-in ballot, and, second, check to see when they can expect to receive it?

The best thing to do in that situation would be to contact your [county's] early-voting clerk. And the early-voting clerk is going to handle all the applications for ballot by mail and the ballots. In some counties, the early-voting clerk is in the county clerk's office. Some are within what's called an elections administrator's office. Now, that's different from voter registration in some counties. Some counties, like Travis County, have a tax assessor collector who handles registration and a clerk who handles actual voting. So you'll want to check and call your county office to see if they've got an election administrator or if they've got a county clerk that handles that office.

That's where you would request an application for a mail-in ballot by phone, right?

Correct. And under the new law, you have to proactively request an application for a mail-in ballot. County officials don't just proactively send mail-in ballot [applications] to people who are over 65 anymore – that, under the new law that is prohibited. However, campaigns and third-party organizations are welcome to send those mail-in ballot applications to folks who are over 65 who automatically qualify for voting by mail. Just make sure it is the right form because we've had an issue with some campaigns and third-party groups sending out the old form. So look in the top-right corner of that application and make sure there's a field to put that ID information, so that you're filling out the right form and it won't get rejected.

And at the time in which you request that application, I presume you can ask the county officials when you can expect to receive the application?

Yes, absolutely. The counties are really good about sending out those applications that day, if not the next day. Counties are making sure that they get those out as quickly as possible because it's important for voters by mail to know that that application has to be received by Feb. 18. It's not a postmark deadline, like the voter-registration application; it's actually a receipt deadline. So you want to get that in as early as possible so that it's received by Feb. 18, so that the county can process that application and send you your ballot.

I suppose we should remind people of the deadlines related to voting in the upcoming primary elections. When's the deadline to submit a vote-by-mail application? And when does that completed ballot need to be returned?

Vote-by-mail applications need to be into your county early-voting clerk by Feb. 18. And just a helpful reminder: that's the first Friday of the early-voting period. And then, in terms of the actual ballot getting back to your county early-voting clerk, that has to be postmarked by 7 p.m. on Election Day and received by 5 p.m. the day after Election Day.

[\[BACK TO TOP\]](#)

Gov. Abbott Holds Burning Cash in Billboard Campaign Calling to End 'Sham' Audit

Simone Carter

Dallas Observer

February 7, 2022

<https://www.dallasobserver.com/news/republicans-for-voting-rights-unveil-12-billboards-in-texas-slamming-gov-abbott-for-sham-audit-of-2020-election-13350910>

First, they came for former President Donald Trump. Now, that same group of pro-voting rights Republicans is attacking another politician via billboard: Gov. Greg Abbott.

Last week, the Republicans for Voting Rights (RVR) initiative launched a billboard campaign to remind the governor that there's no need for an audit of the 2020 election. The former president won the Lone Star State by a comfortable margin, after all.

Still, Trump asked for one last September, and hours later, he received.

Commuters in Dallas-Fort Worth can catch a glimpse of the signs, which feature a beaming Abbott holding a flaming stack of cash. "STOP WASTING TAXPAYER MONEY," they read. "GOV. ABBOTT, END THE SHAM AUDIT."

Texas ran a good election that its leaders should be proud of, and they should stand by the results, said RVR Director Amanda Carpenter.

"It is extremely disheartening to see Governor Abbott cast aspersions on his own election in order to soothe Donald Trump's ego," she said. "There was a time for audits, there were a time for lawsuits to challenge the results. That time is over. It is now 2022 and Republicans should be looking forward, not backward."

Twelve billboards appear throughout the state and will stand through Feb. 14. In addition to Dallas-Fort Worth, they can be seen in Corpus Christi, Amarillo, Laredo, Austin, Lubbock, San Antonio and Midland-Odessa.

Last fall, the pro-voting initiative was also behind the "TRUMP LOST" billboard that sprouted up in Dallas. That sign depicted the former president hunched over and similarly urged his supporters to drop the needless audits.

“We want to be out there advocating for the conservatives out there that actually believe in the right to vote, and believe in the right for everyone to vote, and want to support that and protect it,” Olivia Troye, a Republicans for Voting Rights spokesperson, told the Observer late last year.

Texas isn't the only state that sought to reexamine the 2020 election results. Carpenter notes that similar efforts are “bubbling up” everywhere; one in Arizona actually found that Trump had lost by a wider margin than previously thought.

Even if these audits don't reverse any outcomes, experts fear that they're working to chip away at trust in the democratic process. Some warn that such moves could pave the way for future election challenges when a candidate again won fair and square.

In Texas' case, such a statewide probe may be costly, with one estimate saying it could amount to some \$250 million in taxpayer money. In November, \$4 million was drained from the state prison system to help fund county election audits.

Texas serves as a role model for other states, Carpenter said. Soon, Republicans elsewhere could try to replicate the audit, which is bad for the system overall.

Many pro-Trump officials have already failed to upend the 2020 election results, she said. If there were any systemwide problems, they would have certainly been uncovered by now.

“This is nothing but a messaging tool to try to keep the ‘Big Lie’ alive,” she said. “It's effective because when people hear there's an investigation, they think there's something wrong. But there's not.”

But during an interview with FOX last fall, Abbott defended the audit as legitimate. “Why do we audit everything in this world, but people raise their hands in concern when we audit elections, which is fundamental to our democracy?” he said.

Local leaders, meanwhile, have largely disagreed.

Texas focused the audit on four counties: Dallas, Tarrant, Harris and Collin. President Joe Biden won in three, including in historically red Tarrant, but was bested by Trump in Collin.

Even still, Republican Tarrant County Judge Glen Whitley doesn't see a need to dredge up the past. “The conspiracy theorists who want to come up with all these ways or reasons why this election wasn't right — they might very well find something else,” he told The Texas Tribune last year. “It's time to move on.”

[\[BACK TO TOP\]](#)

Civil rights groups sue Texas secretary of state over voter purge program

Marissa Mizroch

Spectrum News

February 8, 2022

<https://spectrumlocalnews.com/tx/austin/politics/2022/02/08/civil-rights-groups-sue-texas-secretary-of-state-over-voter-purge-program>

TEXAS — A group of civil rights organizations is suing the Texas secretary of state over a so-called “voter purge” program.

The suit, led by the American Civil Liberties Union Foundation of Texas and the Mexican American Legal Defense and Education Fund, alleges the secretary of state is violating the National Voter Registration Act by refusing to turn over documents related to the program.

“The Texas secretary is once again improperly trying to purge voters from voter rolls [and is] ensnaring a ton of naturalized citizens in its efforts,” said Ashley Harris, a lawyer with the ACLU of Texas. “[They are] targeting largely communities of color in Texas who have just as much of a right to vote as everyone else.”

The elections law passed last year by the Legislature requires the secretary of state to do regular sweeps of the voter rolls to verify voters’ citizenship status.

This new iteration of a voter purge program follows a similar attempt made in 2019. That program was halted after it came out that the office was relying on out-of-date records and would have wrongly canceled thousands of voter registrations of legal Texas voters. The groups suing say they cannot determine if the secretary of state’s office is following the rules set by the 2019 settlement without the documents.

“The question here is whether the state is following the procedures it says it is,” said Harris. “And if it is, why are so many naturalized citizens being [wrongfully removed]?”

The secretary of state’s office declined to comment on the lawsuit but did point to documents on its website detailing the citizenship verification process.

About 11,000 voters have been flagged as potential non-citizens this time around, and about 2,500 registrations were canceled as of Dec. 31, 2021.

Federal law prohibits any registrations from being canceled 90 days before an election, so any purges are on hold until after the March 1 primaries.

Click the link above for the full interview with Ashley Harris.

[\[BACK TO TOP\]](#)

The man who brought drive-thru voting to Texas wants to be Houston’s next mayor

Joshua Fechter

Texas Tribune

February 7, 2022

<https://www.texastribune.org/2022/02/07/harris-county-elections-houston-mayor-collins/>

Chris Hollins, the former Harris County elections chief who pushed measures aimed at expanding ballot access during the November 2020 election, announced Monday that he’s running for Houston mayor in 2023.

“The challenges that we’re facing as Houstonians are becoming more and more complex,” Hollins, 35, said in an interview with The Texas Tribune. “And to overcome those challenges, that job demands innovation, that job demands effective leadership. And so we need a mayor who has a vision for Houston, but who also has the skills and attributes necessary to achieve that vision.”

Hollins, a Texas Democratic Party official who temporarily served as Harris County clerk in 2020, rose to prominence two years ago by championing efforts intended to make it easier for people to vote during the pandemic, including 24-hour drive-thru voting and a bid to send applications for mail-in ballots to more than 2 million registered voters in Harris County.

Those efforts drew a legal battle and a decisive rebuke from state Republican lawmakers, who passed a sweeping voting restrictions bill last year that outlawed the measures Hollins put in place.

Now, Hollins is looking to use his brief seven-month tenure as county clerk to catapult him into the mayor’s office — where he would oversee a \$5.1 billion budget and 23,000 municipal employees. He’s running to replace Mayor Sylvester Turner, who will step down next year after serving two four-year terms; the city has term limits that prevent him from running again.

Hollins is the second major candidate to announce for mayor, following state Sen. John Whitmire, a longtime Houston Democrat with deep ties to the city’s police and fire unions and an \$11 million war chest.

Top of mind for Hollins is public safety. Like many other major U.S. cities, Houston has seen a substantial increase in the number of homicides during the COVID-19 pandemic. Last year’s 469 killings represented one of the highest homicide rates in decades, according to the Houston Chronicle. And in one week last month, one Houston-area law enforcement officer was fatally shot, another was killed by a driver and another three were wounded in a shootout.

Last week, Turner announced a \$44 million plan to combat the rise in violent crime.

Hollins, who grew up in southwest Houston and whose father was a Houston police officer, said he wants to see “a few hundred [more officers] at minimum” added to Houston Police Department’s authorized strength of 5,429 sworn officers, as well as investments in “crime-fighting technology.” But boosting safety extends beyond policing, Hollins said.

“Our community at large cannot thrive unless we’re safe and, just as important, we feel safe in our city,” Hollins said. “So whether that means addressing issues of crime, flooding, housing or the pandemic, Houstonians have to be able to trust that our mayor is committed to protecting residents and to fostering a safe community.”

[\[BACK TO TOP\]](#)

What the Electoral Count Act is — and why some argue reforming it can protect future elections

Paul LeBlanc

CNN

February 7, 2022

<https://kvia.com/your-voice-your-vote/politics/cnn-us-politics/2022/02/07/what-the-electoral-count-act-is-and-why-some-argue-reforming-it-can-protect-future-elections/>

The Electoral Count Act proved to be a vital safeguard for democracy when former President Donald Trump sought to overturn the 2020 presidential election in his favor.

Though the 19th-century law is vague, it makes clear that the vice president cannot overturn the result of a presidential election as Trump had hoped then-Vice President Mike Pence would do while presiding over the count of Electoral College votes in Congress.

“Look, I understand the disappointment many feel about the last election. I was on the ballot,” Pence said last week. “But whatever the future holds, I know we did our duty that day.”

Still, Trump’s effort to exploit the law has prompted lawmakers from both parties to take a look at updating it for future elections.

Here’s what you need to know:

What is the Electoral Count Act?

The 1887 law focuses on what happens after Americans vote, setting out the process Congress uses to certify the Electoral College votes submitted by states.

Why do some lawmakers want to reform it?

While it’s an important part of the vote certification process, the Electoral Count Act is exceedingly vague.

Election law experts and those urging reform have repeatedly warned that, in light of the January 6, 2021, attack on the US Capitol, the law needs to be updated and strengthened to ensure that a losing party can never subvert the results of the Electoral College.

What reforms are being considered?

A number of proposals have been floated to reform the law.

Republican Sen. Lisa Murkowski of Alaska told CNN last month that the bipartisan group of lawmakers working to update the law is moving “aggressively” to draft reforms, but did not give an exact timeline.

Meanwhile, a Democratic group — made up of independent Sen. Angus King of Maine, who caucuses with Senate Democrats, and Sens. Amy Klobuchar of Minnesota and Dick Durbin of Illinois — has released a discussion draft of their proposal to update the legislation.

According to a summary of the proposal, the measure would, among a number of provisions, “clarify” that the vice president does not have the authority to reject a state’s electors. It would establish “specific and narrow grounds” for objections to electoral votes or electors.

And it would “raise the thresholds for Congress to consider objections” while also making it more difficult for objections to be sustained without widespread support in both chambers.

Could reforms to the law actually pass?

“Absolutely,” says Democratic Sen. Joe Manchin of West Virginia.

There is serious interest from both Democrats and Republicans in updating the law, and talks are gaining momentum. But the effort is still in its early stages, and drafting legislation and finalizing a bill could take weeks if not months.

“I think absolutely it’ll pass. Now, there will be some people saying it’s not enough. There will be some people saying it’s more than what we should do or we don’t need it. And what we’ll do is try to bring them all together and say, ‘Listen, this is what we should do because this is what caused the problem. And it’s what we can do. So let’s do that,’” Manchin told CNN’s Jake Tapper in a joint interview with Murkowski on “State of the Union” on Sunday.

Murkowski told Tapper: “We’re going to take the Goldilocks approach here. We’re gonna try to find what’s just right. ... And it’s not going to be just right for everybody, but will it be a step ahead? Will it be important for the country? Yeah.”

How does Trump fit in?

The former President has added urgency to the election reform push by continuing to spread lies about the 2020 election in a preview of the kind of message he could make the centerpiece of a future campaign if he runs again.

Specifically, Trump has falsely claimed that the bipartisan group of lawmakers working to reform the Electoral Count Act proves his claim that Pence had the power to overturn the 2020 election.

[\[BACK TO TOP\]](#)

Supreme Court sides with GOP in Alabama election map case

Mark Sherman and Jessica Gresko

Associated Press

February 7, 2022

<https://www.kxan.com/news/political-news/supreme-court-sides-with-gop-in-alabama-election-map-case/>

WASHINGTON (AP) — The Supreme Court put on hold a lower court ruling that Alabama must draw new congressional districts before the 2022 elections to increase Black voting power. The high court order boosts Republican chances to hold six of the state’s seven seats in the House of Representatives.

The court’s action, by a 5-4 vote announced Monday, means the upcoming elections will be conducted under a map drawn by Alabama’s Republican-controlled legislature that contains one majority-Black district, represented by a Black Democrat, in a state in which more than a quarter of the population is Black.

A three-judge lower court, including two judges appointed by former President Donald Trump, had ruled that the state had likely violated the federal Voting Rights Act by diluting the political power of Black voters by not creating a second district in which they made up a majority, or close to it.

Justices Brett Kavanaugh and Samuel Alito, part of the conservative majority, said the lower court's order for a new map came too close to the 2022 election cycle.

Chief Justice John Roberts joined his three more liberal colleagues in dissent.

The justices will at some later date decide whether the map produced by the state violates the landmark voting rights law, a case that could call into question "decades of this Court's precedent about Section 2 of the VRA," Justice Elena Kagan wrote in dissent.

That decision presumably will govern elections in 2024 through the end of the decade in Alabama and could affect minority political representation elsewhere in the country, too.

Alabama lawmakers redrew the state's congressional districts following the results of the 2020 census. Several groups of voters sued, arguing that the new maps diluted the voting power of Black residents.

In a unanimous ruling in late January, the three judges said that the groups were likely to succeed in showing that the state had violated the Voting Rights Act. As a result, the panel ordered lawmakers to redraw the districts so Black voters would be a majority, or close to it, in two districts, not one. The ruling ran more than 200 pages.

The panel wrote that "we do not regard the question ... as a close one."

Alabama asked the Supreme Court to put the ruling on hold while it appeals and the justices agreed. The state argued that it drew the new map guided by race-neutral principles and that the new map is similar to past maps.

More than a dozen mostly Republican-led states had filed a brief urging the justices to side with Alabama and allow it to use the maps it originally drew.

Deuel Ross, a lawyer for Alabamians who sued, called the state's congressional districts "a textbook case of a Voting Rights Act violation" and said the high court's decision to intervene is disheartening.

But the facts are clear, Ross, a lawyer with the NAACP Legal Defense and Educational Fund, wrote in an email to The Associated Press. "Alabama's current congressional map violates the Voting Rights Act," he said. "The litigation will continue, and we are confident that Black Alabamians will eventually have the congressional map they deserve — one that fairly represents all voters."

Alabama Attorney General Steve Marshall called the order a victory for the state and said he believes the state will "ultimately prevail" in the ongoing litigation.

Marshall's office argued the state's congressional districts are similar to those in use, and approved by the courts, since the 1990s.

Roberts, who typically votes against consideration of race, wrote that he shares some of Alabama's concerns, but still would have let the redrawn districts govern the 2022 election and have future elections governed by the ultimate outcome in the case.

Kavanaugh, writing to explain his vote, stressed that the court has repeatedly declined in the past to change the rules close to an election.

“When an election is close at hand, the rules of the road must be clear and settled. Late judicial tinkering with election laws can lead to disruption and to unanticipated and unfair consequences for candidates, political parties, and voters, among others. It is one thing for a State on its own to toy with its election laws close to a State’s elections. But it is quite another thing for a federal court to swoop in and re-do a State’s election laws in the period close to an election,” he wrote in an opinion Alito joined.

Taking issue with Kavanaugh, Kagan noted that the lower court ruled months before any votes will be cast.

She criticized the conservatives for using the emergency application process known as the shadow docket “to signal or make changes in the law, without anything approaching full briefing and argument.”

[\[BACK TO TOP\]](#)

The RGV is at a Political Crossroads

Gus Bova

Texas Observer

February 7, 2022

<https://www.texasobserver.org/the-rgv-is-at-a-political-crossroads/>

The Rio Grande Valley, the border region comprising Texas’ southern tip that some 1.4 million residents call home, is known for a certain brand of politics. Essentially a one-party territory, Valley Democrats typically coast on low voter turnout through November elections. The winners are often referred to as “South Texas Democrats”—which is to say, conservatives on issues ranging from guns to fossil fuels to abortion. Though not unique to the border, the area regularly hosts family dynasties and public corruption. Now, this political status quo appears in flux; with surprise retirements, redrawn political maps, and insurgents from both right and left, Valley politics look rife with possibility.

“It’s exciting times; it’s like a crossroads,” said Danny Diaz, organizing director at LUPE Votes, an organization cultivating candidates in the Valley to run on a Bernie Sanders-esque platform. “We’re trying to break through that mold of traditional establishment Democrats down here.”

Diaz’s organization is targeting a McAllen-based congressional seat, which is being vacated by Democratic incumbent Vicente Gonzalez after Republicans redrew the district to be more conservative. Gonzalez is now running in a neighboring U.S House district to succeed five-term incumbent Filemon Vela, who’s retiring. In Brownsville, the Lucios—a long-serving father-son duo—are stepping down too, freeing up a state Senate and state House seat. Upriver, Congressman Henry Cuellar, who represents a western chunk of the Valley, is facing a tough primary and an apparent FBI investigation, and 10-term state House member Ryan Guillen switched parties from Democrat to Republican in November.

Amid all the change, the Valley is seeing an unprecedented crop of viable women candidates running in both parties. Some 60 years ago, Latinos began replacing Anglos in many of the region's elected offices, but the representatives have been overwhelmingly men. Next year, it's conceivable that women could hold all three congressional seats covering the Valley, and the Brownsville state Senate seat—a potential first in all cases.

Republicans, typically a non-factor outside of some local races, will be fighting hard for Valley voters too after the area swung toward Trump in his second presidential bid.

In November 2020, turnout rates in the Valley rose to levels not seen in 30 years. Typically, Democrats expect to benefit from a boost in Latino voting, and Joe Biden did win the Valley by about 15 points, carrying both urban counties, Hidalgo and Cameron, and both rural counties, Starr and Willacy. But just four years prior, Hillary Clinton had won the region by more than twice Biden's margin. This trend, of Trump outperforming 2016, played out all along Texas' 1,254-mile border.

The 2020 results set off a frenzy of national media attention, as reporters and pundits leaped to ask how so many Hispanics could defect to such an openly xenophobic president. Some headlines exaggerated the results, implying Trump had won the Texas border; some stories trumpeted Trump's victory in Zapata County, downplaying that it accounted for less than 4,000 total votes; and a number of journalists failed to fact-check basic aspects of local geography. Nevertheless, a real shift did occur, one that should concern Texas Democrats, who've long pinned their statewide hopes on supermajority Latino backing.

Explanations vary for Trump's 2020 bump, and there's evidence available for politicians of all stripes to make their case. Perhaps a more progressive nominee like Bernie Sanders, who carried every populous Texas border county in the primary, would have performed better. Maybe the GOP finally tapped into a population more attuned to their messages on the oil industry, religion, and law enforcement. Or perhaps it was just Trump's attention-grabbing personality—after all, many Trump voters selected Democrats down-ballot. Most observers, though, agree on one thing: Dems largely got the grade they earned. Leery of COVID-19, the party eschewed crucial in-person door-knocking, and the Biden campaign never prioritized the region anyway.

“Democrats spent almost no money in the Valley talking to Latinos while the Republicans were organizing on the ground through the Libre Initiative and through other organizations,” said political consultant Chuck Rocha, exaggerating somewhat. President of the consulting firm Solidarity Strategies, Rocha worked on Sanders' 2020 presidential campaign and is working for a number of Texas candidates this cycle. “You reporters, you ideologues, you people who don't run campaigns, you think it's about the candidate's message; the candidate's message don't matter a fuck if you're not spending money to go tell voters.”

Whatever the cause of Trump's support, the GOP hopes to prove it wasn't a one-off event. Governor Greg Abbott announced his reelection bid in McAllen—one of numerous visits he's made to the region, invariably to scaremonger about refugees—and his campaign has said he hopes to win the Texas Latino vote this year. The Republican National Committee has set up a Hispanic community center in McAllen. The local GOP maintains a “strike force” to phonebank and knock doors, and the party hosts a suite of regular events including law enforcement appreciation days and toy and coat drives.

“When I first said I was Republican back in 2011-12, I lost friends and people thought I was crazy,” said Adrienne Peña-Garza, chair of the Hidalgo County GOP and daughter of Aaron Peña, a former state representative who switched from Democrat to Republican a decade ago. “Now people are asking us: ‘When’s your next Lincoln-Reagan Dinner? When’s your next Get out the Vote event? When’s your next Guns and Cake event?’”

Plenty of conservative Democrats are appealing to Valley voters this year, too, setting up at least three electoral paths forward. Two races, in particular, serve as microcosms of the region’s political moment.

CONGRESSIONAL DISTRICT 15

CD-15 is a tall candlestick of a district stretching from the Rio Grande to the outskirts of San Antonio, with its heart in the McAllen-metro, the Valley’s biggest urban center. In last year’s redistricting, the Legislature rejiggered CD-15 to include more of rural western Hidalgo County, changing it from a district that Trump lost by two points to one he would have won by two. That revision sent the incumbent congressman, Democrat Vicente Gonzalez—who won reelection in 2020 by a scant three points—scurrying east to run in a neighboring district that covers Brownsville, the Valley’s other major city. In its 120-year history, the seat has never been held by a Republican.

Monica De La Cruz, an insurance agent and the Republican who nearly toppled Gonzalez last election, is running again this year with the backing of House Minority Leader Kevin McCarthy. Despite some bad headlines stemming from a messy divorce, De La Cruz’s fundraising remains robust: Last year, she pulled in some \$1.5 million. Her closest competitor, Mauro Garza, the owner of a gay nightclub in San Antonio who’s making his third bid for Congress, raised half a million, with the rest of the field lagging much farther behind.

In a recent forum, it was hard to distinguish between the messages of the Republican candidates for CD-15, who all said they were running primarily to address border security. But De La Cruz may have topped them all in message discipline. Asked how she would address the Valley’s disproportionate rates of diabetes and other preexisting conditions that have helped make COVID so fatal in the region, De La Cruz replied without missing a beat: “Number one ... our medical hospitals, our doctors, are being clogged again by the illegal immigration that is happening here.”

On the other side, a scrum of Democrats are scrambling to build name recognition and play financial catchup. Two men aiming for the centrist lane lead the pack financially according to the most recent filings: John Villarreal Rigney, with \$150,000 that he loaned himself, and Ruben Ramirez with just over \$100K. Eliza Alvarado, who previously worked for Congressman Ruben Hinojosa and both DHR Health, the influential Valley hospital network, and its political arm the Border Health PAC, ended last year with \$75,000.

Michelle Vallejo, who co-owns a flea market in the McAllen-area, is running as perhaps the most progressive of the serious candidates. Vallejo, who reported raising \$66,000, was recruited by LUPE Votes, a new spinoff 501(c)(4) of La Union Del Pueblo Entero (LUPE), a longstanding community organization in the Valley that fights for things like farmworker protections and infrastructure in colonias. The turn toward direct political campaign work is new for the organization, making Vallejo’s run as much a personal test as a test of LUPE’s ability to become a consistent force pushing South

Texas politics left. Vallejo has adopted LUPE's platform, which includes Medicare for All, a \$15 minimum wage, and an anti-war foreign policy.

"I would not be where I am without LUPE," Vallejo said, noting the group has 6,000-8,000 members in the 15th. "I think traditionally these races are based on who has the most purchasing power when it comes to mailers, signs, and media, and I'm so grateful that for my campaign that's not the only thing we're focusing on, and I love that it started with the energy of having a ground game."

Whoever emerges from the CD-15 primaries will find themselves part of a national fight for control of the U.S. House in November, as Democrats struggle to defend their meager majority against a Republican offensive.

STATE SENATE DISTRICT 27

For three decades, voters in the Brownsville-based SD-27 have sent Democrat Eddie Lucio Jr. to represent them in the Texas Capitol's east wing. A *bête noire* for the party's liberals, Lucio rose to power by successfully primarying incumbent Democrats from the right. He championed tort reform, a movement that successfully cut the fundraising legs out from fellow Dems by defanging trial lawyers; he consistently voted against organized labor, reproductive healthcare, and LGBTQ rights; with some frequency, he provided the GOP an extra needed vote. Nevertheless, no Democrat could oust him, and he retires this year of his own volition to attend to family matters.

Three serious Democratic contenders are vying for the chance to succeed Lucio: Sara Stapleton Barrera, a trial lawyer who pushed Lucio to a runoff in 2020; Alex Dominguez, a current state representative; and Morgan LaMantia, the scion of a local and politically connected beer dynasty. In November, Lucio told the Observer that he hoped his successor would share his anti-abortion views. Barring an unlikely Republican upset, that won't happen: All three Dem candidates are pro-choice and support LGBTQ rights.

Nevertheless, Lucio has picked a horse. "I will be supporting and endorsing Morgan Lamantia. I've known their family for years and years; her grandfather was on my campaign committee back in 1990," he told the Observer in a phone call. Asked about LaMantia's pro-choice views, Lucio replied: "It's a very important issue, but I guess I'm old-fashioned, me gusta devolver la copa—in other words, when somebody helps you, gives you a good turn, you return the favor—the LaMantia family has always been with me."

LaMantia, an attorney who's never held public office, is the in-house counsel for her family's Anheuser Busch wholesaler L&F Distributors. LaMantia has swiftly taken a commanding fundraising lead, pulling in more contributions than either of her opponents, along with receiving \$1.25 million in family loans since November—an intimidating haul for a state Senate race. Her contributions include \$25,000 from Texans for Lawsuit Reform, a pro-tort reform group that also backed Lucio, along with thousands from the beer lobby and \$1,000 from Energy Transfer Partners, the 2021 Texas freeze's biggest profiteer. In the past, LaMantia has donated to both Democrats and Republicans.

"I respect a lot of things Senator Lucio has done, especially bringing a medical school down here," Lamantia told the Observer. "But I have my own perspective ... investing in our public schools, raising teacher pay, respecting the autonomy of women."

At least five state House members from the Valley have endorsed LaMantia, a surprising snub of state Rep. Dominguez, given that Texas legislators usually stick clannishly together when one of their own seeks higher office. Dominguez, a fairly standard-issue Democrat, climbed from Cameron County commissioner to the state House in 2018 and was considering a run for Congress last year until Congressman Gonzalez jumped over to the Brownsville-based district that Dominguez would have sought. In the meantime, Dominguez found his home drawn out of his current state House district during redistricting. Now, he's fighting to avoid falling out of public office altogether.

Stapleton Barrera likely occupies the race's leftmost lane. She opposes a trio of liquefied natural gas projects in the Brownsville-area that Dominguez backed, and she's an open critic of the tort reformers that support both Lucio and LaMantia. In 2020, she nearly toppled Lucio in the runoff, despite raising very little money outside of some loans from her husband. This year, her fundraising looks the same, and without Lucio on the ballot, her campaign is drawing less attention from statewide pro-choice and pro-LGBTQ groups. But she should at least have name recognition from her prior run. "Back in 2020, nobody was willing to take on the biggest and the baddest senator in the State of Texas," she told the Observer. "And I was really just a nobody that had the courage to do it, and that's what we need."

The three candidates occupy distinct ideological lanes—"a great reflection of the party as a whole," said Rocha, who's consulting for Dominguez—but the election of any one would constitute a major break from the Catholic-reactionary social views of Lucio.

For Monica Clua Losada, a political science professor at UT-RGV, the Valley's 2022 political shakeup is symptomatic of deeper changes.

"There's kind of a tradition of considering politics something that's just been done by a few people ... like 30 Valley families control everything," she said. "That is now being put in jeopardy because there's a new generation coming through who also want to have a say, and part of that comes also from the rapid socioeconomic development of this place particularly since NAFTA."

Since 1990, the Valley has doubled in population, and the import-export industry swelled after the 1994 North American Free Trade Agreement. The creation of UT-RGV and the expansion of the healthcare sector have incentivized college-bound locals to stay in the area and attracted educated migrants. At the same time, jobs in law enforcement have exploded: The Border Patrol has quintupled in size in 30 years, and the Valley hosts cops of all varieties on various border security assignments. In a still-poor region, the Border Patrol offers a quick path to middle-class wages, and lately the agency's union has become an active backer of Trumpian candidates.

"We are seeing particularly in the last few years law enforcement is acquiring a very particular type of political consciousness, one that is, at the most innocent level, 'Blue Lives Matter,' but at other levels is perhaps more far-right," Clua Losada said. It may seem contradictory—Clua Losada describes the Valley as the type of place where Border Patrol agents employ undocumented maids—but many locals are now materially invested in border militarization and a right-wing agenda.

The Rio Grande Valley has generally backed Democrats since the 19th century. There have been exceptions—the Bushes sometimes fared quite well—but they're rare. This means the region backed the party in both its Southern segregationist and post-civil rights phases, both when the area was run by Anglo political machines and in recent decades. Texas Democrats have long assumed better turnout in the Valley would benefit their side; 2020 has cast that into doubt. The GOP relishes the

thought of flipping a seat or two in the area, not just for practical vote-counting reasons but also to prove symbolically that their political brand appeals to Hispanics.

With its blend of rural and urban areas and distinct history, the Valley can't really be lumped into a monolithic "Latino vote," or even combined with the rest of the Texas border. But its nearly 1.5 million voters are a crucial ingredient in any statewide political calculus. This year, the region could redefine what a "South Texas Democrat" looks like, or a South Texas Republican for that matter. All Texans may want to pay attention.

[\[BACK TO TOP\]](#)

16 bodies found in street and warehouse in disputed territory in central Mexico

Associated Press

February 7, 2022

<https://www.borderreport.com/hot-topics/border-crime/16-bodies-found-in-street-and-warehouse-in-disputed-territory-in-central-mexico/>

Ten bodies were found wrapped in blankets lying in the streets of a town in Mexico's Zacatecas state on Saturday attributed to a territorial dispute between rival drug cartels.

Police had cordoned off roads in Pardillo III outside the city of Fresnillo where the bodies were discovered.

Authorities said the reporting of six bodies hanging inside a warehouse in the Pánfilo Natera municipality some 120km (75 miles) southeast from Fresnillo was linked.

Violence in Zacatecas has escalated throughout the last 12 months with the public hanging of bodies from bridges and other public places becoming frequent.

Last month a van containing the corpses of eight men and two women was left outside the state government office.

Authorities and analysts have attributed the rise in deadly violence to clashes between the Sinaloa and Jalisco Nueva Generación cartels.

[\[BACK TO TOP\]](#)

From: Beva Kellison
Sent: Monday, February 14, 2022 9:07 AM
To: Sam Taylor
Cc: Darla Dixon; Beva Kellison
Subject: RE: SOS Morning News Clips 2/14/22

Sensitivity: Personal

Good Morning Sam:

Thank you for the news clips, can you add Darla Dixon to that list also, she is an Auditor also. Her email address is ddixon@sos.texas.gov

Thanks;

Beva

From: Sam Taylor
Sent: Monday, February 14, 2022 8:49 AM
Subject: SOS Morning News Clips 2/14/22
Sensitivity: Personal



Texas Secretary of State Morning News Clips February 14, 2022

[Returned ballots, worry in Texas start 2022's first primary](#), *Associated Press*, February 14, 2022

[Texas county officials decry new voting snags: Surge in mail ballot rejections, stifled registrars](#), *Houston Chronicle*, February 11, 2022

[Texas counties reject unprecedented numbers of mail ballots ahead of March 1 primary under restrictive new law](#), *Washington Post*, February 11, 2022

[Judge temporarily halts part of Texas' voting law that bans officials from encouraging mail-in voting](#), *KUT-FM*, February 13, 2022

[Texas ban on encouraging mail-in votes likely unconstitutional, judge rules](#), *Texas Tribune*, February 11, 2022

[Here's a look at your options if you haven't received your mail-in ballot in time for the Primary Election](#), *WFAA-TV*, February 11, 2022

[Texas' New Voting Law Is an 'Absolute Nightmare,'](#) *The Daily Beast*, February 14, 2022

[28% of Dallas County mail-in ballots rejected so far as early voting opens Monday in Texas primary](#), *Dallas Morning News*, February 11, 2022

[Jefferson County to purchase new voting machines](#), *Beaumont Enterprise*, February 13, 2022

[Hidalgo County elections administrator discusses new changes to Texas mail-in ballots](#), *KRGV-TV*, February 12, 2022

[As early voting begins, Gregg County elections chief warns of rejected mail-in applications, ballots](#), *Longview News-Journal*, February 12, 2022

[The primary problem with Texas elections](#), *Texas Public Radio*, February 11, 2022

[Dallas GOP congressional candidate Brad Namdar accused of soliciting sex from escort](#), *Dallas Morning News*, February 12, 2022

[How cryptocurrency can transform voting and healthcare](#), *KXXV-TV*, February 11, 2022

[US suspends Mexican avocado imports on eve of Super Bowl](#), *Associated Press*, February 13, 2022

[As lethal fentanyl flows across Mexico border, CBP tries powerful scanning technology](#), *Washington Post*, February 13, 2022

[Canada border blockade eases, protesters still block bridge](#), *Associated Press*, February 12, 2022

[What Commerce's Anti-Dumping Rules Mean For Importers](#), *Law360*, February 11, 2022

[EDITORIAL: Hyperbole aside, it's time to head out and vote](#), *Waco Tribune-Herald*, February 12, 2022

[Editorial: New law means voters must be extra careful in mail-in ballot process](#), *Longview News-Journal*, February 13, 2022

[Analysis: Hey, Texans, get out there and vote!](#), *Texas Tribune*, February 14, 2022

Returned ballots, worry in Texas start 2022's first primary

Paul Weber and Acacia Coronado

Associated Press

February 14, 2022

<https://www.usnews.com/news/politics/articles/2022-02-13/returned-ballots-worry-in-texas-start-2022s-first-primary>

AUSTIN, Texas (AP) — Texas begins early voting Monday in 2022's first primary following a rushed rollout of tougher restrictions and the return of hundreds of mail ballots, dealing Republicans a clumsy debut of voting rules they tightened across the U.S. over the past year in the name of election security.

"Monday is going to be a big day for all of us to see how this plays out," said Isabel Longoria, the elections administrator for Harris County, which includes Houston and more than 2 million voters.

"I think for all of us there is just a sense of uncertainty," she said.

Election officials in Republican-leaning counties have also expressed frustration — and confusion — over changes they say they have scrambled to implement since Republican Gov. Greg Abbott in September signed a sweeping law that he said would make it "easier to vote and harder to cheat." For hundreds of Texas voters whose mail ballots and ballot applications have been rejected in recent weeks, that is not the case.

Harris County election officials announced just days before the first votes were cast in person that 40% of mail ballots received so far had already been sent back, mostly because they did not include required identification and signatures now mandated under Texas law.

Texas is among at least 18 states that will hold elections this year with heightened restrictions — an outgrowth of former President Donald Trump's repeated false claims that the 2020 election was stolen. Republicans have rejected Democrats' protests that the changes would disenfranchise voters, particularly minorities.

But Texas had far less time than any other state to complete the work of changing how elections are run because of its especially early primary March 1 — two months before the next states, Indiana and Ohio, go to the polls in May.

How smoothly Texas' primary goes in the coming weeks will be as closely watched as the actual races, few of which are high-profile. For Republicans, Abbott is heavily favored over a crop of far right challengers in his campaign for a third term, but Attorney General Ken Paxton is fighting a tougher primary under the cloud of an FBI investigation.

Democrat Beto O'Rourke has an almost clear path for his party's nomination for governor. One of the biggest races in South Texas, where Democrat in U.S. Rep. Henry Cuellar is in a rematch against a progressive challenger, Jessica Cisneros, weeks after FBI agents searched his home.

It's the first primary for new Texas Secretary of State John Scott, an Abbott appointee, who in an interview described the returned ballots and applications as voters adapting to the new rules.

He anticipates the May runoffs and November elections will run smoother, and said he does not think the issues so far and concerns expressed by local officials amount to a failure by the state.

"I don't know how more time — I don't want to say it wouldn't have been helpful, because it would have been helpful," Scott said. "But I don't know that more time fixes that issue, because it's a new process. And I think new processes, especially to those voters who were used to the old process, that absolutely is a friction point."

But the issues have extended beyond voters navigating new requirements. When the League of Women Voters last month requested thousands of voter registration applications for new U.S. citizens, the state said it could not fulfill the request because of paper supply chain shortages after the new law required the forms to be updated and reprinted.

Then, county election offices reported they were having to send back an unusually high number of mail ballot applications for not including required identification such as a driver's license or Social Security number. Now, counties say they are sending back completed ballots for the same reason.

Voters have a chance to correct the ballot as long as it is returned by Election Day, which has left officials waiting to see how many come back.

Scott said the number of rejected mail ballot applications had fallen to below 5 percent by this month.

He took the job as Texas' chief election officers after serving previous roles under Abbott, but his appointment raised alarms among voting rights groups over his brief stint with Trump's legal team that challenged the 2020 election results. Scott withdrew from the case after only a few days and said he does not dispute that President Joe Biden won the election.

Outside San Antonio, Kendall County Elections Administrator Staci Decker said mail ballot applications are at a low ahead of the primary in her overwhelmingly Republican county that voted for Trump by a margin of 3-to-1 in 2020.

The mostly rural county has for years kept a list of about 400 voters who are sent mail ballot applications. But Texas Republicans added a prohibition this year on government officials proactively sending out mail ballots, under the threat of felony charges and six months in jail.

Late Friday night, a federal judge issued a narrow order that blocked the state from enforcing that portion of the law around Houston and Austin. But the order had no bearing on 251 of Texas' 254 counties, including Kendall.

“We had 400 people that just sat there waiting for their application to come and they never did,” said Decker. She said her office has sent about 500 ballots to voters this year, down from the 700 to 900 they normally mail.

[\[BACK TO TOP\]](#)

Texas county officials decry new voting snags: Surge in mail ballot rejections, stifled registrars

Taylor Goldenstein and Edward McKinley

Houston Chronicle

February 11, 2022

<https://www.houstonchronicle.com/politics/texas/article/Harris-County-challenges-measure-forbidding-16903457.php>

Texas Republicans’ tagline for the elections bill full of new restrictions passed last year was that it would make it “easy to vote and hard to cheat.”

But election officials across the state are casting doubt on the “easy to vote” part, reporting never-before-seen rates of rejection for hundreds of mail ballots stemming from new ID requirements in Senate Bill 1. Voters can correct their ballots, but the clock is ticking as the March 1 primary approaches.

Previously, confusion over the same requirements led to hundreds of rejections of requests for mail ballots. Officials also say they have lost the ability to speak freely with voters about absentee voting options for fear of facing felony charges prescribed by the bill.

Democrats who walked out of the Capitol for two months in attempts to scuttle the legislation predicted these sorts of problems.

“Texans’ votes are being rejected under the GOP’s new anti-voter legislation, disproportionately hurting our senior citizens,” said Houston state Rep. Ann Johnson in a tweet. “Texas Democrats will continue fighting to protect the freedom to vote & to expand — not restrict — access to the ballot box.”

Sen. Paul Bettencourt, a Houston Republican who helped craft the bill, chalked up the ballot rejection issues to a learning curve. He noted that the number of ballot application rejections statewide (of the counties reporting data to the secretary of state) has dropped to 4.7 percent as of Feb. 4, down from 8.7 percent at the end of last month.

“I think we’ll see a similar type of reduction (with ballots) as people get used to the system,” he said.

Bettencourt said the state’s ballot tracker site is a good resource for making corrections that was also required by SB 1.

Harris County officials reported Friday that about 40 percent of filled-in mail ballots, or 1,430 out of 3,579, have so far been rejected because of a missing ID number and will be sent back to voters to correct. The county is still determining how many will have to be corrected because the voter used an ID number that doesn’t match what the county has on file.

Those nearly 4,000 ballots received only make up 13 percent of the more than 27,000 sent out by the county. The deadline to request a mail-in ballot is Feb. 18, so that number could grow.

Other counties have also reported high rejection rates, such as Hays and Williamson in the Austin metropolitan area, which will each need to send back about 30 percent of ballots for correction, the Texas Tribune first reported. In Dallas County, 28 percent of ballots had been rejected as of Thursday, the Dallas Morning News reported.

Statewide numbers are not available from the secretary of state, which did not respond to a request for comment.

Voters whose ballots were rejected will have an opportunity to correct them by mail, or, if the deadline is coming up too soon, officials will call or email voters. They would need to then go to their local elections office in person. Another option would be to use the state's new online ballot tracker to correct any mistakes.

Completed ballots have to be postmarked by 7 p.m. March 1. They can also be delivered in person on election day.

Sen. Bryan Hughes, R-Mineola, author of the legislation, had for months insisted that Democrats' outcry over the bill's potential to cause voter suppression was unwarranted.

"This is a bill we can be proud of," Hughes said just before it passed. "How much fraud is OK? None. How much suppression is OK? None."

Hughes has not responded to multiple requests for interviews, including on Friday, as problem arise with implementing the new legislation.

Mail voting wasn't easy in the first place

SB1 created an added layer of voting requirements in a state that already has some of the strictest in the nation for voting by mail. Voters now have to include a state ID number, such as a driver's license number or a partial Social Security number, when applying for a mail-in ballot and when submitting their ballot.

Some county officials have advised voters to include both numbers, just in case.

The location of the space to include an ID number on the new carrier envelopes could be part of what's throwing off some voters, election officials said. To protect the voter's privacy, the field is located underneath the envelope flap — easy to miss if a voter isn't looking out for it.

Just two states, Alabama and Wisconsin, had ID requirements in 2020 for voters requesting a mail-in ballot. But last year, Republicans in nearly a dozen states offered up bills limiting the method after its heyday during the pandemic. Texas and at least three other states enacted them: Arkansas, Florida and Georgia, according to Voting Rights Lab, which advocates for expanded voter access.

Texas already limits absentee voting to people who are 65 or older, disabled, in jail or out of their home county during the voting period.

Harris County elections spokeswoman Leah Shah said the office has received a record 8,000 calls since Jan. 1, the majority having to do with mail ballots and applications. That's more than the monthly call volume in the runup to the 2020 general election.

'And you want to throw her in jail?'

Also Friday, Harris County attorneys urged a federal judge in San Antonio to temporarily block a provision of SB1 that they say muzzles election officials who want to provide information to the public about voting by mail without fear of criminal prosecution.

The law made it a felony offense for any election official who "solicits the submission of an application to vote by mail from a person who did not request an application" punishable by up to two years in jail and \$10,000 in fines.

The prospect of a felony charge has had a chilling effect on Harris County election administrator Isabel Longoria and others who may want to encourage voters to cast their ballots by mail or "give mere truthful advice in response to questions from individual voters" but worry about becoming the target of "retaliatory or discriminatory prosecution," the suit argues.

This year, Texas Attorney General Ken Paxton convened a grand jury to consider charges against Travis County Clerk Dana DeBeauvoir for obstructing a poll watcher, as the Austin American-Statesman reported. The grand jury tossed the case in April, but DeBeauvoir said it felt like a politically motivated attack to intimidate her.

District Judge Xavier Rodriguez late Friday granted a preliminary injunction in the case, citing a likelihood that Harris County will prevail in its arguments that the anti-solicitation provision "constitutes unlawful viewpoint discrimination in violation of the First and Fourteenth Amendments, both facially and as applied to Plaintiffs' speech."

The judge barred enforcement of the provision and rejected the attorney general's oral motion to stay the injunction.

Throughout the roughly four-hour hearing, Rodriguez repeatedly said arguments from the attorney general's office seemed contradictory, that the law is problematic and that it is written too vaguely. At one point, he told the state's lawyers: "Don't get cute with me."

"How old is Ms. Morgan?" the judge asked one of them at another point about Cathy Morgan, a volunteer deputy registrar in Travis and Williamson counties, who is one of the plaintiffs. When the state answered that she is in her 70s, he added: "And you want to throw her in jail?"

Voting by mail is legal, state attorneys said, but it's not preferable to voting in person, so the purpose of the law is to stop government resources from being used to encourage voting by mail instead of in person.

Longoria said helping people vote by mail is part of her job.

“I feel compelled, that it’s my duty, to help voters vote,” Longoria said. “I can talk about voter registration, I can talk about in-person voting, but when it comes to voting by mail, I have to stop. To be very careful with my words.

“I stop midsentence sometimes at these town halls and say the law prevents me from saying much more,” Longoria said. “If you have a question, good luck and call us, but I’m tentative to overreach in this moment.”

[\[BACK TO TOP\]](#)

Texas counties reject unprecedented numbers of mail ballots ahead of March 1 primary under restrictive new law

Amy Gardner

Washington Post

February 12, 2022

<https://www.washingtonpost.com/politics/2022/02/11/texas-voting-law-ballots-rejected-poll-watchers/>

A restrictive new voting law in Texas has sown confusion and erected hurdles for those casting ballots in the state’s March 1 primary, with election administrators rejecting early batches of mail ballots at historic rates and voters uncertain about whether they will be able to participate.

In recent days, thousands of ballots have been rejected because voters did not meet a new requirement to provide an identification number inside the return envelope.

In Harris County, the state’s most populous county and home to Houston, election officials said Friday that 40 percent of roughly 3,600 returned ballots so far have lacked the identification number required under Senate Bill 1, as the new law is known. In Williamson County, a populous northern suburb of Austin, the rejection rate has been about 25 percent in the first few days that ballots have come in, the top election official there said.

“Twenty-five percent of mail ballots from the starting blocks is a big deal for our county,” said Chris Davis, Williamson County’s elections chief. “We’ve never seen it before. And yes, our hope is that we can get these voters to correct the defects in a timely fashion. But what if they don’t, because three months ago they didn’t have to? There’s a learning curve. There are going to be possibly painful lessons that their vote doesn’t count because they weren’t aware.”

All the officials said that the sample size is small at this early stage and that the rate of rejected ballots could improve as more arrive. Jennifer Anderson, the elections chief in Hays County, southwest of Austin, said her staff had rejected 25 percent of the first small batch of returned ballots — but by Friday morning, the rate had dropped to 4 percent.

“It seems like our outreach is working,” she said.

Still, the defect rate so far is alarming election administrators, voting advocates and some voters as primary day quickly approaches and many thousands more ballots are still to be returned. The rejection rates provide an early opportunity to assess the impact of Senate Bill 1, one of dozens of restrictive voting laws enacted by Republicans across the country last year amid an avalanche of

false claims, many from former president Donald Trump, that the 2020 presidential race was tainted by widespread fraud.

State Rep. Briscoe Cain (R), a leading proponent of Senate Bill 1, said in a text message that “Texans deserve to have confidence in the electoral system.” The new law ensures that, Cain said, by creating uniform voting hours across the state, expanding access for those who need assistance and enhancing transparency with provisions that protect the rights of partisan poll watchers.

“I’m confident that local election officials will prioritize assisting voters through the process instead of gaslighting to gin up fear and confusion,” Cain said.

In addition to adding identification requirements, the wide-reaching law imposes new penalties for anyone who registers to vote or casts a ballot but is not eligible to do so. It also empowers partisan poll watchers by imposing penalties on poll workers who impede their ability to observe the voting process, among other changes.

A federal judge delivered a narrow defeat to one part of the law on Friday. U.S. District Judge Xavier Rodriguez ruled that in Harris County and in the Austin area, the state can’t enforce a provision forbidding public officials to encourage voters to vote by mail, the Associated Press reported. Texas Attorney General Ken Paxton’s office did not immediately respond to a message.

The rejection of mail ballots is not the first challenge that Senate Bill 1 has presented, and election officials — who are nonpartisan in Texas — fear it won’t be the last. In January, counties also began rejecting a high percentage of mail ballot applications, which now require the same identification numbers as the ballots themselves. The law requires voters to provide either a Texas state identification number, typically from their driver’s license, or the last four digits of their Social Security number. The number they provide must match the identification number on file with their registration record.

Many counties are experiencing significant application rejection rates; in Harris, the figure is 35 percent to date, officials said.

In Texas, mail-in voting is open only to those who are over 65, will be away from home on Election Day or have a disability that prevents them from voting in person. Mail voting has for decades been the province of Republicans, who developed robust outreach programs and in many states championed legislation allowing the practice. In 2020, however, when Trump criticized mail balloting as an opportunity for fraud, many GOP voters began shunning the practice.

“It feels like people were just sitting up late at night thinking up ways to discourage people from voting,” said Jo Nell Yarbrough, a 76-year-old retired educator from Katy, Tex., west of Houston, who received a letter early this week from her local election office informing her that she had neglected to include an identification number on her application for a mail ballot.

Yarbrough sent out the application a second time and said she is optimistic that she’ll get the ballot in time to vote and mail it back again — and she is also willing to vote in person if necessary, once early voting begins Monday. But Yarbrough, a Democrat, said she fears that others might not be so persistent.

“It’s just making another hurdle for people,” she said. “And many people are going to give up and say, ‘I don’t feel like doing this or that.’ Not that it’s not worth it, but when you get older, you don’t want hassles.”

The GOP-controlled Texas legislature and Gov. Greg Abbott (R) enacted Senate Bill 1 in early September after Democrats tried unsuccessfully to halt the bill by denying Republicans a quorum in the House for months. The law went into effect in December despite entreaties from county election officials to give them more time to educate their staffs and voters. Lawmakers also denied local officials’ requests to push back the primary date.

As a result, election administrators have been scrambling to understand the new rules, procure new materials such as ballot requests and voter registration forms required under the law — and teach the public how it will affect them. They have relied on guidance from the secretary of state’s office, which in some cases has taken months to develop.

That fueled the confusion about how to process mail-in ballot applications, said Remi Garza, the elections chief in Cameron County, at the state’s southern tip.

“There was a lot of information that had not been distributed to all the 254 counties in Texas, so different administrators had different levels of information with respect to how you could process these applications,” said Garza, who leads the Texas Association of Elections Administrators.

That delay also contributed to a shortage of voter-registration cards as organizers with groups such as the League of Women Voters were unsure whether they could use their stockpiles of old cards or would have to wait to receive new forms from the state. The new form explains Senate Bill 1’s increased penalties for anyone providing false information on their voter registration application.

State officials told League organizers that they would not be able to provide the tens of thousands of registration cards they normally supply because of a nationwide paper shortage and rising costs.

Nancy Kral, an officer with the Houston chapter of the League of Women Voters, said the state’s top election official, Keith Ingram, told her during a telephone call that the state was not going to continue “subsidizing” the League’s registration efforts. The League provides voter registration cards to every participant in naturalization ceremonies in Houston — about 45,000 applications since June 2020.

A spokesman for the office of the secretary of state did not immediately respond to a request for comment on that exchange. But the spokesman, Sam Taylor, said the office has tried to inform election officials about all the changes. “Our office has been working as quickly and diligently as possible within a compressed time frame to provide guidance to both election officials and voters on changes to the voting process in Texas,” he said in an email. “Our goal from day one has always been to make sure that all eligible Texas voters can successfully cast a ballot, and that remains our goal going forward.”

Officials finally gave guidance — in either late December or early January, according to Taylor — that the old registration cards would be accepted this year. The deadline to register in time to vote in the primary was Jan. 31. Officials also provided more forms after the League threatened to sue under the National Voter Registration Act, which requires states to provide voter registration forms to third-party groups.

The new law is the target of multiple ongoing lawsuits, including one filed by the League of Women Voters, arguing that it violates the law by restricting voting access.

Kral has been disheartened by the hurdles Senate Bill 1 has erected — as well as the tone it seems to have set, she said. “It’s just so complicated and confusing,” she said. “There’s a perception that the confusion is not only in the name of election integrity but also about influencing who feels comfortable voting. I don’t think they’d admit to that, but that’s the message I’m receiving. They’re bullying.”

The late guidance from the state, as well as the paper crunch, has created stress for election officials, too. Garza, in Cameron County, described having to wait for instructions on the new mail-ballot envelope requirements before he could place his order. The new identification requirements necessitated an envelope redesign that includes a large privacy flap to cover the box where voters must provide their identification number.

Garza said his envelopes had still not arrived last week, when counties were supposed to begin mailing ballots to eligible voters. So on Saturday, he sent three of his staff members on a four-hour road trip to San Antonio, where a local printer had the envelopes in stock.

“We put them in the mail on Monday, and through the cooperation of our local postmaster, the voters began to receive them in their mailboxes today,” Garza said Wednesday. “That’s at least a week and a half later than we would have liked.” And it gives voters that much less time to fix any errors or omissions on their ballots, he added.

Several election administrators said they are optimistic that the rejection rate for both ballots and ballot applications will continue to decline as more come in — and as they get the word out to the public about the new rules.

But they are braced for another source of confusion, which is Senate Bill 1’s new penalty for poll workers who impede the ability of partisan poll watchers to observe voting locations on Election Day.

Davis, the top elections official in Williamson County, said the law has had a chilling effect on his ability to recruit poll workers, who have told him they worry that any effort to maintain order or protect voter privacy could be construed as a violation. But he also said he is optimistic that new mandatory training for poll watchers and poll workers will clarify what is acceptable behavior and what is not.

“Poll watchers are not our enemy — at least they’re not supposed to be our enemy,” Davis said. “The problem up until now is that in a poll watcher’s quest to see irregularities, they may not have had a terribly firm grasp on the ‘regular’ — how things are supposed to run in a polling place.” The training should improve that, he said.

Cain, the Republican lawmaker, said the new law “has ample protections for partisan election judges in dealing with disruptive election observers.”

Several election administrators said clashes between watchers and workers will be less likely on March 1, because it is a primary election. The real test of the new poll watcher rules will come in the general election in November, they said.

That's just fine with Garza, who believes that voters — and election administrators — have enough to get used to right now.

"Elections are robust," Garza said. "But they're also very delicate. People need to be mindful of how much things have changed since the last election. That's what's keeping me up at night."

[\[BACK TO TOP\]](#)

Judge temporarily halts part of Texas' voting law that bans officials from encouraging mail-in voting

Ashley Lopez

KUT-FM

February 13, 2022

<https://www.kut.org/texas/2022-02-11/federal-judge-raises-concerns-over-chilling-effect-of-new-vote-by-mail-rules-created-by-texas-law>

A federal judge issued a temporary injunction Friday against provisions in Texas' new voting law that prohibit public officials from "soliciting" vote-by-mail applications.

Lawyers representing plaintiffs — including Harris County Election Administrator Isabel Longoria and Cathy Morgan, a deputy voter registrar in the Austin area — say the law, known as Senate Bill 1, violates their clients' free speech rights under the First Amendment.

Longoria told the court earlier Friday the provision prevents her from "recommending, advising, urging" voters to cast a ballot by mail, even if those voters are qualified to do so.

U.S. District Judge Xavier Rodriguez said in his ruling that "the public interest is not served by Texas's enforcement ... of a restriction on speech," which is a fundamental right protected by the Constitution.

"Their speech has been and continues to be chilled," he wrote, "and the need for relief is urgent, given the fast-approaching deadline for requesting applications for mail-in ballots."

The deadline to apply to vote by mail in Texas ahead of the March 1 primary is Feb. 18.

Texas has one of the most restrictive vote-by-mail programs in the country; only Texans who are over 65, disabled, out of town or in jail but not convicted of a crime can vote by mail.

Longoria said voters often ask a lot of questions about voting by mail, but because of SB 1, she has been limited in what she can tell them.

"When it comes to voting by mail I have to stop; I have to be very careful about my words," she said. "I stop mid-sentence sometimes at these town halls and say, 'The law prevents me from saying much more.'"

During several parts of the hearing in San Antonio, Rodriguez said he shared concerns that the law could stop officials from talking to voters about important aspects of voting.

“It has a chilling effect,” he said. “People are afraid of talking because they don’t know when they are going to run afoul of this vague [provision].”

Lawyers representing Texas Attorney General Ken Paxton's office told the court they believed there was no real threat of criminal prosecution against Longoria or Morgan.

However, Longoria said Paxton’s office has a history of suing local election officials, including election officials in Harris County, specifically. She said the overall “tenor” of discussions of alleged election fraud concerns from his office also have made her office concerned.

“I think there is a heightened interest and scrutiny against ... election officials for election crimes,” she said.

[\[BACK TO TOP\]](#)

Texas ban on encouraging mail-in votes likely unconstitutional, judge rules

Alexa Ura

Texas Tribune

February 11, 2022

<https://www.texastribune.org/2022/02/11/texas-voting-law-mail-in-ballots-ruling/>

SAN ANTONIO — A new Texas law that keeps local election officials from encouraging voters to request mail-in ballots likely violates the First Amendment, a federal judge ruled late Friday.

Following a testy three-hour hearing earlier in the day, Federal District Judge Xavier Rodriguez temporarily blocked the state from enforcing the rule against Harris County’s election administrator until the rest of a lawsuit plays out. Although the scope of Rodriguez’s preliminary injunction is limited, the judge dealt the first legal blow to new elections restrictions and voting changes Republican lawmakers enacted last year.

The injunction applies to Texas Attorney General Ken Paxton and local county prosecutors in Harris, Travis and Williamson counties.

The state is expected to quickly appeal the ruling. The lawsuit was brought by Harris County election administrator Isabel Longoria and Cathy Morgan, a volunteer deputy registrar who is appointed to help register voters in Travis and Williamson counties.

Feb. 18 is the last day for counties to receive applications for mail-in ballots for the March 1 primary.

Rodriguez previewed his order throughout a Friday morning hearing during which he repeatedly pressed the state’s attorneys — with increasing exasperation — to fill in what he cataloged as ambiguities in the new law. The challenged provision makes it a state jail felony for election officials to “solicit the submission” of an application to vote by mail if the voter did not request it.

Rodriguez took particular issue with the lack of a clear definition for what constitutes soliciting when talking to voters, even those 65 and older who automatically qualify to vote by mail under the state’s strict rules.

“It has a chilling effect,” Rodriguez said while questioning a state attorney Friday morning. “They don’t know when they’re going to run afoul of this vague [law].”

His comments followed testimony from Longoria and Morgan, who said they feared the civil and criminal penalties that could come from violating the broad prohibition.

Longoria said her office was now taking a “passive” approach to voter outreach in regard to voting by mail, with staffers “gingerly” weighing their words while answering voters’ questions about their options.

“When it comes to voting by mail, I have to be very careful with my words,” Longoria said from the witness stand. “I stop mid-sentence sometimes at town halls. ... I’m tentative to overreach at the moment.”

Morgan testified that she was concerned the law applied even to volunteers like her, given that her role is formally certified by county election offices. She offered examples of voters she no longer felt she could help navigate the vote-by-mail process. That included an 88-year-old voter whom Morgan would typically call at the start of every year to remind her that she has to reapply for mail-in ballots.

State attorneys said that the law did not apply to volunteers like Morgan and argued the government can prohibit interactions between local election officials and voters without running afoul of the First Amendment.

They also repeatedly argued Longoria and Morgan could not prove they were facing an explicit threat of prosecution to justify the preliminary injunction. Under Senate Bill 1, officials who violate the prohibition on soliciting mail-in ballots face a state jail felony, which can be punishable by a minimum of 180 days in jail and fines up to \$10,000.

Sean Morales-Doyle, an attorney for the plaintiffs, countered that an explicit threat of prosecution was not necessary because laws are also created to deter specific actions.

“The law is on the books for that purpose,” said Morales-Doyle, an attorney with the Brennan Center for Justice.

And even the state’s witness — Keith Ingram, the Texas secretary of state’s director of elections — indicated the threat of prosecution loomed over election officials. While Ingram was on the stand, Rodriguez presented him with hypothetical interactions between Longoria and voters, asking if she could recommend voting by mail to someone who appeared to qualify.

“I would be very careful about that,” Ingram responded. “You wouldn’t want to recommend” voting by mail as an option “because you’d be worried about prosecution,” he said.

Throughout the hearing, Rodriguez also pressed for the reasoning behind the anti-solicitation provision, interrupting the state’s questioning of Ingram in search of an answer. Ingram said he didn’t know the purpose of the provision.

Eventually, Will Thompson of the Texas attorney general's office told Rodriguez that the provision was meant to limit "official encouragement" of voting by mail, indicating the state preferred people vote in person even if they qualify to vote by mail.

"We're not taking the position that the Legislature is opposed to voting by mail," Thompson said. "That doesn't mean the Legislature wants resources to be used toward nudging people toward voting by mail."

The anti-solicitation rule is part of the far-reaching voting law, enacted last year by Republican lawmakers who championed it as a measure needed to ensure the integrity of Texas elections — even though there are no widespread issues with elections in the state. SB 1 contains an array of new restrictions on the state's voting process and narrows local control of elections.

The Harris County lawsuit is just one in a heap of challenges to the election law. The expansive fight against the law includes civil rights groups and community organizations that advocate for voters of color and voters with disabilities who argue the law discriminates against those voters. The U.S. Department of Justice joined those plaintiffs with its own lawsuit last year, targeting new restrictions on mail-in ballots and voter assistance.

Those cases are expected to go to trial later this year.

[\[BACK TO TOP\]](#)

Here's a look at your options if you haven't received your mail-in ballot in time for the Primary Election

Briauna Brown

WFAA-TV

February 11, 2022

<https://www.wfaa.com/article/news/local/vote/mail-in-ballot-options-voting-texas/287-55df713a-f11f-4cb4-968a-8ce5fcbc0eee>

DALLAS COUNTY, Texas — Early voting for the March 1 Primary Election begins next week, on Valentine's Day and ends Friday, Feb. 25.

Some voters who are eligible can request to vote by mail, but must first apply to do so. The deadline to request a mail-in ballot by your county is Friday, Feb. 18. Click here to see who is eligible to vote by mail.

You can submit an application by downloading one, here or request an application from the Texas Secretary of State's Office or request an application from the Early Voting clerk in your county.

According to the Texas Secretary of State's Office, all applications to vote by mail must be received by the early voting clerk before the close of regular business or noon, whichever is later.

According to the Texas Secretary of State Office, there are currently 17,185,157 registered voters for the Primary Election.

So far, at least 28% of mail-in ballot applications have been rejected in Dallas County, because of the state's new election law that took effect. Because of that, some voters may not get their mail-in ballot back. Below is a guide for what their options are, should that happen.

What happens if I don't get my mail-in ballot before the Primary Election Day?
Your best bet – go to the polls!

Collin County's Elections Administrator Bruce Sherbet says, "If a voter hasn't received their ballot...their only option would be to vote a provisional ballot at a polling place."

Here's how to find your early voting location: <https://teamrv-mvp.sos.texas.gov/MVP/mvp.do>

If you cast a provisional ballot, the ballot board will then review it and make sure the original mailed ballot has not been cast, Sherbet told WFAA last election. Once they are sure the mailed-in ballot has not been counted, the ballot board will approve the provisional ballot.

But if they do receive a mailed-in ballot and count it, the board will reject the provisional ballot, he said.

The board is also required to let the voter know after the election whether or not their provisional ballot was accepted or rejected.

What if I have the ballot but worry it won't make it back in time?

The United States Postal Service generally recommends voters send back their mail-in ballots before Election Day, as a "common-sense measure." The ballot should be mailed at least one week prior to their state's deadline, according to the USPS.

The deadline to receive ballots mailed within in the U.S. from non-military and military voters who applied is 5 p.m. Thursday, March 3, if the carrier envelope has a postmark showing it was in the mail by 7 p.m. March 1.

Absentee ballots can also be delivered to county elections offices in person with a valid form of ID while polls are open on Election Day.

Completed ballots from military or overseas voters will be accepted if they are received by March 7. (Learn more, [here](#).)

So, what can voters do if they're worried it won't get there in time? They still have a few options.

They can fill out their mail-in ballot and hand-deliver it to the designated drop-off location in the voter's county.

Voters can also bring their blank mail-in ballot to the polls and exchange it there to cast a ballot in person instead.

[\[BACK TO TOP\]](#)

Texas' New Voting Law Is an 'Absolute Nightmare'

Ursula Perano

The Daily Beast

February 14, 2022

<https://www.thedailybeast.com/texas-voting-law-sb1-is-absolute-nightmare>

A rapid rise in rejected mail-in voting applications and ballots. Limited resources among election workers. Confusion galore, and a March 1 primary election quickly approaching.

This is the reality in Texas as SB 1—a controversial voting bill signed into law last year—goes into effect. With primary voting already underway, election officials, advocates, and everyday voters are struggling to navigate the newly enacted rules, with little room for error.

And folks on the ground are sounding the alarm, concerned about disenfranchisement among perfectly eligible voting populations.

“Honestly, it’s been an absolute nightmare,” Charlie Bonner, communications director for the voting-rights group MOVE Texas, told *The Daily Beast*.

SB 1 is jam-packed with new rules for voting throughout Texas. Among those is a provision requiring voters to provide a driver’s license number or the last four digits of their Social Security number on their mail-in voting applications and ballots. The number provided must match what the state has on file for any given voter.

Opponents worry that’s a gateway to rejection—with the potential for mail-ballot applications or mail-ballots themselves to be bounced because their identification information doesn’t match the voter’s file. Advocates are also concerned about a lack of awareness of the new law, potentially causing voters to unknowingly leave the identification information off their forms.

The current rejection rate for mail-ballot applications in Texas seems to support that worry.

Officials across the state are reporting higher-than-usual defect rates for mail-ballot applications. Leah Shah, spokesperson for Harris County Elections, told *The Daily Beast* her county is seeing an 11 percent rejection rate specific to the new laws. Last month, officials in Travis County said they were rejecting about half of the mail-in ballot applications they received, according to the *Texas Tribune*, while 325 applications were rejected in Bexar County for failing to provide an ID number or providing one that was not on file.

Texas voters are entitled to correct their mail-in voting applications or ballots if there’s an error. But elections administrators say the process for alerting voters to errors lacks uniformity from county to county, largely depending on a county’s budget and resources.

Chris Davis, the elections administrator for Williamson County, said he’s “blessed” to have a staff of 15 and ample resources. Shah said her office has been able to double its call-center team and has mail-ballot staffers who often work 12-hour days “in order to go above and beyond” in contacting voters.

But not all of Texas’ 254 counties have the wherewithal.

“We're able to because we are the largest county in the state and the fourth in the country,” Shah said. But smaller or less populous counties don't always have those same resources.

As Texas' March 1 primaries loom, elections administrators are preparing for an influx in rejected mail-in ballots, which are also subject to the new ID rules enacted by SB 1.

Davis said it's already happening in his county.

Williamson County has sent out about 3,000 ballots, Davis said in an interview on Feb. 8, and received about 200 back. So far, they're seeing a roughly 25 percent defect rate in returned ballots, with voters often forgetting to include their identification number on the carrier-envelope.

“It's real. That's a higher off-the-bat defect rate than we've seen in previous elections,” Davis added. “And I have little doubt it's because, well, this is a new law and it's gonna take some time I think for voters to adapt to it.”

While voters have access to a new online ballot-tracking system and are allowed to correct mistakes, their window to do so narrows by the day. And those who can't correct their ballots in time may need to resort to in-person voting.

In Texas, only specific groups of individuals qualify for mail-in voting in the first place: those over 65 years old, people with disabilities, pregnant women who are close to their due date, people who are out of town, or people who are in jail but still eligible to vote.

When mail-in voting fails for members of these groups, physical barriers often put in-person voting out of reach, advocates say.

“The idea that someone might still be able to go vote in person as a fail-safe I think ignores the notion that the very individuals who are allowed to vote by mail in Texas are people for whom getting to the polls is perceived to be difficult, if not impossible,” Tommy Buser-Clancy, senior staff attorney at ACLU Texas, told The Daily Beast.

The Texas secretary of state on Feb. 7 announced the identification number voters provide does not have to be the number they originally registered to vote with—but it does need to be “associated with your voter registration record.” Voters can include both their social security number and their driver's license number on an application in the hopes at least one matches what's on file.

Amir Badat, an attorney at the NAACP's Legal Defense and Educational Fund, told The Daily Beast that interpretation of the law by the secretary of state “seems inconsistent with the language of SB 1.” The secretary of state's interpretation could also raise questions about some of the ballot applications and ballots that have been rejected already.

“Interpretation of the code is evolving as people have deeper and deeper discussions into what the impacts and the practical application of the changes are,” president of the Texas Association of Election Administrators Remi Garza told The Daily Beast.

A federal judge has issued a preliminary injunction to a part of SB 1 that prohibited election officials from soliciting or encouraging mail-ballots as a means of voting.

Mail-in ballots aren't the only source of confusion for Texans this election cycle. SB 1 also now requires those assisting voters with disabilities to take an oath promising they will only help with "reading the ballot to the voter, directing the voter to read the ballot, marking the voter's ballot, or directing the voter to mark the ballot."

Advocates say this limits the scope of assistance for voters with disabilities by blocking anyone from helping to ensure ballots are properly received and cast, too.

"This oath has to be given under the penalty of perjury—it essentially creates a chilling effect on individuals who might be providing voter assistance for the fear that their assistance might be misconstrued as something that's illegal," Badat said.

The Department of Justice in November filed a lawsuit against Texas over the alleged restriction of access for voters with disabilities, saying assisters are improperly blocked from "answering basic questions, responding to requests to clarify ballot translations or confirming that voters with visual impairments have marked a ballot as intended."

SB 1 also rolled back some options for early voting, which begins in Texas on Feb. 14. The law banned drive-in voting, which was popularized during the pandemic. It also limits early-voting hours to 6 a.m. to 10 p.m. and bans 24-hour voting centers, which were used in Harris County during the 2020 election.

"Voters of color utilize those methods of voting disproportionately because voters of color are more likely to have working hours that are not the traditional 9-to-5 working hours," Badat told The Daily Beast.

SB 1 does partially expand early-voting access by requiring some smaller counties to provide at least 12 hours per weekday of early voting during the second week of Texas' window.

Election officials serve as the typical point of contact for voters and are working to educate the public about changes made by SB 1 ahead of the March 1 primary. Garza also commended Secretary of State John Scott's office for hosting webinars and sessions with election administrators, saying "communication from the Secretary of State's office has improved and increased significantly since the start of the year... it's been very helpful."

Advocates are working to raise awareness of changes made by SB 1. MOVE Texas, for instance, is training young people across the state on how to discuss these new laws with other voters in an effort to boost preparedness.

Texas Assistant Secretary of State for Communications Sam Taylor told The Daily Beast in a statement, "Our office has been working as quickly and diligently as possible within a compressed time frame to provide guidance to both election officials and voters on changes to the voting process in Texas. Our goal from day one has always been to make sure that all eligible Texas voters can successfully cast a ballot, and that remains our goal going forward."

But Bonner says, "It's going to take real investments from organizations like [MOVE Texas], from organizations around the country, to make sure that Texas voters are not left behind in this moment."

Some election officials think confusion over the new voting rules is, in part, a result of a rushed rollout, leaving the secretary of state little time to compile necessary guidance.

“If the secretary of state’s office had more time to review the changes that the legislature put in place before the March primaries, that confusion would have been greatly reduced,” Garza said.

Others insist timing isn’t the issue. They believe the law is doing exactly what it intended.

Buser-Clancy argued the state legislature received ample warning about the impending impacts of SB 1—but passed it anyway. “It is not a quirk in the new law. It is part of the new law that more and more mail-ballot applications are going to be rejected arbitrarily,” he said.

“Confusion was always the point,” said Bonner. “This was never actually about making sure that we can have free and fair elections. That was never the intention.”

[\[BACK TO TOP\]](#)

28% of Dallas County mail-in ballots rejected so far as early voting opens Monday in Texas primary

Philip Jankowski

Dallas Morning News

February 11, 2022

<https://www.dallasnews.com/news/politics/2022/02/11/28-of-dallas-county-mail-in-ballots-rejected-so-far-as-early-voting-opens-monday-in-texas-primary/>

AUSTIN — More than a quarter of absentee ballots mailed to Dallas County election officials as of Thursday for March 1’s party primary have been rejected, according to Dallas County Election Administrator Michael Scarpello’s office.

So far, Scarpello’s office has returned 166 ballots to absentee voters to allow voters to “cure” any issues with their ballots. The reason those ballots were rejected was not specified, and The Dallas Morning News is seeking clarification.

March 1’s primary is the first balloting the state is conducting since the controversial election law Senate Bill 1 took effect.

Across the state, election officials have reported issues with the new law related to absentee ballots due to a new provision requiring voters to supply either their Texas ID number or the last four digits of their Social Security number.

Those issues had been related to rejected mail-in ballot applications. But now, it appears SB 1 is having effects on actual ballots.

“Voter suppression is alive and well in Texas,” said Wesley Story, spokesman for Progress Texas in a news release. “Texans warned Republican lawmakers about the impact their anti-voter law would have but they passed it anyway, and now we’re seeing the consequences in real time.”

As of Thursday, Dallas County has received 583 ballots, of which 166 have been returned to voters. Corrected ballots postmarked by 7 p.m. March 1 will be counted.

The office has received 13,572 applications for an absentee ballot, of which 1,445 — 10.6% — have been rejected. A little more than half of the rejected applications were refused because the voter did not provide an ID number and about 11% were rejected because the voter did not provide the ID number used when they registered to vote.

In Collin County, Elections Administrator Bruce Sherbet reported that about 200 of 5,000 mail-in ballots applications — 5% — have been rejected. Sherbet said numbers regarding returned mail-in ballots were not available. The county's ballot board will begin processing those ballots on Monday, he said.

Harris County Election Administrator Isabel Longoria told the Texas Tribune that the new law has contributed to her office returning 40% of ballots. Longoria repeated those figures Friday during a hearing in federal court in San Antonio on a request to block the law over free speech concerns.

That suit, brought by Longoria and volunteer deputy registrar Cathy Morgan, is challenging a portion of SB 1 that makes it a felony for election officials to solicit absentee ballots from voters.

[\[BACK TO TOP\]](#)

Jefferson County to purchase new voting machines

Rachel Kersey

Beaumont Enterprise

February 13, 2022

<https://www.beaumontenterprise.com/news/article/Jefferson-County-to-purchase-new-voting-machines-16914883.php>

As part of a statewide effort to more closely regulate elections, Jefferson County is getting new voting machines.

The Jefferson County Commissioners Court last week approved the purchase.

This is in accordance with a September 2021 amendment made to the Texas Election Code, which stipulates that a paper audit trail is required and that only auditable voting machines are an acceptable way to vote. In recent elections, the voting machines have been totally electronic.

The county was awarded a Reimbursement for Auditable Voting Machines grant from the Texas Secretary of State for \$3.2 million if the equipment is in place by Nov. 8. If the deadline is not met, the maximum reimbursement will be roughly \$1.6 million.

The county is aiming to get the full reimbursement.

“We were one of only a handful of counties that was selected to receive this grant because of our outdated systems,” Jefferson County Judge Jeff Branick said, noting that Hardin County has already been using auditable voting machines before the code changed.

“We don’t want 50%. So, we’re going to try to have them in place for the November elections.”

The Secretary of State’s office has only approved two auditable voting machines — one made by Hart and one made by ES&S

“What I envision is that we will have both approved vendors come in for a workshop and we’ll let them make a presentation before the court makes a decision on which system to buy,” Branick said.

“We’ll probably ask several people — department heads, election administrators, voter registrar’s and members of the general public, probably — to take a look at the machine to see what they think; see, its pros and cons.”

The commissioners likely will vote after hearing public comment.

Branick said he estimates that the workshop will occur in May, with the final decision coming after the May 7 election, but according to County Clerk Laurie Leister, the vendors can get the machines to county employees within a few weeks so they can begin training.

The judge does not know at this time exactly how many machines will be installed in Jefferson County, but he estimates the county will purchase a little more than 300.

“Approximately 39 voting locations with an average of eight machines is a rough guesstimate,” he said.

[\[BACK TO TOP\]](#)

Hidalgo County elections administrator discusses new changes to Texas mail-in ballots

Santiago Caicedo

KRGV-TV

February 12, 2022

<https://www.krgv.com/news/hidalgo-county-elections-administrator-discusses-new-changes-to-texas-mail-in-ballots>

Registered voters who qualify for a mail-in ballot have until Friday, Feb. 18, to request a ballot.

Those who qualify for a mail-in ballot include:

- Those who live outside the county they’re registered to vote in
- Are over the age of 65
- Have a disability
- Are in jail

Those filling in an application for a mail-in ballot are now required to fill in their Texas identification number or driver’s license, along with the last four digits of their social security number.

Watch the video above for the full story: <https://www.krgv.com/news/hidalgo-county-elections-administrator-discusses-new-changes-to-texas-mail-in-ballots>

[\[BACK TO TOP\]](#)

As early voting begins, Gregg County elections chief warns of rejected mail-in applications, ballots

Yoleyne Romero

Longview News-Journal

February 12, 2022

https://www.news-journal.com/news/elections/as-early-voting-begins-gregg-county-elections-chief-warns-of-rejected-mail-in-applications-ballots/article_cd8c45d6-8b5b-11ec-87c2-afc59718c0fc.html

Gregg County's elections administrator is warning voters of changes to mail-in ballot rules that have resulted in some applications being rejected.

Jennifer Briggs said the changes are related to election laws approved this past year by the Texas Legislature.

One of the new laws requires voters to put an identification number on their application for a mail-in ballot and on the mail-in ballot itself. That number can either be a driver's license, state ID or Social Security number. If the number provided on the application does not match what is in the elections office voter registration system, the application is rejected.

Likewise, received mail-in ballots also can be rejected for the missing ID information.

Briggs said she recommends voters put their ID and Social Security numbers on their application and their mail-in ballot to increase the chance that one of the numbers matches what's in the system.

The changes have caused confusion among some residents, she said.

Many of the calls received at the elections office are from voters who have had their mail-in ballot application rejected and want to know why, Briggs said.

"When I talk to them on the phone, I tell them they actually filled out the application correctly. They did not fill out anything wrong. But there's an extra piece to the puzzle with this election law that is requiring us to match that ID number, so it is a little confusing to our voters," she said.

The elections office has just started receiving returned mail-in ballots that soon will be reviewed by the ballot board. Any ballots that come back "defective" — meaning without a matching ID number — will be rejected, and the voter will be contacted by the ballot board on how to make the corrections. Residents will have six days to make corrections to their ballots.

Gregg County isn't alone in confusion among voters related to mail-in ballot changes.

As of Wednesday, election officials in Harris County had flagged 1,360 mail-in ballots to be sent back to voters — 40% of the mail-in ballots returned up to that point — because they lacked an ID number, the Texas Tribune reported.

In Hays County, about 30% of the voters who had already returned their mail-in ballots had not filled out the ID requirement, the Tribune reported. And election officials in Williamson County said about 30% of completed ballots were missing ID numbers.

Residents who vote by mail also can expect a change in the return ballot envelope. The previous return envelope was yellow, while the new one is white with a purple stripe along the front. A privacy flap on the back of the envelope protects the voter's personal information from being seen.

Another change does not allow spouses to request a mail-in ballot application for their partner. Elections administrators face felony charges if they do not personally hear from each person who wants to vote by mail, Briggs said.

Normally, only residents who are older than 65 or disabled are eligible for mail-in ballots. However, the new law adds that any person expecting to give birth within three weeks before or after the election date is also eligible.

Finally, the location of early voting at the courthouse has changed. Due to changes that require a secure room for the ballot board with 24-hour video surveillance, the room that previously was used for early voting is no longer available, Briggs said.

Early voting will now take place in the hallway on the first floor of the Gregg County Courthouse. The video surveillance law only applies to counties that have a population more than 100,000.

Applications for mail-in ballots must be received — not postmarked — by Friday.

Applications are available on the Gregg County elections website at greggcountyvotes.com, by calling the elections office at (903) 236-8458 to receive an application by mail or by picking up in person at the Gregg County Courthouse.

Early voting for the March 1 primary begins Monday and continues until Feb. 25.

[\[BACK TO TOP\]](#)

The primary problem with Texas elections

David Martin Davies

Texas Public Radio

February 11, 2022

https://www.houstonpublicmedia.org/articles/news/politics/2022/02/11/418921/the-primary-problem-with-texas-elections/?utm_source=twitter-share-attachment&utm_medium=button&utm_campaign=hpm-share-link

Feb. 14 is the start of early voting for Texas' March 1 primary. This is when Democrats and Republicans choose their party's candidates to run in the November general elections. If this year is anything like past primary elections, who actually makes it onto the final ballot will be determined by a very small portion of Texas voters. This could be the "primary" problem in Texas politics.

People often call Texas a very conservative, deep red state. But is that true? Opinion polling of the state's general population tells a different story. Most Texans back the expansion of Medicaid, want climate change addressed, and don't think abortion should be completely unavailable.

"If you see polling on the quality of schools or on access to health care, border control, guns, any series of issues, opinions are far more moderate than policy ends up being," said Cal Jillson, political science professor at Southern Methodist University.

Jillson says there's a vast disconnect between what the majority of Texans want from their state government and what the state's leaders are doing. He says that's because elected officials take their directions from the people who vote for them.

In Texas, that's the voters in the Republican primary, said Jim Henson, director of the Texas Politics project.

"If you look at turnout in the last midterm Republican primary in 2018, you had fewer than 1.6 million voters. So that means when you're talking about statewide elected officials, you're talking about a candidate needing to get it in that election... 800,000 votes got you a win out of a state of now almost 30 million people," he said.

That gives a very small fraction of the state's population — about 3.5 % — an outsized influence on Texas. For proof, Henson says, look at last year.

"We saw very clearly in the 2021 legislative session in Texas, which is gone down in the books as one of the most conservative sessions in at least the modern history of the legislature. There was no expectation among most Republicans that they had to worry about their Democratic challenger in the general election," he said.

What Republicans do worry about is other Republicans during primary elections. Incumbents are constantly looking over their right shoulder for another Republican who could sneak up and claim they're the "real conservative" choice.

That's what's been happening with Gov. Greg Abbott, says Mark P. Jones, a political science fellow at Rice University's Baker Institute of Public Policy. Abbott faces seven challengers in the Republican gubernatorial primary.

"The governor — by shifting to the right on a host of different policy issues ranging from Second Amendment rights to abortion, to election fraud, to LGBTQ population, to transgender students — by moving to the right on all of those issues Gov. Abbott effectively blocked off any access on the right lane," Jones said.

He also notes the pool of typical Republican primary voters isn't reflective of what Texas looks like overall.

"What we know about the Republican primary electorate [is that] it's about 70% white, 20% Latino, and then about 10% other. So we know that the Republican primary electorate is older, much wealthier. And on average, better educated," Jones explained.

So what to do about a political system where a small and extremely conservative portion of the population is basically picking the leaders for the rest of the state? In theory, it's supposed to be a self-correcting system that's reliant on general election voters restoring balance when either party goes too far astray. But Henson says the problem is Texas Democrats.

"The weakness of the Democrats as a balancing factor in general elections has gone from being a temporary condition to almost a structural feature of the political system right now," he said.

This means if the Democrats don't start winning statewide offices, then Texas politics will shift even further to the right. Another solution is for more Republicans, the moderates in the party, to start showing up to vote in their primary.

[\[BACK TO TOP\]](#)

Dallas GOP congressional candidate Brad Namdar accused of soliciting sex from escort

Lauren McGaughy

Dallas Morning News

February 12, 2022

<https://www.dallasnews.com/news/investigations/2022/02/12/dallas-gop-congressional-candidate-brad-namdar-accused-of-soliciting-sex-from-escort/>

A woman who works as a professional escort says Brad Namdar, a GOP congressional candidate and anti-human trafficking advocate, solicited sex from her on two occasions last spring.

The escort said she first met Namdar in May, as he was gearing up for his congressional run. She provided The Dallas Morning News with evidence, including videos, of the alleged sexual encounters. The News is not naming her because she fears retaliation from Namdar and his supporters.

The News also uncovered allegations through school records that Namdar inappropriately touched a student when he was a teacher and coach at a Dallas high school. Child Protective Services was notified about the alleged incident, but local law enforcement officials said they have no records of such a report.

Namdar, 33, denied all of the allegations. He said that text messages and video footage the woman provided of their alleged sexual encounters are fake and that he has been threatened in the past by people involved in trafficking.

"There's dangerous people. They'll manufacture things. They can make videos. They can do things that [are] pretty dangerous and since I have decided to run for Congress, it's only increased threats I've received on my life," Namdar told The News in a recent 90-minute, in-person interview.

Namdar also denied ever touching a student inappropriately and questioned the validity of public records from 2015 recounting the alleged incident.

"It's fake, never happened," Namdar said of the student's allegation.

Namdar is a Dallas small business owner who in recent years has made a name for himself as an anti-trafficking advocate. He has held trainings on how to spot and fight trafficking and joined business groups focused on the problem.

Namdar is one of six Republicans hoping to oust U.S. Rep. Colin Allred, D-Dallas. The 32nd Congressional District snakes from Balch Springs along Far East Dallas and up to Richardson. Parts of Dallas, Collin and Denton counties are included in the district.

In recent weeks, Namdar has distinguished himself in the crowded field by receiving endorsements from U.S. Rep. Pete Sessions, the Republican who held the seat before Allred, and The Dallas Morning News editorial board.

Namdar has made trafficking a key issue in his congressional run.

Under Texas law, solicitation of prostitution is defined as knowingly offering or agreeing to pay another person for sex. Prostitution is offering or agreeing to receive money in exchange for sex. Human trafficking, by contrast, is forcing someone into prostitution or labor, or it involves a victim who is a minor.

All three are illegal.

The woman allegedly solicited by Namdar is over the age of 18 and refers to herself as an escort. She told The News she works voluntarily. The woman decided to make her allegations public after she said Namdar failed to pay her for their second sexual encounter.

During their first meeting, the woman said, Namdar talked about his advocacy work. He told her he helps trafficking victims find assistance, she said.

“He never asked, like, ‘Do you want to get out of this? Are you being forced to?’” the woman told The News. “He never asked me any questions like that.”

Escort’s allegations against Namdar

The woman said Namdar first contacted her via text in May 2021. At the time, she said, she advertised her services as an escort on multiple websites.

According to the woman, the two never exchanged their real names and used pseudonyms but she said she figured out who he was during her initial screening process when he sent her a photograph that matched Namdar’s Twitter avatar at the time.

The woman said they first met at a hotel in downtown Dallas on May 19 and Namdar paid her for oral sex.

They met again a few days later, she said. The woman provided videos of her having sexual intercourse with a man she said is Namdar. Both she and the man, who looks and sounds like Namdar, can clearly be seen and heard for several minutes. The videos include a date stamp of May 22.

After the encounter, the woman said, Namdar told her that he had left his cash in his car. When he went to retrieve it, he never returned, she said.

Later that day in a direct message on Twitter, the woman's boyfriend warned Namdar about not paying and said that if he didn't respond by noon, he would tell Namdar's then-fiancée, according to screenshots of the alleged communications provided to The News.

The News is not naming the boyfriend because he, too, fears retaliation.

Namdar never responded to the Twitter messages, the woman and her boyfriend said, which prompted them to speak out publicly.

"This man made me feel like I was nothing," the woman told The News in one of several interviews. "He needs to be held accountable for his actions. With that kind of platform, you cannot treat people that way. What's done in the dark will always come out to the light."

Namdar called the escort's allegations false and said the video she provided was fake.

"You have me mistaken with someone else," he said during the interview. "Never happened. It was manufactured."

Namdar said he suspects someone involved in trafficking might be targeting him. He sent The News a text message he said showed he had received threats in the past; the sender's information is redacted.

"It's not a easy advocacy to get into without getting threatened," Namdar said. "It's sad that we live in a society where I know that people do things like make false accusations."

The woman also provided lengthy text messages with two different phone numbers she said document her conversations with Namdar. She suspected Namdar was using temporary numbers and burner phones, she said.

Neither number could be traced to Namdar. He pointed to the difference between the phone number he used to communicate with The News and the numbers used to contact the woman as evidence that he did not send the messages.

"It is not my cellphone that I texted you with today," he said.

Namdar said he was with a colleague on the night of May 21 and then was on the phone with that person until 1:30 a.m. The colleague said this account of the night's events was accurate.

According to the woman, however, the second alleged sexual encounter occurred after 1:30 a.m. Namdar told The News he was in his apartment after 1:30 a.m.

Namdar's anti-trafficking advocacy

The alleged sexual encounters with the woman occurred as Namdar was publicly advocating against human trafficking.

Last February, he led a training with a conservative women's club on how to spot trafficking. In April, he moderated an anti-trafficking panel in Dallas. The morning in May before he allegedly met the escort for their second sexual encounter, he went on a Frisco podcast and discussed his advocacy work.

"Regarding human trafficking, or if anyone's involved in it, we're coming," Namdar warned on the podcast.

Namdar sits on the U.S. Chamber of Commerce's Taskforce to Eradicate Human Trafficking. He frequently mentions that his company is certified as one of the "Texas Businesses Against Trafficking" by the secretary of state.

On his application for the program, Namdar checked boxes attesting to the fact that his company prohibits using its funds to patronize businesses that are part of the commercial sex industry, or to engage in sexual conduct that violates state or federal law.

During trainings and public appearances, Namdar points out the legal difference between prostitution and trafficking.

"So what is human trafficking?" Namdar asked the attendees of the training he hosted last February. "A lot of people think it's prostitution. ... No, it's not."

At least one of the websites the escort used when she said Namdar first contacted her, Megapersonals, has been tied to both prostitution and trafficking. Megapersonals prohibits users from using its platform for either purpose, but the website is currently at the center of a federal case against a Texas man accused of trafficking a minor for sex across state lines.

Human trafficking involves an element of coercion and is a second-degree felony offense in Texas. If a child is involved, the penalty increases to a first-degree felony.

Although it may not involve coercion, solicitation of prostitution is also a crime. Last year, Texas was the first state to make it a felony, punishable by fines and up to two years in a state jail. The new solicitation law went into effect Sept. 1, approximately three months after the woman said Namdar first contacted her.

At the time of their alleged meetings, solicitation of prostitution was a Class A misdemeanor punishable by fines and up to a year in jail for a first offense. Prostitution is a Class B misdemeanor in Texas, punishable by fines and up to 180 days in jail.

In his interview with The News, Namdar acknowledged prostitution and trafficking are often linked. Namdar said he has never solicited anyone and called prostitution "immoral," but expressed concern for people who sell sex because they've fallen on difficult times.

"People are put in tough positions, and you can't judge everyone for tough positions in life," he said.

Namdar urged the woman making the allegations against him to get help.

Student allegations against Namdar

Namdar, a first-generation American and child of immigrants from Iran, was born Bardia Namdarkhan in Dallas and raised in Plano. He graduated from SMU, where he was a kicker on the football team, with a B.A. in journalism and philosophy. He received his master's degree in dispute resolution and conflict management, also from SMU.

Namdar started a candle-making business in his dorm room, which later expanded into a home décor company. He has also coached soccer for high school and college students.

In 2014 and 2015, Namdar worked as a teacher and soccer coach at North Dallas High School.

In October 2015, another teacher emailed school officials saying a recently graduated student had accused Namdar of touching her bottom. The incident occurred in 2014, the student told the teacher, but she did not come forward with her account until after graduation.

The News obtained a copy of the teacher's email from the Dallas Independent School District through a public-records request.

The student "reacted to the inappropriate advance by snapping at Bardia Namdarkhan and told him, '[he] had better not do that ever again!'" the teacher wrote in the email, relaying the student's story.

The student also told the teacher that Namdar once pressured her to come to the school's locker room on a Sunday evening. When she refused, Namdar "became irritated and insisted she come," the teacher's email said, but the student said she refused again.

The teacher did not provide exact dates but said the alleged incident of inappropriate touching occurred when the student was under age 18. The student said she decided to tell the teacher when she did because Namdar had recently reached out to her on Facebook.

The names of the student and the reporting teacher were redacted by the district prior to producing the document in response to The News' request. The News further redacted this document in an attempt to avoid disclosing identifying information.

"Since the sexual harassment was done by an educator to a student, who was 17 at the time, I feel compelled by my ethical standards, as well as state and federal law to report this to the proper authorities," the teacher wrote in the email.

The teacher reported the alleged incident to Child Protective Services, the email added.

The Department of Family and Protective Services said it does not comment on questions about CPS reports due to privacy laws, but noted that such allegations would typically be sent to law enforcement. Dallas police and the sheriff's office told The News that neither has a record of any such report made against Namdar.

It's unclear whether Namdar faced any repercussions due to the allegations of inappropriate touching.

Namdar said the alleged incident with the student never happened. He said he suspected the document DISD provided, like the video, might also be "manufactured."

Namdar questioned the legitimacy of the document and the allegation because the report was made while he was on administrative leave from the district, and he said it should have come up during conversations with school leaders. He also said it was strange that the reporting teacher called him by his legal name, Bardia Namdarkhan, which Namdar said he never uses. Namdar said he was never contacted by the district, CPS or his lawyer about the allegation and he was already working at another school when the allegation was reported.

Namdar faulted the district for not contacting him about the allegation.

“This is why our schools are failing even more, if this wasn’t followed up on,” Namdar said.

Namdar’s teaching background

Before the student’s allegations surfaced, leadership at North Dallas High School had already attempted to fire Namdar after he clashed with the principal. According to a Law360 article about the case, Namdar called the principal, whom he wanted to be fired, “abusive.”

Namdar and his father hired a law firm and successfully fought his termination, Law360 reported.

But the firm then sued the Namdars in 2016 for \$70,000 it said they owed in legal fees. The case went to court and a jury sided with the firm, awarding approximately \$1.3 million. In the interview with The News, Namdar said the law firm agreed to receive a lesser fee and the jury wasn’t allowed to consider this. The Namdars appealed and lost again.

After his loss at the Dallas Court of Appeals, Namdar was quoted in Law360 as saying that “justice was not served.”

The Namdars took the case to the Texas Supreme Court, which declined to hear it in October, affirming the original judgment.

An attorney at the firm that sued the Namdars declined to comment for this story.

Namdar declined to speak about the current status of the case and said he doesn’t recall speaking with Law360. When asked whether he would pay the judgment, he said “no comment.” The News was unable to reach Namdar’s father and Namdar declined to provide any contact information.

Namdar said he was well-liked by his students and provided two positive testimonials, as well as photographs he said showed students protesting for him to be reinstated to his coaching job. The News was able to connect with the students, who confirmed they called Namdar a “great teacher, mentor and coach” and “kind [and] respectful” in their testimonials.

Namdar said he filed a grievance against the principal at the time, who Namdar said was retaliating against him. But he declined to provide that document and suggested The News file a public records request. The News filed this request but has not yet received a response.

When asked about Namdar, a spokesman for Dallas ISD said the district does not discuss personnel matters. DISD also declined to release Namdar’s employment file. Namdar ultimately resigned from

his job with the district in November 2015, according to the appeals court opinion in the legal fees case.

Namdar next went to work at Mountain View, a public community college in Dallas.

But according to a footnote in that same appeals court's opinion, Namdar was terminated from a local college "under circumstances reminiscent of his issues with DISD" during the course of the litigation. The college was not named in the opinion and The News was unable to confirm if it was Mountain View.

Namdar did not answer questions about whether or why he was terminated from Mountain View.

The Dallas College system, which counts Mountain View among its campuses, released Namdar's employment file and confirmed he worked there from July 2015 to July 2016. But, like DISD, the system also declined to discuss personnel matters when asked whether Namdar was terminated.

The 32nd Congressional District

Namdar faces five opponents in the Republican primary: financial consultant Nathan Davis, former Arlington City Councilman Darrell Day, real estate developer Edward Okpa, Wingstop founder Antonio Swad and Marine Corps and Navy veteran Justin Webb. The winner of the GOP primary will go up against Allred in November to represent the district, which skews Democratic.

In addition to the nod from Sessions, Namdar received endorsements from State Board of Education member Tom Maynard, R-Florence, and Daphne Stanley, trustee with the Garland Independent School District. His social media is packed with pictures of him with Texas leaders.

In 2020, Gov. Greg Abbott also named Namdar to a state board overseeing grants for nonprofits. Namdar's appointment ends in March.

At a January candidate forum in Dallas, Namdar touted his endorsements from people who understand and fight against human trafficking. He expressed his belief that the U.S. could regain its footing as an example of virtue worldwide.

"We're the United States of America," Namdar said. "We are the moral authority."

Early voting in the primary election starts Monday.

[\[BACK TO TOP\]](#)

How cryptocurrency can transform voting and healthcare

Dan Grossman

KXXV-TV

February 11, 2022

<https://www.kxxv.com/news/national/how-cryptocurrency-can-transform-voting-and-healthcare>

As early as this month, the Biden Administration is expected to release an executive action that will task federal agencies with regulating cryptocurrency.

It has been reported that President Biden has referred to the impending regulation as a “matter of national security.”

In 2021, the crypto market added \$1.5 trillion in overall market value, according to Bloomberg.

People invested as they saw Bitcoin’s value rise to more than \$68,000 on November 10, its all-time high. As more coins flooded the market, more people began trading cryptocurrencies, as Pew Research reports 16% of Americans have either invested in, traded, or used cryptocurrency.

“We didn’t just want to be the capital of Latin America, we wanted to be the capital of capital,” said Miami Mayor Francis Suarez.

Miami is a city embracing cryptocurrency like few other cities have. It has created its own currency, Miami Coin, and it attracted a major crypto company, Blockchain.com, to relocate its headquarters from New York to Miami as it vies to become the crypto capital of the world.

“There was widespread interest and sort of adoption of crypto. It gave me a sense of the breadth of how many people in this country are paying attention,” said Suarez.

But cryptocurrency has far more potential uses than just an investment opportunity.

On January 20, Florida International University Business Analytics professor, Hemang Subramanian, published a paper exploring how crypto and the blockchain can be used to store personal healthcare data through NFTs or non-fungible tokens. NFTs are similar to digital pieces of art in that they are completely unique. Owners of these tokens can be verified through unique data that acts as a digital fingerprint.

The ways this plays into healthcare is that if you have an x-ray or blood sample it would no longer need to be stored in a healthcare facility that manages it; it can be stored on the blockchain where you can send it anywhere instantaneously.

“You can transfer the token and access to that image to a specialist living in, let’s say, New York, and that person can look at the thing and provide a prognosis or diagnosis and then provide appropriate healthcare advice to the patient,” said Subramanian. “It could potentially streamline a lot of complicated systems.”

That streamlining could also reach other systems like voting. Since the blockchain can verify unique users through NFTs, the idea that voters would need to go into a ballot box to cast a vote could be replaced by casting a vote on our phones, expanding access to rural areas that are harder to reach, and reducing the chances of voter fraud since each vote can be accounted for on a decentralized place that is not within reach of politicians.

“That vision has basically taken the world by storm,” said Subramanian. “It’s created entire new markets and applications like decentralized finance, you have centralized finance, you have non-fungible tokens, you have entire gaming platforms, and now, you have the Metaverse, which is being created on top of the blockchain.”

The Biden Administration says it will not be involved in developing regulations for the crypto industry, rather it will oversee its implementation.

[\[BACK TO TOP\]](#)

US suspends Mexican avocado imports on eve of Super Bowl

Associated Press

February 13, 2022

<https://www.pbs.org/newshour/economy/us-suspends-mexican-avocado-imports-on-eve-of-super-bowl>

MEXICO CITY — Mexico has acknowledged that the U.S. government has suspended all imports of Mexican avocados after a U.S. plant safety inspector in Mexico received a threat.

The surprise suspension was confirmed late Saturday on the eve of the Super Bowl, the biggest sales opportunity of the year for Mexican avocado growers.

Avocado exports are the latest victim of the drug cartel turf battles and extortion of avocado growers in the western state of Michoacan, the only state in Mexico fully authorized to export to the U.S. market.

The U.S. government suspended all imports of Mexican avocados “until further notice” after a U.S. plant safety inspector in Mexico received a threatening message, Mexico’s Agriculture Department said in a statement.

“U.S. health authorities ... made the decision after one of their officials, who was carrying out inspections in Uruapan, Michoacan, received a threatening message on his official cellphone,” the department wrote.

The import ban came on the day that the Mexican avocado growers and packers association unveiled its Super Bowl ad for this year. Mexican exporters have taken out the pricey ads for almost a decade in a bid to associate guacamole as a Super Bowl tradition.

This year’s ad shows Julius Caesar and a rough bunch of gladiator fans outside what appears to be the Colosseum, soothing their apparently violent differences by enjoying guacamole and avocados.

The association did not immediately respond to a request for comment on the ban, which hits an industry with almost \$3 billion in annual exports. However, avocados for this year’s Super Bowl had already been exported in the weeks prior to the event.

Because the United States also grows avocados, U.S. inspectors work in Mexico to ensure exported avocados don’t carry diseases that could hurt U.S. crops.

It was only in 1997 that the U.S. lifted a ban on Mexican avocados that had been in place since 1914 to prevent a range of weevils, scabs and pests from entering U.S. orchards.

The inspectors work for the U.S. Department of Agriculture’s Animal and Plant Health Inspection Services.

It is not the first time that the violence in Michoacan — where the Jalisco cartel is fighting turf wars against a collection of local gangs known as the United Cartels — has threatened avocados, the state's most lucrative crop.

After a previous incident in 2019, the USDA had warned about the possible consequences of attacking or threatening U.S. inspectors.

In August 2019, a U.S. Department of Agriculture team of inspectors was “directly threatened” in Ziracuaretiro, a town just west of Uruapan. While the agency didn't specify what happened, local authorities say a gang robbed the truck the inspectors were traveling in at gunpoint.

The USDA wrote in a letter at the time that, “For future situations that result in a security breach, or demonstrate an imminent physical threat to the well-being of APHIS personnel, we will immediately suspend program activities.”

Many avocado growers in Michoacan say drug gangs threaten them or their family members with kidnapping or death unless they pay protection money, sometimes amounting to thousands of dollars per acre.

On September 30, 2020, a Mexican employee of APHIS was killed near the northern border city of Tijuana.

Mexican prosecutors said Edgar Flores Santos was killed by drug traffickers who may have mistaken him for a policeman and a suspect was arrested. The U.S. State Department said investigations “concluded this unfortunate incident was a case of Mr. Flores being in the wrong place at the wrong time.”

The avocado ban was just the latest threat to Mexico's export trade stemming from the government's inability to rein in illegal activities.

On Thursday, the U.S. Trade Representative's Office filed an environmental complaint against Mexico for failing to stop illegal fishing to protect the critically endangered vaquita marina, the world's smallest porpoise.

The office said it had asked for “environment consultations” with Mexico, the first such case it has filed under the U.S.-Mexico-Canada free trade pact. Consultations are the first step in the dispute resolution process under the trade agreement, which entered into force in 2020. If not resolved, it could eventually lead to trade sanctions.

Mexico's government has largely abandoned attempts to enforce a fishing-free zone around an area where the last few vaquitas are believed to live in the Gulf of California, also known as the Sea of Cortez. Nets set illegally for another fish, the totoaba, drown vaquitas.

And on Monday, Mexican fishing boats in the Gulf of Mexico were “prohibited from entering U.S. ports, will be denied port access and services,” the National Oceanic and Atmospheric Administration said, in response to years of Mexican boats illegally poaching red snapper in U.S. waters in the Gulf.

[\[BACK TO TOP\]](#)

As lethal fentanyl flows across Mexico border, CBP tries powerful scanning technology

Nick Miroff

Washington Post

February 13, 2022

<https://www.washingtonpost.com/national-security/2022/02/13/fentanyl-smuggling-border-scanning-technology/>

LAREDO, Tex. — At the busiest commercial border crossing in North America, trucks stream into the United States at a rate of 500 per hour during peak times. Drug traffickers play the percentages.

Fewer than 5 percent of the vehicles are typically screened by U.S. Customs and Border Protection with the powerful high-energy scanners that can peer deep inside cargo loads to detect “anomalies” — odd patterns or suspicious densities that could be illegal drugs. The inspections require drivers to leave their vehicles and endure delays.

With fatal drug overdose deaths in the United States soaring to record levels, Congress has directed CBP to come up with a plan to scan 100 percent of arriving vehicles. Here and across the U.S. southern border, the agency is preparing to roll out new “nonintrusive” inspection systems to screen significantly more trucks.

These “multi-energy portals” will zap the cargo areas with high-energy waves, but use safer low-energy screening for the cab, allowing the drivers to remain in their vehicles and clear inspection faster, the agency says.

“It’s going to be a game changer for us,” said Alberto Flores, the CBP director for the Laredo port of entry, who said each machine can scan eight times as many trucks per hour as the existing high-energy systems.

“With the more scans we do, the probability of a seizure will increase,” Flores said.

Laredo is the front line in the U.S. government’s long and often demoralizing effort to stop illegal drugs at the border. U.S. Interstate 35 runs from here all the way to Duluth, Minn., right up the middle of the United States. For long-haul trucking, it is the highway equivalent of the Mississippi River, a central artery into the American heartland.

The Mexican trafficking organizations that hide narcotics in commercial loads use I-35 no differently than Walmart or Samsung or Ford. Once the drugs get past CBP here in Laredo, their distribution routes are wide open. The entire contiguous United States is within a 1½-day drive.

CBP’s Laredo field office seized 588 pounds of the powerful synthetic opioid fentanyl during the 2021 fiscal year, an eleven-fold increase over the 50 pounds detected in 2020.

More than 100,000 Americans are dying each year from drug overdoses, and most of those fatalities are linked to fentanyl. Overdoses from fentanyl have become the leading cause of death for Americans ages 18 to 45, according to the latest data from the Centers for Disease Control and

Prevention. A new study by Stanford University and the Lancet medical journal projects U.S. opioid deaths will reach 1.22 million this decade if no new action is taken.

The advent of fentanyl has posed the biggest challenge yet to the government's conventional interdiction methods, including border inspections. The same thing that makes fentanyl so deadly — its potency — allows for its exceedingly compact size.

Smugglers use false vehicle panels, hidden compartments and bulk produce shipments to hide drugs. Gas tanks, engines and batteries can be adapted with secret chambers. The drivers may have no idea they're ferrying drugs, so there's limited value in officers looking for behavioral cues such as nervousness.

"It is a cat-and-mouse game," said Flores. "We will adjust with the cartels just as they adjust to the way we do inspections."

Flores and other CBP officials insist their detection efforts are not futile. Every narcotics seizure takes dangerous drugs off the streets, saving lives, they say. In recent years, CBP has boosted the percentage of rail cars it scans to 100 percent, and the agency views commercial trucks as the next phase of a longer effort to deploy nonintrusive inspection technology for cargo as well as passenger vehicles at U.S. ports of entry.

Lawmakers in states with surging overdose deaths are pushing the government to go faster.

"A smuggler with multiple pounds of fentanyl, concealed in hidden compartments, needs to know that there is no chance of getting across our border without some kind of search," Sen. Rob Portman (R-Ohio) said in a speech on the Senate floor this month.

"It's not just a gap in our security, it's a gaping hole in our security," said Portman, whose home state has the fifth-highest number of drug overdose deaths per capita. "It's resulting in lives being lost."

CBP has started installing the multi-energy portals at the Brownsville, Tex., and Laredo ports of entry, part of a \$480 million effort to expand the technology along the U.S.-Mexico border. The agency said it is distributing information to truck drivers assuring them the technology is safe, and allowing drivers with concerns to opt out in favor of slower, traditional inspection procedures.

Gil Kerlikowske, a CBP commissioner under President Barack Obama who also previously ran the White House Office of National Drug Control Policy, said more high-intensity scans at the border are a welcome addition, especially if they can occur without disruptions to trade. "The last thing you can do now is slow down shipping, given the past year and a half of supply chain issues," he said.

But, Kerlikowske cautioned, "we're not going to seize our way out of this issue. Every time we have new detection methods and better intelligence, we also have increased seizures, but increased seizures don't seem to be resulting in fewer deaths."

"In the long run, it's prevention that will make a difference," he said.

Along with the scanning equipment, CBP is adding a new software program, CertScan, that officials also describe as a breakthrough. It is designed to streamline and centralize the growing amounts of

data flooding the inspectors' monitors. In every border sector, CBP is planning to construct a central command center staffed by teams of "adjudicators" who will decide which trucks clear inspection and which ones should be subjected to a more thorough review by officers or K-9 teams.

The high-energy scans produce vivid 3D images of the vehicles and their cargo. In one control room at the port, veteran agents scrutinized a load of northbound water scooters, assembled in Mexico, which X-rays showed in intricate skeletal detail.

The adjudicators receive detailed manifest information about the trucks, their cargo and their drivers at least an hour in advance of a vehicle's arrival. Established companies and shippers with clean records are lower-risk; a truck with a random load or unfamiliar company tends to draw more scrutiny.

The system incorporates data from QR code readers, license plate recognition software, a radio frequency identification system, live cameras and links to DHS databases. The CertScan program gives adjudicators a single portal to all of this information and the imagery from the multi-energy screening.

"Running them all within this platform allows you to increase your inspection percentage significantly" without a major increase in staffing, said Jonathan Fleming, a former Transportation Security Administration official whose company, S2 Global, developed the software.

"Are you going to catch everything? No," he said. "But I think you can do a very good job of significantly expanding your interdiction capability at a traditional port of entry with these technologies deployed."

The government is racing to catch up to the fast-moving North American drug trade. The legalization of cannabis in some U.S. states has crashed demand for Mexican-grown bulk marijuana, driving traffickers toward hard narcotics. Cocaine seizures at the Laredo port of entry doubled last year, and CBP seized more than 190,000 pounds of meth in total at U.S. borders, nearly three times the amount confiscated in 2018.

"The honest truth is there's no way to completely stop flow of illegal drugs as long as demand in the United States is high," said Eric Olson, a global fellow at the Wilson Center in Washington who has tracked border security and drug trafficking issues for decades.

"The technology solutions to finding a half-ton of marijuana or bulk shipments of cocaine might be solvable, but when you're talking about something like fentanyl that can be brought over in such small conveyances, it's really hard to think it'll have much success."

"I'm not saying it's pointless, but it's not a panacea either," said Olson. With more scrutiny on commercial cargo, traffickers will probably pivot to passenger vehicles, maritime routes, cross-border tunnels and other smuggling tactics, he said.

[\[BACK TO TOP\]](#)

Canada border blockade eases, protesters still block bridge

Associated Press

February 12, 2022

WINDSOR, Ontario (AP) — A tense standoff at a U.S.-Canadian border bridge eased somewhat Saturday after Canadian police persuaded demonstrators to move the trucks they had used to barricade the busy international crossing. But protesters still blocked access as night approached, snarling traffic and trade between the two countries for a sixth day.

Since Monday, demonstrators upset with COVID-19 vaccine mandates and angry at Prime Minister Justin Trudeau have choked off access from the Canadian side of the Ambassador Bridge linking Detroit and Windsor, Ontario, a major thoroughfare for commerce.

Surrounded by dozens of officers, a man with “Mandate Freedom” and “Trump 2024” spray-painted on his vehicle left the bridge entrance early in the day as others began dismantling a small, tarp-covered encampment. A trucker honked his horn as he, too, drove off, to cheers and chants of “Freedom!”

But more protesters arrived to reinforce the crowd and congregated about two blocks away, waving flags and yelling. While there were no visible physical confrontations, the crowd still controlled the road to the bridge and traffic had not resumed by late afternoon.

The demonstrations at the bridge, in downtown Ottawa and elsewhere have reverberated outside the country, with similarly inspired convoys in France, New Zealand and the Netherlands, and the U.S. Department of Homeland Security warned that truck protests may be in the works in the United States.

Trudeau has called the protesters a “fringe” of Canadian society.

Windsor police tweeted that no one had been arrested but urged people to stay away from the bridge: “We appreciate the cooperation of the demonstrators at this time and we will continue to focus on resolving the demonstration peacefully. Avoid area!”

Protester Daniel Koss said shortly before police advanced Saturday morning that the demonstration had succeeded in bringing attention to demands to lift COVID-19 mandates and he was happy it remained peaceful.

“It’s a win-win,” Koss said. “The pandemic is rolling down right now, they can remove the mandates, all the mandates, and everyone’s happy. The government does the right thing, and the protesters are all happy.”

A judge on Friday ordered an end to the blockade of mostly pickup trucks and cars, and Ontario Premier Doug Ford declared a state of emergency allowing for fines of 100,000 Canadian dollars and up to one year in jail for anyone illegally blocking roads, bridges, walkways and other critical infrastructure.

“The illegal blockades are impacting trade, supply chains & manufacturing. They’re hurting Canadian families, workers & businesses. Glad to see the Windsor Police & its policing partners commenced enforcement at and near the Ambassador Bridge,” Federal Innovation Minister Francois-Philippe Champagne tweeted Saturday. “These blockades must stop.”

The Ambassador Bridge is the busiest U.S.-Canadian border crossing, carrying 25% of all trade between the two countries, and auto plants on both sides have been forced to shut down or reduce production this week. The standoff came at a time when the auto industry is already struggling to maintain production in the face of pandemic-induced shortages of computer chips and other supply-chain disruptions.

In the capital, Ottawa, Mayor Jim Watson declared a state of emergency last week after thousands of protesters descended on the city. Their numbers have dwindled but hundreds of trucks remain parked in front of the Parliament Buildings, and demonstrators have set up portable toilets where Trudeau's motorcade usually parks outside the prime minister's office.

Stephanie Ravensbergen, 31, came to Ottawa to support her aunt and uncle who have parked their semi in the streets since the beginning of the protest. She opposes vaccine and mask requirements, and said it's important for schoolchildren to be able see their friends' faces and emotions.

"We want the right to choose," Ravensbergen said. "We want the right to be able to do what everybody else can do."

Protesters on Saturday tore down a fence that authorities put up around the National War Memorial two weeks ago after demonstrators urinated on it. Some demonstrators later chanted "liberte," French for "freedom," as police watched.

"Completely unacceptable," Lawrence MacAulay, Canada's veterans affairs minister, tweeted. "This behavior is disappointing and I'm calling on protesters to respect our monuments."

Police issued a statement calling the Ottawa protest an unlawful occupation and saying they were waiting for "reinforcements" before implementing a plan to end the demonstration. The statement did not elaborate.

While the protesters are decrying vaccine mandates for truckers and other COVID-19 restrictions, many of Canada's anti-infection measures, such as mask rules and vaccine passports for getting into restaurants and theaters, are already falling away as the omicron surge levels off.

Pandemic restrictions have been far stricter in Canada than in the U.S., but Canadians have largely supported them. The vast majority of Canadians are vaccinated, and the COVID-19 death rate is one-third that of the United States.

Protests inspired by the Canadian demonstrations were seen in parts of Europe on Saturday.

At least 500 vehicles in several convoys attempted to enter Paris at key arteries but were intercepted by police. Over 200 motorists were ticketed, and elsewhere at least two people were detained amid a seizure of knives, hammers and other objects in a central square.

Police fired tear gas against a handful of people who demonstrated on the Champs Elysees Avenue in defiance of a police order. Some 7,000 officers have been mobilized for the weekend protesters, who are railing against the vaccination pass that France requires to enter restaurants and many other venues.

An Associated Press photographer was hit in the head with a tear gas canister as police struggled to control the crowd.

In the Netherlands, meanwhile, dozens of trucks and other vehicles ranging from tractors to a car towing a camper arrived in The Hague, blocking an entrance to the historic parliamentary complex. Protesters on foot joined them, carrying a banner emblazoned with “Love & freedom, no dictatorship” in Dutch.

Earlier this week in New Zealand, protesters rolled up to Parliament grounds in a convoy of cars and trucks and set up camp. Police have taken a hands-off approach after initial attempts to remove them resulted in physical confrontations.

Parliament Speaker Trevor Mallard on Friday ordered his staff to turn on the lawn’s sprinklers to douse them and to play Barry Manilow tunes and the 1990s hit “Macarena” over loudspeakers to annoy them. Protesters responded by playing their own songs, including Twisted Sister’s “We’re Not Gonna Take It.”

[\[BACK TO TOP\]](#)

What Commerce's Anti-Dumping Rules Mean For Importers

William Isasi and Cynthia Galvez

Law360

February 11, 2022

<https://www.law360.com/technology/articles/1463310/what-commerce-s-anti-dumping-rules-mean-for-importers>

Law360 (February 11, 2022, 6:17 PM EST) -- The U.S. Department of Commerce recently promulgated a final rule implementing some of the largest changes to its anti-dumping and countervailing duty regulations in decades.

This article on the regulatory amendments highlights key aspects of the rulemaking with respect to covered merchandise inquiries, the agency's general authority to require certifications and reimbursement certifications for importers.

Most significant among these changes are the Commerce Department's first regulations for covered merchandise inquiries that became effective for inquiries initiated on or after Nov. 4, 2021. They are part of a high-stakes evasion investigation pursuant to the Enforce and Protect Act, or EAPA.

Among other things, these new rules potentially (1) accelerate the timelines for scope and circumvention determinations made within covered merchandise inquiries, (2) provide the Commerce Department with authority to apply adverse facts available in such inquiries, and (3) provide that the Commerce Department will normally apply covered merchandise determinations retroactively to all unliquidated entries, even those that entered prior to initiation of the inquiry.

Some key changes resulting from the regulatory amendments are discussed below.

Covered Merchandise Inquiries

Among the most significant changes in the Commerce Department's recent amendment to its regulations was the creation of Title 19 of the Code of Federal Regulations, Section 351.227.

This section establishes procedures for a covered merchandise inquiry, a new type of action — or segment — under anti-dumping and countervailing duty orders.

Through these inquiries the Commerce Department determines, in response to a referral from U.S. Customs and Border Protection during an EAPA investigation, whether merchandise is covered by an order. Although the Commerce Department has been responding to such referrals from CBP for a few years, the amendments codified for the first time an official procedure for issuing determinations in response to such referrals.

While it is helpful that the regulatory amendments have created a clear procedure that the agency will follow in issuing covered merchandise determinations, some aspects of this procedure, discussed below, could raise fairness concerns and may be subject to legal challenge.

In 2016, EAPA established, for the first time, authority for CBP to conduct a civil investigation into potential duty evasion of anti-dumping and countervailing duty orders.

Where CBP is unable to determine whether a product is covered merchandise, it is required by EAPA to suspend the investigation, and refer the matter to the Commerce Department to make a covered merchandise determination.

Within 20 days of receiving a referral from CBP, the regulations provide that the Commerce Department will publish in the Federal Register notice of how it intends to address the referral (i.e., in a covered merchandise inquiry or in an ongoing segment such as ongoing scope or circumvention inquiry) at which point interested parties — even if they are not also parties to the EAPA investigation — are permitted to comment on the referral.

Such public notice is welcome because it will increase the likelihood that interested parties will participate in any covered merchandise inquiry. Practitioners with clients who are U.S. importers, domestic and foreign producers, and other interested parties in anti-dumping and countervailing duty proceedings should regularly monitor the Federal Register for notices discussing any referral from CBP pertaining to merchandise of interest to their clients.

The procedure for covered merchandise inquiries is similar to other segments under anti-dumping and countervailing duty proceedings, for example, the Commerce Department may issue questionnaires or publish in the Federal Register a preliminary determination on which parties may comment and a final determination.

The regulatory amendments confirm that in a covered merchandise inquiry the Commerce Department will base its determination on the analyses it uses in scope and circumvention inquiries, which are the analyses that the agency traditionally has used to determine whether merchandise is covered by an order.

One of the most important differences between scope/circumvention inquiries and covered merchandise inquiries, however, is that the agency will issue determinations on a faster timeline for the latter.

The regulations provide that the Commerce Department will issue a final covered merchandise determination within 120 days from the date of publication of the initiation notice, which can be increased up to an additional 150 days.[2]

Thus, a fully extended covered merchandise inquiry would span only 270 days,[3] which is significantly shorter than the 300-day and 365-day deadlines that apply to fully extended scope and circumvention inquiries, respectively.

The agency explained that this shortened timeline was necessary to comply with the legal requirement that the Commerce Department issue covered merchandise determinations promptly and in recognition that CBP will have to stay its EAPA investigation until the Commerce Department issues its determination.

While the agency's goal to complete such determinations quickly so as to minimize the delay in CBP's EAPA investigation is laudable, it is unclear why determining whether a product is covered by an order should take less time in a covered merchandise inquiry than in a scope or circumvention inquiry, particularly as the regulations provide that the agency will make determinations in covered merchandise inquiries using scope and circumvention analyses.

The accelerated timeline also raises questions and concerns for U.S. importers given that covered merchandise determinations arise in the context of potential duty evasion, which could have much more serious consequences for U.S. importers than a scope or circumvention determination outside of an EAPA investigation.

Were the Commerce Department to find an importer's merchandise subject to an order in a covered merchandise inquiry, CBP could in turn reach an affirmative evasion determination and decide to refer the matter for criminal investigation, as it is authorized to do pursuant to EAPA.[4] Such criminal proceedings do not normally result from scope or circumvention inquiries.

Because EAPA explicitly provides that a covered merchandise determination can lead to a potential criminal investigation, the Commerce Department should arguably prescribe longer deadlines to issue a covered merchandise determination rather than issue these determinations on a shortened timeline.

The potential for a criminal investigation also highlights another important issue raised by the amendments with respect to a new regulatory provision, which is that the regulations permit the Commerce Department to apply adverse facts available, or AFA, to parties it deems uncooperative in a covered merchandise inquiry.[5]

It is unclear whether AFA should be used where a potential criminal investigation could result from that AFA determination. For example, the Commerce Department often seeks information from foreign producers in determining whether merchandise is covered by an order.

If a foreign producer fails to cooperate and the Commerce Department then determines based on AFA that merchandise is covered by an order, it could raise serious fairness questions if CBP then uses that determination to recommend a criminal investigation of a U.S. importer.

For these reasons, the potential use of AFA in covered merchandise inquiries should represent a significant concern for parties, particularly U.S. importers, in responding to the Commerce Department's requests for information in such inquiries.

Also significant is the retroactive effect the Commerce Department will normally apply to covered merchandise determinations.

Specifically, if the Commerce Department finds that merchandise is covered by an order, the regulations provide that it will normally apply that determination to all unliquidated entries of the merchandise including those entries that predate the initiation of the covered merchandise inquiry.

This means that tariffs may be applied to merchandise that entered the United States months or even years prior to the Commerce Department initiating a covered merchandise inquiry.

While retroactive application of covered merchandise determinations is likely supported by U.S. producers that have long pushed for the Commerce Department to do more to deter evasion of anti-dumping and countervailing duty orders, determining that merchandise is subject to an order retroactively raises fairness concerns that the Commerce Department itself has recognized,[6] particularly in the context of scope language ambiguous enough to require sophisticated inquiry by two separate agencies — CBP and the Commerce Department.

Such a retroactive application has also been struck down by the courts in the context of scope and circumvention determinations under the prior regulations.[7] Thus, this aspect of the regulation providing for retroactive effect may be subject to legal challenge.[8]

A final issue to note is that the Commerce Department intends to approach the new regulations for covered merchandise inquiries with flexibility given the relative novelty of the CBP referrals on which these inquiries are based.

As a result, the agency has explained that one of its goals is to "maintain flexibility in both its opportunities to request information and the issues that it considers in its analysis, before reaching a covered merchandise determination." [9]

Thus, practitioners involved in covered merchandise inquiries should appreciate that it may be difficult to anticipate the information that the agency will seek or issues that it will analyze in these inquiries and should be prepared to seek clarification as needed.

For this same reason, trade practitioners should also assess and substantiate their needs for extensions of time to provide, or analyze responses in these purposefully accelerated proceedings.

At the same time, the flexibility in these new inquiries may create an opportunity for parties to propose to the Commerce Department novel approaches that best suit the particular circumstances presented in the inquiry.

General Authority to Impose Certifications

The Commerce Department also created a new regulation at Title 19 of the Code of Federal Regulations, Section 351.228, which for the first time establishes general regulatory authority to require certifications — broadly, and not limited to any particular circumstances — from importers and other interested parties in anti-dumping and countervailing duty proceedings, and the consequences in these proceedings if a party fails to comply.

Previously there was no such regulatory authority.

For example, in the circumvention context, the Commerce Department routinely has required importers or exporters to submit certifications that products shipped through and declared products of a third country were not instead products subject to an anti-dumping or countervailing duty order, or certifications that products declared as nonsubject would not be further manufactured into subject products; however, no authority for these certifications existed explicitly in the regulations.

With the addition of Section 351.228, the department has established a general regulatory authority for the certifications it has required in practice and also certification requirements it intends to apply to yet unknown anti-dumping and countervailing duty proceedings, determined on a case-by-case basis.[10]

An issue raised by this very general approach is that it is so general that it does not itself create an actionable obligation that interested parties can plan for and implement into their procedures.[11] Instead, practitioners must evaluate carefully certification requirements imposed by the Commerce Department on a case-by-case basis.

Importantly, the regulations specify the consequences that the Commerce Department could impose if an importer or other interested party fails to provide a required certification or provides a false certification.[12] In either instance, the Commerce Department may now apply tariffs to the merchandise associated with that party.[13]

While application of tariffs may be reasonable when a party fails to comply with a certification requirement, given the very general nature of these regulations, it is difficult to ascertain whether such a consequence would be permissible under the anti-dumping and countervailing duty laws generally.[14] Instead, such an application of tariffs will need to be evaluated on a case-by-case basis to determine if it is permissible.

The Commerce Department's promulgation of this general authority to impose certifications suggests that the Commerce Department will continue to use certification requirements in anti-dumping and countervailing duty proceedings and may intend to use them with more frequency.

Practitioners, particularly those representing U.S. importers and foreign exporters/producers, should be on the lookout for any certification requirements that might apply to their clients and ensure that their clients are aware of the consequences if they fail to comply with these requirements including the application of tariffs to their merchandise.

Further, to the extent that a foreign producer or other party in a commercial transaction poses a risk of noncompliance with a certification requirement, importers should consider making changes to their commercial arrangements to maximize compliance.

Importer Reimbursement Certifications

Finally, the Commerce Department revised aspects of its existing regulation on importer reimbursement certifications.

Prior to these changes, the regulation required specific language for reimbursement certifications, and provided no exception to the rule that certifications must be filed prior to the final assessment of tariffs, despite such an exception existing in practice. In its revisions, the Commerce Department eliminated the requirement for specific language and codified the exception that existed in practice.

If foreign exporters or producers pay anti-dumping or countervailing duty tariffs on behalf of U.S. importers or reimburse these importers for such tariffs, the Commerce Department must increase the anti-dumping tariff imposed under long-standing regulations.

Thus, for many years, the agency has required importers of merchandise subject to anti-dumping tariffs to certify that an exporter/producer has not paid for, or reimbursed the tariffs owed. If such an importer fails to provide a reimbursement certification prior to the final assessment of tariffs, CBP presumes reimbursement and doubles the tariffs owed.[15]

Title 19 of the Code of Federal Regulations, Section 351.402, establishes the rules for these reimbursement certifications.

In its recent amendments, the Commerce Department made a number of changes to this provision, among which included removing the requirement for specific language in these certifications, requiring instead that the certifications "contain the information necessary to link the certification to the relevant entry or entry line number(s)."[16]

In addition, the Commerce Department clarified that, as an exception to the requirement that certifications must be filed with CBP before the final assessment of tariffs, they may also be filed after this time during a CBP protest proceeding.

The Commerce Department's elimination of specific language for reimbursement certifications from its regulations creates some uncertainty for U.S. importers regarding how to comply with the reimbursement certification requirement, especially for importers with large shipment volumes and complex documentation procedures.

For U.S. domestic producers, the regulation's indication that certifications should contain information to link to relevant entries or entry line numbers may add assurance that the certifications cover the right merchandise,[17] but the lack of specific language may still raise concerns for these producers regarding the subjectivity it introduces.

Practitioners should ensure that their importing clients file certifications that comply with the new regulatory requirements, particularly the requirement to include necessary information in the certification to link the certification to the relevant entries or entry line numbers.

With respect to the exception now codified that reimbursement certifications may be provided during protest proceedings if not filed before final assessment of duties, it is worth noting that as the Commerce Department explained, the exception has been included in CBP instructions "for almost a decade." [18]

Codification of this exception is welcome because it clarifies for U.S. importers that an additional process exists after the assessment of final duties to avoid an increase in tariffs pursuant to the reimbursement regulation.

Conclusion

In sum, the Commerce Department's regulatory updates included significant changes affecting products subject to covered merchandise inquiries pursuant to EAPA and the certifications that importers and other interested parties are required to submit to the Commerce Department and CBP for their entries.

Some practices for trade practitioners to consider adopting in response to these amendments include:

Give serious and careful consideration to requests for information made by the Commerce Department in the context of a covered merchandise referral because of the significant consequences that may arise for parties deemed uncooperative and the potential referral by CBP for a criminal investigation if the Commerce Department determines that the merchandise is covered by an order.

Upon receiving notice from the Commerce Department of a certification requirement in an anti-dumping or countervailing duty proceeding, consider carefully how all the relevant parties may comply with the requirement because failure of one party in the selling chain (e.g., a foreign producer) to comply could result in the imposition of tariffs that another party in the chain would have to pay (i.e., the U.S. importer).

Review reimbursement certifications to ensure that these contain the "information necessary to link the certification to the relevant entry or entry line number(s)," [19] as required in the updated regulations rather than the precise language contained in the previous regulation.

William Isasi is of counsel and Cynthia Galvez is an associate at Covington & Burling LLP.

The opinions expressed are those of the author(s) and do not necessarily reflect the views of the firm, its clients, or Portfolio Media Inc., or any of its or their respective affiliates. This article is for general information purposes and is not intended to be and should not be taken as legal advice.

[\[BACK TO TOP\]](#)

Hyperbole aside, it's time to head out and vote

Editorial Board

Waco Tribune-Herald

February 12, 2022

https://wacotrib.com/opinion/editorial/editorial-hyperbole-aside-its-time-to-head-out-and-vote/article_8f0e7718-8c3a-11ec-93c9-43f5029ee406.html

Early voting begins Monday for the 2022 primary election in Texas. The headliner locally is the district attorney's race on the Republican ticket between incumbent Barry Johnson and challenger Josh Tetens. McLennan County voters have primary choices on both the Republican and Democratic tickets for governor and attorney general. Democrats will also pick a nominee in the lieutenant governor's race.

There are 11 early voting days — polls are closed Feb. 21 for Presidents Day — in this primary election. Five early voting centers will be available to McLennan County voters: First Assembly of God Church on Bosque Boulevard, the city Multi-Purpose Center, Hewitt City Hall, Robinson Community Center and the elections office in the county records building downtown. Hours are 8 a.m. to 5 p.m. this week through Friday, 7 a.m. to 7 p.m. Saturday, 1 to 6 p.m. Sunday, and 7 a.m. to 7 p.m. Feb. 22 through Feb. 25. Election day is Tuesday, March 1.

Pardon the review, but a lot has happened since we last voted in a midterm primary, including a worldwide pandemic that has killed 5.7 million people worldwide so far (including 824 McLennan County residents) and a presidential election in which the incumbent lost and tried to overturn the results by force before leaving office — not to mention two national basketball championships for Baylor University.

In the 2020 general election — eight months into the pandemic and six weeks before COVID-19 vaccinations arrived in McLennan County — Gov. Greg Abbott correctly extended early voting by six days to allow time for social distancing as the pandemic raged in Texas. No such extension exists for the 2022 primary, and probably isn't needed. The omicron wave is fading fast here, with only 211 active cases on Friday, a far cry from the 6,009 active cases we saw as recently as Jan. 16.

The last midterm primary drew 23,778 voters to the polls, with 11,200 (47%) voting early. The early voting total included 2,621 mail-in ballots — 1,582 voting in the Republican primary and 1,039 Democratic primary. The Texas Legislature tightened restrictions on mail-in balloting in 2021, and last month McLennan County Elections Administrator Jared Goldsmith told the Tribune-Herald the rule changes had resulted in about 25 of the 400 applications for mail-in ballots being rejected. Friday is the final day for the elections office to receive a mail ballot application for the election.

When the five early voting centers open Monday, it's time to put aside (for now) the hyperbole of the past legislative session and go vote. There is an easy-to-use function on the Texas Secretary of State website called "Am I Registered?" if you want to be sure you are still on the active voting rolls. We recommend voters — just in case — treat their trip to the polling place like a visit to the driver's license office: Bring every piece of paperwork you have to avoid any problems. You probably won't need them, but better safe than sorry.

Your vote is that important these days.

[\[BACK TO TOP\]](#)

New law means voters must be extra careful in mail-in ballot process

Editorial Board

Longview News-Journal

February 13, 2022

https://www.news-journal.com/opinion/editorials/editorial-new-law-means-voters-must-be-extra-careful-in-mail-in-ballot-process/article_1772dcb0-8bc9-11ec-8b66-b797e90a4ce8.html

As early voting for the March primaries begins Monday, residents will face “an extra piece to the puzzle” to correctly apply for and use a mail-in ballot.

That’s according to Gregg County Elections Administrator Jennifer Briggs, who told us in a story on today’s front page that her office has rejected some mail-in ballot applications because of missing ID information.

Senate Bill 1, which was approved this past year by the Legislature, mandated changes to the mail-in ballot process. Chief among those changes is the requirement that an identification number must be listed on the application for a mail-in ballot and on the mail-in ballot itself.

Regardless of where you stand on SB 1 — it’s either aimed at making it harder for certain Texans to vote or it’s needed to keep our elections secure, depending on who you ask — the reality is the law is in effect and not going away. That means voters must make sure they’re informed of the changes, especially in regards to mail-in ballots, and correctly follow the new process.

Briggs said the required ID information can either be a driver’s license, state ID or Social Security number. But if the number on the application does not match what is in the elections office voter registration system, it’s rejected. The same goes for the mail-in ballot.

Because of that, she said she recommends voters put their ID and Social Security numbers on their application and their mail-in ballot to increase the chance that one of the numbers matches what’s in the system.

As expected, Briggs said her offices has received calls from confused voters asking why their mail-in ballot application was rejected.

That confusion most assuredly isn’t limited to our neck of the woods.

As reported by The Texas Tribune, election officials in counties across the state, including Harris, are rejecting hundreds of mail-in ballots because of missing ID information.

In Gregg County, Briggs told us her office has just started to receive mail-in ballots, and they will begin to be reviewed this week by a ballot board. Ballots without the required ID information will be rejected, but voters will have an opportunity to correct the ballot after being contacted by the board.

We expect not only confusion but frustration from some voters wanting to vote by mail. That’s understandable. Briggs’ office welcomes questions and is eager to provide guidance on the new elections law.

Applications for mail-in ballots must be received — not postmarked — by Friday.

Applications are available on the Gregg County elections website at greggcountyvotes.com, by calling the elections office at (903) 236-8458 to receive an application by mail or by picking up in person at the Gregg County Courthouse.

Early voting for the March 1 primary begins Monday and continues until Feb. 25.

[\[BACK TO TOP\]](#)

Analysis: Hey, Texans, get out there and vote!

Ross Ramsey

Texas Tribune

February 14, 2022

<https://www.texastribune.org/2022/02/14/texas-election-electric-grid-coronavirus/>

Early voting starts on Monday, which is also Valentine's Day and the anniversary of the 2021 polar vortex that caused blackouts that killed more than 200 Texans and possibly as many as 700. Voters have a lot of things to consider when they go vote this year. This list is incomplete, but it's a start.

The latest freeze didn't knock out the grid. It didn't completely wipe out the mosquitoes either, but that's another subject for another day. The arguments about whether the state's electric grid is as reliable as it ought to be haven't stopped, and they won't until people trust that the lights and heaters will stay on in extremely cold weather.

And by the way, it's still winter, even if we enjoy high temperatures of 70 degrees on some days. On Feb. 14, 2021, the first day the polar vortex hit the state, the high in Dallas was 31 degrees and the low was 13 degrees, according to the daily weather history at the Old Farmer's Almanac. A week later, the high was 75 and the low was 46. In Houston last Valentine's Day, the high was 39 and the low was 30, followed, a week later, by 68 and 46. San Antonio? A Feb. 14 high of 32 and a low of 23; on Feb. 21, it was 73 and 40.

As of this month, more than 80,000 people have died of coronavirus in Texas. The 7-day average of deaths was, as of Feb. 9, 192 per day across the state. Most Texans — 58.5% — are fully vaccinated. Hospitalizations from the virus are falling from near-record highs in January, down to more than 9,000 patients, and the number of ICU beds is increasing.

Inflation is back, but the economy is booming. The state comptroller, who was very worried about the economy when the first wave of COVID-19 came to Texas in March 2020, has been increasingly optimistic over the course of the almost two years since then. That office expects the state Legislature to return to Austin a year from now with around \$24 billion in the economic stabilization fund — a savings account, more or less — and in surplus funds outside of that account.

The state had more jobs at the end of 2021 than it did before the pandemic began, and unemployment dropped to 5%. But eviction filings are among the nation's highest, and according to AAA, the average price of a gallon of regular gas in Texas is \$3.15, up from \$2.18 a year ago.

Any Texas adult who isn't prohibited by federal law can carry a handgun with no training and no license in most places in the state.

Abortion is still legal in the United States, but in Texas, a new law prohibits abortions after the initial signs of a pulse — usually around six weeks, and before many people know they're pregnant.

Immigration and border security have always been an explosive political issue in Texas and Mexico, and a public policy problem that generates more rhetoric than practical attempts at problem-solving. It is, once again, the focus of many election campaigns, and of lawsuits between the state and federal governments. And it's more complicated than the slogan-writers working for candidates would have you believe, but the Tribune's reporting on immigration can shed some light.

Compared with the year before, crime rates in Texas were down 4% in 2020 — the latest numbers available from the Texas Department of Public Safety. But violent crime was up 6.6%, and the overall rate was dampened by a 4% drop in property crime. Murder rose 35.6% in 2020, according to DPS.

In spite of new legislation on the subject, much of rural Texas still doesn't have access to the high-speed broadband internet it needs to play in the modern economy, medicine, public education, college and work.

Primary elections in Texas don't attract nearly as many voters as general elections do, but they offer voters their best chance to pick their representatives.

Most of the seats in the Texas Legislature and the state's congressional delegation are not competitive in the November election, thanks to redistricting done last year by the Legislature and, so far, allowed to stand by the federal courts, where the new maps are still being contested.

Many districts were intentionally drawn to favor one party or the other, effectively determining which party's candidates will win in particular districts before voters go to the polls. That means that March primary elections and the runoffs that take place in May — where candidates face opponents from their own parties — probably offer most voters the best chance to either reelect or replace current officeholders.

New laws governing voting in Texas have made it harder to vote for many people, but it helps to know the rules in advance. Redistricting and the new political maps mean that you might not be voting for the same people in the same offices as before; do your homework.

Early voting runs through Feb. 25, and election day is Tuesday, March 1.

[\[BACK TO TOP\]](#)

GUEST COLUMN: Why just voting in general elections wasn't enough

Jenn Edwards

Weatherford Democrat

February 12, 2022

https://www.weatherforddemocrat.com/opinion/columns/guest-column-why-just-voting-in-general-elections-wasnt-enough/article_5ef5a57d-c1cd-5045-90a4-eab0ef11904f.html

My skin itches at the sound of the word “politics.” It's OK if yours does too.

We should make this a normal discussion in public. I should have read the entire United States Constitution and the Texas Constitution before 2020, but I didn't. If you can relate, there's no shame from me and there's hope! It's never too late to educate ourselves, be informed and understand our God given freedoms we have on paper. And yes, some of our rights are only on paper. You don't

have to be well versed in political hoey to get educated on your Constitutional rights, election systems and processes. You just have to be willing. Most days I am grateful to be willing.

The 2020 election sent me on a journey to find information about our local election systems and processes. I have been asked by many citizens, including many of our current elected officials, "why are you doing all this research, Trump won Parker County?" My goal was to prove the 2020 General Election in Parker County was a legal election regardless of who won.

All of the information WE have gathered to date is public, open-sourced data. Knowing where to find information was and still is a bumpy ride. Numerous communications have been submitted to Parker County Judge Pat Deen, the county commissioners, the elections office, GOP Chairman Scott Utley, the county attorney's office, the district attorney office, the county clerk's office, the Secretary of State's office, the Texas Attorney General's office, the Governor's office, Texas Department of Health and Human Services, and many, many more. To say the least, this journey has been frustrating, confusing and beautiful. I am amazed at the information citizens have the right to request through the Texas Public Information Act.

I must give a GIANT "thank you" to Mr. Larry Walden, my county commissioner, Precinct 3, and Mr. Jeff Swain, district attorney, for taking those very first phone calls from me last year and helping me navigate county government departments. I had no idea all that the county commissioners court is responsible for! Wow! You can get a glimpse by going to parkercountytexas.com and reviewing past meeting minutes. Attending in person is very educational.

Many citizens, including myself, want to know that our 14th Amendment right was and is being protected here in Parker County, Texas. Was my vote counted and was it counted as I intended? After a year of intense research, I'm still not certain. There are thousands across this great nation doing the same and I can promise we will never stop seeking the truth. I am willing to share with anyone all data gathered thus far, present to groups, churches, garden clubs, front porches, etc. I encourage all citizens to do their own research. I found through this journey that the current Parker County Judge Pat Deen does not allow citizen public comment on non-agenda items in the Parker County Commissioner's Court as outlined in Texas Government Code, Open Meetings, 551.007. This means that if the Court chooses not to place a requested item on the agenda and I am "not allowed" to speak publicly on non-agenda items during court ... Hmmmm. Great job to all surrounding cities like the city of Weatherford and other Texas counties for allowing your citizens public comment on non-agenda items! It matters. It's important to me to personally and publicly thank John Forrest, county attorney, for suggesting to me the best way to help inform fellow citizens of my journey might be through social media like Facebook and town hall meetings. I have been denied on three separate occasions to be added to the county commissioners court agenda. Mr. Forrest's suggestion helped give me the courage to write this letter. Again, thank you Mr. Forrest.

My first attempt at reaching out to Scott Utley, the current Parker County GOP Chair, was in June 2021. He was courteous to respond with texasgop.org for more information on how to be involved locally. I found it difficult to locate meeting dates and information on how to be involved other than donating money. As of [Feb. 4], the site still shows Donald J. Trump as president of the United States of America and Larry Fowler as sheriff (God rest his soul). I did find how to subscribe to the Republican GOP email list and I appreciate those communications, which are generally focused on the next meeting date and fundraisers. After attending my first Parker County GOP meeting in August 2021, I spoke briefly with Mr. Utley after the meeting and expressed interest in being involved in

precinct chair activities for my local area neighborhood, and gave him my contact information to pass on to the current precinct chair. I have not been contacted further by Mr. Utley but I did recently stumble upon the parkercountydemocrats.org website and its super informative for anyone wanting to run for precinct chair and get involved. The site explains what the responsibilities are for precinct chairs and much more. Republican or Democrat, the deadline to file your application is Saturday, Feb. 12, 2022 at 6 p.m. The position does not have to be vacant in order to run, and just maybe the current precinct chair would welcome your involvement!

We should expect our elected officials to uphold their oath of office, be responsive, be open to questions and be willing to take appropriate actions, even when it's unpopular to do so. We need legally elected officials that understand they work for us, We the People. It's been my experience, elected officials put up with a lot y'all, but they also choose to run for office and if elected, to work for us! I have recently met with Dr. Thomas Moorman, who is running for Parker County judge and I'm hopeful he will honor his words to me and address Texas Government Code, Open Meetings, 551.007 in the Parker County Commissioners Court by allowing citizens a voice on the record. After speaking with Ms. Rachael Watson, who is running for Parker County GOP Chairman, I am hopeful that Ms. Watson will honor her words to me and continue to be willing to listen, review, and address issues related to our election systems and processes as Parker County's GOP chair.

I am happy to share my journey with interested citizens and can be reached at jenn@jennz.com .

Jenn Edwards is a resident of Millsap, and has lived in Parker County for 20 years.

[\[BACK TO TOP\]](#)

From: Shamika Fehr <sfehr@sos.texas.gov>
Sent: Monday, February 7, 2022 4:04 PM
To: Beva Kellison; Russel Medina

I actually already created a mailbox for the FAD Division. Let me give you the original mailbox and dl's that were created from the IssueTrak ticvket.

From: Amanda Montgomery <AMontgomery@sos.texas.gov>
Sent: Wednesday, February 2, 2022 12:32 PM
To: Beva Kellison

hey Beva! looks like there are setup forms needing to be done for Darla Dixon and Holly Justice for FAD. Kristi indicated you would be filling them out. let me know if you'd like some help or you have any questions.

From: Chad Ennis <CEnnis@sos.texas.gov>
Sent: Monday, February 14, 2022 12:08 PM
To: John Rodriguez

Acrobat installed. Thanks! Can we push it out to Beva, Darla, and Olga as well? Also, can we make it part of the image for all new audit division hires?

From: Stephanie Alvarado <SAlvarado@sos.texas.gov>
Sent: Tuesday, February 15, 2022 8:28 AM
To: Beva Kellison

NEW FTE: Darla Dixon, Forensic Audit, starts (2/7/2022)
what her room number? on the phone with DIR