
From: Sam Taylor
Sent: Thursday, March 10, 2022 8:05 AM
Subject: SOS Morning News Clips 3/10/22

Sensitivity: Personal



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Texas flagged 27,000 mail ballots for rejection in primary

Paul J. Weber and Acacia Coronado

Associated Press

March 10, 2022

<https://apnews.com/article/2022-midterm-elections-elections-austin-texas-voting-f28a41bf6482c25299c99a8ea52734be>

AUSTIN, Texas (AP) — More than 27,000 mail ballots in Texas were flagged for rejection in the first test of new voting restrictions enacted across the U.S., jeopardizing votes cast by Democrats and Republicans alike and in counties big and small, according to an analysis by The Associated Press.

It puts the rate of rejected mail ballots in Texas on track to significantly surpass previous elections. The preliminary figures — reported by Texas counties after votes were counted in the state's March 1 primary — is the fullest picture to date of how new election rules rushed into place by Republicans following the 2020 election made it harder for thousands of voters in both parties. Some will wind up not having their ballots count at all.

Rejected mail ballots are relatively uncommon in a typical election. But the initial rejection rate among mail voters in the Texas primary was roughly 17% across 120 counties, according to county-by-county figures obtained by AP. Those counties accounted for the vast majority of the nearly 3 million voters in Texas' first-in-the-nation primary.

Although the final number of discounted ballots will be lower, the early numbers suggest Texas' rejection rate will far exceed the 2020 general election, when federal data showed that less than 1% of mail ballots statewide were rejected.

"It took me three tries and 28 days but I got my ballot and I voted," said Pamiel Gaskin, 75, of Houston. Like many rejected mail voters, she did not list a matching identification number that Texas' new law requires.

For now, the numbers do not represent how many Texas ballots were effectively thrown out. Voters had until Monday to “fix” rejected mail ballots, which in most cases meant providing identification that is now required under a sweeping law signed last fall by Republican Gov. Greg Abbott.

New requirements include listing an identification number — either a driver’s license or a Social Security number — on the ballot’s carrier envelope. That number must match the county’s records. If a ballot is rejected, voters could add an ID number via an online ballot tracking system, go to the county’s election offices and fix the problem in person, or vote with a provisional ballot on election day.

County election officers say they worked feverishly to contact those voters in time, in many cases successfully, and a full and final tally of rejected ballots in Texas is expected to come into focus in the coming days.

But already, scores of mail ballots have been disqualified for good.

Along the Texas border, El Paso County reported that 725 mail ballots were officially rejected and not counted after a final canvass Monday — about 16% of all such ballots cast. In the booming suburbs of Austin, Williamson County had a final number of 521 rejected ballots, nearly evenly split evenly between Republican and Democratic primary voters.

Roughly 8,300 mail ballots in Texas were rejected in the 2020 election, according to the U.S. Elections Assistance Commission.

Some rejected mail voters could have casted a ballot in person later. Antonio Riveria, El Paso County’s assistant elections administrator, said Wednesday that number is unknown in his office. But they typically reject significantly fewer mail ballots.

“It’s a lot less. Maybe 10,” he said.

The numbers underline how voters across Texas — in big cities and rural outposts, red and blue — were tripped up by the new law that Abbott and other Republicans assured would make it “easier to vote and harder to cheat.”

At least 17 other states will also vote this year under new voting laws, many pushed by Republican lawmakers who especially took aim at mail ballots after states expanded options to make voting safer during the coronavirus outbreak. Some of the restrictions were fueled by the continued false claims in the GOP about widespread fraud in President Joe Biden’s victory.

Abbott’s office did not return requests for comment about the number of rejected ballots.

Texas Secretary of State John Scott, who Abbott appointed as the state’s chief election officer, has called the high rate of rejections a matter of voters not being familiar with the new rules and expressed confidence that the numbers will drop in future elections.

Texas’ new mail voting rules require voters to return ballots with a personal identification number — such as a driver’s license number — which then must match the number in voter registration files. Other new rules in Texas ban drive-thru voting and 24-hour polling centers and make it a felony for a

government official to solicit mail ballots. In Texas, mail ballots are generally limited to people who are over the age of 65, have a disability or are out of the county.

The law also requires counties to publicly post a one-page “reconciliation report” of voters and ballots after each election as an extra measure of transparency. The report instructs counties to include the number of mail ballots and how many were flagged for rejection.

The AP obtained reports from 120 counties — nearly half of the 254 in Texas — through county websites and contacting all counties that had not posted a report publicly.

In Texas’ largest county, around Houston, Harris County officials said more than 11,000 mail ballots had been flagged for rejection as of March 2. But in the county’s preliminary report that is dated a day later, the number of rejected mail ballots was listed at 3,277. On Tuesday, Harris County Elections Administrator Isabel Longoria said she was stepping down following a bungled vote count.

Houston Democrats have been among the most outspoken over Texas’ new voting laws, which they say are designed to weaken minority turnout. But Republican-leaning counties struggled with the new rules as well.

In Parker County, which former President Donald Trump carried by a 4-to-1 margin in 2020, the county reported 250 mail ballots as rejected or pending out of 1,100 mail votes — about 23%. Along the Texas coast in Nueces County, which Trump narrowly won, the rejection rate was 8%.

According to the county reports, in the five counties won by Trump that had the most mail-in voters, a combined 4,216 mailed ballots were rejected or still pending after the day of the election, a rate of 21% of the total. In the counties won by Biden with the most mail-in voters, which include most of Texas’ biggest cities, a combined 11,190 votes were similarly rejected or pending, which amounted to 13%.

Kara Sands, the election administrator in Nueces County, said her office pressed voters to include more than one identification number as a guardrail against having their ballot rejected. But she said her office wasn’t inundated with voter frustration.

“We really didn’t get a lot of folks complaining about that,” she said.

Texas holds primary runoffs in May, and elections officials say their goal now is to educate voters to avoid a repeat next time. Christopher Davis, the elections administrator in Williamson County, said the final rejection rate of 11.5% was “by far the highest we have ever seen” in the county of more than 600,000 people.

“The hope is we knock down that rejection rate,” he said.

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Embattled Elections Administrator Resigns, but Harris County GOP Proceeds With Lawsuit

Holly Hansen

The Texan

March 9, 2022

<https://thetexan.news/embattled-elections-administrator-resigns-but-harris-county-gop-proceeds-with-lawsuit/>

Following a week of public outcry and multiple lawsuits over primary election issues in the state's largest county, Harris County Elections Administrator Isabel Longoria submitted her resignation on Tuesday.

"Today I am submitting my resignation effective July 1. I think this date ensures that there's a presiding officer during the major elections and allows the election commission the time they need to find a replacement," Longoria said. "I remain committed to the office and its mission and hope to aid in defeating harmful radical rhetoric to ensure successful elections in the future."

During a Wednesday morning press conference, however, Harris County Republican Party (HCRP) Chair Cindy Siegel announced that the party would continue to pursue its lawsuit over the election, noting that Longoria is slated to preside over the upcoming primary runoff and municipal elections in May.

HCRP attorney Steve Mitby said he would be going into an emergency hearing to request the court order an independent administrator to oversee the next Harris County election, and for the county to turn back on cameras live streaming the ballot counting process.

"We know there are 10,000 ballots that Harris County just found, that apparently had been lost, and they shut the cameras off when all this was going on," said Mitby. "Under Texas law, Harris County is required to have a livestream and camera footage of all vote counting that's going on."

"The only reason why they would have been shut off is because somebody in Lina Hidalgo's office had something to hide."

Following an emergency hearing Wednesday morning, district court Judge Fredericka Phillips ruled that the court would supervise the counting of votes and ordered Longoria to report again to the court at 7:00 p.m.

Longoria said that cameras were not turned off but that the livestream was moved from the YouTube channel to another location on the Harris County website. Mitby told The Texan Longoria had not notified residents or observers of the change midway through the counting process.

He also refuted Hidalgo's attempt to blame Senate Bill (SB) 1, the Texas GOP-backed election reform bill passed by the legislature in 2021.

"SB 1 did not cause the county to fail to deliver equipment, provide incorrect ballots, or supply the wrong sized paper. SB 1 did not delay the counting process or cause the county to lose ballots."

Alan Vera, HCRP ballot security chair, added that another 175 uncounted ballots had been discovered Tuesday night.

On primary election day, the Texas Secretary of State's Office announced that Longoria had informed them she would not be able to comply with a 1986 state law requiring reporting of a full early vote and election day count within 24 hours of polls closing.

The Harris County Republican Party waited until within one hour of the deadline, but on observing the slow posting of returns, filed a lawsuit requesting a district court impound materials and oversee the remaining count. After Longoria's office completed the count at approximately 1:00 a.m. Thursday, the party agreed to dismiss the case.

By Friday, however, due to new reconciliation requirements in state law approved in 2021, the secretary of state's office discovered that Harris County officials had neglected to include more than 10,000 ballots in the reported counts.

On Saturday night, Longoria posted a statement about the issue on social media without informing the local Democratic and Republican parties, which contract with Harris County elections department to conduct the primaries.

During Tuesday's meeting of the commissioners court, Judge Lina Hidalgo referenced both Texas' election integrity law known as SB 1 and former President Trump in relation to the county's election issues.

"The election was thrown into chaos the moment SB 1 passed the legislature," said Hidalgo.

"Irrespective of one party's efforts to try to weaken trust in the electoral system which had happened ever since Trump's big lie..." said Hidalgo before being interrupted by jeers and moans from the public audience.

"Irrespective of the efforts of one party to throw into question the integrity of our electoral system not just here in Texas, but all throughout the nation, we cannot afford...to have unforced errors," Hidalgo began again. "I have spoken with Administrator Longoria. I've expressed my desire for a change in leadership."

Commissioner Tom Ramsey (R-Pct. 3) submitted an agenda item calling for an audit of the 2022 primary election, the termination of Longoria, and that the secretary of state monitor any proposed solution to the county's election problems.

The court's three Democrats, Hidalgo, and Commissioners Rodney Ellis (D-Pct. 1) and Adrian Garcia (D-Pct. 2) voted down Ramsey's motion. Instead, they overrode Ramsey and Commissioner Jack Cagle (R-Pct. 4) to approve a motion from Hidalgo directing the offices of county administrator and county attorney to engage a third-party consultant to review elections operations and make recommendations "to enhance the effectiveness and efficiency of the remaining 2022 elections."

Ellis also accused the Texas legislature of passing a "law to suppress the vote" in reference to strengthened identification requirements for use of mail ballots which has led to a higher rejection rate of such ballots.

The three Democrats also approved a motion from Garcia directing the county attorney's office to investigate the so-called "pranks" Longoria had mentioned in a media interview last week as possible civil or criminal violations of law. Garcia's motion also directs the county attorney to review mail ballot applications sent to the Secretary of State's office and redirected to the county, and possible legal options against the voting machine vendor.

During Wednesday's press conference, state Sen. Paul Bettencourt (R-Houston) noted that the requirements of SB 1 led to the discovery of missing votes in the results and emphasized the need for oversight of the county's elections.

"But I don't know if I can write a bill to legislate common sense and management oversight in an elections office that is incompetent, inexperienced, and disingenuous. That's what we're facing now in these May elections."

Siegel lambasted Hidalgo for blaming Texas' law, voters, and election workers.

"They want you to forget that they spent \$13 million on this primary election, and they blew it."

In addition to the HCRP case, Democratic and Republican candidates for a Harris County Commissioner's Court precinct George Risner and Richard Vega, along with Republican candidate for Texas Senate District 11 Bianca Gracia, have also filed a lawsuit.

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'It's akin to the NFL's overtime rule' | Randomly-selected ballot order affects election outcomes

Matt Houston

KENS-TV

March 9, 2022

<https://www.kens5.com/article/news/politics/elections/its-akin-to-the-nfls-overtime-rule-randomly-selected-ballot-order-affects-election-outcomes/273-488c70c5-a161-4f54-ab9e-f9b80ec89f15>

TEXAS, USA — Texas's March 1 primary results are now official, and political scientists say the order in which candidates appeared on ballots may have determined the winner in a number of close races.

Researchers at Sam Houston State University concluded in 2016 that candidates listed highest on the ticket enjoy a 7-10 percent bump in low-profile races, like local judicial elections.

The study demonstrates a small ballot placement advantage in major, statewide elections, too.

UTSA political scientist Jon Taylor theorizes that a sense of civic duty pushes voters to weigh in on every race, even if they're not familiar with the candidates.

"(Voters) feel like, 'I'm in the voting booth. I need to vote for these people. They're on the ballot and it's important to vote,'" he said. "Then, they just haphazardly choose."

Analysis of March 1 primary results shows candidates and propositions listed highest on Bexar County ballots received more votes than their alternatives in 48 of 70 contested races.

Marvin Summers finished third in Bexar County among Republican candidates for Railroad Commission, despite landing atop the ballot.

Still, almost 14,000 Bexar County republicans cast ballots for Summers, who died in a car wreck a week before early voting began.

Taylor notes that some voters might've endorsed Summers in protest. Others could've cast their ballot in support of the republican's ideals or platform.

"But you've got to suspect there were just enough people who said, 'Okay, I've got to vote for somebody... I'll vote for him,'" Taylor said.

Other states list candidates in alphabetical order, or sort them by the date they filed to run.

In Texas, ballot order is determined by each county via lottery. Candidates who win enjoy some ballot placement advantage.

In other words, Taylor says, it's possible a random drawing gave some candidates enough of a bump to secure the election.

"It's akin to the NFL's overtime rule," he said. "Win that coin flip and you're going to win. It's virtually the same way here. It doesn't happen every time... but it makes a difference."

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Former Texas elections administrator pleads guilty to spiking drinks with colon cleanser

Patrick Cunningham

KETK-TV

March 9, 2022

<https://www.krqe.com/news/national/former-texas-elections-administrator-pleads-guilty-to-spiking-drinks-with-colon-cleanser/>

TYLER, Texas (KETK) – Former Texas elections official Denise Hernandez pleaded guilty Wednesday morning to spiking drinks with colon cleanser and giving them to her employees without their knowledge.

Hernandez was charged with two counts of assault causing bodily injury, a Class A misdemeanor in Texas. She had faced up to one year in jail for each charge along with a maximum fine of \$4,000.

Hernandez agreed to a plea deal that included 18 months of deferred adjudicated probation with no fine and cost of court proceedings. A Smith County prosecutor said that the two victims in the case agreed to the conditions of the plea deal.

Deferred adjudication in Texas means that if Hernandez follows all conditions of her deal over the 18-month sentence, the conviction would be wiped from her record.

Her hearing was held by Judge Taylor Heaton in the County Court at Law No. 2. Heaton himself won re-election until the end of 2026 after no one opposed him in the Republican primaries that were held last week.

A warrant obtained by KETK News last year revealed many of her workers accused her of being a bully in the workplace. It stated that Hernandez continuously made fun of her employees for consuming the spiked drinks.

The documents also revealed that she pulled the trick despite knowing the victims had prior medical conditions that could be exacerbated by drinking the cleanser.

The two employees went home due to the pain the colon cleanser caused on their stomachs. One employee told deputies that Hernandez would “poke her breast or make fun of her.”

Two other male employees backed up the victims’ accounts to investigators, saying that Hernandez was a bully and had heard her bragging about the incident.

Hernandez had been hired in January 2021 to oversee Smith County elections. She suddenly resigned two days after the May 2021 elections. She was arrested just days later on the assault charges.

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Plainview voters will decide if city enacts abortion ban

Alex Driggars

Lubbock Avalanche-Journal

March 9, 2022

<https://www.lubbockonline.com/story/news/2022/03/09/plainview-voters-decide-if-city-enacts-abortion-ban/9445684002/>

PLAINVIEW — Voters will now decide if the City of Plainview will enact an ordinance to ban abortion and become a “Sanctuary City for the Unborn” after the City Council on Tuesday opted to place the measure on a ballot rather than unilaterally adopt it.

Citizens turned out in droves at Plainview City Hall Tuesday evening to voice their support for the proposed ordinance, which would make it “unlawful for any person to procure or perform an abortion of any type and at any stage of pregnancy in the city of Plainview, Texas.” The ordinance would also make it illegal to “knowingly aid and abet an abortion” in the city limits and declares abortion-inducing drugs to be contraband.

The ordinance, which now goes to voters in the Nov. 8 general election, makes clear that procedures to save the life of the mother or unborn child, remove a miscarried fetus or remove an ectopic pregnancy are not subject to the proposed code. It also clarifies that birth-control devices and pills and emergency contraception like Plan B are not included in the ban.

It also provides for a private enforcement mechanism, meaning a citizen could raise a lawsuit against anyone who performs or assists an abortion in the city. Criminal penalties could also be assessed under the ordinance if the U.S. Supreme Court overturns *Roe v. Wade*.

The measure was proposed by a group of Plainviewans under a provision of the city charter which allows for a “citizens’ initiative” to enact a new ordinance. The “petitioners’ committee” of 10 citizens

collected more than 1,000 signatures to meet the required threshold of 10 percent of the city's registered voters.

That process gave the City Council two options — accept the proposal without change or send it to a vote. All of the handful of citizens who commented at the standing-room-only meeting pushed for the former.

“Plainview is blessed right now. You look at all that construction, you look at all that's happening - it's blessed, absolutely blessed. I would like to see that blessing continue,” said Phillip Hamilton, a local pastor and supporter of the ordinance. “The blessing of God's hand is on those who lead.”

Several other supporters rose to speak. No one at the meeting spoke in opposition.

“My statement is very simple today,” said Kerry McCormack, a member of the petitioners' committee. “Most of you have children or grandchildren, and if abortion were allowed, they might not be here. And so that's my simple statement, and I do believe that life is very important — God designed it that way.”

Councilman Larry Williams moved to place the item on a ballot for a municipal election as required by the city charter. Councilman Evan Weiss seconded the motion.

“Mr. Mayor, it's with a lot of thought and prayer (that I make this motion). This is hard. If the Supreme Court can't get it right, it makes it difficult for a city council of this size city to get it right,” Williams said. “When I was hired to do this job, I never wanted to be an authoritarian. That's the only reason I think this goes to the ballot. I know where my heart's at, I know where my mind's at, but I think we allow the citizens to make this choice, not just this body.”

Each member of the council voiced support for Williams' motion, with most of them clarifying that they are personally anti-abortion.

“I see in this ordinance many things that I think are bad, but I see many overriding things which are good. I support the Sanctuary City initiative,” Mayor Charles Starnes said. “There are elements of this ordinance which I think are unnecessary, that are intrusive, that are unenforceable, and if we try to pass a law here at the council that's unenforceable, we're wasting our time. We're putting paper into a book.”

Plainview's city charter dictates that an ordinance proposed through a citizens' initiative, if not approved by the City Council, must go to a ballot within 30 days, or in conjunction with the next regularly scheduled municipal election, as long as it is less than 120 days away. That would put it on a May ballot, but Starnes told the A-J Wednesday afternoon that the Texas Secretary of State's office informed him that the election would need to be on Nov. 8 to conform with state law.

The City Council voted 5-1 to approve the motion to send the ordinance to a vote. Councilwoman Susan Blackerby dissented. Councilmembers Teresa King and Nelda VanHoose were absent.

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Pearland gears up for potential flood bond program addressing drainage needs

Andy Yanez

Community Impact

March 10, 2022

<https://communityimpact.com/houston/pearland-friendswood/city-county/2022/03/10/pearland-gears-up-for-potential-flood-bond-program-addressing-drainage-needs/>

The city of Pearland has started the process of considering a future drainage bond package, which would be the city's first bond program since 2019 if it is approved.

Pearland City Council at its Feb. 14 meeting opted to not pursue a stormwater utility fee that would have gone to voters in May's ballot, which would have been one way for the city to gain funds for needed drainage improvement projects.

"It is not a question of if more needs to be done," Pearland City Manager Clay Pearson said. "It is how it gets done."

After residents, business owners, church leaders and school district officials pushed back on the fee, the city opted to look at alternatives, such as a bond package. Council members said the city needs to upgrade the infrastructure in areas identified in the city's drainage master plan and Hurricane Harvey report.

Pearland last did a bond program in 2019 with projects that totaled \$80 million, according to the city of Pearland, and is expected to be mostly completed in 2024, Pearson said.

City Council also formed a committee Feb. 14 to identify and prioritize the city's most needed drainage projects to include in a bond.

"Drainage isn't sexy," Pearland Mayor Kevin Cole said. "It's not shiny; it's not something that is necessarily new. ... But when the storm is barreling down, we want to make sure that our drainage works."

Weathering the storm

Before Pearland proposed a bond referendum, a stormwater drainage utility fee was presented and nearly sent to voters by City Council to address 17 planned projects worth about \$59 million, according to the city.

Pearland City Council had until Feb. 14 to place the stormwater utility fee on the May 7 ballot to let voters decide on the fee to fund specific drainage projects city staff had identified.

Per month, the fee would have charged homeowners a \$5 flat fee and commercial property owners \$1.79 on their property taxes for every 1,000 square feet of surfaces that do not absorb water, such as paved spaces, according to the city. It was estimated to generate \$5.25 million annually.

City Council agreed in June 2021 to put the fee on the May ballot but faced opposition from the community, some citing lack of information on the fee.

Some of these entities, including Alvin ISD, requested to be exempt from the fee for various reasons, one of which was because none of the projects would be within AISD's boundaries, AISD Superintendent Carol Nelson said in a letter to council members.

In a February survey done by the Pearland Chamber of Commerce, 79 businesses were polled, and 90% of them were in favor of postponing or not implementing the stormwater fee altogether.

Jim Johnson, the president of the Pearland Chamber of Commerce, said business owners raised concerns about having to pay an additional tax when some had already paid for their own detention and retention projects.

Feb. 14 was the last day for City Council to put the stormwater fee on the May ballot, which council members chose not to do.

"The Pearland Chamber of Commerce appreciates City Council listening to businesses and pausing on the stormwater fee," Johnson said.

City staff is now looking at the viability of different bond referendum options, including a \$90 million, \$120 million or \$150 million bond. City Council did not pursue a bond initially because the city has other capital needs—specifically the maintenance of existing infrastructure—it also wants to focus on, Pearson said.

City staff presented the stormwater fee as a way for Pearland to dedicate money for all capital improvements, including maintenance of existing infrastructure, Pearson said.

Depending on the bond package that is approved, a homeowner of a \$250,000 house in Pearland could see a \$12.19-\$17.06 annual increase in their overall property taxes. Pearland homeowners would have had to pay \$60 per year, regardless of property value, had the fee been adopted and approved, according to the city.

Packing projects

Under the initial stormwater utility fee proposition, the city of Pearland identified a list of 17 proposed projects totaling close to \$59 million, according to Feb. 14 agenda documents.

Those projects were primarily identified from the city's 2019 drainage master plan, which identifies flood risk areas, Pearson said. The city also looked at if projects can be done within a five-year time frame, he added.

Now, city officials are looking to add more projects to the original pegged for the stormwater utility fee to create a bond package. The difference among bond packages is the number of projects the city will focus on until 2028.

The \$90 million package includes 23 projects like subdivision upgrades in the Shadycrest neighborhood and roughly \$10.17 million in drainage improvements to West Circle Drive and East Circle Drive to ease flooding issues in the subdivision.

The \$120 million, 25-project package includes \$28 million in work on Hickory Slough Creek between O'Day Road and Roy Road that features widening the existing detention basin.

Lastly, the \$150 million package would include multiple partner projects with Brazoria Drainage District No. 4 that would have to be proposed in the future. The district did not comment on any specifics when Community Impact Newspaper reached out for comment, but the bond could be discussed at a future board meeting, Sarah Roeber, administrative assistant for the district, said in an email.

Council Member Woody Owens in the Feb. 14 council meeting mentioned the importance of prioritizing projects.

"We need to take a look at the drainage projects ... that [are] going to be the best benefit for us because we can't do all of them," Owens said.

Building a bond

At its Feb. 28 meeting, City Council appointed members to a committee tasked with evaluating, reviewing and prioritizing potential projects for a drainage bond referendum to provide a recommendation to City Council sometime between June 1 and Aug. 3.

Within a similar time frame, city staff will also be conducting preliminary engineering reports on several different projects that could potentially be added in a bond, Pearson said.

The reports will identify any potential issues and provide the city with tighter estimates on construction costs, he said.

How the different projects are presented to Pearland City Council is still to be determined, Pearson said.

"I would foresee that it is some sort of prioritization—pros [and] cons of the different projects and the timing of when they could be done," he said.

Going forward, the advisory committee and city staff will have the summer to prioritize the city's needs.

While the committee was given deadlines to present City Council with recommendations in time to potentially call a bond election in November, Pearson alluded to May 2023 being the target goal.

The final day to put the referendum on a November ballot is Aug. 22, according to the Texas secretary of state's office.

Several council members were also still in favor of keeping a stormwater utility fee as an option, even if the city agrees on a bond, mainly due to the ongoing needs for maintenance and operations on existing aging infrastructure.

"[Maintenance projects are] not as sexy, and you don't get the credit for it, ... [but] that has to be a huge priority especially as we continue to age as a city," Council Member Luke Orlando said.

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Colorado elections clerk indicted in voting system breach

Christina Cassidy and James Anderson

Associated Press

March 9, 2022

<https://www.kwtx.com/2022/03/09/colorado-elections-clerk-indicted-voting-system-breach/>

DENVER (AP) — A grand jury in Colorado has indicted a county election clerk who sowed doubt about the 2020 presidential election, alleging she was part of a “deceptive scheme” to breach voting system technology that is used across the country, according to the indictment made public Wednesday.

Tina Peters, a Republican elected in 2018 to oversee elections in Mesa County, was charged with seven felony and three misdemeanor counts, including attempting to influence a public servant, criminal impersonation and first-degree official misconduct. Also facing charges in the case is Deputy Clerk Belinda Knisley.

Over the past year, Peters has appeared onstage with supporters of former President Donald Trump who made false claims that the 2020 presidential election was stolen. Peters recently announced plans to launch a campaign for Colorado secretary of state, on the podcast of former Trump adviser Steve Bannon.

The indictment, filed in Mesa County District Court, alleges that Peters and Knisley were part of a “deceptive scheme which was designed to influence public servants, breach security protocols, exceed permissible access to voting equipment, and set in motion the eventual distribution of confidential information to unauthorized people.”

In a statement issued through her campaign, Peters called the indictment a politically motivated attempt to derail her run for secretary of state. Colorado’s current secretary of state, Democrat Jena Griswold, has accused Peters of violating election security protocol in Mesa County. An attorney for Knisley did not return multiple calls seeking comment.

Both Peters and Knisley turned themselves in to the Mesa County Sheriff’s Office. They were eligible for release after posting bond, according to the agency’s website. Their first court appearances were scheduled for Thursday, sheriff’s spokeswoman Megan Terlecky said.

State election officials first became aware of a security breach in Mesa County last summer when a photo and video of confidential voting system passwords were posted on social media and a conservative website.

Because each Colorado county has unique passwords maintained by the state, officials identified them as belonging to Mesa County, a largely rural area on the border with Utah that Trump won in the 2020 presidential election with nearly 63% of the vote. President Joe Biden won Colorado overall with 55.4% percent of the state’s vote.

Peters in August of 2021 appeared onstage at a “cybersymposium” hosted by MyPillow CEO Mike Lindell, who has promoted Trump’s claims of a stolen election and promised to reveal proof of that during the event.

While no evidence was provided, a copy of Mesa County’s voting system hard drive was distributed and posted online, according to attendees and state officials.

The copy included proprietary software developed by Dominion Voting Systems that is used by election offices around the country. Experts have described the unauthorized release as serious, saying it provided a potential “practice environment” that would allow anyone to probe for vulnerabilities that could be exploited during a future election.

Peters has previously said she had no knowledge of how the copy came to be distributed and declined to say who was with her when the copy was made.

But state officials, in various court documents, have outlined what they believe happened. It began when officials asked the county for a list of people who would be present for a routine visit by the state to prepare voting systems ahead of elections in 2021.

As part of the process known as a “trusted build,” files from the previous election are deleted and the software that manages elections is replaced with the original version. This is a security measure that ensures election officials are using software that has not been altered.

According to the indictment, Peters falsely introduced a person as a county employee during the state officials’ May 25 and May 26 visit for the “trusted build.” County records showed that an access card assigned to the person was used to enter a secure area in the election office the Sunday before.

Authorities have been working to determine the identity of that person, who is believed to have made two copies of the county’s voting system hard drive — one before the visit by state officials and one after it.

The person whose name and background check was presented to state officials ahead of the visit testified before the grand jury that they were, in fact, not present at the state visit and were never hired by the county, according to the indictment.

Peters has said she had the authority and an obligation to make the copies. State authorities, however, said Peters was only allowed to back up certain files and was not authorized to make a copy of the entire hard drive. Federal authorities also are investigating.

In the meantime, Griswold persuaded a judge to prohibit Peters from overseeing last year’s elections in Mesa County and has asked for a similar injunction for this year’s elections.

In a statement, Griswold — who is seeking re-election this year — said: “Officials tasked with carrying out elections do so in public trust and must be held accountable when they abuse their power or position.”

The investigations into Peters' actions prompted the Colorado County Clerks Association to push for better training and stiffer penalties for election officials who break the law. The Colorado Republican Party issued a statement urging Peters to suspend her campaign.

Peters announced in February that she is running for Griswold's position. She joins a group of Republican candidates this year who are seeking to oversee elections in their state while questioning the integrity of the 2020 presidential election — despite no evidence of widespread fraud or a coordinated scheme to manipulate voting machines. Experts have expressed concern that candidates who don't have faith in elections increase the risk of insider attacks or efforts to interfere in vote counting.

Peters faces other legal troubles stemming from allegations that she obstructed a police officer assisting with a search warrant and violated court rules by using a tablet to record a hearing involving Knisley.

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3 Black women oversee voting access for more than 37 million Americans

Randi Richardson

NBC News

March 9, 2022

<https://www.nbcnews.com/news/nbcblk/3-black-women-secretaries-state-are-protecting-voting-rights-rcna18754>

California Secretary of State Shirley Weber knows all too well how the race for voting rights is an intergenerational marathon.

She's the proud daughter of sharecroppers and is the first Black person to hold the position in California after Gov. Gavin Newsom nominated her at the end of 2020.

She told NBC BLK that descending from a family who couldn't vote and becoming the state's chief elections officer is a full circle experience for her family. She said her grandparents were essentially barred from voting. Her parents never registered to vote in Arkansas out of fear for their lives during the Jim Crow-era. They moved to California and her mother made their house a polling place to increase accessibility to voting for the local Black community.

"To look at that, and see how difficult life was ... and know that my parents were so committed to voting, that to have their daughter really responsible for over 20 million voters in California is quite a hallelujah moment."

Weber is one of three Black women Democrats focused on expanding voting rights across the country who hold the position overseeing elections and securing voting infrastructure throughout their states. The other two, Leigh Chapman in Pennsylvania and Tahesha Way in New Jersey, hold these posts that have become higher-profile statewide offices as the battle over voter access has amplified in recent years.

Virginia Secretary of State Kay Coles James, who was appointed this year by Gov. Glenn Youngkin, is a Republican. Last year as the president of the Heritage Foundation, James spoke out against

federal legislation Democrats are pushing through Congress to expand voting rights, but has also said she has “zero interest in disenfranchising or suppressing the vote of any portion of the population.”

Weber, Chapman and Way, however, say they consult with each other regularly, working toward the broader goal of increasing voter turnout and ultimately eliminating voter suppression. Between their three states, they oversee the enfranchisement of more than 37 million registered voters. Way said that having multiple Black female secretaries of state across the country is attributable to advocates who came before them and paved the way for it to be possible.

“It’s a wonderful feeling,” to be in this cohort, Way said. “You always think back to not only minorities who fought for the right to vote, but you also think about women who fought for the right to vote. ... So I’m in good company, with the lady secretaries from California and from my neighboring Pennsylvania.”

Chapman said it “means so much” to be a Black woman serving alongside two other Black women, with whom she speaks “frequently.”

“Throughout our history, Black women have really faced so many challenges. We’re one of the largest voting blocks in the country. The way Black women vote really determines the outcome of many elections at the state level and at the federal level, and we are not represented equally in political office. So the fact that there are three African American women in significant states administering elections at a critical time in our country where we’re dealing with pandemics, we’re dealing with racial reckoning, it’s an honor to serve with my fellow African American women secretaries of state.”

The right to vote has long been precarious for Black Americans throughout history, and has become even more delicate after the Supreme Court ruled in 2013 to rescind a key section of the 1965 Voting Rights Act that enforced voter access in particular Southern states.

Without that section of the law, states such as Georgia and Texas have closed polling sites in and near Black neighborhoods, taken actions to limit permanent absentee ballots or mail-in voting, and taken other actions that have an outsize impact on Black voter turnout. Several Republican-led states have either introduced or passed legislation to restrict voting access since the 2020 election, in which Black voters played a key role in electing Joe Biden as president, Weber said.

“They don’t think everyone should have the right to vote,” Weber said. “What they’re saying is that we don’t want all these folks who we haven’t validated, who don’t look like us, to have the decision to vote and to basically make decisions about their lives.”

Chapman became acting secretary of the commonwealth of Pennsylvania in January after Gov. Tom Wolf appointed her in the battleground state, which saw numerous lawsuits seeking to recount verified ballots cast in the 2020 election. To keep a clear head through the scrutiny, Chapman keeps a visual reminder of the importance of her work in her office.

“It’s called “Sweet Liberty” by Kadir Nelson and it’s a portrait that he painted after the 2020 election,” she said. “She has a blue iris in her hair, which represents hope, and her sleeves are rolled up, and

that represents the fact that it's a lot of hard work to make sure that we have equal voting rights in our country and sometimes you have to roll up your sleeves."

Pennsylvania finished redistricting Feb. 23, ahead of its upcoming primary election. Chapman said she's focused on making sure people know how the redistricting will impact them, while also sharing general voting information, such as polling locations and how to decide whether to vote in person or by mail.

Chapman also wants the U.S. Senate to pass the languishing bills to expand and confirm voter access, the John Lewis Voting Rights Act and the Freedom to Vote Act.

"We really need to have more standards when it comes to voting in our country," Chapman said. "The way you vote really shouldn't be determined by what ZIP code you live in, but that's the way our election system is run. And because there was a failure to make more national standards around the voting process, it's now really up to the states to make sure that we're passing comprehensive election reform."

Pennsylvania passed legislation in 2019 to expand mail-in voting, a move that updated the election code for the first time in 70 years. While a challenge to the policy is making its way through the state courts, she said there's still more to do. She wants to see same-day voter registration and more options from which people can choose how to vote.

Local counties administer elections, so Chapman is already making plans with the state's 67 counties to make November's midterm "the smoothest election possible." Her goal is to engage the estimated 3.2 million eligible Pennsylvanians who chose not to vote in the November 2020 election and make them participate this time around.

In New Jersey, Way has been in office since 2018, and has taken on the tasks of implementing automatic voter registration, online registration, in-person early voting, online ballot tracking, introducing ballot drop boxes and allowing people on parole or probation to vote. She overhauled the voting system to be almost completely by mail for the 2020 election and said that election saw New Jersey's highest voter turnout and the state led the nation in youth voter turnout.

The next step for her office, she said, will be "informing and educating our voters" further into civic engagement.

Weber encourages people to become more involved with the political process, not just by voting, but also through writing letters to elected officials, sharing information about voting and bringing voting rights up in every civic meeting.

"We've got to be persistent," she said. "That's what our ancestors did. They didn't just give up because it was hard."

As a California state legislator, Weber co-authored legislation in 2020 to restore the right to vote of people on parole, probation or still in jail.

But the policy faced a roadblock at first: How would parolees and formerly incarcerated people be told about their new rights? Weber said she initially faced resistance from the California Department of

Corrections to notify beneficiaries of their restored voting rights, so she created a campaign to disseminate that information to thousands of formerly incarcerated people, as well as register many to vote.

Two years after the law went into effect, though, the department said it is now working with multiple agencies to inform parolees and formerly incarcerated people that they can vote, according to Vicky Waters, assistant secretary of communication. She added that voter information is also now included in the parolee handbook and that the department provides “wraparound re-entry services as we stand committed to the successful reintegration of formerly incarcerated people.”

Weber assumed her current role in January 2021, just weeks after the riot at the U.S. Capitol prompted increased scrutiny around elections and voting rights. She said she accepted her appointment to become secretary of state after Alex Padilla left the position to become a U.S. senator, because “democracy is fragile. Our right to vote is under attack.”

“I felt this was our time to make good on the civil rights era — that they had fought for us and given us so much,” she said. “This was going to be this generation’s time to basically continue to struggle and continue to fight.”

Aside from the riot and its fallout, she said she accepted the appointment because “I also knew that no matter all the things I’ve done, that if people lose the right to vote in this nation, and voting is under attack, we could lose it all simply because of the way that the votes would go and the change that would occur.”

That’s why Weber, Chapman and Way have committed their careers to the issue. Specifically, as Black women, they say they do not take their work lightly.

Weber said that being part of the most consistent voting blocks without being well-represented in the upper echelons of government or without protected voting rights is a form of silencing.

“Black women have always, in this country, been sometimes ignored, and yet counted on,” she said. “We’ve been kind of the silent force for change. When you look at the civil rights movement — and as a professor, I’ve studied it — there were so many women who sat behind the throne, and who made the civil rights era happen, whether it was Xeroxing materials or getting ready for the March on Washington, or whatever it was. It was just so many unsung heroes that were female and we kind of push men forward because that was the society in which we existed.”

But the tide, Weber said, is turning.

“I know that they’re strong and persevering, and determined to make sure that this is a fair and open election, always,” she added. “And that’s what we’ve always done.”

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Will blockchain technology ever be used for voting?

Holly Quinn

Technical.ly

March 9, 2022

<https://technical.ly/civic-news/blockchain-voting-technology-ethics/>

In the United States, ease and security of voting is not a given.

Even in 2022, there's a chance you won't be able to vote the next time you go to the polls, your voter information could be compromised, or your ballot could be thrown out.

Primaries have not been pretty so far.

In a perfect nation, every citizen would be able to vote easily, without waiting in line or worrying that something might happen to their ballot. Ideally, we'd all be able to just press a button from wherever we are and vote securely.

Which is why blockchain — that invisible, secure technology that is commonly used for cryptocurrency and NFTs — has been pitched for years as the answer. An asset in the blockchain can, in theory, never be touched or altered by unverified entities, whether it be a virtual coin, digital artwork, a contract or a vote.

What blockchain voting could mean (in theory)

Annika Jacobsen of Agora Technologies in Switzerland waited for hours to vote in the 2016 election in her small American town of 500, only to later learn that, like millions of other Americans, her voter information had been compromised. In a 2019 TEDxZurichSalon talk, Bringing Voting Systems into the Digital Age with Blockchain, she detailed how, ideally, blockchain could have prevented what happened in 2016 and ensure more secure voting, even in countries with weak or corrupt democratic systems.

On paper, it sounds great: No lines, and no wondering if your vote was counted. You as a verified voter can even change your vote until the deadline and confirm that your vote is correct after the election. Votes are tallied instantly, with no potential for tampering with ballots during a hand count or recount.

All you would have to do is download an official voting app, verify yourself, and vote from home — or anywhere in the world.

Of course, this is all theoretical for now. And there are a lot of people who don't want to see blockchain voting, including MIT experts who came out strongly against blockchain voting, saying that it's far more vulnerable to a large-scale attack than paper ballot voting.

USPS and blockchain voting

Blockchain voting was tested in the United States at least once. It's a story that has been mostly forgotten, though it's only a couple of years old:

In early 2020, as the Trump administration was trying to shut down the US Postal Service ahead of the presidential election, the USPS — responsible for millions of mail-in ballots — applied for a patent for a "Secure Voting System" described as "a voting system that can use the security of blockchain and the mail to provide a reliable voting system." In this system, registered voters would receive a

computer readable code in the mail that would verify them to vote anonymously via blockchain technology.

(It may be worth noting that the USPS method, supposedly designed to relieve voters of reliance on a disrupted mail service, relied on mailed codes.)

When the experiment went public, blockchain was declared a failure as a tool for voting. In fact, the conclusion was that it was less secure than the very unsecure non-blockchain internet voting. Ever since then, it's been widely considered common knowledge that blockchain would be bad for voters.

Blockchain voting concerns

Concerns about blockchain voting are all over the place — enough that we're probably not going to see it on the table as a viable method of voting for a while. They include:

- Verification would involve a process not unlike voter ID laws, which have been shown to exclude eligible voters in marginalized groups with a higher-than-average number of people without a driver's license or ID. Those gaps, it should be noted, are caused by systemic issues that should be addressed regardless.
- There is also the issue, potentially, of lack of access to a smartphone for voting.
- Another issue cited is that the technology just isn't ready to be used in such a way, where an error or breach could destabilize a nation.
- Even if blockchain does work the way they say it will, it's not a cure-all. Misinformation campaigns and gerrymandering would still exist if voting moved to the blockchain today.
- And, because politicians across the nation work tirelessly to make voting hard for citizens, there are concerns that if blockchain can do what it says it can do, it will make voting too easy and accessible, threatening the status quo.

Paper ballots are going to be left behind for something newer and better someday. It's clear from Annika Jacobsen's story — one shared by many other Americans — that the "tried and true" method has been vulnerable for years now.

So, is it a question of the blockchain being ready, or is it a question of the people being ready?

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Chihuahua wants in on Ford Motor Co. electric vehicle manufacturing

Julian Resendiz

Border Report

March 9, 2022

<https://www.borderreport.com/hot-topics/trade/chihuahua-wants-in-on-ford-motor-co-electric-vehicle-manufacturing/>

EL PASO, Texas (Border Report) – Chihuahua officials are asking Ford Motor Co. to include industrial facilities in their state in any future expansion of electric-vehicle manufacturing in Mexico.

“We are absolutely interested in positioning our state in this new framework and to create conditions to support (the automotive) industry in this important transition [...] to electromobility,” said Maria Angelica Granados, secretary of economy and innovation for the state of Chihuahua.

Granados on Tuesday met with Ford Vice President for North American Manufacturing John F. Savona to make the pitch.

“If Ford tells us, ‘We need 20 specialized engineers,’ we will train them. We want this to be a permanent” relationship, Grandos said at the meeting in Chihuahua City.

Ford has an automotive engine manufacturing plant in Chihuahua City, a stamping and assembly plant in Hermosillo, a transmission plant in Irapuato, and is reportedly set to build two electric vehicle models at its Cuautitlan and assembly plant in 2023. The Cuautitlan plant already produces the Mustang Mach-E, but is temporarily halting production due to a shortage of semi-conductor chips, Reuters reported.

Chihuahua officials told Savona and a visiting team of Ford Mexico executives that the state has nine technological universities and more than 100 technical and vocational high schools already training a tech-savvy workforce.

Savona reportedly talked to Chihuahua officials about the importance of public safety and of a skilled workforce, according to some meeting participants.

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Mexico’s AMLO Pledges Energy Prices Won’t Increase Amid Ukraine Conflict

Andrew Baker

Natural Gas Intelligence

March 9, 2022

<https://www.naturalgasintel.com/mexicos-amlo-pledges-energy-prices-wont-increase-amid-ukraine-conflict/>

Gasoline, diesel and electricity prices in Mexico will not increase beyond inflation despite the turmoil in global energy markets caused by Russia’s invasion of Ukraine, according to Mexican President Andrés Manuel López Obrador.

In his morning press briefings on Tuesday and Wednesday, López Obrador said the government will continue to subsidize gasoline prices, even as global oil prices skyrocket. He explained that the government will pay for the subsidies with “excess” oil export revenues brought in by state oil company Petróleos Mexicanos (Pemex) as a result of surging global crude prices.

“It’s important that all Mexicans know that we are not going to have problems with price increases for fuels or electricity, despite the invasion and war in Ukraine,” the president said.

He cited that under his administration, Pemex has “stabilized” a 14-year decline in crude output, adding that production is now “above what we received” when he took office in December 2018.

He added that Mexico's gasoline imports have shrunk by 45% during his administration as a result of rehabilitating Pemex's six refineries in Mexico and acquiring 100% ownership of the Deer Park refinery in Texas.

Pemex gasoline imports averaged 341,800 b/d in January, down from 598,400 b/d in full-year 2018.

"If we don't control the price of fuels and electricity, it will skyrocket," López Obrador said, explaining that capping prices will help to control inflation.

He cited that in Europe "they are suffering a lot because of the increase in prices of gas and electricity..."

Natural gas accounts for over 60% of Mexico's electricity supply, with as much as 90% of the gas arriving via pipeline from the United States.

Natural gas traded in Europe for April delivery settled at \$68.67/MMBtu on Tuesday, more than 15 times the U.S. benchmark Henry Hub.

Even the Henry Hub price, however, settled about 79% higher year/year on Tuesday.

While state power generator Comisión Federal de Electricidad (CFE) has hedges in place to offset natural gas price volatility, it will almost certainly not be enough, according to Mexico City-based energy expert Gonzalo Monroy.

He told NGI's Mexico GPI that "if the president keeps his promise not to increase electricity prices, what we will see is higher volumes of electricity subsidies."

Having already subsidized 100% of the excise tax (known by its Spanish initials IEPS) on gasoline sales in February to combat rising prices, Mexico's finance ministry on Sunday announced additional fuel tax breaks.

The ministry said that "geopolitical tensions in the world have brought with them strong increases in the pieces of crude and international benchmarks for gasoline and diesel, essential fuels for the mobility of the population and for the transport of merchandise." As a result, the government "has deemed it necessary to realize an additional stimulus to the IEPS for gasoline and diesel."

Monroy explained that López Obrador campaigned on popular anger about the liberalization of fuel prices in 2017, the result of Mexico's 2013-2014 energy reform. Since taking office, he has promised not to allow fuel prices to increase in real terms.

However, those promises were based on previous inflation forecasts, Monroy said.

Mexico's 12-month inflation rate stood at 7.28% as of February, versus 3.76% in the same month last year, according to national statistics institute INEGI.

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U.S. leaning toward ending COVID-era expulsions of migrants at Mexico border – sources

Ted Hesson

Reuters

March 9, 2022

<https://www.reuters.com/legal/litigation/us-leaning-toward-ending-covid-era-expulsions-migrants-mexico-border-sources-2022-03-09/>

WASHINGTON, March 9 (Reuters) - President Joe Biden's administration is leaning toward ending a COVID-era order that has blocked more than a million migrants at the U.S.-Mexico border, according to two U.S. officials familiar with the matter, a major policy shift that would restore the U.S. asylum system but could provoke backlash from Republicans.

A third official said the policy was being actively debated and a decision could come within weeks, though the outcome was not yet clear. All three requested anonymity to provide details on internal conversations.

The discussions, which have not been previously reported, were prompted by recent U.S. court decisions that complicate the implementation of the so-called "Title 42" border order coupled with major moves by U.S. public health officials to loosen pandemic restrictions across the United States, the officials said. [read more](#)

The order was issued by U.S. Centers for Disease Control and Prevention (CDC) in March 2020 at the outset of the COVID-19 pandemic by former Republican President Donald Trump. But Biden, a Democrat, has kept it in place - and defended it in court - despite promises to roll back Trump's most hardline immigration policies.

Health experts and immigrant rights advocates have been pushing for its end, arguing the policy unlawfully cuts off access to asylum and that scientific evidence does not support its stated goal of helping to curb the spread of the virus. [read more](#)

Title 42 allows U.S. authorities to rapidly expel migrants caught at the border, either to Mexico or other countries, without a chance to seek refuge in the United States. Since it went into effect, migrants have been turned away more than 1.6 million times under the policy, though some of those encounters were individuals crossing multiple times.

Border arrests soared to record levels in 2021 during Biden's first year in office and could climb even higher this year, officials told Reuters in January, sparking criticism from Republicans ahead of November midterm elections. [read more](#)

The U.S. Department of Homeland Security (DHS) office of strategy, policy and plans, which advises top agency officials, backs ending the order, one of the sources said. However, the source said, U.S. Customs and Border Protection, which oversees border security and falls under DHS, would like to keep it.

DHS spokesperson Marsha Espinosa said the Title 42 order "remains in place" and that the agency defers to the CDC over its use. The agency has said in the past that COVID-19 presents an outside risk in crowded border stations.

The White House also directed a request for comment to the CDC and said only officials inside the health agency would be involved in decision-making. The CDC did not immediately respond.

The CDC has said that it reviews the order every 60 days to determine whether it remains necessary to protect public health. The next renewal is slated for early April.

Early in his presidency, Biden exempted unaccompanied children from the expulsion policy, but a federal judge in Texas ruled on March 4 that minors could not be excluded in a case brought by the state of Texas against the administration.

The Texas ruling, which is at odds with another U.S. district court order in 2020 blocking expulsions of unaccompanied children, goes into effect on Friday. The deadline has put pressure on the administration to consider whether to roll back the order entirely, one official said. [read more](#)

In a separate March 4 ruling, a federal appeals court said the administration can continue to use Title 42 to expel migrant families caught crossing the southwest border, but should not send them anywhere they could be persecuted or tortured.

Advocates who brought that legal challenge cheered the ruling as a victory, but it was not immediately clear how it would be implemented on the ground.

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Block on Blood-Plasma Donors From Mexico Threatens Supplies

Mike Cherney

Wall Street Journal

March 9, 2022

<https://www.wsj.com/articles/block-on-blood-plasma-donors-from-mexico-threatens-supplies-11646830295>

Pharmaceutical companies and U.S. officials are fighting over whether to allow people to cross the border from Mexico to be paid for giving blood plasma, a critical ingredient in treatments for some neurological and autoimmune diseases.

Up to 10% of plasma collected in the U.S. usually comes from Mexican nationals who enter on visitor visas and are paid about \$50 to donate, according to legal filings from pharmaceutical companies. Last June, U.S. border officials indicated they would stop the roughly 30-year practice because they viewed it as labor for hire, which isn't allowed under a visitor visa.

The pharmaceutical companies that collect plasma have asked federal courts in Washington, D.C., to overturn the decision, which came just as U.S. plasma donations were disrupted by the Covid-19 pandemic. Some companies have argued that the payment compensates donors for their time and commitment rather than for the plasma itself, and isn't in exchange for any actual work.

Mexican donors say the new visa policy deprives them of income and of pride they took in helping others. And patient-advocacy groups now worry about the availability of plasma-derived medicines, the only treatment for some rare conditions.

“We’re very, very nervous that we’re just on the cusp of possibly a very major shortage,” said Lisa Butler, executive director of Philadelphia-based GBS|CIDP Foundation International, which represents people with rare neurological disorders who often need immunoglobulin—antibodies extracted from plasma.

The U.S., which provides much of the global plasma supply, is one of the few countries that allows payments to plasma donors, and supporters of the policy say that helps to ensure enough plasma is collected. Two big plasma companies, Australia-based CSL Ltd. and Spain-based Grifols SA, have invested millions of dollars in collection centers near the U.S.-Mexican border.

Manuel Vazquez del Bosque, 59 years old, said he has been donating twice a week for more than 20 years, traveling from Matamoros, the Mexican city across the border from Brownsville, Texas. Plasma money has helped his family purchase groceries, clothes and school supplies.

“We weren’t as tight for money,” said Mr. Vazquez del Bosque, a government worker. “I used to feel proud that my plasma used to save lives.”

A spokesperson for U.S. Customs and Border Protection declined to discuss the litigation. In legal filings, the agency said it learned after the pandemic began that its field offices were inconsistent on whether to allow Mexicans with visitor visas to enter the U.S. to make paid plasma donations. There was no official policy, the agency said, and it wanted to provide clarity.

The agency said pharmaceutical companies could increase payments to attract more domestic supply and that Mexicans could still donate plasma without getting paid.

A federal judge dismissed one case brought by affiliates of CSL and Grifols, which have appealed. The companies’ attorneys filed a second lawsuit in federal court in Washington, D.C., naming collection-center workers, donors and patients as plaintiffs.

More than 125,000 Americans are treated with plasma-based therapies for serious conditions that include immune-deficiency disorders, respiratory diseases, neurological disorders, hemophilia and other blood conditions, according to pharmaceutical companies. How the medicine alleviates symptoms of some disorders isn’t fully understood, but doctors think one way is by blocking or interfering with antibodies that cause disease. Demand for plasma has increased as its use has expanded, and the market is now worth billions of dollars annually. In 2019, some U.S. hospitals and clinics had to suspend treatments as supply struggled to keep up.

“There is always this cloud hanging over these diseases—that if the plasma supply diminished, we won’t be able to get treatment,” said Jeffrey Allen, an associate professor at the University of Minnesota Medical School who specializes in autoimmune and neuromuscular disorders.

U.S. regulations permit people to give plasma about eight times a month, but some doctors have raised concerns that high-frequency donation could have negative health effects. Other doctors have questioned the ethics of paying poor people for plasma. Pharmaceutical companies say their supply base is diverse and that giving plasma is safe and closely regulated.

A combination of lockdowns, travel restrictions, and donor fears about contracting Covid-19 at one point contributed to a roughly 20% drop in plasma collections. Although collections have since risen,

they are still not at pre-pandemic levels. Doctors and hospitals say they haven't seen any widespread shortage of plasma treatments in the U.S. It can take about 10 months for raw plasma to be converted into finished product, so the impact of the plasma-collection decline could yet materialize.

Jessica H. Schexnayder, 46, has immunoglobulin delivered to her home near Baton Rouge, La., to treat multifocal motor neuropathy, an autoimmune disorder that causes weakness in the hands and legs, muscle cramping and fatigue. Her pharmacy recently warned her there would be a delay in the delivery of the treatment, which she needs to take by infusion every two weeks. It was ultimately just one day late, but Ms. Schexnayder, who serves as a patient liaison for the GBS|CIDP Foundation, said she was alarmed.

"I will always have a level of worry about whether or not I can get plasma, just because it's the only drug that can treat me," she said.

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Why an Election Commissioner in Texas' Largest County Just Resigned

Matt Vespa

TownHall

March 9, 2022

<https://townhall.com/tipsheet//mattvespa/2022/03/09/why-an-election-commissioner-in-texas-largest-county-just-resigned-n2604346>

Election integrity matters. This isn't a controversial subject. Only the mentally ill think this is a covert operation aimed at curbing voting rights for nonwhite Americans. And the people who think that happen to be Biden supporters. I know, it's a major development that we've never seen ever. It's not racist. It's not Jim Crow 2.0. The urban-based liberal elite talking point has NEVER gained traction anywhere. Even non-whites support voter ID laws, which have been extremely popular for years. In Texas, their voter integrity laws went into effect before their state's primaries, and it was effective in stopping the steal. Thousands of ballots were rejected for failing to meet the new voter ID requirements.

Now, an election commissioner in Harris County, Texas has resigned for not counting some 10,000 ballots. When this oversight was discovered, Ms. Isabel Longoria decided to call it quits. This comes after the secretary of state office found that 12,000 non-citizens were able to cast ballots in the recent elections (via Just The News):

The elections commissioner in Texas' largest county has resigned after revelations that 10,000 ballots were not counted in the Houston area in last week's primary election.

"The buck stops with me to address issues for voters, and I did not meet my own standard or the standard set by commissioners," Harris County Elections Commissioner Isabel Longoria said Tuesday in announcing her resignation during a meeting of the county commission.

Longoria said her resignation would take effect July 1 to ensure "there is a presiding officer during the May and June elections and allows the election commission the time they need to find a replacement. I remain committed to the office and its mission and hope to aid in defeating harmful rhetoric to ensure successful elections in the future."

[...]

The revelations about the uncounted votes comes just weeks after the Texas secretary of state finished an audit that found nearly 12,000 foreigners had made it into the state's voter rolls. Non-citizens are forbidden from voting in Texas.

So, in the end, Texas' election integrity laws were not the issue at all.

The commissioner didn't even count the votes. How is this Jim Crow reloaded? Oh, right—it's not. It never has been. Every vote deserves to be counted. I've been told this ad nauseum. Harris County, a Democratic bastion, failed miserably in that effort. By their rules, the entire county is infested with the Klan.

Maybe there should be a DOJ investigation. Is James Comey available?

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Sorry, Dems. Republicans aren't to blame for Harris County election woes

Editorial Board

Houston Chronicle

March 9, 2022

<https://www.houstonchronicle.com/opinion/editorials/article/Editorial-Sorry-Dems-Republicans-aren-t-to-16988923.php>

Some questions are expected to be swirling through voters' minds come election time: Which candidates to choose? How long will the line be? Should I talk to the hungry-eyed people pushing leaflets into my face or just avoid eye contact?

But there are some questions voters should never have to ask: Should we have to dispatch law enforcement to retrieve voting equipment from a precinct judge's house? Did the election workers handling ballots get any training? How do voters find polling locations if the website listing them crashes? Should it take four days after the election for officials to notice they didn't count my vote?

Democrats regularly accuse the GOP of undermining confidence in our elections by, among other things, curbing voter access and perpetuating fraud myths, but this week, the Democratic officials running Harris County elections didn't need any help sowing distrust in a sacred democratic process. They did it all by themselves.

A litany of errors and an alarming display of incompetence mired the reporting of primary voting results, prompting Republicans to file suit and ordinary voters to wonder if their ballots were really counted. This is the last thing Democrats need ahead of midterm elections that serve as a referendum on their leadership.

And it's the last thing any place in America needs at a time when false attacks on the integrity of our elections have already raised doubts.

Texas has 254 counties, and Harris was the only one that failed to finish vote-counting within 24 hours. Sure, it's also the biggest county and the first time many polling sites rolled out new, supposedly more secure, voting machines. But there's no excuse for more than 1,600 ballot sheets to be damaged on Election Day, for a map directing voters to polling places to malfunction, or for 10,181 ballots to go uncounted until four days after the election.

We were glad to see elections administrator Isabel Longoria tell Harris County commissioners Tuesday that she'll resign July 1, just after County Judge Lina Hidalgo said she wanted a new direction for the office.

At Tuesday's meeting, precinct captains, election judges and voters from both parties let their rage fly. Election workers said they waited for an hour or more on election night to get help when they called in with voting machine problems. Longoria didn't directly notify the political parties about the uncounted ballots so they had to find out Saturday on social media.

One person let fly an obscenity aimed at the court, and another said, "If the general election is run like the primary, the county will be ridiculed and sued, especially if there are any close races."

Actually, "ridiculed and sued" is the election office's current reality, but officials should do everything possible to make sure it doesn't happen again. Longoria's departure is a good first step, and the county's bipartisan elections commission should search for a replacement who has substantial experience running elections.

But we doubt a leadership change alone will magically fix all that went wrong on election night or restore trust that's been lost.

We agree with Harris County Democratic Party chair Odus Evbagharu that further investigation is needed and can see the merits of GOP chair Cindy Siegel's call for independent oversight over the approaching May runoffs and municipal elections, since Longoria isn't leaving her post until July.

But Democrats, including Evbagharu, and commissioners Rodney Ellis and Adrian Garcia, need to stop blaming GOP voting measures for this ordeal. Surely, Senate Bill 1 is a troubling, unneeded piece of legislation pushed by Republicans to address a voter fraud problem that doesn't exist and that led to confusion around mail-in ballots, but Democrats will squander their credibility on voting rights if they blame state Republicans for their own mistakes. In fact, it's worth noting that new county reporting requirements set out in SB 1 helped the Secretary of State's office catch the overlooked votes.

We would've liked to see the court adopt Precinct 3 Commissioner Tom Ramsey's call for an urgent audit of last week's elections; the measure failed along party lines. The three Democrats did pass Hidalgo's motion to direct the county attorney to find a consultant to review operations.

Concrete answers are needed on some lingering questions: Was the election severely understaffed, as Longoria has argued, and if so, how many people would it have taken to fully staff a smooth election? Why did it take a Precinct 3 constable's deputy to get voting equipment from a Baytown precinct judge's home, instead of it being delivered directly to county headquarters? Why weren't Hidalgo or the commissioners made aware sooner that ballots would come out on two sheets of paper instead of one, adding to wait and report times?

In addition to Hidalgo's pointed inquiries, Republican commissioners Ramsey and Jack Cagle asked many of the tough, detailed questions that needed to be asked. It's a reminder of the importance of partisan balance on the court. But every member should be equally concerned about this debacle.

Let's not forget that it was Democrats on commissioners court who decided in 2020 — over fierce bipartisan resistance — to create the independent elections office, appoint Longoria, and remove election responsibility from the elected offices of tax assessor-collector and county clerk. We haven't seen enough evidence to declare that change a failure. Although the reporting of vote totals has often been delayed in Harris County, we don't recall such mayhem under the old system.

Other large Texas counties, such as Bexar, Dallas, El Paso and Tarrant, also have election administrators, and while results took hours to come in fully, they didn't take days. Even Tarrant, which uses the same cumbersome machines Harris now uses, got its results in fewer than 12 hours.

The county's Democratic leadership needs to fully own this failing, and take the steps to prevent another. County commissioners and members of the elections commission should ask the questions, get the answers, notify the public and spare no efforts in rebuilding voters' trust.

Our local democracy depends on it.

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