April 22, 2025

**VIA EMAIL**

Texas Secretary of State
Office of the General Counsel
Capitol Bldg. 1E.8
Austin, TX 78701
generalcounsel@sos.texas.gov

**Re: Public Information Request**

Dear Public Information Officer:

Pursuant to the Texas Public Information Act, as codified at Tex. Gov't Code ch. 552, American Oversight makes the following request for public records.

**Requested Records**

American Oversight requests that the promptly produce the following:

1. Records reflecting any final formal or informal directives (including informal email communications), guidance, protocol, assessments, reports, analyses, or recommendations regarding determinations of which registered voters receive additional citizenship verification.

2. Records reflecting any final formal or informal directives (including informal email communications), guidance, protocol, assessments, reports, analyses, or recommendations concerning the use of the federal Person Centric Query Service (PCQS)[1] to verify citizenship status of voter registrations.

3. Records sufficient to indicate all supporting documentation or evidence relied upon to determine the citizenship status of a voter identified as a potential non-citizen.

For all parts of this request, please provide all responsive records from January 1, 2024, through the date the search is conducted.

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term "record" in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records,

[1] For further identifying information, *see*, DHS/USCIS/PIA-010 Person Centric Query Service, https://www.dhs.gov/publication/dhsuscispia-010-person-centric-query-service.

audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

In addition, American Oversight insists that your office use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. American Oversight is available to work with you to craft appropriate search terms. **However, custodian searches are still required; governmental authorities may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.**

Please search all records regarding official business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts.** Emails conducting government business sent or received on the personal account of a governmental authority's officer or employee constitutes a record for purposes of the Texas Public Information Act.[2]

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

Please take appropriate steps to ensure that records responsive to this request are not deleted by your office before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your office can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in electronic format by email or in PDF or TIF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC

[2] Tex. Gov't Code § 552.002(a-2); *see also Adkisson v. Paxton*, 459 S.W.3d 761, 773 (Tex. App. 2015).

20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

**Fee Waiver Request**

In accordance with Tex. Gov't Code § 552.267(a), American Oversight requests a waiver of fees associated with processing this request for records, because such a waiver "is in the public interest because providing the copy of the information primarily benefits the general public." The requested records are directly related to the work of state officials, with the potential to shed light on citizenship verification processes for voters in Texas. This matter is a subject of substantial public interest in Texas.[3] Accordingly, release of any responsive records may help the public understand the operations and activities of state officials and is therefore in the public interest.

Release of the requested records will primarily benefit the public.[4] As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the requested records is not in American Oversight's financial interest, but is rather in the public interest. American Oversight is committed to transparency and makes the responses governmental authorities provide to public records requests publicly available. As noted, the subject of this request is a matter of public interest, and the public would benefit from an enhanced understanding of the government's activities through American Oversight's analysis and publication of these records. American Oversight's mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and X (formerly Twitter).[5]

American Oversight has also demonstrated its commitment to the public disclosure of documents and creation of editorial content through numerous substantive analyses posted to its website.[6] Examples reflecting this commitment to the public disclosure of documents and the creation of editorial content include the posting of records related to the organization's investigations into misconduct and corruption in state governments;[7] the posting of records related to the Trump Administration's contacts

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[3] *See, e.g.*, Lexi Churchill et al., *Gov. Greg Abbott Boasted That Texas Removed 6,500 Noncitizens From Its Voter Rolls. That Number Was Likely Inflated.*, Texas Trib. (Oct. 15, 2024, 5:00 AM), https://www.texastribune.org/2024/10/15/texas-noncitizen-voter-roll-removal-included-americans/.

[4] Tex. Gov't Code § 552.267(a).

[5] American Oversight currently has approximately 16,000 followers on Facebook and 96,400 followers on X (formerly Twitter). American Oversight, Facebook, https://www.facebook.com/weareoversight/ (last visited Jan. 29, 2025); American Oversight (@weareoversight), X (formerly Twitter), https://x.com/weareoversight (last visited Jan. 29, 2025).

[6] *News*, American Oversight, https://www.americanoversight.org/blog.

[7] *State Investigations*, American Oversight, https://www.americanoversight.org/states.

with Ukraine and analyses of those contacts;[8] posting records and editorial content about the federal government's response to the Coronavirus pandemic;[9] posting records received as part of American Oversight's "Audit the Wall" project to gather and analyze information related to the administration's proposed construction of a barrier along the U.S.-Mexico border, and analyses of what those records reveal;[10] the posting of records related to an ethics waiver received by a senior Department of Justice attorney and an analysis of what those records demonstrated regarding the Department's process for issuing such waivers;[11] and posting records and analysis of federal officials' use of taxpayer dollars to charter private aircraft or use government planes for unofficial business.[12]

Accordingly, American Oversight qualifies for a fee waiver. If your office denies our request for a fee waiver, please notify American Oversight of any anticipated fees or costs in excess of $40 prior to incurring such costs or fees.

**Conclusion**

We share a common mission to promote transparency in government. American Oversight looks forward to working with your office on this request. If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact Chloe Dennison at records@americanoversight.org or 202.516.7117. Also, if American Oversight's request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

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[8] *Trump Administration's Contacts with Ukraine*, American Oversight, https://www.americanoversight.org/investigation/the-trump-administrations-contacts-with-ukraine.

[9] *See generally The Trump Administration's Response to Coronavirus*, American Oversight, https://www.americanoversight.org/investigation/the-trump-administrations-response-to-coronavirus; *see, e.g.*, *CDC Calendars from 2018 and 2019: Pandemic-Related Briefings and Meetings*, American Oversight, https://www.americanoversight.org/cdc-calendars-from-2018-and-2019-pandemic-related-briefings-and-meetings.

[10] *See generally Audit the Wall*, American Oversight, https://www.americanoversight.org/investigation/audit-the-wall; *see, e.g.*, *Border Wall Investigation Report: No Plans, No Funding, No Timeline, No Wall*, American Oversight, https://www.americanoversight.org/border-wall-investigation-report-no-plans-no-funding-no-timeline-no-wall.

[11] *DOJ Records Relating to Solicitor General Noel Francisco's Recusal*, American Oversight, https://www.americanoversight.org/document/doj-civil-division-response-noel-francisco-compliance; *Francisco & the Travel Ban: What We Learned from the DOJ Documents*, American Oversight, https://www.americanoversight.org/francisco-the-travel-ban-what-we-learned-from-the-doj-documents.

[12] *See generally Swamp Airlines: Chartered Jets at Taxpayer Expense*, American Oversight, https://www.americanoversight.org/investigation/swamp-airlines-private-jets-taxpayer-expense; *see, e.g.*, *New Information on Pompeo's 2017 Trips to His Home State*, American Oversight, https://www.americanoversight.org/new-information-on-pompeos-2017-trips-to-his-home-state.

Sincerely,

*/s/ Chloe Dennison*
Chloe Dennison
on behalf of
American Oversight