The State of Texas

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Jane Nelson
Secretary of State

June 26, 2025

Emma Lewis
American Oversight

Sent via Electronic Mail in care of Marwah Adhoob to: records@americanoversight.org

Re: Request for records, TX-SOS-25-1551, received: June 12, 2025 (SOS PIR No. 25-0612)

Dear Ms. Lewis:

This letter responds to your request for information under the Public Information Act, Chapter 552 of the Texas Government Code (the "PIA"), which was received by the Office of the Texas Secretary of State (the "Office") via email on May 29, 2025 (the "Request"). In the Request, you indicate that you are seeking the following records:

1. *All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by any of the officials listed below — or anyone communicating on their behalf, such as an assistant, secretary, or scheduler — and containing any of the key terms listed below.*

   Texas Secretary of State Officials:
   i. Secretary of State Jane Nelson
   ii. Deputy Secretary of State Dave Nelson
   iii. Senior Advisor Amy Phillips
   iv. Elections Division Director Christina Adkins
   v. Elections Division Deputy Director Kristi Hart
   vi. Dan Glotzer, Elections Division

   Key Terms:
   a. "facial recognition"
   b. "recognition technology"
   c. FRT
   d. "face detection"
   e. "facial detection"
   f. "face analysis"
   g. "facial analysis"
   h. "feature extraction"
   i. "facial geometry"
   j. Biometric
   k. iris

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For part one of this request, please provide all responsive records from January 1, 2025, through the date the search is conducted.

2. *All records reflecting guidance — including directives, instructions, directions, memoranda, policies, protocols, procedures, email guidance, and/or any other written guidance — regarding the use of facial recognition technology in voter roll cleaning and/or voter list maintenance.*

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

3. *A complete copy (including any attachments) of all contracts or subcontracts, amendments, memoranda of understanding, or other written agreements between the Texas Secretary of State's Office and any external entities, including other government agencies or private companies, regarding the use of facial recognition technology in voter roll cleaning and/or voter list maintenance.*

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

We are processing the Request in accordance with the terms of the PIA. To that end, the Office maintains no information responsive to Items 2 or 3 of the Request. We require more time to review our records and produce information responsive to Item 1. We will provide you responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with the first production by 5:00 p.m. on July 3, 2025. *See* Tex. Gov't Code § 552.221(d).

The Office asserts that certain information responsive to Item 1 of the Request is protected from disclosure under Chapter 552 of the Texas Government Code. The Office is requesting a decision from the Texas Attorney General as to whether it may withhold this information.

NOTICE PURSUANT TO SEC. 552.301

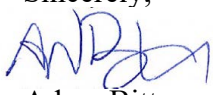
As indicated above, this letter provides you with notice that the Secretary of State has requested a decision from the Texas Attorney General regarding whether certain information relating to Item 1 of the Request may be withheld under Chapter 552 of the Texas Government Code. Enclosed is a copy of the request for decision from the Texas Attorney General.

If you have any questions or need additional information, please do not hesitate to contact our office at (512) 463-5770.

[1] The PIA applies only to information in existence as of the date that the governmental entity receives the request and thus does not require the entity to create new information in response to a request or comply with a continuing request to supply information on a periodic basis as such information is prepared in the future. *See* Tex. Gov't Code §§ 552.002, .021, .227, .351; *A&T Consultants, Inc. v. Sharp,* 904 S.W.2d 668, 676 (Tex. 1995); *Fish v. Dallas Indep. Sch. Dist*., 31 S.W.3d 678, 681 (Tex. App.—Eastland 2000, pet. denied); Tex. Att'y Gen. Op. JM-48 at 2 (1983); Open Records Decision Nos. 476 at 1 (1987), 465 at 1 (1987), 452 at 2–3 (1986), 342 at 3 (1982).

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Sincerely,



Adam Bitter
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AB/jw

Enclosure

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