

## **Triage/Routing of Issues on Election Day**

### **Civil Rights Division**

- Issues regarding the right to vote under the federal voting rights laws
  - (the Voting Rights Act, the Uniformed and Overseas Citizens Absentee Voting Act, the National Voter Registration Act, the Help America Vote Act)
- Questions about the Civil Rights Division's election monitoring in the field at polling places around the country on election day under the federal voting right statutes
- Election practices alleged to have a racially discriminatory purpose or result
  - (allegations that persons are being prevented from voting based on their race)
- Voter intimidation and vote suppression based on race, color, national origin or religion
  - (allegations that persons are trying to threaten voters, intimidate voters or stop voters from voting based on race)
- Voter registration issues
  - (allegations by voters who say their voter registration application was wrongly or not added to the voter rolls after they registered by mail or at a state office)
- Voter purging issues
  - (allegations from voters that their voter registration was wrongly removed from the voting rolls)
- Provisional ballots for voters
  - (voters who assert they are registered and eligible but their name does not appear on the voting rolls on election day are entitled to vote by provisional ballot)
- Uniformed service members deployed on active duty (either domestic or overseas service), their family members deployed with them, and U.S. citizens living abroad are entitled to register and vote absentee in federal elections
- More than 200 jurisdictions required to provide election materials and assistance in various covered native languages, including Spanish, Asian-American languages, Native-American languages, Native Alaskan languages
  - (voters allege they were entitled to a Spanish language ballot or Spanish language voting assistance and did not receive it)
- Voters who need assistance in voting due to disability or inability to read or write can receive assistance from person of their choice (other than an agent of their employer or union)
- Questions under the Americans with Disabilities Act about disability accessibility to the polling places, voting machines and voting process
  - (voters with mobility disabilities cannot get into the polls because of physical barriers like stairs, or blind voters cannot vote because an accessible voting machine that reads the ballot to voters is not working)

### **CRT CONTACTS**

#### **Office of Assistant Attorney General**

**John Daukas** (b) (6)

#### **Voting Section**

**Chris Herren** (b) (6)

**Rebecca Wertz** (b) (6)

#### **Disability Rights Section**

**Rebecca Bond** (b) (6)

**Elizabeth Westfall** (b) (6)

#### **Criminal Section**

**Jim Felte** (b) (6)

**Mark Blumberg** (b) (6)

**Public Integrity Section/Criminal Division**

- Issues under the federal criminal laws regarding election fraud
- Destruction of ballots
- Vote-buying
- Multiple voting (i.e., voting more than one ballot or voting in multiple jurisdictions)
- Submission of fraudulent ballots or registrations
- Alteration of votes (i.e., changing the votes as cast by voters)
- Malfeasance by postal or election officials and employees
- Voter intimidation for reasons other than race, color, national origin, or religion

**CRM CONTACTS**

Public Integrity Section

**Richard Pilger** [REDACTED] (b) (6)

**Sean Mulryne** [REDACTED] (b) (6)

**National Security Division**

- Malign influence activities by foreign governments
  - (including computer hacking of election or campaign infrastructure)
- Covert information operations
  - (to promulgate disinformation through social media)
- Covert efforts to support or denigrate political candidates or organizations
- International and domestic terrorism

**NSD CONTACTS**

[REDACTED] (b)(6) per NSD

## OLA 2020 ELECTION TRIAGE

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*If this does not resolve the situation or if the caller is demanding to speak with the Attorney General, head of CRT, or the local US Attorney/FBI SAC*

**STEP 3** [REDACTED] (b) (5)

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

<b>Ex</b>	(b) (5)
■	[REDACTED]
■	[REDACTED]
■	[REDACTED]
	[REDACTED]

**All calls and emails should be logged in the Election Call Log document in  
G:\OLA\2020 General Election folder.**

## **REFERRAL OF ELECTION RELATED CALLS BY COMPONENTS**

### **Civil Rights Division**

- Issues regarding the right to vote under the federal voting rights laws
  - (the Voting Rights Act, the Uniformed and Overseas Citizens Absentee Voting Act, the National Voter Registration Act, the Help America Vote Act)
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### **Public Integrity Section/Criminal Division**

- Issues under the federal criminal laws regarding election fraud
- Destruction of ballots
- Vote-buying
- Multiple voting (i.e., voting more than one ballot or voting in multiple jurisdictions)

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**National Security Division**

- Malign influence activities by foreign governments
  - (including computer hacking of election or campaign infrastructure)
- Covert information operations
  - (to promulgate disinformation through social media)
- Covert efforts to support or denigrate political candidates or organizations
- International and domestic terrorism

## ELECTION DAY CONTACTS

**\*FOR INTERNAL USE ONLY\***  
**FBI/SIOC MAIN LINE:** (b) (6)

Kira (b) (6)	MBH (b) (6)	Anne (b) (6)	Taylor (b) (6)	Danielle (b) (6)
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### OPA CONTACTS

Matt Lloy (b) (6) (b) (6)

Marc Raimond (b) (6) (b) (6)

Nicole Nava (b) (6) (b) (6)

Ali Kjergaar (b) (6) (b) (6)

### CRT CONTACTS

- OLA POC: Taylor Stephen (b) (6)

#### Office of Assistant Attorney General

John Daukas (b) (6) (b) (6)

#### Voting Section

Chris Herren (b) (6) (b) (6)

Rebecca Wertz (b) (6)

(b) (6)

#### Disability Rights Section

Rebecca Bond (b) (6)

(b) (6)

Elizabeth Westfal (b) (6)

(b) (6)

#### Criminal Section

Jim Felte (b) (6) (b) (6)

Mark Blumberg (b) (6)

(b) (6)

### CRM CONTACTS

- OLA POC: Anne Ping (b) (6)

#### Public Integrity Section

Richard Pilger (b) (6)

(b) (6)

Sean Mulryne (b) (6)

(b) (6)

PIN will staff SIOC (main number (b) (6))

on election day, 11/3.

On 11/2 and 11/4, PIN will staff the DOJ JCC under

the marquee of "Election Watch," (main number:

(b) (6)).

#### CCIPS

John Lynch (b) (6)

(b) (6)

Josh Goldfoot (b) (6)

(b) (6)

### NSD CONTACTS

- OLA POC: Joanne Johnso (b) (6)

Primary (b) (6)

(b) (6)

Senior level: Deputy Assistant Attorney General

Adam Hickey a (b) (6) (b)

(b) (6) (b) (6) (c)

**Do NOT provide the above contact information to members/staff directly**

**ADDITIONAL OLA INFORMATION**

<b>TASK</b>	<b>POC</b>
(b) (5) [REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

**CLEARED LANGUAGE**

- As we do in every election year, the Department has a command center to field allegations of criminal conduct in connection with the election, and we are coordinating with other federal, state, and local law enforcement and other government agencies.
- Each U.S. Attorney’s office has a designated District Election Officer for that District.
- Each FBI field office has an Election Crimes Coordinator. The DEOs and ECCs will be in charge of overseeing the handling of complaints of election fraud in their respective districts in consultation with Main Justice.
- The Civil Rights Division is taking complaints from the public regarding possible violations of the federal voting rights laws and will be monitoring the election in the field under the federal voting rights laws.
- The National Security Division, through its national security prosecutors in the field, will be available to assist state and local officials in responding to any foreign, state-sponsored cyber threats and any domestic violent extremism.

**RESOURCES**

- <https://www.fbi.gov/scams-and-safety/common-scams-and-crimes/election-crimes-and-security>

## POSSIBLE ELECTION DAY SCENARIOS

### Example 1

Scenario [REDACTED] (b) (5)

Answer: [REDACTED] (b) (5)

- If Pressed [REDACTED] (b) (5)

### Example 2

Scenario [REDACTED] (b) (5)

Answer [REDACTED] (b) (5)

Answer [REDACTED] (b) (5)

### Example 3

Scenario [REDACTED] (b) [REDACTED]

Answer [REDACTED] (b) (5)

- If Pressed [REDACTED] (b) (5)

- If Pressed Further [REDACTED] (b) (5)

### Example 4

Scenario [REDACTED] (b) (5)

**Answer** [REDACTED] (b) (5) [REDACTED]  
[REDACTED]  
[REDACTED].

**Example 5**

**Scenario** [REDACTED] (b) (5) [REDACTED]  
[REDACTED]  
[REDACTED]

**Answer** [REDACTED] (b) (5) [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].

- **If Presse** [REDACTED] (b) [REDACTED]  
[REDACTED].

**Example 6:**

**Scenario** [REDACTED] (b) (5) [REDACTED]  
[REDACTED]  
[REDACTED]

**Answer** [REDACTED] (b) (5) [REDACTED]  
[REDACTED] (b) (5) [REDACTED]  
[REDACTED]

**Example 7**

**Scenario** [REDACTED] (b) (5) [REDACTED]  
[REDACTED]

**Answer** [REDACTED] (b) (5) [REDACTED]  
[REDACTED]  
[REDACTED]

- **If Pressed:** [REDACTED] (b) (5) [REDACTED]  
[REDACTED]

**HOLD**

Q. What has the Department done with regard to voter registration list maintenance since 2017?

A. The Department has undertaken significant efforts with regard to list maintenance since 2017.

The NVRA requires covered states to undertake a general program that makes a reasonable effort to remove voters who have become ineligible to vote due to death or a move outside the jurisdiction. The NVRA imposes various restrictions on such general programs, such as the fact that unverified data on moves cannot result in removal from the voting rolls unless the voter is sent a specific notice and given a waiting period of two federal general elections to show up to vote. The NVRA also imposes a 90-day quiet period before each federal election during which states cannot undertake such a general program, and cannot remove voters for moves, but can only engage in updates or removals where there is updated information such as deaths or criminal convictions. This 90-day quiet period occurs before each federal election, including presidential primary elections, primary elections and general elections. The NVRA also requires states to update voter rolls based on change of address information received in driver license transactions unless the voter opts out.

The Department sent letters to every one of the 45 NVRA-covered states (i.e., 44 states plus DC) in 2017 inquiring about their compliance with the list maintenance requirements of Section 8 of the NVRA (as well as the change of address requirements of Section 5 of the NVRA). The Department received responses from every state and reviewed these responses for compliance with these requirements. The Department has also regularly reviewed available new information regarding removal rates for deaths and moves, and has regularly engaged with a number of states and with the ERIC consortium regarding any questions as to that information. The Department has also monitored recent litigation ongoing around the country regarding the NVRA. The states have organized their own multi-state consortium (the Electronic Registration Information Center or ERIC) where states regularly gather and share data on voters who may have moved or died, through matching state voting rolls against each other and through matching state voting rolls against federal databases on moves and deaths. Some 31 states (i.e., 30 states plus DC) belong to this ERIC consortium, including states such as Michigan, Pennsylvania, Georgia and Arizona (b) (5)

Since 2017, the courts have approved settlements of list maintenance concerns in the Department's litigation with New York City and the State of Kentucky, and the Department entered into an out of court settlement of such concerns with the State of Connecticut. The Department also participated as amicus in the Supreme Court in a case regarding Ohio's list maintenance practices under the NVRA. Also in that time frame, the Department has entered into out of court agreements with the State of New York and the State of Arkansas involving updating voter registration information based on change of address information received from state driver license transactions.

Q. Has Michigan updated its voter rolls?

A (b) (5) [REDACTED]  
[REDACTED]  
[REDACTED].

In general (b) (5) [REDACTED]  
[REDACTED] (b) (5) [REDACTED]  
[REDACTED] For example, the data that Michigan reported to the U.S. Election Assistance Commission showed that the state removed more than 1.1 million registered voters combined in the 2014, 2016 and 2018 federal election cycles. Michigan, like other states with three federal elections in 2020, has been covered by a quiet period for general program removals for most of this year (and data on list maintenance for the 2020 cycle encompassing 2019 and 2020 will be published in 2021).

The Department (b) (5) [REDACTED]  
[REDACTED]

We also note that published reports this week alleging voting by deceased voters in Michigan appear to have been debunked as false.  
<https://www.nytimes.com/2020/11/06/technology/false-dead-michigan-voter-claims.html>