

Stamos, Theophani K. (OLA)

From: Stamos, Theophani K. (OLA)
Sent: Thursday, August 12, 2021 12:15 PM
To: Calce, Christina M. (OLA); Hyun, Peter (OASG)
Subject: RE: AG / State Election Officials Meeting

Thanks Christina!

Peter... Happy to help.

Cheers,
Theo

From: Calce, Christina M. (OLA) (b) (6) >
Sent: Thursday, August 12, 2021 11:43 AM
To: Hyun, Peter (OASG) (b) (6) >
Cc: Stamos, Theophani K. (OLA) (b) (6) >
Subject: AG / State Election Officials Meeting

Hi Peter,

(b) (5)

Has this reached you yet? Joe thought your office might be running point.

I'm copying in Theo Stamos, our Intergovernmental Liaison, here. Since this would be a meeting with state elected officials it would be great for her to be looped in early to help with the organizing / planning.

Thanks,
Christina

Purdy, Nikita (OAG)

Subject: HOLD: Election Worker Threats Meeting

Location: AG's Conference Room

Start: Thursday, August 26, 2021 2:00 PM

End: Thursday, August 26, 2021 3:00 PM

Show Time As: Tentatively accepted

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Purdy, Nikita (OAG)

Required Attendees: AGPD; Calendar, AG86 (OAG); Watson, Theresa (OAG); Klapper, Matthew B. (OAG); AGPD2 (OAG); Davidson, Marcia A. (OAG); Heinzelman, Kate (OAG); Matthews-Johnson, Tamarra D. (OAG); DAGSchedule; Carlin, John P. (ODAG); Gupta, Vanita (OASG)

Optional Attendees: Suero, Maya A. (ODAG); West Rasmus, Emma (OASG)

POC: Matt Klapper

Attendees: Matt Klapper, Kate Heinzelman, Tamarra Matthews Johnson

ODAG: DAG Monaco, John Carlin

OASG: Vanita Gupta

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Purdy, Nikita (OAG)

Subject: HOLD: Election Worker Threats Meeting
Location: AG's Conference Room

Start: Thursday, August 26, 2021 2:00 PM
End: Thursday, August 26, 2021 3:00 PM
Show Time As: Tentatively accepted

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Purdy, Nikita (OAG)
Required Attendees: Wilson, Ashley (OASG); West Rasmus, Emma (OASG)

POC: Matt Klapper
Attendees: Matt Klapper, Kate Heinzelman, Tamarra Matthews Johnson
ODAG: DAG Monaco, John Carlin
OASG: Vanita Gupta

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End: Thursday, August 26, 2021 3:00 PM
Show Time As: Tentatively accepted

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Purdy, Nikita (OAG)
Required Attendees: Brockman, Audrey (ODAG); Suero, Maya A. (ODAG); Singh, Anita M. (ODAG); Simms, Donna Y. (ODAG); Gamble, Nathaniel (ODAG)

POC: Matt Klapper
Attendees: Matt Klapper, Kate Heinzelman, Tamarra Matthews Johnson
ODAG: DAG Monaco, John Carlin
OASG: Vanita Gupta

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Otus86, AG (OAG)

Subject: Election Worker Threats Meeting via Zoom
Location: Room 7411 via Zoom

Start: Thursday, August 26, 2021 2:00 PM
End: Thursday, August 26, 2021 3:00 PM
Show Time As: Tentatively accepted

Recurrence: (none)

Meeting Status: Not yet responded

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POC: Matt Klapper
Attendees: Matt Klapper, Kate Heinzelman, Tamarra Matthews Johnson, Tim Visser
ODAG: DAG Monaco, John Carlin
OASG: Vanita Gupta, Peter Hyun
FBI: Director Wray, Corey Ellis
CRM: Kenneth Polite, Nicholas McQuaid, Kevin Discoll, Corey Amundson, John Keller, Richard Pilger, Sean Mulryne

Zoom Link: FORTHCOMING

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FBI: Director Wray, Corey Ellis
CRM: Kenneth Polite, Nicholas McQuaid, Kevin Discoll, Corey Amundson, John Keller, Richard Pilger, Sean Mulryne

Subject: Election Worker Threats Meeting via Zoom
Location: Room 7411 via Zoom

Start: Thu 8/26/2021 2:00 PM
End: Thu 8/26/2021 3:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Otus86, AG (OAG)

Required Attendees: AGPD; Calendar, AG86 (OAG); Watson, Theresa (OAG); Klapper, Matthew B. (OAG); AGPD2 (OAG); Davidson, Marcia A. (OAG); Heinzelman, Kate (OAG); Matthews-Johnson, Tamarra D. (OAG); DAGSchedule; John Carlin; Gupta, Vanita (OASG); Wray, Christopher Asher (DO) (FBI); Chambers, Kevin (ODAG); Hyun, Peter (OASG); Visser, Tim (OAG); Polite, Kenneth (CRM); McQuaid, Nicholas (CRM); Driscoll, Kevin (CRM); Amundson, Corey (CRM); Keller, John (CRM); Pilger, Richard (CRM); Mulryne, Sean (CRM); (b)(6), (b)(7)(C) per FBI (DO) (FBI) (b)(6), (b)(7)(C) per FBI (DO) (FBI); Ellis, Corey Frazier (DO) (DET) (FBI); Louton-Brown, Arlene (JMD); Nichols, Matthew (JMD); Rodgers, Nicholas (JMD); Scholz, Paula A (JMD)

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POC: Matt Klapper
Attendees: Matt Klapper, Kate Heinzelman, Tamarra Matthews Johnson, Tim Visser
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OASG: Vanita Gupta, Peter Hyun
FBI: Director Wray, Corey Ellis
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Purdy, Nikita (OAG)

Subject: HOLD: Prep for Election Work Threats Meeting
Location: AG's Office

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End: Thursday, August 26, 2021 2:00 PM
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Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Purdy, Nikita (OAG)
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From: Heinzelman, Kate (OAG)
Sent: Thursday, August 12, 2021 1:50 PM
To: Otus86, AG (OAG)
Subject: Accepted: HOLD: Election Worker Threats Meeting

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Thursday, August 12, 2021 1:53 PM
To: Otus86, AG (OAG)
Subject: Accepted: HOLD: Prep for Election Work Threats Meeting

Klapper, Matthew B. (OAG)

From: Klapper, Matthew B. (OAG)
Sent: Thursday, August 12, 2021 2:51 PM
To: Matthews-Johnson, Tamarra D. (OAG)
Cc: Purdy, Nikita (OAG); Heinzelman, Kate (OAG)
Subject: Re: Election Work Threats Meeting

It's a hold. Will talk with you about meeting shape and attendees soon, but it's external facing.

Sent from my iPhone

On Aug 12, 2021, at 2:05 PM, Matthews-Johnson, Tamarra D. (OAG) (b) (6)
> wrote:

Hi

I have this on my calendar Thursday 8/2 (b) (5)

Thanks! T

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobil (b) (6)

Purdy, Nikita (OAG)

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Gupta, Vanita (OASG)

Subject: Accepted: HOLD: Election Worker Threats Meeting

Location: AG's Conference Room

Start: Thursday, August 26, 2021 2:00 PM

End: Thursday, August 26, 2021 3:00 PM

Recurrence: (none)

Organizer: Gupta, Vanita (OASG)

Required Attendees: Otus86, AG (OAG)

West Rasmus, Emma (OASG)

From: West Rasmus, Emma (OASG)
Sent: Tuesday, August 17, 2021 6:56 PM
To: West Rasmus, Emma (OASG)
Subject: RE: Follow-up from wrap

Set up policing strategy meeting after LDW

From: West Rasmus, Emma (OASG)
Sent: Tuesday, August 17, 2021 6:55 PM
To: Hyun, Peter (OASG) (b) (6) >
Subject: Follow-up from wrap

Peter,

Here's my list of action items from wrap:

- (b) (6): Emma will take temp o (b) (5), (b) (6), and MC would like to be on the call next week.
- DAG meeting tomorrow: **Peter to let Anita know no meeting & that VG will be virtual in the morning meeting.** Emma will let Maya know for scheduling purposes.
- OJP / mental health: VG said to calendar this after Labor Day. **Can you remind me what this is?**
- Names on doors: ODAG has requested we put names on office doors.
- Goodbye tokens: Emma will send email to Peter and Ashley about seals for staff signature for Alberto and Diane.
- Vestager meeting: Emma will schedule (virtual).
- 08/26 Election Worker meeting: VG wanted to talk to Klapper about who is organizing.
- Judge Leifman: make sure right people are on this.
- National LE Museum exhibit opening 08/26: Emma to follow up with OAG and ODAG on attendance, **Peter did you want to reach out to figure out if any LE folks are attending?**
- I reminded VG via a note in her binder to: call M. Landrieu later this week, and text J. Pasco to remind Tim Richardson to send the note & to let him know Monday's meeting will be virtual. She wanted you to follow up to reminder her about the M. Landrieu call.

Emma West Rasmus

Office of the Associate Attorney General

(b) (6)

Mobil (b) (6)

Des (b) (6)

Pronouns: [she/her/hers](#)

Matthews-Johnson, Tamarra D. (OAG)

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Wednesday, August 18, 2021 8:10 AM
To: McQuaid, Nicholas (CRM)
Subject: Re: Association of state election workers

Hi -

Following up on our discussion last week, do you have the list of the few statutes and any materials to forward to me? Thanks! T

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobil (b) (6)

On Aug 16, 2021, at 8:29 AM, Driscoll, Kevin (CRM) (b) (6) > wrote:

PIN's John Keller actually spoke at the NASS meeting referenced in the article. The TF is in regular contact with NASS director Leslie Reynolds.

I will pass along this article to the team.

Kevin Driscoll

Deputy Assistant Attorney General

Criminal Division, United States Department of Justice

Des (b) (6)

Mobil (b) (6)

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Monday, August 16, 2021 9:25 AM
To: McQuaid, Nicholas (CRM) (b) (6) >
Cc: Stamper, Gwendolyn (CRM) (b) (6) >; Driscoll, Kevin (CRM) (b) (6) >
Subject: Re: Association of state election workers

AP today

Colorado Secretary of State Jena Griswold, a Democrat, told her colleagues during a discussion Saturday that just that day she had received three death threats on social media. She praised the U.S. Department of Justice for forming a task force to focus on threats to election officials and urged them to actively monitor social media accounts of key officials and not just rely on reports

coming in.

<https://apnews.com/article/health-elections-coronavirus-pandemic-election-2020-5c21e771075acfbfc0bd65e152c2a069>

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobil (b) (6)

On Aug 12, 2021, at 4:22 PM, Matthews-Johnson, Tamarra D. (OAG)

(b) (6) > wrote:

Thanks so much -

I can explain more live, but can you please provide (or Kevin D more likely) a complete list of the statutes that can be used to prosecute threats against election officials - that could include any that are status-based (federal official, state official, election related), and those that involve the means of communication, such as threats in the mail, threats in interstate commerce (section 875(c)), etc

That listing of statutes with text would be very helpful.

Also, if there are materials that were used in the meetings with the state election officials or in the trainings with the USAO district election officers, I'd like to see those. Thanks! T

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobil (b) (6)

On Aug 12, 2021, at 2:45 PM, McQuaid, Nicholas (CRM)

(b) (6) > wrote:

Mid-July. Shortly after the Task Force was announced.

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6)

(b) (6) >

Sent: Thursday, August 12, 2021 2:29 PM

To: McQuaid, Nicholas (CRM) (b) (6) >

Cc: Stamper, Gwendolyn (CRM) (b) (6) >

Subject: Re: Association of state election workers

Thanks - and when did you all meet with them?

On Aug 12, 2021, at 2:28 PM, McQuaid, Nicholas (CRM)

(b) (6) > wrote:

Two groups: National Association of Secretaries of State and
National Association of State Election Directors.

From: Matthews-Johnson, Tamarra D. (OAG)
(b) (6) >
Sent: Thursday, August 12, 2021 2:06 PM
To: McQuaid, Nicholas (CRM) (b) (6) >;
Stamper, Gwendolyn (CRM) (b) (6) >
Subject: Association of state election workers

Hi - what's the formal name of the organization? Thanks! T

Tamarra Matthews Johnson
she/her/hers
Counsel
Office of the Attorney General
U.S. Department of Justice
Mobil (b) (6)

Pietranton, Kelsey (PAO)

From: Pietranton, Kelsey (PAO)
Sent: Thursday, August 19, 2021 11:00 AM
To: Singh, Anita M. (ODAG)
Cc: Chambers, Kevin (ODAG); Lin, Frank (ODAG)
Subject: Re: Election Workers Threats Meeting

Thank you for the heads up! My OPA colleague Josh Stueve has been handling this for OPA. Would it be possible for him to attend as well?

Kelsey Pietranton
Office of Public Affairs
Department of Justice
((b) (6))
(m (b) (6))

On Aug 19, 2021, at 10:57 AM, Singh, Anita M. (ODAG) (b) (6) > wrote:

Kelsey/Kevin - Just FYI that you will likely be asked to help prep for this meeting (AG hosted, DAG attending), which is scheduled for next Thursday. More to come, but wanted you to have a heads-up. Thanks!

Anita M. Singh
Chief of Staff
United States Department of Justice
Office of the Deputy Attorney General

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

Chambers, Kevin (ODAG)

From: Chambers, Kevin (ODAG)
Sent: Thursday, August 19, 2021 11:00 AM
To: Pietranton, Kelsey (PAO)
Subject: Automatic reply: Election Workers Threats Meeting

Thank you for your message. I am out of the office with limited access to email. My responses may be delayed, but I will return your message as soon as I am able. If this is an urgent matter, please contact Angela Brown o (b) (6). Thank you.

Regards,
Kevin

Lin, Frank (ODAG)

From: Lin, Frank (ODAG)
Sent: Thursday, August 19, 2021 11:00 AM
To: Pietranton, Kelsey (PAO)
Subject: Automatic reply: Election Workers Threats Meeting

I am out of the office with limited access to email. I will return on August 23. Thank you for your patience.

McQuaid, Nicholas (CRM)

From: McQuaid, Nicholas (CRM)
Sent: Thursday, August 19, 2021 2:49 PM
To: Chambers, Kevin (ODAG)
Cc: Driscoll, Kevin (CRM)
Subject: Re: Election Security POC

(b) (5)

On process I agree with the approach that Kevin has proposed. (b)(5) per CRM

On Aug 19, 2021, at 1:49 PM, Driscoll, Kevin (CRM) (b) (6) > wrote:

I discussed this with Kenneth and Nick earlier this week, and Nick will correct anything that I get wrong in what follows, but we thin (b) (5)

. The ultimate goal bein (b) (5)

(b)(5) per CRM

On the AG's meeting, happy to help brief though I will be out next week on a/I, can try to assist from afar (b)(5) per CRM
(b)(5) per CRM

Kevin Driscoll
Deputy Assistant Attorney General
Criminal Division, United States Department of Justice
Desk (b) (6)
Mobil (b) (6)

From: Chambers, Kevin (ODAG) (b) (6) >
Sent: Thursday, August 19, 2021 1:40 PM
To: Driscoll, Kevin (CRM) (b) (6) >; McQuaid, Nicholas (CRM) (b) (6) >
Subject: Fwd: Election Security POC

Hey guys,

Two things on election threats

1. Am I correct on Sean being the right operational point of contact for the task force for individual threats reports? I know that Nick has some ideas on process and how best to take in and direct these reports

2. Heads up: The AG is hosting a meeting with external affected/interested parties next Thursday related to the issue of election threats. Details to follow, but I may need someone to help me prep the AG/DAG on the TF's work.

Sent from my iPhone

Begin forwarded message:

From: "Chambers, Kevin (ODAG)" (b) (6) >
Date: August 19, 2021 at 7:07:01 AM HST
To: "Hyun, Peter (OASG)" (b) (6) >
Cc: "Singh, Anita M. (ODAG)" (b) (6) >
Subject: Re: Election Security POC

Thanks Peter. Yes, I believe it is Sean Mulryne, but let me check now.

Sent from my iPhone

On Aug 19, 2021, at 6:41 AM, Hyun, Peter (OASG) (b) (6) > wrote:

Hi Kevin:

Just chatted with Anita and she asked me to connect with you re: whether there is an operational point of contact you might recommend for threats to election workers and other election security-related matters?

The reason is because I received some incoming re: how to best relay threats locally to folks, other than reports to local FBI FOs. Any assistance here would be much appreciated!

Thanks,
Peter

Peter S. Hyun | Chief of Staff
Office of the Associate Attorney General

(b) (6)

Des (b) (6)

Cel (b) (6)

Chambers, Kevin (ODAG)

From: Chambers, Kevin (ODAG)
Sent: Thursday, August 19, 2021 3:22 PM
To: Driscoll, Kevin (CRM); McQuaid, Nicholas (CRM)
Subject: RE: Election Security POC

Thanks, Kevin. Fair question. I'm afraid I don't have additional information. As soon as I do, I'll send along.

From: Driscoll, Kevin (CRM) (b) (6) >
Sent: Thursday, August 19, 2021 1:50 PM
To: Chambers, Kevin (ODAG) (b) (6) >; McQuaid, Nicholas (CRM) (b) (6) >
Subject: RE: Election Security POC

I discussed this with Kenneth and Nick earlier this week, and Nick will correct anything that I get wrong in what follows, but we thin (b) (5)

. The ultimate goal bein (b) (5)

(b)(5) per CRM

On the AG's meeting, happy to help brief though I will be out next week on a/l, can try to assist from afar (b)(5) per CRM
(b)(5) per CRM

Kevin Driscoll
Deputy Assistant Attorney General
Criminal Division, United States Department of Justice
Desk (b) (6)
Mobil (b) (6)

From: Chambers, Kevin (ODAG) (b) (6) >
Sent: Thursday, August 19, 2021 1:40 PM
To: Driscoll, Kevin (CRM) (b) (6) >; McQuaid, Nicholas (CRM) (b) (6) >
Subject: Fwd: Election Security POC

Duplicative Information - See Document ID 0.7.11730.6136

Begin forwarded message:

Chambers, Kevin (ODAG)

From: Chambers, Kevin (ODAG)
Sent: Thursday, August 19, 2021 4:18 PM
To: Driscoll, Kevin (CRM)
Cc: McQuaid, Nicholas (CRM)
Subject: Re: Election Security POC

Thanks, Dris. Appreciate it and will send along.

I'll be out of pocket for the next 6 hours.

Sent from my iPhone

On Aug 19, 2021, at 10:16 AM, Driscoll, Kevin (CRM) (b) (6) > wrote:

As promised, here is the FBI contact to whom outside groups seeking to make threats referrals should be directed:

(b)(6), (7)(C), (7)(E) per FBI; (b)(6), (7)(C) per CRM

FBIHQ-Public Corruption Unit

Des (b)(6), (b)(7)(C), (b)(7)(E) per FBI

Cell (b)(6), (b)(7)(C), (b)(7)(E) per FBI

(b)(6), (b)(7)(C), (b)(7)(E) per FBI

Kevin Driscoll

Deputy Assistant Attorney General

Criminal Division, United States Department of Justice

Desk (b) (6)

Mobile (b) (6)

From: Chambers, Kevin (ODAG) (b) (6) >
Sent: Thursday, August 19, 2021 3:12 PM
To: McQuaid, Nicholas (CRM) (b) (6) >
Cc: Driscoll, Kevin (CRM) (b) (6) >
Subject: RE: Election Security POC

I'll be sure to communicate your concerns to (b) (5)
> I presume 5.

This process makes sense. I'll wait for the FBI POC.

Thanks,
Kevin

From: McQuaid, Nicholas (CRM) (b) (6) >

Sent: Thursday, August 19, 2021 2:49 PM

To: Chambers, Kevin (ODAG) (b) (6) >

Cc: Driscoll, Kevin (CRM) (b) (6) >

Subject: Re: Election Security POC

Duplicative Information - See Document ID 0.7.11730.6136



Not Responsive Records

On Aug 20, 2021, at 8:10 AM, Heinzelman, Kate (OAG) <(b) (6)> wrote:

Yes, sorry, was writing on the wrong chain. It's about a different event.

From: Klapper, Matthew B. (OAG) <(b) (6)>
Sent: Friday, August 20, 2021 9:09 AM
To: Heinzelman, Kate (OAG) <(b) (6)>; Matthews-Johnson, Tamarra D. (OAG) <(b) (6)>
Subject: RE: Convening re: threats to election workers

No, but i don't think that's relevant to this particular event.

From: Heinzelman, Kate (OAG) <(b) (6)>
Sent: Friday, August 20, 2021 9:08 AM
To: Matthews-Johnson, Tamarra D. (OAG) <(b) (6)>; Klapper, Matthew B. (OAG) <(b) (6)>
Subject: RE: Convening re: threats to election workers

Matt – Have you spoken with Vanita's team re: the call to volunteer? I haven't heard anything, which is fine, as long as we think it's on track.

From: Matthews-Johnson, Tamarra D. (OAG) <(b) (6)>

Sent: Friday, August 20, 2021 7:02 AM

To: Klapper, Matthew B. (OAG) <(b) (6)>

Cc: Heinzelman, Kate (OAG) <(b) (6)>

Subject: Re: Convening re: threats to election workers

Sure, I can call you about 845 eastern if that works for you - T

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobile: (b) (6)

On Aug 20, 2021, at 5:39 AM, Klapper, Matthew B. (OAG)
<(b) (6)> wrote:

Tamarra,

Please give me a call this morning to discuss next Thursday's hold for a public facing event on this topic. Thanks.

Matt

Hyun, Peter (OASG)

From: Hyun, Peter (OASG)
Sent: Friday, August 20, 2021 11:57 AM
To: Matthews-Johnson, Tamarra D. (OAG); Chambers, Kevin (ODAG)
Subject: RE: Public facing event with election officials/workers

130 works for me. Thanks!

Peter S. Hyun | Chief of Staff
Office of the Associate Attorney General

(b) (6)
Des (b) (6)
Cel (b) (6)

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Friday, August 20, 2021 11:56 AM
To: Hyun, Peter (OASG) (b) (6) >; Chambers, Kevin (ODAG) (b) (6) >
Subject: Re: Public facing event with election officials/workers

Clearly I do not know time zones for Hawaii

Peter, what's best for you in that window?

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobil (b) (6)

On Aug 20, 2021, at 10:40 AM, Chambers, Kevin (ODAG) (b) (6) > wrote:

Hey guys,

I, too, have been given a heads up about a public-facing meeting next week from Anita, but have no other information on participants or structure.

I'm six hours behind, but could do something at 1:30p to 3:30p ET.

Thanks

Kevin

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Friday, August 20, 2021 9:26 AM
To: Hyun, Peter (OASG) (b) (6) >
Cc: Chambers, Kevin (ODAG) (b) (6) >
Subject: Re: Public facing event with election officials/workers

Thanks! Kevin is in the pacific time zone, so perhaps we can shoot for later on the day. Are there better for worse times for you in the afternoon?

Tamarra Matthews Johnson
she/her/hers
Counsel
Office of the Attorney General
U.S. Department of Justice
Mobil (b) (6)

On Aug 20, 2021, at 8:06 AM, Hyun, Peter (OASG) (b) (6) > wrote:

Hi Tamarra: I'm aware of this meeting but admittedly do not have any wheels in motion. I just have a recommendation however (b) (5), whom I am happy to put you in touch with! Happy to do jump on a call to chat through anything. Thanks, Peter

Peter S. Hyun | Chief of Staff
Office of the Associate Attorney General
(b) (6)
Des (b) (6)
Cel (b) (6)

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Friday, August 20, 2021 8:56 AM
To: Chambers, Kevin (ODAG) (b) (6) >; Hyun, Peter (OASG) (b) (6) >
Subject: Public facing event with election officials/workers

Hi -

I believe you've heard by now that a public-facing event concerning security and safety for election workers and officials is planned for next Thursday. I understand you all may already have some wheels in motion, or at least thoughts on how we should structure the event.

Can we find a time that works for the three of us to connect today? Thanks! T

Tamarra Matthews Johnson
she/her/hers
Counsel
Office of the Attorney General
U.S. Department of Justice
Mobil (b) (6)

Gupta, Vanita (OASG)

From: Gupta, Vanita (OASG)
Sent: Friday, August 20, 2021 1:54 PM
To: Hyun, Peter (OASG)
Cc: Colangelo, Matthew (OASG)
Subject: Re: Public facing event with election officials/workers

I'll call to give you the little context that I have.

On Aug 20, 2021, at 1:42 PM, Hyun, Peter (OASG) (b) (6) > wrote:

VG/Matthew: flagging for you this message I received from Tamarra. I don't have a whole lot of context about the planning for this meeting, but Lizzie U. and I did speak about points of contact in the FBI about election threats; which I passed to Anita/Kevin Chambers; and then closed the circle with their FBI POC.

Is there anything you think I should relay to Tamarra or loop her with?

Thanks!
Peter

Peter S. Hyun | Chief of Staff
Office of the Associate Attorney General

(b) (6)

Des (b) (6)

Cel (b) (6)

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >

Sent: Friday, August 20, 2021 8:56 AM

To: Chambers, Kevin (ODAG) (b) (6) >; Hyun, Peter (OASG)

(b) (6) >

Subject: Public facing event with election officials/workers

Duplicative Information - See Document ID 0.7.11730.6120



Cochran, Shaylyn (CRT)

From: Cochran, Shaylyn (CRT)
Sent: Friday, August 20, 2021 2:09 PM
To: Hyun, Peter (OASG)
Cc: Grogg, Adam (OASG)
Subject: RE: Public facing event with election officials/workers
Attachments: NASS Talking Points Final (July 28).docx; NASS Anticipating Questions.docx

Hi Peter,

See the attached file. It would be helpful to get more background when you have a moment.

Shaylyn

From: Hyun, Peter (OASG)
Sent: Friday, August 20, 2021 1:59 PM
To: Cochran, Shaylyn (CRT) (b) (6) >
Cc: Grogg, Adam (OASG) (b) (6) >
Subject: FW: Public facing event with election officials/workers

Shaylyn:

Unfortunately I don't have much additional context about this meetin (b) (5). Do you happen to have the background materials that CRT provided for the NASS meeting that you could share?

I am happy to call with additional context if you have a moment.

Thanks,
Peter

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Friday, August 20, 2021 8:56 AM
To: Chambers, Kevin (ODAG) (b) (6) >; Hyun, Peter (OASG) (b) (6) >
Subject: Public facing event with election officials/workers

Duplicative Information - See Document ID 0.7.11730.6120

National Association of Secretaries of State Election Committee Bi-Weekly Call

July 29, 2021

Thank you for the invitation to join you today. We are pleased to have this opportunity to speak with you regarding the Justice Department's work.

I'm Kristen Clarke, Assistant Attorney General for the Civil Rights Division at the Department of Justice. I am joined by Pam Karlan, who is the Principal Deputy Assistant Attorney General, and Chris Herren, who is chief of the Division's Voting Section.

Let me say first that we have great appreciation for the work that you do on elections. We know that you have very challenging jobs in the best of times. We know also that the pandemic presented unanticipated challenges and proved to be an exceptionally difficult time for conducting elections in this country. We truly appreciate the work you do, along with all of your state elections directors and local elections officials, in managing the country's elections.

It is my hope that you will consider the Justice Department a resource and partner in your respective efforts to conduct elections in your state. To that end, I would like to take a moment to discuss the work of the Justice Department broadly in the field of elections. First and foremost, the Civil Rights Division enforces our nation's federal civil rights laws as enacted by Congress. The Division's Voting Section enforces the civil provisions of several federal voting rights laws, such as the Voting Rights Act, the Uniformed and Overseas Citizens Absentee Voting Act, the National Voter Registration Act, the Help America Vote Act, and the Civil Rights Acts.

Our voting related work also includes the Disability Rights Section, that enforces the civil provisions of the federal disability rights laws such as the Americans with Disabilities Act. It also includes our Criminal Section, that enforces relevant criminal provisions in our civil rights laws.

We also coordinate with other parts of the Department that handle elections-related work. This includes the Public Integrity Section, that is part of the Criminal Division, and enforces federal criminal

laws that deal with a wide range of matters, such as election fraud, intimidation and campaign finance rules. We also coordinate with other components of the Department such as the National Security Division.

This is a busy time for our voting related work, and I will touch briefly on some of the issues where we may interact with your state elections offices.

Confronting Intimidation and Harassment of Elections Officials

Like NASS, the Department of Justice is concerned about the increase in the threat of violence against Americans who administer our Nation's elections. Election officials must be permitted to do their jobs unfettered by physical threats, improper partisan influence, or any other conduct designed to intimidate or obstruct free and fair elections. It is unacceptable that officials who work so hard to run our elections and keep our democracy functioning are subject to harassment and abuse because of that work. That's why the Department launched its new **Election Threats Task Force** which includes members from the Criminal Division, the Civil Rights Division, the National Security Division and the FBI. Together, we are working to address the rise in threats, intimidation and harassment faced by elections officials. On July 15th, the Election Threats Task force held the first nationwide training sessions for all FBI Election Crime Coordinators and the District Election Officers in our United States Attorney's Offices. Earlier that week, representatives on the Task Force met with representatives from this organization and the National Association of State Election Directors to discuss the Task Force's formation and establish open lines of communication with these two groups that represent the principal stakeholders in the election space at the state and local level. As the Deputy Attorney General said in announcing the Task Force, a threat to any election official, worker, or volunteer is, at bottom, a threat to democracy. We very much want you and all elections officials to bring to us any concerns that you have in this regard so that they can be investigated and pursued under the federal laws the Department enforces.

Redistricting

In other developments, as you know, the release of the 2020 Census data has been delayed. In August and September, the Census Bureau is expected to release the redistricting data set from the 2020 Census. This will trigger redrawing of districts used to elect members for governmental bodies all around the country, from Congress, state legislatures, counties, cities, and school boards. This is the first redistricting cycle since the 1960s where we may not have the preclearance provisions of Section 5 of the Voting Rights Act. Thus, we will be primarily focused on compliance with Section 2 of the Voting Rights Act, which is a nationwide prohibition on racial discrimination in voting. We will monitor the redistricting process and redistricting litigation around the country. In the past, the lion's share of this work has been performed at the local level, but we also monitor statewide redistricting. We expect to issue some guidance concerning Section 2 of the Voting Rights Act and redistricting later in the summer.

Addressing Issues Faced by Language Minority Groups

Later this year, the Census Bureau is also expected to release the latest round of new determinations of coverage under the language minority provisions of Section 203 of the Voting Rights Act. Section 203 requires covered jurisdictions to provide voting materials and oral assistance in other languages in addition to English. This may include translated ballots, polling place signs, registration forms and redistricting meeting notices. It covers areas of the country where there are concentrations of language minority voters who speak Spanish, Asian languages, Native American languages and Native-Alaskan languages. When those new Census determinations are released we will conduct outreach to states and localities around the country, as we have always done. In particular, we aim to provide some guidance to elections officials in jurisdictions that are covered for the first time to support their efforts to launch their respective language programs.

Monitoring Post-Election Ballot Reviews

We are also monitoring issues surrounding the post-election ballot examinations happening in a few areas across the country. We appreciate your bringing these questions to our attention. This intersects with several of the statutes we enforce. One way in which these issues may arise is under the 22-month retention and preservation requirement for federal election records found within the Civil Rights Act. The other way that issues can arise is where these examinations may contemplate interviewing voters in the field about their vote in past elections, which can implicate the voter intimidation provisions of the Voting Rights Act and other federal statutes. You may have seen the letter that the Division sent to Arizona earlier this year. We have further explained these requirements in a guidance document the Department issued yesterday. This document describes in greater detail the retention requirements of the Civil Rights Act for federal ballots and election records. It describes how those records must be safeguarded and preserved by anyone holding those records during the 22-month federal retention period, and that any audit or examination must take those preservation requirements into account. That document also discusses in greater detail the prohibitions on voter intimidation contained in federal law, offers some examples of past issues, and how it is important to ensure that any audits or examinations that are undertaken not intimidate voters.

Ensuring Compliance with UOCAVA

We will continue to conduct outreach and monitoring with all of your state elections offices relating to the Uniformed and Overseas Citizens Absentee Voting Act compliance for all elections for federal office, including special elections, primaries and general elections. This work aims to ensure that absentee ballots for military and overseas voters are timely transmitted for all federal elections. We appreciate working with all of you on these issues that often arise close to federal elections and must be resolved quickly to ensure that UOCAVA voters have the opportunity to receive and return their ballots.

Just yesterday, we have issued guidance on voting methods that includes information for the public about UOCAVA and other federal statutes that govern the methods by which citizens cast their ballots, including vote by mail, early voting and voting in person. This guidance includes how voting methods are impacted by protections against racial discrimination, protections for voters with disabilities, and protections for military and overseas voters, among others.

Ensuring Compliance with NVRA and HAVA

We continue to monitor and investigate compliance with the provisions of the National Voter Registration Act, or the NVRA, and the Help America Vote Act, or HAVA. Where we have concerns about non-compliance, we appreciate working with you on these issues to try to come to resolutions. We have had good experiences in working with a number of states on these issues in recent years, and you should expect that you will continue to hear from us about questions as they arise. Examples of this kind of work appear in our agreements with a number of states on voter registration issues under the NVRA at driver licenses offices, for example, in Alabama, New York, Connecticut and Arkansas, and we have appreciated your work with us on these issues.

Legislative Efforts to Strengthen Voting Rights Act

We are monitoring legislation around the country that involves rules about the conduct of elections. Again, our principal concern is the nationwide protections against racial discrimination in Section 2 of the Voting Rights Act. The Department is committed to ensuring equal access to the elections process in our country. Examples of this kind of work appear in our cases under Section 2 regarding Texas 2011 photo id law, North Carolina's 2013 election law and Georgia's 2021 election law.

Polling Site Accessibility

Our Disability Rights Section has also produced guidance on polling place accessibility, and fields complaints around the country through its Americans with Disabilities Act hotline. The Disability Rights

Section also conducts investigations into polling place accessibility in jurisdictions all around the country and also seeks to reach voluntary resolutions where possible and litigate where necessary.

Election Monitoring

We conduct election monitoring under our civil rights statutes in all types of elections all around the country. More generally, we monitor litigation in federal courts around the country that implicates the federal statutes we enforce, including the trial and appellate courts, and occasionally the state courts. We welcome your thoughts about how our participation as amicus in cases can be helpful in clarifying issues under our statutes.

Much of this monitoring is part and parcel of our language minority work under the Voting Rights Act.

That is just a brief overview of some of our elections related work. Again, we appreciate the invitation to visit with you today and we look forward to continuing to work with all of you.

Chambers, Kevin (ODAG)

From: Chambers, Kevin (ODAG)
Sent: Friday, August 20, 2021 2:26 PM
To: McQuaid, Nicholas (CRM)
Subject: RE: Election Security POC

As far as I know (b) (5) is the person to address your concerns.

From: McQuaid, Nicholas (CRM) (b) (6) >
Sent: Thursday, August 19, 2021 2:49 PM
To: Chambers, Kevin (ODAG) (b) (6) >
Cc: Driscoll, Kevin (CRM) (b) (6) >
Subject: Re: Election Security POC

Duplicative Information - See Document ID 0.7.11730.6136



Hey guys,

McQuaid, Nicholas (CRM)

From: McQuaid, Nicholas (CRM)
Sent: Friday, August 20, 2021 2:46 PM
To: Chambers, Kevin (ODAG)
Cc: Driscoll, Kevin (CRM)
Subject: Re: Election Security POC

PIN agrees with the approach below.

On Aug 20, 2021, at 2:44 PM, McQuaid, Nicholas (CRM) (b) (6) > wrote:

Kevin:

(b)(5) per CRM
[REDACTED]
[REDACTED]

Happy to discuss further and we will also relay to Klapper directly.

On Aug 20, 2021, at 2:23 PM, Chambers, Kevin (ODAG) (b) (6) > wrote:

I just got off of an initial call re the Thursday meeting. Here is what I know:

- AG has called for this meeting to speak with groups outside of DOJ who have voiced concerns about or are (or represent) the targets of continuing election threats
- DOJ Attendance is limited to [REDACTED]
- Meeting will be virtual

Here is what would be helpful as we pull this together:

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

This is what I have. I understand more information will be coming on Monday. Thanks in advance for your responses; feel free to reply inline or in separate email. Can find a time to do call if preferred.

kAC

From: McQuaid, Nicholas (CRM) (b) (6) >
Sent: Thursday, August 19, 2021 2:49 PM
To: Chambers, Kevin (ODAG) (b) (6) >
Cc: Driscoll, Kevin (CRM) (b) (6) >
Subject: Re: Election Security POC

Duplicative Information - See Document ID 0.7.11730.6136



Chambers, Kevin (ODAG)

From: Chambers, Kevin (ODAG)
Sent: Friday, August 20, 2021 3:08 PM
To: Driscoll, Kevin (CRM); McQuaid, Nicholas (CRM)
Subject: RE: Election Security POC

Appreciate the quick response. Pass my thanks on to PIN.

From: Driscoll, Kevin (CRM) (b) (6) >
Sent: Friday, August 20, 2021 3:07 PM
To: Chambers, Kevin (ODAG) (b) (6) >; McQuaid, Nicholas (CRM) (b) (6) >
Subject: RE: Election Security POC

Some answers to your questions in bold below courtesy of PIN:

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

Kevin Driscoll
Deputy Assistant Attorney General
Criminal Division, United States Department of Justice
Desk (b) (6)
Mobil (b) (6)

From: Chambers, Kevin (ODAG) (b) (6) >
Sent: Friday, August 20, 2021 2:24 PM
To: McQuaid, Nicholas (CRM) (b) (6) >
Cc: Driscoll, Kevin (CRM) (b) (6) >
Subject: RE: Election Security POC

Duplicative Information - See Document ID 0.7.11730.6493

Hyun, Peter (OASG)

From: Hyun, Peter (OASG)
Sent: Friday, August 20, 2021 3:18 PM
To: Chambers, Kevin (ODAG); Matthews-Johnson, Tamarra D. (OAG)
Subject: RE: Election Security POC
Attachments: NASS Talking Points Final (July 28).docx; NASS Anticipating Questions.docx

Thank you here are materials for when AAG Clarke spoke to NASS.

Peter S. Hyun | Chief of Staff
Office of the Associate Attorney General

(b) (6)
Des (b) (6)
Cel (b) (6)

From: Chambers, Kevin (ODAG) (b) (6) >
Sent: Friday, August 20, 2021 3:12 PM
To: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >; Hyun, Peter (OASG) (b) (6) >
Subject: FW: Election Security POC

Tamarra/Peter:

See below. I also understand that CRM has been directly in touch with Klapper about includin (b) (5) in the discussion.

From: Driscoll, Kevin (CRM) (b) (6) >
Sent: Friday, August 20, 2021 3:07 PM
To: Chambers, Kevin (ODAG) (b) (6) >; McQuaid, Nicholas (CRM) (b) (6) >
Subject: RE: Election Security POC

Duplicative Information - See Document ID 0.7.11730.6261

Hyun, Peter (OASG)

From: Hyun, Peter (OASG)
Sent: Friday, August 20, 2021 5:37 PM
To: Matthews-Johnson, Tamarra D. (OAG); Chambers, Kevin (ODAG)
Subject: RE: Election Security POC

(b) (5)

[REDACTED]

Thanks, Peter

Peter S. Hyun | Chief of Staff
Office of the Associate Attorney General

(b) (6)

Des (b) (6)

Cel (b) (6)

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Friday, August 20, 2021 3:32 PM
To: Chambers, Kevin (ODAG) (b) (6) >; Hyun, Peter (OASG) (b) (6) >
Subject: Re: Election Security POC

Thanks to you both for sending.

(b) (5)

[REDACTED]

Peter, were there additional groups you propose inviting

As for the run of show, here's something to shoot at. It would be great to get your thoughts (including any insight you can glean your principals) sometime tonight, (it can be late). We'll want to nail something down over the weekend so we can reach out first thing Monday to any attendees.

Introductions

(b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Questions / Discussion

On Aug 20, 2021, at 2:17 PM, Hyun, Peter (OASG) (b) (6) > wrote:

Duplicative Material

Matthews-Johnson, Tamarra D. (OAG)

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Saturday, August 21, 2021 10:57 AM
To: Klapper, Matthew B. (OAG); Heinzelman, Kate (OAG)
Subject: RE: Convening re: threats to election workers
Attachments: Threat and Election Statutes plus two additional criminal statutes -.eml

Hi

Kevin, Peter and I met yesterday and exchanged materials over email. (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

If these invitees are acceptable, we'd like to proceed with reaching out to them first thing Monday morning, as we will need to confirm availability for a meeting as soon as Thursday. Thanks! T

Potential Run of Show

Introductions

(b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Questions / Discussion

Potential moderator (b) (5)

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobil (b) (6)

From: Klapper, Matthew B. (OAG) (b) (6) >

Sent: Friday, August 20, 2021 6:39 AM

To: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >

Cc: Heinzelman, Kate (OAG) (b) (6) >

Subject: Convening re: threats to election workers

Duplicative Material



Matthews-Johnson, Tamarra D. (OAG)

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Friday, August 20, 2021 2:14 PM
To: Heinzelman, Kate (OAG); Klapper, Matthew B. (OAG)
Subject: Threat and Election Statutes plus two additional criminal statutes -
Attachments: Threat Statutes 18 USC 871 et seq.pdf; Election Statutes 18 USC 592 et seq.pdf; Federally Protected Activities 18 USC 245.pdf; Harassing Telephone Calls 47 USC 223.pdf

Hi

I have attached the relevant chapters of the United States Code on threat offenses and election-related offenses. We have a few applicable threat statutes that could apply to threatening communications to election officials / workers, including Title 18, United States Code, sections 875, 876, and 877. However, my review of the election statutes did not reveal anything on point. ***I have added to this email 18 USC 245 (threat to election workers) and 47 USC 223 (harassing communications by means of a telecommunications device)***

I also located some proposals for legislative action:

Defending democracy means defending those who make democracy work. Every Election Day, tens of thousands of local election workers help ensure that we hold the free and fair elections that undergird the peaceful transfer of power. If the right to vote is the most “precious in a free country,” then local election workers are the guardians and caretakers of that right.

Yet, since November, we have witnessed an alarming increase in violent threats and harassment aimed at our frontline election workers. They have ranged from in-person harassment to threats cloaked in the anonymity of social media and the internet. It has led many of these dedicated public servants and civic-minded individuals to resign from their positions or simply retire from helping to administer our elections.

We must be particularly focused on the impact this is having on local election officials and poll workers — paid and unpaid. While elected and statewide officials have put themselves into the public arena and should expect the praise and criticism that results, local officials and workers have not. A social media post accusing the secretary of state of “stealing the election” is not the same as one aimed at a local precinct volunteer or county election worker. We do not have a shortage of people willing to run for secretary of state, but we are likely to face an acute shortage of local election workers.

In fact, we already have too few people willing to prepare for Election Day, work the polls, and count the ballots afterward. Every time an election worker is threatened or harassed for administering an election, it is an attack on our democracy. It is time we treat it as such.

First, Congress must make it a federal crime to threaten or harass local election officials including volunteer election workers — or their families. Congress already provides similar protections for many federal government officials and law enforcement and should extend those

to every election worker in the country. The Department of Justice should prioritize criminal prosecution of threats against election officials and workers with a particular focus on Election Day volunteers. By doing this we will send the message to those working to make our elections successful that we value their work and their safety.

Second, Congress should provide these officials with a private right of action against anyone who threatens or harasses them, including an award of attorneys' fees if they prevail. After 2020, one of the most effective tools to dissuade the dissemination of disinformation about individuals and companies involved in the election was private litigation. That is a model we should build upon.

Third, Congress should clarify that all identifying information about local election officials and workers is exempt from the federal Freedom of Information Act, without exception. Similarly, it should preempt state disclosure laws that make such information available. States should enact these laws at the state level as well. While disclosure and transparency in government are important, any value gained by publicizing this information is outweighed by our collective interest in the safety and security of our election workers.

Finally, the media must revise its policies regarding coverage of local election workers to ensure their safety. The media should agree to avoid naming election workers or providing identifying information about them or their families. They should not publish photographs or video images depicting election officials without their express consent. And, social media companies need to do their part as well. To start, they should identify harassment of election workers as a category of violation of their terms of use with an easy way to identify and take down offending pictures, videos and information quickly. They also need to clamp down on the disinformation about election administration and results that often feeds the abuse of election workers to begin with.

While the For the People Act hangs in the balance, one step forward would be to include these provisions in the landmark legislation. However, the crisis facing our frontline election workers cannot wait, and defending them should be bipartisan and noncontroversial.

Without election workers, we cannot have free and fair elections, and without elections, we will no longer have a democracy. We must act now to protect those who safeguard our right to vote.

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobil (b) (6)

an Effective Date note under section 101 of Title 6, Domestic Security.

§ 848. Effect on State law

No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any State on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the State so that the two cannot be reconciled or consistently stand together.

(Added Pub. L. 91-452, title XI, § 1102(a), Oct. 15, 1970, 84 Stat. 959.)

- | | |
|--|---|
| Sec.
871.
872.
873.
874.

877.

878.
879.
880. | <p>Threats against President and successors to the Presidency.</p> <p>Extortion by officers or employees of the United States.</p> <p>Blackmail.</p> <p>Kickbacks from public works employees.</p> <p>_____</p> <p>_____</p> <p>Threats and extortion against foreign officials, official guests, or internationally protected persons.</p> <p>Threats against former Presidents and certain other persons.</p> <p>Receiving the proceeds of extortion.</p> |
|--|---|

AMENDMENTS

2000—Pub. L. 106-544, § 2(b)(2), Dec. 19, 2000, 114 Stat. 2715, struck out "protected by the Secret Service" after "other persons" in item 879.

1994—Pub. L. 103-322, title XXXII, § 320601(a)(2), Sept. 13, 1994, 108 Stat. 2115, added item 880.

1982—Pub. L. 97-297, § 1(b), Oct. 12, 1982, 96 Stat. 1317, added item 879.

1976—Pub. L. 94-467, § 9, Oct. 8, 1976, 90 Stat. 2001, added item 878.

1962—Pub. L. 87-829, § 2, Oct. 15, 1962, 76 Stat. 956, substituted "and successors to the Presidency" for "President-elect, and Vice President" in item 871.

1955—Act June 1, 1955, ch. 115, § 2, 69 Stat. 80, inserted "President-elect, and Vice President" in item 871.

§ 871. Threats against President and successors to the Presidency

(a) Whoever knowingly and willfully deposits for conveyance in the mail or for a delivery from any post office or by any letter carrier any letter, paper, writing, print, missive, or document containing any threat to take the life of, to kidnap, or to inflict bodily harm upon the President of the United States, the President-elect, the Vice President or other officer next in the order of succession to the office of President of the United States, or the Vice President-elect, or knowingly and willfully otherwise makes any such threat against the President, President-elect, Vice President or other officer next in the order of succession to the office of President, or Vice President-elect, shall be fined under this title or imprisoned not more than five years, or both.

(b) The terms "President-elect" and "Vice President-elect" as used in this section shall mean such persons as are the apparent successful candidates for the offices of President and Vice President, respectively, as ascertained from the results

of the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2. The phrase "other officer next in the order of succession to the office of President" as used in this section shall mean the person next in the order of succession to act as President in accordance with title 3, United States Code, sections 19 and 20.

(June 25, 1948, ch. 645, 62 Stat. 740; June 1, 1955, ch. 115, § 1, 69 Stat. 80; Pub. L. 87-829, § 1, Oct. 15, 1962, 76 Stat. 956; Pub. L. 97-297, § 2, Oct. 12, 1982, 96 Stat. 1318; Pub. L. 103-322, title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 89 (Feb. 14, 1917, ch. 64, 39 Stat. 919).

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Minor changes were made in phraseology.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$1,000".

1982—Subsec. (a). Pub. L. 97-297 inserted "to kidnap," after "containing any threat to take the life of".

1962—Pub. L. 87-829 designated existing provisions as subsec. (a), extended the provisions of such subsection to include any other officer next in the order of succession to the office of President and the Vice-President-elect, added subsec. (b), and substituted "and successors to the Presidency" for "President-elect, and Vice President" in section catchline.

1955—Act June 1, 1955, included in section catchline and in text, provision for penalties for threats against the President-elect and the Vice President.

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-544, § 1, Dec. 19, 2000, 114 Stat. 2715, provided that: "This Act [amending sections 879, 3056 and 3486 of this title, repealing section 3486A of this title, and enacting provisions set out as notes under section 3056 of this title, section 551 of Title 5, Government Organization and Employees, and section 566 of Title 28, Judiciary and Judicial Procedure] may be cited as the 'Presidential Threat Protection Act of 2000'."

§ 872. Extortion by officers or employees of the United States

Whoever, being an officer, or employee of the United States or any department or agency thereof, or representing himself to be or assuming to act as such, under color or pretense of office or employment commits or attempts an act of extortion, shall be fined under this title or imprisoned not more than three years, or both; but if the amount so extorted or demanded does not exceed \$1,000, he shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 740; Oct. 31, 1951, ch. 655, § 24(b), 65 Stat. 720; Pub. L. 103-322, title XXXIII, § 330016(1)(G), (K), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 104-294, title VI, § 606(a), Oct. 11, 1996, 110 Stat. 3511.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 171 (Mar. 4, 1909, ch. 321, § 85, 35 Stat. 1104).

Words "or any department or agency" were inserted to eliminate any possible ambiguity as to scope of section. (See definitive section 6 of this title.)

The punishment provided by section 171 of title 18, U.S.C., 1940 ed., of fine of not more than \$500 or imprisonment of not more than 1 year, or both, was increased for offenses involving more than \$100 to conform to Congressional policy reflected in later Acts. See section 4047(e)(1) of title 26, U.S.C., 1940 ed., Internal Revenue Code, and the punishment provision following paragraph (10) of said subsection.

AMENDMENTS

1996—Pub. L. 104-294 substituted "\$1,000" for "\$100".

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$5,000" after "extortion, shall be" and for "fined not more than \$500" after "he shall be".

1951—Act Oct. 31, 1951, changed punctuation to make section applicable not only to persons falsely representing themselves as Federal officers or employees at the time of extortion or the attempt thereof, but also to Federal officers and employees who attempt or commit extortion under color of office or employment.

§ 873. Blackmail

Whoever, under a threat of informing, or as a consideration for not informing, against any violation of any law of the United States, demands or receives any money or other valuable thing, shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 740; Pub. L. 103-322, title XXXIII, § 330016(1)(I), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based upon title 18, U.S.C., 1940 ed., § 250 (Mar. 4, 1909, ch. 321, § 145, 35 Stat. 1114).

Only minor changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$2,000".

§ 874. Kickbacks from public works employees

Whoever, by force, intimidation, or threat of procuring dismissal from employment, or by any other manner whatsoever induces any person employed in the construction, prosecution, completion or repair of any public building, public work, or building or work financed in whole or in part by loans or grants from the United States, to give up any part of the compensation to which he is entitled under his contract of employment, shall be fined under this title or imprisoned not more than five years, or both.

(June 25, 1948, ch. 645, 62 Stat. 740; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on section 276b of title 40, U.S.C., 1940 ed., Public Buildings, Property, and Works (June 13, 1934, ch. 482, § 1, 48 Stat. 948).

Slight changes of phraseology were made.

AMENDMENTS

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$5,000".

(a) Whoever transmits in interstate or foreign commerce any communication containing any demand or request for a ransom or reward for the

release of any kidnapped person, shall be fined under this title or imprisoned not more than twenty years, or both.

(b) Whoever, with intent to extort from any person, firm, association, or corporation, any money or other thing of value, transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another, shall be fined under this title or imprisoned not more than twenty years, or both.

(c) Whoever transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another, shall be fined under this title or imprisoned not more than five years, or both.

(d) Whoever, with intent to extort from any person, firm, association, or corporation, any money or other thing of value, transmits in interstate or foreign commerce any communication containing any threat to injure the property or reputation of the addressee or of another or the reputation of a deceased person or any threat to accuse the addressee or any other person of a crime, shall be fined under this title or imprisoned not more than two years, or both.

(June 25, 1948, ch. 645, 62 Stat. 741; Pub. L. 99-646, § 63, Nov. 10, 1986, 100 Stat. 3614; Pub. L. 103-322, title XXXIII, § 330016(1)(G), (H), (K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 408d (May 18, 1934, ch. 300, 48 Stat. 781; May 15, 1939, ch. 133, § 2, 53 Stat. 743).

Provisions as to district of trial were omitted as covered by sections 3237 and 3239 of this title.

Definition of "interstate commerce" was omitted in conformity with definitive section 10 of this title.

Changes were made in phraseology and arrangement.

AMENDMENTS

1994—Subsecs. (a), (b). Pub. L. 103-322, § 330016(1)(K), substituted "fined under this title" for "fined not more than \$5,000".

Subsec. (c). Pub. L. 103-322, § 330016(1)(H), substituted "fined under this title" for "fined not more than \$1,000".

Subsec. (d). Pub. L. 103-322, § 330016(1)(G), substituted "fined under this title" for "fined not more than \$500".

1986—Pub. L. 99-646 inserted "or foreign" after "interstate" wherever appearing.

(a) Whoever knowingly deposits in any post office or authorized depository for mail matter, to be sent or delivered by the Postal Service or knowingly causes to be delivered by the Postal Service according to the direction thereon, any communication, with or without a name or designating mark subscribed thereto, addressed to any other person, and containing any demand or request for ransom or reward for the release of any kidnapped person, shall be fined under this title or imprisoned not more than twenty years, or both.

(b) Whoever, with intent to extort from any person any money or other thing of value, so deposits, or causes to be delivered, as aforesaid, any communication containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined under this title or imprisoned not more than twenty years, or both.

(c) Whoever knowingly so deposits or causes to be delivered as aforesaid, any communication with or without a name or designating mark subscribed thereto, addressed to any other person and containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined under this title or imprisoned not more than five years, or both. If such a communication is addressed to a United States judge, a Federal law enforcement officer, or an official who is covered by section 1114, the individual shall be fined under this title, imprisoned not more than 10 years, or both.

(d) Whoever, with intent to extort from any person any money or other thing of value, knowingly so deposits or causes to be delivered, as aforesaid, any communication, with or without a name or designating mark subscribed thereto, addressed to any other person and containing any threat to injure the property or reputation of the addressee or of another, or the reputation of a deceased person, or any threat to accuse the addressee or any other person of a crime, shall be fined under this title or imprisoned not more than two years, or both. If such a communication is addressed to a United States judge, a Federal law enforcement officer, or an official who is covered by section 1114, the individual shall be fined under this title, imprisoned not more than 10 years, or both.

(June 25, 1948, ch. 645, 62 Stat. 741; Pub. L. 91-375, § 6(j)(7), Aug. 12, 1970, 84 Stat. 777; Pub. L. 103-322, title XXXIII, §§ 330016(1)(G), (H), (K), 330021(2), Sept. 13, 1994, 108 Stat. 2147, 2150; Pub. L. 107-273, div. C, title I, § 11008(d), Nov. 2, 2002, 116 Stat. 1818.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 338a (July 8, 1932, ch. 464, § 1, 47 Stat. 649; June 28, 1935, ch. 326, 49 Stat. 427; May 15, 1939, ch. 133, § 1, 53 Stat. 742).

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Provisions as to district of trial were omitted as covered by sections 3237 and 3239 of this title.

Changes in phraseology and arrangement were made.

AMENDMENTS

2002—Pub. L. 107-273 designated first to fourth pars. as subsecs. (a) to (d), respectively, and, in subsecs. (c) and (d), inserted at end "If such a communication is addressed to a United States judge, a Federal law enforcement officer, or an official who is covered by section 1114, the individual shall be fined under this title, imprisoned not more than 10 years, or both."

1994—Pub. L. 103-322, § 330021(2), substituted "kidnapped" for "kidnaped" in first par.

Pub. L. 103-322, § 330016(1)(K), substituted "fined under this title" for "fined not more than \$5,000" in first and second pars.

Pub. L. 103-322, § 330016(1)(H), substituted "fined under this title" for "fined not more than \$1,000" in third par.

Pub. L. 103-322, § 330016(1)(G), substituted "fined under this title" for "fined not more than \$500" in fourth par.

1970—Pub. L. 91-375 substituted "Postal Service" for "Post Office Department" in two places in first par.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by Board of Governors of United States Postal Service and published by it in Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note preceding section 101 of Title 39, Postal Service.

Whoever knowingly deposits in any post office or authorized depository for mail matter of any foreign country any communication addressed to any person within the United States, for the purpose of having such communication delivered by the post office establishment of such foreign country to the Postal Service and by it delivered to such addressee in the United States, and as a result thereof such communication is delivered by the post office establishment of such foreign country to the Postal Service and by it delivered to the address to which it is directed in the United States, and containing any demand or request for ransom or reward for the release of any kidnapped person, shall be fined under this title or imprisoned not more than twenty years, or both.

Whoever, with intent to extort from any person any money or other thing of value, so deposits as aforesaid, any communication for the purpose aforesaid, containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined under this title or imprisoned not more than twenty years, or both.

Whoever knowingly so deposits as aforesaid, any communication, for the purpose aforesaid, containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined under this title or imprisoned not more than five years, or both.

Whoever, with intent to extort from any person any money or other thing of value, knowingly so deposits as aforesaid, any communication, for the purpose aforesaid, containing any threat to injure the property or reputation of the addressee or of another, or the reputation of a deceased person, or any threat to accuse the addressee or any other person of a crime, shall be fined under this title or imprisoned not more than two years, or both.

(June 25, 1948, ch. 645, 62 Stat. 741; Pub. L. 91-375, § 6(j)(8), Aug. 12, 1970, 84 Stat. 777; Pub. L. 103-322, title XXXIII, §§ 330016(1)(G), (H), (K), 330021(2), Sept. 13, 1994, 108 Stat. 2147, 2150.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 338b (July 8, 1932, ch. 464, § 2, 47 Stat. 649; May 15, 1939, ch. 133, § 1, 53 Stat. 742).

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Provisions as to district of trial were omitted as covered by sections 3237 and 3239 of this title.

AMENDMENTS

1994—Pub. L. 103-322, § 330021(2), substituted "kidnapped" for "kidnaped" in first par.

Pub. L. 103-322, § 330016(1)(K), substituted "fined under this title" for "fined not more than \$5,000" in first and second pars.

Pub. L. 103-322, § 330016(1)(H), substituted "fined under this title" for "fined not more than \$1,000" in third par.

Pub. L. 103-322, § 330016(1)(G), substituted "fined under this title" for "fined not more than \$500" in fourth par.

1970—Pub. L. 91-375 substituted "Postal Service" for "Post Office Department of the United States" in two places in first par.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by Board

of Governors of United States Postal Service and published by it in Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note preceding section 101 of Title 39, Postal Service.

§ 878. Threats and extortion against foreign officials, official guests, or internationally protected persons

(a) Whoever knowingly and willfully threatens to violate section 112, 1116, or 1201 shall be fined under this title or imprisoned not more than five years, or both, except that imprisonment for a threatened assault shall not exceed three years.

(b) Whoever in connection with any violation of subsection (a) or actual violation of section 112, 1116, or 1201 makes any extortionate demand shall be fined under this title or imprisoned not more than twenty years, or both.

(c) For the purpose of this section "foreign official", "internationally protected person", "national of the United States", and "official guest" shall have the same meanings as those provided in section 1116(a) of this title.

(d) If the victim of an offense under subsection (a) is an internationally protected person outside the United States, the United States may exercise jurisdiction over the offense if (1) the victim is a representative, officer, employee, or agent of the United States, (2) an offender is a national of the United States, or (3) an offender is afterwards found in the United States. As used in this subsection, the United States includes all areas under the jurisdiction of the United States including any of the places within the provisions of sections 5 and 7 of this title and section 46501(2) of title 49.

(Added Pub. L. 94-467, § 8, Oct. 8, 1976, 90 Stat. 2000; amended Pub. L. 95-163, § 17(b)(1), Nov. 9, 1977, 91 Stat. 1286; Pub. L. 95-504, § 2(b), Oct. 24, 1978, 92 Stat. 1705; Pub. L. 103-272, § 5(e)(2), July 5, 1994, 108 Stat. 1373; Pub. L. 103-322, title XXXIII, § 330016(1)(K), (N), Sept. 13, 1994, 108 Stat. 2147, 2148; Pub. L. 104-132, title VII, §§ 705(a)(4), 721(e), Apr. 24, 1996, 110 Stat. 1295, 1299.)

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-132, § 705(a)(4), struck out "by killing, kidnapping, or assaulting a foreign official, official guest, or internationally protected person" before "shall be fined".

Subsec. (c). Pub. L. 104-132, § 721(e)(1), inserted "'national of the United States,'" before "and 'official guest'".

Subsec. (d). Pub. L. 104-132, § 721(e)(2), inserted first sentence and struck out former first sentence which read as follows: "If the victim of an offense under subsection (a) is an internationally protected person, the United States may exercise jurisdiction over the offense if the alleged offender is present within the United States, irrespective of the place where the offense was committed or the nationality of the victim or the alleged offender."

1994—Subsec. (a). Pub. L. 103-322, § 330016(1)(K), substituted "fined under this title" for "fined not more than \$5,000".

Subsec. (b). Pub. L. 103-322, § 330016(1)(N), substituted "fined under this title" for "fined not more than \$20,000".

Subsec. (d). Pub. L. 103-272 substituted "section 46501(2) of title 49" for "section 101(38) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1301(38))".

1978—Subsec. (d). Pub. L. 95-504 substituted reference to section 101(38) of the Federal Aviation Act of 1958 for reference to section 101(35) of such Act.

1977—Subsec. (d). Pub. L. 95-163 substituted reference to section 101(35) of the Federal Aviation Act of 1958 for reference to section 101(34) of such Act.

§ 879. Threats against former Presidents and certain other persons

(a) Whoever knowingly and willfully threatens to kill, kidnap, or inflict bodily harm upon—

(1) a former President or a member of the immediate family of a former President;

(2) a member of the immediate family of the President, the President-elect, the Vice President, or the Vice President-elect;

(3) a major candidate for the office of President or Vice President, or a member of the immediate family of such candidate; or

(4) a person protected by the Secret Service under section 3056(a)(6);

shall be fined under this title or imprisoned not more than 5 years, or both.

(b) As used in this section—

(1) the term "immediate family" means—

(A) with respect to subsection (a)(1) of this section, the wife of a former President during his lifetime, the widow of a former President until her death or remarriage, and minor children of a former President until they reach sixteen years of age; and

(B) with respect to subsection (a)(2) and (a)(3) of this section, a person to whom the President, President-elect, Vice President, Vice President-elect, or major candidate for the office of President or Vice President—

(i) is related by blood, marriage, or adoption; or

(ii) stands in loco parentis;

(2) the term "major candidate for the office of President or Vice President" means a candidate referred to in subsection (a)(7) of section 3056 of this title; and

(3) the terms "President-elect" and "Vice President-elect" have the meanings given those terms in section 871(b) of this title.

(Added Pub. L. 97-297, § 1(a), Oct. 12, 1982, 96 Stat. 1317; amended Pub. L. 98-587, § 3(a), Oct. 30, 1984, 98 Stat. 3111; Pub. L. 103-322, title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 106-544, § 2(a), (b)(1), Dec. 19, 2000, 114 Stat. 2715.)

AMENDMENTS

2000—Pub. L. 106-544, § 2(b)(1), struck out "protected by the Secret Service" after "other persons" in section catchline.

Subsec. (a). Pub. L. 106-544, § 2(a)(1)-(4), in par. (3), substituted "a member of the immediate family" for "the spouse", added par. (4), and, in concluding provisions, struck out "who is protected by the Secret Service as provided by law," before "shall be fined" and substituted "5 years" for "three years".

Subsec. (b)(1)(B). Pub. L. 106-544, § 2(a)(5), in introductory provisions, inserted "and (a)(3)" after "subsection (a)(2)" and substituted "Vice President-elect, or major candidate for the office of President or Vice President" for "or Vice President-elect".

1994—Subsec. (a). Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$1,000" in concluding provisions.

1984—Subsec. (b)(2). Pub. L. 98-587 substituted "subsection (a)(7) of section 3056 of this title" for "the first section of the joint resolution entitled 'Joint resolution to authorize the United States Secret Service to furnish protection to major Presidential or Vice Presidential candidates', approved June 6, 1968 (18 U.S.C. 3056 note)".

TRANSFER OF FUNCTIONS

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 880. Receiving the proceeds of extortion

A person who receives, possesses, conceals, or disposes of any money or other property which was obtained from the commission of any offense under this chapter that is punishable by imprisonment for more than 1 year, knowing the same to have been unlawfully obtained, shall be imprisoned not more than 3 years, fined under this title, or both.

(Added Pub. L. 103-322, title XXXII, § 320601(a)(1), Sept. 13, 1994, 108 Stat. 2115.)

CHAPTER 42—EXTORTIONATE CREDIT TRANSACTIONS

Sec.	Definitions and rules of construction.
891.	Making extortionate extensions of credit.
892.	Financing extortionate extensions of credit.
893.	Collection of extensions of credit by extortionate means.
894.	Repealed.]
[895.	Effect on State laws.
896.	

AMENDMENTS

1970—Pub. L. 91-452, title II, § 223(b), Oct. 15, 1970, 84 Stat. 929, struck out item 895 “Immunity of witnesses”.
1968—Pub. L. 90-321, title II, § 202(a), May 29, 1968, 82 Stat. 159, added chapter 42 and items 891 to 896.

§ 891. Definitions and rules of construction

For the purposes of this chapter:

(1) To extend credit means to make or renew any loan, or to enter into any agreement, tacit or express, whereby the repayment or satisfaction of any debt or claim, whether acknowledged or disputed, valid or invalid, and however arising, may or will be deferred.

(2) The term “creditor”, with reference to any given extension of credit, refers to any person making that extension of credit, or to any person claiming by, under, or through any person making that extension of credit.

(3) The term “debtor”, with reference to any given extension of credit, refers to any person to whom that extension of credit is made; or to any person who guarantees the repayment of that extension of credit, or in any manner undertakes to indemnify the creditor against loss resulting from the failure of any person to whom that extension of credit is made to repay the same.

(4) The repayment of any extension of credit includes the repayment, satisfaction, or discharge in whole or in part of any debt or claim, acknowledged or disputed, valid or invalid, resulting from or in connection with that extension of credit.

(5) To collect an extension of credit means to induce in any way any person to make repayment thereof.

(6) An extortionate extension of credit is any extension of credit with respect to which it is the

understanding of the creditor and the debtor at the time it is made that delay in making repayment or failure to make repayment could result in the use of violence or other criminal means to cause harm to the person, reputation, or property of any person.

(7) An extortionate means is any means which involves the use, or an express or implicit threat of use, of violence or other criminal means to cause harm to the person, reputation, or property of any person.

(8) The term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, and territories and possessions of the United States.

(9) State law, including conflict of laws rules, governing the enforceability through civil judicial processes of repayment of any extension of credit or the performance of any promise given in consideration thereof shall be judicially noticed. This paragraph does not impair any authority which any court would otherwise have to take judicial notice of any matter of State law.

(Added Pub. L. 90-321, title II, § 202(a), May 29, 1968, 82 Stat. 160.)

CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSE

Pub. L. 90-321, title II, § 201, May 29, 1968, 82 Stat. 159, provided that:

“(a) The Congress makes the following findings:

“(1) Organized crime is interstate and international in character. Its activities involve many billions of dollars each year. It is directly responsible for murders, willful injuries to person and property, corruption of officials, and terrorization of countless citizens. A substantial part of the income of organized crime is generated by extortionate credit transactions.

“(2) Extortionate credit transactions are characterized by the use, or the express or implicit threat of the use, of violence or other criminal means to cause harm to person, reputation, or property as a means of enforcing repayment. Among the factors which have rendered past efforts at prosecution almost wholly ineffective has been the existence of exclusionary rules of evidence stricter than necessary for the protection of constitutional rights.

“(3) Extortionate credit transactions are carried on to a substantial extent in interstate and foreign commerce and through the means and instrumentalities of such commerce. Even where extortionate credit transactions are purely intrastate in character, they nevertheless directly affect interstate and foreign commerce.

“(4) Extortionate credit transactions directly impair the effectiveness and frustrate the purposes of the laws enacted by the Congress on the subject of bankruptcies.

“(b) On the basis of the findings stated in subsection (a) of this section, the Congress determines that the provisions of chapter 42 of title 18 of the United States Code are necessary and proper for the purpose of carrying into execution the powers of Congress to regulate commerce and to establish uniform and effective laws on the subject of bankruptcy.”

ANNUAL REPORT TO CONGRESS BY ATTORNEY GENERAL

Section 203 of Pub. L. 90-321 directed Attorney General to make an annual report to Congress of activities of Department of Justice in enforcement of this chapter, prior to repeal by Pub. L. 97-375, title I, § 109(b), Dec. 21, 1982, 96 Stat. 1820.

§ 892. Making extortionate extensions of credit

(a) Whoever makes any extortionate extension of credit, or conspires to do so, shall be fined un-

person owns or controls shall be fined under this title and imprisoned for not more than 10 years.

(c) Any person who uses a tunnel or passage described in subsection (a) to unlawfully smuggle an alien, goods (in violation of section 545), controlled substances, weapons of mass destruction (including biological weapons), or a member of a terrorist organization (as defined in section 2339B(g)(6)) shall be subject to a maximum term of imprisonment that is twice the maximum term of imprisonment that would have otherwise been applicable had the unlawful activity not made use of such a tunnel or passage.

(d) Any person who attempts or conspires to commit any offense under subsection (a) or subsection (c) of this section shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.

(Added Pub. L. 109-295, title V, § 551(a), Oct. 4, 2006, 120 Stat. 1389, § 554; renumbered § 555, Pub. L. 110-161, div. E, title V, § 553(a)(1), Dec. 26, 2007, 121 Stat. 2082; amended Pub. L. 112-127, § 3, June 5, 2012, 126 Stat. 371.)

AMENDMENTS

2012—Pub. L. 112-127 added subsec. (d).

2007—Pub. L. 110-161 renumbered section 554, relating to border tunnels and passages, as this section.

FINDINGS

Pub. L. 112-127, § 2, June 5, 2012, 126 Stat. 370, provided that: "Congress finds the following:

"(1) Trafficking and smuggling organizations are intensifying their efforts to enter the United States through tunnels and other subterranean passages between Mexico and the United States.

"(2) Border tunnels are most often used to transport narcotics from Mexico to the United States, but can also be used to transport people and other contraband.

"(3) From Fiscal Year 1990 to Fiscal Year 2011, law enforcement authorities discovered 149 cross-border tunnels along the border between Mexico and the United States, 139 of which have been discovered since Fiscal Year 2001. There has been a dramatic increase in the number of cross-border tunnels discovered in Arizona and California since Fiscal Year 2006, with 40 tunnels discovered in California and 74 tunnels discovered in Arizona.

"(4) Section 551 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295) added a new section to title 18, United States Code (18 U.S.C. 555), which—

"(A) criminalizes the construction or financing of an unauthorized tunnel or subterranean passage across an international border into the United States; and

"(B) prohibits any person from recklessly permitting others to construct or use an unauthorized tunnel or subterranean passage on the person's land.

"(5) Any person convicted of using a tunnel or subterranean passage to smuggle aliens, weapons, drugs, terrorists, or illegal goods is subject to an enhanced sentence for the underlying offense. Additional sentence enhancements would further deter tunnel activities and increase prosecutorial options."

Sec.	
596.	Polling armed forces.
597.	Expenditures to influence voting.
598.	Coercion by means of relief appropriations.
599.	Promise of appointment by candidate.
600.	Promise of employment or other benefit for political activity.
601.	Deprivation of employment or other benefit for political contribution.
602.	Solicitation of political contributions.
603.	Making political contributions.
604.	Solicitation from persons on relief.
605.	Disclosure of names of persons on relief.
606.	Intimidation to secure political contributions.
607.	Place of solicitation.
608.	Absent uniformed services voters and overseas voters.
609.	Use of military authority to influence vote of member of Armed Forces.
610.	Coercion of political activity.
611.	Voting by aliens.
[612 to 617.]	Repealed.]

SENATE REVISION AMENDMENT

By Senate amendment, item 610 was changed to read, "610. Contributions or expenditures by national banks, corporations, or labor organizations". See Senate Report No. 1620, amendment Nos. 4 and 5, 80th Cong.

AMENDMENTS

1996—Pub. L. 104-208, div. C, title II, § 216(b), Sept. 30, 1996, 110 Stat. 3009-573, added item 611.

1993—Pub. L. 103-94, § 4(c)(2), Oct. 6, 1993, 107 Stat. 1005, added item 610.

1990—Pub. L. 101-647, title XXXV, § 3516, Nov. 29, 1990, 104 Stat. 4923, substituted "Making political contributions" for "Place of solicitation" in item 603 and "Place of solicitation" for "Making political contributions" in item 607.

1986—Pub. L. 99-410, title II, § 202(b), Aug. 28, 1986, 100 Stat. 929, added items 608 and 609.

1980—Pub. L. 96-187, title II, § 201(a)(2), Jan. 8, 1980, 93 Stat. 1367, struck out item 591 "Definitions".

1976—Pub. L. 94-453, § 2, Oct. 2, 1976, 90 Stat. 1517, substituted "political contribution" for "political activity" in item 601.

Pub. L. 94-283 title II, § 201(b), May 11, 1976, 90 Stat. 496, struck out items "608. Limitations on contributions and expenditures", "610. Contributions or expenditures by national banks, corporations or labor organizations", "611. Contributions by Government contractors", "612. Publication or distribution of political statements", "613. Contributions by foreign nationals", "614. Prohibition of contributions in name of another", "615. Limitation on contributions of currency", "616. Acceptance of excessive honorariums", and "617. Fraudulent misrepresentation of campaign authority".

1974—Pub. L. 93-443, title I, § 101(d)(4)(B), (f)(3), Oct. 15, 1974, 88 Stat. 1267, 1268, substituted "Contributions by foreign nationals" for "Contributions by agents of foreign principals" in item 613, and added items 614 to 617.

1972—Pub. L. 92-225, title II, § 207, Feb. 7, 1972, 86 Stat. 11, substituted "contributions and expenditures" for "political contributions and purchases" in item 608, "Repealed" for "Maximum contributions and expenditures" in item 609, and "Government contractors" for "firms or individuals contracting with the United States" in item 611.

1966—Pub. L. 89-486, § 8(c)(1), July 4, 1966, 80 Stat. 249, added item 613.

STATE LAWS AFFECTED—DEFINITIONS

Pub. L. 93-443, title I, § 104, Oct. 15, 1974, 88 Stat. 1272, provided that:

"(a) The provisions of chapter 29 of title 18, United States Code, relating to elections and political activities, supersede and preempt any provision of State law with respect to election to Federal office.

Sec.	
[591.]	Repealed.]
592.	Troops at polls.
593.	Interference by armed forces.
594.	Intimidation of voters.
595.	Interference by administrative employees of Federal, State, or Territorial Governments.

"(b) For purposes of this section, the terms 'election', 'Federal office', and 'State' have the meanings given them by section 591 of title 18, United States Code."

[§ 591. Repealed. Pub. L. 96-187, title II, § 201(a)(1), Jan. 8, 1980, 93 Stat. 1367]

Section, acts June 25, 1948, ch. 645, 62 Stat. 719; May 24, 1949, ch. 139, § 9, 63 Stat. 90; Sept. 22, 1970, Pub. L. 91-405, title II, § 204(d)(4), 84 Stat. 853; Feb. 7, 1972, Pub. L. 92-225, title II, § 201, 86 Stat. 8; Oct. 15, 1974, Pub. L. 93-443, title I, §§ 101(f)(2), 102, 88 Stat. 1263, 1269; May 11, 1976, Pub. L. 94-283, title I, § 115(g), title II, § 202, 90 Stat. 496, 497, defined terms applicable to prohibitions respecting elections and political activities.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 8, 1980, see section 301(a) of Pub. L. 96-187, set out as an Effective Date of 1980 Amendment note under section 30101 of Title 52, Voting and Elections.

§ 592. Troops at polls

Whoever, being an officer of the Army or Navy, or other person in the civil, military, or naval service of the United States, orders, brings, keeps, or has under his authority or control any troops or armed men at any place where a general or special election is held, unless such force be necessary to repel armed enemies of the United States, shall be fined under this title or imprisoned not more than five years, or both; and be disqualified from holding any office of honor, profit, or trust under the United States.

This section shall not prevent any officer or member of the armed forces of the United States from exercising the right of suffrage in any election district to which he may belong, if otherwise qualified according to the laws of the State in which he offers to vote.

(June 25, 1948, ch. 645, 62 Stat. 719; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 55 and 59 (Mar. 4, 1909, ch. 321, §§ 22, 26, 35 Stat. 1092, 1093).

This section consolidates sections 55 and 59 of title 18, U.S.C., 1940 ed.

Mandatory punishment provision was rephrased in the alternative.

In second paragraph, words "or member of the Armed Forces of the United States" were substituted for "soldier, sailor, or marine" so as to cover those auxiliaries which are now component parts of the Army and Navy. Changes in phraseology were also made.

AMENDMENTS

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$5,000".

§ 593. Interference by armed forces

Whoever, being an officer or member of the Armed Forces of the United States, prescribes or fixes or attempts to prescribe or fix, whether by proclamation, order or otherwise, the qualifications of voters at any election in any State; or

Whoever, being such officer or member, prevents or attempts to prevent by force, threat, intimidation, advice or otherwise any qualified voter of any State from fully exercising the right of suffrage at any general or special election; or

Whoever, being such officer or member, orders or compels or attempts to compel any election of-

ficer in any State to receive a vote from a person not legally qualified to vote; or

Whoever, being such officer or member, imposes or attempts to impose any regulations for conducting any general or special election in a State, different from those prescribed by law; or

Whoever, being such officer or member, interferes in any manner with an election officer's discharge of his duties—

Shall be fined under this title or imprisoned not more than five years, or both; and disqualified from holding any office of honor, profit or trust under the United States.

This section shall not prevent any officer or member of the Armed Forces from exercising the right of suffrage in any district to which he may belong, if otherwise qualified according to the laws of the State of such district.

(June 25, 1948, ch. 645, 62 Stat. 719; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 56-59 (Mar. 4, 1909, ch. 321, §§ 23-26, 35 Stat. 1092, 1093).

Four sections were consolidated with only such changes of phraseology as were necessary to effect the consolidation.

AMENDMENTS

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$5,000" in sixth par.

Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, Delegate from the District of Columbia, or Resident Commissioner, at any election held solely or in part for the purpose of electing such candidate, shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 720; Pub. L. 91-405, title II, § 204(d)(5), Sept. 22, 1970, 84 Stat. 853; Pub. L. 103-322, title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 61, 61g (Aug. 2, 1939, 11:50 a.m. E.S.T., ch. 410, §§ 1, 8, 53 Stat. 1147, 1148).

This section consolidates sections 61 and 61g of title 18, U.S.C., 1940 ed., with changes in phraseology only.

AMENDMENTS

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$1,000".

1970—Pub. L. 91-405 substituted "Delegate from the District of Columbia, or Resident Commissioner" for "Delegates or Commissioners from the Territories and possessions".

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-405 effective Sept. 22, 1970, see section 206(b) of Pub. L. 91-405, set out as an Effective Date note under section 25a of Title 2, The Congress.

§ 595. Interference by administrative employees of Federal, State, or Territorial Governments

Whoever, being a person employed in any administrative position by the United States, or by any department or agency thereof, or by the District of Columbia or any agency or instrumentality thereof, or by any State, Territory, or Possession of the United States, or any political subdivision, municipality, or agency thereof, or agency of such political subdivision or municipality (including any corporation owned or controlled by any State, Territory, or Possession of the United States or by any such political subdivision, municipality, or agency), in connection with any activity which is financed in whole or in part by loans or grants made by the United States, or any department or agency thereof, uses his official authority for the purpose of interfering with, or affecting, the nomination or the election of any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, Delegate from the District of Columbia, or Resident Commissioner, shall be fined under this title or imprisoned not more than one year, or both.

This section shall not prohibit or make unlawful any act by any officer or employee of any educational or research institution, establishment, agency, or system which is supported in whole or in part by any state or political subdivision thereof, or by the District of Columbia or by any Territory or Possession of the United States; or by any recognized religious, philanthropic or cultural organization.

(June 25, 1948, ch. 645, 62 Stat. 720; Pub. L. 91-405, title II, § 204(d)(6), Sept. 22, 1970, 84 Stat. 853; Pub. L. 103-322, title XXXIII, § 330016(1)(H), (L), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 61a, 61g, 61n, 61s, 61u (Aug. 2, 1939, 11:50 a.m., E.S.T., ch. 410, §§ 2, 8, 53 Stat. 1147, 1148; July 19, 1940, ch. 640, § 1, 54 Stat. 767; Aug. 2, 1939, ch. 410, §§ 14, 19, as added July 19, 1940, ch. 640, § 4, 54 Stat. 767; Aug. 2, 1939, ch. 410, § 21, as added Oct. 24, 1942, ch. 620, 56 Stat. 986).

This section consolidates sections 61s, 61n, and 61g with 61a, all of title 18, U.S.C., 1940 ed., in first paragraph, and incorporates section 61u as second paragraph.

Words "or agency thereof" and words "or any department or agency thereof" were inserted to remove any possible ambiguity as to scope of section. (See definitions of department and agency in section 6 of this title.)

Words "or by the District of Columbia or any agency or instrumentality thereof" were inserted upon authority of section 61n of title 18, U.S.C., 1940 ed., which provided that for the purposes of this section, "persons employed in the government of the District of Columbia shall be deemed to be employed in the executive branch of the Government of the United States."

After "State" the words "Territory, or Possession of the United States" were inserted in two places upon authority of section 61s of title 18, U.S.C., 1940 ed., which defined "State," as used in this section, as "any State, Territory, or possession of the United States."

The punishment provision was derived from section 61g of title 18, U.S.C., 1940 ed., which, by reference, made this punishment applicable to this section.

The second paragraph was derived from section 61u of title 18, U.S.C., 1940 ed., which made its provisions applicable to this section by reference.

Changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322, § 330016(1)(L), which directed the amendment of this section by substituting "under this title" for "not more than \$10,000", could not be executed because the phrase "not more than \$10,000" does not appear in text.

Pub. L. 103-322, § 330016(1)(H), substituted "fined under this title" for "fined not more than \$1,000" in first par.

1970—Pub. L. 91-405 substituted reference to Delegate from District of Columbia or Resident Commissioner for Delegate or Resident Commissioner from any Territory or Possession.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-405 effective Sept. 22, 1970, see section 206(b) of Pub. L. 91-405, set out as an Effective Date note under section 25a of Title 2, The Congress.

§ 596. Polling armed forces

Whoever, within or without the Armed Forces of the United States, polls any member of such forces, either within or without the United States, either before or after he executes any ballot under any Federal or State law, with reference to his choice of or his vote for any candidate, or states, publishes, or releases any result of any purported poll taken from or among the members of the Armed Forces of the United States or including within it the statement of choice for such candidate or of such votes cast by any member of the Armed Forces of the United States, shall be fined under this title or imprisoned for not more than one year, or both.

The word "poll" means any request for information, verbal or written, which by its language or form of expression requires or implies the necessity of an answer, where the request is made with the intent of compiling the result of the answers obtained, either for the personal use of the person making the request, or for the purpose of reporting the same to any other person, persons, political party, unincorporated association or corporation, or for the purpose of publishing the same orally, by radio, or in written or printed form.

(June 25, 1948, ch. 645, 62 Stat. 720; Pub. L. 103-322, title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on section 344 of title 50, U.S.C., 1940 ed., War and National Defense (Sept. 16, 1942, ch. 561, title III, § 314, as added Apr. 1, 1944, ch. 150, 58 Stat. 146).

Changes in phraseology were made.

AMENDMENTS

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$1,000" in first par.

§ 597. Expenditures to influence voting

Whoever makes or offers to make an expenditure to any person, either to vote or withhold his vote, or to vote for or against any candidate; and

Whoever solicits, accepts, or receives any such expenditure in consideration of his vote or the withholding of his vote—

Shall be fined under this title or imprisoned not more than one year, or both; and if the violation was willful, shall be fined under this title or imprisoned not more than two years, or both.

(June 25, 1948, ch. 645, 62 Stat. 721; Pub. L. 103-322, title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat.

2147; Pub. L. 104-294, title VI, § 601(a)(12), Oct. 11, 1996, 110 Stat. 3498.)

HISTORICAL AND REVISION NOTES

Based on sections 250, 252, of title 2, U.S.C., 1940 ed., The Congress (Feb. 28, 1925, ch. 368, title III, §§ 311, 314, 43 Stat. 1073, 1074).

This section consolidates the provisions of sections 250 and 252 of title 2, U.S.C., 1940 ed., The Congress.

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

The punishment provisions of section 252 of title 2, U.S.C., 1940 ed., The Congress, were incorporated at end of section upon authority of reference in such section making them applicable to this section.

Words "or both" were added to conform to the almost universal formula of the punishment provisions of this title.

Changes were made in phraseology.

AMENDMENTS

1996—Pub. L. 104-294 substituted "shall be fined under this title" for "shall be fined not more than \$10,000" in last par.

1994—Pub. L. 103-322 substituted "shall be fined under this title" for "shall be fined not more than \$1,000" in last par.

§ 598. Coercion by means of relief appropriations

Whoever uses any part of any appropriation made by Congress for work relief, relief, or for increasing employment by providing loans and grants for public-works projects, or exercises or administers any authority conferred by any Appropriation Act for the purpose of interfering with, restraining, or coercing any individual in the exercise of his right to vote at any election, shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 721; Pub. L. 103-322, title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 61f, 61g (Aug. 2, 1939, 11:50 a.m., E.S.T., ch. 410, §§ 7, 8, 53 Stat. 1148).

This section consolidates sections 61f and 61g of title 18, U.S.C., 1940 ed., with changes of phraseology necessary to effect consolidation.

The punishment provision was derived from section 61g of title 18, U.S.C., 1940 ed., which, by reference, was made applicable to this section.

AMENDMENTS

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$1,000".

§ 599. Promise of appointment by candidate

Whoever, being a candidate, directly or indirectly promises or pledges the appointment, or the use of his influence or support for the appointment of any person to any public or private position or employment, for the purpose of procuring support in his candidacy shall be fined under this title or imprisoned not more than one year, or both; and if the violation was willful, shall be fined under this title or imprisoned not more than two years, or both.

(June 25, 1948, ch. 645, 62 Stat. 721; Pub. L. 103-322, title XXXIII, § 330016(1)(H), (L), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on sections 249, 252, of title 2, U.S.C., 1940 ed., The Congress (Feb. 28, 1925, ch. 368, title III, §§ 310, 314, 43 Stat. 1073, 1074).

This section consolidates the provisions of sections 249 and 252 of title 2, U.S.C., 1940 ed., The Congress, with changes in arrangement and phraseology necessary to effect consolidation.

Words "or both" were added to conform to the almost universal formula of the punishment provisions of this title.

AMENDMENTS

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$1,000" after "candidacy shall be" and for "fined not more than \$10,000" after "willful, shall be".

§ 600. Promise of employment or other benefit for political activity

Whoever, directly or indirectly, promises any employment, position, compensation, contract, appointment, or other benefit, provided for or made possible in whole or in part by any Act of Congress, or any special consideration in obtaining any such benefit, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in connection with any general or special election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 721; Pub. L. 92-225, title II, § 202, Feb. 7, 1972, 86 Stat. 9; Pub. L. 94-453, § 3, Oct. 2, 1976, 90 Stat. 1517; Pub. L. 103-322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 61b, 61g (Aug. 2, 1939, 11:50 a.m., E.S.T., ch. 410, §§ 3, 8, 53 Stat. 1147, 1148).

This section consolidates sections 61b and 61g of title 18, U.S.C., 1940 ed.

Minor changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$10,000".

1976—Pub. L. 94-453 substituted \$10,000 for \$1,000 maximum allowable fine.

1972—Pub. L. 92-225 struck out "work," after "position," inserted "contract, appointment," after "compensation," and "or any special consideration in obtaining any such benefit," after "Act of Congress," and substituted "in connection with any general or special election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office" for "in any election".

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-225 effective Dec. 31, 1971, or sixty days after date of enactment [Feb. 7, 1972], whichever is later, see section 408 of Pub. L. 92-225, set out as an Effective Date note under section 30101 of Title 52, Voting and Elections.

§ 601. Deprivation of employment or other benefit for political contribution

(a) Whoever, directly or indirectly, knowingly causes or attempts to cause any person to make

a contribution of a thing of value (including services) for the benefit of any candidate or any political party, by means of the denial or deprivation, or the threat of the denial or deprivation, of—

(1) any employment, position, or work in or for any agency or other entity of the Government of the United States, a State, or a political subdivision of a State, or any compensation or benefit of such employment, position, or work; or

(2) any payment or benefit of a program of the United States, a State, or a political subdivision of a State;

if such employment, position, work, compensation, payment, or benefit is provided for or made possible in whole or in part by an Act of Congress, shall be fined under this title, or imprisoned not more than one year, or both.

(b) As used in this section—

(1) the term “candidate” means an individual who seeks nomination for election, or election, to Federal, State, or local office, whether or not such individual is elected, and, for purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, to Federal, State, or local office, if he has (A) taken the action necessary under the law of a State to qualify himself for nomination for election, or election, or (B) received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

(2) the term “election” means (A) a general, special primary, or runoff election, (B) a convention or caucus of a political party held to nominate a candidate, (C) a primary election held for the selection of delegates to a nominating convention of a political party, (D) a primary election held for the expression of a preference for the nomination of persons for election to the office of President, and (E) the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States or of any State; and

(3) the term “State” means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

(June 25, 1948, ch. 645, 62 Stat. 721; Pub. L. 94-453, § 1, Oct. 2, 1976, 90 Stat. 1516; Pub. L. 103-322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 61c, 61g (Aug. 2, 1939, 11:50 a.m., E.S.T., ch. 410, §§ 4, 8, 53 Stat. 1147, 1148).

This section consolidates sections 61c and 61g of title 18, U.S.C., 1940 ed.

The words “except as required by law” were used as sufficient to cover the reference to the exception made to the provisions of subsection (b), section 61h of title 18, U.S.C., 1940 ed., which expressly prescribes the circumstances under which a person may be lawfully deprived of his employment and compensation therefor.

Changes were made in phraseology.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$10,000” in concluding provisions.

1976—Pub. L. 94-453 struck out provisions relating to deprivations based upon race, creed, and color which are now set out in section 246 of this title, replaced term “political activity” with more precise terms and definitions, and raised the amount of maximum fine from \$1,000 to \$10,000.

§ 602. Solicitation of political contributions

(a) It shall be unlawful for—

(1) a candidate for the Congress;

(2) an individual elected to or serving in the office of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress;

(3) an officer or employee of the United States or any department or agency thereof; or

(4) a person receiving any salary or compensation for services from money derived from the Treasury of the United States; to knowingly solicit any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 from any other such officer, employee, or person. Any person who violates this section shall be fined under this title or imprisoned not more than 3 years, or both.

(b) The prohibition in subsection (a) shall not apply to any activity of an employee (as defined in section 7322(1) of title 5) or any individual employed in or under the United States Postal Service or the Postal Regulatory Commission, unless that activity is prohibited by section 7323 or 7324 of such title.

(June 25, 1948, ch. 645, 62 Stat. 722; Pub. L. 96-187, title II, § 201(a)(3), Jan. 8, 1980, 93 Stat. 1367; Pub. L. 103-94, § 4(a), Oct. 6, 1993, 107 Stat. 1004; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 109-435, title VI, § 604(f), Dec. 20, 2006, 120 Stat. 3242.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 208, 212 (Mar. 4, 1909, ch. 321, §§ 118, 122, 35 Stat. 1110; Feb. 28, 1925, ch. 368, § 312, 43 Stat. 1073).

This section consolidates sections 208 and 212 of title 18, U.S.C., 1940 ed.

This section, like section 201 of this title, was expanded to embrace all officers or persons acting on behalf of any independent agencies or Government-owned or controlled corporations by inserting words “or any department or agency thereof.” (See definitive section 6 of this title.)

The punishment provision was taken from section 212 of title 18, U.S.C., 1940 ed., which, by reference, made the punishment applicable to the crime described in this section.

Changes were made in phraseology.

REFERENCES IN TEXT

Section 301(8) of the Federal Election Campaign Act of 1971, referred to in subsec. (a)(4), is classified to section 30101(8) of Title 52, Voting and Elections.

AMENDMENTS

2006—Subsec. (b). Pub. L. 109-435 substituted “Postal Regulatory Commission” for “Postal Rate Commission”.

1994—Pub. L. 103-322, which directed the amendment of this section by substituting “under this title” for “not more than \$5,000”, could not be executed because the phrase “not more than \$5,000” does not appear in text. See 1993 Amendment note below.

1993—Pub. L. 103-94 designated existing provisions as subsec. (a), substituted “; to knowingly solicit any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 from any other

such officer, employee, or person. Any person who violates this section shall be fined under this title or imprisoned not more than 3 years, or both" for "to knowingly solicit, any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 from any other such officer, employee, or person. Any person who violates this section shall be fined not more than \$5,000 or imprisoned not more than three years, or both" in par. (4), and added subsec. (b).

1980—Pub. L. 96-187 amended section generally to conform its terms to revision of the Federal Election Campaign Act of 1971 by title I of Pub. L. 96-187.

EFFECTIVE DATE OF 1993 AMENDMENT; SAVINGS PROVISION

Amendment by Pub. L. 103-94 effective 120 days after Oct. 6, 1993, but not to release or extinguish any penalty, forfeiture, or liability incurred under amended provision, which is to be treated as remaining in force for purpose of sustaining any proper proceeding or action for enforcement of that penalty, forfeiture, or liability, and no provision of Pub. L. 103-94 to affect any proceedings with respect to which charges were filed on or before 120 days after Oct. 6, 1993, with orders to be issued in such proceedings and appeals taken therefrom as if Pub. L. 103-94 had not been enacted, see section 12 of Pub. L. 103-94, set out as an Effective Date; Savings Provision note under section 7321 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-187 effective Jan. 8, 1980, see section 301(a) of Pub. L. 96-187, set out as a note under section 30101 of Title 52, Voting and Elections.

§ 603. Making political contributions

(a) It shall be unlawful for an officer or employee of the United States or any department or agency thereof, or a person receiving any salary or compensation for services from money derived from the Treasury of the United States, to make any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 to any other such officer, employee or person or to any Senator or Representative in, or Delegate or Resident Commissioner to, the Congress, if the person receiving such contribution is the employer or employing authority of the person making the contribution. Any person who violates this section shall be fined under this title or imprisoned not more than three years, or both.

(b) For purposes of this section, a contribution to an authorized committee as defined in section 302(e)(1) of the Federal Election Campaign Act of 1971 shall be considered a contribution to the individual who has authorized such committee.

(c) The prohibition in subsection (a) shall not apply to any activity of an employee (as defined in section 7322(1) of title 5) or any individual employed in or under the United States Postal Service or the Postal Regulatory Commission, unless that activity is prohibited by section 7323 or 7324 of such title.

(June 25, 1948, ch. 645, 62 Stat. 722; Oct. 31, 1951, ch. 655, § 20(b), 65 Stat. 718; Pub. L. 96-187, title II, § 201(a)(4), Jan. 8, 1980, 93 Stat. 1367; Pub. L. 103-94, § 4(b), Oct. 6, 1993, 107 Stat. 1005; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 109-435, title VI, § 604(f), Dec. 20, 2006, 120 Stat. 3242.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 209, 212 (Mar. 4, 1909, ch. 321, §§ 119, 122, 35 Stat. 1110).

This section consolidates sections 209 and 212 of title 18, U.S.C., 1940 ed., without change of substance.

To eliminate ambiguity resulting from use of identical words in reference "officer or employee of the United States mentioned in section 208 of this title" as those appearing in section 208 of title 18, U.S.C., 1940 ed., now section 602 of this title, words "person mentioned in section 602 of this title" were inserted.

Words "from any such person" were inserted after "purpose", so as to make it clear that the section does not embrace State employees in its provisions. Some Federal agencies are located in State buildings occupied by State employees.

The punishment provision was derived from section 212 of title 18, U.S.C., 1940 ed. (See reviser's note under section 602 of this title.)

Minor changes were made in phraseology.

REFERENCES IN TEXT

Section 301(8) of the Federal Election Campaign Act of 1971, referred to in subsec. (a), is classified to section 30101(8) of Title 52, Voting and Elections.

Section 302(e)(1) of the Federal Election Campaign Act of 1971, referred to in subsec. (b), is classified to section 30102(e)(1) of Title 52.

AMENDMENTS

2006—Subsec. (c). Pub. L. 109-435 substituted "Postal Regulatory Commission" for "Postal Rate Commission".

1994—Subsec. (a). Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$5,000".

1993—Subsec. (c). Pub. L. 103-94 added subsec. (c).

1980—Pub. L. 96-187 substituted provisions relating to the making of political contributions for provisions relating to the place of solicitation. See section 607 of this title.

1951—Act Oct. 31, 1951, struck out "from any such person" after "purpose".

EFFECTIVE DATE OF 1993 AMENDMENT; SAVINGS PROVISION

Amendment by Pub. L. 103-94 effective 120 days after Oct. 6, 1993, but not to release or extinguish any penalty, forfeiture, or liability incurred under amended provision, which is to be treated as remaining in force for purpose of sustaining any proper proceeding or action for enforcement of that penalty, forfeiture, or liability, and no provision of Pub. L. 103-94 to affect any proceedings with respect to which charges were filed on or before 120 days after Oct. 6, 1993, with orders to be issued in such proceedings and appeals taken therefrom as if Pub. L. 103-94 had not been enacted, see section 12 of Pub. L. 103-94, set out as an Effective Date; Savings Provision note under section 7321 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1980 AMENDMENT

Amended by Pub. L. 96-187 effective Jan. 8, 1980, see section 301(a) of Pub. L. 96-187, set out as a note under section 30101 of Title 52, Voting and Elections.

§ 604. Solicitation from persons on relief

Whoever solicits or receives or is in any manner concerned in soliciting or receiving any assessment, subscription, or contribution for any political purpose from any person known by him to be entitled to, or receiving compensation, employment, or other benefit provided for or made possible by any Act of Congress appropriating funds for work relief or relief purposes, shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 722; Pub. L. 103-322, title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 61d, 61g (Aug. 2, 1939, 11:50 a.m., E.S.T., ch. 410, §§ 5, 8, 53 Stat. 1148).

This section consolidates sections 61d and 61g of title 18, U.S.C., 1940 ed.

Minor changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$1,000”.

§ 605. Disclosure of names of persons on relief

Whoever, for political purposes, furnishes or discloses any list or names of persons receiving compensation, employment or benefits provided for or made possible by any Act of Congress appropriating, or authorizing the appropriation of funds for work relief or relief purposes, to a political candidate, committee, campaign manager, or to any person for delivery to a political candidate, committee, or campaign manager; and

Whoever receives any such list or names for political purposes—

Shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 722; Pub. L. 103-322, title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 61e, 61g (Aug. 2, 1939, 11:50 a.m., E.S.T., ch. 410, §§ 6, 8, 53 Stat. 1148).

This section consolidates sections 61e and 61g of title 18, U.S.C., 1940 ed.

Reference to persons aiding or assisting, contained in words “or to aid or assist in furnishing or disclosing” was omitted as unnecessary as such persons are made principals by section 2 of this title.

Changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$1,000”.

§ 606. Intimidation to secure political contributions

Whoever, being one of the officers or employees of the United States mentioned in section 602 of this title, discharges, or promotes, or degrades, or in any manner changes the official rank or compensation of any other officer or employee, or promises or threatens so to do, for giving or withholding or neglecting to make any contribution of money or other valuable thing for any political purpose, shall be fined under this title or imprisoned not more than three years, or both.

(June 25, 1948, ch. 645, 62 Stat. 722; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 210, 212 (Mar. 4, 1909, ch. 321, §§ 120, 122, 35 Stat. 1110).

This section consolidates sections 210 and 212 of title 18, U.S.C., 1940 ed.

Changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$5,000”.

§ 607. Place of solicitation

(a) PROHIBITION.—

(1) IN GENERAL.—It shall be unlawful for any person to solicit or receive a donation of money or other thing of value in connection with a Federal, State, or local election from a person who is located in a room or building occupied in the discharge of official duties by an officer or employee of the United States. It shall be unlawful for an individual who is an officer or employee of the Federal Government, including the President, Vice President, and Members of Congress, to solicit or receive a donation of money or other thing of value in connection with a Federal, State, or local election, while in any room or building occupied in the discharge of official duties by an officer or employee of the United States, from any person.

(2) PENALTY.—A person who violates this section shall be fined not more than \$5,000, imprisoned not more than 3 years, or both.

(b) The prohibition in subsection (a) shall not apply to the receipt of contributions by persons on the staff of a Senator or Representative in, or Delegate or Resident Commissioner to, the Congress or Executive Office of the President, provided, that such contributions have not been solicited in any manner which directs the contributor to mail or deliver a contribution to any room, building, or other facility referred to in subsection (a), and provided that such contributions are transferred within seven days of receipt to a political committee within the meaning of section 302(e) of the Federal Election Campaign Act of 1971.

(June 25, 1948, ch. 645, 62 Stat. 722; Pub. L. 96-187, title II, § 201(a)(5), Jan. 8, 1980, 93 Stat. 1367; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 107-155, title III, § 302, Mar. 27, 2002, 116 Stat. 96.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 211, 212 (Mar. 4, 1909, ch. 321, §§ 121, 122, 35 Stat. 1110).

This section consolidates sections 211 and 212 of title 18, U.S.C., 1940 ed.

This section was expanded to embrace all officers or persons acting on behalf of any independent agencies or Government-owned or controlled corporations by inserting words “or any department or agency thereof.” (See definitive section 6, and reviser’s note under section 201 of this title.)

Changes were made in phraseology.

REFERENCES IN TEXT

Section 302(e) of the Federal Election Campaign Act of 1971, referred to in subsec. (b), is classified to section 30102(e) of Title 52, Voting and Elections.

AMENDMENTS

2002—Subsec. (a). Pub. L. 107-155, § 302(1), added subsec. (a) and struck out former subsec. (a) which read as follows: “It shall be unlawful for any person to solicit or receive any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 in any room or building occupied in the discharge of official duties by any person mentioned in section 603, or in any navy yard, fort, or arsenal. Any person who violates this section shall be fined under this title or imprisoned not more than three years, or both.”

Subsec. (b). Pub. L. 107-155, § 302(2), inserted “or Executive Office of the President” after “Congress”.

1994—Subsec. (a). Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$5,000”.

1980—Pub. L. 96-187 substituted provisions relating to the place of solicitation for provisions relating to the making of political contributions.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-155 effective Nov. 6, 2002, see section 402 of Pub. L. 107-155, set out as an Effective Date of 2002 Amendment; Regulations note under section 30101 of Title 52, Voting and Elections.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-187 effective Jan. 8, 1980, see section 301(a) of Pub. L. 96-187, set out as a note under section 30101 of Title 52, Voting and Elections.

§ 608. Absent uniformed services voters and overseas voters

(a) Whoever knowingly deprives or attempts to deprive any person of a right under the Uniformed and Overseas Citizens Absentee Voting Act shall be fined in accordance with this title or imprisoned not more than five years, or both.

(b) Whoever knowingly gives false information for the purpose of establishing the eligibility of any person to register or vote under the Uniformed and Overseas Citizens Absentee Voting Act, or pays or offers to pay, or accepts payment for registering or voting under such Act shall be fined in accordance with this title or imprisoned not more than five years, or both.

(Added Pub. L. 99-410, title II, § 202(a), Aug. 28, 1986, 100 Stat. 929.)

REFERENCES IN TEXT

The Uniformed and Overseas Citizens Absentee Voting Act, referred to in text, is Pub. L. 99-410, Aug. 28, 1986, 100 Stat. 924, which was formerly classified principally to subchapter I-G (§ 1973ff et seq.) of chapter 20 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering in Title 52, Voting and Elections, and is now classified principally to chapter 203 (§ 20301 et seq.) of Title 52. For complete classification of this Act to the Code, see Tables.

PRIOR PROVISIONS

A prior section 608, acts June 25, 1948, ch. 645, 62 Stat. 723; Feb. 7, 1972, Pub. L. 92-225, title II, § 203, 86 Stat. 9; Oct. 15, 1974, Pub. L. 93-443, title I, § 101(a), (b), 88 Stat. 1263, 1266, set limitations on campaign contributions and expenditures, prior to repeal by Pub. L. 94-283, title II, § 201(a), May 11, 1976, 90 Stat. 496. See section 30116 of Title 52, Voting and Elections.

EFFECTIVE DATE

Section applicable with respect to elections taking place after Dec. 31, 1987, see section 204 of Pub. L. 99-410, set out as a note under section 20301 of Title 52, Voting and Elections.

§ 609. Use of military authority to influence vote of member of Armed Forces

Whoever, being a commissioned, noncommissioned, warrant, or petty officer of an Armed Force, uses military authority to influence the vote of a member of the Armed Forces or to require a member of the Armed Forces to march to a polling place, or attempts to do so, shall be fined in accordance with this title or imprisoned not more than five years, or both. Nothing in this section shall prohibit free discussion of political issues or candidates for public office.

(Added Pub. L. 99-410, title II, § 202(a), Aug. 28, 1986, 100 Stat. 929.)

PRIOR PROVISIONS

A prior section 609, act June 25, 1948, ch. 645, 62 Stat. 723, prescribed maximum contributions and expenditures limitation of \$3,000,000 for any calendar year, prior to repeal by Pub. L. 92-225, title II, § 204, Feb. 7, 1972, 86 Stat. 10, effective sixty days after Feb. 7, 1972.

EFFECTIVE DATE

Section applicable with respect to elections taking place after Dec. 31, 1987, see section 204 of Pub. L. 99-410, set out as a note under section 20301 of Title 52, Voting and Elections.

§ 610. Coercion of political activity

It shall be unlawful for any person to intimidate, threaten, command, or coerce, or attempt to intimidate, threaten, command, or coerce, any employee of the Federal Government as defined in section 7322(1) of title 5, United States Code, to engage in, or not to engage in, any political activity, including, but not limited to, voting or refusing to vote for any candidate or measure in any election, making or refusing to make any political contribution, or working or refusing to work on behalf of any candidate. Any person who violates this section shall be fined under this title or imprisoned not more than three years, or both.

(Added Pub. L. 103-94, § 4(c)(1), Oct. 6, 1993, 107 Stat. 1005; amended Pub. L. 104-294, title VI, § 601(a)(1), Oct. 11, 1996, 110 Stat. 3497.)

PRIOR PROVISIONS

A prior section 610, acts June 25, 1948, ch. 645, 62 Stat. 723; May 24, 1949, ch. 139, § 10, 63 Stat. 90; Oct. 31, 1951, ch. 655, § 20(c), 65 Stat. 718; Feb. 7, 1972, Pub. L. 92-225, title II, § 205, 86 Stat. 10; Oct. 15, 1974, Pub. L. 93-443, title I, § 101(e)(1), 88 Stat. 1267, prohibited campaign contributions or expenditures by national banks, corporations, and labor organizations, prior to repeal by Pub. L. 94-283, title II, § 201(a), May 11, 1976, 90 Stat. 496. See section 30118 of Title 52, Voting and Elections.

AMENDMENTS

1996—Pub. L. 104-294 substituted “fined under this title” for “fined not more than \$5,000”.

EFFECTIVE DATE; SAVINGS PROVISION

Section effective 120 days after Oct. 6, 1993, and no provision of Pub. L. 103-94 to affect any proceedings with respect to which charges were filed on or before 120 days after Oct. 6, 1993, with orders to be issued in such proceedings and appeals taken therefrom as if Pub. L. 103-94 had not been enacted, see section 12 of Pub. L. 103-94, set out as a note under section 7321 of Title 5, Government Organization and Employees.

§ 611. Voting by aliens

(a) It shall be unlawful for any alien to vote in any election held solely or in part for the purpose of electing a candidate for the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, Delegate from the District of Columbia, or Resident Commissioner, unless—

(1) the election is held partly for some other purpose;

(2) aliens are authorized to vote for such other purpose under a State constitution or statute or a local ordinance; and

(3) voting for such other purpose is conducted independently of voting for a candidate for such Federal offices, in such a manner that an alien has the opportunity to vote for such other purpose, but not an opportunity to vote for a candidate for any one or more of such Federal offices.

(b) Any person who violates this section shall be fined under this title, imprisoned not more than one year, or both.

(c) Subsection (a) does not apply to an alien if—

(1) each natural parent of the alien (or, in the case of an adopted alien, each adoptive parent of the alien) is or was a citizen (whether by birth or naturalization);

(2) the alien permanently resided in the United States prior to attaining the age of 16; and

(3) the alien reasonably believed at the time of voting in violation of such subsection that he or she was a citizen of the United States.

(Added Pub. L. 104-208, div. C, title II, § 216(a), Sept. 30, 1996, 110 Stat. 3009-572; amended Pub. L. 106-395, title II, § 201(d)(1), Oct. 30, 2000, 114 Stat. 1635.)

PRIOR PROVISIONS

A prior section 611, acts June 25, 1948, ch. 645, 62 Stat. 724; Feb. 7, 1972, Pub. L. 92-225, title II, § 206, 86 Stat. 10; Oct. 15, 1974, Pub. L. 93-443, title I, §§ 101(e)(2), 103, 88 Stat. 1267, 1272, prohibited campaign contributions by government contractors, prior to repeal by Pub. L. 94-283, title II, § 201(a), May 11, 1976, 90 Stat. 496. See section 30119 of Title 52, Voting and Elections.

AMENDMENTS

2000—Subsec. (c). Pub. L. 106-395 added subsec. (c).

EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106-395, title II, § 201(d)(3), Oct. 30, 2000, 114 Stat. 1636, provided that: “The amendment made by paragraph (1) [amending this section] shall be effective as if included in the enactment of section 216 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104-208; 110 Stat. 3009-572). The amendment made by paragraph (2) [amending section 1015 of this title] shall be effective as if included in the enactment of section 215 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104-208; 110 Stat. 3009-572). The amendments made by paragraphs (1) and (2) shall apply to an alien prosecuted on or after September 30, 1996, except in the case of an alien whose criminal proceeding (including judicial review thereof) has been finally concluded before the date of the enactment of this Act [Oct. 30, 2000].”

[§§ 612 to 617. Repealed. Pub. L. 94-283, title II, § 201(a), May 11, 1976, 90 Stat. 496]

Section 612, acts June 25, 1948, ch. 645, 62 Stat. 724; Aug. 25, 1950, ch. 784, § 2, 64 Stat. 475; Aug. 12, 1970, Pub. L. 91-375, § 6(j)(7), 84 Stat. 777, regulated publication and distribution of political statements. See section 30120 of Title 52, Voting and Elections.

Section 613, added Pub. L. 89-486, § 8(a), July 4, 1966, 80 Stat. 248; amended Pub. L. 93-443, title I, § 101(d)(1)-(3), (4)(A), (e)(3), Oct. 15, 1974, 88 Stat. 1267, prohibited campaign contributions by foreign nationals. See section 30121 of Title 52, Voting and Elections.

Section 614, added Pub. L. 93-443, title I, § 101(f)(1), Oct. 15, 1974, 88 Stat. 1268, prohibited making of campaign contributions in the name of another. See section 30122 of Title 52, Voting and Elections.

Section 615, added Pub. L. 93-443, title I, § 101(f)(1), Oct. 15, 1974, 88 Stat. 1268, placed limitations on contributions

of currency. See section 30123 of Title 52, Voting and Elections.

Section 616, added Pub. L. 93-443, title I, § 101(f)(1), Oct. 15, 1974, 88 Stat. 1268, prohibited acceptance of excessive honorariums.

Section 617, added Pub. L. 93-443, title I, § 101(f)(1), Oct. 15, 1974, 88 Stat. 1268, prohibited fraudulent misrepresentation of campaign authority. See section 30124 of Title 52, Voting and Elections.

SAVINGS PROVISION

Repeal by Pub. L. 94-283 not to release or extinguish any penalty, forfeiture, or liability incurred under such sections, with each section to be treated as remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of any penalty, forfeiture, or liability, see section 114 of Pub. L. 94-283, set out as a note under section 441 of Title 2, The Congress.

CHAPTER 31—EMBEZZLEMENT AND THEFT

- | | |
|------|---|
| Sec. | |
| 641. | Public money, property or records. |
| 642. | Tools and materials for counterfeiting purposes. |
| 643. | Accounting generally for public money. |
| 644. | Banker receiving unauthorized deposit of public money. |
| 645. | Court officers generally. |
| 646. | Court officers depositing registry moneys. |
| 647. | Receiving loan from court officer. |
| 648. | Custodians, generally, misusing public funds. |
| 649. | Custodians failing to deposit moneys; persons affected. |
| 650. | Depositories failing to safeguard deposits. |
| 651. | Disbursing officer falsely certifying full payment. |
| 652. | Disbursing officer paying lesser in lieu of lawful amount. |
| 653. | Disbursing officer misusing public funds. |
| 654. | Officer or employee of United States converting property of another. |
| 655. | Theft by bank examiner. |
| 656. | Theft, embezzlement, or misapplication by bank officer or employee. |
| 657. | Lending, credit and insurance institutions. |
| 658. | Property mortgaged or pledged to farm credit agencies. |
| 659. | Interstate or foreign shipments by carrier; State prosecutions. |
| 660. | Carrier's funds derived from commerce; State prosecutions. |
| 661. | Within special maritime and territorial jurisdiction. |
| 662. | Receiving stolen property, ¹ within special maritime and territorial jurisdiction. |
| 663. | Solicitation or use of gifts. |
| 664. | Theft or embezzlement from employee benefit plan. |
| 665. | Theft or embezzlement from employment and training funds; improper inducement; obstruction of investigations. |
| 666. | Theft or bribery concerning programs receiving Federal funds. |
| 667. | Theft of livestock. |
| 668. | Theft of major artwork. |
| 669. | Theft or embezzlement in connection with health care. |
| 670. | Theft of medical products. |

AMENDMENTS

2012—Pub. L. 112-186, § 2(b), Oct. 5, 2012, 126 Stat. 1428, added item 670.

1996—Pub. L. 104-294, title VI, § 601(f)(7), Oct. 11, 1996, 110 Stat. 3500, inserted comma after “embezzlement” in item 656.

¹So in original. Does not conform to section catchline.

or both" for "bodily injury results shall be fined under this title or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life".

Pub. L. 103-322, § 320103(b)(1), which provided for amendment identical to Pub. L. 103-322, § 330016(1)(H), above, was repealed by Pub. L. 104-294, § 604(b)(14)(B).

Pub. L. 103-322, § 60006(b), inserted before period at end " , or may be sentenced to death".

1988—Pub. L. 100-690 inserted "and if bodily injury results shall be fined under this title or imprisoned not more than ten years, or both;" after "or both;".

1968—Pub. L. 90-284 provided for imprisonment for any term of years or for life when death results.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by section 604(b)(14)(B) of Pub. L. 104-294 effective Sept. 13, 1994, see section 604(d) of Pub. L. 104-294, set out as a note under section 13 of this title.

§ 243. Exclusion of jurors on account of race or color

No citizen possessing all other qualifications which are or may be prescribed by law shall be disqualified for service as grand or petit juror in any court of the United States, or of any State on account of race, color, or previous condition of servitude; and whoever, being an officer or other person charged with any duty in the selection or summoning of jurors, excludes or fails to summon any citizen for such cause, shall be fined not more than \$5,000.

(June 25, 1948, ch. 645, 62 Stat. 696.)

HISTORICAL AND REVISION NOTES

Based on section 44 of title 8, U.S.C., 1940 ed., Aliens and Nationality (Mar. 1, 1875, ch. 114, § 4, 18 Stat. 336).

Words "be deemed guilty of a misdemeanor, and" were deleted as unnecessary in view of definition of misdemeanor in section 1 of this title.

Words "on conviction thereof" were omitted as unnecessary, since punishment follows only after conviction.

Minimum punishment provisions were omitted. (See reviser's note under section 203 of this title.)

Minor changes in phraseology were made.

§ 244. Discrimination against person wearing uniform of armed forces

Whoever, being a proprietor, manager, or employee of a theater or other public place of entertainment or amusement in the District of Columbia, or in any Territory, or Possession of the United States, causes any person wearing the uniform of any of the armed forces of the United States to be discriminated against because of that uniform, shall be fined under this title.

(June 25, 1948, ch. 645, 62 Stat. 697; May 24, 1949, ch. 139, § 5, 63 Stat. 90; Pub. L. 103-322, title XXXIII, § 330016(1)(G), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

1948 ACT

Based on title 18, U.S.C., 1940 ed., § 523 (Mar. 1, 1911, ch. 187, 36 Stat. 963; Aug. 24, 1912, ch. 387, § 1, 37 Stat. 512; Jan. 28, 1915, ch. 20, § 1, 38 Stat. 800).

Words "guilty of a misdemeanor", following "shall be", were omitted as unnecessary in view of definition of "misdemeanor" in section 1 of this title. (See reviser's note under section 212 of this title.)

Changes were made in phraseology.

1949 ACT

This section [section 5] substitutes, in section 244 of title 18, U.S.C., "any of the armed forces of the United

States" for the enumeration of specific branches and thereby includes the Air Force, formerly part of the Army. This clarification is necessary because of the establishment of the Air Force as a separate branch of the Armed Forces by the act of July 26, 1947.

AMENDMENTS

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$500".

1949—Act May 24, 1949, substituted "any of the armed forces of the United States" for enumeration of the specific branches.

(a)(1) Nothing in this section shall be construed as indicating an intent on the part of Congress to prevent any State, any possession or Commonwealth of the United States, or the District of Columbia, from exercising jurisdiction over any offense over which it would have jurisdiction in the absence of this section, nor shall anything in this section be construed as depriving State and local law enforcement authorities of responsibility for prosecuting acts that may be violations of this section and that are violations of State and local law. No prosecution of any offense described in this section shall be undertaken by the United States except upon the certification in writing of the Attorney General, the Deputy Attorney General, the Associate Attorney General, or any Assistant Attorney General specially designated by the Attorney General that in his judgment a prosecution by the United States is in the public interest and necessary to secure substantial justice, which function of certification may not be delegated.

(2) Nothing in this subsection shall be construed to limit the authority of Federal officers, or a Federal grand jury, to investigate possible violations of this section.

whether or not acting under color of State law.

person or any class or persons from—

(A) voting or qualifying to vote, qualifying or campaigning as a candidate for elective office, or qualifying or acting as a poll watcher, in

(B) participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States;

(C) applying for or enjoying employment, or any perquisite thereof, by any agency of the United States;

(D) serving, or attending upon any court in connection with possible service, as a grand or petit juror in any court of the United States;

(E) participating in or enjoying the benefits of any program or activity receiving Federal financial assistance; or

(2) any person because of his race, color, religion or national origin and because he is or has been—

(A) enrolling in or attending any public school or public college;

(B) participating in or enjoying any benefit, service, privilege, program, facility or activ-

ity provided or administered by any State or subdivision thereof;

(C) applying for or enjoying employment, or any perquisite thereof, by any private employer or any agency of any State or subdivision thereof, or joining or using the services or advantages of any labor organization, hiring hall, or employment agency;

(D) serving, or attending upon any court of any State in connection with possible service, as a grand or petit juror;

(E) traveling in or using any facility of interstate commerce, or using any vehicle, terminal, or facility of any common carrier by motor, rail, water, or air;

(F) enjoying the goods, services, facilities, privileges, advantages, or accommodations of any inn, hotel, motel, or other establishment which provides lodging to transient guests, or of any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility which serves the public and which is principally engaged in selling food or beverages for consumption on the premises, or of any gasoline station, or of any motion picture house, theater, concert hall, sports arena, stadium, or any other place of exhibition or entertainment which serves the public, or of any other establishment which serves the public and (i) which is located within the premises of any of the aforesaid establishments or within the premises of which is physically located any of the aforesaid establishments, and (ii) which holds itself out as serving patrons of such establishments; or

(3) during or incident to a riot or civil disorder, any person engaged in a business in commerce or affecting commerce, including, but not limited to, any person engaged in a business which sells or offers for sale to interstate travelers a substantial portion of the articles, commodities, or services which it sells or where a substantial portion of the articles or commodities which it sells or offers for sale have moved in commerce; or

(4) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from—

(A) participating, without discrimination on account of race, color, religion or national origin, in any of the benefits or activities described in subparagraphs (1)(A) through (1)(E) or subparagraphs (2)(A) through (2)(F); or

(B) affording another person or class of persons opportunity or protection to so participate; or

(5) any citizen because he is or has been, or in order to intimidate such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion or national origin, in any of the benefits or activities described in subparagraphs (1)(A) through (1)(E) or subparagraphs (2)(A) through (2)(F), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate—

shall be fined under this title, or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of

this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire shall be fined under this title, or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death. As used in this section, the term “participating lawfully in speech or peaceful assembly” shall not mean the aiding, abetting, or inciting of other persons to riot or to commit any act of physical violence upon any individual or against any real or personal property in furtherance of a riot. Nothing in subparagraph (2)(F) or (4)(A) of this subsection shall apply to the proprietor of any establishment which provides lodging to transient guests, or to any employee acting on behalf of such proprietor, with respect to the enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of such establishment if such establishment is located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor as his residence.

(c) Nothing in this section shall be construed so as to deter any law enforcement officer from lawfully carrying out the duties of his office; and no law enforcement officer shall be considered to be in violation of this section for lawfully carrying out the duties of his office or lawfully enforcing ordinances and laws of the United States, the District of Columbia, any of the several States, or any political subdivision of a State. For purposes of the preceding sentence, the term “law enforcement officer” means any officer of the United States, the District of Columbia, a State, or political subdivision of a State, who is empowered by law to conduct investigations of, or make arrests because of, offenses against the United States, the District of Columbia, a State, or a political subdivision of a State.

(d) For purposes of this section, the term “State” includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(Added Pub. L. 90-284, title I, § 101(a), Apr. 11, 1968, 82 Stat. 73; amended Pub. L. 100-690, title VII, § 7020(a), Nov. 18, 1988, 102 Stat. 4396; Pub. L. 101-647, title XII, § 1205(b), Nov. 29, 1990, 104 Stat. 4830; Pub. L. 103-322, title VI, § 60006(c), title XXXII, § 320103(c), title XXXIII, § 330016(1)(H), (L), Sept. 13, 1994, 108 Stat. 1971, 2109, 2147; Pub. L. 104-294, title VI, § 604(b)(14)(C), (37), Oct. 11, 1996, 110 Stat. 3507, 3509.)

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-294 amended Pub. L. 103-322, § 320103(c). See 1994 Amendment notes below.

1994—Subsec. (b). Pub. L. 103-322, § 330016(1)(L), substituted “shall be fined under this title” for “shall be fined not more than \$10,000” before “, or imprisoned not more than ten years” in concluding provisions.

Pub. L. 103-322, § 330016(1)(H), substituted “shall be fined under this title” for “shall be fined not more than \$1,000” before “, or imprisoned not more than one year” in concluding provisions.

Pub. L. 103-322, § 320103(c)(4)-(6), in concluding provisions, inserted "from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill," after "death results" and substituted "shall be fined under this title or imprisoned for any term of years or for life, or both" for "shall be subject to imprisonment for any term of years or for life".

Pub. L. 103-322, § 320103(c)(3), which provided for amendment identical to Pub. L. 103-322, § 330016(1)(L), above, was repealed by Pub. L. 104-294, § 604(b)(14)(C).

Pub. L. 103-322, § 320103(c)(2), as amended by Pub. L. 104-294, § 604(b)(37), inserted "from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire" after "bodily injury results" in concluding provisions.

Pub. L. 103-322, § 320103(c)(1), which provided for amendment identical to Pub. L. 103-322, § 330016(1)(H), above, was repealed by Pub. L. 104-294, § 604(b)(14)(C).

Pub. L. 103-322, § 60006(c), in concluding provisions, inserted ", or may be sentenced to death" before ". As used in this section".

1990—Subsec. (d). Pub. L. 101-647 added subsec. (d).

1988—Subsec. (a)(1). Pub. L. 100-690 substituted ", the Deputy" for "or the Deputy" and inserted ", the Associate Attorney General, or any Assistant Attorney General specially designated by the Attorney General" after "Deputy Attorney General".

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-294 effective Sept. 13, 1994, see section 604(d) of Pub. L. 104-294, set out as a note under section 13 of this title.

FAIR HOUSING

Pub. L. 90-284, title I, § 101(b), Apr. 11, 1968, 82 Stat. 75, provided that: "Nothing contained in this section [enacting this section] shall apply to or affect activities under title VIII of this Act [sections 3601 to 3619 of Title 42, The Public Health and Welfare]."

RIOTS OR CIVIL DISTURBANCES, SUPPRESSION AND RESTORATION OF LAW AND ORDER; ACTS OR OMISSIONS OF ENFORCEMENT OFFICERS AND MEMBERS OF MILITARY SERVICE NOT SUBJECT TO THIS SECTION

Pub. L. 90-284, title I, § 101(c), Apr. 11, 1968, 82 Stat. 75, provided that: "The provisions of this section [enacting this section] shall not apply to acts or omissions on the part of law enforcement officers, members of the National Guard, as defined in section 101(9) of title 10, United States Code, members of the organized militia of any State or the District of Columbia, not covered by such section 101(9), or members of the Armed Forces of the United States, who are engaged in suppressing a riot or civil disturbance or restoring law and order during a riot or civil disturbance."

§ 246. Deprivation of relief benefits

Whoever directly or indirectly deprives, attempts to deprive, or threatens to deprive any person of any employment, position, work, compensation, or other benefit provided for or made possible in whole or in part by any Act of Congress appropriating funds for work relief or relief purposes, on account of political affiliation, race, color, sex, religion, or national origin, shall be fined under this title, or imprisoned not more than one year, or both.

(Added Pub. L. 94-453, § 4(a), Oct. 2, 1976, 90 Stat. 1517; amended Pub. L. 103-322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

AMENDMENTS

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$10,000".

§ 247. Damage to religious property; obstruction of persons in the free exercise of religious beliefs

(a) Whoever, in any of the circumstances referred to in subsection (b) of this section—

(1) intentionally defaces, damages, or destroys any religious real property, because of the religious character of that property, or attempts to do so; or

(2) intentionally obstructs, by force or threat of force, including by threat of force against religious real property, any person in the enjoyment of that person's free exercise of religious beliefs, or attempts to do so;

shall be punished as provided in subsection (d).

(b) The circumstances referred to in subsection (a) are that the offense is in or affects interstate or foreign commerce.

(c) Whoever intentionally defaces, damages, or destroys any religious real property because of the race, color, or ethnic characteristics of any individual associated with that religious property, or attempts to do so, shall be punished as provided in subsection (d).

(d) The punishment for a violation of subsection (a) or (c) of this section shall be—

(1) if death results from acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, a fine in accordance with this title and imprisonment for any term of years or for life, or both, or may be sentenced to death;

(2) if bodily injury results to any person, including any public safety officer performing duties as a direct or proximate result of conduct prohibited by this section, and the violation is by means of fire or an explosive, a fine under this title or imprisonment for not more than 40 years, or both;

(3) if bodily injury to any person, including any public safety officer performing duties as a direct or proximate result of conduct prohibited by this section, results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, a fine in accordance with this title and imprisonment for not more than 20 years, or both;

(4) if damage to or destruction of property results from the acts committed in violation of this section, which damage to or destruction of such property is in an amount that exceeds \$5,000, a fine in accordance with this title, imprisonment for not more than 3 years, or both; and

(5) in any other case, a fine in accordance with this title and imprisonment for not more than one year, or both.

(e) No prosecution of any offense described in this section shall be undertaken by the United States except upon the certification in writing of the Attorney General or his designee that in his judgment a prosecution by the United States is in the public interest and necessary to secure substantial justice.

(f) As used in this section, the term "religious real property" means any church, synagogue, mosque, religious cemetery, or other religious real

PRIOR PROVISIONS

A prior section 222, act June 19, 1934, ch. 652, title II, § 222, as added Mar. 6, 1943, ch. 10, § 1, 57 Stat. 5; amended July 12, 1960, Pub. L. 86-624, § 36, 74 Stat. 421; Nov. 30, 1974, Pub. L. 93-506, § 2, 88 Stat. 1577; Dec. 24, 1980, Pub. L. 96-590, 94 Stat. 3414; Dec. 29, 1981, Pub. L. 97-130, § 2, 95 Stat. 1687, related to competition among record carriers, prior to repeal by Pub. L. 103-414, title III, § 304(a)(6), Oct. 25, 1994, 108 Stat. 4297.

AMENDMENTS

2008—Subsec. (d)(4). Pub. L. 110-283, § 301(1), inserted "or the user of an IP-enabled voice service (as such term is defined in section 615b of this title)" after "section 332(d) of this title" in introductory provisions.

Subsec. (f). Pub. L. 110-283, § 301(2), struck out "wireless" before "location" in heading.

Subsec. (f)(1). Pub. L. 110-283, § 301(1), inserted "or the user of an IP-enabled voice service (as such term is defined in section 615b of this title)" after "section 332(d) of this title".

Subsec. (g). Pub. L. 110-283, § 301(3), inserted "or a provider of IP-enabled voice service (as such term is defined in section 615b of this title)" after "telephone exchange service".

1999—Subsec. (d)(4). Pub. L. 106-81, § 5(1), added par. (4).

Subsecs. (f), (g). Pub. L. 106-81, § 5(2), added subsecs. (f) and (g). Former subsec. (f) redesignated (h).

Subsec. (h). Pub. L. 106-81, § 5(2)-(4), redesignated subsec. (f) as (h), inserted "location," after "destination," in par. (1)(A), and added pars. (4) to (7).

(a) Prohibited acts generally

(A) by means of a telecommunications device knowingly—

- (i) makes, creates, or solicits, and
- (ii) initiates the transmission of,

any comment, request, suggestion, proposal, image, or other communication which is obscene or child pornography, with intent to abuse, threaten, or harass another person;

(B) by means of a telecommunications device knowingly—

- (i) makes, creates, or solicits, and
- (ii) initiates the transmission of,

any comment, request, suggestion, proposal, image, or other communication which is obscene or child pornography, knowing that the recipient of the communication is under 18 years of age, regardless of whether the maker of such communication placed the call or initiated the communication:

(D) makes or causes the telephone of another repeatedly or continuously to ring, with intent to harass any person at the called number; or

(E) makes repeated telephone calls or repeatedly initiates communication with a telecommunications device, during which conversation or communication ensues, solely to harass any specific person; or

(2) knowingly permits any telecommunications facility under his control to be used for any ac-

tivity prohibited by paragraph (1) with the intent that it be used for such activity,

shall be fined under title 18 or imprisoned not more than two years, or both.

(b) Prohibited acts for commercial purposes; defense to prosecution

(1) Whoever knowingly—

(A) within the United States, by means of telephone, makes (directly or by recording device) any obscene communication for commercial purposes to any person, regardless of whether the maker of such communication placed the call; or

(B) permits any telephone facility under such person's control to be used for an activity prohibited by subparagraph (A),

shall be fined in accordance with title 18 or imprisoned not more than two years, or both.

(2) Whoever knowingly—

(A) within the United States, by means of telephone, makes (directly or by recording device) any indecent communication for commercial purposes which is available to any person under 18 years of age or to any other person without that person's consent, regardless of whether the maker of such communication placed the call; or

(B) permits any telephone facility under such person's control to be used for an activity prohibited by subparagraph (A), shall be fined not more than \$50,000 or imprisoned not more than six months, or both.

(3) It is a defense to prosecution under paragraph (2) of this subsection that the defendant restricted access to the prohibited communication to persons 18 years of age or older in accordance with subsection (c) of this section and with such procedures as the Commission may prescribe by regulation.

(4) In addition to the penalties under paragraph (1), whoever, within the United States, intentionally violates paragraph (1) or (2) shall be subject to a fine of not more than \$50,000 for each violation. For purposes of this paragraph, each day of violation shall constitute a separate violation.

(5)(A) In addition to the penalties under paragraphs (1), (2), and (6), whoever, within the United States, violates paragraph (1) or (2) shall be subject to a civil fine of not more than \$50,000 for each violation. For purposes of this paragraph, each day of violation shall constitute a separate violation.

(B) A fine under this paragraph may be assessed either—

(i) by a court, pursuant to civil action by the Commission or any attorney employed by the Commission who is designated by the Commission for such purposes, or

(ii) by the Commission after appropriate administrative proceedings.

(6) The Attorney General may bring a suit in the appropriate district court of the United States to enjoin any act or practice which violates paragraph (1) or (2). An injunction may be granted in accordance with the Federal Rules of Civil Procedure.

(c) Restriction on access to subscribers by common carriers; judicial remedies respecting restrictions

(1) A common carrier within the District of Columbia or within any State, or in interstate or

foreign commerce, shall not, to the extent technically feasible, provide access to a communication specified in subsection (b) from the telephone of any subscriber who has not previously requested in writing the carrier to provide access to such communication if the carrier collects from subscribers an identifiable charge for such communication that the carrier remits, in whole or in part, to the provider of such communication.

(2) Except as provided in paragraph (3), no cause of action may be brought in any court or administrative agency against any common carrier, or any of its affiliates, including their officers, directors, employees, agents, or authorized representatives on account of—

(A) any action which the carrier demonstrates was taken in good faith to restrict access pursuant to paragraph (1) of this subsection; or

(B) any access permitted—

(i) in good faith reliance upon the lack of any representation by a provider of communications that communications provided by that provider are communications specified in subsection (b), or

(ii) because a specific representation by the provider did not allow the carrier, acting in good faith, a sufficient period to restrict access to communications described in subsection (b).

(3) Notwithstanding paragraph (2) of this subsection, a provider of communications services to which subscribers are denied access pursuant to paragraph (1) of this subsection may bring an action for a declaratory judgment or similar action in a court. Any such action shall be limited to the question of whether the communications which the provider seeks to provide fall within the category of communications to which the carrier will provide access only to subscribers who have previously requested such access.

(d) Sending or displaying offensive material to persons under 18

Whoever—

(1) in interstate or foreign communications knowingly—

(A) uses an interactive computer service to send to a specific person or persons under 18 years of age, or

(B) uses any interactive computer service to display in a manner available to a person under 18 years of age,

any comment, request, suggestion, proposal, image, or other communication that is obscene or child pornography, regardless of whether the user of such service placed the call or initiated the communication; or

(2) knowingly permits any telecommunications facility under such person's control to be used for an activity prohibited by paragraph (1) with the intent that it be used for such activity,

shall be fined under title 18 or imprisoned not more than two years, or both.

(e) Defenses

In addition to any other defenses available by law:

(1) No person shall be held to have violated subsection (a) or (d) solely for providing access or connection to or from a facility, system, or

network not under that person's control, including transmission, downloading, intermediate storage, access software, or other related capabilities that are incidental to providing such access or connection that does not include the creation of the content of the communication.

(2) The defenses provided by paragraph (1) of this subsection shall not be applicable to a person who is a conspirator with an entity actively involved in the creation or knowing distribution of communications that violate this section, or who knowingly advertises the availability of such communications.

(3) The defenses provided in paragraph (1) of this subsection shall not be applicable to a person who provides access or connection to a facility, system, or network engaged in the violation of this section that is owned or controlled by such person.

(4) No employer shall be held liable under this section for the actions of an employee or agent unless the employee's or agent's conduct is within the scope of his or her employment or agency and the employer (A) having knowledge of such conduct, authorizes or ratifies such conduct, or (B) recklessly disregards such conduct.

(5) It is a defense to a prosecution under subsection (a)(1)(B) or (d), or under subsection (a)(2) with respect to the use of a facility for an activity under subsection (a)(1)(B) that a person—

(A) has taken, in good faith, reasonable, effective, and appropriate actions under the circumstances to restrict or prevent access by minors to a communication specified in such subsections, which may involve any appropriate measures to restrict minors from such communications, including any method which is feasible under available technology; or

(B) has restricted access to such communication by requiring use of a verified credit card, debit account, adult access code, or adult personal identification number.

(6) The Commission may describe measures which are reasonable, effective, and appropriate to restrict access to prohibited communications under subsection (d). Nothing in this section authorizes the Commission to enforce, or is intended to provide the Commission with the authority to approve, sanction, or permit, the use of such measures. The Commission shall have no enforcement authority over the failure to utilize such measures. The Commission shall not endorse specific products relating to such measures. The use of such measures shall be admitted as evidence of good faith efforts for purposes of paragraph (5) in any action arising under subsection (d). Nothing in this section shall be construed to treat interactive computer services as common carriers or telecommunications carriers.

(f) Violations of law required; commercial entities, nonprofit libraries, or institutions of higher education

(1) No cause of action may be brought in any court or administrative agency against any person on account of any activity that is not in violation of any law punishable by criminal or civil penalty, and that the person has taken in good faith to implement a defense authorized under this section or otherwise to restrict or prevent the

transmission of, or access to, a communication specified in this section.

(2) No State or local government may impose any liability for commercial activities or actions by commercial entities, nonprofit libraries, or institutions of higher education in connection with an activity or action described in subsection (a)(2) or (d) that is inconsistent with the treatment of those activities or actions under this section: *Provided, however*, That nothing herein shall preclude any State or local government from enacting and enforcing complementary oversight, liability, and regulatory systems, procedures, and requirements, so long as such systems, procedures, and requirements govern only intrastate services and do not result in the imposition of inconsistent rights, duties or obligations on the provision of interstate services. Nothing in this subsection shall preclude any State or local government from governing conduct not covered by this section.

(g) Application and enforcement of other Federal law

Nothing in subsection (a), (d), (e), or (f) or in the defenses to prosecution under subsection (a) or (d) shall be construed to affect or limit the application or enforcement of any other Federal law.

(h) Definitions

For purposes of this section—

(1) The use of the term “telecommunications device” in this section—

(A) shall not impose new obligations on broadcasting station licensees and cable operators covered by obscenity and indecency provisions elsewhere in this chapter;

(B) does not include an interactive computer service; and

(C) in the case of subparagraph (C) of subsection (a)(1), includes any device or software that can be used to originate telecommunications or other types of communications that are transmitted, in whole or in part, by the Internet (as such term is defined in section 1104¹ of the Internet Tax Freedom Act (47 U.S.C. 151 note)).

(2) The term “interactive computer service” has the meaning provided in section 230(f)(2) of this title.

(3) The term “access software” means software (including client or server software) or enabling tools that do not create or provide the content of the communication but that allow a user to do any one or more of the following:

(A) filter, screen, allow, or disallow content;

(B) pick, choose, analyze, or digest content; or

(C) transmit, receive, display, forward, cache, search, subset, organize, reorganize, or translate content.

(4) The term “institution of higher education” has the meaning provided in section 1001 of title 20.

(5) The term “library” means a library eligible for participation in State-based plans for funds under title III of the Library Services and Construction Act (20 U.S.C. 355e et seq.).

(June 19, 1934, ch. 652, title II, § 223, as added Pub. L. 90-299, § 1, May 3, 1968, 82 Stat. 112; amended

Pub. L. 98-214, § 8(a), (b), Dec. 8, 1983, 97 Stat. 1469, 1470; Pub. L. 100-297, title VI, § 6101, Apr. 28, 1988, 102 Stat. 424; Pub. L. 100-690, title VII, § 7524, Nov. 18, 1988, 102 Stat. 4502; Pub. L. 101-166, title V, § 521(1), Nov. 21, 1989, 103 Stat. 1192; Pub. L. 103-414, title III, § 303(a)(9), Oct. 25, 1994, 108 Stat. 4294; Pub. L. 104-104, title V, § 502, Feb. 8, 1996, 110 Stat. 133; Pub. L. 105-244, title I, § 102(a)(14), Oct. 7, 1998, 112 Stat. 1621; Pub. L. 105-277, div. C, title XIV, § 1404(b), Oct. 21, 1998, 112 Stat. 2681-739; Pub. L. 108-21, title VI, § 603, Apr. 30, 2003, 117 Stat. 687; Pub. L. 109-162, title I, § 113(a), Jan. 5, 2006, 119 Stat. 2987; Pub. L. 113-4, title XI, § 1102, Mar. 7, 2013, 127 Stat. 135.)

REFERENCES IN TEXT

The Federal Rules of Civil Procedure, referred to in subsec. (b)(6), are set out in the Appendix to Title 28, Judiciary and Judicial Procedure.

This chapter, referred to in subsec. (h)(1)(A), was in the original “this Act”, meaning act June 19, 1934, ch. 652, 48 Stat. 1064, known as the Communications Act of 1934, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 609 of this title and Tables.

Section 1104 of the Internet Tax Freedom Act, referred to in subsec. (h)(1)(C), is section 1104 of title XI of div. C of Pub. L. 105-277, which is set out in a note under section 151 of this title. The term “Internet” is defined in section 1105 of Pub. L. 105-277, which is set out in the same note under section 151 of this title.

The Library Services and Construction Act, referred to in subsec. (h)(5), is act June 19, 1956, ch. 407, 70 Stat. 293, as amended. Title III of the Act was classified generally to subchapter III (§ 355e et seq.) of chapter 16 of Title 20, Education, and was repealed by Pub. L. 104-208, div. A, title I, § 101(e) [title VII, § 708(a)], Sept. 30, 1996, 110 Stat. 3009-233, 3009-312.

AMENDMENTS

2013—Subsec. (a)(1)(A). Pub. L. 113-4, § 1102(1), struck out “annoy,” after “intent to” in concluding provisions.

Subsec. (a)(1)(C). Pub. L. 113-4, § 1102(2)(B), which directed the substitution of “harass any specific person” for “harass any person at the called number or who receives the communication”, was executed by making the substitution for “harass any person at the called number or who receives the communications”, to reflect the probable intent of Congress.

Pub. L. 113-4, § 1102(2)(A), struck out “annoy,” after “intent to”.

Subsec. (a)(1)(E). Pub. L. 113-4, § 1102(3), substituted “harass any specific person” for “harass any person at the called number or who receives the communication”.

2006—Subsec. (h)(1)(C). Pub. L. 109-162 added subpar. (C).

2003—Subsec. (a)(1)(A). Pub. L. 108-21, § 603(1)(A), substituted “or child pornography” for “, lewd, lascivious, filthy, or indecent” in concluding provisions.

Subsec. (a)(1)(B). Pub. L. 108-21, § 603(1)(B), substituted “child pornography” for “indecent” in concluding provisions.

Subsec. (d)(1). Pub. L. 108-21, § 603(2), substituted “is obscene or child pornography” for “, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards, sexual or excretory activities or organs” in concluding provisions.

1998—Subsec. (h)(2). Pub. L. 105-277 substituted “230(f)(2)” for “230(e)(2)”.

Subsec. (h)(4). Pub. L. 105-244, which directed amendment of section 223(h)(4) of the Telecommunications Act of 1934 (47 U.S.C. 223(h)(4)) by substituting “section 1001” for “section 1141”, was executed to this section, which is section 223 of the Communications Act of 1934, to reflect the probable intent of Congress.

1996—Subsec. (a). Pub. L. 104-104, § 502(1), added subsec. (a) and struck out former subsec. (a) which read as follows: “Whoever—

¹ See References in Text note below.

"(1) in the District of Columbia or in interstate or foreign communication by means of telephone—

"(A) makes any comment, request, suggestion or proposal which is obscene, lewd, lascivious, filthy, or indecent;

"(B) makes a telephone call, whether or not conversation ensues, without disclosing his identity and with intent to annoy, abuse, threaten, or harass any person at the called number;

"(C) makes or causes the telephone of another repeatedly or continuously to ring, with intent to harass any person at the called number; or

"(D) makes repeated telephone calls, during which conversation ensues, solely to harass any person at the called number; or

"(2) knowingly permits any telephone facility under his control to be used for any purpose prohibited by this section, shall be fined not more than \$50,000 or imprisoned not more than six months, or both."

Subsecs. (d) to (h). Pub. L. 104-104, § 502(2), added subsecs. (d) to (h).

1994—Subsec. (b)(3). Pub. L. 103-414 substituted "defendant restricted access" for "defendant restrict access".

1989—Subsecs. (b), (c). Pub. L. 101-166 added subsecs. (b) and (c) and struck out former subsec. (b) which read as follows:

"(1) Whoever knowingly—

"(A) in the District of Columbia or in interstate or foreign communication, by means of telephone, makes (directly or by recording device) any obscene communication for commercial purposes to any person, regardless of whether the maker of such communication placed the call; or

"(B) permits any telephone facility under such person's control to be used for an activity prohibited by clause (1);

shall be fined in accordance with title 18 or imprisoned not more than two years, or both.

"(2) Whoever knowingly—

"(A) in the District of Columbia or in interstate or foreign communication, by means of telephone, makes (directly or by recording device) any indecent communication for commercial purposes to any person, regardless of whether the maker of such communication placed the call; or

"(B) permits any telephone facility under such person's control to be used for an activity prohibited by clause (1),

shall be fined not more than \$50,000 or imprisoned not more than six months, or both."

1988—Subsec. (b). Pub. L. 100-690 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows:

"(1) Whoever knowingly—

"(A) in the District of Columbia or in interstate or foreign communication, by means of telephone, makes (directly or by recording device) any obscene or indecent communication for commercial purposes to any person, regardless of whether the maker of such communication placed the call; or

"(B) permits any telephone facility under such person's control to be used for an activity prohibited by subparagraph (A),

shall be fined not more than \$50,000 or imprisoned not more than six months, or both.

"(2) In addition to the penalties under paragraph (1), whoever, in the District of Columbia or in interstate or foreign communication, intentionally violates paragraph (1)(A) or (1)(B) shall be subject to a fine of not more than \$50,000 for each violation. For purposes of this paragraph, each day of violation shall constitute a separate violation.

"(3)(A) In addition to the penalties under paragraphs (1) and (2), whoever, in the District of Columbia or in interstate or foreign communication, violates paragraph (1)(A) or (1)(B) shall be subject to a civil fine of not more than \$50,000 for each violation. For purposes of this paragraph, each day of violation shall constitute a separate violation.

"(B) A fine under this paragraph may be assessed either—

"(i) by a court, pursuant to a civil action by the Commission or any attorney employed by the Commission who is designated by the Commission for such purposes, or

"(ii) by the Commission after appropriate administrative proceedings.

"(4) The Attorney General may bring a suit in the appropriate district court of the United States to enjoin any act or practice which violates paragraph (1)(A) or (1)(B). An injunction may be granted in accordance with the Federal Rules of Civil Procedure."

Pub. L. 100-297, in par. (1)(A), struck out "under eighteen years of age or to any other person without that person's consent" after "to any person", redesignated par. (3) as (2) and struck out former par. (2) which read as follows: "It is a defense to a prosecution under this subsection that the defendant restricted access to the prohibited communication to persons eighteen years of age or older in accordance with procedures which the Commission shall prescribe by regulation.", redesignated par. (4) as (3) and substituted "under paragraphs (1) and (2)" for "under paragraphs (1) and (3)", and redesignated par. (5) as (4).

1983—Subsec. (a). Pub. L. 98-214, § 8(a)(1), (2), designated existing provisions as subsec. (a) and substituted "\$50,000" for "\$500" in provisions after par. (2).

Subsec. (a)(2). Pub. L. 98-214, § 8(b), inserted "facility" after "telephone".

Subsec. (b). Pub. L. 98-214, § 8(a)(3), added subsec. (b).

EFFECTIVE DATE OF 1998 AMENDMENTS

Pub. L. 105-277, div. C, title XIV, § 1406, Oct. 21, 1998, 112 Stat. 2681-741, provided that: "This title [enacting section 231 of this title, amending this section and section 230 of this title, and enacting provisions set out as notes under sections 231 and 609 of this title] and the amendments made by this title shall take effect 30 days after the date of enactment of this Act [Oct. 21, 1998]."

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of Title 20, Education.

EFFECTIVE DATE OF 1989 AMENDMENT

Amendment by Pub. L. 101-166 effective 120 days after Nov. 21, 1989, see section 521(3) of Pub. L. 101-166, set out as a note under section 152 of this title.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-297 effective July 1, 1988, see section 6303 of Pub. L. 100-297, set out as a note under section 1071 of Title 20, Education.

CONSTRUCTION OF 2006 AMENDMENT

Pub. L. 109-162, title I, § 113(b), Jan. 5, 2006, 119 Stat. 2987, provided that: "This section [amending this section] and the amendment made by this section may not be construed to affect the meaning given the term 'telecommunications device' in section 223(h)(1) of the Communications Act of 1934 [47 U.S.C. 223(h)(1)], as in effect before the date of the enactment of this section [Jan. 5, 2006]."

EXPEDITED REVIEW

Pub. L. 104-104, title V, § 561, Feb. 8, 1996, 110 Stat. 142, provided that:

"(a) THREE-JUDGE DISTRICT COURT HEARING.—Notwithstanding any other provision of law, any civil action challenging the constitutionality, on its face, of this title [see Short Title of 1996 Amendment note set out under section 609 of this title] or any amendment made by this title, or any provision thereof, shall be heard by a district court of 3 judges convened pursuant to the provisions of section 2284 of title 28, United States Code.

"(b) APPELLATE REVIEW.—Notwithstanding any other provision of law, an interlocutory or final judgment, decree, or order of the court of 3 judges in an action under

subsection (a) holding this title or an amendment made by this title, or any provision thereof, unconstitutional shall be reviewable as a matter of right by direct appeal to the Supreme Court. Any such appeal shall be filed not more than 20 days after entry of such judgment, decree, or order."

**REGULATIONS; DISPOSITION OF COMPLAINTS PENDING ON
DECEMBER 8, 1983**

Pub. L. 98-214, § 8(c), (d), Dec. 8, 1983, 97 Stat. 1470, provided that:

"(c) The Federal Communications Commission shall issue regulations pursuant to section 223(b)(2) of the Communications Act of 1934 (as added by subsection (a) of this section) [subsec. (b)(2) of this section] not later than one hundred and eighty days after the date of the enactment of this Act [Dec. 8, 1983].

"(d) The Commission shall act on all complaints alleging violation of section 223 of the Communications Act of 1934 [this section] which are pending on the date of the enactment of this Act [Dec. 8, 1983] within ninety days of such date of enactment."

§ 224. Pole attachments

(a) Definitions

As used in this section:

(1) The term "utility" means any person who is a local exchange carrier or an electric, gas, water, steam, or other public utility, and who owns or controls poles, ducts, conduits, or rights-of-way used, in whole or in part, for any wire communications. Such term does not include any railroad, any person who is cooperatively organized, or any person owned by the Federal Government or any State.

(2) The term "Federal Government" means the Government of the United States or any agency or instrumentality thereof.

(3) The term "State" means any State, territory, or possession of the United States, the District of Columbia, or any political subdivision, agency, or instrumentality thereof.

(4) The term "pole attachment" means any attachment by a cable television system or provider of telecommunications service to a pole, duct, conduit, or right-of-way owned or controlled by a utility.

(5) For purposes of this section, the term "telecommunications carrier" (as defined in section 153 of this title) does not include any incumbent local exchange carrier as defined in section 251(h) of this title.

(b) Authority of Commission to regulate rates, terms, and conditions; enforcement powers; promulgation of regulations

(1) Subject to the provisions of subsection (c) of this section, the Commission shall regulate the rates, terms, and conditions for pole attachments to provide that such rates, terms, and conditions are just and reasonable, and shall adopt procedures necessary and appropriate to hear and resolve complaints concerning such rates, terms, and conditions. For purposes of enforcing any determinations resulting from complaint procedures established pursuant to this subsection, the Commission shall take such action as it deems appropriate and necessary, including issuing cease and desist orders, as authorized by section 312(b) of this title.

(2) The Commission shall prescribe by rule regulations to carry out the provisions of this section.

(c) State regulatory authority over rates, terms, and conditions; preemption; certification; circumstances constituting State regulation

(1) Nothing in this section shall be construed to apply to, or to give the Commission jurisdiction with respect to rates, terms, and conditions, or access to poles, ducts, conduits, and rights-of-way as provided in subsection (f), for pole attachments in any case where such matters are regulated by a State.

(2) Each State which regulates the rates, terms, and conditions for pole attachments shall certify to the Commission that—

(A) it regulates such rates, terms, and conditions; and

(B) in so regulating such rates, terms, and conditions, the State has the authority to consider and does consider the interests of the subscribers of the services offered via such attachments, as well as the interests of the consumers of the utility services.

(3) For purposes of this subsection, a State shall not be considered to regulate the rates, terms, and conditions for pole attachments—

(A) unless the State has issued and made effective rules and regulations implementing the State's regulatory authority over pole attachments; and

(B) with respect to any individual matter, unless the State takes final action on a complaint regarding such matter—

(i) within 180 days after the complaint is filed with the State, or

(ii) within the applicable period prescribed for such final action in such rules and regulations of the State, if the prescribed period does not extend beyond 360 days after the filing of such complaint.

(d) Determination of just and reasonable rates; "usable space" defined

(1) For purposes of subsection (b) of this section, a rate is just and reasonable if it assures a utility the recovery of not less than the additional costs of providing pole attachments, nor more than an amount determined by multiplying the percentage of the total usable space, or the percentage of the total duct or conduit capacity, which is occupied by the pole attachment by the sum of the operating expenses and actual capital costs of the utility attributable to the entire pole, duct, conduit, or right-of-way.

(2) As used in this subsection, the term "usable space" means the space above the minimum grade level which can be used for the attachment of wires, cables, and associated equipment.

(3) This subsection shall apply to the rate for any pole attachment used by a cable television system solely to provide cable service. Until the effective date of the regulations required under subsection (e), this subsection shall also apply to the rate for any pole attachment used by a cable system or any telecommunications carrier (to the extent such carrier is not a party to a pole attachment agreement) to provide any telecommunications service.

(e) Regulations governing charges; apportionment of costs of providing space

(1) The Commission shall, no later than 2 years after February 8, 1996, prescribe regulations in

Hyun, Peter (OASG)

From: Hyun, Peter (OASG)
Sent: Saturday, August 21, 2021 1:18 PM
To: Matthews-Johnson, Tamarra D. (OAG)
Cc: Chambers, Kevin (ODAG)
Subject: RE: Election Security

I do thin (b) (5)

[REDACTED]

[REDACTED]

Peter S. Hyun | Chief of Staff
Office of the Associate Attorney General

(b) (6)

Des (b) (6)

Cel (b) (6)

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Saturday, August 21, 2021 10:02 AM
To: Hyun, Peter (OASG) (b) (6) >
Cc: Chambers, Kevin (ODAG) (b) (6) >
Subject: Re: Election Security

And for the Q & A portion of the event, do you think we need a moderat r (b) (5)
[REDACTED], but Peter what do you think?

//

Thank you!

On the invites, it seems th (b) (5)

[REDACTED]

[REDACTED] I'm trying to think of how we ca (b) (5)

[REDACTED]

On Aug 21, 2021, at 8:06 AM, Hyun, Peter (OASG) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.11730.6442

Hyun, Peter (OASG)

From: Hyun, Peter (OASG)
Sent: Sunday, August 22, 2021 8:42 AM
To: Chambers, Kevin (ODAG)
Cc: Matthews-Johnson, Tamarra D. (OAG)
Subject: Re: Election Security

In that window I'm only free noon to 1230. Otherwise I am free 230 to 4. Thanks!

Peter S. Hyun
Office of the Associate Attorney General
(b) (6)

On Aug 22, 2021, at 3:22 AM, Chambers, Kevin (ODAG) (b) (6) > wrote:

Thanks, Tamarra.

As to Monday, I think that any time between 11:30a and 2:30p ET would work and I can find other times during the day.

As far as the Q&A, I would want to know (b) (5)

(b) (5)
(b) (5)
(b) (5).

I like the agenda you laid out yesterday. For the *Introductions* perhaps we can (b) (5)

(b) (5)
(b) (5)

Thanks!

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Saturday, August 21, 2021 1:25 PM
To: Chambers, Kevin (ODAG) (b) (6) >; Hyun, Peter (OASG) (b) (6) >
Subject: Re: Election Security

Hi -

I'll pitch (b) (5).

It's my hope that we'll have sign off to proceed with reaching out to (b) (5) on Monday. We would reach out by email first, seeking to schedule calls later in the day. I have a couple of US Marshal interviews on Monday but I can work around those. If we are trying to conduct three calls Monday, please let me know window that are better or worse for both of you because I will propose

times in the introductory email.

Thanks! T

On Aug 21, 2021, at 12:18 PM, Hyun, Peter (OASG) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.11730.6120



Matthews-Johnson, Tamarra D. (OAG)

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Sunday, August 22, 2021 8:54 AM
To: Chambers, Kevin (ODAG); Hyun, Peter (OASG)
Subject: Re: Election Security

Hi -

Thanks to you both.

For the run of show, I was thinking that in order to avoid repetitio (b) (5)

Introductions

(b) (5)

Any other groups?

Questions / Discussion

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobil (b) (6)

On Aug 22, 2021, at 7:42 AM, Hyun, Peter (OASG) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.11730.6502

Matthews-Johnson, Tamarra D. (OAG)

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Sunday, August 22, 2021 8:56 AM
To: Chambers, Kevin (ODAG); Hyun, Peter (OASG)
Subject: Re: Election Security

The date/time for the event is Thursday August 26 at 2 pm eastern

Hi -
Thanks to you both.
For the run of show, I was thinking that in order to avoid repetitio (b) (5)
[REDACTED]

Introductions

(b) (5) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

Any other groups?

Questions / Discussion

Tamarra Matthews Johnson
she/her/hers
Counsel
Office of the Attorney General
U.S. Department of Justice
Mobil (b) (6) [REDACTED]

On Aug 22, 2021, at 7:42 AM, Hyun, Peter (OASG) (b) (6) [REDACTED] > wrote:

Duplicative Information - See Document ID 0.7.11730.6502



Matthews-Johnson, Tamarra D. (OAG)

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Sunday, August 22, 2021 9:00 AM
To: Klapper, Matthew B. (OAG); Heinzelman, Kate (OAG)
Subject: RE: Convening re: threats to election workers
Attachments: Threat and Election Statutes plus two additional criminal statutes -.eml

Hi -

For the run of show, we are thinking o (b) (5).

Introductions

(b) (5)
[Redacted]
[Redacted]
[Redacted]

[Redacted]
[Redacted]

Questions / Discussion

Potential moderator (b) (5)

///

Hi –

Kevin, Peter and I met yesterday and exchanged materials over email (b) (5)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted]
[Redacted] Thanks! T

Potential Run of Show

Introductions

(b) (5)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Questions / Discussion

Potential moderator (b) (5)

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobil (b) (6)

From: Klapper, Matthew B. (OAG) (b) (6) >

Sent: Friday, August 20, 2021 6:39 AM

To: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >

Cc: Heinzelman, Kate (OAG) (b) (6) >

Subject: Convening re: threats to election workers

Duplicative Material

Matthews-Johnson, Tamarra D. (OAG)

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Sunday, August 22, 2021 6:03 PM
To: Chambers, Kevin (ODAG); Hyun, Peter (OASG)
Subject: Re: Election Security

Hi -

A could of follow ups:

Kevin, would you please check with the TF/Driscoll on whether there's any issue wit (b) (5)

Peter, I meant to ask earlie (b) (5)

Thanks so much! T

Tamarra Matthews Johnson
she/her/hers
Counsel
Office of the Attorney General
U.S. Department of Justice
Mobil (b) (6)

On Aug 22, 2021, at 7:42 AM, Hyun, Peter (OASG) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.11730.6502

Matthews-Johnson, Tamarra D. (OAG)

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Sunday, August 22, 2021 6:08 PM
To: Heinzelman, Kate (OAG)
Cc: Klapper, Matthew B. (OAG)
Subject: Re: Convening re: threats to election workers

Hi -

I do not think there' (b) (5). But I've asked Kevin to follow up with Driscoll to verify

As fo (b) (5).

Happy to discuss in the am - I want to flag that we will need to reach out tomorrow, especially if we are still targeting Thursday for an actual event. August is still vacation month, so we will need to see if the leadership of these orgs are available, even for this virtual event that will not require travel.

Thanks! T

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobil (b) (6)

On Aug 22, 2021, at 4:46 PM, Heinzelman, Kate (OAG) (b) (6) > wrote:

Thanks Tamarra. Would like to understand (b) (5). We can talk tomorrow. I look forward to being back in the office.

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Sunday, August 22, 2021 9:00 AM
To: Klapper, Matthew B. (OAG) (b) (6) >; Heinzelman, Kate (OAG) (b) (6) >
Subject: RE: Convening re: threats to election workers

Duplicative Information - See Document ID 0.7.11730.13105

Matthews-Johnson, Tamarra D. (OAG)

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Sunday, August 22, 2021 7:33 PM
To: Visser, Tim (OAG)
Subject: Fwd: Convening re: threats to election workers
Attachments: Threat and Election Statutes plus two additional criminal statutes -.eml

As promised

Begin forwarded message:

From: "Matthews-Johnson, Tamarra D. (OAG)" (b) (6) >
Date: August 21, 2021 at 9:56:00 AM CDT
To: "Klapper, Matthew B. (OAG)" (b) (6) >, "Heinzelman, Kate (OAG)" (b) (6) >
Subject: RE: Convening re: threats to election workers

Duplicative Information - See Document ID 0.7.11730.13983

Matthews-Johnson, Tamarra D. (OAG)

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Sunday, August 22, 2021 7:33 PM
To: Hyun, Peter (OASG)
Cc: Chambers, Kevin (ODAG)
Subject: Re: Election Security

Ah, I'm tracking, thanks!

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobil (b) (6)

On Aug 22, 2021, at 6:28 PM, Hyun, Peter (OASG) (b) (6) > wrote:

It was supposed (b) (5)

was helping to put it together.

Peter S. Hyun | Chief of Staff

Office of the Associate Attorney General

(b) (6)

Des (b) (6)

Cel (b) (6)

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >

Sent: Sunday, August 22, 2021 6:06 PM

To: Chambers, Kevin (ODAG) (b) (6) >; Hyun, Peter (OASG)

(b) (6) >

Subject: Re: Election Security

Apologies for the double emails, but there's another Q for Kevin below

Hi -

A could of follow ups:

Kevin, would you please check with the TF/Driscoll on whether there's any issue wit (b) (5)

Also, Kevin you asked a great Q to Driscoll about (b) (5) - which is important. I didn't see a direct response to your question so if you can verify that as well that would be great.

Peter, I meant to ask earlie (b) (5)

Thanks so much! T

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobil (b) (6)

On Aug 22, 2021, at 7:42 AM, Hyun, Peter (OASG) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.11730.6502

Document ID: 0.7.11730.13770

From: Visser, Tim (OAG) (b) (6) >
To: Matthews-Johnson, Tamarra D. (OAG)
(b) (6) >
Cc:
Bcc:
Subject: RE: Election Security
Date: Sun Aug 22 2021 19:33:25 EDT
Attachments:

Sounds good. Thanks, Tamarra. Shall dig in shortly.

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Sunday, August 22, 2021 7:31 PM
To: Visser, Tim (OAG) (b) (6) >
Subject: Fwd: Election Security

Hi -

I hope you had a wonderful week. We should connect on this when you have a moment. Matt called me Friday about coordinating this. You'll get the basics of you begin at the bottom. I'll also forward you my email to Matt and Kate.

Thanks! T
Tamarra Matthews Johnson
she/her/hers
Counsel
Office of the Attorney General
U.S. Department of Justice
Mobile (b) (6) <t (b) (6) >

Begin forwarded message:

From: "Hyun, Peter (OASG)" (b) (6) >
Date: August 22, 2021 at 6:28:47 PM CDT
To: "Matthews-Johnson, Tamarra D. (OAG)" (b) (6)
>, "Chambers, Kevin (ODAG)" (b) (6)
>
Subject: RE: Election Security

Duplicative Information - See Document ID 0.7.11730.6114



Matthews-Johnson, Tamarra D. (OAG)

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Sunday, August 22, 2021 8:13 PM
To: Hyun, Peter (OASG)
Cc: Chambers, Kevin (ODAG)
Subject: Re: Election Security

Hi -

I'll send an invite for Noon, so at least the three of us can connect. Can you please provide the invite to a representative who attendee the prior meetings - the civil rights division and PIN meetings, so that we can get a read out? Peter, maybe that's you for Kristen's meeting so we won't need anyone else, but I was pretty sure Kevin hadn't attended the PIN/TF meeting.

I think we should run through the potential format with a couple of people who have met with these groups before because the context would be valuable. Thanks! T

On Aug 22, 2021, at 7:42 AM, Hyun, Peter (OASG) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.11730.6502



Heinzelman, Kate (OAG)

From: Heinzelman, Kate (OAG)
Sent: Sunday, August 22, 2021 9:30 PM
To: Matthews-Johnson, Tamarra D. (OAG)
Cc: Klapper, Matthew B. (OAG)
Subject: RE: Convening re: threats to election workers

Thanks Tamarra. I didn't mean to suggest tha (b) (5)

Let's talk in the AM. We have our check in at 12:30pm

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Sunday, August 22, 2021 6:08 PM
To: Heinzelman, Kate (OAG) (b) (6) >
Cc: Klapper, Matthew B. (OAG) (b) (6) >
Subject: Re: Convening re: threats to election workers

Hi -

I do not think there' (b) (5)

. But I've asked Kevin to follow up with Driscoll to verify

As fo (b) (5).

Happy to discuss in the am - I want to flag that we will need to to reach out tomorrow, especially if we are still targeting Thursday for an actual event. August is still vacation month, so we will need to see if the leadership of these orgs are available, even for this virtual event that will not require travel.

Thanks! T

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobil (b) (6)

On Aug 22, 2021, at 4:46 PM, Heinzelman, Kate (OAG) (b) (6) > wrote:

Thanks Tamarra. Would like to understan (b) (5)

We can talk tomorrow. I look forward to being back in the office.

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Sunday, August 22, 2021 9:00 AM
To: Klapper, Matthew B. (OAG) (b) (6) >; Heinzelman, Kate (OAG)

(b) (6) >

Subject: RE: Convening re: threats to election workers

Duplicative Information - See Document ID 0.7.11730.13105



Document ID: 0.7.11730.6179

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
To: Chambers, Kevin (ODAG) (b) (6) >
Cc: Hyun, Peter (OASG) (b) (6) >
Bcc:
Subject: Re: Election Security
Date: Mon Aug 23 2021 07:09:37 EDT
Attachments:

Ah, got it. We'll have to figure out a way to do that diplomatically.

I think my initial email to each of the EDs will just ask them for time for a telephone conference later today, so we have some flexibility. T

Tamarra Matthews Johnson
she/her/hers
Counsel
Office of the Attorney General
U.S. Department of Justice
Mobile (b) (6) <t (b) (6) >

On Aug 23, 2021, at 2:31 AM, Chambers, Kevin (ODAG) (b) (6) > wrote:

I've asked Driscoll about whether ther (b) (5) , so I think we'll need to put that question to them.

Thanks,
Kevin

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Sunday, August 22, 2021 6:06 PM
To: Chambers, Kevin (ODAG) (b) (6) >; Hyun, Peter (OASG) (b) (6) >
Subject: Re: Election Security

Duplicative Information - See Document ID 0.7.11730.6114

From: Matthews-Johnson, Tamarra D. (OAG)
(b) (6) >
To: Chambers, Kevin (ODAG)
(b) (6) >
Cc: Hyun, Peter (OASG)
(b) (6) >
Bcc:
Subject: Re: Election Security
Date: Mon Aug 23 2021 07:32:16 EDT
Attachments: FINAL Public+Agenda 8.10.pdf

Hi -

I just pulled this from the NASED and NASS websites, showing our DOJ speakers on August 10 and August 14. I think we need a clearer understanding of what they presented, particularly because it was so recent.

Addressing Physical Threats to Elections and Election Officials

- John Keller, Principal Deputy Chief, Public Integrity Section, US Department of Justice
- Sean Mulryne, Deputy Director, Election Crimes Branch, Criminal Division, Public Integrity Section, US Department of Justice
- (b)(6), (b)(7)(C) per FBI, Supervisory Special Agent, Public Corruption Unit, Federal Bureau of Investigation

[https://static1.squarespace.com/static/5a665c98017db2b60bc22084/t/611292bb6a7bd2503b8ca9e7/1628607164083/FINAL Public](https://static1.squarespace.com/static/5a665c98017db2b60bc22084/t/611292bb6a7bd2503b8ca9e7/1628607164083/FINAL+Public+Agenda+8.10.pdf)

[c+Agenda 8.10.pdf](https://static1.squarespace.com/static/5a665c98017db2b60bc22084/t/611292bb6a7bd2503b8ca9e7/1628607164083/FINAL+Public+Agenda+8.10.pdf)

NASS had its summer conference around the same time and our team spoke on Saturday August 14:

<http://www.nass.org/events/nass-2021-summer-conference>

* Addressing Threats to Election Officials and Physical Security
Mr. John D. Keller, Principal Deputy Chief, Public Integrity Section, DOJ
Mr. Geoff Hale, Lead, Election Security Initiative, CISA

Tamarra Matthews Johnson
she/her/hers
Counsel
Office of the Attorney General
U.S. Department of Justice
Mobile (b) (6) <t (b) (6) >

On Aug 23, 2021, at 2:31 AM, Chambers, Kevin (ODAG) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.11730.6179



NATIONAL ASSOCIATION of STATE ELECTION DIRECTORS

NASED Summer Conference
August 9-10 and 19-20, 2021
Virtual (all times Eastern)

Monday, August 9

Noon – 4:00pm

CLOSED SESSION: NASED Members Only

Tuesday, August 10

Noon – 12:20pm

12:20 – 12:30pm

Welcome and Call to Order

Opening Remarks

- Jen Easterly, *Director, Cybersecurity and Infrastructure Security Agency*

12:30 – 1:30pm

Update from CISA

- Geoff Hale, *Director, Election Security Initiative, Cybersecurity and Infrastructure Security Agency*
- Bob Kolasky, *Director, National Risk Management Center, Cybersecurity and Infrastructure Security Agency*

1:30 – 1:45pm

Break

1:45 – 2:45pm

Cybernavigator Programs: Successes and Lessons Learned

- Bill Ekblad, *Election Security Cyber Navigator, Minnesota*
- Amy Kelly, *Special Projects Manager, Illinois*
- David Noonan, *Cyber Security Manager, Massachusetts*

2:45 – 3:00pm

Break

3:00 – 3:45pm

Addressing Physical Threats to Elections and Election Officials

- John Keller, *Principal Deputy Chief, Public Integrity Section, US Department of Justice*
- Sean Mulryne, *Deputy Director, Election Crimes Branch, Criminal Division, Public Integrity Section, US Department of Justice*
- Kirk Spielmaker, *Supervisory Special Agent, Public Corruption Unit, Federal Bureau of Investigation*

3:45 – 4:00pm

Presentation of 2021 NASED Innovators Award



NATIONAL ASSOCIATION of STATE ELECTION DIRECTORS

Thursday, August 19

Noon – 12:45pm

Implementation of the Voluntary Voting System Guidelines (VVSG) 2.0

- Dana Leaman, *Chief, National Voluntary Laboratory Accreditation Program, National Institute of Standards and Technology*
- Jon Panek, *Director of Testing and Certification, U.S. Election Assistance Commission*
- John Wack, *Prometheus Computing*

12:45 – 1:00pm

Break

1:00 – 2:00pm

Balancing Access and Integrity Through Voter Registration List Maintenance

- Heidi Burhans, *Iowa*
- Rob Rock, *Rhode Island*
- Meagan Wolfe, *Wisconsin*

2:00 – 2:15pm

Break

2:15 – 3:30pm

How Elections Processes Maintain Integrity

- Monica Evans, *District of Columbia*
- Shelly Jackson, *Deputy Director of Elections, Utah*
- Duan Jones, *Facilities Management Coordinator, District of Columbia*
- Neal Kelley, *Registrar of Voters, Orange County, CA*

3:30 – 3:45pm

Break

3:45 – 4:30pm

State Legislative Update

- Wendy Underhill, *Director, Elections and Redistricting, National Conference of State Legislatures*

Friday, August 20

Noon – 4:00pm

CLOSED SESSION: NASED Members Only

Matthews-Johnson, Tamarra D. (OAG)

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Monday, August 23, 2021 7:41 AM
To: Klapper, Matthew B. (OAG); Heinzelman, Kate (OAG)
Subject: Re: Convening re: threats to election workers
Attachments: NASS Vote Verification Task Force Recommendations.pdf;
FINAL_Public+Agenda_8.10.pdf

Hi -

Sounds good, we are going to (b) (5).

NASED just had their conference, where reps from the Department presented. Apparently PIN says it doesn't have presentation materials, but I've asked Kevin Chambers to press harder for more info.

Addressing Physical Threats to Elections and Election Officials

- John Keller, Principal Deputy Chief, Public Integrity

Section, US Department of Justice

- Sean Mulryne, Deputy Director, Election Crimes

Branch, Criminal Division, Public Integrity Section,

US Department of Justice

(b)(6), (b)(7)(C) per FBI, Supervisory Special Agent, Public
Corruption Unit, Federal Bureau of Investigation

https://static1.squarespace.com/static/5a665c98017db2b60bc22084/t/611292bb6a7bd2503b8ca9e7/1628607164083/FINAL_Public+Agenda_8.10.pdf

NASS recently conducted its summer conference where Keller spoke as the rep for DOJ:

-

Addressing Threats to Election Officials and Physical Security

Mr. John D. Keller, Principal Deputy Chief, Public Integrity Section, DOJ

Mr. Geoff Hale, Lead, Election Security Initiative, CISA

<http://www.nass.org/events/nass-2021-summer-conference>

NASS also just issued a task force report on "vote verification." Their newly elected President is Kyle Ardoin, the S of S of Louisiana

<https://www.nass.org/sites/default/files/Summer%202021/NASS%20Vote%20Verification%20Task%20Force%20Recommendations.pdf>

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobil (b) (6)

On Aug 22, 2021, at 8:29 PM, Heinzelman, Kate (OAG) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.11730.13490



NASS Task Force on Vote Verification: Post-election Audit Recommendations

The National Association of Secretaries of State (NASS) Task Force on Vote Verification is composed of eight Chief Election Official Secretaries of State. As experts in the field, the bipartisan task force came together to tackle the important issue of post election audits to promote a greater public understanding of the processes, procedures, and necessary elements for successful audits.

Post-election Audits Overall

Post election audits are designed to ensure the accuracy of election results, verify the integrity of the election, and promote voter confidence in the election process. The term “post election audit” may refer to a variety of election review procedures, including a “risk limiting audit.” Post election audits also vary among states based on each state’s unique laws and election systems. Audits should look for evidence that evaluates the effectiveness and durability of the procedures, processes, systems, and training.

Often a post election audit seeks to verify election procedures were carried out properly, and that votes were counted accurately. As an example, comparing a hand count of ballots to the voting machine’s count. Post election audits also generally take place in a designated percentage of randomly selected precincts, tabulators and/or ballots after the election.

As a note, post election audits are different from recounts, which typically depend on the margin of victory and involve a recount of all ballots for a particular race.

Post-election Audit Recommendations

The NASS Task Force on Vote Verification encourages states to consider the following recommendations for all types of post election audits:

- States should have a requirement and timeframe, ideally in state statute, for post election audits in place prior to an election. These defined requirements should include conducting the audit as soon as reasonably possible after an election, as well as a process to recertify election results based on the results of the audit.
- Ensuring chain of custody procedures throughout the post election audit process is paramount. Election officials should be able to track the movement and transport of ballots, voting machines, and other election materials through witnesses, signature logs, security seals, video, etc. A break in the chain of custody increases the risk that the integrity or reliability of the asset cannot be restored. The [EAC Chain of Custody Best Practices document](#) and [CISA Chain of Custody and Critical Infrastructure Systems document](#) should be used as a reference when establishing these procedures.
- Have state and/or local election officials be an integral part of the post election audit process, including in the selection of the precincts or equipment to be audited. The involvement of any



third party entities, like a CPA firm, should be determined by the Chief State Election Official or state legislative act prior to an election, and those entities must work closely with election officials.

- The post election audit methods and processes must be transparent. This includes identifying who may observe the audit, which should include members of the public, media, political party and/or candidate representatives. Once the results of the post election audit are completed and certified, they should be made publicly accessible consistent with state law.
- To avert the possibility of voting systems becoming unusable, states should have criteria in place prior to an election for the use of a federally or a state accredited test lab to perform any audit of voting machine hardware or software.
- States should make every effort to educate the public on their post election audit process, as well as other processes and procedures in place to ensure the accuracy and public trust of the results.

The Task Force on Vote Verification's recommendations were approved by NASS membership on August 16, 2021.

Task Force on Vote Verification Members

Members of the bipartisan task force were as follows:

- | | |
|--|--|
| • Hon. Maggie Toulouse Oliver, New Mexico Secretary of State | • Hon. Kyle Ardoin, Louisiana Secretary of State |
| • Hon. Paul Pate, Iowa Secretary of State | • Hon. Scott Schwab, Kansas Secretary of State |
| • Hon. Michael Adams, Kentucky Secretary of State | • Hon. Shenna Bellows, Maine Secretary of State |
| • Hon. Steve Simon, Minnesota Secretary of State | • Hon. Shemia Fagan, Oregon Secretary of State |

Matthews-Johnson, Tamarra D. (OAG)

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Monday, August 23, 2021 8:44 AM
To: Visser, Tim (OAG)
Subject: Re: Convening re: threats to election workers

(b) (6)

Tamarra Matthews Johnson
she/her/hers
Counsel
Office of the Attorney General
U.S. Department of Justice
Mobil (b) (6)

On Aug 23, 2021, at 7:42 AM, Visser, Tim (OAG) (b) (6) > wrote:

Ju (b) (6). Will call you shortly.

Sent from my iPhone

On Aug 23, 2021, at 8:39 AM, Matthews-Johnson, Tamarra D. (OAG)
(b) (6) > wrote:

Hi - I just tried you on the off chance you might be available- thanks! T

Tamarra Matthews Johnson
she/her/hers
Counsel
Office of the Attorney General
U.S. Department of Justice
Mobil (b) (6)

On Aug 22, 2021, at 10:58 PM, Matthews-Johnson, Tamarra D. (OAG)
(b) (6) > wrote:

Hi -

Can we connect in the morning about your insight on this - and the meeting that didn't happen with some of the Secretaries of State I'm open before 10 am eastern - thanks! T

On Aug 22, 2021, at 7:05 PM, Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
wrote:

Oh no, as I said, I was asked about this on Friday, so Peter, Kevin and I have connected thus far.

Yes, I've added 2261A to the collection since that email - thanks! T

On Aug 22, 2021, at 6:57 PM, Visser, Tim (OAG) (b) (6) > wrote:

Hi Tamarra,

Thanks again for passing these along. As part of your preparations, did you get a readout of the previous NASS meetings separately attended by Kristen Clarke and Richard Pilger?

As for the statutes that you sent Matt and Kate, you should add 18 USC 2261A.

Best,
Tim

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Sunday, August 22, 2021 7:33 PM
To: Visser, Tim (OAG) (b) (6) >
Subject: Fwd: Convening re: threats to election workers

Duplicative Information - See Document ID 0.7.11730.14049



Cochran, Shaylyn (CRT)

From: Cochran, Shaylyn (CRT)
Sent: Monday, August 23, 2021 9:18 AM
To: Hyun, Peter (OASG)
Cc: Grogg, Adam (OASG)
Subject: RE: Public facing event with election officials/workers

Good Morning Peter,

Pam Karlan will be CRT's contact for this meeting. We look forward to hearing more about the event.

Thanks,
Shaylyn

From: Hyun, Peter (OASG)
Sent: Sunday, August 22, 2021 8:15 PM
To: Cochran, Shaylyn (CRT) (b) (6) >
Cc: Grogg, Adam (OASG) (b) (6) >
Subject: RE: Public facing event with election officials/workers

Shaylyn: is there someone from CRT who is a good point of contact who has also interfaced with the PIN/Taskforce? The reason is that Tamarra would like to loop them in for planning for Thursday's meeting. Thanks, Peter

Peter S. Hyun | Chief of Staff
Office of the Associate Attorney General
(b) (6)
Des (b) (6)
Cel (b) (6)

From: Cochran, Shaylyn (CRT) (b) (6) >
Sent: Saturday, August 21, 2021 10:20 AM
To: Hyun, Peter (OASG) (b) (6) >
Cc: Grogg, Adam (OASG) (b) (6) >
Subject: Re: Public facing event with election officials/workers

Hi Peter Yes, I called you back but I'm sorry we didn't connect. I'm available now until about 11:30 and again between 4-7 today. Please let me know if there's a window that works for you.

Shaylyn

Sent from my iPhone

On Aug 21, 2021, at 7:57 AM, Hyun, Peter (OASG) (b) (6) > wrote:

Hi Shaylyn tried you a few times yesterday. Perhaps we can catch up today if you have time?

Peter S. Hyun
Office of the Associate Attorney General

(b) (6)

On Aug 20, 2021, at 2:08 PM, Cochran, Shaylyn (CRT) (b) (6) >
wrote:

Duplicative Information - See Document ID 0.7.11730.18116

Purdy, Nikita (OAG)

From: Purdy, Nikita (OAG)
Sent: Monday, August 23, 2021 10:17 AM
To: Klapper, Matthew B. (OAG)
Cc: Davidson, Marcia A. (OAG); Watson, Theresa (OAG)
Subject: RE: Thursday election worker threats tf meeting

Yes! I will work wit (b) (6), (b) (7)(C) now.

Thanks,
Nikita

From: Klapper, Matthew B. (OAG) (b) (6) >
Sent: Monday, August 23, 2021 10:14 AM
To: Purdy, Nikita (OAG) (b) (6) >
Subject: Thursday election worker threats tf meeting

Can you please ask FBI to put a hold on the director's calendar? Will be in AG conf room with AG/DAG/ASG.

Purdy, Nikita (OAG)

From: Purdy, Nikita (OAG)
Sent: Monday, August 23, 2021 10:58 AM
To: (b)(6), (b)(7)(C) per FBI (DO) (FBI)
Cc: Davidson, Marcia A. (OAG); Watson, Theresa (OAG)
Subject: RE: Election Worker Threats Meeting

Great, thank (b)(6), (b)(7)(C)!

From: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Monday, August 23, 2021 10:57 AM
To: Purdy, Nikita (OAG) (b) (6) >
Cc: Davidson, Marcia A. (OAG) (b) (6) >; Watson, Theresa (OAG) (b) (6) >
Subject: RE: Election Worker Threats Meeting

Sure.

From: Purdy, Nikita (OAG) (b) (6) >
Sent: Monday, August 23, 2021 10:49 AM
T (b)(6), (b)(7)(C), (b)(7)(E) per FBI (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI >
Cc: Davidson, Marcia A. (OAG) (JMD) (b) (6) >; Watson, Theresa (OAG) (JMD) (b) (6) >
Subject: [EXTERNAL EMAIL] - RE: Election Worker Threats Meeting

Yes, I have a HOLD right now but wanted to confirm before I send invite. Can I send now to the Director?

Thanks,
Nikita

From: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Monday, August 23, 2021 10:47 AM
To: Purdy, Nikita (OAG) (b) (6) >
Cc: Davidson, Marcia A. (OAG) (b) (6) >; Watson, Theresa (OAG) (b) (6) >
Subject: RE: Election Worker Threats Meeting

Thanks. Will you be sending the invite? Don't want to "assume" you would be.

From: Purdy, Nikita (OAG) (b) (6) >
Sent: Monday, August 23, 2021 10:38 AM
T (b)(6), (b)(7)(C), (b)(7)(E) per FBI (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI >
Cc: Davidson, Marcia A. (OAG) (JMD) (b) (6) >; Watson, Theresa (OAG) (JMD) (b) (6) >
Subject: [EXTERNAL EMAIL] - RE: Election Worker Threats Meeting

(b)(6), (b)(7)(C),

Yes;

AG (+AG Staff)
DAG (+DAG Staff)
Associate (+Associate Staff)

Thanks,
Nikita

From: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Monday, August 23, 2021 10:35 AM
To: Purdy, Nikita (OAG) (b) (6) >
Cc: Davidson, Marcia A. (OAG) (b) (6) >; Watson, Theresa (OAG) (b) (6) >
Subject: RE: Election Worker Threats Meeting

Can you relay who the attendees are? He has a congressional phone call at 1:30pm which I hope would end in time.

(b)(6), (b)(7)(C)

From: Purdy, Nikita (OAG) (b) (6) >
Sent: Monday, August 23, 2021 10:21 AM
T (b)(6), (b)(7)(C), (b)(7)(E) per FBI (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI >
Cc: Davidson, Marcia A. (OAG) (JMD) (b) (6) >; Watson, Theresa (OAG) (JMD) (b) (6) >
Subject: [EXTERNAL EMAIL] - Election Worker Threats Meeting

(b)(6), (b)(7)(C),

We need the FBI Director to attend the AG's Election Worker Threats Meeting. It is currently slated for Thursday, August 26th from 2:00-3:00 pm.

Thanks!

Nikita Purdy
Acting Director of Scheduling and Advance
Office of the Attorney General

(b) (6)
Offi (b) (6)
Cel (b) (6)

Otus86, AG (OAG)

From: Otus86, AG (OAG)
Sent: Monday, August 23, 2021 10:59 AM
To: AGPD; Calendar, AG86 (OAG); Watson, Theresa (OAG); Klapper, Matthew B. (OAG); AGPD2 (OAG); Davidson, Marcia A. (OAG); Heinzelman, Kate (OAG); Matthews-Johnson, Tamarra D. (OAG); DAGSchedule; Carlin, John P. (ODAG); Gupta, Vanita (OASG); Wray, Christopher Asher (DO) (FBI)
Cc: Suero, Maya A. (ODAG); West Rasmus, Emma (OASG (b)(6), (b)(7)(C) per FBI (DO) (FBI)
Subject: HOLD: Election Worker Threats Meeting

POC: Matt Klapper
Attendees: Matt Klapper, Kate Heinzelman, Tamarra Matthews Johnson
ODAG: DAG Monaco, John Carlin
OASG: Vanita Gupta
FBI: Director Wray

Note: This meeting is limited to the invited attendees only. You are not authorized to forward this invitation without prior permission of the OAG scheduling office. If you believe that the invitation was received in error or that other individuals should be included, please contact the OAG scheduling office.

Purdy, Nikita (OAG)

Subject: HOLD: Election Worker Threats Meeting
Location: AG's Conference Room

Start: Thursday, August 26, 2021 2:00 PM
End: Thursday, August 26, 2021 3:00 PM
Show Time As: Tentatively accepted

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Purdy, Nikita (OAG)
Required Attendees: AGPD; Calendar, AG86 (OAG); Watson, Theresa (OAG); Klapper, Matthew B. (OAG); AGPD2 (OAG); Davidson, Marcia A. (OAG); Heinzelman, Kate (OAG); Matthews-Johnson, Tamarra D. (OAG); DAGSchedule; Carlin, John P. (ODAG); Gupta, Vanita (OASG); Wray, Christopher Asher (DO) (FBI)
Optional Attendees: Suero, Maya A. (ODAG); West Rasmus, Emma (OASG); (b)(6), (b)(7)(C) per FBI (DO) (FBI)

POC: Matt Klapper
Attendees: Matt Klapper, Kate Heinzelman, Tamarra Matthews Johnson
ODAG: DAG Monaco, John Carlin
OASG: Vanita Gupta
FBI: Director Wray

Note: This meeting is limited to the invited attendees only. You are not authorized to forward this invitation without prior permission of the OAG scheduling office. If you believe that the invitation was received in error or that other individuals should be included, please contact the OAG scheduling office.

Otus86, AG (OAG)

From: Otus86, AG (OAG)
Sent: Monday, August 23, 2021 10:59 AM
To: Brockman, Audrey (ODAG); Suero, Maya A. (ODAG); Singh, Anita M. (ODAG); Simms, Donna Y. (ODAG); Gamble, Nathaniel (ODAG)
Subject: HOLD: Election Worker Threats Meeting

POC: Matt Klapper

Attendees: Matt Klapper, Kate Heinzelman, Tamarra Matthews Johnson

ODAG: DAG Monaco, John Carlin

OASG: Vanita Gupta

FBI: Director Wray

Note: This meeting is limited to the invited attendees only. You are not authorized to forward this invitation without prior permission of the OAG scheduling office. If you believe that the invitation was received in error or that other individuals should be included, please contact the OAG scheduling office.

Purdy, Nikita (OAG)

Subject: HOLD: Election Worker Threats Meeting
Location: AG's Conference Room

Start: Thursday, August 26, 2021 2:00 PM
End: Thursday, August 26, 2021 3:00 PM
Show Time As: Tentatively accepted

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Purdy, Nikita (OAG)
Required Attendees: Wilson, Ashley (OASG); West Rasmus, Emma (OASG)

POC: Matt Klapper
Attendees: Matt Klapper, Kate Heinzelman, Tamarra Matthews Johnson
ODAG: DAG Monaco, John Carlin
OASG: Vanita Gupta
FBI: Director Wray

Note: This meeting is limited to the invited attendees only. You are not authorized to forward this invitation without prior permission of the OAG scheduling office. If you believe that the invitation was received in error or that other individuals should be included, please contact the OAG scheduling office.

Purdy, Nikita (OAG)

Subject: HOLD: Election Worker Threats Meeting
Location: AG's Conference Room

Start: Thursday, August 26, 2021 2:00 PM
End: Thursday, August 26, 2021 3:00 PM
Show Time As: Tentatively accepted

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Purdy, Nikita (OAG)
Required Attendees: Brockman, Audrey (ODAG); Suero, Maya A. (ODAG); Singh, Anita M. (ODAG); Simms, Donna Y. (ODAG); Gamble, Nathaniel (ODAG)

POC: Matt Klapper
Attendees: Matt Klapper, Kate Heinzelman, Tamarra Matthews Johnson
ODAG: DAG Monaco, John Carlin
OASG: Vanita Gupta
FBI: Director Wray

Note: This meeting is limited to the invited attendees only. You are not authorized to forward this invitation without prior permission of the OAG scheduling office. If you believe that the invitation was received in error or that other individuals should be included, please contact the OAG scheduling office.

Otus86, AG (OAG)

From: Otus86, AG (OAG)
Sent: Monday, August 23, 2021 10:59 AM
To: Wilson, Ashley (OASG); West Rasmus, Emma (OASG)
Subject: HOLD: Election Worker Threats Meeting

POC: Matt Klapper

Attendees: Matt Klapper, Kate Heinzelman, Tamarra Matthews Johnson

ODAG: DAG Monaco, John Carlin

OASG: Vanita Gupta

FBI: Director Wray

Note: This meeting is limited to the invited attendees only. You are not authorized to forward this invitation without prior permission of the OAG scheduling office. If you believe that the invitation was received in error or that other individuals should be included, please contact the OAG scheduling office.

Gupta, Vanita (OASG)

From: Gupta, Vanita (OASG)
Sent: Monday, August 23, 2021 11:00 AM
To: Otus86, AG (OAG)
Subject: Accepted: HOLD: Election Worker Threats Meeting

Otus86, AG (OAG)

Subject: Accepted: HOLD: Election Worker Threats Meeting
Location: AG's Conference Room

Start: Thursday, August 26, 2021 2:00 PM
End: Thursday, August 26, 2021 3:00 PM

Recurrence: (none)

Meeting Status: No response required

Organizer: Otus86, AG (OAG)

Jackson, Wykema C. (OAG)

From: Jackson, Wykema C. (OAG)
Sent: Monday, August 23, 2021 11:29 AM
To: Matthews-Johnson, Tamarra D. (OAG)
Subject: Re: Safety and Security for election workers

Today. I can chime Tabitha til I arrive

Thank you..

On Aug 23, 2021, at 11:17 AM, Matthews-Johnson, Tamarra D. (OAG) (b) (6) > wrote:

Hi -
Klapper wants a meeting with him, Kate and me. Just the three of us.

I think Tracy is out so he added you for scheduling for him and Kate

On Aug 23, 2021, at 10:13 AM, Jackson, Wykema C. (OAG) (b) (6) > wrote:

Hi I'm on my way in the office. What time works for you who is the third person?
I'm driving.

Thank you..

On Aug 23, 2021, at 10:09 AM, Matthews-Johnson, Tamarra D. (OAG) (b) (6) > wrote:

Hi -
Our emails crossed. I can certainly make the meeting with her tomorrow morning if you prefer. But I'll flag tha (b) (6).
I was leaning toward (b) (6).

I am free in the window from 1230 to 230 and then I have a couple of hours of US Marshal interviews - thanks! T

On Aug 23, 2021, at 9:05 AM, Klapper, Matthew B. (OAG)

(b) (6) > wrote:

I think getting back to her tomorrow is fine. Let's find time for the three of us to connect this afternoon. Tracy is out, adding Wykema.

From: Matthews-Johnson, Tamarra D. (OAG)
(b) (6) >
Sent: Monday, August 23, 2021 10:03 AM
To: Heinzelman, Kate (OAG) (b) (6) >
Cc: Klapper, Matthew B. (OAG)
(b) (6) >
Subject: Re: Safety and Security for election workers

Hi -
I'll need to get back to her before 1230 if we are going to speak with her today, and I think we need to speak with her today if we are still thinking Thursday will work for the actual event.

I have US marshal interviews filling a couple of hours later this afternoon, so I have some scheduling constraints.

I will keep my response vague and get something on calendar to speak with her some time between 1 and 230 (b) (5)

(b) (5)
(b) (5)
(b) (5)

Tamarra Matthews Johnson
she/her/hers
Counsel
Office of the Attorney General
U.S. Department of Justice
Mobil (b) (6)

On Aug 23, 2021, at 8:54 AM, Heinzelman, Kate
(OAG) (b) (6) > wrote:

Ok let's discuss together at 12:30 if Matt can attend then.

From: Matthews-Johnson, Tamarra D. (OAG)
(b) (6) >
Sent: Monday, August 23, 2021 9:42 AM
To: Klapper, Matthew B. (OAG)
(b) (6) >; Heinzelman,
Kate (OAG) (b) (6) >
Subject: Fwd: Safety and Security for election

workers

Hi -

NASED's ED has responded. She's available to speak this afternoon, but seeking more information. I ca [REDACTED]

[REDACTED]
[REDACTED].

Begin forwarded message:

From (b)(6) Amy Cohen [REDACTED]
Date: August 23, 2021 at 8:30:59 AM CDT
To: "Matthews-Johnson, Tamarra D. (OAG)" (b) (6) [REDACTED]
[REDACTED] >
Cc: "Chambers, Kevin (ODAG)" (b) (6) [REDACTED] >, "Hyun, Peter (OASG)" (b) (6) [REDACTED] >
Subject: RE: Safety and Security for election workers

Hi Tamarra,

Thank you for reaching out, and especially for holding off until after my conference. I'm a staff of one, so even virtually, it takes up a lot of my bandwidth.

I'm happy to do a call this afternoon but would love some additional background on what you'd like to cover so I can make sure I'm prepared.

Best,

Amy

The contents of this message, together with any attachments, are confidential and intended only for the use of the individual or entity to which they are addressed. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this message, or any attachment, is strictly prohibited. If you have received this message in error, please notify the original sender immediately by email and delete this message, along with any attachments, from your computer.

From: Matthews-Johnson, Tamarra
D. (OAG) (b) (6) >
Sent: Monday, August 23, 2021
7:39 AM
T (b)(6) Amy Cohen
Cc: Chambers, Kevin (ODAG)
(b) (6) >;
Hyun, Peter (OASG)
(b) (6) >
Subject: Safety and Security for
election workers

Good morning Amy -

I hope you had a wonderful weekend. We were wondering if you are available for a call sometime this afternoon. We realize you recently conducted a successful conference, and we thought this would be a good time to connect.

Best, Tamarra

Tamarra Matthews Johnson
she/her/hers
Counsel
Office of the Attorney General
U.S. Department of Justice
Mobil (b) (6)

Heinzelman, Kate (OAG)

From: Heinzelman, Kate (OAG)
Sent: Monday, August 23, 2021 11:35 AM
To: Klapper, Matthew B. (OAG)
Subject: RE: Safety and Security for election workers

Fair!

From: Klapper, Matthew B. (OAG) (b) (6) >
Sent: Monday, August 23, 2021 11:32 AM
To: Heinzelman, Kate (OAG) (b) (6) >
Subject: RE: Safety and Security for election workers

(b) (5)

[REDACTED]

From: Heinzelman, Kate (OAG) (b) (6) >
Sent: Monday, August 23, 2021 11:31 AM
To: Klapper, Matthew B. (OAG) (b) (6) >
Subject: FW: Safety and Security for election workers

I woul (b) (5)

[REDACTED]

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Monday, August 23, 2021 10:57 AM
To: Klapper, Matthew B. (OAG) (b) (6) >; Heinzelman, Kate (OAG) (b) (6) >
Subject: Fwd: Safety and Security for election workers

FYI -

Please see below. She replied that she could do 1 pm today. I can let her know that I've had a scheduling issue (and I do have another meeting I could schedule at this time), and push it to tomorrow morning.

The only thing I'll flag is th (b) (5)

[REDACTED].

(b) (5)

[REDACTED]

Begin forwarded message:

From (b)(6) Amy Cohen
Date: August 23, 2021 at 9:47:43 AM CDT
To: "Matthews-Johnson, Tamarra D. (OAG)" (b) (6) >

Cc: "Chambers, Kevin (ODAG)" (b) (6) >, "Hyun, Peter (OASG)"
(b) (6) >
Subject: RE: Safety and Security for election workers

1pm is great. Will you send a link/dial-in, or do you want me to?

Amy

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From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Monday, August 23, 2021 10:06 AM
T (b)(6) Amy Cohen
Cc: Chambers, Kevin (ODAG) (b) (6) >; Hyun, Peter (OASG)
(b) (6) >
Subject: Re: Safety and Security for election workers

Hi -

This is very informal, just a call so we can connect at a staff level. I imagine you may have important things to note coming out of your conference and after hearing from your membership.

Are you by chance free for 30 minutes in the window from 1 to 2:30 eastern time today?

Tamarra Matthews Johnson
she/her/hers
Counsel
Office of the Attorney General
U.S. Department of Justice
Mobil (b) (6)

On Aug 23, 2021, at 8:30 AM (b)(6) Amy Cohen wrote:

Duplicative Information - See Document ID 0.7.11730.13875



Visser, Tim (OAG)

From: Visser, Tim (OAG)
Sent: Monday, August 23, 2021 12:07 PM
To: Matthews-Johnson, Tamarra D. (OAG); Chambers, Kevin (ODAG)
Subject: FW: 7/29 AAG Remarks at NASS Mtg
Attachments: NASS Talking Points (July 28) 615pm.docx

From: Cochran, Shaylyn (CRT) (b) (6) >
Sent: Wednesday, July 28, 2021 6:17 PM
To: Visser, Tim (OAG) (b) (6) >; Grogg, Adam (OASG) (b) (6) >; Braden, Myesha (ODAG) (b) (6) >; Bradford, Aryele (PAO) (b) (6) >
Subject: 7/29 AAG Remarks at NASS Mtg

Hi All,

I attached for your awareness the AAG's remarks for tomorrow's NASS meeting. Please forward any comments or questions.

Many thanks,
Shaylyn

Shaylyn Cochran
Acting Chief of Staff
Office of the Assistant Attorney General
Civil Rights Division
U.S. Department of Justice
(b) (6) (work cell)
(b) (6)

Jackson, Wykema C. (OAG)

From: Jackson, Wykema C. (OAG)
Sent: Monday, August 23, 2021 12:38 PM
To: Matthews-Johnson, Tamarra D. (OAG); Heinzelman, Kate (OAG); Klapper, Matthew B. (OAG)
Subject: RE: Safety and Security for election workers

Thanks. Working on scheduling now.

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Monday, August 23, 2021 12:32 PM
To: Jackson, Wykema C. (OAG) (b) (6) >; Heinzelman, Kate (OAG) (b) (6) >; Klapper, Matthew B. (OAG) (b) (6) >
Subject: Re: Safety and Security for election workers

Hi -
Here are my windows for a meeting today

I'm now available until 2:30

2:30-3:30 US Marshal interview
4:00-5:00 US Marshal interview

Thanks! T

On Aug 23, 2021, at 9:05 AM, Klapper, Matthew B. (OAG) (b) (6) > wrote:

Duplicative Information - See Document ID 0.7.11730.13875



Chambers, Kevin (ODAG)

From: Chambers, Kevin (ODAG)
Sent: Monday, August 23, 2021 12:53 PM
To: Driscoll, Kevin (CRM); Keller, John (CRM)
Subject: Election TF: Talking Points or Readout from 7/29 NASS Conference
Attachments: NASS Talking Points (July 28) 615pm.docx

Kevin/John:

The AG's staff has asked for any talking points or notes used when PIN addressed the NASS late last month. We have a call with their EDs tomorrow morning (9a) and want to be able to speak intelligently about what was previously discussed. Any rough notes or TPs that John may have used would be fine if there is not an actual script. Attached is what we received from CRT, if helpful. Again, we don't need something this detailed. Bullets would be fine as would a post-hoc summary of topics covered.

Similarly, if anything similar exists for the 7/15 meeting, please provide. If not, please provide summary.

Thanks,
Kevin

Subject: Meeting Forward Notification: Safety and Security for election workers Mtg

Start: Mon 8/23/2021 1:30 PM
End: Mon 8/23/2021 2:00 PM

Recurrence: (none)

Organizer: Microsoft Outlook on behalf of Jackson, Wykema C. (OAG)
/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP
(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FFC7501047DE433AB9BE2EBDBA2659BC-
JACKSON, WY

Your meeting was forwarded

[Jackson, Wykema C. \(OAG\)](#) has forwarded your meeting request to additional recipients.

Meeting

Safety and Security for election workers Mtg

Meeting Time

Monday, 23 August 2021 13:30 14:00.

Recipients

[Heinzelman, Kate \(OAG\)](#)

[Klapper, Matthew B. \(OAG\)](#)

All times listed are in the following time zone: (UTC 05:00) Eastern Time (US & Canada)

Sent by Microsoft Exchange Server

Jackson, Wykema C. (OAG)

From: Jackson, Wykema C. (OAG)
Sent: Monday, August 23, 2021 1:04 PM
To: Matthews-Johnson, Tamarra D. (OAG)
Subject: Meeting Forward Notification: Safety and Security for election workers Mtg

Your meeting was forwarded

[Jackson, Wykema C. \(OAG\)](#) has forwarded your meeting request to additional recipients.

Meeting

Safety and Security for election workers Mtg

Meeting Time

Monday, 23 August 2021 13:30 14:00.

Recipients

[Heinzelman, Kate \(OAG\)](#)

[Klapper, Matthew B. \(OAG\)](#)

All times listed are in the following time zone: (UTC 05:00) Eastern Time (US & Canada)

Sent by Microsoft Exchange Server

Matthews-Johnson, Tamarra D. (OAG)

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Monday, August 23, 2021 1:18 PM
To: Jackson, Wykema C. (OAG)
Cc: Heinzelman, Kate (OAG); Klapper, Matthew B. (OAG); Cash, Tabitha (OAG)
Subject: Re: Safety and Security for election workers

Great! Should I call one of your phones at the bottom of the hour?

Tamarra Matthews Johnson
she/her/hers
Counsel
Office of the Attorney General
U.S. Department of Justice
Mobil (b) (6)

On Aug 23, 2021, at 12:09 PM, Jackson, Wykema C. (OAG) (b) (6) >
wrote:

This meeting has been confirmed for 1:30 today. Thanks

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Monday, August 23, 2021 12:32 PM
To: Jackson, Wykema C. (OAG) (b) (6) >; Heinzelman, Kate (OAG) (b) (6) >; Klapper, Matthew B. (OAG) (b) (6) >
Subject: Re: Safety and Security for election workers

Duplicative Information - See Document ID 0.7.11730.13785

Klapper, Matthew B. (OAG)

From: Klapper, Matthew B. (OAG)
Sent: Monday, August 23, 2021 3:11 PM
To: Matthews-Johnson, Tamarra D. (OAG); Heinzelman, Kate (OAG)
Subject: RE: INVITE LIST: Convening re: threats to election workers

Very helpful, thank you!

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6) >
Sent: Monday, August 23, 2021 2:52 PM
To: Klapper, Matthew B. (OAG) (b) (6) >; Heinzelman, Kate (OAG) (b) (6) >
Subject: INVITE LIST: Convening re: threats to election workers

Hi

I just reached Amy Cohen at NASED, who is delightful. I wanted to make sure I was tracking this information correctly, but she confirmed that NASED has the capability to reach, and regularly reaches, local election officials in every state. Local election officials aren't members of NASED, but they are in constant contact and work with them.

I asked her for a list of entities that do have local election officials as actual members. She is sending me contact information for the International Association of Government Officials, the National Association of Counties, and the National Association of Election Officials (the entity Kate flagged, website electioncenter.org). She stressed that none of these entities includes all localities (county and municipal), and she is unsure of their ability to reach all officials through mass communication. NASED is accustomed to facilitating communications to county and municipal election workers. I explained that it would be great to be able reach out both ways, through NASED and through these entities.

As we've discussed, NASS is composed of state secretaries of state. 40 Secretaries of State have election duties, and the remaining 10 have no role. NASED is composed of state election directors, 40 of whom report to secretaries of state and 10 of whom are the chief election official in their state (DE, HI, IL, MD, NY, NC, OK, SC, WI), typically selected by a Board or Commission on Elections. Because the county and municipal systems are so variable, NASED in particular is often a main means of communication to and from CISA and other entities.

She is sending me the contacts for IAGO, NACO, and NAE0. And we are planning to speak with Amy and Leslie tomorrow.

I am happy t (b) (5)
Thanks! T

From: Matthews-Johnson, Tamarra D. (OAG)
Sent: Monday, August 23, 2021 7:41 AM
To: Klapper, Matthew B. (OAG) (b) (6) >; Heinzelman, Kate (OAG) (b) (6) >
Subject: Re: Convening re: threats to election workers

Duplicative Information - See Document ID 0.7.11730.13139