

**From:** Alcorn, Stephonn O. EOP/WHO  
**Subject:** RE: INVITATION: THE WHITE HOUSE NATIVE AMERICAN VOTING RIGHTS STEERING GROUP  
**To:** Alcorn, Stephonn O. EOP/WHO  
**Sent:** April 19, 2021 12:10 PM (UTC-04:00)

A reminder to please send the name and email address of your agency representative by EOD today 4/19. Thank you.

Stephonn

**Stephonn Alcorn**

(b) (6)

---

**From:** Alcorn, Stephonn O. EOP/WHO  
**Sent:** Monday, April 12, 2021 9:53 AM  
**To:** (b)(6) Jennifer Van der Heide Escobar <(b)(6) Jennifer Van der Heide Escobar>;  
(b)(6) Sean McCluskie <(b)(6) Sean McCluskie>; (b)(6) Matthew Klapper <(b)(6) Matthew Klapper>;  
'Ferguson, Katharine - OSEC - Washington, DC' <(b)(6) Katharine Ferguson>;  
'Koh, Daniel Arrigg - OSEC' <(b)(6) Daniel Koh>; (b)(6) Tanya Bradsher <(b)(6) Tanya Bradsher>  
**Cc:** Libby R. EOP/WHO Washburn <(b)(6) Libby Washburn>; (b)(6) Libby Washburn <(b)(6) Libby Washburn>;  
Levitt, Justin M. EOP/WHO <(b)(6) Justin Levitt>; Schwartztol, Larry M. EOP/WHO <(b)(6) Larry Schwartztol>  
**Subject:** INVITATION: THE WHITE HOUSE NATIVE AMERICAN VOTING RIGHTS STEERING GROUP

**INVITATION/SAVE THE DATE**  
**THE WHITE HOUSE NATIVE AMERICAN VOTING RIGHTS STEERING GROUP**

On April 26, 2021, at 1 PM ET, the Domestic Policy Council (DPC) will convene the first meeting of the White House Native American Voting Rights Steering Group.

On March 7, 2021, the President issued an Executive Order on Promoting Access to Voting. [Executive Order on Promoting Access to Voting | The White House](#). The EO established an Interagency Steering Group on Native American Voting Rights (Steering Group).

The Steering Group will be chaired by the DPC and includes representatives from:

- US Department of Justice
- US Department of the Interior
- US Department of Agriculture
- US Department of Labor
- US Department of Health and Human Services
- US Department of Veteran Affairs
- Other agencies may be invited to participate if it is helpful to complete the work of the Steering Group.

DPC looks forward to your participation. **Please identify your agency representative for this Steering Group by Monday, April 19, 2021.**

The charge of the Steering Group includes studying best practices for protecting voting rights of Native Americans and producing a report within 1 year of the date of this order outlining recommendations for providing such protection, consistent with applicable law, including recommendations for:

- Increasing voter outreach, education, registration, and turnout in Native American communities; increasing voting access for Native American communities (including increasing accessibility for voters with disabilities); and mitigating internet accessibility issues that may hinder voter registration and ballot access in Native American communities;
- Increasing language access and assistance for Native American voters, including evaluating existing best practices;
- Mitigating barriers to voting for Native Americans by analyzing and providing guidance on how to facilitate the use of Tribal government identification cards as valid voter identification in Federal, State, local, Tribal, and territorial elections;
- Facilitating collaboration among local election officials, Native American communities, and Tribal election offices;

- and
- Addressing other areas identified during the consultation process.

The Steering Group will engage in meaningful and robust consultation with Tribal Nations and Native leaders during this process.

For additional information, please contact Libby Washburn ((b) (6)) or Justin Levitt ((b) (6)). The agenda and additional materials will follow closer to the date of the meeting.

Best,  
Stephonn Alcorn

**Stephonn Alcorn**

Special Assistant to the Domestic Policy Council

((b) (6))

((b) (6))

**From:** Klapper, Matthew B. (OAG)  
**Subject:** RE: INVITATION: THE WHITE HOUSE NATIVE AMERICAN VOTING RIGHTS STEERING GROUP  
**To:** Alcorn, Stephonn O. EOP/WHO  
**Cc:** Braden, Myesha (ODAG)  
**Sent:** April 19, 2021 3:33 PM (UTC-04:00)

Hi Stephonn- Myesha Braden will represent DOJ. Thanks!  
Matt

---

**From:** Alcorn, Stephonn O. EOP/WHO <(b) (6)>  
**Sent:** Monday, April 19, 2021 12:10 PM  
**To:** Alcorn, Stephonn O. EOP/WHO <(b) (6)>  
**Subject:** RE: INVITATION: THE WHITE HOUSE NATIVE AMERICAN VOTING RIGHTS STEERING GROUP

Duplicative Information - See Document ID 22-cv-1733 - 95

**From:** Alcorn, Stephonn O. EOP/WHO  
**Subject:** RE: INVITATION: THE WHITE HOUSE NATIVE AMERICAN VOTING RIGHTS STEERING GROUP  
**To:** Klapper, Matthew B. (OAG)  
**Cc:** Braden, Myesha (ODAG)  
**Sent:** April 19, 2021 3:36 PM (UTC-04:00)

Great, thank you both!

**Stephonn Alcorn**

(b) (6)

---

**From:** Klapper, Matthew B. (OAG) <(b) (6)>  
**Sent:** Monday, April 19, 2021 3:33 PM  
**To:** Alcorn, Stephonn O. EOP/WHO <(b) (6)>  
**Cc:** Braden, Myesha (ODAG) <(b) (6)>  
**Subject:** RE: INVITATION: THE WHITE HOUSE NATIVE AMERICAN VOTING RIGHTS STEERING GROUP

Duplicative Information - See Document ID 22-cv-1733 - 112



**From:** Levitt, Justin M. EOP/WHO  
**Subject:** Please Review: Draft Voting Rights Tribal Consultation Framing Paper  
**To:** 'Thompson, HeatherDawn - OSEC - Washington, DC'; Goodluck, Tracy L. EOP/WHO; Washburn, Libby R. EOP/WHO; Vail, Justin W. EOP/WHO; (b)(6) Jennifer Van der Heide Escobar  
(b)(6) Bryan Newland ; (b)(6) Sean McCluskie; Klapper, Matthew B. (OAG); Ferguson, Katharine - OSEC - Washington, DC; (b)(6) Daniel Koh; (b)(6) Tanya Bradsher; Schwartzol, Larry M. EOP/WHO; (b)(6) Stephanie Elaine Birdwell; Archuleta, Elizabeth - OCR, Washington, DC; (b)(6) Natalie Landreth; Braden, Myesha (ODAG); (b)(6) Jennifer Waits; (b)(6) Angela Hanks; Rajan, Akhil - OSEC, Washington, DC; (b)(6) Natalie Landreth  
**Sent:** May 6, 2021 6:20 PM (UTC-04:00)  
**Attached:** DRAFT framing paper 20210506 clean.docx

And hello, all. With profound apologies for the tight timeframe, we've also got a draft one-page framing paper for the consultations, following the discussion in our last meeting (and with thanks to Natalie). The draft is attached.

For the same reasons Tracy articulated below, we'd love to get it out the door along with the schedule. Understanding that this is a tight turnaround, might I ask for feedback by **2pm ET tomorrow (Friday)**?

Thank you all so very much. And again, sorry for the request for the quick turn.

Yours,

Justin Levitt

--

Justin Levitt  
Senior Policy Advisor for Democracy and Voting Rights  
Domestic Policy Council

(b) (6)

(b) (6)

---

**From:** Goodluck, Tracy L. EOP/WHO <(b) (6)>  
**Sent:** Monday, May 3, 2021 11:04 AM  
**To:** Levitt, Justin M. EOP/WHO <(b) (6)>; Washburn, Libby R. EOP/WHO <(b) (6)>; Vail, Justin W. EOP/WHO <(b) (6)>; (b)(6) Jennifer Van der Heide Escobar; (b)(6) Bryan Newland; (b)(6) Sean McCluskie; (b)(6) Matthew Klapper; Ferguson, Katharine - OSEC - Washington, DC <(b) (6)>; (b)(6) Daniel Koh; (b)(6) Tanya Bradsher; Schwartzol, Larry M. EOP/WHO <(b) (6)>; (b)(6) Stephanie Elaine Birdwell; Thompson, HeatherDawn - OSEC - Washington, DC <(b) (6)>; Archuleta, Elizabeth - OCR, Washington, DC <(b) (6)>; (b)(6) Natalie Landreth; (b)(6) Myesha Braden; (b)(6) Jennifer Waits; (b)(6) Angela Hanks; Rajan, Akhil - OSEC, Washington, DC <(b) (6)>; (b)(6) Natalie Landreth  
**Subject:** Please Review: Draft Voting Rights Tribal Consultation Schedule

Hello Native Voting Rights Steering Committee,

Attached is the DRAFT Tribal Consultation Schedule (b) (5). Because the first Consultation will take place in early June we need to get the notice out ASAP—at least for the first Consultation. There will be time to reconfigure the later dates and times as you all think necessary. Can you please get back to us by **NOON tomorrow, Tuesday, May 4<sup>th</sup>**, with your initial edits and comments? My apologies for the short turn-around time.

Thank you,

Tracy Goodluck  
DPC Native Affairs

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

**From:** Hinchman, Robert (OLP)  
**Subject:** INITIAL CIRCULATION (XRIN 0693-XC109) - DUE TO OLP COB MON. MAY 17 - XR NIST RFI on Promoting Access to Voting (implements EO 14019)  
**To:** policy, civil (CIV); Policy, CRT (CRT); Foran, Sheila (CRT)  
**Cc:** Colangelo, Matthew (OASG); Gormsen, Eric T (OLP); Hyun, Peter (OASG); Jones, Kevin R (OLP); Noll, Andrew (ODAG); OLPREGS (SMO); Sooknanan, Sparkle (OASG); Wilson, Ashley (OASG); Thompson, Karl (ODAG); Braden, Myesha (ODAG); Visser, Tim (OAG); Davies, Susan M. (OLP); Ruisanchez, Alberto (OASG)  
**Sent:** May 14, 2021 3:04 PM (UTC-04:00)  
**Attached:** RFI-Voting Accessibility\_v5.docx, EO 14019 - Access to Voting - 2021\_03\_07 - 86 FR 13623.pdf

**TO:** CIV - Michael Baer, Dennis Fan, Policy Mailbox  
CRT - Sheila Foran, Policy Mailbox

**cc:** OAG - Tim Visser  
ODAG - Andrew Noll, Karl Thompson, Myesha Braden  
OASG - Peter Hyun, Sparkle Sooknanan, Matthew Colangelo, Ashley Wilson, Alberto Ruisanchez  
OLP - Kevin R. Jones, Susan Davies, Susan Inman, Eric Gormsen, OLP Regs

In order to meet OMB's deadline of COB, Wed. May 19, and allow 48 hours for review by the Leadership Offices, would you please send me any comments you have on the attached NIST RFI on Promoting Access to Voting by 5:00 P.M. MONDAY, MAY 17.

As directed by Section 7 of Executive Order 14019, Ensuring Equal Access for Voters with Disabilities, the National Institute of Standards and Technology (NIST) is seeking information about barriers to private and independent voting for people with disabilities, including access to voter registration, voting technology, voting by mail, polling locations, and poll worker training. Responses to this RFI will inform NIST's development of recommendations regarding both the Federal Voter Registration Form and other barriers it identifies.

For your convenience, I've also attached a copy of EO 14019.

Thanks.

Bob

**From:** "Seehra, Jasmeet K. EOP/OMB" <(b) (6)>  
**Date:** May 13, 2021 at 6:33:10 PM EDT  
**To:** "Hinchman, Robert (OLP)" <(b) (6)>, "Gormsen, Eric T (OLP)" <(b) (6)>, (b)(6) Gretchen Jacobs, "Toppings, Patricia L CIV OSD ODAM (USA)" <(b) (6)>, (b)(6) per State <(b)(6)@state.gov>, (b)(6) per State <(b)(6)@state.gov>, (b)(6) per DOD <(b)(6)>  
DHSOGCRegulations <DHSOGCRegulations@hq.dhs.gov>, "Hickman, Stephen D." <(b) (6)>, "Stanley, Alexys" <(b) (6)>, "Lipsky, Faye" <(b) (6)>, OS HHSESec <HHSESec@hhs.gov>, DOLRegPolicy <DOLRegPolicy@dol.gov>, usdareg@obpa.usda.gov, (b)(6) Heidi Cohen, "Conrey, Martin S." <(b) (6)>, GSA-Regulations@gsa.gov, "Burton, Vanessa" <(b) (6)>, "Interior Reg Mailbox <(b)(6)@ios.doi.gov>" <(b)(6)@ios.doi.gov>, VACO 00REG OMB Requests <VACO02REGOMBRequests@va.gov>, HUDLRM@hud.gov, "Mahaffie, Lynn" <(b) (6)>, "Jones, Kevin R (OLP)" <(b) (6)>  
**Cc:** "Seehra, Jasmeet K. EOP/OMB" <(b) (6)>, "Hunt, Alex T. EOP/OMB" <(b) (6)>, "Boland, Amira C. EOP/OMB" <(b) (6)>

"Curtis, Tyler T. EOP/OMB" <(b) (6)>, "Nye, Joseph B. EOP/OMB"  
<(b) (6)>, "Clark, Michael C. EOP/OMB" <(b) (6)>,  
"Turner, Austin F. EOP/OMB" <(b) (6)>, "Burris, Jordan C. EOP/OMB"  
<(b) (6)>

**Subject: For Comment by COB on May 19th -- NIST RFI on Promoting Access to Voting (implements EO 14019) (XRIN 0693-XC109)**

Please see the attached file for a Request for Information titled *Promoting Access to Voting*. As directed by Section 7 of Executive Order 14019, *Ensuring Equal Access for Voters with Disabilities*, the National Institute of Standards and Technology (NIST) is seeking information about barriers to private and independent voting for people with disabilities, including access to voter registration, voting technology, voting by mail, polling locations, and poll worker training. Responses to this RFI will inform NIST's development of recommendations regarding both the Federal Voter Registration Form and other barriers it identifies.

If I do not hear from you by COB on the 19<sup>th</sup> I will assume your agency clears with no comment.

Thank you.

# Presidential Documents

## Title 3—

## Executive Order 14019 of March 7, 2021

## The President

## Promoting Access to Voting

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

**Section 1. *Purpose.*** The right to vote is the foundation of American democracy. Free and fair elections that reflect the will of the American people must be protected and defended. But many Americans, especially people of color, confront significant obstacles to exercising that fundamental right. These obstacles include difficulties with voter registration, lack of election information, and barriers to access at polling places. For generations, Black voters and other voters of color have faced discriminatory policies and other obstacles that disproportionately affect their communities. These voters remain more likely to face long lines at the polls and are disproportionately burdened by voter identification laws and limited opportunities to vote by mail. Limited access to language assistance remains a barrier for many voters. People with disabilities continue to face barriers to voting and are denied legally required accommodations in exercising their fundamental rights and the ability to vote privately and independently. Members of our military serving overseas, as well as other American citizens living abroad, also face challenges to exercising their fundamental right to vote.

The Constitution and laws of the United States prohibit racial discrimination and protect the right to vote. The Voting Rights Act of 1965 and other Federal statutes implement those protections and assign the Federal Government a key role in remedying disenfranchisement and unequal access to the polls. In passing the National Voter Registration Act of 1993, the Congress found that it is the duty of Federal, State, and local governments to promote the exercise of the fundamental right to vote. Executive departments and agencies (agencies) should partner with State, local, Tribal, and territorial election officials to protect and promote the exercise of the right to vote, eliminate discrimination and other barriers to voting, and expand access to voter registration and accurate election information. It is our duty to ensure that registering to vote and the act of voting be made simple and easy for all those eligible to do so.

**Sec. 2. *Policy.*** It is the policy of my Administration to promote and defend the right to vote for all Americans who are legally entitled to participate in elections. It is the responsibility of the Federal Government to expand access to, and education about, voter registration and election information, and to combat misinformation, in order to enable all eligible Americans to participate in our democracy.

**Sec. 3. *Expanding Access to Voter Registration and Election Information.*** Agencies shall consider ways to expand citizens' opportunities to register to vote and to obtain information about, and participate in, the electoral process.

(a) The head of each agency shall evaluate ways in which the agency can, as appropriate and consistent with applicable law, promote voter registration and voter participation. This effort shall include consideration of:

(i) ways to provide relevant information in the course of activities or services that directly engage with the public—including through agency materials, websites, online forms, social media platforms, and other points of public access—about how to register to vote, how to request a vote-by-mail ballot, and how to cast a ballot in upcoming elections;

(ii) ways to facilitate seamless transition from agencies' websites directly to State online voter registration systems or appropriate Federal websites, such as Vote.gov;

(iii) ways to provide access to voter registration services and vote-by-mail ballot applications in the course of activities or services that directly engage with the public, including:

(A) distributing voter registration and vote-by-mail ballot application forms, and providing access to applicable State online systems for individuals who can take advantage of those systems;

(B) assisting applicants in completing voter registration and vote-by-mail ballot application forms in a manner consistent with all relevant State laws; and

(C) soliciting and facilitating approved, nonpartisan third-party organizations and State officials to provide voter registration services on agency premises;

(iv) ways to promote and expand access to multilingual voter registration and election information, and to promote equal participation in the electoral process for all eligible citizens of all backgrounds; and

(v) whether, consistent with applicable law, any identity documents issued by the agency to members of the public can be issued in a form that satisfies State voter identification laws.

(b) Within 200 days of the date of this order, the head of each agency shall submit to the Assistant to the President for Domestic Policy a strategic plan outlining the ways identified under this review that the agency can promote voter registration and voter participation.

(c) The Administrator of the Office of Electronic Government, Office of Management and Budget, shall, consistent with applicable law, coordinate efforts across agencies to improve or modernize Federal websites and digital services that provide election and voting information to the American people, including ensuring that Federal websites are accessible to individuals with disabilities and people with limited English proficiency. As appropriate, the Administrator of the United States Digital Service may support agencies in implementing the strategic plans directed in subsection (b) of this section.

**Sec. 4. *Acceptance of Designation Under the National Voter Registration Act.*** (a) This order shall supersede section 3 of Executive Order 12926 of September 12, 1994 (Implementation of the National Voter Registration Act of 1993).

(b) Each agency, if requested by a State to be designated as a voter registration agency pursuant to section 7(a)(3)(B)(ii) of the National Voter Registration Act, shall, to the greatest extent practicable and consistent with applicable law, agree to such designation. If an agency declines to consent to such designation, the head of the agency shall submit to the President a written explanation for the decision.

(c) The head of each agency shall evaluate where and how the agency provides services that directly engage with the public and, to the greatest extent practicable, formally notify the States in which the agency provides such services that it would agree to designation as a voter registration agency pursuant to section 7(a)(3)(B)(ii) of the National Voter Registration Act.

**Sec. 5. *Modernizing Vote.gov.*** The General Services Administration (GSA) shall take steps to modernize and improve the user experience of Vote.gov. In determining how to do so, GSA shall coordinate with the Election Assistance Commission and other agencies as appropriate, and seek the input of affected stakeholders, including election administrators, civil rights and disability rights advocates, Tribal Nations, and nonprofit groups that study best practices for using technology to promote civic engagement.

(a) GSA's efforts to modernize and improve Vote.gov shall include:

(i) ensuring that Vote.gov complies, at minimum, with sections 504 and 508 of the Rehabilitation Act of 1973;

(ii) ensuring that Vote.gov is translated into languages spoken by any of the language groups covered under section 203 of the Voting Rights Act anywhere in the United States; and

(iii) implementing relevant provisions of the 21st Century Integrated Digital Experience Act (Public Law 115–336).

(b) Within 200 days of the date of this order, GSA shall submit to the Assistant to the President for Domestic Policy a strategic plan outlining the steps to modernize and improve the user experience of Vote.gov.

**Sec. 6. *Increasing Opportunities for Employees to Vote.*** It is a priority of my Administration to ensure that the Federal Government, as the Nation's largest employer, serves as a model employer by encouraging and facilitating Federal employees' civic participation. Accordingly, the Director of the Office of Personnel Management shall take the following actions within 200 days of the date of this order:

(a) coordinate with the heads of executive agencies, as defined in 5 U.S.C. 105, to provide recommendations to the President, through the Assistant to the President for Domestic Policy, on strategies to expand the Federal Government's policy of granting employees time off to vote in Federal, State, local, Tribal, and territorial elections. Such recommendations should include efforts to ensure Federal employees have opportunities to participate in early voting.

(b) Coordinate with the heads of executive agencies, as defined in 5 U.S.C. 105, to provide recommendations to the President, through the Assistant to the President for Domestic Policy, on strategies to better support Federal employees who wish to volunteer to serve as non-partisan poll workers or non-partisan observers, particularly during early or extended voting periods.

**Sec. 7. *Ensuring Equal Access for Voters with Disabilities.*** Within 270 days of the date of this order, the National Institute of Standards and Technology (NIST) within the Department of Commerce shall evaluate the steps needed to ensure that the online Federal Voter Registration Form is accessible to people with disabilities. During that period, NIST, in consultation with the Department of Justice, the Election Assistance Commission, and other agencies, as appropriate, shall also analyze barriers to private and independent voting for people with disabilities, including access to voter registration, voting technology, voting by mail, polling locations, and poll worker training. By the end of the 270-day period, NIST shall publish recommendations regarding both the Federal Voter Registration Form and the other barriers it has identified.

**Sec. 8. *Ensuring Access to Voting for Active Duty Military and Overseas Citizens.*** (a) Within 200 days of the date of this order, the Secretary of Defense shall establish procedures, consistent with applicable law, to affirmatively offer, on an annual basis, each member of the Armed Forces on active duty the opportunity to register to vote in Federal elections, update voter registration information, or request an absentee ballot.

(b) Within 200 days of the date of this order, the Secretary of Defense shall evaluate the feasibility of implementing an online system to facilitate the services described in subsection (a) of this section.

(c) The Secretary of Defense, in coordination with the Department of State, the Military Postal Service Agency, and the United States Postal Service, shall take all practical steps to establish procedures to enable a comprehensive end-to-end ballot tracking system for all absentee ballots cast by military and other eligible overseas voters under the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. 20301 *et seq.* Within 200 days of the date of this order, the Secretary of Defense shall submit a report to the Assistant to the President for Domestic Policy with a strategic plan for establishing the aforementioned tracking system.



(d) The head of each agency with overseas employees shall designate an employee to be responsible for coordinating with the Federal Voting Assistance Program, including to promote voter registration and voting services available to the agency's overseas employees. The Director of the Office of Management and Budget may issue guidance to assist agencies in making such designations.

**Sec. 9. *Ensuring Access to Voter Registration for Eligible Individuals in Federal Custody.*** (a) The Attorney General shall establish procedures, consistent with applicable law, to provide educational materials related to voter registration and voting and, to the extent practicable, to facilitate voter registration, for all eligible individuals in the custody of the Federal Bureau of Prisons. Such educational materials shall be incorporated into the reentry planning procedures required under section 4042(a)(7) of title 18, United States Code. The educational materials should also notify individuals leaving Federal custody of the restrictions, if any, on their ability to vote under the laws of the State where the individual resides and, if any such restrictions exist, the point at which the individual's rights will be restored under applicable State law.

(b) The Attorney General shall establish procedures, consistent with applicable law, to ensure the United States Marshals Service includes language in intergovernmental agreements and jail contracts to require the jails to provide educational materials related to voter registration and voting, and to facilitate voting by mail, to the extent practicable and appropriate.

(c) The Attorney General shall establish procedures, consistent with applicable law, for coordinating with the Probation and Pretrial Services Office of the Administrative Office of the United States Courts to provide educational materials related to voter registration and voting to all eligible individuals under the supervision of the Probation and Pretrial Services Office, and to facilitate voter registration and voting by such individuals.

(d) The Attorney General shall take appropriate steps, consistent with applicable law, to support formerly incarcerated individuals in obtaining a means of identification that satisfies State voter identification laws, including as required by 18 U.S.C. 4042(a)(6)(B).

**Sec. 10. *Establishing a Native American Voting Rights Steering Group.*** (a) There is hereby established an Interagency Steering Group on Native American Voting Rights (Steering Group) coordinated by the Domestic Policy Council.

(b) The Steering Group shall be chaired by the Assistant to the President for Domestic Policy and shall include the Attorney General, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Labor, the Secretary of Health and Human Services, and the Secretary of Veterans Affairs or their designees. The Chair may invite the participation of the heads or senior representatives of other agencies, as the Chair determines to be helpful to complete the work of the Steering Group. The Steering Group shall consult with agencies not represented on the Steering Group to facilitate the sharing of information and best practices, as appropriate and consistent with applicable law.

(c) The Steering Group shall engage in meaningful and robust consultation with Tribal Nations and Native leaders to inform the Steering Group regarding concerns and potential areas of focus for the report described in subsection (d) of this section, and to assist the Steering Group in developing that report.

(d) The Steering Group shall study best practices for protecting voting rights of Native Americans and shall produce a report within 1 year of the date of this order outlining recommendations for providing such protection, consistent with applicable law, including recommendations for:

(i) increasing voter outreach, education, registration, and turnout in Native American communities; increasing voting access for Native American communities (including increasing accessibility for voters with disabilities);



and mitigating internet accessibility issues that may hinder voter registration and ballot access in Native American communities;

(ii) increasing language access and assistance for Native American voters, including evaluating existing best practices;

(iii) mitigating barriers to voting for Native Americans by analyzing and providing guidance on how to facilitate the use of Tribal government identification cards as valid voter identification in Federal, State, local, Tribal, and territorial elections;

(iv) facilitating collaboration among local election officials, Native American communities, and Tribal election offices; and

(v) addressing other areas identified during the consultation process.

(e) The Department of the Interior shall provide administrative support for the Steering Group to the extent permitted by law.

**Sec. 11. Definition.** Except as otherwise defined in section 6 of this order, “agency” means any authority of the United States that is an “agency” under 44 U.S.C. 3502(1), other than those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(5).


**Sec. 12. General Provisions.** (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,  
March 7, 2021.

**From:** Klapper, Matthew B. (OAG)  
**Subject:** FW: Framing Paper and Tick Tock  
**To:** Visser, Tim (OAG)  
**Cc:** Heinzelman, Kate (OAG)  
**Sent:** May 27, 2021 12:16 PM (UTC-04:00)  
**Attached:** 2021-05-10\_FINAL\_Voting Rights Framing Paper.docx, DRAFT\_Tick Tock for Voting Rights Consultations.docx

Fyi

---

**From:** Goodluck, Tracy L. EOP/WHO <(b) (6)>  
**Sent:** Thursday, May 27, 2021 12:04 PM  
**To:** Levitt, Justin M. EOP/WHO <(b) (6)>; Washburn, Libby R. EOP/WHO <(b) (6)>; Vail, Justin W. EOP/WHO <(b) (6)>;  
(b)(6) Jennifer Van der Heide Escobar; (b)(6) Bryan Newland ; (b)(6) Sean McCluskie;  
(b)(6) Matthew Klapper ; Ecoffey, Stacey (HHS/IEA) <(b) (6)>;  
(b)(6) Katharine Ferguson; (b)(6) Daniel Koh; (b)(6) Tanya Bradsher; Schwartzol, Larry M. EOP/WHO <(b) (6)>; (b)(6) Stephanie Elaine Birdwell; (b)(6) Heather Dawn Thompson;  
(b)(6) Elizabeth Archuleta; (b)(6) Natalie Landreth ; (b)(6) Myesha Braden ;  
(b)(6) Jennifer Waits; (b)(6) Angela Hanks; (b)(6) Akhil Rajan  
**Subject:** Framing Paper and Tick Tock

All—attached is the framing paper for your review. (b) (5) . Please have edits and comments back to me by 12noon tomorrow (5/28) (b) (5) .

Thank you!

Tracy

**From:** Visser, Tim (OAG)  
**Subject:** Fwd: Framing Paper and Tick Tock  
**To:** Braden, Myesha (ODAG); Ruisanchez, Alberto (OASG)  
**Sent:** May 27, 2021 11:23 PM (UTC-04:00)  
**Attached:** 2021-05-10\_FINAL\_Voting Rights Framing Paper.docx, DRAFT\_Tick Tock for Voting Rights Consultations.docx

Hey, Myesha. I know you flagged this process for CRT today, but Kate just pinged me on this and wanted to confirm that CRT and OTJ were asked to review the draft. She also wanted CRT to weigh in on (b) (5) [REDACTED].

Alberto, Kate also asked for OASG to share any thoughts.

I see the feedback deadline to EOP is noon. Fortunately it's short and fairly straightforward.

Sent from my iPhone

Begin forwarded message:

**From:** "Klapper, Matthew B. (OAG)" <(b) (6)>  
**Date:** May 27, 2021 at 12:16:01 PM EDT  
**To:** "Visser, Tim (OAG)" <(b) (6)>  
**Cc:** "Heinzelman, Kate (OAG)" <(b) (6)>  
**Subject:** FW: Framing Paper and Tick Tock

Duplicative Information - See Document ID 22-cv-1733 - 135

**From:** Braden, Myesha (ODAG)  
**Subject:** RE: Framing Paper and Tick Tock  
**To:** Visser, Tim (OAG); Ruisanchez, Alberto (OASG)  
**Sent:** May 28, 2021 11:45 AM (UTC-04:00)  
**Attached:** 2021-05-10\_FINAL\_Voting Rights Framing Paper (003)+mkb.docx

For the record, I think these quick edits will do the trick. Will send shortly unless CRT comments are immediately forthcoming.

---

**From:** Braden, Myesha (ODAG)  
**Sent:** Friday, May 28, 2021 11:39 AM  
**To:** Visser, Tim (OAG) <(b) (6)>; Ruisanchez, Alberto (OASG) <(b) (6)>  
**Subject:** RE: Framing Paper and Tick Tock

Tim,

I asked OTJ about past voting consultations and they identified one from 2014. The attached framing paper is (b) (5). See attached.

Alberto,

Any word from CRT on edits?

Thanks,

Myesha

---

**From:** Visser, Tim (OAG) <(b) (6)>  
**Sent:** Friday, May 28, 2021 9:12 AM  
**To:** Ruisanchez, Alberto (OASG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>  
**Subject:** RE: Framing Paper and Tick Tock

Hey, Myesha. Just shot out a teams. If you have a couple of minutes that would be great. If not, let's try to connect as soon as you can (but preferably before 10)

---

**From:** Ruisanchez, Alberto (OASG) <(b) (6)>  
**Sent:** Friday, May 28, 2021 8:57 AM  
**To:** Visser, Tim (OAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>  
**Subject:** RE: Framing Paper and Tick Tock

I'm available before 10:00 a.m.

---

**From:** Visser, Tim (OAG) <(b) (6)>  
**Sent:** Friday, May 28, 2021 8:56 AM  
**To:** Ruisanchez, Alberto (OASG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>  
**Subject:** RE: Framing Paper and Tick Tock

So sorry for the multiple emails. I am catching increased incoming on this. Can we circle up for like 5-10 minutes to discuss?

---

**From:** Ruisanchez, Alberto (OASG) <(b) (6)>  
**Sent:** Friday, May 28, 2021 7:41 AM  
**To:** Braden, Myesha (ODAG) <(b) (6)>  
**Cc:** Visser, Tim (OAG) <(b) (6)>  
**Subject:** Re: Framing Paper and Tick Tock

Will do.

On May 28, 2021, at 7:30 AM, Braden, Myesha (ODAG) <(b) (6)> wrote:

I have not, so feel free.

---

**From:** Ruisanchez, Alberto (OASG) <(b) (6)>  
**Sent:** Friday, May 28, 2021 7:06 AM  
**To:** Visser, Tim (OAG) <(b) (6)>  
**Cc:** Braden, Myesha (ODAG) <(b) (6)>  
**Subject:** Re: Framing Paper and Tick Tock

I'm happy to review. Myesha, please let me know if you have shared this document with CRT for their input and if they had any edits.

Thanks.

On May 27, 2021, at 11:22 PM, Visser, Tim (OAG) <(b) (6)> wrote:

Duplicative Information - See Document ID 22-cv-1733 - 145

**From:** Ruisanchez, Alberto (OASG)  
**Subject:** FW: Framing Paper and Tick Tock  
**To:** Braden, Myesha (ODAG); Visser, Tim (OAG)  
**Sent:** May 28, 2021 11:45 AM (UTC-04:00)  
**Attached:** DRAFT\_Tick Tock for Voting Rights Consultations.docx, 2021-05-10\_FINAL\_Voting Rights Framing Paper.docx

Tim,

Attached are the documents; the framing paper incorporates edits that I made to address concerns about the (b) (5) and that CRT had on a few issues. Also, the questions may be (b) (5) but I just wanted to flag that point. Finally, CRT has met with relevant groups many times but never hosted a consultation, per se.

Please let me know if you have any questions.

Best.

---

**From:** Visser, Tim (OAG) <(b) (6)>  
**Sent:** Thursday, May 27, 2021 11:23 PM  
**To:** Braden, Myesha (ODAG) <(b) (6)>; Ruisanchez, Alberto (OASG) <(b) (6)>  
**Subject:** Fwd: Framing Paper and Tick Tock

Duplicative Information - See Document ID 22-cv-1733 - 145

**From:** Colangelo, Matthew (OASG)  
**Subject:** proposal  
**To:** Carlin, John P. (ODAG); Klapper, Matthew B. (OAG); Gupta, Vanita (OASG)  
**Sent:** May 31, 2021 2:35 PM (UTC-04:00)

In consultation with the Civil Rights Division, below is a proposal for steps the Department could announce or take in the near term to strengthen our enforcement of federal voting rights laws and signal that we stand ready to oppose state or local efforts to abridge the right to vote:

We propose (b) (5)

could communicate five key points:

1. (b) (5)

2. (b) (5)

3. (b) (5)

4. (b) (5)

5. (b) (5)

**From:** Klapper, Matthew B. (OAG)  
**Subject:** Re: proposal  
**To:** Colangelo, Matthew (OASG)  
**Cc:** Carlin, John P. (ODAG); Gupta, Vanita (OASG)  
**Sent:** May 31, 2021 3:15 PM (UTC-04:00)

Thanks for this. Have two questions re: point #2, the answers to which would inform my overall opinion of this approach. Happy to handle as one-off call Matthew or to set a conversation this afternoon or tomorrow with all of us present.

Sent from my iPhone

On May 31, 2021, at 2:34 PM, Colangelo, Matthew (OASG) <(b) (6)> wrote:

Duplicative Information - See Document ID 22-cv-1733 - 162



**From:** Gupta, Vanita (OASG)  
**Subject:** Re: proposal  
**To:** Klapper, Matthew B. (OAG)  
**Cc:** Colangelo, Matthew (OASG); Carlin, John P. (ODAG)  
**Sent:** May 31, 2021 3:22 PM (UTC-04:00)

Feel free to give me a call when convenient.

On May 31, 2021, at 3:14 PM, Klapper, Matthew B. (OAG) <(b) (6)> wrote:

Duplicative Information - See Document ID 22-cv-1733 - 164

**From:** Colangelo, Matthew (OASG)  
**Subject:** RE: proposal  
**To:** Klapper, Matthew B. (OAG); Carlin, John P. (ODAG); Gupta, Vanita (OASG)  
**Sent:** May 31, 2021 3:35 PM (UTC-04:00)

Slightly revised below to reflect the addition of two points (one at end of #2 and one at end of #4)

We propose (b) (5)

could communicate five key points:

1. (b) (5)

2. (b) (5)

3. (b) (5)

4. (b) (5)

(b) (5)

5. (b) (5)

---

**From:** Klapper, Matthew B. (OAG) <(b) (6)>  
**Sent:** Monday, May 31, 2021 3:15 PM  
**To:** Colangelo, Matthew (OASG) <(b) (6)>  
**Cc:** Carlin, John P. (ODAG) <(b) (6)>; Gupta, Vanita (OASG) <(b) (6)>  
**Subject:** Re: proposal

Duplicative Information - See Document ID 22-cv-1733 - 164

**From:** Braden, Myesha (ODAG)  
**Subject:** RE: Federal detention facilities and the voting EO  
**To:** Visser, Tim (OAG); Matthews-Johnson, Tamarra D. (OAG)  
**Sent:** June 1, 2021 11:17 AM (UTC-04:00)

CRT is involved in overall implementation of the EO, but not specifically on implementation of Section 9, which involves individuals in federal custody and facilitating their return to civic participation as a part of reentry. I think it's probably more Tamara's lane, but the relevant language is below for your consideration:

Sec. 9. Ensuring Access to Voter Registration for Eligible Individuals in Federal Custody. (a) The Attorney General shall establish procedures, consistent with applicable law, to provide educational materials related to voter registration and voting and, to the extent practicable, to facilitate voter registration, for all eligible individuals in the custody of the Federal Bureau of Prisons. Such educational materials shall be incorporated into the reentry planning procedures required under section 4042(a)(7) of title 18, United States Code. The educational materials should also notify individuals leaving Federal custody of the restrictions, if any, on their ability to vote under the laws of the State where the individual resides and, if any such restrictions exist, the point at which the individual's rights will be restored under applicable State law.

(b) The Attorney General shall establish procedures, consistent with applicable law, to ensure the United States Marshals Service includes language in intergovernmental agreements and jail contracts to require the jails to provide educational materials related to voter registration and voting, and to facilitate voting by mail, to the extent practicable and appropriate.

(c) The Attorney General shall establish procedures, consistent with applicable law, for coordinating with the Probation and Pretrial Services Office of the Administrative Office of the United States Courts to provide educational materials related to voter registration and voting to all eligible individuals under the supervision of the Probation and Pretrial Services Office, and to facilitate voter registration and voting by such individuals.

(d) The Attorney General shall take appropriate steps, consistent with applicable law, to support formerly incarcerated individuals in obtaining a means of identification that satisfies State voter identification laws, including as required by 18 U.S.C. 4042(a)(6)(B).

---

**From:** Visser, Tim (OAG) <(b) (6)>  
**Sent:** Tuesday, June 1, 2021 11:08 AM  
**To:** Braden, Myesha (ODAG) <(b) (6)>; Matthews-Johnson, Tamarra D. (OAG) <(b) (6)>  
**Subject:** RE: Federal detention facilities and the voting EO

I think if CRT is providing any sort of guidance or technical assistance, then best to keep us both in the loop. If CRT is not at all involved and it is only USMS/BOP, then it may make sense for it just to be Tamarra – though I am of course still happy to stay in the loop.

---

**From:** Braden, Myesha (ODAG) <(b) (6)>  
**Sent:** Tuesday, June 1, 2021 11:05 AM  
**To:** Visser, Tim (OAG) <(b) (6)>; Matthews-Johnson, Tamarra D. (OAG) <(b) (6)>  
**Subject:** Federal detention facilities and the voting EO

Hi, Tim and Tamarra,

Would implementation of the voting EO by USMS & BOP fall under both of you or one? If so, which?

Thanks,

Myesha

Myesha Braden

Associate Deputy Attorney General  
Office of the Deputy Attorney General  
United States Department of Justice

(b) (6)

**From:** Ruisanchez, Alberto (OASG)  
**Subject:** Voting EO Interim Strategic Plan  
**To:** Braden, Myesha (ODAG); Visser, Tim (OAG)  
**Sent:** June 9, 2021 7:46 PM (UTC-04:00)  
**Attached:** Voting EO Interim Strategic Plan Template 2021.05.03 (final) - 6.9.21 725 pm.docx

Tim and Myesha,

Attached please find the draft interim strategic plan for the voting executive order. As you will see, we have inserted our responsive information (b) (5) . It is due on June 15, so I ask that OAG and ODAG provide any edits by cob June 14.

Please let me know if you have any questions or need anything else.

Thanks.

**From:** Colangelo, Matthew (OASG)  
**Subject:** speech fact check - BOP & USMS confirmation  
**To:** Klapper, Matthew B. (OAG); Gupta, Vanita (OASG); Fletcher, Brian H. (OAG); Visser, Tim (OAG)  
**Sent:** June 11, 2021 9:59 AM (UTC-04:00)

The speech (as of yesterday) said: (b) (5)



I think this is accurate and consistent with the Executive Order. The relevant part of the EO is pasted below:

**Sec. 9. *Ensuring Access to Voter Registration for Eligible Individuals in Federal Custody.*** (a) The Attorney General shall establish procedures, consistent with applicable law, to provide educational materials related to voter registration and voting and, to the extent practicable, to facilitate voter registration, for all eligible individuals in the custody of the Federal Bureau of Prisons. Such educational materials shall be incorporated into the reentry planning procedures required under section 4042(a)(7) of title 18, United States Code. The educational materials should also notify individuals leaving Federal custody of the restrictions, if any, on their ability to vote under the laws of the State where the individual resides and, if any such restrictions exist, the point at which the individual's rights will be restored under applicable State law.

(b) The Attorney General shall establish procedures, consistent with applicable law, to ensure the United States Marshals Service includes language in intergovernmental agreements and jail contracts to require the jails to provide educational materials related to voter registration and voting, and to facilitate voting by mail, to the extent practicable and appropriate.

**From:** Visser, Tim (OAG)  
**Subject:** FW: speech fact check - BOP & USMS confirmation  
**To:** Ruisanchez, Alberto (OASG); Braden, Myesha (ODAG); Matthews-Johnson, Tamarra D. (OAG); Braverman, Adam L. (ODAG)  
**Sent:** June 11, 2021 10:01 AM (UTC-04:00)

Any concerns with the highlighted line? If so, please let me know immediately.

---

**From:** Colangelo, Matthew (OASG) <(b) (6)>  
**Sent:** Friday, June 11, 2021 9:59 AM  
**To:** Klapper, Matthew B. (OAG) <(b) (6)>; Gupta, Vanita (OASG) <(b) (6)>; Fletcher, Brian H. (OAG) <(b) (6)>; Visser, Tim (OAG) <(b) (6)>  
**Subject:** speech fact check - BOP & USMS confirmation  
**Importance:** High

The speech (as of yesterday) said: (b) (5)

[REDACTED]

I think this is accurate and consistent with the Executive Order. The relevant part of the EO is pasted below:

**Sec. 9. Ensuring Access to Voter Registration for Eligible Individuals in Federal Custody.** (a) The Attorney General shall establish procedures, consistent with applicable law, to provide educational materials related to voter registration and voting and, to the extent practicable, to facilitate voter registration, for all eligible individuals in the custody of the Federal Bureau of Prisons. Such educational materials shall be incorporated into the reentry planning procedures required under section 4042(a)(7) of title 18, United States Code. The educational materials should also notify individuals leaving Federal custody of the restrictions, if any, on their ability to vote under the laws of the State where the individual resides and, if any such restrictions exist, the point at which the individual's rights will be restored under applicable State law.

(b) The Attorney General shall establish procedures, consistent with applicable law, to ensure the United States Marshals Service includes language in intergovernmental agreements and jail contracts to require the jails to provide educational materials related to voter registration and voting, and to facilitate voting by mail, to the extent practicable and appropriate.



**From:** Ruisanchez, Alberto (OASG)  
**Subject:** RE: speech fact check - BOP & USMS confirmation  
**To:** Visser, Tim (OAG); Braden, Myesha (ODAG); Matthews-Johnson, Tamarra D. (OAG); Braverman, Adam L. (ODAG); Nguyen, Eric (ODAG)  
**Sent:** June 11, 2021 10:04 AM (UTC-04:00)

Adding Eric. I defer to ODAG on this.

---

**From:** Visser, Tim (OAG) <(b) (6)>  
**Sent:** Friday, June 11, 2021 10:01 AM  
**To:** Ruisanchez, Alberto (OASG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Matthews-Johnson, Tamarra D. (OAG) <(b) (6)>; Braverman, Adam L. (ODAG) <(b) (6)>  
**Subject:** FW: speech fact check - BOP & USMS confirmation  
**Importance:** High

Duplicative Information - See Document ID 22-cv-1733 - 196

**From:** Braverman, Adam L. (ODAG)  
**Subject:** RE: speech fact check - BOP & USMS confirmation  
**To:** Ruisanchez, Alberto (OASG); Visser, Tim (OAG); Braden, Myesha (ODAG); Matthews-Johnson, Tamarra D. (OAG); Nguyen, Eric (ODAG)  
**Sent:** June 11, 2021 10:08 AM (UTC-04:00)

I'm good

---

**From:** Ruisanchez, Alberto (OASG) <(b) (6)>  
**Sent:** Friday, June 11, 2021 10:04 AM  
**To:** Visser, Tim (OAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Matthews-Johnson, Tamarra D. (OAG) <(b) (6)>; Braverman, Adam L. (ODAG) <(b) (6)>; Nguyen, Eric (ODAG) <(b) (6)>  
**Subject:** RE: speech fact check - BOP & USMS confirmation

Duplicative Information - See Document ID 22-cv-1733 - 197

**From:** Visser, Tim (OAG)  
**Subject:** RE: speech fact check - BOP & USMS confirmation  
**To:** Colangelo, Matthew (OASG); Klapper, Matthew B. (OAG); Gupta, Vanita (OASG); Fletcher, Brian H. (OAG)  
**Sent:** June 11, 2021 10:10 AM (UTC-04:00)

In my view it is, but I will quickly confirm with the folks in ODAG driving the BOP/USMS part of the EO.

---

**From:** Colangelo, Matthew (OASG) <(b) (6)>  
**Sent:** Friday, June 11, 2021 9:59 AM  
**To:** Klapper, Matthew B. (OAG) <(b) (6)>; Gupta, Vanita (OASG) <(b) (6)>; Fletcher, Brian H. (OAG) <(b) (6)>; Visser, Tim (OAG) <(b) (6)>  
**Subject:** speech fact check - BOP & USMS confirmation  
**Importance:** High

Duplicative Information - See Document ID 22-cv-1733 - 195

**From:** Nguyen, Eric (ODAG)  
**Subject:** RE: speech fact check - BOP & USMS confirmation  
**To:** Braverman, Adam L. (ODAG); Ruisanchez, Alberto (OASG); Visser, Tim (OAG); Braden, Myesha (ODAG); Matthews-Johnson, Tamarra D. (OAG)  
**Sent:** June 11, 2021 10:11 AM (UTC-04:00)

Could I make two small suggestions?

(b) (5)

---

**From:** Braverman, Adam L. (ODAG) <(b) (6)>  
**Sent:** Friday, June 11, 2021 10:08 AM  
**To:** Ruisanchez, Alberto (OASG) <(b) (6)>; Visser, Tim (OAG) <(b) (6)>;  
Braden, Myesha (ODAG) <(b) (6)>; Matthews-Johnson, Tamarra D. (OAG)  
<(b) (6)>; Nguyen, Eric (ODAG) <(b) (6)>  
**Subject:** RE: speech fact check - BOP & USMS confirmation

Duplicative Information - See Document ID 22-cv-1733 - 198

**From:** Visser, Tim (OAG)  
**Subject:** RE: speech fact check - BOP & USMS confirmation  
**To:** Nguyen, Eric (ODAG); Braverman, Adam L. (ODAG); Ruisanchez, Alberto (OASG); Braden, Myesha (ODAG); Matthews-Johnson, Tamarra D. (OAG)  
**Sent:** June 11, 2021 10:15 AM (UTC-04:00)

Thanks, Eric! Can you give me a quick call at (b) (6).

---

**From:** Nguyen, Eric (ODAG) <(b) (6)>  
**Sent:** Friday, June 11, 2021 10:11 AM  
**To:** Braverman, Adam L. (ODAG) <(b) (6)>; Ruisanchez, Alberto (OASG)  
<(b) (6)>; Visser, Tim (OAG) <(b) (6)>; Braden, Myesha (ODAG)  
<(b) (6)>; Matthews-Johnson, Tamarra D. (OAG) <(b) (6)>  
**Subject:** RE: speech fact check - BOP & USMS confirmation

Duplicative Information - See Document ID 22-cv-1733 - 201

**From:** Visser, Tim (OAG)  
**Subject:** RE: speech fact check - BOP & USMS confirmation  
**To:** Colangelo, Matthew (OASG); Klapper, Matthew B. (OAG); Gupta, Vanita (OASG); Fletcher, Brian H. (OAG)  
**Sent:** June 11, 2021 10:28 AM (UTC-04:00)

This was ODAG's recommended tweaks. They should be giving me a quick call to tease out (b) (5)

(b) (5)

---

**From:** Colangelo, Matthew (OASG) <(b) (6)>  
**Sent:** Friday, June 11, 2021 9:59 AM  
**To:** Klapper, Matthew B. (OAG) <(b) (6)>; Gupta, Vanita (OASG) <(b) (6)>; Fletcher, Brian H. (OAG) <(b) (6)>; Visser, Tim (OAG) <(b) (6)>  
**Subject:** speech fact check - BOP & USMS confirmation  
**Importance:** High

Duplicative Information - See Document ID 22-cv-1733 - 195

**From:** Braden, Myesha (ODAG)  
**Subject:** RE: speech fact check - BOP & USMS confirmation  
**To:** Visser, Tim (OAG); Ruisanchez, Alberto (OASG); Matthews-Johnson, Tamarra D. (OAG); Braverman, Adam L. (ODAG); Nguyen, Eric (ODAG)  
**Sent:** June 11, 2021 10:41 AM (UTC-04:00)

Plus Eric for BOP.

---

**From:** Visser, Tim (OAG) <(b) (6)>  
**Sent:** Friday, June 11, 2021 10:01 AM  
**To:** Ruisanchez, Alberto (OASG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Matthews-Johnson, Tamarra D. (OAG) <(b) (6)>; Braverman, Adam L. (ODAG) <(b) (6)>  
**Subject:** FW: speech fact check - BOP & USMS confirmation  
**Importance:** High

Duplicative Information - See Document ID 22-cv-1733 - 196

**From:** Nguyen, Eric (ODAG)  
**Subject:** Re: speech fact check - BOP & USMS confirmation  
**To:** Braden, Myesha (ODAG)  
**Cc:** Visser, Tim (OAG); Ruisanchez, Alberto (OASG); Matthews-Johnson, Tamarra D. (OAG); Braverman, Adam L. (ODAG)  
**Sent:** June 11, 2021 10:55 AM (UTC-04:00)

Thanks - connected with Tim.

On Jun 11, 2021, at 10:41 AM, Braden, Myesha (ODAG) <(b) (6)> wrote:

Duplicative Information - See Document ID 22-cv-1733 - 206



**From:** Visser, Tim (OAG)  
**Subject:** RE: speech fact check - BOP & USMS confirmation  
**To:** Nguyen, Eric (ODAG); Braden, Myesha (ODAG)  
**Cc:** Ruisanchez, Alberto (OASG); Matthews-Johnson, Tamarra D. (OAG); Braverman, Adam L. (ODAG)  
**Sent:** June 11, 2021 11:01 AM (UTC-04:00)

Thanks, everyone!

---

**From:** Nguyen, Eric (ODAG) <(b) (6)>  
**Sent:** Friday, June 11, 2021 10:55 AM  
**To:** Braden, Myesha (ODAG) <(b) (6)>  
**Cc:** Visser, Tim (OAG) <(b) (6)>; Ruisanchez, Alberto (OASG) <(b) (6)>;  
Matthews-Johnson, Tamarra D. (OAG) <(b) (6)>; Braverman, Adam L. (ODAG)  
<(b) (6)>  
**Subject:** Re: speech fact check - BOP & USMS confirmation

Duplicative Information - See Document ID 22-cv-1733 - 206

**From:** Nguyen, Eric (ODAG)  
**Subject:** RE: speech fact check - BOP & USMS confirmation  
**To:** Visser, Tim (OAG); Braden, Myesha (ODAG)  
**Cc:** Ruisanchez, Alberto (OASG); Matthews-Johnson, Tamarra D. (OAG); Braverman, Adam L. (ODAG)  
**Sent:** June 11, 2021 12:27 PM (UTC-04:00)

It just occurred to me: We might want to meet sometime next week so everyone's tracking all the efforts on these issues?

---

**From:** Visser, Tim (OAG) <(b) (6)>  
**Sent:** Friday, June 11, 2021 11:01 AM  
**To:** Nguyen, Eric (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>  
**Cc:** Ruisanchez, Alberto (OASG) <(b) (6)>; Matthews-Johnson, Tamarra D. (OAG) <(b) (6)>; Braverman, Adam L. (ODAG) <(b) (6)>  
**Subject:** RE: speech fact check - BOP & USMS confirmation

Duplicative Information - See Document ID 22-cv-1733 - 209

**From:** Matthews-Johnson, Tamarra D. (OAG)  
**Subject:** RE: speech fact check - BOP & USMS confirmation  
**To:** Nguyen, Eric (ODAG); Visser, Tim (OAG); Braden, Myesha (ODAG)  
**Cc:** Ruisanchez, Alberto (OASG); Braverman, Adam L. (ODAG)  
**Sent:** June 11, 2021 12:28 PM (UTC-04:00)

That's a great idea - T

---

**From:** Nguyen, Eric (ODAG) <(b) (6)>  
**Sent:** Friday, June 11, 2021 12:27 PM  
**To:** Visser, Tim (OAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>  
**Cc:** Ruisanchez, Alberto (OASG) <(b) (6)>; Matthews-Johnson, Tamarra D. (OAG) <(b) (6)>; Braverman, Adam L. (ODAG) <(b) (6)>  
**Subject:** RE: speech fact check - BOP & USMS confirmation

Duplicative Information - See Document ID 22-cv-1733 - 213

**From:** Rossi, Rachel (OASG)  
**Subject:** FW: Civil Society Roundtable on US CERD Report-June 17, 2-3:30 pm  
**To:** Visser, Tim (OAG)  
**Sent:** June 14, 2021 4:57 PM (UTC-04:00)  
**Attached:** US CERD Report June 2021.docx, FW\_ CERD roundtable prebrief .eml

---

**From:** Higginbotham, Ryan K (OLP) <(b) (6)>  
**Sent:** Friday, June 11, 2021 12:11 PM  
**To:** Rossi, Rachel (OASG) <(b) (6)>; Ruisanchez, Alberto (OASG) <(b) (6)>  
**Cc:** Rothenberg, Laurence E (OLP) <(b) (6)>  
**Subject:** RE: Civil Society Roundtable on US CERD Report-June 17, 2-3:30 pm  
**Importance:** High

Rachel,

We greatly appreciate your willingness to participate. We think (b) (5)

I am attaching an invitation to a pre-brief on Monday (3:30 pm) and a copy of the submitted report. The list of invited NGOs is below.

We will work on talkers for you. Please let us know if you have any questions.

Thank you,

Ryan Higginbotham  
Counsel  
Office of Legal Policy  
U.S. Department of Justice

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

List of Civil Service Organizations Invited to June 17, 2021 Roundtable

Organization	POCs
ACLU*	Jamil Dakwar (b) (6)
Anti-Defamation League	Need POCs
Amnesty International	Adotei Akwei (b) (6)
Asian Americans Advancing Justice	Andy Kang, Executive Director (Chicago) (b) (6) (b) (6)  Aarti Kohli Asian Law Caucus (Washington) (b) (6)  Hammad Alam (b) (6)
Blackbird	Thenjiwe McHarris (b) (6)
Center for Constitutional Rights	Vince Warren, Executive Director (b) (6)

DAYLIGHT	Dominique Day, Executive Director (b) (6) (b) (6)
Diaspora Rising	Kenesha Ewen (b) (6) Amara Enyia, Policy and Research Coordinator <a href="mailto:info@amaraenyia.com">info@amaraenyia.com</a>
Human Rights Watch*	Nicole Austin-Hillery Executive Director, US Program (b) (6)
Humanity United	Kehinde Togun (b) (6)
International Institute on Race, Equality and Human Rights	Carlos Quesada, Executive Director, (b) (6)
International Service for Human Rights (ISHR)*	Salma El Hosseiny, Human Rights Council Programme Manager; (b) (6); (b) (6)  ISHR NY - Tess McEvoy ((b) (6)) and Madeleine Sinclair ((b) (6))
Jacob Blaustein Institute for the Advancement of Human Rights	Felice Gaer, Director, (b) (6)
James H. Binger Center for New Americans, University of Minnesota, University of Minnesota Law School	Linus Chan, Director of Detainee Rights Clinic (b) (6), (b) (6)
Justice is Global **	Tobita Chow, Director <a href="mailto:team@justiceisglobal.org">team@justiceisglobal.org</a> <a href="https://justiceisglobal.org/">https://justiceisglobal.org/</a>
Justice Roundtable*	Nkechi Taifa (b) (6)
Leadership Conference on Civil and Human Rights	Wade Henderson, (b) (6) (b) (6)  Sakira Cook, (b) (6)  June Zeitlin, (b) (6)
MALDEF	Tom Saenz, (b) (6)
MPower Change	Linda Sarsour, Executive Director (b) (6)
NAACP*	Derrick Johnson, CEO (b) (6) Yumeka Rushing, Chief Strategy Officer (b) (6) Sherrilyn Ifill, President NAACP Legal Defense Fund (b) (6)
National Black Deaf Advocates	Mr. Isidore Nitongabo, President (email: (b) (6); web site: <a href="https://www.nbda.org/">https://www.nbda.org/</a> )
National Conference of Black Lawyers	Adjoa Aiyetoro (b) (6)
National Council of Churches	Rev. Aundreia Alexander (b) (6)

National Council for Asian Pacific Americans**	Gregg Orton, National Director (b) (6) - <a href="https://www.ncapaonline.org/member-organizations/">https://www.ncapaonline.org/member-organizations/</a>
National Urban League	Joi Olivia Chaney, Executive Director of the Washington Bureau and Senior Vice President of Policy and Advocacy  (b) (6) (b) (6) cell
National Women's Law Center	Fatima Goss-Graves, (b) (6) (b) (6)
Open Society-US	Tom Perriello (b) (6)
OutRight Action International	Jessica Stern (she/her), Executive Director (b) (6) Sahar Moazami (they/them), United Nations Program, (b) (6)
Oxfam America	Noah Gottschalk, Global Policy Lead (b) (6)
SAALT	Lakshmi Sridaran (b) (6)
Southern Border Communities Coalition	Vicki Gaubeca (b) (6)  Christian Ramirez (b) (6)
Southern Poverty Law Center	Margaret Huang, (b) (6)  <i>[Michael Liberman (need contact info)]</i>
Stop AAPI Hate**	Cynthia Choi, Manjusha P. Kulkarni, (b) (6) Russell Jeung PhD (b) (6)  <a href="https://stopaapihate.org/">https://stopaapihate.org/</a>
Thurgood Marshall Civil Rights Center	Justin Hansford, Professor of Law and Director of the Thurgood Marshall Civil Rights Center (b) (6)
U.S. Campaign for Palestinian Rights	Ahmad Abuznaid, Executive Director (b) (6)
US UN Human Rights Network*	Dr. Vickie Casanova-Willis, Co-Executive Director, (b) (6)

\*Signatories August 2020 letter to HC Bachelet regarding resolution on police violence

<http://www.civicus.org/documents/20.08.03-SIGNED-Letter-to-HC-of-UNHRC-on-Res-Racist-Police-Violence-FINAL.pdf>

\*\* (b) (5)

From: Rossi, Rachel (OASG) <(b) (6)>

**Sent:** Friday, June 11, 2021 11:36 AM

**To:** Higginbotham, Ryan K (OLP) <(b) (6)>; Ruisanchez, Alberto (OASG)

<(b) (6)>

**Subject:** RE: Civil Society Roundtable on US CERD Report-June 17, 2-3:30 pm

Hi Ryan,

Thanks for notifying us. I am free, but also support Larry attending if he's already poised to do so. Whatever you prefer works for me.

Rachel

**Rachel Rossi** | Deputy Associate Attorney General  
Office of the Associate Attorney General

(b) (6)

Cell: (b) (6)

---

**From:** Higginbotham, Ryan K (OLP) <(b) (6)>

**Sent:** Friday, June 11, 2021 11:30 AM

**To:** Ruisanchez, Alberto (OASG) <(b) (6)>; Rossi, Rachel (OASG) <(b) (6)>

**Subject:** RE: Civil Society Roundtable on US CERD Report-June 17, 2-3:30 pm

**Importance:** High

Thanks for your reply, Alberto.

Rachel, are you available next Thursday from 2-3:30 pm?

---

**From:** Ruisanchez, Alberto (OASG) <(b) (6)>

**Sent:** Thursday, June 10, 2021 6:59 PM

**To:** Higginbotham, Ryan K (OLP) <(b) (6)>; Rossi, Rachel (OASG) <(b) (6)>

**Subject:** RE: Civil Society Roundtable on US CERD Report-June 17, 2-3:30 pm

Thanks, Ryan. I have a conflict at that time, so I'm fine with Rachel or Larry as the senior person to attend.

Best.

---

**From:** Higginbotham, Ryan K (OLP) <(b) (6)>

**Sent:** Thursday, June 10, 2021 5:13 PM

**To:** Ruisanchez, Alberto (OASG) <(b) (6)>; Rossi, Rachel (OASG) <(b) (6)>

**Subject:** RE: Civil Society Roundtable on US CERD Report-June 17, 2-3:30 pm

**Importance:** High

Alberto and Rachel,

The State Department's Bureau of International Organization Affairs (IO) is hosting a virtual roundtable on the United States' report on the Convention on the Elimination of All Forms of Racial Discrimination co-led by NSC and DPC with US-based civil society organizations (CSOs) on **Thursday, June 17 from 2:00 – 3:30 p.m. EDT**. The report was recently submitted.

The White House/State are asking for participation at the roundtable (b) (5)

from the domestic agencies that contributed to the report: DOJ, HHS, DHS, EPA, ED,

DOI, EEOC, DOL, HUD, DOD, USICH, CFPB, and high-level participation from the State Department's Bureau of Democracy, Human Rights, and Labor (DRL) and the Office of the Legal Adviser (L). Principals are asked to make a one-minute statement at the opening.

The purpose of the roundtable is to brief relevant CSOs on the report to the Committee on the Elimination of Racial Discrimination (Committee), share some of the progress the Biden-Harris Administration has been able to make on issues highlighted in the report, and begin to solicit CSO input on our report in advance of the United States' oral presentation to the Committee, anticipated in 2022. (b) (5)

[REDACTED]

Oneshia Herring and Karen Stevens at CRT have indicated their availability to participate. Thus far, Larry Rothenberg is the senior person scheduled to participate, so if you would like to step in instead, we welcome your participation. As noted, the White House/State are seeking participation (b) (5)

[REDACTED]

Thanks,

Ryan Higginbotham

---

**From:** Herring, Oneshia (CRT) <(b) (6)>  
**Sent:** Thursday, June 10, 2021 3:05 PM  
**To:** Higginbotham, Ryan K (OLP) <(b) (6)>  
**Cc:** Stevens, Karen L (CRT) <(b) (6)>; Policy, CRT (CRT) <[CRT.Policy@usdoj.gov](mailto:CRT.Policy@usdoj.gov)>  
**Subject:** RE: Civil Society Roundtable on US CERD Report-June 17, 2-3:30 pm

Both.

---

**From:** Higginbotham, Ryan K (OLP)  
**Sent:** Thursday, June 10, 2021 3:04 PM  
**To:** Herring, Oneshia (CRT) <(b) (6)>  
**Cc:** Stevens, Karen L (CRT) <(b) (6)>; Policy, CRT (CRT) <[CRT.Policy@usdoj.gov](mailto:CRT.Policy@usdoj.gov)>  
**Subject:** RE: Civil Society Roundtable on US CERD Report-June 17, 2-3:30 pm

Thank you, Oneshia. Are you referring to the pre-brief or the roundtable (or both)?

Thank you,

Ryan Higginbotham  
Counsel  
Office of Legal Policy  
U.S. Department of Justice

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

---

**From:** Herring, Oneshia (CRT) <(b) (6)>  
**Sent:** Thursday, June 10, 2021 2:57 PM  
**To:** Higginbotham, Ryan K (OLP) <(b) (6)>  
**Cc:** Stevens, Karen L (CRT) <(b) (6)>; Policy, CRT (CRT) <[CRT.Policy@usdoj.gov](mailto:CRT.Policy@usdoj.gov)>  
**Subject:** RE: Civil Society Roundtable on US CERD Report-June 17, 2-3:30 pm

Hi Ryan,



Karen and I will attend on behalf of CRT.

Thanks,

**Oneshia S. Herring**

Senior Counsel

Office of the Assistant Attorney General

U.S. Department of Justice, Civil Rights Division

(b) (6) (e)

(b) (6) (m)

---

**From:** Higginbotham, Ryan K (OLP)

**Sent:** Wednesday, June 9, 2021 3:39 PM

**To:** Stevens, Karen L (CRT) <(b) (6)>; Herring, Oneshia (CRT) <(b) (6)>;  
Policy, CRT (CRT) <[CRT.Policy@usdoj.gov](mailto:CRT.Policy@usdoj.gov)>

**Subject:** Civil Society Roundtable on US CERD Report-June 17, 2-3:30 pm

**Importance:** High

Karen et al.,

The State Department's Bureau of International Organization Affairs (IO) is hosting a virtual roundtable on the United States' report on the Convention on the Elimination of All Forms of Racial Discrimination co-led by NSC and DPC with US-based civil society organizations (CSOs) on **Thursday, June 17 from 2:00 – 3:30 p.m. EDT**. The White House/State are asking for participation (b) (5) from the domestic agencies that contributed to the report: DOJ, HHS, DHS, EPA, ED, DOI, EEOC, DOL, HUD, DOD, USICH, CFPB, and high-level participation from the State Department's Bureau of Democracy, Human Rights, and Labor (DRL) and the Office of the Legal Adviser (L).

The purpose of the roundtable is to brief relevant CSOs on the report to the Committee on the Elimination of Racial Discrimination (Committee), share some of the progress the Biden-Harris Administration has been able to make on issues highlighted in the report, and begin to solicit CSO input on our report in advance of the United States' oral presentation to the Committee, anticipated in 2022. (b) (5)

I have attached a report fact sheet, the report, the Committee's 2014 concluding observations, the Committee's 2020 statement on the USA, and press guidance. Please also see the ACLU's statement in response to the report:

<https://www.aclu.org/press-releases/aclu-statement-biden-administration-report-un-committee-elimination-racial>

The White House is hosting a Zoom call on Monday as a **pre-brief** for the interagency that is participating in the virtual roundtable (see below).

If possible, could you advise on your participation by **COB Friday**?

Thank you,

Ryan Higginbotham

Counsel

Office of Legal Policy

U.S. Department of Justice

(b) (6)

(b) (6)

Hi there,

Donald Sherman is inviting you to a scheduled ZoomGov meeting.

## [Join Zoom Meeting](#)

One tap mobile: US: (b) (6) or  
(b) (6)

Meeting URL: (b) (6)

Meeting ID: (b) (6)

Passcode: (b) (6)

## Join by Telephone

For higher quality, dial a number based on your current location.

Dial:

US: (b) (6) or (b) (6) or (b) (6) or (b) (6)  
(b) (6)

Meeting ID: (b) (6)

Passcode: (b) (6)

[International numbers](#)

## Join from an H.323/SIP room system

H.323: (b) (6) (US West)  
(b) (6) (US East)

Meeting ID: (b) (6)

Passcode: (b) (6)

SIP: (b) (6)

Passcode: (b) (6)

# **The United States of America**

## **Submission to the Committee on the Elimination of Racial Discrimination**

### **Tenth, Eleventh, and Twelfth Periodic Reports on the International Convention on the Elimination of All Forms of Racial Discrimination**

**United States Department of State**

**June 2, 2021**

Contact: (b)(6) per State [REDACTED] ([\[REDACTED\]@state.gov](mailto:[REDACTED]@state.gov))

**From:** Ruisanchez, Alberto (OASG)  
**Subject:** FW: Voting EO Interim Strategic Plan Template 2021.05.03 (final) - 6.9.21 725 pm - 6.11.21 edits w OAG edits 6-14 PK edits.docx  
**To:** Visser, Tim (OAG); Braden, Myesha (ODAG)  
**Sent:** June 14, 2021 8:10 PM (UTC-04:00)  
**Attached:** Voting EO Interim Strategic Plan Template 2021.05.03 (final) - 6.9.21 725 pm - 6.11.21 edits w OAG edits 6-14 PK edits.docx, Voting EO Interim Strategic Plan - DOJ - 6.14.2021.docx

Tim and Myesha,

Attached is a clean version of the latest draft of the voting EO interim strategic plan, along with a redline version that compares this draft to the last one you reviewed. Per Myesha's very good suggestion, we added more information about (b) (5). Please let me know if you have any concerns or edits. This is due tomorrow.

Best.

**From:** Klapper, Matthew B. (OAG)  
**Subject:** RE: Letter re: Implementation of Executive Order 14019  
**To:** Victoria Hammitt  
**Cc:** Rob Weiner; Dana Paikowsky; Harwood, Stacy (OAG); Visser, Tim (OAG)  
**Sent:** June 17, 2021 2:24 PM (UTC-04:00)  
**Attached:** CLC Letter to BOP.pdf, CLC Letter to U.S. Marshals.pdf

Thank you, Victoria. I'm writing to acknowledge receipt of your letters.

Best,  
Matt

---

**From:** Victoria Hammitt <(b) (6)>  
**Sent:** Thursday, June 17, 2021 10:35 AM  
**To:** Klapper, Matthew B. (OAG) <(b) (6)>  
**Cc:** Rob Weiner <(b) (6)>; Dana Paikowsky <(b) (6)>  
**Subject:** Letter re: Implementation of Executive Order 14019

Dear Mr. Klapper,

Campaign Legal Center writes today to submit the attached letters for Attorney General Garland's consideration. In these letters, which we have also submitted to officials at the relevant agencies, we outline best practices that we hope you find helpful as you work with your partners across the government towards full implementation of Executive Order 14019, the Executive Order Promoting Access to Voting. If you have any questions, please contact Dana Paikowsky at (b) (6).

Sincerely,

**Victoria Hammitt**  
Program Assistant

(b) (6)

Campaign Legal Center  
1101 14<sup>th</sup> St. NW, Suite 400  
Washington, DC 20005  
[campaignlegalcenter.org](http://campaignlegalcenter.org)

[Facebook](#) | [Twitter](#)



June 16, 2021

Hon. Merrick Garland, Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Michael Carvajal, Director  
Federal Bureau of Prisons  
320 First St., NW  
Washington, DC 20534

Dear Attorney General Garland and Director Carvajal:

On March 7, 2021, President Biden issued an Executive Order on Promoting Access to Voting, Exec. Order No.14,019, 86 Fed. Reg. 13623 (Mar. 7, 2021), directing federal agencies, by September 23, 2021, to submit plans for promoting and facilitating the right to vote. As we reach the halfway point toward the deadline in the Executive Order, Campaign Legal Center (“CLC”) writes to provide suggestions and expertise to assist you in fulfilling its mandate.

CLC is a non-partisan, non-profit organization dedicated to supporting and advancing American democracy through the practice of law. CLC has developed a particular expertise in identifying and removing barriers to the ballot for justice-involved voters, including by working directly with jurisdictions across the country to make democracy accessible to eligible incarcerated voters. Our Restore Your Vote program also helps restore voting rights to people with past convictions by providing direct rights restoration services and empowering community leaders to understand and monitor implementation of rights restoration laws.

EO 14019 was signed on March 7, 2021, and its aim is to ensure federal agencies are leveraging their power, directing their programming, and adopting positions to promote and support civic engagement. EO 14019 (1). Within this broad mandate, there are two provisions that directly impact BOP. First, section 3 of the Executive Order requires all federal agencies—including BOP—to engage in a self-evaluation to better understand how they can expand voter registration and voting opportunities,

*id.* (3)(a), and, within 200 days, publish a strategic plan outlining how they will do so, *id.* (3)(b). EO 14019 also specifically requires that “[t]he Attorney General shall establish procedures[] to provide educational materials related to voter registration and voting and, to the extent practicable, to facilitate voter registration, for all eligible individuals in the custody of the Federal Bureau of Prisons.” *Id.* (9)(a). In particular, it specifies that some of these voter education materials must “notify individuals leaving Federal custody of the restrictions, if any, on their ability to vote under the laws of the State where the individual resides and, if any such restrictions exist, the point at which the individual’s rights will be restored under applicable State law,” and that these materials must be included in the reentry planning procedures mandated by statute. *Id.*

By giving BOP this mandate, EO 14019 creates a unique opportunity for this agency to provide national leadership on a long-overlooked democracy issue: prison disenfranchisement.<sup>1</sup> To address that issue, this letter first will offer general background on the problem of prison-based disenfranchisement to help your agency understand the barriers to the ballot box that incarcerated and justice-involved voters face. Then, the letter will outline an analytical framework to assist you in identifying best practices for facilitating voting and elections in correctional settings. Finally, the letter will offer specific suggestions for BOP to consider as it implements the mandates of EO 14019.

In particular, we urge BOP to consider:

- Developing and publishing jail voting policies and procedures to govern the agency at-large and each prison, addressing the five factors for facilitating elections and voting in correctional settings discussed below;
- Promulgating a routine usage exception to allow for federal and state/local collaboration in facilitating voter registration and voting in BOP facilities;
- Building out infrastructure to improve transparency and accountability, specifically by improving data tracking, regularly publishing policies, procedures, and participation data, and designating officials responsible for civic engagement programming; and
- Maintaining centralized resources and best practice guidelines to assist facilities in facilitating voter registration and voting in BOP facilities.

---

<sup>1</sup> Most commonly, this phenomenon is known as jail-based disenfranchisement. This term of art reflects the reality that most of the work that has been done in this space has been focused on jails, simply because that is where most incarcerated voters are. Because BOP operates prisons, we will use the term “prison-based disenfranchisement.” But the issue regarding disenfranchisement of incarcerated individuals is largely the same for jails and prisons--how to empower these voters and facilitate democracy in correctional settings; the lessons learned and strategies developed as part of that work and cited in the literature are relevant in a prison setting. We hope you consider reaching out to jails and advocates working on jail-based disenfranchisement, too, as you engage in the process of implementing EO 14019.

We appreciate your time and attention to this important issue, and we hope you find this letter helpful. Please do not hesitate to reach out to us if you have any questions or if could be of any further help as you move forward implementing EO 14019.

## **I. Prison-Based Disenfranchisement**

Few people realize that, in every state in the United States, at least some segment of the incarcerated population retains their rights to vote. This population is largely, though not entirely, incarcerated in jails. This is because jail populations are largely comprised of people being held pretrial—which never impacts voter eligibility—or for low-level misdemeanor convictions—which only impacts voter eligibility in a small handful of states. Prisons, on the other hand, largely incarcerate people post-conviction. Because every jurisdiction other than Maine, Vermont, and Washington D.C. disenfranchises incarcerated individuals who have been convicted of felonies, prison populations are less likely to include large numbers of eligible voters.

Regardless of where an eligible voter is incarcerated, the law is clear that the government cannot deprive them of their right to vote simply because they are incarcerated. In 1974, the Supreme Court affirmed the right to vote for incarcerated people in *O'Brien v. Skinner*, when it found that the state was required to provide incarcerated eligible voters with a means by which they could request and cast a ballot. 414 U.S. 524, 531 (1974).

Although many incarcerated voters are eligible to vote, few can exercise that right because the realities of incarceration make doing so difficult or, in some circumstances, impossible. This is commonly known as jail-based disenfranchisement<sup>2</sup>—but in this context we understand it to be prison-based disenfranchisement—and it occurs for a number of reasons.

*First*, many incarcerated voters do not know that they retain their right to vote. While many justice-involved voters know that contact with the criminal justice system can impact voter eligibility, they do not know exactly how felony disenfranchisement laws do (or do not) apply to them.<sup>3</sup> Ascertaining eligibility can also be more complicated for incarcerated people with previous convictions, who may be unable to obtain information about their criminal record or the additional paperwork required to understand the law and register to vote. Voters can also feel high-risk in this circumstance. Because voting while ineligible is illegal, incarcerated voters who must navigate this maze behind prison or jail walls risk criminal consequences if they make mistakes.

*Second*, election and corrections officials often do not realize that incarcerated individuals retain their voting rights.<sup>4</sup> Incarcerated voters must rely on these

---

<sup>2</sup> Dana Paikowsky, *Jails As Polling Places: Living Up to the Obligation to Enfranchise the Voters We Jail*, 54 HARV. C.R.-C.L. L. REV. 829 (2019).

<sup>3</sup> Emily Rong Zhang, *New Tricks for an Old Dog: Deterring the Vote Through Confusion in Felon Disenfranchisement*, 84 Mo. L. Rev. 1037, 1040 (2019).

<sup>4</sup> Erika Wood & Rachel Bloom, *De Facto Disenfranchisement*, ACLU and Brennan Center for Justice (2008); Julia Rentsch, *Advocates Push to Enfranchise Jailed Colorado Voters*,



individuals to provide them with the information, resources, and assistance they need in order to cast their ballots. If these institutional actors are misinformed, they can make mistakes or, worse, refuse to assist an incarcerated voter, leading to that voter's disenfranchisement.<sup>5</sup>

*Finally*, even if incarcerated voters and institutional actors know incarcerated voters can vote, casting a ballot while incarcerated is enormously difficult. Prison walls are built to restrict access to information and visitation, deprive individuals of their autonomy, and separate people from the outside community, while election infrastructure is not designed to overcome these barriers. For a person in prison, accessing even the most basic things one might need in order to request a ballot—a pen, an envelope, the request form, information about where and how to submit that form—can be time consuming and costly. Delay prone prison-mail systems impede timely submission of voter registrations, ballot request forms, and absentee ballots, and few states provide any means of voting to people who are incarcerated after the state's absentee deadline passes. Officials can deny requests and spread misinformation, and strict ID laws and restrictions on third-party voter assistance can complicate the task even further.

In most jurisdictions, incarcerated voters have no support and no safety net. Unsurprisingly, the participation rate in most jails is close to 0%.<sup>6</sup> Because people of color and low-income people are disproportionately incarcerated, they are also disproportionately impacted by prison-based disenfranchisement.

Prison-based disenfranchisement is not only widespread, but predictable. The government does not stop incarcerating people in the lead up to elections. Thus, every Election Day eligible voters *will be incarcerated* in prisons and jails all across the country. Even though the government can and should be prepared to serve this population of voters, they almost uniformly fail to make election infrastructure accessible to the eligible voters they incarcerate. It is time for the government to begin addressing this solvable problem.

## II. Addressing the Problem: Best Practices for Prison Policy

After working with jurisdictions across the country to address the problem of disenfranchisement of incarcerated people, we have seen firsthand that there is no one-size-fits-all solution. Every state (and even locality) may have different election

---

Reporter-Herald (Aug. 25, 2018), [http://www.reporterherald.com/news/election/ci\\_32095057/advocates-push-enfranchise-jailed-colorado-voters](http://www.reporterherald.com/news/election/ci_32095057/advocates-push-enfranchise-jailed-colorado-voters),

<sup>5</sup> *Lewis v. San Mateo County*, No. C 96-4168 FMS, 1996 WL 708594, at \*1 (N.D. Cal. Dec. 5, 1996) (describing the case of a man who was disenfranchised because a jail official failed to provide him with election materials).

<sup>6</sup> *Unlock the Vote Arizona: Procedures for Jail-based Voting by County, July 2020*, The Arizona Coalition to End Jail-based Disenfranchisement (July 2020) <https://www.votefromjail.org/wp-content/uploads/2020/07/July-JBV-Report.pdf>; *Ballots for All: Ensuring Eligible Wisconsin Voters in Jail Have Equal Access to Voting*, ACLU of Wisconsin and All Voting is Local (July 2020) [https://allvotingislocal.org/wp-content/uploads/2020/07/ACLU-AVL-2020\\_Jail-Voting-Access-Report-FINAL-07012020.pdf](https://allvotingislocal.org/wp-content/uploads/2020/07/ACLU-AVL-2020_Jail-Voting-Access-Report-FINAL-07012020.pdf).

laws, policies, and procedures governing how voter registration and voting occurs. Every prison, too, will have its own individualized needs and challenges. BOP has the challenge of building infrastructure that can support voters from many different states—and who seek to register and vote in many different states—housed within one facility.

Addressing these complicated challenges requires nothing less than comprehensive solutions. To that end, at a minimum, every facility and BOP itself should have a voting policy and infrastructure that provides for five things:

- i. Voter education: This requires BOP to consider how to make information about voting and elections accessible to incarcerated people. Different facilities may use multiple different kinds of outreach, including engaging in individualized outreach (which is a best practice), providing materials at intake and/or upon release, hanging posters, making announcements, canvassing the prison, sending out notices, and hosting civic engagement classes or events.
- ii. Voter registration: This requires BOP to consider how to provide incarcerated voters with meaningful opportunities to register to vote during incarceration or upon release. Similar to above, these efforts could require different kinds of outreach and support. While some of these efforts can be more passive (*i.e.*, distributing registration forms), prisons can provide more affirmative assistance, including identifying those who are eligible to register, providing them with information about their eligibility, and working with them to prepare and submit registration paperwork.
- iii. Absentee voting: This requires BOP to consider how to provide incarcerated voters with meaningful opportunities to vote absentee. In addition to requiring much of the same outreach as described above, BOP facilities should also consider means of securing the privacy of the ballot, ensuring prison mail policies (and prison bureaucracy) does not unduly delay voting, and ensuring the availability of the necessary instrumentalities of voting (pens, pencils, stamps, IDs, etc.).
- iv. Collaboration: The most successful voting programs in correctional settings rely on collaboration. BOP should work to establish partnerships with states to coordinate voter registration and voting (if applicable) for the citizens of that state incarcerated in BOP facilities. BOP should also work to partner with community groups who can support the development of civic engagement programming. Election officials and community groups can also aid BOP in doing this work more directly, for example by running programming in BOP facilities, assisting voting at BOP facilities, training the BOP staff, and creating voter education materials for dissemination within BOP.
- v. Accountability: In order to ensure that a BOP's policies and practices actually do provide incarcerated voters with access to the franchise, BOP must commit to transparency and accountability on these issues. Specifically, BOP should publish their voting policies and practices both internally and externally (*i.e.*, in inmate handbooks and on BOP websites) and include provisions that require it to track and publish data on civic participation in its facilities. BOP's policies should also designate

employees nationally and in each facility to be accountable for coordinating this programing and who can act as a liaison between the BOP, its facilities, voters, election officials, and the community.

Facilitating elections in prisons can and should be a routine part of prison management. Because this has not been the norm in America thus far, our challenge is to find effective ways to merge elections and corrections infrastructure. This project will take time, creativity, and innovation. By addressing each of these five criteria in their agency-wide and prison-specific voting policies, though, BOP can begin this work with a strong foundation that will safeguard the rights of incarcerated voters.

Encouraging and facilitating civic participation in this setting can have long term benefits. Formerly incarcerated individuals who vote are less likely to recidivate.<sup>7</sup> On the other hand, however, even short terms of incarceration have been shown to lead to decreased future civic participation.<sup>8</sup> Prisons already incarcerate people who are most often left out of our democracy, specifically people of color, low-income individuals, people with disabilities—all populations that have long been targeted by vote suppression. In America, the two factors that correlate most with regular civic participation are education and income.<sup>9</sup> In a word, individuals who are most likely to be incarcerated are the same ones who are most likely to feel (and be) excluded from the democratic process.

By supporting civic engagement and civic learning inside prisons, corrections officials can begin to disrupt this damaging cycle of disempowerment. They can not only think about how to encourage and support community engagement for those who are currently incarcerated, but also those who are being released. They can develop programming to assist individuals who need IDs (not only to vote, but to access benefits and community support), to inform people about rights restoration upon their release or after convictions, and to build knowledge about the voting process. In this way, supporting incarcerated individuals in exercising their constitutional rights can contribute to our much longer-term project of building a more robust and inclusive democracy.

### III. Recommendations

While the barriers to the ballot box that incarcerated voter face are great, they can be overcome, especially if correctional and elections officials take an active role in

---

<sup>7</sup> Guy Padraic Hamilton-Smith & Matt Vogel, *The Violence of Voicelessness: The Impact of Felony Disenfranchisement on Recidivism*, 22 BERKELEY LA RAZA L.J. 407 (2012); Christopher Uggen & Jeff Manza, *Voting and Subsequent Crime and Arrest: Evidence From a Community Sample*, 36 COLUM. HUM. RTS. L. REV. 193, 205 (2004).

<sup>8</sup> Ariel White, *Misdemeanor Disenfranchisement? The Demobilizing Effects of Brief Jail Spells on Potential Voters*, 113 AM. POL. SCI. REV. (2019), <https://www.cambridge.org/core/journals/american-political-science-review/article/misdemeanor-disenfranchisement-the-demobilizing-effects-of-brief-jail-spells-on-potential-voters/2FEDEE197EA55768312586DA2FEFB8F9>.

<sup>9</sup> *Voter Turnout*, MIT Election + Data Science Lab, Massachusetts Institute of Technology, <https://electionlab.mit.edu/research/voter-turnout>.

providing incarcerated voters with the support and resources they need to register to vote and vote.

BOP is also uniquely positioned to prompt large-scale reform in this space. EO 14019 articulates a clear mandate to find new and creative ways bring democracy behind prison walls. To fulfill that mandate, we recommend BOP take the following five actions<sup>10</sup>:

1. Formalize and publish voting policies and procedures to govern the agency at-large and each prison: These policies should, at a minimum, address the five factors discussed above, build institutional infrastructure to provide voter registration and voter support to people incarcerated in BOP, and commit BOP to assess, revise, and improve its voting and elections policies and procedures. These policies should specify both how voting and registration will be facilitated in each specific prison, as well as how the national agency plans to oversee, support, and improve that programming.
2. Promulgate a new elections/voting routine usage exception: Because of the restrictions of the Privacy Act, BOP cannot share information with election officials who hope to send voter information, registration forms, or ballots to their residents within BOP. BOP can address this problem—and create space for collaborative partnerships—by promulgating a new routine usage exception that would allow BOP to share data for this purpose.<sup>11</sup>
3. Build out infrastructure to improve transparency and accountability: In crafting its agency-wide and institution-specific voting policies, BOP should be mindful that this represents a first step in what should be a continuing project of building out infrastructure to ensure individuals incarcerated in BOP can register to vote and vote. In order to assess its programming (and improve it in the future), BOP should consider improving data tracking to allow BOP to identify eligible voters and report on civic engagement in its facilities and publish its agency-wide and institution-specific voting policies, procedures, and participation data. BOP should also consider designating staff people, both in individual facilities and BOP-wide, with responsibility for civic engagement programming in each facility or BOP-wide.
4. Maintain a centralized resource bank: Because BOP covers so many facilities, it is well-positioned to collect, develop, and maintain resources for those who seek to facilitate voting in correctional facilities. That could include developing best practice guidelines, creating voter educational materials, collecting resources on felony disenfranchisement and rights

---

<sup>10</sup> To the extent that BOP contracts with any private entities to house federal prisoners, provide reentry services, or supply any other supervision or prisoner support services, BOP should also consider whether and how these reforms can be provided for in those contracts.

<sup>11</sup> See Letter Re: Routine Usage Exception to Allow for Implementation of Universal Enfranchisement and Abolition of Prison Gerrymandering, from CLC, the Washington Lawyers' Committee for Civil Rights Under Law, and the League of Women Voters to Attorney General Merrick Garland (March 30, 2021), *appended here* as Appendix A and *available at* <https://campaignlegal.org/document/letter-doj-routine-usage-exception-allow-implementation-universal-enfranchisement-and>.

restoration in each state, and sample jail and prison voting policies. This resource bank could be made available not only internally, but also externally so that other stakeholders could benefit from it as well.

5. Commit to continuing efforts and collaboration: As a general matter, little has been done to serve eligible incarcerated voters and provide them with civic engagement opportunities. BOP should commit to longer term collaboration with partners, including state and local governments, formerly incarcerated advocates and others who have been directly impacted by incarceration, civil society groups, and democracy advocates to drive innovation and further efforts to support the enfranchisement of incarcerated eligible voters.

As the primary federal agency in charge of corrections, BOP will set a national example in how it addresses this often-overlooked civil rights issue. Because correctional officials exercise direct control over the activities, movements, and information available to incarcerated voters, they have an outsized ability to make a real difference in this space, including modeling procedures for local and state institutions. Your involvement and leadership, then, will be instrumental to this nascent effort to removing the barriers that prevent incarcerated people from exercising their right to vote.

#### **IV. Conclusion**

Our democracy works best when all eligible voters can participate. By impeding access to the ballot box for incarcerated eligible voters, prison-based disenfranchisement represents a profound democratic failure. EO 14019, however, has created an important opportunity for BOP to serve as a leader in remedying this longstanding problem.

As an organization that is deeply involved in efforts to address prison-based disenfranchisement across the country, CLC has worked hard to understand the challenges of facilitating democracy in correctional settings, and we would welcome the opportunity to work with as your agency to implement the terms of EO 14019 or in any future work it does on this topic. If you have any questions, please do not hesitate to reach out to Dana Paikowsky by email at (b) (6) or by phone at (b) (6) or Blair Bowie at (b) (6). Thank you for your time and consideration of this matter.

Sincerely,

Campaign Legal Center  
1101 14<sup>th</sup> Street NW, Suite 400  
Washington, DC 20002

Cc: Kristen Clarke  
Assistant Attorney General, U.S. Department of Justice, Civil Rights Division  
Justin Levitt

Domestic Policy Council  
Chiraag Bains  
United States Domestic Policy Council, White House



WASHINGTON LAWYERS' COMMITTEE  
FOR CIVIL RIGHTS AND URBAN AFFAIRS

March 30, 2021

Hon. Merrick Garland, Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

*Re: Routine Usage Exception to Allow for Implementation of Universal Enfranchisement and Abolition of Prison Gerrymandering*

Dear Attorney General Garland,

We write to urge you to adopt a new routine use exception under the Privacy Act that would enable the Federal Bureau of Prisons (BOP) to share the data necessary to allow states and localities to implement two pro-democracy reforms: enacting universal enfranchisement and abolishing prison gerrymandering. These crucial efforts seek to safeguard the fundamental rights of people incarcerated within the BOP by providing them with representation and the right to vote.

The Department of Justice (DOJ) should act swiftly to enable the BOP to share this data with state, local, tribal, and territorial governments and community groups before the 2021 redistricting cycle. Currently, the BOP has interpreted the Privacy Act to bar it from sharing population data with jurisdictions seeking to abolish prison gerrymandering or adopt universal enfranchisement, including for those serving prison sentences within the BOP. This has seriously hindered jurisdictions' efforts to implement these crucial reforms. As this letter explains, there is a simple, low-cost fix that would remedy this problem: DOJ can adopt a new routine use exception under the Privacy Act to allow the BOP to share this data.

DOJ must act quickly to enable the BOP to facilitate, rather than impede, these state and local reforms for the 2021 redistricting cycle. As organizations deeply committed to democracy reform—and particularly equity in democracy access for historically disenfranchised justice-involved populations—we urge you to take action now.

## **I. Background**

Jurisdictions that have embraced universal enfranchisement or abolished prison gerrymandering require data on the BOP's incarcerated population in order to fully implement their reforms. For example, Washington D.C.'s universal enfranchisement law requires its Board



of Elections to send ballots automatically to all D.C. voters housed in the BOP;<sup>1</sup> because the BOP has denied D.C. access to population data showing who within the BOP is a D.C. resident and where those residents are located within the BOP, D.C. cannot execute any targeted outreach, voter registration, or voting assistance efforts to voters in the BOP facilities. The same is true for Maine and Vermont, both states that do not disenfranchise citizens for felony convictions.

Jurisdictions that have abolished prison gerrymandering also require data from the BOP in order to fully carry out their laws. The nine states and more than 200 jurisdictions that seek to count incarcerated people at their pre-incarceration residences for the purposes of redistricting need population data about the BOP prisoners if they are to include these individuals in their adjusted apportionment data. However, the BOP has historically refused to provide this data—despite repeated efforts from Maryland, one of the first states to end the practice of prison gerrymandering.<sup>2</sup>

The information these jurisdictions need to fully implement universal enfranchisement and end prison gerrymandering is currently stored in the Inmate Central Records System, JUSTICE/BOP—005, 84 Fed. Reg. 19808, and can only be shared pursuant to a “routine use” exception noticed in the Federal Register. 5 U.S.C. § 552a (b)(3). The BOP has indicated that it does not believe any of the existing routine usage exceptions apply here. 84 Fed. Reg. 19808.

## **II. DOJ Can Address this Problem by Creating a New Election Administration Routine Use for the BOP’s Inmate Central Records System.**

DOJ can address this problem by creating a new routine use exception to allow state, local, tribal, and territorial officials and community groups to access the information stored in the BOP’s Inmate Central Records System for the purpose of facilitating voting, registering voters, administering elections, or otherwise implementing election laws.

Under the Privacy Act, “‘routine use’ means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.” 5 U.S.C. § 552a(7). The purpose of the BOP’s Inmate Central Records System is to “assist[] the Attorney General and the Bureau of Prisons in meeting statutory responsibilities for the safekeeping, care, and custody of incarcerated persons” and to “serve[] as the primary record system on these individuals[.]” 84 Fed. Reg. 19808. Those statutory responsibilities include “provid[ing] for the safekeeping, care, and subsistence of all persons charged with or convicted of offenses against the United States, or held as witnesses or otherwise,” 18 U.S.C. § 4042(a)(2), and

---

<sup>1</sup> 67 D.C. Reg. 13867 (requiring a process to mail all necessary election materials to DC residents in Bureau of Prison facilities).

<sup>2</sup> Prison Policy Initiative, *Prison Gerrymandering Project: Progress Towards Ending Prison Gerrymandering* (2021), <https://www.prisonersofthecensus.org> (tracking the number of jurisdictions that have ended the practice of prison gerrymandering); Erika Wood, *Implementing Reform: How Maryland and New York Ended Prison Gerrymandering*, Demos (2014), <https://www.demos.org/policy-briefs/implementing-reform-how-maryland-new-york-ended-prison-gerrymandering> (noting that, although Maryland requested population data from the BOP, “BOP would not release the information, citing the Privacy Act of 1974” even after two appeals by the state).



“provid[ing] technical assistance to State, tribal, and local governments in the improvement of their correctional systems,” *id.* § 4042(a)(4).<sup>3</sup>

The BOP has interpreted this purpose broadly to encompass numerous routine use exceptions for providing data to state and local authorities in order to benefit confined individuals, including to determine “eligibility of these [individuals] for unemployment compensation” and “eligibility of an individual for a license, permit, or similar authorization.” 84 Fed. Reg. 19810.

A routine use exception that enables states and localities to collaborate with the BOP and DOJ to enfranchise and protect the democratic rights of the BOP prisoners is compatible with the purpose of the BOP’s Inmate Central Records System. Specifically, allowing for such collaboration will assist the BOP and the Attorney General in “provid[ing] for the safekeeping, care, and subsistence of all persons charged with or convicted of offenses against the United States, or held as witnesses or otherwise.” 18 U.S.C. § 4042(a)(2). When the State deprives a person of their liberty, it creates a “special relationship” that imposes a duty of care on the State.<sup>4</sup> As part of that obligation, the government is obliged to safeguard those who are incarcerated from “deprivations of liberty which are not among those generally authorized by his confinement,” including deprivations of fundamental rights.<sup>5</sup> Thus, enabling access to the right to vote—a fundamental constitutional right—is certainly consistent with the BOP and Attorney General’s obligation to provide for the care of the BOP’s population. Likewise, ensuring the right to representation for the BOP’s population by enabling representation at their home addresses also fits well within the BOP’s mandate.

Additionally, sharing data with states and localities is in line with the Attorney General and the BOP’s statutory duty to “provide technical assistance to State, tribal, and local governments in the improvement of their correctional systems.” 18 U.S.C. § 4042(a)(4). States and localities that have decided to end prison gerrymandering for correctional systems in their jurisdiction require the BOP’s assistance to count incarcerated individuals at their home addresses. Likewise, jurisdictions that have embraced universal enfranchisement require the BOP’s assistance to determine who within the BOP is a resident of the jurisdiction and where those residents are located within the BOP, in order to implement voter assistance programs. Thus, creating a routine use exception that enables the BOP and DOJ to assist states and localities in implementing these pro-democracy reforms related to correctional systems in their jurisdictions is in line with the purpose of BOP’s Inmate Central Records System.

Further, allowing data sharing with states, localities, and community groups will assist the Attorney General and the BOP in living up to their new mandates—imposed by Executive Order 14019—to ensure eligible incarcerated voters within the BOP and leaving the BOP are able to register to vote and cast ballots. Exec. Order No.14,019, 86 Fed. Reg. 13623 (Mar. 7, 2021).

---

<sup>3</sup> See 84 Fed. Reg. 19809 (citing 18 U.S.C. § 4042, *inter alia*, as the legal source of authority for maintenance of the system).

<sup>4</sup> *DeShaney v. Winnebago Cty. Dep’t of Soc. Servs.*, 489 U.S. 189, 197 (1989); see also *id.* at 199–200 (“[W]hen the State takes a person into its custody and holds him there against his will, the Constitution imposes upon it a corresponding duty to assume some responsibility [for his care].”).

<sup>5</sup> *Id.* at 200 n.8; Dana Paikowsky, *Jails As Polling Places: Living Up to the Obligation to Enfranchise the Voters We Jail*, 54 HARV. C.R.-C.L. L. REV. 829, 869 (2019) (describing the substantive due process obligations that require the state to provide ballot access to incarcerated voters).

Finally, the Attorney General and the BOP have a statutory mandate to provide education and community resources as reentry support. 18 U.S.C. § 4042(a)(7). Studies show that disenfranchisement *undermines* rehabilitation and hinders re-entry,<sup>6</sup> while restoring the right to vote *improves* individuals' connection to and engagement with their communities while incarcerated, as well as their transition back into society post-release.<sup>7</sup>

This routine usage exception would also be similar in-kind to many that are already listed in the Federal Register, as noted above. Existing routing usage exceptions allow the BOP to share information from the Inmate Central Records System with, for example:

(d) . . . [To] federal, state, and local licensing agencies or associations which require information concerning the suitability or eligibility of an individual for a license, permit, or similar authorization; . . .

(g) To state agencies and authorities, [] to review eligibility of these inmates for unemployment compensation; . . .

(h) To the Social Security Administration (SSA), [] for the purpose of matching the data against SSA records to enable the SSA to determine the eligibility of Bureau inmates to receive benefits under the Social Security Act . . .

(i) To the United States Department of Veterans Affairs (VA), for the purpose of matching the records against VA records to determine the eligibility or potential eligibility of Bureau inmates to receive veterans' benefits and/or services; . . .

(j) To the Federal Aviation Administration (FAA), [] for the purpose of matching the data against FAA records to determine the eligibility of Bureau inmates to hold and obtain airmen certification and qualification; . . .

(t) To federal, state or community health care agencies and professionals, including physicians, psychiatrists, psychologists, and state and federal medical facility personnel, who are providing treatment for a pre-existing condition to former federal inmates, and to federal, state, or local health care agencies and professionals for the purpose of securing medical or mental health after-care for current federal inmates; . . .

(x) To the Department of Treasury for the purpose of matching federal records on behalf of federal agencies, to determine the eligibility of or validate the entitlement of Bureau inmates to receive federal benefits pursuant to applicable federal law.

---

<sup>6</sup> See, e.g., Guy Padraic Hamilton-Smith & Matt Vogel, *The Violence of Voicelessness: The Impact of Felony Disenfranchisement on Recidivism*, 22 BERKELEY LA RAZA L.J. 407 (2012); Christopher Uggen & Jeff Manza, *Voting and Subsequent Crime and Arrest: Evidence From a Community Sample*, 36 COLUM. HUM. RTS. L. REV. 193, 205 (2004).

<sup>7</sup> See, e.g., Civic Nebraska, *Recidivism & Voting Rights, Case Study: Florida* (Jan. 30, 2019), <https://www.civicnebraska.org/wp-content/uploads/2019/02/2019-Florida-recidivism-case-study.pdf>; Victoria Shineman, *Restoring Rights, Restoring Trust: Evidence that Reversing Felon Disenfranchisement Penalties Increases Both Trust and Cooperation with Government* (Oct. 25, 2018), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3272694](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3272694).

84 Fed. Reg. 19808. An election administration routine use exception would similarly allow the BOP to enlist the help of state and local allies to deliver crucial services to incarcerated people and ensure they are included in our democracy.

Establishing an election administration routine use would also be straightforward. In order to create a routine use for information stored in a given system of records, the relevant agency must publish notice of “each routine use of the records contained in the system, including the categories of users and the purpose of such use.” 5 U.S.C. § 552a(e)(4)(D). Agencies may modify routine uses by, “at least 30 days prior to publication . . . publish[ing] in the Federal Register notice of any new use or intended use of the information in the system, and provid[ing] an opportunity for interested persons to submit written data, views, or arguments to the agency.” 5 U.S.C. § 552a(11).

Given the increasing public support for repealing or reforming felony disenfranchisement laws<sup>8</sup> and ending prison gerrymandering,<sup>9</sup> we believe a reform that would allow the federal government to cooperate with states enacting these measures would receive significant popular support.

### **III. DOJ Should Act on this Opportunity Now, Before the 2021 Redistricting Cycle.**

The time to make this change is now. In 2021, many states and the federal government will enact structural changes that will directly impact the democratic rights of people incarcerated in the BOP for years to come. At least nine states and more than 200 jurisdictions will move forward with their redistricting processes without being able to count federally incarcerated citizens as residents of their home communities, locking in these malapportioned districts for at least a decade. Washington D.C.’s universal enfranchisement measure, which grants the right to vote to 3,200 District of Columbia citizens incarcerated in the BOP, will take permanent legal effect for the first

---

<sup>8</sup> See Will Wilder, *Progress on Restoring Voting Rights*, Brennan Center for Justice (Feb. 25, 2021) (discussing the “growing national momentum on voting rights restoration”) <https://www.brennancenter.org/our-work/analysis-opinion/progress-restoring-voting-rights>. Also, in a 2018 poll conducted by HuffPost/YouGov, for example, 63% of adults reported that they support restoring the vote to individuals with felony convictions who have completed their sentences, while only 20% were opposed. Restoration of Voting Rights, HuffPost & YouGov (Mar. 16-18, 2018), <http://big.assets.huffingtonpost.com/tabsHPRestorationofvotingrights20180316.pdf>.

<sup>9</sup> See Prison Policy Initiative, *Prison Gerrymandering Project: Progress Towards Ending Prison Gerrymandering* (2021), <https://www.prisonersofthecensus.org>. Since 2010, Maryland, California, Colorado, Delaware, Nevada, New Jersey, New York, Virginia, and Washington State have adopted laws that eliminate prison gerrymandering. *Id.* Other states, such as Michigan and Tennessee, now prohibit or discourage local governments from engaging in prison gerrymandering. *Id.* And hundreds of county and municipal governments across the country have also rejected prison gerrymandering. *Local Governments that Avoid Prison-Based Gerrymandering*, Prison Policy Initiative (Jan. 7, 2019), <https://www.prisonersofthecensus.org/local/>. Recently, over 99% of the comments from the public on the 2020 Census (77,863 out of 77,887) also supported counting prisoners at their last known residence. Final 2020 Census Residence Criteria and Residence Situations, 85 Fed. Reg. 5,526 (Feb. 8, 2018), <https://www.federalregister.gov/documents/2018/02/08/2018-02370/final-2020-census-residence-criteria-and-residence-situations>.



time. And, finally, in the next 200 days, the BOP will begin to assess the ways in which it can better promote voter registration, voter education, and voting access for incarcerated citizens and those being released, and establish policies and procedures that will govern how voting and elections are facilitated in the BOP moving forward. Exec. Order No.14,019, 86 Fed. Reg. 13623 (Mar. 7, 2021).

Allowing BOP to share its population data with election officials and others will, thus, not only ensure that state and local jurisdictions will be able to fully implement their own pro-democracy reforms; it will also equip the BOP with the information it needs to guide its own internal reform efforts. By working with jurisdictions that are already engaging in their own independent voter outreach efforts, the BOP may learn it can work with states and localities to expand enfranchisement as Executive Order 14019 directs—perhaps by improving the BOP’s database, collecting new information, or storing its data in a more accessible way. But, without the possibility of data sharing, this kind of productive collaboration will remain out of reach.

We appreciate your consideration of this important issue and look forward to continuing to work with DOJ and the administration to continue to push for the inclusion of justice-involved citizens in our democracy. If you have any questions or concerns, please do not hesitate to reach out to Dana Paikowsky at (b) (6) or (b) (6) for more information.

Sincerely,

Campaign Legal Center  
1101 14<sup>th</sup> Street NW Suite 400  
Washington, DC 20005

League of Women Voters of the  
United States  
1233 20th St NW, Suite 500,  
Washington, DC 20036

Washington Lawyers’ Committee for  
Civil Rights and Urban Affairs  
700 14th Street, NW, Suite 400  
Washington, DC 20005

Cc: Pamela Karlan, Principal Deputy Assistant Attorney General  
U.S. Department of Justice, Civil Rights Division  
Michael Carvajal, Director, Federal Bureau of Prisons  
Ken Hyle, General Counsel, Federal Bureau of Prisons  
Chiraag Bains, Special Assistant to the President for Criminal Justice  
Domestic Policy Council

**From:** Sooknanan, Sparkle (OASG)  
**Subject:** Voting EO Strategic Plan  
**To:** Visser, Tim (OAG); Braden, Myesha (ODAG)  
**Sent:** September 3, 2021 9:09 PM (UTC-04:00)  
**Attached:** Voting EO Strategic Plan - DOJ Draft 20210902.docx

Tim and Myesha—Attached is a working draft of the EO 14019 strategic plan due to OMB on 9/23. Under the schedule Adam cleared with Anita, we will get a draft to ODAG/OAG next Friday 9/10. But if you have initial reactions to this draft, let me know and CRT will incorporate them prior to that circulation. Happy to discuss next week. Enjoy the holiday weekend! Thanks very much, Sparkle

**From:** Higginbotham, Ryan K (OLP)  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy  
**To:** Hyun, Peter (OASG); Newman, David A. (ODAG); Atkinson, Lawrence (ODAG); Chambers, Kevin (ODAG); Braden, Myesha (ODAG); Goodlander, Margaret V. (OAG); Heinzelman, Kate (OAG)  
**Cc:** Thiemann, Robyn (ODAG); Rothenberg, Laurence E (OLP)  
**Sent:** September 6, 2021 6:18 PM (UTC-04:00)  
**Attached:** Domestic Deliverables Fact Sheet 083021-Combinededits090321.docx

OAG/ODAG/OASG colleagues:

I am writing to follow up with regard to your review of the domestic deliverables fact sheet.

NSC asked today that we provide our input by tomorrow morning.

Thank you,

Ryan Higginbotham  
Counsel  
Office of Legal Policy  
U.S. Department of Justice

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

---

**From:** Hyun, Peter (OASG) <(b) (6)>  
**Sent:** Friday, September 3, 2021 1:05 PM  
**To:** Rothenberg, Laurence E (OLP) <(b) (6)>; Newman, David A. (ODAG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Goodlander, Margaret V. (OAG) <(b) (6)>; Heinzelman, Kate (OAG) <(b) (6)>  
**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Higginbotham, Ryan K (OLP) <(b) (6)>  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy

Ok – some of the comment bubbles include what appear to be CRT comments, covering (b) (5)? Just wanted to double-check to make sure our folks know who has looked at this and commented. Thank you Laurence!

**Peter S. Hyun** | Chief of Staff  
Office of the Associate Attorney General  
(b) (6)  
Desk: (b) (6)  
Cell: (b) (6)

---

**From:** Rothenberg, Laurence E (OLP) <(b) (6)>  
**Sent:** Friday, September 3, 2021 12:59 PM  
**To:** Hyun, Peter (OASG) <(b) (6)>; Newman, David A. (ODAG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Goodlander, Margaret V. (OAG) <(b) (6)>; Heinzelman, Kate (OAG) <(b) (6)>  
**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Higginbotham, Ryan K (OLP) <(b) (6)>  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy

NSC asked for comments by today, but I will let them know that we require more time.

---

**From:** Rothenberg, Laurence E (OLP)  
**Sent:** Friday, September 3, 2021 12:59 PM  
**To:** Hyun, Peter (OASG) <(b) (6)>; Newman, David A. (ODAG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Goodlander, Margaret V. (OAG) <(b) (6)>; Heinzelman, Kate (OAG) <(b) (6)>  
**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Higginbotham, Ryan K (OLP) <(b) (6)>  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy

Sorry, to clarify, OLP determined that NSD, CRM, and CRT were the components with equities and circulated only to them.

---

**From:** Hyun, Peter (OASG) <(b) (6)>  
**Sent:** Friday, September 3, 2021 12:54 PM  
**To:** Rothenberg, Laurence E (OLP) <(b) (6)>; Newman, David A. (ODAG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Goodlander, Margaret V. (OAG) <(b) (6)>; Heinzelman, Kate (OAG) <(b) (6)>  
**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Higginbotham, Ryan K (OLP) <(b) (6)>  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy

Thanks Laurence. Do you know which other components reviewed this? And I don't know if we'll be able to get back to you by COB today, might sometime next week work? Thanks, Peter

**Peter S. Hyun** | Chief of Staff  
Office of the Associate Attorney General  
(b) (6)  
Desk: (b) (6)  
Cell: (b) (6)

---

**From:** Rothenberg, Laurence E (OLP) <(b) (6)>  
**Sent:** Friday, September 3, 2021 12:31 PM  
**To:** Newman, David A. (ODAG) <(b) (6)>; Hyun, Peter (OASG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Goodlander, Margaret V. (OAG) <(b) (6)>; Heinzelman, Kate (OAG) <(b) (6)>  
**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Higginbotham, Ryan K (OLP) <(b) (6)>  
**Subject:** comments on NSC/DPC fact sheet on deliverables for Summit for Democracy

OAG/ODAG/OASG colleagues—

Attached for your review and clearance please find DOJ component comments on an NSC/DPC fact sheet on domestic deliverables for the December Summit for Democracy called by the President. NSD, CRM, CRT, and OLP had edits, including (b) (5). Please note in particular that (b) (5)

[REDACTED]

Please let us know if you have any further edits by COB today, if possible.

v/r,

Laurence E. Rothenberg  
Deputy Assistant Attorney General  
Office of Legal Policy

(b) (6)

o: (b) (6)

c: (b) (6)



**From:** Higginbotham, Ryan K (OLP)  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy  
**To:** Hyun, Peter (OASG); Newman, David A. (ODAG); Atkinson, Lawrence (ODAG); Chambers, Kevin (ODAG); Braden, Myesha (ODAG); Goodlander, Margaret V. (OAG); Heinzelman, Kate (OAG)  
**Cc:** Thiemann, Robyn (ODAG); Rothenberg, Laurence E (OLP)  
**Sent:** September 7, 2021 9:30 AM (UTC-04:00)  
**Attached:** Domestic Deliverables Fact Sheet 083021-Combinededits090321.docx

OAG/ODAG/OASG colleagues:

I am writing to follow up with regard to your review of the domestic deliverables fact sheet.

NSC asked today that we provide our input by tomorrow morning.

Thank you,

Ryan Higginbotham  
Counsel  
Office of Legal Policy  
U.S. Department of Justice

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

---

**From:** Hyun, Peter (OASG) <(b) (6)>  
**Sent:** Friday, September 3, 2021 1:05 PM  
**To:** Rothenberg, Laurence E (OLP) <(b) (6)>; Newman, David A. (ODAG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Goodlander, Margaret V. (OAG) <(b) (6)>; Heinzelman, Kate (OAG) <(b) (6)>  
**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Higginbotham, Ryan K (OLP) <(b) (6)>  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy

Duplicative Information - See Document ID 22-cv-1733 - 322

**From:** Heinzelman, Kate (OAG)  
**Subject:** FW: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy  
**To:** Hyun, Peter (OASG)  
**Sent:** September 7, 2021 12:32 PM (UTC-04:00)  
**Attached:** Domestic Deliverables Fact Sheet 083021-Combinededits090321.docx

Peter – can you call me about this at your convenience? I just tried you. I’m on my cell.

Best,

Kate

---

**From:** Higginbotham, Ryan K (OLP) <(b) (6)>  
**Sent:** Tuesday, September 7, 2021 9:30 AM  
**To:** Hyun, Peter (OASG) <(b) (6)>; Newman, David A. (ODAG) <(b) (6)>;  
Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG)  
<(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Goodlander, Margaret V.  
(OAG) <(b) (6)>; Heinzelman, Kate (OAG) <(b) (6)>  
**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Rothenberg, Laurence E (OLP)  
<(b) (6)>  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy  
**Importance:** High

Duplicative Information - See Document ID 22-cv-1733 - 333

**From:** Hyun, Peter (OASG)  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy  
**To:** Heinzelman, Kate (OAG)  
**Sent:** September 7, 2021 4:52 PM (UTC-04:00)  
**Attached:** Domestic Deliverables Fact Sheet 083021-Combinededits090321 + ss + ph.docx

We are hoping to get CRT edits; but wanted to get your read on this version?

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

(b) (6)  
Desk: (b) (6)  
Cell: (b) (6)

---

**From:** Heinzelman, Kate (OAG) <(b) (6)>  
**Sent:** Tuesday, September 7, 2021 12:32 PM  
**To:** Hyun, Peter (OASG) <(b) (6)>  
**Subject:** FW: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy  
**Importance:** High

Duplicative Information - See Document ID 22-cv-1733 - 344

**From:** Higginbotham, Ryan K (OLP)  
**Subject:** FW: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy  
**To:** Heinzelman, Kate (OAG)  
**Sent:** September 7, 2021 5:23 PM (UTC-04:00)  
**Attached:** Domestic Deliverables Fact Sheet 083021-Combinededits090321.docx

Kate,

I am writing to check whether you have edits to the fact sheet.

Thank you,

Ryan Higginbotham

---

**From:** Higginbotham, Ryan K (OLP)  
**Sent:** Monday, September 6, 2021 6:18 PM  
**To:** Hyun, Peter (OASG) <(b) (6)>; Newman, David A. (ODAG) <(b) (6)>;  
Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG)  
<(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Goodlander, Margaret V.  
(OAG) <(b) (6)>; Heinzelman, Kate (OAG) <(b) (6)>  
**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Rothenberg, Laurence E (OLP)  
<(b) (6)>  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy  
**Importance:** High

Duplicative Information - See Document ID 22-cv-1733 - 322

**From:** Newman, David A. (ODAG)  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy  
**To:** Braden, Myesha (ODAG); Higginbotham, Ryan K (OLP); Hyun, Peter (OASG); Atkinson, Lawrence (ODAG); Chambers, Kevin (ODAG); Goodlander, Margaret V. (OAG); Heinzelman, Kate (OAG)  
**Cc:** Thiemann, Robyn (ODAG); Rothenberg, Laurence E (OLP); Colangelo, Matthew (OASG); Sooknanan, Sparkle (OASG)  
**Sent:** September 7, 2021 5:56 PM (UTC-04:00)  
**Attached:** Domestic Deliverables Fact Sheet 083021-Combinededits090321 (003).docx

See attached with a few additional comments from me. As a general matter, I would prefer (b) (5) [REDACTED]  
[REDACTED]. For now, I made some limited edits to change (b) (5) [REDACTED] in light of that concern. There is also a lot here that is still in flux, so I would propose sending this back for now but saying we would like to see it again closer to final.

---

**From:** Braden, Myesha (ODAG) <(b) (6)>  
**Sent:** Tuesday, September 7, 2021 4:59 PM  
**To:** Higginbotham, Ryan K (OLP) <(b) (6)>; Hyun, Peter (OASG) <(b) (6)>; Newman, David A. (ODAG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG) <(b) (6)>; Goodlander, Margaret V. (OAG) <(b) (6)>; Heinzelman, Kate (OAG) <(b) (6)>  
**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Rothenberg, Laurence E (OLP) <(b) (6)>; Colangelo, Matthew (OASG) <(b) (6)>; Sooknanan, Sparkle (OASG) <(b) (6)>  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy

Ryan,

If a request from ODAG or OAG is necessary for OASG to have an additional day, please make it. If not AND you've been able to touch base with a critical mass of folk in ODAG/OAG, then no need.

Best,

Myesha

---

**From:** Higginbotham, Ryan K (OLP) <(b) (6)>  
**Sent:** Tuesday, September 7, 2021 4:29 PM  
**To:** Hyun, Peter (OASG) <(b) (6)>; Newman, David A. (ODAG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Goodlander, Margaret V. (OAG) <(b) (6)>; Heinzelman, Kate (OAG) <(b) (6)>  
**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Rothenberg, Laurence E (OLP) <(b) (6)>; Colangelo, Matthew (OASG) <(b) (6)>; Sooknanan, Sparkle (OASG) <(b) (6)>  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy

All:

I am writing to check for guidance on responding to NSC.

Thanks,

Ryan Higginbotham  
Counsel  
Office of Legal Policy  
22-cv-1733 - 377

U.S. Department of Justice

(b) (6)

(b) (6)

---

**From:** Higginbotham, Ryan K (OLP)

**Sent:** Tuesday, September 7, 2021 1:54 PM

**To:** Hyun, Peter (OASG) <(b) (6)>; Newman, David A. (ODAG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Goodlander, Margaret V. (OAG) <(b) (6)>; Heinzelman, Kate (OAG) <(b) (6)>  
**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Rothenberg, Laurence E (OLP) <(b) (6)>; Colangelo, Matthew (OASG) <(b) (6)>; Sooknanan, Sparkle (OASG) <(b) (6)>

**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy

**Importance:** High

OAG/ODAG colleagues, can you also advise if you would like additional time to review and, if so, how much time? It may be helpful if I can copy a leadership office POC on the request to NSC. If you would like to reach out to NSC directly, I defer to you.

Thanks,

Ryan Higginbotham

Counsel

Office of Legal Policy

U.S. Department of Justice

(b) (6)

(b) (6)

---

**From:** Hyun, Peter (OASG) <(b) (6)>

**Sent:** Tuesday, September 7, 2021 1:49 PM

**To:** Higginbotham, Ryan K (OLP) <(b) (6)>; Newman, David A. (ODAG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Goodlander, Margaret V. (OAG) <(b) (6)>; Heinzelman, Kate (OAG) <(b) (6)>  
**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Rothenberg, Laurence E (OLP) <(b) (6)>; Colangelo, Matthew (OASG) <(b) (6)>; Sooknanan, Sparkle (OASG) <(b) (6)>

**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy

Might OASG be able to get an extra day to clear this? Thank you, Peter

**Peter S. Hyun** | Chief of Staff

Office of the Associate Attorney General

(b) (6)

Desk: (b) (6)

Cell: (b) (6)

---

**From:** Higginbotham, Ryan K (OLP) <(b) (6)>

**Sent:** Monday, September 6, 2021 6:18 PM

**To:** Hyun, Peter (OASG) <(b) (6)>; Newman, David A. (ODAG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Goodlander, Margaret V. (OAG) <(b) (6)>; Heinzelman, Kate (OAG) <(b) (6)>

**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Rothenberg, Laurence E (OLP)

<(b) (6)>

**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy

**Importance:** High

Duplicative Information - See Document ID 22-cv-1733 - 322

**From:** Hyun, Peter (OASG)  
**Subject:** FW: Domestic Deliverables Fact Sheet 083021-Combinededits090321 + ss + ph  
**To:** Heinzelman, Kate (OAG)  
**Sent:** September 8, 2021 9:43 AM (UTC-04:00)  
**Attached:** Domestic Deliverables Fact Sheet 083021-Combinededits090321 + ss + ph jjs.docx

Kate: wanted to get your read on this version which is similar to how David N. characterized his changes. Thanks! - Peter

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

(b) (6)

Desk: (b) (6)

Cell: (b) (6)



**From:** Sooknanan, Sparkle (OASG)  
**Subject:** RE: Voting EO Strategic Plan  
**To:** Visser, Tim (OAG); Braden, Myesha (ODAG)  
**Cc:** Thompson, Karl (ODAG); Braverman, Adam L. (ODAG); Robertson, Ashley E. (ODAG)  
**Sent:** September 8, 2021 11:10 AM (UTC-04:00)  
**Attached:** Voting EO Strategic Plan - DOJ Draft 20210902.docx

+ Karl, Adam, and Ashley

---

**From:** Sooknanan, Sparkle (OASG)  
**Sent:** Friday, September 3, 2021 9:09 PM  
**To:** Visser, Tim (OAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>  
**Subject:** Voting EO Strategic Plan

Tim and Myesha—Attached is a working draft of the EO 14019 strategic plan due to OMB on 9/23. Under the schedule Adam cleared with Anita, we will get a draft to ODAG/OAG next Friday 9/10. But if you have initial reactions to this draft, let me know and CRT will incorporate them prior to that circulation. Happy to discuss next week. Enjoy the holiday weekend! Thanks very much, Sparkle

**From:** Heinzelman, Kate (OAG)  
**Subject:** RE: Domestic Deliverables Fact Sheet 083021-Combinededits090321 + ss + ph  
**To:** Hyun, Peter (OASG)  
**Sent:** September 8, 2021 1:09 PM (UTC-04:00)  
**Attached:** Domestic Deliverables Fact Sheet 083021-Combinededits090321 + ss + ph jjs kh.docx

Peter -

Thanks again for this. I've layered by edits on top. I'm happy to send this to Ryan/OLP if easier but wasn't sure if you first wanted to coordinate with CRT.

Kate

---

**From:** Hyun, Peter (OASG) <(b) (6)>  
**Sent:** Wednesday, September 8, 2021 9:43 AM  
**To:** Heinzelman, Kate (OAG) <(b) (6)>  
**Subject:** FW: Domestic Deliverables Fact Sheet 083021-Combinededits090321 + ss + ph

Duplicative Information - See Document ID 22-cv-1733 - 390

**From:** Heinzelman, Kate (OAG)  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy  
**To:** Newman, David A. (ODAG); Braden, Myesha (ODAG); Higginbotham, Ryan K (OLP); Hyun, Peter (OASG); Atkinson, Lawrence (ODAG); Chambers, Kevin (ODAG); Goodlander, Margaret V. (OAG)  
**Cc:** Thiemann, Robyn (ODAG); Rothenberg, Laurence E (OLP); Colangelo, Matthew (OASG); Sooknanan, Sparkle (OASG)  
**Sent:** September 8, 2021 1:18 PM (UTC-04:00)  
**Attached:** Domestic Deliverables Fact Sheet 083021-Combinededits090321 + ss + ph jjs kh.docx

My edits attached on top. These seek to further address the concern David raised below, which I share.

---

**From:** Newman, David A. (ODAG) <(b) (6)>  
**Sent:** Tuesday, September 7, 2021 5:56 PM  
**To:** Braden, Myesha (ODAG) <(b) (6)>; Higginbotham, Ryan K (OLP) <(b) (6)>; Hyun, Peter (OASG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG) <(b) (6)>; Goodlander, Margaret V. (OAG) <(b) (6)>; Heinzelman, Kate (OAG) <(b) (6)>  
**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Rothenberg, Laurence E (OLP) <(b) (6)>; Colangelo, Matthew (OASG) <(b) (6)>; Sooknanan, Sparkle (OASG) <(b) (6)>  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy

Duplicative Information - See Document ID 22-cv-1733 - 377

**From:** Heinzelman, Kate (OAG)  
**Subject:** FW: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy  
**To:** Goodlander, Margaret V. (OAG)  
**Sent:** September 8, 2021 1:18 PM (UTC-04:00)  
**Attached:** Domestic Deliverables Fact Sheet 083021-Combinededits090321 + ss + ph jjs kh.docx

Maggie – if you have time, I think it would be great if you can modify (b) (5) to make that better reflect the DOJ actions/equities.

---

**From:** Heinzelman, Kate (OAG)  
**Sent:** Wednesday, September 8, 2021 1:18 PM  
**To:** Newman, David A. (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Higginbotham, Ryan K (OLP) <(b) (6)>; Hyun, Peter (OASG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG) <(b) (6)>; Goodlander, Margaret V. (OAG) <(b) (6)>  
**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Rothenberg, Laurence E (OLP) <(b) (6)>; Colangelo, Matthew (OASG) <(b) (6)>; Sooknanan, Sparkle (OASG) <(b) (6)>  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy

Duplicative Information - See Document ID 22-cv-1733 - 426

**From:** Goodlander, Margaret V. (OAG)  
**Subject:** FW: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy  
**To:** Rachel Rossi (OASG) <(b) (6)>  
**Sent:** September 8, 2021 1:41 PM (UTC-04:00)  
**Attached:** Domestic Deliverables Fact Sheet 083021-Combinededits090321 + ss + ph jjs kh.docx

Have you seen this one? Let me know if you have time to take a quick look.

---

**From:** Heinzelman, Kate (OAG)  
**Sent:** Wednesday, September 8, 2021 1:18 PM  
**To:** Newman, David A. (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Higginbotham, Ryan K (OLP) <(b) (6)>; Hyun, Peter (OASG) <(b) (6)>; Atkinson, Lawrence (ODAG) <(b) (6)>; Chambers, Kevin (ODAG) <(b) (6)>; Goodlander, Margaret V. (OAG) <(b) (6)>  
**Cc:** Thiemann, Robyn (ODAG) <(b) (6)>; Rothenberg, Laurence E (OLP) <(b) (6)>; Colangelo, Matthew (OASG) <(b) (6)>; Sooknanan, Sparkle (OASG) <(b) (6)>  
**Subject:** RE: comments on NSC/DPC fact sheet on deliverables for Summit for Democracy

Duplicative Information - See Document ID 22-cv-1733 - 426