117TH CONGRESS 1ST SESSION

H. RES.

Establishing the Select Committee to Investigate the January 6th Attack on the United States Capitol.

IN THE HOUSE OF REPRESENTATIVES

Ms. PELOSI submitted the following resolution; which was referred to the Committee on ____________________

RESOLUTION

Establishing the Select Committee to Investigate the January 6th Attack on the United States Capitol.

Whereas January 6, 2021, was one of the darkest days of our democracy, during which insurrectionists attempted to impede Congress’s Constitutional mandate to validate the presidential election and launched an assault on the United States Capitol Complex that resulted in multiple deaths, physical harm to over 140 members of law enforcement, and terror and trauma among staff, institutional employees, press, and Members;

Whereas on January 27, 2021, the Department of Homeland Security issued a National Terrorism Advisory System Bulletin that due to the “heightened threat environment
across the United States,” in which “[S]ome ideologically-motivated violent extremists with objections to the exercise of governmental authority and the presidential transition, as well as other perceived grievances fueled by false narratives, could continue to mobilize to incite or commit violence.” The Bulletin also stated that—

(1) “DHS is concerned these same drivers to violence will remain through early 2021 and some DVEs [domestic violent extremists] may be emboldened by the January 6, 2021 breach of the U.S. Capitol Building in Washington, D.C. to target elected officials and government facilities.”; and

(2) “Threats of violence against critical infrastructure, including the electric, telecommunications and healthcare sectors, increased in 2020 with violent extremists citing misinformation and conspiracy theories about COVID–19 for their actions”;

Whereas on September 24, 2020, Director of the Federal Bureau of Investigation Christopher Wray testified before the Committee on Homeland Security of the House of Representatives that—

(1) “[T]he underlying drivers for domestic violent extremism – such as perceptions of government or law enforcement overreach, sociopolitical conditions, racism, anti-Semitism, Islamophobia, misogyny, and reactions to legislative actions – remain constant.”;

(2) “[W]ithin the domestic terrorism bucket category as a whole, racially-motivated violent extremism is, I think, the biggest bucket within the larger group. And within the racially-motivated violent extremists bucket, people subscribing to some kind of white supremacist-type ideology is certainly the biggest chunk of that.”; and
(3) "More deaths were caused by DVEs than international terrorists in recent years. In fact, 2019 was the deadliest year for domestic extremist violence since the Oklahoma City bombing in 1995";

Whereas on April 15, 2021, Michael Bolton, the Inspector General for the United States Capitol Police, testified to the Committee on House Administration of the House of Representatives that—

(1) "The Department lacked adequate guidance for operational planning. USCP did not have policy and procedures in place that communicated which personnel were responsible for operational planning, what type of operational planning documents its personnel should prepare, nor when its personnel should prepare operational planning documents."; and

(2) "USCP failed to disseminate relevant information obtained from outside sources, lacked consensus on interpretation of threat analyses, and disseminated conflicting intelligence information regarding planned events for January 6, 2021."; and

Whereas the security leadership of the Congress under-prepared for the events of January 6th, with United States Capitol Police Inspector General Michael Bolton testifying again on June 15, 2021, that—

(1) "USCP did not have adequate policies and procedures for FRU (First Responder Unit) defining its overall operations. Additionally, FRU lacked resources and training for properly completing its mission.";

(2) "The Department did not have adequate policies and procedures for securing ballistic helmets and vests strategically stored around the Capitol Complex."; and
(3) "FRU did not have the proper resources to complete its mission." Now, therefore, be it

   Resolved,

2 SECTION 1. ESTABLISHMENT.

3 There is hereby established the Select Committee to
4 Investigate the January 6th Attack on the United States
5 Capitol (hereinafter referred to as the "Select Com-
6 mittee").

7 SEC. 2. COMPOSITION.

8 (a) APPOINTMENT OF MEMBERS.—The Speaker shall
9 appoint 13 Members to the Select Committee, 5 of whom
10 shall be appointed after consultation with the minority
11 leader.

12 (b) DESIGNATION OF CHAIR.—The Speaker shall
13 designate one Member to serve as chair of the Select Com-
14 mittee.

15 (c) VACANCIES.—Any vacancy in the Select Com-
16 mittee shall be filled in the same manner as the original
17 appointment.

18 SEC. 3. PURPOSES.

19 Consistent with the functions described in section 4,
20 the purposes of the Select Committee are the following:
21
22 (1) To investigate and report upon the facts,
23 circumstances, and causes relating to the January 6,
24 2021, domestic terrorist attack upon the United
25 States Capitol Complex (hereafter referred to as the
“domestic terrorist attack on the Capitol”) and relating to the interference with the peaceful transfer of power, including facts and causes relating to the preparedness and response of the United States Capitol Police and other Federal, State, and local law enforcement agencies in the National Capital Region and other instrumentalities of government, as well as the influencing factors that fomented such an attack on American representative democracy while engaged in a constitutional process.

(2) To examine and evaluate evidence developed by relevant Federal, State, and local governmental agencies regarding the facts and circumstances surrounding the domestic terrorist attack on the Capitol and targeted violence and domestic terrorism relevant to such terrorist attack.

(3) To build upon the investigations of other entities and avoid unnecessary duplication of efforts by reviewing the investigations, findings, conclusions, and recommendations of other executive branch, congressional, or independent bipartisan or nonpartisan commission investigations into the domestic terrorist attack on the Capitol, including investigations into influencing factors related to such attack.
SEC. 4. FUNCTIONS.

(a) FUNCTIONS.—The functions of the Select Committee are to—

1. investigate the facts, circumstances, and causes relating to the domestic terrorist attack on the Capitol, including facts and circumstances relating to—

   (A) activities of intelligence agencies, law enforcement agencies, and the Armed Forces, including with respect to intelligence collection, analysis, and dissemination and information sharing among the branches and other instrumentalities of government;

   (B) influencing factors that contributed to the domestic terrorist attack on the Capitol and how technology, including online platforms, financing, and malign foreign influence operations and campaigns may have factored into the motivation, organization, and execution of the domestic terrorist attack on the Capitol; and

   (C) other entities of the public and private sector as determined relevant by the Select Committee for such investigation;
(2) identify, review, and evaluate the causes of
and the lessons learned from the domestic terrorist
attack on the Capitol regarding—

(A) the command, control, and commun-
ications of the United States Capitol Police,
the Armed Forces, the National Guard, the
Metropolitan Police Department of the District
of Columbia, and other Federal, State, and
local law enforcement agencies in the National
Capital Region on or before January 6, 2021;

(B) the structure, coordination, operational
plans, policies, and procedures of the Federal
Government, including as such relate to State
and local governments and nongovernmental en-
tities, and particularly with respect to detecting,
preventing, preparing for, and responding to
targeted violence and domestic terrorism;

(C) the structure, authorities, training,
manpower utilization, equipment, operational
planning, and use of force policies of the United
States Capitol Police;

(D) the policies, protocols, processes, pro-
dcedures, and systems for the sharing of intel-
ligence and other information by Federal, State,
and local agencies with the United States Cap-
Capitol Police, the Sergeants at Arms of the House of Representatives and Senate, the Government of the District of Columbia, including the Metropolitan Police Department of the District of Columbia, the National Guard, and other Federal, State, and local law enforcement agencies in the National Capital Region on or before January 6, 2021, and the related policies, protocols, processes, procedures, and systems for monitoring, assessing, disseminating, and acting on intelligence and other information, including elevating the security posture of the United States Capitol Complex, derived from instrumentalities of government, open sources, and online platforms; and

(E) the policies, protocols, processes, procedures, and systems for interoperability between the United States Capitol Police and the National Guard, the Metropolitan Police Department of the District of Columbia, and other Federal, State, and local law enforcement agencies in the National Capital Region on or before January 6, 2021; and

(3) issue a final report to the House containing such findings, conclusions, and recommendations for
corrective measures described in subsection (c) as it may deem necessary.

(b) REPORTS.—

(1) INTERIM REPORTS.—In addition to the final report addressing the matters in subsection (a) and section 3, the Select Committee may report to the House or any committee of the House from time to time the results of its investigations, together with such detailed findings and legislative recommendations as it may deem advisable.

(2) TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT-SENSITIVE MATTER.—Any report issued by the Select Committee shall be issued in unclassified form but may include a classified annex, a law enforcement-sensitive annex, or both.

(c) CORRECTIVE MEASURES DESCRIBED.—The corrective measures described in this subsection may include changes in law, policy, procedures, rules, or regulations that could be taken—

(1) to prevent future acts of violence, domestic terrorism, and domestic violent extremism, including acts targeted at American democratic institutions;

(2) to improve the security posture of the United States Capitol Complex while preserving ac-
1  accessibility of the Capitol Complex for all Americans;
2  and
3  (3) to strengthen the security and resilience of
4  the United States and American democratic institu-
5  tions against violence, domestic terrorism, and do-
6  mestic violent extremism.
7  (d) NO MARKUP OF LEGISLATION PERMITTED.—The
8  Select Committee may not hold a markup of legislation.
9  **SEC. 5. PROCEDURE.**
10  (a) ACCESS TO INFORMATION FROM INTELLIGENCE
11  COMMUNITY.—Notwithstanding clause 3(m) of rule X of
12  the Rules of the House of Representatives, the Select
13  Committee is authorized to study the sources and methods
14  of entities described in clause 11(b)(1)(A) of rule X inso-
15  far as such study is related to the matters described in
16  sections 3 and 4.
17  (b) TREATMENT OF CLASSIFIED INFORMATION.—
18  Clause 11(b)(4), clause 11(e), and the first sentence of
19  clause 11(f) of rule X of the Rules of the House of Rep-
20  resentatives shall apply to the Select Committee.
21  (c) APPLICABILITY OF RULES GOVERNING PROCED-
22  URES OF COMMITTEES.—Rule XI of the Rules of the
23  House of Representatives shall apply to the Select Com-
24  mittee except as follows:
(1) Clause 2(a) of rule XI shall not apply to the Select Committee.

(2) Clause 2(g)(2)(D) of rule XI shall apply to the Select Committee in the same manner as it applies to the Permanent Select Committee on Intelligence.

(3) Pursuant to clause 2(h) of rule XI, two Members of the Select Committee shall constitute a quorum for taking testimony or receiving evidence and one-third of the Members of the Select Committee shall constitute a quorum for taking any action other than one for which the presence of a majority of the Select Committee is required.

(4) The chair of the Select Committee may authorize and issue subpoenas pursuant to clause 2(m) of rule XI in the investigation and study conducted pursuant to sections 3 and 4 of this resolution, including for the purpose of taking depositions.

(5) The chair of the Select Committee is authorized to compel by subpoena the furnishing of information by interrogatory.

(6)(A) The chair of the Select Committee, upon consultation with the ranking minority member, may order the taking of depositions, including pursuant to subpoena, by a Member or counsel of the Select
Committee, in the same manner as a standing committee pursuant to section 3(b)(1) of House Resolution 8, One Hundred Seventeenth Congress.

(B) Depositions taken under the authority prescribed in this paragraph shall be governed by the procedures submitted by the chair of the Committee on Rules for printing in the Congressional Record on January 4, 2021.

(7) Subpoenas authorized pursuant to this resolution may be signed by the chair of the Select Committee or a designee.

(8) The chair of the Select Committee may, after consultation with the ranking minority member, recognize—

(A) Members of the Select Committee to question a witness for periods longer than five minutes as though pursuant to clause 2(j)(2)(B) of rule XI; and

(B) staff of the Select Committee to question a witness as though pursuant to clause 2(j)(2)(C) of rule XI.

(9) The chair of the Select Committee may postpone further proceedings when a record vote is ordered on questions referenced in clause 2(h)(4) of rule XI, and may resume proceedings on such post-
poned questions at any time after reasonable notice. Notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(10) The provisions of paragraphs (f)(1) through (f)(12) of clause 4 of rule XI shall apply to the Select Committee.

SEC. 6. RECORDS; STAFF; TRAVEL; FUNDING.

(a) SHARING RECORDS OF COMMITTEES.—Any committee of the House of Representatives having custody of records in any form relating to the matters described in sections 3 and 4 shall provide copies of such records to the Select Committee not later than 14 days of the adoption of this resolution or receipt of such records. Such records shall become the records of the Select Committee.

(b) STAFF.—The appointment and the compensation of staff for the Select Committee shall be subject to regulations issued by the Committee on House Administration.

(c) DETAIL OF STAFF OF OTHER OFFICES.—Staff of employing entities of the House or a joint committee may be detailed to the Select Committee to carry out this resolution and shall be deemed to be staff of the Select Committee.
(d) USE OF CONSULTANTS PERMITTED.—Section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i)) shall apply with respect to the Select Committee in the same manner as such section applies with respect to a standing committee of the House of Representatives.

(e) TRAVEL.—Clauses 8(a), (b), and (e) of rule X of the Rules of the House of Representatives shall apply to the Select Committee.

(f) FUNDING; PAYMENTS.—There shall be paid out of the applicable accounts of the House of Representatives such sums as may be necessary for the expenses of the Select Committee. Such payments shall be made on vouchers signed by the chair of the Select Committee and approved in the manner directed by the Committee on House Administration. Amounts made available under this subsection shall be expended in accordance with regulations prescribed by the Committee on House Administration.

SEC. 7. TERMINATION AND DISPOSITION OF RECORDS.

(a) TERMINATION.—The Select Committee shall terminate 30 days after filing the final report under section 4.

(b) DISPOSITION OF RECORDS.—Upon termination of the Select Committee—
(1) the records of the Select Committee shall become the records of such committee or committees designated by the Speaker; and

(2) the copies of records provided to the Select Committee by a committee of the House under section 6(a) shall be returned to the committee.
Summary of Content

Current researchers are looking in wrong places for voter fraud

250,000 new voters were added to the polls - they (250,000 new voters) are now in the poll books.

Source: outside partner groups. (Sols to the Pols and 17 other groups)

250,000 new voters – Milwaukee and Madison
Validate the number of added new voters.

Discuss HOW they were added.

How to clear voter poll data base

How to correct voter registration loopholes.

Compare the Wisconsin Constitution, against Wisconsin voter legislation, vs. what the WEC actually does as internal policy.

WEC makes their own rules - our quest is to verify if these rules are in violation of Wisconsin voter law.
Topics: which I will have PDF handouts are: (1-12)

PDF of each of the following:

Suggest Open records ref of what to seek open records for.

A. Chief Inspector Manual (provided) –
   with 1 page Summary doc of issues to look into.

B. List of PDF SOURCE DOCS (1-12)

1. Sols to the pols, and other 17 other organizations -SOURCE DOC

2. Ds200 have printed, and Express vote - machines – skinnies
   (express ballots) - SOURCE DOC

3. Indefinite envelopes and application - online source. Application has been
   removed from online. HAND-OUT – application exists.

4. CLEAR VOTE ROLLS Qualified voter – partner applications had 2, 4 or 6
   requirements for a “qualified voter” pre filled. Suggest Open records

5. CLEAR VOTE ROLLS POR - point out flaws, Gov. doc, register using letter
   WEC expanded rules.
Topics: which I will have PDF handouts are: (1-12)

6. CLEAR VOTE ROLLS Registrations using Passports - who lost their drivers license. Suggest Open records. How many registered with passports?

7. Spring vote 5 station 170 voting down to 5 (Registration table). Suggest Open records

8. Walker lost by # votes. Kelly lost by # votes, trump lost by # votes I: break that out into wards -forensic audit these Wards. Same number of votes - WEC knows where to get those votes. (Fraud)

9. RECOUNT: The “feel of the ballot paper” was different. Memory in paper when crease, divots...in bubbles. If ballot is sent in from home, perfectly flat. INK Forensic review: laser printed ink, vs. manual pen in. ROOM 501 has print capability of ballots, voting machine and upload center for vote data in room 501.

10. Tracking your votes - absentee ballot requested and returned on the same day- Suggest Open records in digital form - of WARD data sheet, who requested absentee and who returned absentee, by WARD. (Hand-out).

11. Central count is where the fraud occurs. Mail in vote, truck delivery suggest Open records for payment records to DJ. driver.

12. Indoctrination - NFL debate topic SOURCE DOC
Attachment A

Flowchart:
The Relationship of Foundations and
Non-profit Organizations Involved in US Electoral Policy
March 3, 2022

VIA EMAIL

Michael Gableman
Office of Special Counsel
200 South Executive Drive, Suite 101
Brookfield, WI 53005
cms@wispecialcounsel.org

Re: Public Records Law Request

Dear Office of Special Counsel and Special Counsel Michael Gableman:

Pursuant to Wisconsin's public records law, Wis. Stat. §§ 19.31–19.39, American Oversight makes the following request for copies of records.

On May 26, 2021, Wisconsin State Assembly Speaker Robin Vos indicated that the legislature would hire three former law enforcement officers and a supervising attorney to investigate the November 2020 election. Since the time of this announcement, Speaker Vos has expanded the scope of the investigation, appointing former Wisconsin Supreme Court justice Michael Gableman as "special counsel," and gaining Assembly approval to spend at least $676,000 in public funds. Gableman has recently requested that public officials who refuse to sit for closed-door depositions be jailed, and Speaker Vos has indicated that he has authorized dozens more subpoenas for the investigation than have been publicly disclosed. While presenting the interim findings of the investigation in a hearing of the Assembly Committee on Campaigns on March 1, 2022, Gableman recommended that the Legislature consider decertifying the November 2020 presidential election in Wisconsin and indicated that the Office of Special Counsel would continue operating in absence of a written contract extension.

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4 Henry Redman, In Conspiracy-Laden 'Circus' Gableman Attacks Wisconsin Election Administration, Wis. Examiner (Mar. 1, 2022, 5:35 PM),
American Oversight seeks records with the potential to shed light on the Wisconsin Assembly's investigation of the November 2020 election, including regarding the role and activities of contractors who are performing work in furtherance of that investigation.

**Requested Records**

American Oversight requests that your office produce the following records "as soon as practicable and without delay":

Please provide all responsive records described below from February 1, 2022, through the date the search is conducted:

1. A complete copy (including any attachments) of any contract, sub-contract, amendment, memorandum of understanding, or other written agreement (A) between the Wisconsin Assembly and individuals or entities associated with the legislature's investigation of the November 2020 election related to the planning, preparation, or execution of the investigation, including but not limited to agreements with former justice Michael Gableman or any individual or entity designated or engaged as an investigator, and (B) between any of the individuals or entities named above in item 1(A) of this request, or the Office of Special Counsel, and any assistants, consultants, counsel, formal or informal advisors, temporary workers, or unpaid volunteers, as well as any external sources of funds.

2. A complete copy (including any attachments) of any resume, bid, project proposal, cost or time estimate, scope of work, application form, or other document submitted to any of the individuals or entities named in item 1 of this request, as well as any records regarding the solicitation and evaluation of any bids or proposals.

3. Records identifying or referring to the scope of the investigative authority of the Assembly's investigators or their agents, including but not limited to authority regarding compelling witnesses, issuing subpoenas, or making referrals to the Wisconsin Department of Justice, the U.S. Department of Justice or its subcomponents, or any other law enforcement agency.

4. Any project plans or other documents detailing the steps or procedures to be followed in each aspect of the investigation, including but not limited to: records regarding identifying, prioritizing, and investigating "potential irregularities and/or illegalities," including a complete copy of any reports of alleged irregularity or wrongdoing; protocols, guidelines, or scripts for contacting and interviewing witnesses; records describing investigative methodology.


(a) Wis. Stat. § 19.35(4)(a).
equipment, or supplies; or guidelines for ensuring the safe handling and privacy of confidential voter information and election equipment.

5. A complete copy (including any attachments) of any invoice received from or records reflecting any payment made to former justice and Special Counsel Michael Gableman, or any other investigators or individuals, including any individuals associated with the Office of Special Counsel and/or contracted by the Wisconsin Assembly, in connection with their services to the Wisconsin Assembly.

6. Any criteria, schedule, or other guidelines for the completion of work product related to the investigation, including, but not limited to, interim updates to the Assembly and the construction and presentation of a final report of findings.

This request seeks records in addition to, and not duplicative of, records previously sought by American Oversight. In all cases, responsive records include records that were “produced or collected” under any contract entered by the Speaker Vos and/or the Wisconsin Assembly.⁶

To be clear, this request seeks the records substantively described in American Oversight’s request identified as WI-EXT-22-0110, directed to the Office of Special Counsel and Michael Gableman, from the period after that request was submitted—i.e., from February 1, 2022, through the date of the search. https://www.americanoversight.org/document/records-request-to-wisconsin-office-of-special-counsel-seeking-additional-contractual-documents-from-elections-investigation-2.

**Fee Waiver Request**

In accordance with Wis. Stat. § 19.35(3)(c), American Oversight respectfully requests that the records be produced without charge. Providing American Oversight with a waiver of fees is in the “public interest” because American Oversight will, in accordance with its organizational mission, make the records available to the public without charge. These disclosures will likely contribute to a better understanding of relevant government procedures by the general public.

American Oversight’s work is aimed solely at serving the public interest. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight’s financial interest. Rather, American Oversight’s mission is to serve the public by promoting transparency in government, educating the public about government activities, and ensuring the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or

⁶ Wis. Stat. Ann. § 19.36(3) (“Each authority shall make available for inspection and copying under s. 19.35(1) any record produced or collected under a contract entered into by the authority with a person other than an authority to the same extent as if the record were maintained by the authority.”).
other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.

The public has a significant interest in the Wisconsin Assembly’s investigation of the November 2020 election. Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including the role of contractors in conducting the Assembly’s investigation. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the public’s understanding of the government’s activities would be enhanced through American Oversight’s analysis and publication of these records.

American Oversight asks that if its request for a fee waiver is denied in whole or in part, that you contact us prior to incurring any costs.

Guidance Regarding the Search & Processing of Requested Records

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term “record” in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. No category of material should be omitted from search, collection, and production.

Please search all locations and systems likely to have responsive records regarding official business. You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts. Emails conducting
government business sent or received on the personal account of the authority's officer or employee constitutes a record for purposes of Wisconsin's public records laws.\textsuperscript{11}

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.\textsuperscript{10} If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

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

\textbf{Conclusion}

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Sarah Colombo at records@americanoversight.org or (202) 869-5244. Also, if American Oversight's


\textsuperscript{12} Wis. Stat. § 19.36(6).
request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Sarah Colombo
Sarah Colombo
on behalf of
American Oversight
VIA EMAIL

Michael Gableman
Office of Special Counsel
200 South Executive Drive, Suite 101
Brookfield, WI 53005
coms@wispecialcounsel.org

Re: Public Records Law Request

Dear Office of Special Counsel and Special Counsel Michael Gableman:

Pursuant to Wisconsin's public records law, Wis. Stat. §§ 19.31–19.39, American Oversight makes the following request for copies of records.

On May 26, 2021, Wisconsin State Assembly Speaker Robin Vos indicated that the legislature would hire three former law enforcement officers and a supervising attorney to investigate the November 2020 election.¹ Since the time of this announcement, Speaker Vos has expanded the scope of the investigation, appointing former Wisconsin Supreme Court justice Michael Gableman as "special counsel," and gaining Assembly approval to spend at least $676,000 in public funds.² Gableman has recently requested that public officials who refuse to sit for closed-door depositions be jailed, and Speaker Vos has indicated that he has authorized dozens more subpoenas for the investigation than have been publicly disclosed.³ While presenting the interim findings of the investigation in a hearing of the Assembly Committee on Campaigns on March 1, 2022, Gableman recommended that the Legislature consider decertifying the November 2020 presidential election in Wisconsin and indicated that the Office of Special Counsel would continue operating in absence of a written contract extension.⁴

American Oversight seeks records with the potential to shed light on the Wisconsin Assembly’s investigation of the November 2020 election, including regarding the role and activities of contractors who are performing work in furtherance of that investigation.

Requested Records

American Oversight requests that your office produce the following records “as soon as practicable and without delay”:

Please provide all responsive records described below from February 1, 2022, through the date the search is conducted:

A complete copy (including any attachments) of any interim reports, analyses, notifications, or other work product produced or collected by individuals or entities under contract to investigate the November 2020 election or allegations of voter fraud or misconduct from previous elections (including but not limited to the Wisconsin Assembly’s investigators, including any investigators engaged by the Office of Special Counsel, as well as overseeing attorney and Special Counsel Michael Gableman) in connection with the legislature’s investigation of the November 2020 election.

This request seeks records in addition to, and not duplicative of, records previously sought by American Oversight. In all cases, responsive records include records that were “produced or collected” under any contract entered by the Speaker Vos and/or the Wisconsin Assembly.

To be clear, this request seeks the records substantively described in American Oversight’s previous request identified as WI-EXT-22-0112, directed to the Office of Special Counsel and Michael Gableman, from the period after that request was submitted—i.e., from February 1, 2022, through the date of the search. See https://www.americanoversight.org/document/records-request-to-wisconsin-office-of-special-counsel-seeking-additional-work-products-from-elections-investigation-2.

https://wisconsinexaminer.com/2022/03/01/in-conspiracy-laden-circus-gableman-attacks-wisconsin-election-administration/.

5 Wis. Stat. § 19.35(4)(a).
6 Wis. Stat. Ann. § 19.36(3) (“Each authority shall make available for inspection and copying under s. 19.35(1) any record produced or collected under a contract entered into by the authority with a person other than an authority to the same extent as if the record were maintained by the authority.”).
Fee Waiver Request

In accordance with Wis. Stat. § 19.35(3)(e), American Oversight respectfully requests that the records be produced without charge. Providing American Oversight with a waiver of fees is in the “public interest” because American Oversight will, in accordance with its organizational mission, make the records available to the public without charge. These disclosures will likely contribute to a better understanding of relevant government procedures by the general public.

American Oversight’s work is aimed solely at serving the public interest. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight’s financial interest. Rather, American Oversight’s mission is to serve the public by promoting transparency in government, educating the public about government activities, and ensuring the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.

The public has a significant interest in the Wisconsin Assembly’s investigation of the November 2020 election. Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including the role of contractors in conducting the Assembly’s investigation. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the public’s understanding of the

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10 See supra, notes 1-4.
government’s activities would be enhanced through American Oversight’s analysis and publication of these records.

American Oversight asks that if its request for a fee waiver is denied in whole or in part, that you contact us prior to incurring any costs.

**Guidance Regarding the Search & Processing of Requested Records**

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term “record” in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

Please search all locations and systems likely to have responsive records regarding official business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts.** Emails conducting government business sent or received on the personal account of the authority’s officer or employee constitutes a record for purposes of Wisconsin’s public records laws.\(^\text{11}\)

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.\(^\text{12}\) If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

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

**Conclusion**

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more


\(^{12}\) Wis. Stat. § 19.36(6).
efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1080 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Sarah Colombo at records@americanoversight.org or (202) 869-5244. Also, if American Oversight’s request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Sarah Colombo
Sarah Colombo
on behalf of
American Oversight
VIA EMAIL

Michael Gableman
Office of Special Counsel
200 South Executive Drive, Suite 101
Brookfield, WI 53005
coms@wiscpecialcounsel.org

Re: Public Records Law Request

Dear Office of Special Counsel and Special Counsel Michael Gableman:

Pursuant to Wisconsin’s public records law, Wis. Stat. §§ 19.31–19.39, American Oversight makes the following request for copies of records.

On May 26, 2021, Wisconsin State Assembly Speaker Robin Vos indicated that the legislature would hire three former law enforcement officers and a supervising attorney to investigate the November 2020 election.¹ Since the time of this announcement, Speaker Vos has expanded the scope of the investigation, appointing former Wisconsin Supreme Court justice Michael Gableman as “special counsel,” and gaining Assembly approval to spend at least $676,000 in public funds.² Gableman has recently requested that public officials who refuse to sit for closed-door depositions be jailed, and Speaker Vos indicated that he has authorized dozens more subpoenas for the investigation than have been publicly disclosed.³ While presenting the interim findings of the investigation in a hearing of the Assembly Committee on Campaigns on March 1, 2022, Gableman recommended that the Legislature consider decertifying the November 2020 presidential election in Wisconsin and indicated that the Office of Special Counsel would continue operating in absence of a written contract extension.⁴

⁴ Henry Redman, *In Conspiracy-Laden 'Circus' Gableman Attacks Wisconsin Election Administration*, Wis. Examiner (Mar. 1, 2022, 5:35 PM),

1030 15th Street NW, Suite B255, Washington, DC 20005 | AmericanOversight.org
American Oversight seeks records with the potential to shed light on the Wisconsin Assembly's investigation of the November 2020 election, including regarding the role and activities of contractors who are performing work in furtherance of that investigation.

**Requested Records**

American Oversight requests that your office produce the following records "as soon as practicable and without delay":\(^5\)

Please provide all responsive records described below from February 1, 2022, through the date the search is conducted:

**A.** All electronic communications (including emails, email attachments, text messages, or messages on messaging platforms, such as Slack, GChat or Google Hangouts, Lynx, Skype, or WhatsApp) between (i) Michael Gableman or anyone communicating on his or the Office of Special Counsel's behalf; and (ii) any other contractor or agent of the Wisconsin Assembly charged with investigating the November 2020 election, including but not limited to, investigators or attorneys directly employed by the Wisconsin Assembly, or subcontractors, assistants, consultants, counsel, formal or informal advisors, temporary workers, unpaid volunteers, or external funders.

**B.** All calendars or calendar entries regarding the legislature's investigation of the November 2020 election and maintained by or on behalf of the Wisconsin Assembly’s investigators, including any investigators engaged by the Office of Special Counsel, as well as overseeing attorney and Special Counsel Michael Gableman.

American Oversight requests that the calendars be produced in a format that includes all invitees, any notes, and all attachments. Please do not limit your search to Outlook calendars; we request the production of any calendar—paper or electronic, whether on government-issued or personal devices—used to track or coordinate how these individuals allocate their time related to the investigation of the November 2020 election.

**C.** All records reflecting the conduct and continuation of the Office of Special Counsel (OSC) investigation, including notes or summaries of any oral agreements related to the investigation, including with the OSC or

Gableman, and including, but not limited to, records reflecting the timing and cost of the investigation.

This request seeks records in addition to, and not duplicative of, records previously sought by American Oversight. In all cases, responsive records include records that were “produced or collected” under any contract entered by the Speaker Vos and/or the Wisconsin Assembly.6

To be clear, this request seeks the records substantively described in Parts A and B of American Oversight’s request identified as WI-EXT-22-0114, directed to the Office of Special Counsel and Michael Gableman, from the period after that request was submitted—i.e., from February 1, 2022, through the date of the search. See https://www.americanoversight.org/document/records-request-to-wisconsin-office-of-special-counsel-seeking-additional-communications-regarding-elections-investigation-2.

Fee Waiver Request

In accordance with Wis. Stat. § 19.35(3)(e), American Oversight respectfully requests that the records be produced without charge. Providing American Oversight with a waiver of fees is in the “public interest” because American Oversight will, in accordance with its organizational mission, make the records available to the public without charge. These disclosures will likely contribute to a better understanding of relevant government procedures by the general public.

American Oversight’s work is aimed solely at serving the public interest. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight’s financial interest. Rather, American Oversight’s mission is to serve the public by promoting transparency in government, educating the public about government activities, and ensuring the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media.7 American Oversight also makes materials it gathers available on its public

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6 Wis. Stat. Ann. § 19.36(3) (“Each authority shall make available for inspection and copying under s. 19.35(1) any record produced or collected under a contract entered into by the authority with a person other than an authority to the same extent as if the record were maintained by the authority.”).
website\textsuperscript{8} and promotes their availability on social media platforms, such as Facebook and Twitter.\textsuperscript{9}

The public has a significant interest in the Wisconsin Assembly’s investigation of the November 2020 election.\textsuperscript{10} Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including the role of contractors in conducting the Assembly’s investigation. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the public’s understanding of the government’s activities would be enhanced through American Oversight’s analysis and publication of these records.

American Oversight asks that if its request for a fee waiver is denied in whole or in part, that you contact us prior to incurring any costs.

**Guidance Regarding the Search & Processing of Requested Records**

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term “record” in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

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In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.\textsuperscript{12} If it is your position that a document contains non-exempt

\textsuperscript{8} *Documents*, American Oversight, https://www.americanoversight.org/documents.


\textsuperscript{10} See supra, notes 1-4.


\textsuperscript{12} Wis. Stat. § 19.36(6).
segments, but that those non-exempt segments are so dispersed throughout the
document as to make segregation impossible, please state what portion of the document
is non-exempt, and how the material is dispersed throughout the document. If a request
is denied in whole, please state specifically that it is not reasonable to segregate portions
of the record for release.

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

**Conclusion**

If you have any questions regarding how to construe this request for records or believe
that further discussions regarding search and processing would facilitate a more
efficient production of records of interest to American Oversight, please do not hesitate
to contact American Oversight to discuss this request. American Oversight welcomes
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search or duplication costs. By working together at the outset, American Oversight and
your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email.
Alternatively, please provide responsive material in native format or in PDF format on a
USB drive. Please send any responsive material being sent by mail to American
Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will
accelerate release of responsive records to American Oversight, please also provide
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We share a common mission to promote transparency in government. American
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records@americanoversight.org or (202) 869-5444. Also, if American Oversight’s
request for a fee waiver is not granted in full, please contact us immediately upon
making such a determination.

Sincerely,

_/s/ Sarah Colombo_
Sarah Colombo
on behalf of
American Oversight
Schedule D

State of Wisconsin

2021 ASSEMBLY RESOLUTION 15

March 17, 2021 - Introduced by Representatives SANPELIPPO, BRANDTJEN, MURPHY, ROZAR, THIESFIELDT and TUSLER. Referred to Committee on Rules.

Relating to: directing the Assembly Committee on Campaigns and Elections to investigate the administration of elections in Wisconsin.

Whereas, the ability of American citizens to exercise their right to vote is foundational to our representative democracy; and

Whereas, the legitimacy of the American form of government depends on the citizens’ widespread confidence in the fairness of elections and acceptance of election results; and

Whereas, preserving the integrity of the electoral process is one of our government’s most important responsibilities; and

Whereas, the administration of elections in Wisconsin is governed by an extensive set of duly enacted laws; and

Whereas, however, election laws are not self-enforcing but rely on the good faith efforts of election officials to dutifully carry out those laws as written in order to ensure fair elections; and

Whereas, the administration of the election culminating on November 3, 2020, has caused concern that Wisconsin’s laws may be insufficient to secure elections against fraud or administrative non-compliance with assigned duties; and

Whereas, it is the duty of the Wisconsin Legislature to make laws and to exercise its oversight and investigative authority to determine the extent to which elections in Wisconsin have been conducted in compliance with the law; now, therefore, be it

Resolved by the assembly, that the Wisconsin Assembly hereby directs the Assembly Committee on Campaigns and Elections to investigate, forthwith, the administration of elections in Wisconsin conducted after January 1, 2019; and be it further...
Resolved, that the investigation shall focus in particular on whether Wisconsin’s laws were sufficient to secure such elections against fraud or administrative non-compliance with assigned duties; and be it further.

Resolved, that should the investigation reveal one or more issues in need of legislative attention, the Assembly Committee on Campaigns and Elections shall conduct such hearings as are useful to address such issues; and be it further.

Resolved, that the Assembly Committee on Campaigns and Elections shall conduct its investigation and any hearings in compliance with the rules attached hereto as an Appendix; and be it further.

Resolved, that the Assembly Committee on Campaigns and Elections may hire such consultants as it deems prudent to conduct its investigation and hearings; and be it further.

Resolved, that the Assembly Committee on Campaigns and Elections shall produce the report described in Rule 1001(2) no later than 60 days following either (1) the completion of its investigation, or (2) the completion of the last hearing conducted pursuant to this Resolution, whichever is later.
Appendix

Rule 1001 — Oversight Investigations and Hearings

(1) Oversight Authorization

(a) Oversight. With respect to any matter within its jurisdiction, each committee shall conduct such investigations and hearings as it considers necessary or appropriate to provide effective oversight of the functions and conduct of the Executive Branch of government as well as political subdivisions of the state.

(b) Activities. For the purpose of carrying out any of its functions and duties under this rule a committee is authorized—

1. to sit and act at such times and places within the State of Wisconsin as are not otherwise prohibited by Assembly Rules, and to conduct and hold such investigations and hearings as it considers appropriate;

2. to request any person or entity, including officials or employees of the Executive Branch of government or political subdivisions of the state, to voluntarily provide Documents, or any other item, regarding any matter within the committee’s jurisdiction;

3. to require, by subpoena or otherwise, the production of Documents, or any other item, from any person or entity, including officials or employees of the Executive Branch of government or political subdivisions of the state, regarding any matter within the committee’s jurisdiction;

4. to conduct the voluntary interview of any person or entity (by its designee), including officials or employees of the Executive Branch of government or political subdivisions of the state, regarding any matter within the committee’s jurisdiction;

5. to require, by subpoena or otherwise, the attendance at a deposition and the testimony of any person or entity (by its designee), including officials or employees of the Executive Branch of government or political subdivisions of the state, for the discovery of information or preservation of testimony regarding any matter within the committee’s jurisdiction;

6. to require, by subpoena or otherwise, the attendance at a hearing and the testimony of any person or entity (by its designee), including
officals or employees of the Executive Branch of government or political subdivisions of the state, regarding any matter within the committee’s jurisdiction.

(c) Conducting meetings, investigations, and hearings. The chair of the committee shall call and conduct such meetings, investigations, and hearings as the chair considers appropriate to carry out the committee’s responsibilities described in these Rules.

(d) Meetings requested by committee members. Three or more members of a committee may submit to the chair a written request that the chair call a meeting of the committee for the purpose of carrying out the committee’s responsibilities described in these Rules. Such request shall specify the subject matter to be considered at the meeting. If the chair does not call the requested meeting within three calendar days after submission of the request (which meeting shall be held within seven calendar days after submission of the request) a majority of the members of the committee may submit to the chair their written notice that a meeting of the committee will be held. The written notice shall specify the date and hour of the meeting and the subject matter to be considered. The committee shall meet on that date and hour. Immediately upon submission of the notice, the chair shall notify all members of the committee that such meeting will be held and inform them of its date and hour and the subject matter to be considered. Only the subject matter specified in that notice may be considered at that meeting.

(e) Minimum oversight responsibility. Each standing committee, or a subcommittee thereof, shall conduct or hold at least one investigation or hearing during each six-month period following the establishment of the committee or subcommittee on the topic of waste, fraud, abuse, or mismanagement in a government program within the jurisdiction of such committee or subcommittee.

(f) Record of meetings and hearings. Each committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting or hearing whether or not such meeting, hearing, or any part thereof is closed, unless a majority of its members vote to forgo such a record.

(g) Recess. A motion to recess the committee from day to day, or to recess subject to the call of the chair (within 24 hours), shall be privileged and shall be decided without debate.

(h) Audio/Video coverage. Subject to Rule 1002(5)(d), and to the maximum extent practicable, each committee shall allow audio and video coverage of each hearing or meeting conducted under this Rule.
(i) As used in Rules 1001–1003, the term “committee” includes subcommittees unless the context requires otherwise.

(2) Oversight Reports

(a) Committee report. For each of its oversight investigations and hearings, the committee shall prepare and adopt a report for submission to the Assembly. Such report shall include any supplemental, minority, additional, or dissenting views submitted pursuant to paragraph (2)(b). The chair, or the member acting in lieu of the chair, shall file the complete report with the chief clerk of the Assembly.

(b) Supplemental, minority, additional, or dissenting views. If at the time of approval of a report of the oversight meeting or hearing a member of the committee gives notice of intention to file supplemental, minority, additional, or dissenting views for inclusion in the report, all members shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays except when the Assembly is in session on such a day) to submit such written and signed views to the chair of the committee.

(c) Joint report. A report of an oversight investigation or hearing conducted jointly by more than one committee may be filed jointly, provided that each of the committees complies independently with all requirements for approval and filing of the report.

(d) Extended report deadline. If an oversight report is to be filed after an adjournment sine die of the last regular session of the Assembly, then any member who has given timely notice of intention to file supplemental, minority, additional, or dissenting views pursuant to paragraph (2)(b) shall be entitled to not less than seven calendar days in which to submit such views for inclusion in the report.

(3) Summary Reports

(a) Reports to be filed. Not later than January 2 of each odd-numbered year, every committee having performed oversight activities during the legislative biennium shall file a summary report on the oversight activities of that committee with the chief clerk of the Assembly.

(b) Report contents. Such report shall include—

1. a list of oversight investigations and hearings conducted under these Rules during the legislative biennium;
2. a summary of the subject matter and purpose of each oversight investigation and hearing; and

3. a summary of the actions taken and recommendations made with respect to its oversight activities.

(c) Filing of report by committee chair. After an adjournment sine die of the last regular session of the legislative biennium, or after December 15 of an even-numbered year, whichever occurs first, the chair of a committee may file the report required by paragraph (3)(a) with the chief clerk of the Assembly at any time and without approval of the committee, provided that—

1. a copy of the report has been available to each member of the committee for at least seven calendar days; and

2. the report includes any supplemental, minority, additional, or dissenting views submitted by a member of the committee.

(d) Committee Records

(a) Contents of the Record. When conducting oversight activities, the written record of the committee’s proceedings required by Wis. Stat. § 13.454(d) shall include—

1. in the case of a hearing transcript, a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved; and

2. a record of the votes on any question on which a record vote is taken.

(b) Availability of the Record. Unless otherwise prohibited by the rules of the Assembly, the result of each such record vote shall be made available by the committee for inspection by the public at reasonable times within 48 hours of such record vote. Information so available shall include a description of the proposition on which the record vote was taken, the name of each member voting for and each member voting against such proposition, and the names of those members of the committee present but not voting.

(c) Separate records. All committee records relating to investigations and hearings conducted under these Rules shall be kept separate and distinct from the office records of the member serving as its chair. Such records shall be the property of the committee, and each member shall have access thereto.

(5) Written Rules.
(a) Committees may adopt written rules to govern their proceedings. Such rules—

1. shall be adopted in a meeting that is open to the public unless the committee, in open session and with a quorum present, determines by record vote that all or part of the meeting on that day shall be closed to the public;

2. may not be inconsistent with any Assembly Rule, Joint Rule, or those provisions of law having the force and effect of Assembly Rules.

(b) Each committee shall make its rules publicly available in electronic form.

Rule 1002 — Subpoenas

(1) Authorization and issuance. A subpoena under these Rules for the purpose of conducting oversight activities must be authorized by a committee, a majority being present. The power to authorize subpoenas under these Rules may be delegated to the chair of the committee subject to such requirements and limitations as the committee may prescribe. Authorized subpoenas shall be issued pursuant to the Rules of the Assembly and the provisions of Wis. Stat. §§ 13.31 & 13.32.

(2) Compliance. A subpoena may provide that the respondent appear at a time and place other than at a meeting or hearing of the committee authorizing the subpoena, and may allow the respondent to supply the documents required by a subpoena duces tecum in lieu of appearing.

(3) Enforcement. Compliance with a subpoena may be enforced pursuant to the Rules of the Assembly and Wis. Stat. §§ 13.26, 13.27, & 13.31-13.34.

Rule 1003 — Depositions

(1) Authorization. A deposition is authorized by the committee by authorizing the subpoena commanding the witness’s appearance pursuant to Rule 1002(1). The deposition may take place any place in the State of Wisconsin not prohibited by the Senate or Assembly rules, and shall be set for a date no fewer than five business days after the subpoena is tendered to the Sergeant at Arms for service.

(2) Examination by the committee. The committee shall select a member, a staff member, or consultant to conduct the deposition.

(3) Examination by the minority. The minority members of the committee may select a member, staff member, or consultant to cross-examine the deponent.
(4) Oath or affirmation. Prior to providing testimony, the deponent shall subscribe to an oath or affirmation before a member or other person authorized by law to administer the same. The deposition shall be stenographically recorded.

(5) Objections. Information secured pursuant to the authority described in this Rule shall retain the character of discovery until offered for admission in evidence before the committee, at which time any proper objection shall be timely. The witness may not refuse to answer a question notwithstanding an objection, except when necessary to preserve a constitutionally-protected right or recognized testimonial privilege (such as the attorney-client privilege).

(6) Enforcement. An unjustified refusal to answer any question posed during a deposition shall be treated as a contempt of the legislative house issuing the subpoena, and addressed pursuant to Rule 1003(3).

(7) Attendance. Any member of the committee may attend the deposition. However, no questions may be put to the deponent except by the individuals selected under subsection (2) or (3), unless provided otherwise by motion. No quorum is necessary to conduct a deposition authorized under subsection (1).

Rule 1004 — Conduct of Hearings

(1) Reduced quorum for taking testimony. The quorum for the purpose of taking testimony in a hearing shall be no less than one-third of the committee’s entire membership, unless the committee has fixed a lesser number by a majority vote of its entire membership.

(2) Opening Statements. The chair of the committee shall announce in an opening statement the subject of the hearing and make such further remarks as the chair deems appropriate in facilitating a general understanding of the subject and the conduct of the hearing. Following the chair’s statement, each member of the committee may make an opening statement in the order determined by the chair, and subject to time limits established by the committee, which time limits shall be uniform with respect to all members other than the chair.

(3) Calling witnesses.

(a) Witnesses called by the majority. The chair shall call all witnesses selected by a majority of the committee membership. Such witnesses shall be called by invitation, by subpoena, or by other lawful means.

(b) Witnesses invited by the minority. The minority members of the committee shall be entitled, upon request to the chair by a majority of them, to invite witnesses to testify with respect to the subject matter under
consideration. The request shall be made prior to commencement of the hearing. The request shall be considered granted upon timely presentation unless the committee votes to deny or revoke the invitation. The minority’s witnesses may be summoned by subpoena only in accordance with the provisions of Rule 1002. The minority’s witnesses may testify at a time determined by the chair of the committee, but no later than the last day of the hearing.

(c) A copy of these Rules, and any other rules adopted by the committee for the purpose of conducting investigations or hearings pursuant to these Rules, shall be made available to each witness on request.

(d) Written Testimony. Every witness who is to appear before the committee in any hearing must submit to the chair, at least three business days before the date of the appearance, the testimony the witness intends to offer at the hearing, along with brief biographical information (such as a resume), unless the chair and the ranking minority member determine that there is good cause for noncompliance. When called at the hearing, the witness will orally present this testimony to the committee. The chair shall provide a copy of the written statement and biographical information to each of the committee members. If so requested, the staff of the committee shall prepare for the use of the members of the committee before each day of hearing a digest of the statements that have been filed by witnesses who are to appear before the committee on that day.

(e) Counsel. Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutionally protected rights or testimonial privileges.

(f) Oath or affirmation. The chair of the committee, or a member designated by the chair, may administer oaths or affirmations to witnesses.

(g) Summary of testimony. After the conclusion of each day of hearing, if so requested by the committee, the staff shall prepare for the use of the members of the committee a summary of the testimony given before the committee on that day. After approval by the chair and the ranking minority member of the committee, each such summary may be printed as a part of the committee hearings if such hearings are ordered by the committee to be printed.

(4) Questioning witnesses

(a) Questioning by designee. The committee shall designate a member, staff member, or consultant retained by the committee to examine each witness who appears before the committee. The designee may examine the witness
until either the designee or the committee (as expressed through a majority vote) is satisfied that all relevant information has been obtained.

(b) Five-Minute rule. Following examination by the committee's designee, all members of the committee may question the witness. However, no member may question a witness for longer than five minutes until such time as each member of the committee who so desires has had an opportunity to question the witness. During this phase of questioning, the chair will recognize members in order of seniority alternating between majority and minority members.

(c) Testimony in closed session. Whenever it is asserted by a member of the committee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness—

1. such testimony or evidence shall be presented in closed session if, in the presence of the number of members required under the rules of the committee for the purpose of taking testimony, the committee determines by vote of a majority of those present that such evidence or testimony may tend to defame, degrade, or incriminate any person;

2. the committee shall proceed to receive such testimony in open session only if the committee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade, or incriminate any person; and

3. in either case, the committee shall receive and dispose of requests from such person to subpoena additional witnesses for the purpose of rebutting or explaining the evidence that may tend to defame, degrade, or incriminate such person.

(d) Use of closed session material in open session. Evidence or testimony taken in closed session, and proceedings conducted in closed session, may be released or used in public sessions only when authorized by the committee, a majority being present.

(e) Supplemental materials. Following the completion of a hearing, the committee may hold the record open for a certain period of time to allow, in its sole discretion, to allow:

i. Committee members to submit follow-up questions to any witnesses who testified at the hearing, directing that the answers provided shall be under oath and be received by the committee no later than the date by which the record will close:
ii. Witnesses to submit brief and pertinent sworn statements in writing for inclusion in the record in addition to the statement submitted pursuant to paragraph (3)(g). The committee is the sole judge of the pertinence of testimony and evidence adduced at its hearing.

iii. Receipt of documents, in the committee’s sole discretion, that were referenced in the hearing but which had not been previously produced.

(f) Transcript copies. A witness may obtain a transcript copy of the testimony of such witness given at a public session or, if given at a closed session, when authorized by the committee. The witness shall bear the cost of producing the transcript.

(5) Order and Decorum. The chair may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings and the committee may refer the offender to the Assembly for contempt proceedings.

Rule 1005 — Definitions

(1) “Documents” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), text messages, instant messages, MMS or SMS messages, contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or
nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

(2) "Closed Session" means that portion of a meeting or hearing conducted for the purpose of receiving testimony or evidence that may tend to defame, degrade, or incriminate a person and that is for that reason not open to the public.

(3) “Executive Branch” means all offices established by the Wisconsin Constitution, and all administrative departments, offices, and independent agencies established by law.
2021 ASSEMBLY RESOLUTION **

March 17, 2021 - Introduced by Representatives XXXX. Referred to Committee on Rules.

Whereas, the ability of American citizens to exercise their right to vote is the bedrock of our democracy; and

Whereas, the legitimacy of our American government depends on the citizens’ widespread confidence in the fairness of elections and acceptance of election results; and

Whereas, the Federal and State Constitutions guarantee the people of the state of Wisconsin a republican form of government; and

Whereas preserving the integrity of the electoral process is fundamental to this guarantee; and

Whereas, the administration of elections in Wisconsin is governed by law; and

Whereas, the Special Counsel has, engaged in preliminary fact-finding and voluntary witness interviews and document production since his authorization pursuant to Assembly Resolution 15; and

Whereas, the Special Counsel investigation has not heretofore sought to compel production of evidence related to his authorization pursuant to Assembly Resolution 15; and

Whereas, the Assembly takes seriously the constitutional due process rights of its citizens, as enshrined in the State and Federal Constitutions; and

Whereas, the Special Counsel has demonstrated to the Assembly good cause to seek compulsory production of evidence by certain parties;

Resolved by the Assembly, that the Special Counsel is hereby authorized to compel production of evidence relevant to the investigation outlined in Assembly Resolution 15, according to the process laid out in the Wisconsin Code, section 13.31-13.36; and be it further

Resolved, that the Special Counsel shall employ such measures as are necessary and proper to enforce such compulsory process; and be it further

Resolved, that the appropriation for the Office of the Special Counsel is amended to account for the witness fee provisions of Wisconsin Code, section 13.36, to enable lawful compensation for those compelled to testify.
Wisconsin Formal Ethics Opinion E-01-01: Threatening Criminal Prosecution or Professional Discipline

March 5, 2001

Professional Ethics Opinion E-01-01 considers whether lawyers may threaten criminal prosecution or disciplinary action in relation to a civil matter.

Question

May a lawyer threaten to initiate a criminal proceeding against a third person or a disciplinary action against an adverse lawyer in relation to a civil matter?

Opinion

Threatening criminal prosecution in relation to a civil action. Whether a lawyer may threaten a criminal prosecution in a civil matter is addressed by SCR 20:3.10:

"A lawyer shall not present, participate in presenting or threaten to present criminal charges solely to obtain an advantage in a civil matter."

In Opinion E-87-5, the State Bar Professional Ethics Committee addressed this issue under an identically worded provision of the predecessor code to the Rules of Professional Conduct. See SCR 20:39, Code of Professional Responsibility. That opinion concludes that while a lawyer representing a client in a civil matter may assist the client in providing a prosecutor with information relating to an adverse party's probable criminal conduct, threatening to present such information unless some action is taken by the adverse party is prohibited. Therefore, the opinion reasons a lawyer "informing adverse parties of their possible criminal conduct while representing clients in civil matters against them" is prohibited.

The Professional Ethics Committee now withdraws Ethics Opinion E-87-5.

The committee now opines that in a civil matter, a lawyer may inform another person that their conduct may violate a criminal provision provided the criminal conduct is related to the civil matter, the lawyer has formed a good faith belief that the conduct complained of constitutes a criminal violation, and the lawyer or the lawyer's client has a duty or right to report the criminal violation. Informing someone under such circumstances may involve informing them that the lawyer or the lawyer's client intends to initiate a criminal action when the lawyer or the lawyer's clients actually have formed the intention to do so either as a matter of legal obligation or right.

The ABA Model Rules do not include a provision similar to SCR 20:3.10. The Restatement of the Law Governing Lawyers notes that this exclusion was deliberate and based on the belief that
the provision was vague and overly broad and prohibited what would constitute legitimate negotiating tactics. See § 98 Reporter's Note to Comment f. However, the Wisconsin Supreme Court chose to include this provision in its version of the Rules of Professional Conduct. Since the adoption of SCR 20:3.10, there have been no reported instances of a Wisconsin lawyer being disciplined for a violation of this rule.

The few authorities that address similar rules in other states suggest cautious enforcement. Whenever confronted with threats of criminal action by a lawyer against a party adverse to the lawyer's client, courts appear to have strained to find reasons why the mention of criminal charges could be justified. See ABA/BNA Lawyer's Manual of Professional Conduct at § 71:602-603. Grounds for nonenforcement of this provision include noting that it was not clear that the lawyer's sole purpose was to gain an advantage in the civil action, distinguishing between informing an adverse party about the criminal law as opposed to threatening criminal prosecution and noting statutes in some states require giving notice of possible criminal charges as part of bringing certain civil actions.

ABA Ethics Opinion 92-363 has noted that a lawyer may use the possibility of presenting a criminal charge against an opposing party in a private civil matter to gain relief for his client provided that the criminal charge is related to the civil claim, both the civil claim and the possible criminal charge are warranted by law and the facts of the situation, and the lawyer does not attempt to exert improper influence over the criminal process.

**Threatening a disciplinary proceeding against another lawyer.** The obligation of lawyers to report the misconduct of other lawyers is governed by SCR 20:8.3 (a). Beyond this mandatory obligation to report such misconduct, lawyers must be mindful that theirs is a self-regulating profession and that self-government carries with it special responsibilities including not only to observe the Rules of Professional Conduct, but also to aid in securing their observance by other lawyers. See Preamble to Rules of Professional Conduct.

In Wisconsin Ethics Opinion E-89-16, this committee opined that while presenting facts to a disciplinary authority regarding another lawyer's misconduct during the course of representation should be permitted, "threatening to present such charges 'unless' would clearly violate SCR 20.39" (the identically worded predecessor to SCR 20:3.10). Neither SCR 20:3.10 or its predecessor, SCR 20.39, make reference to reporting professional misconduct.

The committee now withdraws E-89-16 and opines as follows:

The responsibility of a lawyer to report the misconduct of another lawyer is governed by SCR 20:8.3 and the obligation of all members of a self-regulating profession to assure observance of the Rules by their fellow professionals. Reporting misconduct of other lawyers must be accomplished within the framework for behavior established by the very Rules this obligation is meant to protect. This includes due attention to the lawyer's duty of confidentiality, SCR 20:8.3(c); not advancing claims or factual positions that the lawyer knows are frivolous, SCR 20:3.1; not using means that have no substantial purpose other than to embarrass, delay, or burden a third person, SCR 20: 4.4; or engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, SCR 20:8.4(c).
A lawyer who seeks to gain a bargaining advantage by threatening to report another lawyer's misconduct commits misconduct even if that lawyer believes that the other lawyer's conduct raises a substantial question as to the lawyer's honesty, trustworthiness, or fitness. Seeking such a bargaining advantage in such circumstances is inappropriate because reporting such misconduct is an obligation imposed by the Rules. SCR 20:8.3(a). See ABA Formal Ethics Opinion 94-383. Likewise, a lawyer commits misconduct by entering into any agreement to not report such misconduct. See In re Himmel, 125 Ill. 2d 531, 533 N.E.2d 790 (Ill.1988).
2020 'Zuckerbucks' dumped in eight states, 90% to Biden counties

by Paul Bedard, Washington Secrets Columnist | December 20, 2021 11:01 AM | Updated Dec 24, 2021, 10:49 AM

A vote-generating group funded in part by Facebook's Mark Zuckerberg dumped money in eight swing states in 2020, virtually all to counties that picked President Joe Biden over former President Donald Trump in last year's election, according to a congressional critic.

New York Rep. Claudia Tenney, co-chairwoman of the House Election Integrity Caucus, today released new details of her inquiry into spending by the Zuckerberg-backed Center for Tech and Civic Life showing spending of $144 million — $130 million to Democratic counties and $14 million to GOP counties.

The group's efforts to boost voting have drawn attention, mainly in Wisconsin, but Tenney found so-called "Zuckerbucks" also in Texas, New York, Georgia, Minnesota, Pennsylvania, Florida, Ohio, and Nevada.
Who’s “Cleaning” Our Voter Rolls? Soros Founded and Funded ERIC Is Now Used In 31 States … FOXES IN THE HEN-HOUSE

GATEWAY PUNDIT
For decades the Democrats and leftists have fought ferociously to prevent the cleanup of State voter registration rolls. Recognizing a potential niche, left wing activists created ERIC to clean voter rolls their way, using their rules. So in 2012 the Electronic Registration Information Center (ERIC) was formed as a membership organization primarily for blue States. ERIC is essentially a left wing voter registration drive disguised as voter roll clean up. But it’s been gaining traction in Red States too. Originally funded by the Soros Open Society, it is now responsible for cleaning the voter rolls in 31 States (https://ericstates.org/who-we-are/), plus D.C. A top election official from each member State is appointed a seat on the ERIC Board or as an Officer, all unpaid positions.

ERIC located 17 million (https://ericstates.org/statistics/) new voters for the 2020 election, the most in the history of their organization. For comparison, they only found 5.7 million in 2012, Obama's reelection.

The ERIC database is comprehensive and would be one of the most coveted by bad actors looking to influence an election. Member States must not only submit all details on inactive and active voters to ERIC every 60 days. But they must also provide every individual in their states Motor Vehicle Department
database, both licensed and ID recipients. This combo of data is breathtaking. It's everyone who could generate a legal ballot. It includes those approaching voting age, even those here illegally yet issued an ID by their left-leaning State. This data includes names, addresses, DOB, License #, last 4 of social #, voter activity, phone, email, title and type of citizenship documentation, and much more!

**Exhibit B**

**DUE EVERY 60 DAYS**
- All Name Fields
- All Address Fields
- Driver’s License or State ID Number
- Last 4 Digits of Social Security Number
- Date of Birth
- Voter Activity Dates as defined by ERIC Board members
- Current Record Status
- Affirmative Documentation of Citizenship
- The Title/Type of Affirmative Documentation of Citizenship Presented
- Phone Number
- E-mail Address or other Electronic Contact Method

**Exhibit C**

**DUE IN FIRST 30 DAYS – THEN EVERY 6 MONTHS**
- Number of new voter registration applications filled out using paper
- Number of new voter registration applications filled out electronically
- Number of registration updates a voter submitted by paper
- Number of registration updates a voter submitted electronically
- Number of records from ERIC on in-state Movers who updated using online systems

**ELECTION STATISTICS**
- Number of new voters who registered and voted on same day
- Number of registration updates submitted the same day they voted
- Total number of provisional ballots cast
- Total number of provisional ballots counted
- Total number of provisional ballots accounted, by reason
- Number of individuals contacted and invited to register as a result of ERIC reports
- Number of individuals contacted to correct registration as a result of ERIC reports

ERIC doesn't just manage lists, they demand action. But it's not the action you would expect, like cleaning voter rolls. ERIC provides each member State a targeted list of people that are not registered to vote. The Membership Bylaws (https://ericstates.org/wp-content/uploads/2020/02/ERIC_Bylaws_01-2020.pdf) require the State to contact at least 95% of these people within 90 days, soliciting them to register.
ERIC also wants specific registration profiles updated and requires the State to contact these voters within 90 days too. It's essentially a left wing voter registration drive all paid for by the States, not the Democrat Party. The membership fee is $25,000 (https://ericstates.org/wp-content/uploads/2019/06/ERIC-Membership-Summary-v20190603.pdf) but costs can run into the millions to fund the activities and membership dues.

Oddly, ERIC has no requirement or mandate that member States clean up their voter rolls. States are only "strongly encouraged" to request ERIC's voter updates at least once a year. If a member fails to make a request in 425 days, the data will be sent automatically. What's even more odd, and seemingly corrupt, is that ERIC does NOT want to know who is voting illegally. Their rules explain that "Under no circumstances shall the members transmit any record indicating an individual is a non-citizen of the U.S." as stated in Exhibit A, 2b. (https://ericstates.org/wp-content/uploads/2020/02/ERIC_Bylaws_01-2020.pdf) If ERIC hears no evil, then they see no evil.

ERIC uses advanced technology including Artificial Intelligence from Senzing (https://senzing.com/). This data matching AI compares information collected by member states with USPS address data and Social
Security death records. But no one knows how else this data collected from the 31 States is being used. J. Christian Adams recently discussed ERIC in a Breitbart podcast interview (starts 1:16:50 (https://johnfredericksradio.libsyn.com/jfrs-daily-podcast-december-16-2021)). Adams says: “That’s part of the smoke screen. ERIC learns who gets registered from their program, so they’re able to microtarget with whoever is partnered with ERIC. We don’t know who their interfacing all this data with. It could be Catalist, the massive Democrat database organization. We just don’t know. I’ve talked to some ERIC Board Members who are Secretary of States. They don’t even know what ERIC is doing. They’ve asked questions and can’t get answers.”
ERIC demands additional data, like the total number of provisional ballots cast (See Exhibit B&C (https://ericstates.org/wp-content/uploads/2020/02/ERIC_Bylaws_01-2020.pdf)). They. They want totals of provisional ballots counted, provisional's uncounted, and why. They want to know who registered or updated their data, then voted that same day. They require data on those who registered using paper and those using electronic methods. They also want a list of all individuals in other agencies that perform voter registration functions. This includes staff in Public Libraries, Department of Public Safety, Unemployment, Dept of Health, Social Services, and so on.

Member States are currently using ERIC to hide their list maintenance data, citing it violates their ERIC contracts, even though Federal law mandates it be made public. The 1993 NVRA (Motor Voter) law includes a "Public Disclosure Provision" which allows the public inspection of "voter list maintenance records". The Public Interest Legal Foundation with J. Christian Adams recently sued the District of Columbia (https://publicinterestlegal.org/wp-content/uploads/2021/12/1-Complaint-DC-ERIC.pdf) for this exact reason. They expect to sue other States as well. Those leading election audits should demand "Voter List Maintenance Records" by
citing the Federal law U.S.C. 20507(i)(1) and not use the weaker FOIA requests for maintenance records. See DC case (https://publicinterestlegal.org/wp-content/uploads/2021/12/1-Complaint-DC-ERIC.pdf) for details.

ERIC was funded by an “anonymous” donor and The Pew Center On The States. This grant was provided by the George Soros Open Society. David Becker (https://docs.house.gov/meetings/SY/SY00/20160913/105274/HHRG-114-SY00-Bio-BeckerD-20160913.pdf), an experienced Democrat election lawyer, left the Justice Department to create the ERIC architecture. Originally a blue State project, ERIC had 11 member states by 2014 and 22 by 2017. ERIC has not published an annual report since 2017 (https://ericstates.org/wp-content/uploads/2019/01/FINAL_ERIC_2017_Annual_Report.pdf), almost 5 years ago. Becker, who still has a seat on the ERIC board, went on to create the Center for Election Innovation and Research (CEIR) in 2016. He distributed $69.5 million in grants (https://www.influencetwatch.org/non-profit/center-for-election-innovation-research/) from Zuckerberg for the 2020 election using similar methods as CTCL.
J. Christian Adams from PILF explains: “The history of ERIC is important. Kansas State Cross Check was a group of States doing this for free. This caused leftists to go wild. They sued Cross Check participant States, particularly Indiana, and got court orders to basically shut down Cross Check. There’s no longer a competitor to ERIC. Once this happened, red states started joining ERIC like GA, FL, TX. This is what really opened the flood gates to ERIC’s power. If a State like Georgia wants to know who’s registered in both Louisiana and Georgia, there’s no one else.

Mr. Adams also says: “One thing we do know is ERIC is hiding the facts about how States are making these decisions. It’s a system breakdown. It’s a leveraging of power of who writes the rules. It’s not just outright cheating, it’s way more sophisticated involving who
has power, who can see records, who gets to vote, and who are the observers. It’s (ERIC) a comprehensive suite manipulating the process. And it’s not always cheating. Sometimes it’s totally legal what they do."

In 2016, leaked funding (https://pjmedia.com/jchristianadams/2016/11/07/leaked-documents-reveal-expansive-soros-funding-to-manipulate-federal-elections-n123917) documents showed Soros money, partnered with the Rockefeller Family Fund, was used to push changes to voter registration policies at the national level. Soros also gave money to Pew Center On The States for voter list maintenance practices favorable to Soros at the state level. Soros also funded the Brennan Center for Justice and the Advancement Project. These two groups became the loudest voices in opposing election integrity and STOPPING any effort that would ensure only U.S. citizens vote.
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About Us

America's Civil War Rising (ACWR) educates and warns the public about the growing threat of Islamic sleeper cells in America and the unholy alliance forged between Islamic terrorist front groups and fascist communist factions. This has erupted in a violent ideological clash against those who cherish the values and ideals inherent in American exceptionalism and our Constitutional Republic. Under the guise of "resistance," the so-called "progressive" left has called
for an all-out civil war!

ACWR names and exposes these players and identifies their methods and plots through firsthand research, primary source evidence, and the onsite fieldwork of experts—namely, our co-founder and Muslim Brotherhood expert, Adina Kutnicki, and world-acclaimed counter-terrorism expert, Dr. Nancy Hartevelt Kobrin. We also team up with other leading authorities and organizations to expose and combat propaganda by those who try to silence and demonize us. We do not self-censor and sanitize the truth.

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ELECTIONS

How Private Money From Facebook's CEO Saved The 2020 Election

December 8, 2020 - 5:12 AM ET
Heard on All Things Considered

TOM SCHECK  GEOFF HING  SABBY ROBINSON  GRACIE STOCKTON

FROM APM reports.

4-Minute Listen
Detroit election workers count absentee ballots for the 2020 general election at TCF Center on Nov. 4. Election offices around the U.S. say they couldn’t have carried out this year’s challenging election without help from a nonprofit tied to Facebook CEO Mark Zuckerberg.

Jeff Kowalsky/AFP via Getty Images

Bill Turner knew he had a tough job. He took over as acting director of voter services in Chester County, Pa., in September, just two months before a divisive presidential election amid a pandemic. Huge voter turnout was expected, and COVID-19 required election managers like Turner to handle mail-in ballots on a scale they’d never seen and confront the threat of their staffers becoming sick.

These challenges had forced many election offices to burn through their budgets months earlier. Turner had previously served as the county’s emergency manager, experience that seemed apt for overseeing an election that many observers feared would become a catastrophe.
Mark Zuckerberg, the founder and CEO of Facebook, and Priscilla Chan, his wife, donated $350 million to a nonprofit that gave grants to election officials around the United States.

With a tight budget and little help from the federal government, Chester County applied for an election grant from the Center for Tech and Civic Life, a previously small Chicago-based nonprofit that quickly amassed hundreds of millions of dollars in donations to help local election offices — most notably, $350 million from Facebook CEO Mark Zuckerberg and his wife, Priscilla Chan.

"Honestly, I don't know what we would have done without it," Turner said.

The coronavirus pandemic — and Congress' neglect — necessitated an unprecedented bailout of election offices with private money funneled through the little-known nonprofit. And the money proved indispensable.

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Turner is one of 25 election directors from swing states interviewed by APM Reports who said the grant money was essential to preventing an election meltdown amid worries over a pandemic and a president who continues to openly question — without evidence — the legitimacy of the process.
The Center for Tech and Civic Life gave grants to more than 2,500 jurisdictions this year to help departments pay for election administration. The money arrived as historically underfunded election department budgets were sapped from unforeseen purchases during the primaries and were forced to spend money on election workers, postage and printing for the increasing number of voters who wanted to vote by mail.

Where The Grants Went

The Center for Tech and Civic Life awarded grants to more than 2,500 jurisdictions across the United States. In many states, elections are administered at the county level, but in Michigan, Wisconsin and many New England states, elections are run and funded by cities, towns or townships.

Notes

Eighty-six towns or townships in Michigan and Wisconsin are not shown because there are multiple jurisdictions with the same name in these states and the source data did not specify which one received a grant. In addition to the local grants, a few state election administrators, such as those in North Carolina and Pennsylvania, received grants.

Source: Center for Tech and Civic Life, grant applications and agreements from local election officials

Credit: analysis by APM Reports
The nonprofit gave Chester County $2.5 million for the election, which is more than the county's 2020 budget for voting services.

Chester County is one of several large suburban counties that ring Philadelphia — once-Republican strongholds that have shifted in Democrats' favor in recent years. Pennsylvania was pivotal to Joe Biden's victory over President Trump, and his win in the state was fueled in part by his success in Chester County. He won it by 17 percentage points — nearly double Hillary Clinton's margin four years earlier.

**Different Places, Different Priorities**

Each election office received a different amount of money and chose to spend grants in its own way. For instance, Philadelphia, with more than a million registered voters, received nearly four times the funding of Chester County, with more than 380,000 registered voters. The two jurisdictions' spending reflected varying election needs. Philadelphia focused on equipment, receiving more than $5 million to purchase equipment to print, package, open and scan absentee ballots. Chester County, meanwhile, requested a larger share of funds for staffing needs.
Turner used the grant to buy 14 drop boxes for ballots, pay staff to watch those sites and purchase body cameras that recorded employees collecting ballots from the drop boxes. He also spent a large portion of the grant on additional equipment and people to ensure that ballots were mailed out and counted quickly. The county processed 150,000 mail ballots for the November election in 36 hours. Without the new equipment and personnel, he said, it would have taken a week or longer.
"This grant really was a lifesaver in allowing us to do more, efficiently and expeditiously," he said. "It probably would have taken a very long time if we didn't have the resources to do this."

The private money was needed in part because the federal government hadn't provided enough funding. Congress allocated $400 million in March for election services, but that was just a tenth of what some officials said was needed.
"Despite election officials basically begging our federal government for assistance, that money never came through," said Liz Howard, with the Brennan Center for Justice at New York University. "Congress really failed our election officials."

With little action from Congress, the private sector, led by Zuckerberg and Chan, stepped up. The couple awarded $400 million to nonprofits for election assistance—with most of it going to the Center for Tech and Civic Life.

The full extent of the grants isn't known. The Center for Tech and Civic Life declined repeated interview requests from APM Reports to discuss the funding and how it was used. In late October, the group listed the jurisdictions that received funding on its website but didn't disclose dollar amounts or funding priorities for each jurisdiction.

But through a series of interviews, public records requests and a review of public meetings, APM Reports pieced together the details of grant awards in the five swing states that decided the election. APM Reports obtained more than 30 applications and grant agreements between local election offices and the Center for Tech and Civic Life. The documents show requests mainly focused on the logistics of the election: increased pay for poll workers, expanded early voting sites and extra equipment to more quickly process millions of mailed ballots.

The Wisconsin Grants

The five largest cities in Wisconsin applied for a grant together. While the largest of these five, Milwaukee, and the smallest, Racine, both requested substantial funding for additional staff, hazard pay for poll workers and outreach plans, there were notable differences in their grant requests. Milwaukee focused on funding for in-person early voting locations. One of Racine's largest line items was a request for an accessible mobile voting precinct.

**Milwaukee**

$1M

$0.8M

$0.6M
Some jurisdictions received grants that were a small fraction of their election budgets, while others saw theirs increase several times over. Suddenly, election administrators who had had to scrounge for resources could “fund their dream election,” according to Howard.
In the weeks since the election, allies of Trump have included the Center for Tech and Civic Life's grants in their voter fraud conspiracy theories. They have challenged the legality and neutrality of the grants, claiming that the funding was aimed at boosting Democratic turnout.

But an APM Reports analysis of voter registration and voter turnout in three of the five key swing states shows the grant funding had no clear impact on who turned out to vote. Turnout increased across the U.S. from 2016. The APM Reports analysis found that counties in Pennsylvania, Georgia and Arizona that received grants didn't have consistently higher turnout rates than those that didn't receive money.

Officials with the Center for Tech and Civic Life and government officials have defended themselves in court and in written statements by saying the goal was to
ensure safe voting options during the pandemic.

"In this moment of need, we feel so fortunate to be administering an open-call grant program available to every local election department in every state in the union to ensure that they have the staffing, training, and equipment necessary so that this November every eligible voter can participate in a safe and timely way and have their vote counted," the Center for Tech and Civic Life said in a statement on Sept. 24.

The nonprofit is also continuing to offer grants to communities that are holding runoff elections in Georgia in January.

While some election officials see little difference between private and government funding for elections, other officials are deeply worried about the precedent that the private grants may set. They say private donors could have a personal agenda. For example, Zuckerberg may have wanted to improve his public image after years of criticism that the misinformation and divisive rhetoric on Facebook have damaged democracies around the world.

"It's really important that it's a one-time thing," said Rachael Cobb, associate professor of political science and legal studies at Suffolk University in Boston. Cobb said the private money was critical for election administration this year, "but over time, it in and of itself is corrosive." She said continuing to use private money for such purposes "sullies [the election] in a way that we don't need it to be sullied at all."

But other election analysts say private funding is the best option if the federal government isn't going to commit to sustainable long-term funding for election offices.

They also say the grants helped avert a potential disaster where long lines, missing mail and slow counting could have led Trump to further question the integrity of results in Pennsylvania, Georgia and Arizona.

David Kimball, a political science professor at the University of Missouri-St. Louis, said that without the grants, "it certainly would have taken them a lot longer to process and count those absentee ballots, which would have only made this post-election period more unbearable."
For more, read the full story at APM Reports.

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Right-wing conspiracies have a new target: a tool that fights actual voter fraud
Mark Zuckerberg beneficiaries promoting fair elections not exactly non-partisan as advertised

David Becker

By W.J. Kennedy
Sep 30, 2020

Earlier this month, media reports announced that Facebook founder Mark Zuckerberg and his wife Priscilla Chan donated $300 million to non-partisan, good government groups devoted to ensuring that the November elections are conducted safely and fairly.

In fact, executives running the two groups receiving the funds, $250 million to the Center for Tech and Civic Life (CTCL) and $50 million to the Center for Election Innovation & Research (CEIR), have long histories supporting progressive causes, and disparaging Republicans and conservatives.

The political histories of those behind CTCL have been documented here.

For its part, CEIR was founded by David Becker, an attorney and expert in elections law with a resume of working for left-of-center groups, supporting Democratic causes, and discrediting Republicans.

In 2005, while working as a trial attorney in the Voting Section of the Department of Justice’s (DOJ) Civil Rights Division, Becker contacted the city of Boston offering his services to defeat a lawsuit brought by the DOJ for voting rights infractions, according to two former DOJ officials during the Bush Administration. His actions were reported to the DOJ’s Office of Professional Responsibility (OPR).

“It was the most unethical thing I’ve ever seen,” Brad Schlozman, acting head of the Civil Rights Division at the time, told Legal Newsline. “Classic case of someone who should have been disbarred.”

“He’s a hard-core leftist,” Schlozman added. “Couldn’t stand conservatives.”

Schlozman’s account of events was confirmed by Hans von Spakovsky, who worked at the Justice Department as counsel to the Assistant Attorney General for Civil Rights. He is now a Senior Legal Fellow with the Heritage Foundation in Washington.

“In his role with the DOJ, he was supposed to be non-partisan,” von Spakovsky said of Becker, “but his emails uncovered in the Boston investigation revealed nasty, disparaging remarks about Republicans. Very unethical and unprofessional. I would never hire or trust him.”

Becker responded to an email request for comment on the OPR complaint: “This complaint was made over 15 years ago, if memory serves, and was dismissed. There was no action taken against me by the Department of Justice as a result of this complaint. As you know, anyone can make a complaint for any reason, with or without basis.”
He continued: "I served faithfully at the DOJ for seven years, from 1998-2005, during which time I received a Special Commendation of Merit from the Attorney General in 2002, during the Bush Administration."

Becker did not respond to a follow-up request to comment on the allegations that he reached out to the city of Boston in 2005 while still working at the DOJ. He left his job a little later that year.

It's unclear how the complaint against Becker was handled by the OPR. A receipt of a Freedom of Information Act request about the complaint against Becker was acknowledged by OPR, but the office did not respond to repeated requests for documents pertaining to the case.

After his stint at DOJ, Becker worked for a time as campaign director, Democracy Campaign, People for the American Way (PFAW).

The Capital Research Center's InfluenceWatch describes PFAW as "a left-of-center advocacy group formed in 1981 by liberal Hollywood television producer Norman Lear, ostensibly to oppose the conservative principles espoused by Christian conservative televangelists."

"People For the American Way monitors what it characterizes as 'right-wing' activities, advocates for a left-of-center policy agenda, and helps to elect liberal political candidates," Influence Watch went on. "PFAW's policy includes left-of-center positions on a wide-range of issues including public funding of abortion providers, a path to citizenship for illegal immigrants, tax and spend big government budgeting, and a general opposition to President Donald Trump's policies and appointments."

Becker's involvement with PFAW is not listed on his LinkedIn profile, where there is a three-year gap in work activity between 2005 and 2008.

"To be honest, I don't use LinkedIn very much, and haven't updated my profile in years, and there's probably a lot missing from it," Becker told Legal Newline. "For instance, I also didn't list the fact that since February my organization and I have a contract and work closely with Georgia Secretary of State Brad Raffensperger, nor do I list the fact that 3 members of my organization's board (half) are Republicans (two of whom are former elected officials)."

On the CEIR website, the first line under "Our Vision" is:

"Voters deserve elections that they can—and do—trust."
1. Ex-husband must live with prenup agreement and without wife's millions, court rules

2. Wrongful death lawsuit filed after MBTA bus hits pedestrian

3. Bestwall defends quest to probe possible double-dipping by asbestos lawyers

4. Plaintiff lawyer's threats against defendants were extortion, court rules

5. Congress to explore reforming mass tort bankruptcy process at hearing Tuesday
By Salvador Rodriguez, CNBC

On Thursday he acknowledged to employees that Joe Biden will be the next president of the United States.

Facebook Chairman and CEO Mark Zuckerberg testifies before the House Financial Services Committee.

Several other company officials have committed to the company's handling of election ads and the

Election.
Foreign interference or ramping misinformation is mostly relegated as the company gets through the 2020 US election without any claims of impact misinformation has had on democracy.

Despite those criticisms, employees at Facebook told CNBC that the CEO and other leaders of the company have become the subject of criticism from several Biden campaign staffers who have complained about Facebook's handling of election ads and the comments come as Facebook has become the subject of criticism from several Biden campaign staffers who have complained about Facebook's handling of election ads and the comments come as Facebook has become the subject of criticism from several Biden campaign staffers who have complained about Facebook's handling of election ads and the comments come as Facebook has become the subject of criticism from several Biden campaign staffers who have complained about Facebook's handling of election ads and the comments come as Facebook has become the subject of criticism from several Biden campaign staffers who have complained about Facebook's handling of election ads and the comments come as Facebook has become the subject of criticism from several Biden campaign staffers who have complained about Facebook's handling of election ads and the comments come as Facebook has become the subject of criticism from several Biden campaign staffers who have complained about Facebook's handling of election ads and the comments come as Facebook has become the subject of criticism from several Biden campaign staffers who have complained about Facebook's handling of election ads and the comments come as Facebook has become the subject of criticism from several Biden campaign staffers who have complained about Facebook's handling of election ads and the comments come as Facebook has become the subject of criticism from several Biden campaign staffers who have complained about Facebook's handling of election ads and the comments come as Facebook has become the subject of criticism from several Biden campaign staffers who have complained about Facebook's handling of election ads and the comments come as Facebook has become the subject of criticism from several Biden campaign staffers who have complained about Facebook's handling of election ads and the comments come as Facebook has become the subject of criticism from several Biden campaign staffers who have complained about Facebook's handling of election ads and the comments come as Facebook has become the subject of criticism from several Biden campaign staffer...
MARK ZUCKERBERG'S FWD.US PRESSURES JOE BIDEN TO REVIVE AMNESTY GIVEAWAY
Mark Zuckerberg’s pro-migration group, FWD.us, is using its influence in President Joe Biden’s White House to save Zuckerberg’s immigration agenda from Biden’s border policies.  

The influence was highlighted on May 14 when Biden met with several migrants who were given work permits by President Barack Obama’s 2012 DACA directive. The six migrants were led by María Praelí, who works as the government relations manager for the many wealthy investors in Zuckerberg’s FWD.us group.
Mark Zuckerberg ‘bought’ 2020 election for Biden with ‘staggering’ funding, new analysis suggests

'We call this the injection of structural bias into the 2020 election, and our analysis shows it likely generated enough additional votes for Biden to secure an Electoral College victory in 2020.'