

**HOUSE OF REPRESENTATIVES
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Elections
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COMMENTS FOR Adherence to Texas Election Laws

Laura Nunn
self/retired
San Marcos, TX

The Texas Election Code is severely infected with confusion and chaos. Its very authors cannot explain it. Governor Abbott needs to declare that the unconstitutional Countywide Polling Place Program and the use of programmable tabulators render our elections invalid, inaccurate, and unable to be audited. The election machine vendors have perverted the requirements for numbered ballots and precinct voting. Fluid voter registrations, with massive amounts of ineligible registrations, permit the fraudulent introduction of artificial ballots and/or switching of votes within the tabulator, all by design. Start by following the law, eliminating those parts of the Election Code that violate the Texas Constitution, especially early voting, countywide polling, and tabulator-counted results. The elections belong to we the people, not the vendors, not the elections administrators, not the county commission, not the SoS, and not the Governor. And we demand that you secure our elections immediately as stated above.

Keith King
self retired
BRYAN, TX

Gov. Abbott needs to make an E.O. eliminating all machines in any Texas election and use the Texas Tally 65 or Texas Echo 65 ballot and counting process with proof of citizenship and photo ID. All counties need to get rid of all electronic voting machines.

Cathie Viens
Self
College Station, TX

Electronic voting systems have been proven to be easily hacked and therefore unsecure. Voting should be returned to paper ballots and hand counted. If the entire country of France can use that process and have the results within hours then surely Texas can as well.

Paul Viens
Self
College Station, TX

I
Gov. Abbott needs to make an E.O. eliminating all machines in any Texas election and use the Texas Tally 65 or Texas Echo 65 ballot and counting process with proof of citizenship and photo ID.

Susan Valliant
Precinct Chair 2174, self
Arlington, TX

Thank you for opening the discussion about our elections. The issue with the SOS Election Audit Program is the number of precincts and number of offices being audited. Election Code 127.201 Partial Manual Count only requires 1% precincts and not less than 3 offices or measures to be audited. However, the SOS has only been auditing 1% of the precincts and 1 office in Tarrant Co. This entails 6 precincts out of 694 precincts and the last 3 elections only included the railroad commissioner office. This is an inadequate audit. We need to audit at least 10% of the precinct, 1 federal office, 1 state office and 1 county office, at a minimum. The SOS advisory 2024-20 and AG opinion KP4063 calls for county election offices and SOS to redact polling locations and precinct numbers. This action eliminates the public's ability to audit their elections.

debbieqq pepin
self/retired and TTP and ARW
Austin, TX

Please please restore my faith in TX government. Laws are there to protect us from letting the unauthorized vote yet virtually nothing has been done. Demand chain of custody and truth in filling out voter application forms. Over one million active voters on the TX voter rolls were identified as undeliverable mail. Use the USPS CASS system! Every business and government office can see that. We have people using addresses of Walmart or 7-11 or lots. Not only are the addresses incorrect BUT the applications are left in insecure locations - go anyone wanting to access them can do so, fill them out and return them. This is wrong This is NOT Texas. This is not the USA!
Do what you know has to be done TODAY.
With hope and prayers

Mike Street
self
College Station, TX

22 August 2024
Texas House of Representatives Committee on Elections
Austin, TX

Re: election integrity
Ladies and Gentlemen,

Every measure should be taken to ensure that only American citizens and Texas residents are allowed to vote in Texas. (Texas Constitution, Article 6, Section 2(a)). With the Federal Government and many NGOs handing out identification and voter registration cards to numerous individuals who are entering this country illegally, Texas needs to take the proper measures to guarantee its citizens that only citizens are allowed to vote. Federal and State constitutions and laws permit only citizens to vote. See: 15th Amendment to the United States Constitution, Enforcement Act of 1870, 19th Amendment to the United States Constitution, 24th Amendment to the United States Constitution, Voting Rights Act of 1965, 26th Amendment to the United States Constitution, National Voter Registration Act of 1993, 52 U.S.C. § 10101(a)(1).

In Brazos County, some citizens started challenging voter registrations due to change of addresses listed in the United States Post Office's National Change of Address database. After many challenges were accepted, the Brazos County Election Administrator changed the rules claiming a voter registration challenge must be notarized and that knowledge gained from a database does not meet the personal knowledge requirement. The first group of challenges I personally turned in were not notarized and were accepted. The second group of challenges I turned in were notarized. On July 12, 2024, the Secretary of State send a mass email concerning Voter Registration Challenges to CC/EA/VR/County Chairs. In this email, the Secretary refers to and limitingly quotes SOS Opinion RP-1 to claim, "information which is based on one's observation and/or experience, and can include 'logical conclusions based on underlying facts' and knowledge derived from various sources." The advice given to county election officials is, "In general, we would recommend that counties consult with their legal counsel about whether the specific content of a challenge indicates that the challenging voter has personal knowledge of the challenged voter's residence address or eligibility for registration, in light of the definition outlined above." The "legal counsel" concerning "personal knowledge" is addressed in the very same SOS Opinion RP-1 the Secretary was referring to. The pertinent information from SOS Opinion RP-1 that was omitted states, "[A]n Affiant's acknowledgement of the sources from which he gathered his knowledge does not violate the personal knowledge requirement." (Election Law Opinion RP-1, October 10, 2018, p. 4, emphasis added.)

I have sent a Public Information Request for cast ballots in the May 28, 2024 Primary Run-off election in Brazos County. The Brazos County Commissioners Court Attorney has sent portions of the request to the Attorney General's office in order to determine if some of the information on the ballots should be r

Andrea Kelly
self (retired)
Floresville, TX

NEW VOTERS NEED PROOF OF US CITIZENSHIP! SoS states, "When an individual registers to vote with just a SSN, the state verifies that the SSN is authentic". What "authenticates" the holder of a SSN is an actual CITIZEN of the United States, when we know illegals can apply for and receive a SSN, and are allowed to obtain voter registration certificates? And to be able to "show proof of ID to vote", referenced in TX Voter FAQs is meaningless as the FAQ answer allows the voter to present their voter registration certificate as "proof of ID."

We need to set forth a system to VERIFY that a new TX voter registration is a CITIZEN OF THE UNITED STATES, not someone who "filled out paperwork." We need to eliminate the grey areas.

TX VOTER REGISTRATION

The first question on the online voter registration application asks if you are a United States citizen. Should the person click "no" a message pops up "Before you can register to vote, you must be a U.S. Citizen." An illegal, potentially already classified as a criminal for entering the US illegally, can simply click "yes" to continue and not be worried being classified as a criminal.

At the bottom of the online application, "If no TX Driver's License or TX Personal ID, give the last 4 digits of your SSN."

Once an illegal is issued a voter registration certificate, there are two ways they can vote.

From the website:

Q: "Do I need to bring my voter certificate/card? Will I be able to vote without it?"

A: While you do not need to bring your voter registration certificate with you to vote, we highly recommend that you have it with you at the polling place. In some situations, having your voter registration certificate will allow you to vote a regular ballot instead of a provisional ballot. For example, if you do not possess one of the seven (7) acceptable forms of photo identification, and you cannot reasonably obtain one, you can use your valid voter registration certificate as a form of supporting identification when you execute your Reasonable Impediment Declaration, and vote a regular ballot. . . . In addition, for example, if you do not possess one of the seven (7) acceptable forms of identification, and you cannot reasonably obtain one, and your name is not on the official list of registered voters in the precinct, you may be able to cast a regular ballot by presenting your valid voter registration certificate and executing a Reasonable Impediment Declaration.

Q: "Can anybody vote early by mail?"

A: First, request an Application for Ballot by Mail (ABBM) from the Early Voting Clerk in the political subdivision conducting your election, or from our office. You may also print an ABBM directly from our website (PDF) (Spanish version PDF).

This wreaks of potential fraud and potential ballot harvesting via NGOs.

In AZ, an illegal obtained a SSN stating it was for work. That SSN was shared with thousands and long story short they all obtained voter registrations. This could easily happen here!

Mike Brewster
Myself
Burleson, TX

Chairman, and Members of the Committee

I noted with interest that your hearing on election law compliance. I was disappointed to see that testimony was an invitation only affair as this is an area that I and one or two others have done a great deal of work. I'm not aware of any of them being invited. Please accept these documents as my well considered thoughts on the issue, as well as concrete workable solutions brought forward from other government entities and industry.

In short, compliance with Texas election law is not very good. There are issues with ballot security and chain of custody that are serious. The compliance inspections are weak very compared to anything that I have seen in other critical government operations, or in the corporate realm. Not that it matters, because we have little in the way of enforcement mechanisms when we do document non compliance.

A 3000 character limit is in no way enough to give this subject the attention it deserves. I will forward via email or other method a more complete but still abbreviated set of comments on the subject and documents that will support my statements.

This is THE most critical government operation. The people, including myself have serious concerns about how our elections operate. I believe the problems are able to be dealt with mostly by a reordering and clarification of various requirements. We do however need to specify a more thorough audit and compliance inspection program and find more effective ways to enforce compliance. I have the outline of a program in mind and am in the process of bringing structure to it.

I look forward to working with the committee to make needed improvements in the next legislative session.

Regards,
D. M. "Mike" Brewster
Tarrant County Texas

Travis Eubanks
Self - Electrical Engineer (PhD)
San Antonio, TX

I do not consent to electronic voting systems for elections in Texas. Due to lack of accredited Voting System Test Laboratories (VSTLs) according to TX Elec Code 122.001(a)(3), TX Admin Code 81.60(8)(B), and TX Admin Code 81.61, we have not had legitimate elections in the United States of America since at least 2017. The United States has overthrown other countries through the use of electronic voting systems, according to whistleblower Tore Maras who participated in 45 of such coups under the direction of the United States government. Currently, the election administrators are unaccountable to the law. We have asked them to follow TX Elec Code 122.001(a)(3), TX Admin Code 81.60(8)(B), and TX Admin Code 81.61. When they refused to follow these laws by rejecting electronic voting systems that have no documentation of legal testing, we sued Texas election admins, county judges, and county commissioners pro SE to hold them accountable at the Federal level (Strongin v. Scott 4:2022cv00576 US District Court for the Northern District of Texas). When we were ignored and dismissed at the District level, we appealed to the 5th Circuit Court (Eubanks v. Nelson 23-10936 US CoA 5th). When we were ignored and dismissed there, we filed an election contest against the Nov 2023 Constitutional Amendment election that attempted to change our Texas Constitution through illegal voting systems. Currently, the SoS and AG's are appealing our victory from a hearing on 3 Jan 2024 during which the AG's lawyer Wassdorf admitted that the SoS has injured Texas voters post the Nov 2023 election. At first, Nelson signed a proclamation on 27 Nov stating that due to active election contests (mine and 5 others), the declaration of the official result of a contested election may not be made until the contest is finally determined (TEC 233.014). However, AG Nelson and Gov Abbott allegedly impersonated a public official (Travis County Judge), when they attempted to determine the results of my election contest and 5 others with their signed proclamation of the election results from 4 Dec. This appears to be an attempt by Nelson and Abbott to subvert the will of the people in order to gain access to funding (~\$18B) tied to the Nov 2023 Constitutional Amendment Election. The AGs office (lawyer for Defendant Nelson) is currently delaying our election contest from trial through a frivolous appeal in the 3rd CoA (Court of Appeals Number: 03-24-00142-CV: Travis County Trial Court Case Number: D-1-GN-23-008370). So, I do not consent to electronic voting systems for Texas elections.

Sylvia Currie
self
San Antonio, TX

I do not consent to electronic voting systems for elections in Texas. Due to lack of accredited Voting System Test Laboratories (VSTLs) according to TX Elec Code 122.001(a)(3), TX Admin Code 81.60(8)(B), and TX Admin Code 81.61, we have not had legitimate elections in the United States of America since at least 2017. The United States has overthrown other countries through the use of electronic voting systems, according to whistleblower Tore Maras who participated in 45 of such coups under the direction of the United States government. Currently, the election administrators are unaccountable to the law. We have asked them to follow TX Elec Code 122.001(a)(3), TX Admin Code 81.60(8)(B), and TX Admin Code 81.61. When they refused to follow these laws by rejecting electronic voting systems that have no documentation of legal testing, we sued Texas election admins, county judges, and county commissioners pro SE to hold them accountable in Texas. We were ignored locally and dismissed at a federal level. Ruling was the standard verbiage, "we had no standing". I feel we will never have free and fair elections until we move away from electronic voting machines and return to paper ballots. In person voting, with proper ID, on paper is the only way to show the American people that their vote does indeed matter and count. Therefore, I do not consent to electronic voting systems for Texas elections.

Kristen Plaisance

Self - Retired

Porter, TX

Why is the Secretary of State's election office responsible for ensuring that election law is followed when they themselves violate election law? My county, Montgomery, has not held a single legal election in 20 years because the SOS election office has repeatedly violated election law when "certifying" voting systems. We have purchased 3 systems in 20 years, and none have met the legal standards of the law at the time they were certified by the SOS office. Our current system Hart Verity 2.5 has 2 serious law violations that leave the system vulnerable to manipulation. 1) On the SOS website, in the examination report of Tom Watson he states ""Because the file of hashes is generated by both the VSTL and a jurisdiction using Verity software, it is a violation of the EAC's VVSG [Voting System Standard Guidelines] requirement which states: "The verification process should be able to be performed using COTS software and hardware available from sources other than the voting system manufacturer." The SOS office certified it anyway even though they knew it violated TEC 122.001 (3). 2) He also states that votes can be added manually directly to the database, and it would be difficult to detect. 3) There is also a publicly known Microsoft SQL Server vulnerability with the COTS computer used with the system "that could allow "remote" code execution on an affected system. An attacker who successfully exploits this vulnerability could execute code in the context of the SQL Server Database Engine service account". This is not the only time they have "certified" voting systems for use in Texas that they knew violated the law and blatantly violated it anyway. These are not the arbiters of legal soundness, nor is voting system certification the only area in which this office has and continues to violate the law. I am demanding that you form a committee to investigate violations of election law committed by the SOS election office and the certification processes surrounding voting systems. Violations of law by the highest powers in the state have the potential to disenfranchise hundreds of thousands, if not millions of voters.

Michelle McFerrin

Self

Lubbock, TX

I feel there are places that will allow non citizens to vote...and I want it stopped

Debbie Lindstrom
self - business owner
McKinney, TX

Chairman and Committee Members,

It's noteworthy that this hearing on law compliance excludes public testimony as many citizens have pertinent information on this topic. This topic is so crucial that I initiated a bill through Senator Drew Springer (SB1807) in the last legislative session to add civil penalties for unlawful altering of election procedures. Regrettably, the bill died on the last day of the 88th regular session, having struggled to leave this committee in time.

The importance of this law stems from numerous instances of non-compliance, ranging from Secretary of State waivers to outright neglect of procedures. For instance, at my first Logic and Accuracy Test (LAT) in Collin County in October 2022, I observed several legal non-compliances. When I raised these issues with the Election Administrator, he insisted that the LAT test was fully compliant. Only after filing a formal complaint were many issues addressed in subsequent tests, with my "suggestions" credited.

Yet, problems persist. I have another complaint pending with the SOS regarding chain of custody issues (Complaint 24-250). Furthermore, the SOS Forensic Audit Report for the 2020 Election, including Collin County, was disappointingly inadequate. It obscured the fact that the partial manual count (PMC) didn't follow legal requirements. According to TEC 127.201a, the PMC should be conducted by precinct. However, when I noticed discrepancies in MY precinct's Election Day numbers, I learned that the PMC was done by polling location, not precinct, which apparently was advised by the SOS. Who authorized the SOS to alter this law?

Texas Election Code is generally sound if followed correctly. Much of it relies on precincts, not countywide processes. Countywide voting has complicated our election process making elections difficult to audit, and it has increased costs to the counties.

When laws are selectively enforced or arbitrarily waived, it erodes public trust and creates a partiality in our system that should not exist. We need to ensure that all election officials, from local administrators to the Secretary of State, adhere strictly to the letter and spirit of our election laws.

I urge this committee to consider the following actions:

1. Strengthen oversight mechanisms to ensure compliance with election laws at all levels.
2. Revisit the idea of penalties for unlawful alterations of election procedures.
3. Conduct a thorough review of current practices, identifying areas where law and practice diverge.
4. Enhance transparency in the audit process, ensuring that reports accurately reflect compliance with all legal requirements.
5. Re-evaluate the impact of countywide voting on election integrity and costs.
6. Require the removal of any existing SOS waivers that do not comply with the law.

Thank you for shining light on this important topic. I hope you will work diligently in the next session to improve compliance with our Texas Election Code.

Lars Kuslich
self
Dayton, TX

If the activity to remove non-citizens in collaboration with DPS only started in 2021, how many of those non-citizens voted in the 2020 election?

Melinda Roberts
Bexar County Election Integrity
San Antonio, TX

The EA in Bexar doesn't follow the law regarding chain of custody, required Texas audits, etc. What she does and doesn't do is egregious. We continually report violations to SOS who makes a phone call but they remind us they have ZERO enforcement. Everything is left up to the county as to whether they comply with the law or not. The EA has way too much power to make decisions on their own with no accountability.

Cyrena Nolan
The citizens of Texas
Dallas, TX

Our elections are not secure , a widely acknowledged fact. The electronic voting systems deployed are highly vulnerable, amplified by unverified fungible voter rolls and a countywide voting program that lacks chain of custody and confidentiality of vote.

This affront to the voter can be addressed by :

1. adhering to in precinct voting with reasonable accommodations made for precinct polling location consolidation.
2. Hard pre printed paper voting rolls with verified voter eligibility that can not be altered during the election process.
3. Hand marked voting on counterfeit proof paper ballots.
4. Consolidated early voting period with no gap between early voting and Election Day.
5. Transparent tabulation and posting of in precinct results before secure transfer to central count location.

Lincoln Achilli
self
Dallas, TX

i would like to commend the results of the registration compliance audit of the secretary of states office and suggest that they continue. There is no legitimate reason why illegal aliens, people who have moved, or people who are dead should ever remain as an active voter in a county's rolls. None. Zero. Anytime it does occur, legitimate voters are disenfranchised through dilution.

The audit of voter rolls appears to be successful based on the memo provided by the governor's office, however they are not enough.

In addition to the timely maintenance of voter rolls, elections must also be secured be reforms that would reduce early voting to zero, and specify that elections are to be co ducted on election day only.

Another needed reform is that counties must be able to produce certifications of test labs and specific machinery that are in full comiance with HAVA until all electronic election machinery has been eliminated from use in election administration. My county cannot produce certifications of machinery, they can only produce emails recommending certification meaning that we currently use non-certified equipment that also impacts integrity. Please rectify this too. Paper ballots, counted in precincts, with voting only on election day

Susan Berry
Self
San Antonio, TX

I have worked since April in Bexar county as a concerned citizen on challenging voters who have moved out of state and registered and even voted in another state. I research and cross check each voter and address. There are over 56K of these in my county! Also there are 800 voters (manyACTIVE) over 100 years old. I find their obituary and their house change. Our rolls are not being monitored correctly. And I hear nothing from my registrar about even looking at my over 3000 challenges . Please feel free to

Contact me . I want to make it so every vote counts and no one's name are use in a nefarious way.

Bonnie Seelig
Self Retired
Spicewood, TX

The Travis County Election Office does not feel compelled to take the FACTS presented from the United States Postal Office CASS database which identifies business addresses as undeliverable. Not only are the addresses that came up as incorrect for "residences," but the applications can be left in insecure locations with "no chain of custody," giving NGO Ballot Mill Operatives access to these applications to fill in and return for a mail-in ballot!

The US Post Office National Change of Address (NCOA) database is a secure database of permanent changes of address records that voters use to forward their own mail to a new identifiable residence. Every business/government office in the U.S. has access to this information. Why is that acceptable to the county as proof of a move?

In August, 2024, a national obituary database correlated the full name and DOB/YOB and matched those with the Texas Voter Rolls. This database found 58,000 dead people identified in the active Texas voter rolls.

The Department of Homeland Security (DHS) database of illegal aliens is called SAVE (Systematic Alien Verification for Entitlements.) This database is an information service to verify immigration status. Non-citizens receive Texas Driver's Licenses from the Department of Public Safety and they receive Texas/Federal Government Benefits (Medicare, etc.) **RECEIVING GOVERNMENT BENEFITS DOESN'T QUALIFY AS CITIZENSHIP!**

The Secretary of State Jane Nelson is charged with ensuring **ONLY CITIZENS VOTE!** How can she not be violating her oath of office if illegal aliens are on the Texas voter rolls?

According to county elections' administrators, they are not compelled to check citizenship and residency using these database. SOS Nelson says that she does not control how the county election offices run their offices. How does SOS Jane Nelson know that only U.S. citizens are on the Texas voter rolls?

When a person registers to vote, they are asked, "Are you a US citizen? YES or NO! **BUT NO ONE IS CHECKING THE RESPONSE ON THE APPLICATION!** In the 33 Texas counties we have 3rd party vendors involved in our election process. The SOS needs to be **INVOLVED, MONITORING and ENFORCING TEXAS VOTER ROLLS FOR CITIZEN VOTER COMPLIANCE.** That requires that SOS is not waiting for complaints and individual issues, but comparing the **ENTIRE VOTER ROLLS** to the databases: CASS, NCOA, NATIONAL OBITUARY, and DHS SAVE.

Remember: Non-citizens receive Texas Driver's Licences from the Department of Public Safety and they receive Texas/Federal Government Benefits. **RECEIVING GOVERNMENT BENEFITS DOESN'T QUALIFY AS CITIZENSHIP.**

Since SOS Nelson cannot supervise the county election offices or 3rd party vendors, shouldn't SOS Nelson take on the job of cleaning the voter rolls using the above mentioned databases to compare to the rolls.

WHERE IS GOVERNOR ABBOTT'S EXECUTIVE ORDER TO COMPEL THE SOS TO FOLLOW THE LAW and CROSS-CHECK THE VOTER ROLLS WITH THE ABOVE DATABASES?

Teresa K Campbell
Self
Fort Worth, TX

True and fair elections must be the goal. No trust now!

Kim Horton

Self

Weatherford, TX

A group of concerned citizens are learning and educating about our elections in Parker County and hopefully helping our commissioners move toward paper ballots and precinct voting again using poll books instead of poll pads. We do feel that our vote needs to be secured and it is a grave concern. We do not need to spend millions of dollars to have 'bells and whistles'! Even though it seems that our county has not had voter fraud, we can see how it could easily change when we are connected to any internet and the scare that hit us with registering illegal immigrants in the state of Texas. This is a very real concern across our state because of the open border and that the federal government gives out cell phones. This is very concerning for it sets us up to have illegal citizens voting which should never be allowed! We need to have the ability to clean up voter roles and physically check addresses and names. When you have 30 people to 100 people using the same address that is a problem. We have seen some unreal numbers designated to one address. Thus should never be found!

Cut the fat on state level and reach out to your HD and seek answers from the county elections people.

Precincts should NOT be larger but smaller so that we can do paper ballots and physical counting which is the only way to secure election integrity.

We do want to move back to numbered ballots and to have poll books, which are physical versus poll pads on Apple machines.

Cost is so ridiculous with all these iPads and poll pads and DUOs!

Thank you for what you are doing but we must return to numbered paper ballots and poll books, precinct voting and hopefully a one day voting day, making it a holiday. ?? Get rid of 3 wks of early voting, that would cut costs drastically by itself!

Ken Moore

Self

Pearland, TX

I have worked as an election judge in two Texas counties over the last 14 years. One of the recurring topics that came up during the testimony is worker training. I agree with this concern. Election workers DO need better training on equipment, paper work and procedures. Election judges need better training on election law.

Law enforcement officers and judges are generally not well versed in election law. This was also addressed during testimony. SB 220 from the last session. addresses this very thing. It would have set aside a number of judges and DPS officers to be trained in election law. Furthermore, it would have specified who has jurisdiction to hear cases, who has standing to bring a case, who has enforcement authority, what enforcement looks like (impounding materials, mandamus, other, et al.) It also provided for real time enforcement while the infraction is on-going. I am told Sen. Bettencourt plans to refile some version of this bill next session. This committee would do well to give it a hearing.
