



November 05, 2021

VIA EMAIL

Office of the Attorney General
Public Information Coordinator's Office – Mail Code 070
P.O. Box 12039
Austin, TX 78711
publicrecords@oag.texas.gov

Re: Public Information Request

Dear Public Information Officer:

Pursuant to the Texas Public Information Act, as codified at Tex. Code ch. 552, American Oversight makes the following request for public records.

Requested Records

American Oversight requests that the Office of the Attorney General promptly produce the following:

1. Records sufficient to identify the following staffing information for Texas Office of the Attorney General employees staffed to the Election Integrity Unit.
 - a. The names¹ and job titles of each employee temporarily or permanently assigned to the Election Integrity Unit, or of those permanently or temporarily working in support of those assigned to the Election Integrity Unit.

For request item 1, please provide all responsive records for September, October, and November 2021.

2. Records sufficient to identify the Texas Office of the Attorney General's actual or prospective budget for the Election Integrity Unit (including, but not limited to, relevant employee salaries and election fraud investigation expenses).

¹ In lieu of names of individual employees, American Oversight would also accept records sufficient to identify the total number of employees assigned to the Election Integrity Unit.



For request item 2, please provide all responsive records reflecting the described budgets for fiscal years 2021 and 2022.

3. Records sufficient to identify all costs and expenses incurred by the Election Integrity Unit (including, but not limited to, relevant employee payments and election fraud investigation expenses).

For request item 3, please provide all responsive records reflecting the described costs and expenses for fiscal years 2021 and 2022.

4. Records sufficient to identify the total number of pending cases before the Election Integrity Unit.

For request item 4, please provide all responsive records for September, October, and November 2021.

5. Records sufficient to identify the total number of cases resolved by the Election Integrity Unit (including, but not limited to, cases resulting in a finding of guilt or liability, cases resolved by plea or stipulation, or dismissed cases) and the final disposition of each case, regardless of the outcome.

For request item 5, please provide all responsive records for September, October, and November 2021.

Fee Waiver Request

In accordance with Tex. Code § 552.267(a), American Oversight requests a waiver of fees associated with processing this request for records, because such a waiver “is in the public interest because providing the copy of the information primarily benefits the general public.” The requested records are directly related to the work of state officials, with the potential to shed light on the extent to which the Office of the Attorney General is designating resources toward election integrity initiatives. Election integrity, voting rights, and allegations of voter fraud are subjects of substantial public interest in Texas.² Accordingly, release of records that may help the public understand the operations and activities of state officials is in the public interest.

Release of the requested records will primarily benefit the public.³ As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the requested records is not in American Oversight’s financial interest, but is rather in the public interest. American Oversight is committed to transparency and makes the responses governmental authorities provide to public records requests publicly

² Craig Huber, *AG Paxton Announces Texas Election Integrity Unit as Early Voting Underway*, Spectrum News 1 (Oct. 19, 2021, 9:06AM CT), <https://spectrumlocalnews.com/tx/south-texas-el-paso/news/2021/10/19/ag-paxton-announces-texas-election-integrity-unit-as-early-voting-underway->.

³ Tex. Code § 552.267(a).

available. As noted, the subject of this request is a matter of public interest, and the public would benefit from an enhanced understanding of the government's activities through American Oversight's analysis and publication of these records. American Oversight's mission is to promote transparency in government, to educate the public about government activities, and to ensure 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.⁴

American Oversight has also demonstrated its commitment to the public disclosure of documents and creation of editorial content through numerous substantive analyses posted to its website.⁵ Examples reflecting this commitment to the public disclosure of documents and the creation of editorial content include the posting of records related to the organization's investigations into misconduct and corruption in state governments;⁶ the posting of records related to the Trump Administration's contacts with Ukraine and analyses of those contacts;⁷ posting records and editorial content about the federal government's response to the Coronavirus pandemic;⁸ posting records received as part of American Oversight's "Audit the Wall" project to gather and analyze information related to the administration's proposed construction of a barrier along the U.S.-Mexico border, and analyses of what those records reveal;⁹ the posting of records related to an ethics waiver received by a senior Department of Justice attorney and an analysis of what those records demonstrated regarding the Department's process for issuing such waivers;¹⁰ and posting records and analysis of federal officials' use of

⁴ American Oversight currently has approximately 15,630 page likes on Facebook and 108,900 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Oct. 27, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Oct. 27, 2021).

⁵ *News*, American Oversight, <https://www.americanoversight.org/blog>.

⁶ *State Investigations*, American Oversight, <https://www.americanoversight.org/states>.

⁷ *Trump Administration's Contacts with Ukraine*, American Oversight, <https://www.americanoversight.org/investigation/the-trump-administrations-contacts-with-ukraine>.

⁸ See generally *The Trump Administration's Response to Coronavirus*, American Oversight, <https://www.americanoversight.org/investigation/the-trump-administrations-response-to-coronavirus>; see, e.g., *CDC Calendars from 2018 and 2019: Pandemic-Related Briefings and Meetings*, American Oversight, <https://www.americanoversight.org/cdc-calendars-from-2018-and-2019-pandemic-related-briefings-and-meetings>.

⁹ See generally *Audit the Wall*, American Oversight, <https://www.americanoversight.org/investigation/audit-the-wall>; see, e.g., *Border Wall Investigation Report: No Plans, No Funding, No Timeline, No Wall*, American Oversight, <https://www.americanoversight.org/border-wall-investigation-report-no-plans-no-funding-no-timeline-no-wall>.

¹⁰ *DOJ Records Relating to Solicitor General Noel Francisco's Recusal*, American Oversight, <https://www.americanoversight.org/document/doj-civil-division-response-noel-francisco-compliance>; *Francisco & the Travel Ban: What We Learned from the DOJ*

taxpayer dollars to charter private aircraft or use government planes for unofficial business.¹¹

Accordingly, American Oversight qualifies for a fee waiver. If your office denies our request for a fee waiver, please notify American Oversight of any anticipated fees or costs in excess of \$40 prior to incurring such costs or fees.

Conclusion

We share a common mission to promote transparency in government. American Oversight looks forward to working with your county on this request. If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact Emma Lewis at records@americanoversight.org or (202) 919-6303. 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/ Emma Lewis

Emma Lewis
on behalf of
American Oversight

Documents, American Oversight, <https://www.americanoversight.org/francisco-the-travel-ban-what-we-learned-from-the-doj-documents>.

¹¹ See generally *Swamp Airlines: Chartered Jets at Taxpayer Expense*, American Oversight, <https://www.americanoversight.org/investigation/swamp-airlines-private-jets-taxpayer-expense>; see, e.g., *New Information on Pompeo's 2017 Trips to His Home State*, American Oversight, <https://www.americanoversight.org/new-information-on-pompeos-2017-trips-to-his-home-state>.