

ATTACHMENT 1

From: [Jonathan Burns](#)
To: [MDOS-OP](#)
Cc: [Jonathan Burns](#); [Rep. Rachelle Smit \(District 43\)](#); [Rachelle M. Smit](#); [Schor, Erin \(MDOS\)](#)
Subject: FOIA REQUEST ON BEHALF OF REPRESENTATIVE RACHELLE SMIT
Date: Wednesday, November 20, 2024 2:52:38 PM

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abuse@michigan.gov**

FOIA REQUEST ON BEHALF OF REPRESENTATIVE RACHELLE SMIT

To whom it may concern:

Rep. Smit requests electronic copies of all training materials offered or otherwise provided to elections clerks.

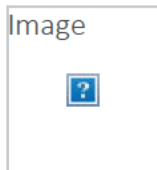
If needed, we can provide a thumb drive with sufficient data storage for a transfer.

I have copied Rep. Smit and MDOS Legislative Policy Director Schor on this request.

Thanks very much.

All best,

John



John Burns

Legislative Director

Office of Representative Rachelle Smit
Michigan House District 43

Office: (517) 373-5007

Email: jburns@house.mi.gov

N-892 House Office Building
P.O. Box 30014
Lansing, MI 48909

RepSmit.com

ATTACHMENT 2

From: [MDOS-BOERegulatory](#)
To: [Hines, Sherri \(MDOS\)](#)
Subject: FW: Request for Records #2355
Date: Tuesday, December 10, 2024 10:45:41 PM

From: Jonathan Burns <JBurns@house.mi.gov>
Sent: Tuesday, December 10, 2024 10:45:18 PM (UTC-05:00) Eastern Time (US & Canada)
To: Rep. Rachelle Smit (District 43) <RachelleSmit@house.mi.gov>; MDOS-BOERegulatory <MDOS-BOERegulatory@michigan.gov>; Schor, Erin (MDOS) <SchorE@michigan.gov>; Jonathan Burns <JBurns@house.mi.gov>; Rachelle M. Smit <RSmit@house.mi.gov>
Subject: Re: Request for Records #2355

**CAUTION: This is an External email. Please send suspicious emails to
abuse@michigan.gov**

Ms. Hines:

Rep. Smit would like to revise her request as you've suggested.

For the following materials requested by Rep. Smit, *unless otherwise stated* below, the time period of the request is limited to 2024.

1. All indexes and/or lists of materials used by MDOS to train clerks to run/manage/supervise/administer/oversee Michigan elections;
2. A sitemap of all public and non-public facing internet pages for the Bureau of Elections;
3. A sitemap of the e learning portal
(<https://mielections.csod.com/client/mielections/default.aspx>)
4. The leadership/ personnel organizational chart for MDOS;
5. The leadership/ personnel organizational chart for the Bureau of Elections;
6. The electronic mail distribution list for all Michigan clerks used by the Bureau of Elections to disseminate Guidance – including but not limited to opinion letters from Director Jonathan Brater;
7. The US mail distribution list for all Michigan clerks used by the Bureau of Elections to disseminate Guidance – including but not limited to opinion letters from Director Jonathan Brater;
8. **(Time period 2018 to present)** All opinions of the Secretary of State interpreting Michigan elections law and /or regulations and/or administrative rules (this includes but is not limited to letters /guidance issued to clerks);
9. **(Time period 2018 to present)** All opinions of the Director of Elections Jonathan Brater interpreting Michigan elections law and /or regulations and/or administrative rules (this includes but is not limited to letters and/or guidance issued to clerks);
10. **(Time period 2018 to present)** All administrative rules and/or regulations created by the

Secretary of State, Director Brater, and/or any rulemaker and/or rulemaking body within MDOS pertaining to Michigan elections (this includes but is not limited to letters/guidance issued to clerks);

11. All training materials made available to clerks relating to the management, running, administering, and/or supervising of elections – a specific description of the documents can be found here: <https://www.michigan.gov/sos/elections/admin-info> ;
12. All training materials made available to clerks relating to any aspect of elections found in this following portal: <https://mielections.csod.com/client/mielections/default.aspx> .

Thank you,
John

From: MDOS-BOERegulatory <MDOS-BOERegulatory@michigan.gov>

Date: Thursday, November 21, 2024 at 9:51 AM

To: Jonathan Burns <JBurns@house.mi.gov>

Subject: Request for Records #2355

Dear John Burns,

The Department is unable to process this request.

Section 3(1) of the FOIA, MCL 15.233(1), requires a request to describe a public record sufficiently to enable the Department to find the record. In addition, the Department is not required to make a compilation of information or perform research. There are multiple understandings of what is being requested and the phrase "...all training materials offered or otherwise provided to elections clerks" that are reasonably known or unknown to the Department. This uncertainty prevents it from being able to conduct a search. The uncertainty of this request is furthered by the fact that there are no time limitations for this request, nor any limitations on timeframes (e.g. year, date to date) or search terms (e.g. absentee ballot, election day).

You are welcome to refine your request to enable the Department to search for records by providing names of individuals to search, search terms, or by clarifying this request.

Please consider using the online MDOS FOIA portal for this and all future requests: <https://www.michigan.gov/sos/resources/transparency>
Benefits include password security, ability to pay with a credit card, documents available online (no flashdrive)
The instructions are attached.

Respectfully submitted,

Sherri Hines

Sherri Hines
FOIA Coordinator
Michigan Department of State
Secretary of State Jocelyn Benson
Bureau of Elections
PO Box 20126
Lansing, MI 48901
BOERegulatory@michigan.gov

ATTACHMENT 3



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

FREEDOM OF INFORMATION ACT NOTICE

December 18, 2024

John Burns
N-892 House Office Building
PO Box 30014
Lansing, MI 48909

Via Email: jburns@house.mi.gov

John Burns:

The Michigan Department of State (Department) acknowledges receipt of your request for records emailed December 10, 2024, made pursuant to the Michigan Freedom of Information Act (FOIA), 1976 PA 442, MCL 15.231 *et seq.* A request sent electronically is considered received on the business day following its transmission; here, December 11, 2024. MCL 15.235(1). The Department has begun to process the request under the FOIA and issues this preliminary notice in response to your request, a copy of which is attached and incorporated herein.

In order to determine whether the Department possesses existing, nonexempt public records responsive to your request, we are extending the time for responding to your request by 10 business days (in addition to the standard 5 business days allowed for a response), as permitted by FOIA, MCL 15.235. A notice will be issued to you on or before January 7, 2025.

Sincerely,

Sherri Hines

Sherri Hines
FOIA Coordinator
Bureau of Elections
BOERegulatory@michigan.gov

ATTACHMENT 4



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

FREEDOM OF INFORMATION ACT NOTICE

January 7, 2025

John Burns
N-892 House Building Office
PO Box 30014
Lansing, MI 48909

Via Email: jburns@house.mi.gov

John Burns:

The Michigan Department of State (Department) has begun processing your request for records under the provisions of the Michigan Freedom of Information Act (FOIA), 1976 PA 442, MCL 15.231 et seq.

Your request is granted as to existing, non-exempt records in the possession of the Agency that fall within the scope of your request. To process your request, the Department estimates a FOIA processing fee of \$8,781.75 to search for, retrieve, review, examine, and separate exempt material, if any. The FOIA authorizes the Department to charge for mailing costs, copying, searching, reviewing, deleting and separating exempt from nonexempt information (MCL 15.234). The failure to charge a fee for the search, examination, review, and the deletion and separation of exempt from nonexempt information would result in unreasonably high costs to the Department in this particular instance because, unlike a simple report or a small amount of documents with nonexempt information, your request involves a number of documents and would require employee(s) to be diverted from their original duties to process this request and will be required to expend additional time to complete their regularly assigned duties.

The Department's estimated costs to process your FOIA request are attached. The charge for the Department's labor is the burdened (salary + 50% of benefits) hourly rate of the lowest paid employee(s) capable of completing the necessary tasks. Please note that the stated amounts are **estimates only** and may increase or decrease depending on the final costs incurred.

In order to process your request, please pay the 50% non-refundable processing fee of **\$4,390.88**. FOIA authorizes the Department to charge for mailing costs, copying, searching, reviewing, deleting, and separating exempt from nonexempt information (MCL 15.234). The failure to charge a fee for the search, examination, review, and the deletion and separation of exempt from nonexempt information would result in unreasonably high costs to the

Department in this particular instance because your request requires Department employee(s) to be diverted from their regularly assigned duties in order to process your request.

Checks or money orders should be made payable to the STATE OF MICHIGAN and mailed to:

Michigan Department of State, Cashier Unit
7064 Crowner Drive
Lansing, MI 48918

As set forth under section 4(14) of the FOIA, MCL 15.234(14), the Department must receive the required deposit within 45 days after your receipt of this notice, which is February 24, 2025, otherwise, the FOIA request will be considered abandoned and the Department will not be required to fulfill the request.

Please include a copy of the invoice when making payment in order for the Cashier Unit to know where to forward the payment documents.

Upon receiving your non-refundable deposit, the Department will continue processing your request.

The Department estimates it can process your request in approximately 8 weeks. Again, this is an estimate only issued today and may vary depending on staffing (vacations, illnesses, etc.) and workload. The Department will notify you when completed and send the records upon receipt of your final payment of the actual balance due. As set forth under section 4(14) of the FOIA, MCL 15.234(14), if a fee appeal has not been filed under section 10a of the FOIA, MCL 15.240a, the Department must receive the required deposit within 45 days after your statutorily determined receipt of this notice, otherwise the FOIA request will be considered abandoned, and the Department will not be required to fulfill the request.

The Department's FOIA Procedures and Guidelines can be accessed at www.michigan.gov/sos, under the "FOIA" tab at the bottom of the page.

Sincerely,

Sherri Hines

Sherri Hines
FOIA Coordinator
Bureau of Elections
BOERegulatory@michigan.gov

Freedom of Information Act Detailed Itemization of Fees

Date: January 7, 2025

Request ID:

2355

John Burns

N-892 House Building Office, PO Box 30014

Lansing, MI 48909

jburns@house.mi.gov

Cashier: Please email *BOERegulatory@michigan.gov* when fees are received.

DESCRIPTION	QUANTITY	UNIT COST	AMOUNT
Labor costs* to search, locate, and examine**	40	\$48.28	\$ 1,931.20
Labor costs* to search, locate, and examine**	30	\$39.21	\$ 1,176.30
Labor costs* for review and separation of exempt from non-exempt material**	40	\$68.92	\$ 2,756.80
Labor costs* for review and separation of exempt from non-exempt material**	40	\$48.28	\$ 1,931.20
Non-paper physical media (e.g. CD, DVD, flashdrive) and list actual costs.	1	\$6.00	\$ 6.00
Duplication and publication (copying, scanning, etc.)		\$0.10	\$ -
Labor costs* to duplicate or publish**	25	\$39.21	\$ 980.25
Mailing (describe and list item and actual cost)			\$ -
SUBTOTAL			\$ 8,781.75
Less waiver for indigent persons***		\$20.00	
Less reduction for untimely response (subtotal x 5% reduction per day x ___ days)		\$439.09	\$0.00
TOTAL			\$ 8,781.75
DEPOSIT (If the total fee is more than \$50.00, you will be asked to pay a deposit of one-half (1/2) of the amount of the total fee. The total fee and deposit are estimates, and your final costs may vary from these amounts.)			\$ 4,390.88
BALANCE			TBD

Make check payable to State of Michigan and mail to: Michigan Department of State, Cashier Unit, 7064 Crowner Drive, Lansing, MI 48918

*Labor costs will be calculated using the lowest paid Department employee capable of each task. If more than one hourly rate is used, each will be listed on other copies of this form.

**hourly wage + 50% multiplier for fringe benefits, not to exceed 50% or actual cost of fringe benefit

***You must submit an affidavit of indigency to qualify for this fee waiver.

ATTACHMENT 5

From: Jonathan Burns <JBurns@house.mi.gov>

Sent: Thursday, February 6, 2025 11:39 PM

To: Rousell, Emily (MDOS) <RousellE@michigan.gov>; Schor, Erin (MDOS) <SchorE@michigan.gov>

Cc: Jonathan Burns <JBurns@house.mi.gov>; Rep. Rachelle Smit (District 43)

<RachelleSmit@house.mi.gov>; Bryanna Vitale <BVitale@house.mi.gov>; Amy Langelier

<ALangelier@house.mi.gov>

Subject: House Election Integrity Committee - Information Request

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

Ms. Rousell:

Rep. Smit is looking forward to meeting with you and Ms. Schor on the 19th.

As you know, the House Election Integrity Committee's ("Committee") primary function is to examine Michigan elections management and systems to better assess the state of Michigan elections. Only through such an examination can the Committee meaningfully determine whether there is a need for improvements and what those improvements might look like. The Secretary of State and the Bureau of Elections have a responsibility to ensure free and fair elections in Michigan, and the Committee has been delegated its tasks by the House of Representatives to assess those efforts and, where needed, to draft laws to improve the functioning of the elections process, and to deliberate upon those proposed pieces of legislation. In furtherance of that end, and as Chair of the Committee, Rep. Smit requests the information outlined below.

Some of these materials can easily be made available to the Committee simply by granting Rep. Smit login credentials to the Bureau's e-learning portal (e.g., Requests #11 and #12). Similarly, we believe that some of the other requests should be easy to obtain and provide. For example, requests #2 and #3 are simply website sitemaps. Requests #4 and #5 are organizational charts. Requests #6 and #7 are simply distribution contacts. Requests #8 through #10 seek guidance documents / rules and regs governing elections. Finally, Request

#1 seeks the index(es) / list(s) of materials MDOS uses to train clerks.

Accordingly, Rep. Smit requests that these materials referenced below be produced to her office on or before February 21, 2025.

Thank you,
John

Materials Requested

For the following materials requested, *unless otherwise stated* below, the applicable time-period of the request is limited to the 2024-2025.

1. All indexes and/or lists of materials used by MDOS to train clerks to run/manage/supervise/administer/oversee Michigan elections;
2. A current sitemap of all public and non-public facing internet pages for the Bureau of Elections;
3. A current sitemap of the e learning portal
(<https://mielections.csod.com/client/mielections/default.aspx>)
4. The current leadership/ personnel organizational chart for MDOS;
5. The current leadership/ personnel organizational chart for the Bureau of Elections;
6. The current electronic mail distribution list for all Michigan clerks (at every level) used by the Bureau of Elections to disseminate all Guidance – including but not limited to opinion letters from Director Jonathan Brater and/or the Secretary of State;
7. The current US mail distribution list for all Michigan clerks used by the Bureau of Elections to disseminate Guidance – including but not limited to opinion letters from Director Jonathan Brater;
8. **(Time period 2016 to present)** All opinions (operative during the time period) of the Secretary of State interpreting Michigan elections law and /or regulations and/or administrative rules (this includes but is not limited to letters /guidance issued to clerks, etc.);
9. **(Time period 2016 to present)** All opinions of the Director of Elections Jonathan Brater (or other Director during the period) interpreting Michigan elections law and /or regulations and/or administrative rules (this includes but is not limited to letters and/or guidance issued to clerks);
10. **(Time period 2016 to present)** All administrative rules and/or regulations created by the Secretary of State, Director Brater, and/or any rulemaker and/or rulemaking body within MDOS pertaining to Michigan elections (this includes but is not limited to letters/guidance issued to clerks);
11. All current training materials made available to clerks relating to the management, running, administering, and/or supervising of elections – a specific description of the documents can be found here: <https://www.michigan.gov/sos/elections/admin-info> ;

12. All current training materials made available to clerks relating to any aspect of elections found in this following portal: <https://mielections.csod.com/client/mielections/default.aspx>.

Image



John Burns

Legislative Director

Office of Representative Rachelle Smit
Michigan House District 43

Office: (517) 373-5007

Email: jburns@house.mi.gov

N-892 House Office Building
P.O. Box 30014
Lansing, MI 48909

RepSmit.com

ATTACHMENT 6



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

March 7, 2025

Representative Rachelle Smit
Michigan House District 43
N-892 House Office Building
P.O. Box 30014
Lansing, Michigan 48909

Dear Representative Smit:

I am writing in response to the February 6, 2025, request from your office for records related to Michigan's election systems and management. This request had previously been submitted as a FOIA. Given the expansive amount of information requested, it was estimated that it would take 140 hours of staff time to search, compile, and produce much of the information you asked for. I write now in good faith with the following items that we are able to produce without undue burden and without undue cost to taxpayers:

With respect to the information you have requested, please see the following responses:

1. All indexes and/or lists of materials used by MDOS to train clerks to run/manage/supervise/administer/oversee Michigan elections.

Response: The Michigan Department of State (MDOS, the Department) maintains a public online directory of educational materials for clerks in relation to their duties administering Michigan elections. The materials are listed on the following website and broken down into categories for ease of access:

<https://www.michigan.gov/sos/elections/admin-info>.

2. A current sitemap of all public and non-public facing internet pages for the Bureau of Elections.

Response: Please see attached. Pages containing election related information and documents have been highlighted for your convenience.

3. A current sitemap of the e learning portal
(<https://mielections.csod.com/client/mielections/default.aspx>)

Response: Please see the response to request #12 below.

4. The current leadership/ personnel organizational chart for MDOS.

Response: MDOS maintains a copy of the leadership organizational chart on the MDOS website which can be accessed by visiting the Department of State information page, located at [MDOS Org Chart](#).

5. The current leadership / personnel organizational chart for the Bureau of Elections.

Response: Please see attached February 2025 organizational chart for the Bureau of Elections (BOE.)

6. The current electronic mail distribution list for all Michigan clerks (at every level) used by the Bureau of Elections to disseminate all Guidance – including but not limited to opinion letters from Director Jonathan Brater and/or the Secretary of State.

Response: Please see attached electronic mail distribution list used by the BOE to communicate with Michigan clerks. The list is compiled using the preferred contact information submitted by clerks when establishing their eLearning accounts.

7. The current US mail distribution list for all Michigan clerks used by the Bureau of Elections to disseminate Guidance – including but not limited to opinion letters from Director Jonathan Brater.

Response: All BOE guidance issued to Michigan clerks is completed via electronic mail. This cost effective and efficient method of communication allows BOE to communicate effectively and quickly with Michigan's 1,604 clerks. As such, BOE does not maintain or utilize a United States Postal Service distribution list.

8. (Time period 2016 to present) All opinions (operative during the time period) of the Secretary of State interpreting Michigan elections law and /or regulations and/or administrative rules (this includes but is not limited to letters /guidance issued to clerks, etc.).

Response: Any opinions of the Secretary of State interpreting Michigan's laws related to elections, campaign finance, and lobby registration are made available online for interested parties to review. Specifically, they can be found at the following websites:

Michigan Campaign Finance Act:

[https://www.michigan.gov/sos/elections/disclosure/cfr/declaratory-rulings-and-interpretive-statements/michigan-campaign-finance-act-summary-and-full-text-of-rulingsign finance act summary and full text of rulings](https://www.michigan.gov/sos/elections/disclosure/cfr/declaratory-rulings-and-interpretive-statements/michigan-campaign-finance-act-summary-and-full-text-of-rulingsign%20finance%20act%20summary%20and%20full%20text%20of%20rulings)

Michigan Lobby Registration Act:

<https://www.michigan.gov/sos/elections/disclosure/lobby/declaratory-rulings-and-statements/lobby-registration-act-summary-and-full-text-of-rulings>

9. (Time period 2016 to present) All opinions of the Director of Elections Jonathan Brater (or other Director during the period) interpreting Michigan elections law and /or regulations and/or administrative rules (this includes but is not limited to letters and/or guidance issued to clerks).

Response: Please see attached copies of any opinions issued by the Director of Elections from 2019 to the present.

10. (Time period 2016 to present) All administrative rules and/or regulations created by the Secretary of State, Director Brater, and/or any rulemaker and/or rulemaking body within MDOS pertaining to Michigan elections (this includes but is not limited to letters/guidance issued to clerks).

Response: The Department of Licensing and Regulatory Affairs (LARA), maintains Michigan's Administrative Rulemaking System (ARS), the statewide online database for administrative rules. The database, which contains nine sets of administrative rules related to elections and campaign finance, is directly linked on the MDOS Elections homepage (<https://michigan.gov/sos/elections>). The applicable rulesets include the following:

- Board of State Canvasser Procedures
- Campaign Financing
- Casino Interest Registration
- Conduct of Election Recounts
- Disqualification from Ballot Based Upon Contents of Affidavit of Identity
- Electronic Voting Systems
- Lobbyist Registration and Reporting
- Online Absent Voter Ballot Application
- Signature Matching for Absent Voter Ballot Applications and Absent Voter Ballot Envelopes

11. All current training materials made available to clerks relating to the management, running, administering, and/or supervising of elections – a specific description of the documents can be found here: <https://www.michigan.gov/sos/elections/admin-info>.

Response: A core principle of MDOS and BOE is ensuring transparency in the election process and providing Michigan residents with an interest in understanding the administration of elections access to relevant documents and training materials. As such, the documents listed on the referenced website are available for all residents to read and review. Importantly, these materials are not access limited or password protected. Please see the below links for copies of the materials.

- Migov BOE YouTube videos:
<https://www.youtube.com/user/MigovBOE/playlists>

- Michigan election law: [http://www.legislature.mi.gov/\(S\(cd3jjfjenkcugc4wlbwnhjwz\)\)/mileg.aspx?page=GetObject&objectname=mcl-Act-116-of-1954](http://www.legislature.mi.gov/(S(cd3jjfjenkcugc4wlbwnhjwz))/mileg.aspx?page=GetObject&objectname=mcl-Act-116-of-1954)
- Michigan HAVA Security Grant Plan: https://www.michigan.gov/sos/-/media/Project/Websites/sos/01mcalpine/Michigan_HAVA_Security_Grant_Plan.pdf?rev=9560db34d3da4267bc0c4a109ee35cf5&hash=5235631C699015CB9A32E3D9787CC2CF
- August – November 2025 Election Dates: <https://www.michigan.gov/sos/-/media/Project/Websites/sos/Election-Administrators/Election-Dates.pdf?rev=157d2123dcc54918a327e481f755e72f&hash=E28E5582935D3C1DA1B4221CF9BAC8E3>
- May 2025 Election Dates: <https://www.michigan.gov/sos/-/media/Project/Websites/sos/Election-Administrators/Election-Calendar.pdf?rev=563515387572471eba0923f8bea24378&hash=4AC142F94CC0A0B8A2CF67D88EFE1BE0>
- ED-140: Michigan Voter Information Center flyer: <https://www.michigan.gov/sos/-/media/Project/Websites/sos/01lawensn/MVICFlyer.pdf?rev=a583a449853e4bf8866b55d74d9f1428&hash=5B62BC47C24B9ED1A54AB85194C530B4>
- Printable Flyer/Poster: Ensuring & Securing Your Vote: https://www.michigan.gov/sos/-/media/Project/Websites/sos/04mcalpine/STATE_LOCAL_EnsuringAndSecuringYourVote_for_Michigan.pdf?rev=a26f4dda90f745f0bfb552081f4a6f1f&hash=16477C29B9A8EE1AB8F50BB5A932EEFB
- Absent Voter Ballot Application (English): <https://www.michigan.gov/sos/-/media/Project/Websites/sos/Elections/Election-Forms/Absent-Voter-Ballot-Application-Fillable.pdf?rev=f820d4309bf44d20b692ad801b1c34fb&hash=7C5460181BA26B17E67B20E3A2F2EAE1>
- Absent Voter Ballot Application (Large Print): https://www.michigan.gov/sos/-/media/Project/Websites/sos/03mcalpine/Absent_Voter_Ballot_Application_-_large_print_680764_7.pdf?rev=d4b270d4cf2a4817aa0d6ce1682f4577&hash=C9F0043BB1784966313EFAF13731A995
- Affidavit of Lost or Destroyed Absent Voter Ballot: <https://www.michigan.gov/sos/-/media/Project/Websites/sos/03mcalpine/AffidavitofAbsentVoter.pdf?rev=952189076419472ab0b2725e7d6a316d&hash=FC2844A8F34D5A9331174383394152C0>
- Michigan's Absent Voter Process: <https://www.michigan.gov/sos/-/media/Project/Websites/sos/01mcalpine/Michigans-Absentee-Voting-Process.pdf?rev=256f6930421d4b5fa3bd7f68b5d20413&hash=E56706528FD2BC29770C64D0C71E4D40>

- Absent Voter Ballot Processing: <https://www.michigan.gov/sos/-/media/Project/Websites/sos/01mcalpine/Absent-Voter-Ballot-Processing.pdf?rev=23dc5cc9aa864b6195f26bc0d7277607&hash=3F769DC1BE31B9F3B9B3DB49D92F65AA>
- Ballot Proofing: <https://www.michigan.gov/sos/-/media/Project/Websites/sos/01mcalpine/BallotInstruc.pdf?rev=8bd4f7c93cec4a169615b82700505d38&hash=4D68CE447F5F877EFF6B68A325C3649B>
- Mandated Ballot Instructional Language: https://www.michigan.gov/sos/-/media/Project/Websites/sos/01mcalpine/Mandated_Ballot.pdf?rev=ced2de7776c0470894744d3cf3a1a412&hash=8A97B6F09B697119C2A08431AAC14C35
- Michigan Ballot Production Standards: <https://www.michigan.gov/sos/-/media/Project/Websites/sos/01mcalpine/BallotStandards.pdf?rev=703b3a1b44da4750846467583784a8ea&hash=E26BEEABCCC10291B78AD2C0C5D8EBEA>
- The Appointment, Rights and Duties of Election Challengers and Poll Watchers: https://www.michigan.gov/sos/-/media/Project/Websites/sos/01vanderroest/SOS_ED_2_CHALLENGERS.pdf?rev=9b8d543f41d64460b93cf3660d241504&hash=051145205D3127298ECBACC6CBC26A2F
- Michigan Challenger Credential Card: <https://www.michigan.gov/sos/-/media/Project/Websites/sos/25delrio/MichiganChallengerCredentialCard.pdf?rev=9810e7f900854b97b1bc046367e51823&hash=3E00A04D86715647B3F35BC334A4C16F>
- Managing Your Election Day Polling Place: Election Inspectors Procedure Manual: <https://www.michigan.gov/sos/-/media/Project/Websites/sos/Election-Administrators/Managing-Your-Precinct-on-Election-Day.pdf?rev=46d4805afd0d46ad99b4737376dcc96f&hash=FD6832747E4E39ED7DE3F67A2FCDD9AD>
- Election Crimes Manual: Obligations and Penalties Imposed by State Election Laws: <https://www.michigan.gov/sos/-/media/Project/Websites/sos/Election-Administrators/Election-Crimes-Manual-Obligations-and-Penalties-Imposed-by-State-Election-Laws.pdf?rev=f905584185974554b31e428f6b12e100&hash=4EA3BB0C18CE8679104F3D34DAB32FBC>
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[/media/Project/Websites/sos/01vanderroest/TEST_DECK_MANUAL05.pdf?rev=cb838fde490548e38e345815b4b1f29a&hash=49C275DE068FADED469330ACA745B671](https://www.michigan.gov/sos/-/media/Project/Websites/sos/01vanderroest/TEST_DECK_MANUAL05.pdf?rev=cb838fde490548e38e345815b4b1f29a&hash=49C275DE068FADED469330ACA745B671)

- Tabulator Testing and Security Certification: https://www.michigan.gov/sos/-/media/Project/Websites/sos/01vanderroest/OPTICAL_SCAN_PROGRAM_TESTING_AND_SECURITY_CERTIFICATION.pdf?rev=eea1b55e76024d98b8334fe646b3347b&hash=ACA5BAA3C3BC0361BFA28109FDE4E5C1
- Election Commission Certification Addendum to Tabulator Program Testing & Security Certification Form: https://www.michigan.gov/sos/-/media/Project/Websites/sos/01vanderroest/Election_Commission_Certification.pdf?rev=589f0e7b922f4cd0a7ff16eea5b76bce&hash=3950A47D1EB986D1A2B8C857C7B3711F
- VAT Testing & Security Certification Form: https://www.michigan.gov/sos/-/media/Project/Websites/sos/02vanderroest/VAT_test_certification_form.pdf?rev=768bc86db8224a079f9029c99624fabe&hash=5EBDD92FC1F020219BA6F70A9CF97359
- Time Adjustment Instructions for Tabulators and Voter Assist Terminals: https://www.michigan.gov/sos/-/media/Project/Websites/sos/02vanderroest/Time_Adjustment_Instructions_for_Tabulators_and_VAT.pdf?rev=1690be0038734814b16afa2c3171286f&hash=E9EAE5FED642E575FC1B158B6D4D0ECD
- Accessible Voting Signage: <https://www.michigan.gov/sos/-/media/Project/Websites/sos/01ciloski/AccessibleSigns.pdf?rev=c8df5c7849b947f3a23e693ae809f61c&hash=AD871BFB3073AAD5D822AB61197628FD>
- Ballot Container Inspection Guide: https://www.michigan.gov/sos/-/media/Project/Websites/sos/03mcalpine/Ballot_Container_Inspection_Guide.pdf?rev=3905dc11182f4a70b9ab8366eb579732&hash=0A55A18970251E9B46E10C289FA05600
- Affidavit of Voter Not in Possession of Photo ID: https://www.michigan.gov/sos/-/media/Project/Websites/sos/01vanderroest/Affidavit_of_Voter_in_Possession.pdf?rev=af4c63a513e846d49ad9e4cef6bd69ab&hash=2B3FBBD5AD0A0077FFC8D65B312A0293
- Acta Juramentada para electors sin identificacion con fotografia: https://www.michigan.gov/sos/-/media/Project/Websites/sos/01mcalpine/Affidavit_Voter_No_Pic_ID2SPA_210412_7.pdf?rev=ddd2b7dcb77148cdb12560fd3e88faba&hash=8F1234CC595FE227CFAD9AB73A967B30
- Voter Processing Flow Charts: https://www.michigan.gov/sos/-/media/Project/Websites/sos/07delrio/Flow_Chart.pdf?rev=ff04ea2b808249088817c16e7b45aa0b&hash=3BC2255E7D1347B049F1068D16AD564F

12. All current training materials made available to clerks relating to any aspect of elections found in this following portal: <https://mielections.csod.com/client/mielections/default.aspx>

Response: MDOS maintains a secure portal for election clerks which contains sensitive training materials regarding the cyber security and physical security of election systems and election machines. This limited access is critical to ensure the ongoing integrity of our election systems and thereby the integrity of our elections. Please find attached for your reference a copy of a list of applicable training materials available to clerks in the eLearning Center.

As always, we remain committed to the safe and secure administration of elections for the citizens of Michigan. We strive to provide as much transparency as the law allows while fulfilling our duty to protect the security and integrity of our collective election systems.

Sincerely,

/s/ Michael Brady

Michael Brady
Chief Legal Director
Michigan Department of State

ATTACHMENT 7



63RD DISTRICT
STATE CAPITOL
P.O. BOX 30014
LANSING, MI 48909-7514

MICHIGAN HOUSE OF REPRESENTATIVES

JAY DEBOYER
STATE REPRESENTATIVE

PHONE: (517) 373-1787
FAX: (517) 373-9119
JayDeBoyer@house.mi.gov

March 12, 2025

Michigan Department of State
Richard H. Austin Building – 4th Floor
430 W. Allegan St.
Lansing, MI 48918

Subject: Request for Additional Documentation Originally Requested by Rep. Smit

Dear Chief Legal Director Michael Brady,

As Chair of the Michigan House Oversight Committee, I thank you for following up with Rep. Rachelle Smit's original request for election related documents. However -upon review of your letter and the produced materials, it appears there are missing items. Please correct the following production deficiencies:

- Request No. 1: Your letter points to a URL. The information contained in this URL is inaccessible because it is password protected. Login credentials are requested.
- Request No. 2: Your letter indicates there is an applicable attachment – however, there is no responsive attachment.
- Request No. 3: Again - your letter points to information contained in the URL, and the website is inaccessible because it is password protected. Login credentials are requested.
- Request No. 11: The produced materials are not comprehensive, and there are materials that are hidden behind the login and for which credentials are required. Login credentials are requested.
- Production for Request No. 12: Again, credentials are required to access this material. Accordingly, login credentials and full and unobstructed access to the portal is requested.

Additionally, please address the following production concerns:

- Request No. 4: This organizational chart contains only leadership. What about the rest of MDOS?
- Request No. 5: This chart is an expanded version of the chart above, however it only lists titles – but not names. Please produce the chart which contains the names.

- Request No. 6: Thank you for providing this, but we request: (a) that the information be provided in Excel or .CSV format; and (b) we also request the spreadsheet column that contains the jurisdiction served by each respective clerk.
- Request Nos. 1-12: Your letter indicates that certain records were either sensitive or unduly burdensome to produce, and were therefore withheld. For example, full access to the e-learning portal was denied. Please identify all documents and materials you have withheld, and state the reason for withholding said documents and materials.

Finally, your letter stated that a fulsome production would have required 140 man hours, and that you wrote “in good faith [enclosing the] following items [you] were able to produce without undue burden and without undue cost to taxpayers.”

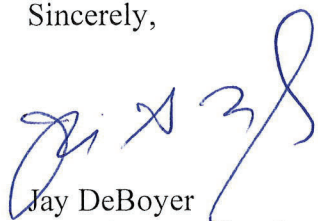
Accordingly, please state:

- (a) the total amount of time it took to locate and produce the records you sent to Rep. Smit and myself on Friday, March 7, 2025;
- (b) the names of all personnel who participated in the location and production; and
- (c) the time estimated to produce the remaining unproduced documents and materials as referenced above.

The House Oversight Committee is committed to ensuring transparency and accountability in Michigan’s electoral processes. To that end, I ask that the requests stated above be provided to myself and Rep. Smit no later than ten (10) calendar days from the date of this letter. If there are any concerns regarding this request or if clarification is needed, please contact my office as soon as possible.

Please provide the requested documents electronically via email to RachelleSmit@house.mi.gov and JayDeBoyer@house.mi.gov. We appreciate your prompt attention to this matter and look forward to your response.

Sincerely,



Jay DeBoyer
Associate Speaker Pro Tempore
Chair, House Oversight Committee
Michigan House of Representatives

ATTACHMENT 8



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

March 19, 2025

Representative Jay DeBoyer
House Oversight Committee
Michigan House of Representatives
State Capitol
P.O. Box 30014
Lansing, Michigan 48909-7514

Dear Chair DeBoyer:

Thank you for your follow up letter and for a response timeframe of ten (10) calendar days. Since receiving your letter, we have been working diligently to prepare this response as well as to track ongoing conversations about the topic from members of your caucus in the media. Given Speaker Hall's comments today that he supports an unnecessary and ill-fated subpoena of these materials – many of which are already publicly available online at www.michigan.gov/sos/elections/admin-info – we wanted to provide the courtesy of a slightly earlier response.

Since there has been much discussion around the communication timeline for this request, we took the liberty of providing a summary of communications between our office and the Elections Integrity Committee on this topic. Please find this summary in Exhibit A.

On March 7, 2025, after weeks of work involving a dozen staff spending a combined 42 hours of their taxpayer-funded time at a cost of \$3,820.52, the Michigan Department of State (MDOS) produced more than 1,200 pages of documents, with more than 300 pages of linked election law references, in response to Rep. Smit's wide-ranging and inexact request for records. Despite this, the Oversight Committee scheduled a hearing and took testimony based on the false premise that the Department had not adequately responded to Rep. Smit's request. Notably, that hearing was announced just days after the Department had informed Rep. Smit's staff on Tuesday, March 4, 2025, that a response would be forthcoming by the end of that week.

After MDOS expended a considerable amount of taxpayer funded staff time to provide these records, it was disappointing to see that the chair of the Election Integrity Committee had apparently not thoroughly read our response. In addition to the resources we provided, we indicated that much of the information she sought is publicly available on our website. Instead of holding a balanced, responsible discussion, the Oversight Committee allowed conjecture and estimations based on little, if any, evidence to proceed as fact. The Committee ignored the communications our department had with the Election Integrity chair and her staff and pretended that the department could somehow produce more than 1,200 pages of documents in "just a few hours." Following the Oversight Committee hearing, the Department received another letter repeating the same distortions.

I am writing in response to that March 12, 2025, letter, which states that it is a follow up to the Department's March 7, 2025, response to Rep. Rachelle Smit. Your letter raises various points, so I will address them individually below in the order of your letter.

Follow-up No. 1: You wrote, "Your letter points to a URL. The information contained in this URL is inaccessible because it is password protected. Login credentials are requested."

Response: The original request asked for "*All indexes and/or lists of materials used by MDOS to train clerks to run/manage/supervise/administer/oversee Michigan elections*". In our March 7, 2025, the Department responded to that request by providing a link to a "list" and/or "index" thus fulfilling the actual terms of the original request.

Follow-up No. 2: You wrote, "Your letter indicates there is an applicable attachment – however, there is no responsive attachment."

Response: The omission of the attachment referenced in our March 7, 2025, response was inadvertent and entirely accidental. Please see attached.

Follow-up No. 3: You wrote, "Again – your letter points to information contained in the URL, and website is inaccessible because it is password protected. Login credentials are requested."

Response: As noted in our March 7, 2025, response to Rep. Smit, MDOS remains committed to the safe and secure administration of elections for the citizens of Michigan. We strive to provide as much transparency as the law allows while fulfilling our duty to protect the security and integrity of our collective election systems. Again, as noted in our March 7, 2025, response to Rep. Smit, MDOS maintains a secure portal for election clerks which contains sensitive training materials regarding the cyber security and physical security of election systems and election machines. This limited access is critical to ensure the ongoing integrity of our election systems and thereby the integrity of our elections. Let there be any question as to the necessity or wisdom of complying with industry "need to know" standards in the protection of critical infrastructure and sensitive information, unfortunately, we need look no further than the ongoing criminal prosecution of individuals (including a former state representative from during her time in office) who are alleged to have attempted to gain unauthorized and illegal access to voting machines for their own personal and political purposes.

Follow-up No. 11: You wrote, "The produced materials are not comprehensive, and there are materials that are hidden behind the login and for which credentials are requested."

Response: Again, and as noted in our March 7, 2025, response to Rep. Smit, MDOS remains committed to the safe and secure administration of elections for the citizens of Michigan. We strive to provide as much transparency as the law allows while fulfilling our duty to protect the security and integrity of our

collective election systems. Again, as noted in our March 7, 2025, response to Rep. Smit, MDOS maintains a secure portal for election clerks which contains sensitive training materials regarding the cyber security and physical security of election systems and election machines. This limited access is critical to ensure the ongoing integrity of our election systems and thereby the integrity of our elections. Lest there be any question as to the necessity or wisdom of complying with industry “need to know” standards in the protection of critical infrastructure and sensitive information, unfortunately, we need look no further than the ongoing criminal prosecution of individuals (including a former state representative from during her time in office) who are alleged to have attempted to gain unauthorized and illegal access to voting machines for their own personal and political purposes.

Follow-up No. 12: You wrote, “Again, credentials are required to access this material. Accordingly, login credentials and full and unobstructed access to the portal is requested.”

Response: Again, and as noted in our March 7, 2025, response to Rep. Smit, MDOS remains committed to the safe and secure administration of elections for the citizens of Michigan. We strive to provide as much transparency as the law allows while fulfilling our duty to protect the security and integrity of our collective election systems. Again, as noted in our March 7, 2025, response to Rep. Smit, MDOS maintains a secure portal for election clerks which contains sensitive training materials regarding the cyber security and physical security of election systems and election machines. This limited access is critical to ensure the ongoing integrity of our election systems and thereby the integrity of our elections. Lest there be any question as to the necessity or wisdom of complying with industry “need to know” standards in the protection of critical infrastructure and sensitive information, unfortunately, we need look no further than the ongoing criminal prosecution of individuals (including a former state representative from during her time in office) who are alleged to have attempted to gain unauthorized and illegal access to voting machines for their own personal and political purposes.

Your letter additionally included a list of questions regarding specific elements of the documents produced by the Department. Please see the following responses:

Follow-up No. 4: You wrote, “This organizational chart contains only leadership. What about the rest of MDOS?”

Response: The original request asked for “*The current leadership/ personnel organizational chart for MDOS*”. The Department responded in kind by providing a copy of the leadership organizational chart for the Department. As to your new question, “What about the rest of MDOS?”, the Department notes that MDOS employs nearly 1,500 individuals. No organizational chart fully captures all 1,500 of those positions.

Follow-up No. 5: You wrote, “This chart is an expanded version of the chart above, however it only lists title – but not names. Please produce the chart which contains names.”

Response: The original request asked for “*The current leadership/ personnel organizational chart for the Bureau of Elections.*” It did not mention names. As this is a new request, please see the attached BOE organizational chart identifying all BOE employees by name and role.

Follow-up No. 6: You wrote, “Thank you for providing this, but we request: (a) that the information be provided in Excel or .CSV format; and (b) we also request the spreadsheet column that contains the jurisdiction served by each respective clerk.”

Response: The original request asked for “*The current electronic mail distribution list for all Michigan clerks (at every level) used by the Bureau of Elections to disseminate all Guidance – including but not limited to opinion letters from Director Jonathan Brater and/or the Secretary of State.*” There was no mention of format, nor identifying the jurisdiction of each clerk. As to your new question, please see the attached list.

Follow-up Nos. 1-12: You wrote, “Your letter indicates that certain records were either sensitive or unduly burdensome to produce, and were therefore withheld. For example, full access to the e-learning portal was denied. Please identify all documents and materials you have withheld, and state the reason for withholding said documents and materials.”

Response: A large part of the burden that is referenced is tracking down every possible responsive document. An example of the kind of document that we did not search for is items from the time period 2016 to 2018. The reason for that, quite simply, is that it predates our administration and so it is significantly more difficult to not only search for and locate potentially responsive documents, but also to have confidence in the completeness of any such response.

As for the eLearning Center, it contains over 500 training materials in a variety of different formats, including written documents, videos, recorded training presentations, online classes, and software. The materials hosted on the eLearning Center contain sensitive information regarding the cybersecurity and physical security of election systems and election machines. If training materials were to be released, each item would require individual review and redaction to ensure no protected information is released which may jeopardize the security and integrity of Michigan elections. For materials such as videos or online classes, this review may necessitate video and audio editing to ensure protected information is not released. Should the Committee identify specific materials for production from the list of eLearning Center training materials provided on March 7, 2025, the Department can produce a more detailed estimate of the time and cost required to produce the materials. This will allow the efficient use of taxpayer dollars and

protect taxpayers against overly large and inexact oversight requests from being weaponized against state government agencies.

Finally, your letter asked for information regarding the costs to the Department to respond to the questions submitted by Rep. Smit. Specifically, you requested the following information:

- (a) The total amount of time it took to locate and produce the records you sent to Rep. Smit and myself on Friday, March 7, 2025;

Response: In total, MDOS staff spent approximately 42 hours over multiple weeks producing the response provided on March 7, 2025. This time included identifying, locating, compiling and reviewing the records to ensure their responsiveness to the questions submitted.

- (b) The names of all personnel who participated in the location and production; and

Response: The following MDOS employees assisted in the identification, location, production, and review of the extensive documents provided on March 7, 2025:

- Christina Anderson
- Aghogho Edevbie
- Michael Brady
- Jonathan Brater
- Erin Schor
- Shelly Belton
- Lori Bourbonais
- Sara Buerman
- Colleen Garety
- Erin Lillie
- Jenny McInerney
- David Moore

- (c) The time estimated to produce the remaining unproduced documents and materials as referenced above.

Response: Given the Department's significant investment of staff time over many weeks to prepare the massive amount of documents and records that were shared as part of its March 7, 2025, response, the Department's initial FOIA estimate of 140 hours is likely a significant undercount of the true amount of time needed to fully respond. Nonetheless, the Department can continue to use the original 140 hours as an estimate of the labor involved. That burden and the corresponding speed of production could both be addressed through much needed clarification on the scope of what is sought as well as the prioritization of records to be reviewed for security redactions. Given the Election Integrity chair's statement that her interest in these documents is identifying improvements in the election system, it should not be an

obstacle for her to engage in good faith discussions as to how these documents can be produced without undue taxpayer expense and diversion of resources from the Department and Bureau's efforts to support election officials and voters.

As always, we remain committed to the safe and secure administration of elections for the citizens of Michigan. We strive to provide as much transparency as the law allows while fulfilling our duty to protect the security and integrity of our collective election systems. We hope, despite others' public comments this week, that we can work together productively to prioritize and produce redacted documents of interest to the committee.

Sincerely,

/s/ Michael Brady

Michael Brady

Chief Legal Director

Michigan Department of State

Exhibit A

November 7, 2024 – Initial request received from Rep. Smit staff

November 20, 2024 – Rep. Smit staff email FOIA request

- “Rep. Smit requests electronic copies of all training materials offered or otherwise provided to elections clerks.”

November 21, 2024 – BOE rejects the request for lack of specificity via email and offers the opportunity to resubmit

December 10, 2024 – Rep. Smit staff emails new refined FOIA request

- Identical to later request except items 8, 9, and 10 reference the time period 2018 to present, not 2016 to present

December 18, 2024 – BOE sends extension letter

January 7, 2025 – BOE sends fee deposit letter

- 140 hours
- \$8,781.75 estimate
- 8 week turnaround estimate provided

February 6, 2025 – Rep. Smit staff email request.

February 13, 2025 – Rep. Smit staff emails follow up request

February 14, 2025 – MDOS staff clarified by email with Rep. Smit and her staff that they planned to discuss the request at their in-person meeting scheduled for February 19. Rep. Smit staff acknowledged receipt by responding with thanks.

February 19, 2025 – MDOS staff discussed the request with Rep. Smit staff, seeking clarity on what documents would be most helpful. Rep. Smit reiterated the request for *all* information so as to inform the committee’s work

February 24, 2025 – BOE deemed Rep. Smit staff FOIA request abandoned after deposit went unpaid for 45 days

March 4, 2025 – MDOS verbally informed Rep. Smit staff that MDOS staff were compiling a response expected to be delivered by the end of the week on Friday, 3/7/25.

March 7, 2025 – At 10:53 AM, Oversight Committee posted notice of a hearing notice

March 7, 2025 – After weeks of work, MDOS sent response to Rep. Smit at 4:49 PM

ATTACHMENT 9



63RD DISTRICT
STATE CAPITOL
P.O. BOX 30014
LANSING, MI 48909-7514

MICHIGAN HOUSE OF REPRESENTATIVES

JAY DEBOYER
STATE REPRESENTATIVE

PHONE: (517) 373-1787
FAX: (517) 373-9119
JayDeBoyer@house.mi.gov

April 4, 2025

Michigan Department of State
Richard H. Austin Building – 4th Floor
430 W. Allegan St.
Lansing, MI 48918

Subject: Request for Documentation Originally Requested by Rep. Smit
(“First Request”)

Dear Chief Legal Director Michael Brady,

We are in receipt of your correspondence of March 19, 2025. While we’re grateful for the Department of State’s (“Department”) supplemental records production, we’re also frustrated by the Department’s continued refusal to produce a complete set of the clerk training materials. These materials have been sought either by Representatives Smit and DeBoyer, and/or the House Oversight and Election Integrity Committees (“Committees”) for the past five (5) months.

Please respond to the following queries and/or produce¹ the following documents on or before April 14, 2025:

- 1) The current full, complete and unredacted training materials used to train Michigan clerks and their staffs on Michigan elections, including but not limited to the materials found in the e-learning portal and the materials comprising the materials requested in requests 11-12 of Rep. Smit’s February 6, 2025, records request. For materials found in the e-learning portal, for simplicity, we would accept read access login credentials to the portal.

¹ For all withheld documents and/or materials, please identify the specific item withheld, the basis upon which it is being withheld, the date of its creation, its native file format, its author, its sender, its subject matter, a summary of the contents, and its recipients (including recipients email address(es)). Where a legal privilege is claimed, please explain the basis for the claim.

Michigan Department of State
Mr. Michael Brady – First Request
April 4, 2025

- 2) Identify all documents withheld from Reps. Smit/DeBoyer and/or the Committees relating to each document request made between November 1, 2024 and the present.
- 3) Requests 8-10 of the materials requested by Rep. Smit in her request of February 6, 2025.

We ask that the documents and materials requested above be produced to Reps. Smit and DeBoyer no later than April 14, 2025. If there are any concerns regarding this request or if clarification is needed, please contact either of our offices as soon as possible.

Please provide the requested documents electronically via email to RachelleSmit@house.mi.gov and JayDeBoyer@house.mi.gov. We appreciate your prompt attention to this matter and look forward to your response.

Sincerely,



Rachelle Smit
Speaker Pro Tempore
Chair, House Election Integrity Committee
Michigan House of Representatives



Jay DeBoyer
Associate Speaker Pro Tempore
Chair, House Oversight Committee
Michigan House of Representatives

ATTACHMENT 10



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

April 14, 2025

Representative Jay DeBoyer
Representative Rachelle Smit
Michigan House of Representatives
State Capitol
P.O. Box 30014
Lansing, Michigan 48909-7514

Dear Representatives DeBoyer and Smit:

Thank you for your follow up letter dated April 4, 2025, and for a response timeframe of ten (10) calendar days. I am writing in response to this most recent letter.

1. The current full, complete and unredacted training materials used to train Michigan clerks and their staffs on Michigan elections, including but not limited to the materials found in the e-learning portal and the materials comprising the materials requested in requests 11-12 of Rep. Smit's February 6, 2025, records request. For materials found in the e-learning portal, for simplicity, we would accept read access login credentials to the portal.

RESPONSE: As noted in our March 7, 2025, response to Rep. Smit and our March 19, 2025, response to Chair DeBoyer, MDOS remains committed to the safe and secure administration of elections for the citizens of Michigan. We are resolute in our duty to security and integrity of our collective election systems. Again, as noted in our prior responses, MDOS maintains a secure portal for election clerks which contains sensitive training materials regarding the cyber security and physical security of election systems and election machines. This limited access is critical to ensure the ongoing integrity of our election systems and thereby the integrity of our elections; therefore, read access login credentials will not be provided.

In an effort to assist the Election Integrity Committee in its previously stated goal of reviewing election documents to identify areas of improvement for election administration, the Department will conduct an individual review of each of the items included on the e-learning portal to prevent disclosure of protected information which, if released, may jeopardize the security and integrity of Michigan elections. In our March 7, 2025 response, MDOS offered to assist the Committees by asking the Committees to identify which specific materials they were most interested in reviewing, so that these materials could be prioritized for production. Because we did not receive any response to this offer of assistance, MDOS will provide the materials, following a security review, on a rolling basis. MDOS is happy to provide all appropriate materials to the Committees in a transparent matter, but cannot divert its limited resources from the critical missions of

supporting election officials and voters and ensuring the security, safety, and integrity of Michigan elections in response to inexact oversight requests being weaponized against state agencies and in turn, the Michiganders they serve.

An initial production of materials will be available on April 30, 2025, with subsequent productions to follow. As we expect the materials to be too large to provide via email, we will need to know your preferred method of delivery, such as file transfer service or flash drive.

2. Identify all documents withheld from Reps. Smit/DeBoyer and/or the Committees relating to each document request made between November 1, 2024 and the present.

RESPONSE: As part of the Department's March 7, 2025 response to Rep. Smit, a list of training materials available to clerks through the eLearning Center was provided. This list identifies the only materials the Department has withheld from production to ensure the cyber security and physical security of election systems and election machines. A copy of the list from March 7, 2025, has been provided for your convenience.

3. Requests 8-10 of the materials requested by Rep. Smit in her request of February 6, 2025.

As part of the Department's March 7, 2025, response, the Department provided Rep. Smit with the materials requested in Requests 8-10 of her February 6, 2025, letter. The requests and responses were as follows:

Request 8: (Time period 2016 to present) All opinions (operative during the time period) of the Secretary of State interpreting Michigan elections law and /or regulations and/or administrative rules (this includes but is not limited to letters /guidance issued to clerks, etc.).

Response: Any opinions of the Secretary of State interpreting Michigan's laws related to elections, campaign finance, and lobby registration are made available online for interested parties to review. Specifically, they can be found at the following websites:

Michigan Campaign Finance Act: [Michigan Campaign Finance Act Complaints](#)

Michigan Lobby Registration Act: [Michigan Lobby Act Rulings](#)

Request 9: (Time period 2016 to present) All opinions of the Director of Elections Jonathan Brater (or other Director during the period) interpreting Michigan elections law and /or regulations and/or administrative rules (this includes but is not limited to letters and/or guidance issued to clerks).

Response: Please see attached copies of any opinions issued by the Director of Elections from 2019 to the present.

Request 10: (Time period 2016 to present) All administrative rules and/or regulations created by the Secretary of State, Director Brater, and/or any rulemaker and/or rulemaking body within MDOS pertaining to Michigan elections (this includes but is not limited to letters/guidance issued to clerks).

Response: The Department of Licensing and Regulatory Affairs (LARA), maintains Michigan's Administrative Rulemaking System (ARS), the statewide online database for administrative rules. The database, which contains nine sets of administrative rules related to elections and campaign finance, is directly linked on the MDOS Elections homepage. The link to the LARA ARS page is here for your convenience. ([ARS Public - MI Admin Code for State - Elections & Campaign Finance](#)). The applicable rulesets include the following:

- Board of State Canvasser Procedures
- Campaign Financing
- Casino Interest Registration
- Conduct of Election Recounts
- Disqualification from Ballot Based Upon Contents of Affidavit of Identity
- Electronic Voting Systems
- Lobbyist Registration and Reporting
- Online Absent Voter Ballot Application
- Signature Matching for Absent Voter Ballot Applications and Absent Voter Ballot Envelopes

Sincerely,

Khyla D. Craine
Chief Legal Director
Michigan Department of State

