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United States Code Annotated

Title 52. Voting and Elections (Refs & Annos)

Subtitle II. Voting Assistance and Election Administration (Refs & Annos)

Chapter 205. National Voter Registration

52 U.S.C.A. § 20510

Formerly cited as 42 USCA § 1973gg-9

§ 20510. Civil enforcement and private right of action

Currentness

(a) Attorney General

The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as is necessary to carry out this chapter.

(b) Private right of action

(1) A person who is aggrieved by a violation of this chapter may provide written notice of the violation to the chief election official of the State involved.

(2) If the violation is not corrected within 90 days after receipt of a notice under paragraph (1), or within 20 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may bring a civil action in an appropriate district court for declaratory or injunctive relief with respect to the violation.

(3) If the violation occurred within 30 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State under paragraph (1) before bringing a civil action under paragraph (2).

(c) Attorney's fees

In a civil action under this section, the court may allow the prevailing party (other than the United States) reasonable attorney fees, including litigation expenses, and costs.

(d) Relation to other laws

(1) The rights and remedies established by this section are in addition to all other rights and remedies provided by law, and neither the rights and remedies established by this section nor any other provision of this chapter shall supersede, restrict, or limit the application of the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).¹

(2) Nothing in this chapter authorizes or requires conduct that is prohibited by the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).¹

CREDIT(S)

(Pub.L. 103-31, § 11, May 20, 1993, 107 Stat. 88.)

Notes of Decisions (72)

Footnotes

1 Redesignated as 52 U.S.C.A. § 10301 et seq.

52 U.S.C.A. § 20510, 52 USCA § 20510

Current through P.L. 118-106. Some statute sections may be more current, see credits for details.

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United States Code Annotated
Federal Rules of Civil Procedure for the United States District Courts (Refs & Annos)
Title VI. Trials

Federal Rules of Civil Procedure Rule 52

Rule 52. Findings and Conclusions by the Court; Judgment on Partial Findings

Currentness

(a) Findings and Conclusions.

(1) *In General.* In an action tried on the facts without a jury or with an advisory jury, the court must find the facts specially and state its conclusions of law separately. The findings and conclusions may be stated on the record after the close of the evidence or may appear in an opinion or a memorandum of decision filed by the court. Judgment must be entered under [Rule 58](#).

(2) *For an Interlocutory Injunction.* In granting or refusing an interlocutory injunction, the court must similarly state the findings and conclusions that support its action.

(3) *For a Motion.* The court is not required to state findings or conclusions when ruling on a motion under [Rule 12](#) or [56](#) or, unless these rules provide otherwise, on any other motion.

(4) *Effect of a Master's Findings.* A master's findings, to the extent adopted by the court, must be considered the court's findings.

(5) *Questioning the Evidentiary Support.* A party may later question the sufficiency of the evidence supporting the findings, whether or not the party requested findings, objected to them, moved to amend them, or moved for partial findings.

(6) *Setting Aside the Findings.* Findings of fact, whether based on oral or other evidence, must not be set aside unless clearly erroneous, and the reviewing court must give due regard to the trial court's opportunity to judge the witnesses' credibility.

(b) Amended or Additional Findings. On a party's motion filed no later than 28 days after the entry of judgment, the court may amend its findings--or make additional findings--and may amend the judgment accordingly. The motion may accompany a motion for a new trial under [Rule 59](#).

(c) Judgment on Partial Findings. If a party has been fully heard on an issue during a nonjury trial and the court finds against the party on that issue, the court may enter judgment against the party on a claim or defense that, under the controlling law, can be maintained or defeated only with a favorable finding on that issue. The court may, however, decline to render any judgment until the close of the evidence. A judgment on partial findings must be supported by findings of fact and conclusions of law as required by Rule 52(a).

CREDIT(S)

(Amended December 27, 1946, effective March 19, 1948; January 21, 1963, effective July 1, 1963; April 28, 1983, effective August 1, 1983; April 29, 1985, effective August 1, 1985; April 30, 1991, effective December 1, 1991; April 22, 1993, effective December 1, 1993; April 27, 1995, effective December 1, 1995; April 30, 2007, effective December 1, 2007; March 26, 2009, effective December 1, 2009.)

ADVISORY COMMITTEE NOTES

1937 Adoption

See [former] Equity Rule 70 ½, as amended Nov. 25, 1935, (Findings of Fact and Conclusions of Law) and U.S.C., Title 28, [former] § 764 (Opinion, findings, and conclusions in action against United States) which are substantially continued in this rule. The provisions of U.S.C., Title 28, [former] §§ 773 (Trial of issues of fact; by court) and [former] 875 (Review in cases tried without a jury) are superseded in so far as they provide a different method of finding facts and a different method of appellate review. The rule stated in the third sentence of Subdivision (a) accords with the decisions on the scope of the review in modern federal equity practice. It is applicable to all classes of findings in cases tried without a jury whether the finding is of a fact concerning which there was conflict of testimony, or of a fact deduced or inferred from uncontradicted testimony. See *Silver King Coalition Mines Co. v. Silver King Consolidated Mining Co.*, C.C.A.8, 1913, 204 F. 166, certiorari denied 33 S.Ct. 1051, 229 U.S. 624, 57 L.Ed. 1356; *Warren v. Keep*, 1894, 15 S.Ct. 83, 155 U.S. 265, 39 L.Ed. 144; *Furrer v. Ferris*, 1892, 12 S.Ct. 821, 145 U.S. 132, 36 L.Ed. 649; *Tilghman v. Proctor*, 1888, 8 S.Ct. 894, 125 U.S. 136, 149, 31 L.Ed. 664; *Kimberly v. Arms*, 1889, 9 S.Ct. 355, 129 U.S. 512, 524, 32 L.Ed. 764. Compare *Kaeser & Blair Inc. v. Merchants' Ass'n*, C.C.A.6, 1933, 64 F.2d 575, 576; *Dunn v. Trefry*, C.C.A.1, 1919, 260 F. 147.

In the following states findings of fact are required in all cases tried without a jury (waiver by the parties being permitted as indicated at the end of the listing): Arkansas, Civ.Code (Crawford, 1934) § 364; California, Code Civ.Proc. (Deering, 1937) §§ 632, 634; Colorado, 1 Stat. Ann. (1935) Code Civ.Proc. §§ 232, 291 (in actions before referees or for possession of and damages to land); Connecticut, Gen.Stats. §§ 5660, 5664; Idaho, 1 Code Ann. (1932) §§ 7-302 through 7-305; Massachusetts (equity cases), 2 Gen.Laws (Ter.Ed., 1932) ch. 214, § 23; Minnesota, 2 Stat. (Mason, 1927) § 9311; Nevada, 4 Comp.Laws (Hillyer, 1929) §§ 8783-8784; New Jersey, Sup.Ct.Rule 113, 2 N.J.Misc. 1197, 1239 (1924); New Mexico, Stat. Ann. (Courtright, 1929) §§ 105-813; North Carolina, Code (1935) § 569; North Dakota, 2 Comp.Laws Ann. (1913) § 7641; Oregon, 2 Code Ann. (1930) §§ 2-502; South Carolina, Code (Michie, 1932) § 649; South Dakota, 1 Comp.Laws (1929) §§ 2525-2526; Utah, Rev.Stat. Ann. (1933) §§ 104-26-2, 104-26-3; Vermont (where jury trial waived), Pub.Laws (1933) § 2069; Washington, 2 Rev.Stat. Ann. (Remington, 1932) § 367; Wisconsin, Stat. (1935) § 270.33. The parties may waive this requirement for findings in California, Idaho, North Dakota, Nevada, New Mexico, Utah, and South Dakota.

In the following states the review of findings of fact in all non-jury cases, including jury waived cases, is assimilated to the equity review: Alabama, Code Ann. (Michie, 1928) §§ 9498, 8599; California, Code Civ.Proc. (Derring, 1937) § 956a; but see 20 Calif.Law Rev. 171 (1932); Colorado, *Johnson v. Kountze*, 1895, 43 P. 445, 21 Colo. 486, *semble*; Illinois, *Baker v. Hinricks*, 1934, 194 N.E. 284, 359 Ill. 138; *Weininger v. Metropolitan Fire Ins. Co.*, 1935, 195 N.E. 420, 359 Ill. 584, 98 A.L.R. 169; Minnesota, *State Bank of Gibbon v. Walter*, 1926, 208 N.W. 423, 167 Minn. 37; *Waldron v. Page*, 1934, 253 N.W. 894, 191 Minn. 302; New Jersey N.J.S.A. 2:27-241, 2:27-363, as interpreted in *Bussy v. Hatch*, 1920, 111 A. 546, 95 N.J.L. 56; New York, *York Mortgage Corporation v. Clotar Const. Corp.*, 1930, 172 N.E. 265, 254 N.Y. 128; North Dakota, Comp.Laws Ann. (1913) § 7846, as amended by N.D.Laws 1933, c. 208; *Milnor Holding Co. v. Holt*, 1933, 248 N.W. 315, 63 N.D. 362, 370; Oklahoma, *Wichita Mining and Improvement Co. v. Hale*, 1908, 94 P. 530, 20 Okl. 159; South Dakota, *Randall v. Burk Township*, 4 S.D. 337, 57 N.W. 4 (1893); Texas, *Custard v. Flowers*, 1929, 14 S.W.2d 109; Utah, Rev.Stat. Ann. (1933) § 104-41-5; Vermont, *Roberge v. Troy*, 1933, 163 A. 770, 105 Vt. 134; Washington, 2 Rev.Stat. Ann. (Remington, 1932) §§ 309-316; *McCullough v. Puget Sound Realty Associates*, 1913, 136 Pac. 1146, 76 Wash. 700, but see *Cornwall v. Anderson*, 1915, 148 P. 1, 85 Wash. 369; West Virginia, *Kinsey v. Carr*, 1906, 55 S.E. 1004, 60 W.Va. 449, *semble*; Wisconsin, Stat. (1935) § 251.09; *Campbell v. Sutliff*, 1927, 214 N.W. 374, 193 Wis. 370; *Gessler v. Erwin Co.*, 1924, 193 N.W. 303, 182 Wis. 315.

For examples of an assimilation of the review of findings of fact in cases tried without a jury to the review at law as made in several states, see Clark and Stone, *Review of Findings of Fact*, 4 U. of Chi.L.Rev. 190, 215 (1937).

1946 Amendment

Note to Subdivision (a). The amended rule makes clear that the requirement for findings of fact and conclusions of law thereon applies in a case with an advisory jury. This removes an ambiguity in the rule as originally stated, but carries into effect what has been considered its intent. 3 *Moore's Federal Practice*, 1938, 3119. *Hurwitz v. Hurwitz*, 1943, 136 F.2d 796, 78 U.S.App.D.C. 66.

The two sentences added at the end of Rule 52(a) eliminate certain difficulties which have arisen concerning findings and conclusions. The first of the two sentences permits findings of fact and conclusions of law to appear in an opinion or memorandum of decision. See, e.g., *United States v. One 1941 Ford Sedan*, S.D.Tex.1946, 65 F.Supp. 84. Under original Rule 52(a) some courts have expressed the view that findings and conclusions could not be incorporated in an opinion. *Detective Comics, Inc. v. Bruns Publications*, S.D.N.Y.1939, 28 F.Supp. 399; *Pennsylvania Co. for Insurance on Lives & Granting Annuities v. Cincinnati & L.E.R. Co.*, S.D.Ohio 1941, 43 F.Supp. 5; *United States v. Aluminum Co. of America*, S.D.N.Y.1941, 2 F.R.D. 224, 5 Fed. Rules Serv. 52a.11, Case 3; see also s.c., 44 F.Supp. 97. But, to the contrary, see *Wellman v. United States*, D.Mass.1938, 25 F.Supp. 868; *Cook v. United States*, D.Mass.1939, 26 F.Supp. 253; *Proctor v. White*, D.Mass.1939, 28 F.Supp. 161; *Green Valley Creamery, Inc. v. United States*, C.C.A.1, 1939, 108 F.2d 342. See also *Matton Oil Transfer Corp. v. The Dynamic*, C.C.A.2, 1941, 123 F.2d 999; *Carter Coal Co. v. Litz*, C.C.A.4, 1944, 140 F.2d 934; *Woodruff v. Heiser*, C.C.A.10, 1945, 150 F.2d 869; *Coca Cola Co. v. Busch*, Pa.1943, 7 Fed. Rules Serv. 59b.2, Case 4; Oglebay, *Some Developments in Bankruptcy Law*, 1944, 18 J. of Nat'l Ass'n of Ref. 68, 69. Findings of fact aid in the process of judgment and in defining for future cases the precise limitations of the issues and the determination thereon. Thus they not only aid the appellate court on review, *Hurwitz v. Hurwitz*, App.D.C.1943, 136 F.2d 796, 78 U.S.App.D.C. 66, but they are an important factor in the proper application of the doctrines of res judicata and estoppel by judgment. Nordbye, *Improvements in Statement of Findings of Fact and Conclusions of Law*, 1 F.R.D. 25, 26-27; *United States v. Forness*, C.C.A.2, 1942, 125 F.2d 928, certiorari denied 1942, 62 S.Ct. 1293, 316 U.S. 694, 86 L.Ed. 1764. These findings should represent the judge's own determination and not the long, often argumentative statements of successful counsel. *United States v. Forness*, supra; *United States v. Crescent Amusement Co.*, 1944, 1945, 65 S.Ct. 254, 323 U.S. 173, 89 L.Ed. 160. Consequently, they should be a part of the judge's opinion and decision, either stated therein or stated separately. *Matton Oil Transfer Corp. v. The Dynamic*, supra. But the judge need only make brief, definite, pertinent findings and conclusions upon the contested matters; there is no necessity for over-elaboration of detail or particularization of facts. *United States v. Forness*, supra; *United States v. Crescent Amusement Co.*, supra. See also *Petterson Lighterage & Towing Corp. v. New York Central R. Co.*, C.C.A.2, 1942, 126 F.2d 992; *Brown Paper Mill Co., Inc. v. Irwin*, C.C.A.8, 1943, 134 F.2d 337; *Allen Bradley Co. v. Local Union No. 3, I.B.E.W.*, C.C.A.2, 1944, 145 F.2d 215, reversed on other grounds 65 S.Ct. 1533, 325 U.S. 797; *Young v. Murphy, Ohio* 1946, 9 Fed.Rules Serv. 52a.11, Case 2.

The last sentence of Rule 52(a) as amended will remove any doubt that findings and conclusions are unnecessary upon decision of a motion, particularly one under Rule 12 or Rule 56, except as provided in amended Rule 41(b). As so holding, see *Thomas v. Peyser*, App.D.C.1941, 118 F.2d 369; *Schad v. Twentieth Century-Fox Corp.*, C.C.A.3, 1943, 136 F.2d 991; *Prudential Ins. Co. of America v. Goldstein*, N.Y.1942, 43 F.Supp. 767; *Somers Coal Co. v. United States*, N.D.Ohio 1942, 2 F.R.D. 532, 6 Fed.Rules Serv. 52a.1, Case 1; *Pen-Ken Oil & Gas Corp. v. Warfield Natural Gas Co.*, E.D.Ky.1942, 2 F.R.D. 355, 5 Fed. Rules Serv. 52a.1, Case 3; also Commentary, *Necessity of Findings of Fact*, 1941, 4 Fed. Rules Serv. 936.

1963 Amendment

This amendment conforms to the amendment of Rule 58. See the Advisory Committee's Note to Rule 58, as amended.

1983 Amendment

Rule 52(a) has been amended to revise its penultimate sentence to provide explicitly that the district judge may make the findings of fact and conclusions of law required in nonjury cases orally. Nothing in the prior text of the rule forbids this practice, which is widely utilized by district judges. See Christensen, *A Modest Proposal for Immeasurable Improvement*, 64 A.B.A.J. 693 (1978). The objective is to lighten the burden on the trial court in preparing findings in nonjury cases. In addition, the amendment should reduce the number of published district court opinions that embrace written findings.

1985 Amendment

Rule 52(a) has been amended (1) to avoid continued confusion and conflicts among the circuits as to the standard of appellate review of findings of fact by the court, (2) to eliminate the disparity between the standard of review as literally stated in Rule 52(a) and the practice of some courts of appeals, and (3) to promote nationwide uniformity. See Note, *Rule 52(a): Appellate Review of Findings of Fact Based on Documentary or Undisputed Evidence*, 49 Va.L.Rev. 506, 536 (1963).

Some courts of appeal have stated that when a trial court's findings do not rest on demeanor evidence and evaluation of a witness' credibility, there is no reason to defer to the trial court's findings and the appellate court more readily can find them to be clearly erroneous. See, e.g., *Marcum v. United States*, 621 F.2d 142, 144-45 (5th Cir.1980). Others go further, holding that appellate review may be had without application of the "clearly erroneous" test since the appellate court is in as good a position as the trial court to review a purely documentary record. See, e.g., *Atari, Inc. v. North American Philips Consumer Electronics Corp.*, 672 F.2d 607, 614 (7th Cir.), cert. denied, 459 U.S. 880 (1982); *Lydle v. United States*, 635 F.2d 763, 765 n. 1 (6th Cir.1981); *Swanson v. Baker Indus., Inc.*, 615 F.2d 479, 483 (8th Cir.1980); *Taylor v. Lombard*, 606 F.2d 371, 372 (2d Cir.1979), cert. denied, 445 U.S. 946 (1980); *Jack Kahn Music Co. v. Baldwin Piano & Organ Co.*, 604 F.2d 755, 758 (2d Cir.1979); *John R. Thompson Co. v. United States*, 477 F.2d 164, 167 (7th Cir.1973).

A third group has adopted the view that the "clearly erroneous" rule applies in all nonjury cases even when findings are based solely on documentary evidence or on inferences from undisputed facts. See, e.g., *Maxwell v. Sumner*, 673 F.2d 1031, 1036 (9th Cir.), cert. denied, 459 U.S. 976 (1982); *United States v. Texas Education Agency*, 647 F.2d 504, 506-07 (5th Cir.1981), cert. denied, 454 U.S. 1143 (1982); *Constructora Maza, Inc. v. Banco de Ponce*, 616 F.2d 573, 576 (1st Cir.1980); *In re Sierra Trading Corp.*, 482 F.2d 333, 337 (10th Cir.1973); *Case v. Morrisette*, 475 F.2d 1300, 1306-07 (D.C.Cir.1973).

The commentators also disagree as to the proper interpretation of the Rule. Compare Wright, *The Doubtful Omniscience of Appellate Courts*, 41 Minn.L.Rev. 751, 769-70 (1957) (language and intent of Rule support view that "clearly erroneous" test should apply to all forms of evidence), and 9 C. Wright & A. Miller, *Federal Practice and Procedure: Civil § 2587*, at 740 (1971) (language of the Rule is clear), with 5A J. Moore, *Federal Practice* ¶ 52.04, 2687-88 (2d ed. 1982) (Rule as written supports broader review of findings based on non-demeanor testimony).

The Supreme Court has not clearly resolved the issue. See, *Bose Corp. v. Consumers Union of United States, Inc.*, 466 U.S. 485, 104 S.Ct. 1949, 1958 (1984); *Pullman Standard v. Swint*, 456 U.S. 273, 293 (1982); *United States v. General Motors Corp.*, 384 U.S. 127, 141 n. 16 (1966); *United States v. United States Gypsum Co.*, 333 U.S. 364, 394-96 (1948).

The principal argument advanced in favor of a more searching appellate review of findings by the district court based solely on documentary evidence is that the rationale of Rule 52(a) does not apply when the findings do not rest on the trial court's assessment of credibility of the witnesses but on an evaluation of documentary proof and the drawing of inferences from it, thus eliminating the need for any special deference to the trial court's findings. These considerations are outweighed by the public interest in the stability and judicial economy that would be promoted by recognizing that the trial court, not the appellate tribunal, should be the finder of the facts. To permit courts of appeals to share more actively in the fact-finding function would tend to undermine the legitimacy of the district courts in the eyes of litigants, multiply appeals by encouraging appellate retrial of some factual issues, and needlessly reallocate judicial authority.

1991 Amendment

Subdivision (c) is added. It parallels the revised Rule 50(a), but is applicable to non-jury trials. It authorizes the court to enter judgment at any time that it can appropriately make a dispositive finding of fact on the evidence.

The new subdivision replaces part of Rule 41(b), which formerly authorized a dismissal at the close of the plaintiff's case if the plaintiff had failed to carry an essential burden of proof. Accordingly, the reference to Rule 41 formerly made in subdivision (a) of this rule is deleted.

As under the former Rule 41(b), the court retains discretion to enter no judgment prior to the close of the evidence.

Judgment entered under this rule differs from a summary judgment under Rule 56 in the nature of the evaluation made by the court. A judgment on partial findings is made after the court has heard all the evidence bearing on the crucial issue of fact, and the finding is reversible only if the appellate court finds it to be "clearly erroneous." A summary judgment, in contrast, is made on the basis of facts established on account of the absence of contrary evidence or presumptions; such establishments of fact are rulings on questions of law as provided in Rule 56(a) and are not shielded by the "clear error" standard of review.

1993 Amendment

This technical amendment corrects an ambiguity in the text of the 1991 revision of the rule, similar to the revision being made to Rule 50. This amendment makes clear that judgments as a matter of law in nonjury trials may be entered against both plaintiffs and defendants and with respect to issues or defenses that may not be wholly dispositive of a claim or defense.

1995 Amendment

The only change, other than stylistic, intended by this revision is to require that any motion to amend or add findings after a nonjury trial must be filed no later than 10 days after entry of the judgment. Previously, there was an inconsistency in the wording of Rules 50, 52, and 59 with respect to whether certain post-judgment motions had to be filed, or merely served, during that period. This inconsistency caused special problems when motions for a new trial were joined with other post-judgment motions. These motions affect the finality of the judgment, a matter often of importance to third persons as well as the parties and the court. The Committee believes that each of these rules should be revised to require filing before end of the 10-day period. Filing is an event that can be determined with certainty from court records. The phrase "no later than" is used--rather than "within"--to include post-judgment motions that sometimes are filed before actual entry of the judgment by the clerk. It should be noted that under Rule 6(a) Saturdays, Sundays, and legal holidays are excluded in measuring the 10-day period, and that under Rule 5 the motions when filed are to contain a certificate of service on other parties.

2007 Amendment

The language of Rule 52 has been amended as part of the general restyling of the Civil Rules to make them more easily understood and to make style and terminology consistent throughout the rules. These changes are intended to be stylistic only.

Former Rule 52(a) said that findings are unnecessary on decisions of motions "except as provided in subdivision (c) of this rule." Amended Rule 52(a)(3) says that findings are unnecessary "unless these rules provide otherwise." This change reflects provisions in other rules that require Rule 52 findings on deciding motions. Rules 23(e), 23(h), and 54(d)(2)(C) are examples.

Amended Rule 52(a)(5) includes provisions that appeared in former Rule 52(a) and 52(b). Rule 52(a) provided that requests for findings are not necessary for purposes of review. It applied both in an action tried on the facts without a jury and also in granting or refusing an interlocutory injunction. Rule 52(b), applicable to findings "made in actions tried without a jury," provided that the sufficiency of the evidence might be "later questioned whether or not in the district court the party raising the question objected to the findings, moved to amend them, or moved for partial findings." Former Rule 52(b) did not explicitly

apply to decisions granting or refusing an interlocutory injunction. Amended Rule 52(a)(5) makes explicit the application of this part of former Rule 52(b) to interlocutory injunction decisions.

Former Rule 52(c) provided for judgment on partial findings, and referred to it as “judgment as a matter of law.” Amended Rule 52(c) refers only to “judgment,” to avoid any confusion with a Rule 50 judgment as a matter of law in a jury case. The standards that govern judgment as a matter of law in a jury case have no bearing on a decision under Rule 52(c).

2009 Amendment

Former Rules 50, 52, and 59 adopted 10-day periods for their respective post-judgment motions. Rule 6(b) prohibits any expansion of those periods. Experience has proved that in many cases it is not possible to prepare a satisfactory post-judgment motion in 10 days, even under the former rule that excluded intermediate Saturdays, Sundays, and legal holidays. These time periods are particularly sensitive because Appellate Rule 4 integrates the time to appeal with a timely motion under these rules. Rather than introduce the prospect of uncertainty in appeal time by amending Rule 6(b) to permit additional time, the former 10-day periods are expanded to 28 days. Rule 6(b) continues to prohibit expansion of the 28-day period.

[Notes of Decisions \(3243\)](#)

Fed. Rules Civ. Proc. Rule 52, 28 U.S.C.A., FRCP Rule 52
Including Amendments Received Through 10-1-24

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

COMMONWEALTH OF VIRGINIA; VIRGINIA
STATE BOARD OF ELECTIONS; and SUSAN
BEALS, in her official capacity as Commissioner
of Elections,

Defendants.

Civil Action No.

COMPLAINT

The United States of America alleges:

1. Only U.S. citizens are eligible to vote in U.S. federal elections. That fact is not in dispute, and there is no evidence of widespread noncitizen voting in the United States. But that is not what this case is about.

2. This case is about Section 8(c)(2) of the National Voter Registration Act (NVRA), also known as the Quiet Period Provision, which requires states to complete systematic programs intended to remove the names of ineligible voters from registration lists based on failure to meet initial eligibility requirements by no later than 90 days before federal elections. 52 U.S.C. § 20507(c)(2).

3. The Quiet Period Provision helps to mitigate the risk that errors in systematic list maintenance will disenfranchise, confuse, or deter eligible voters by ensuring that they have adequate time to address errors and understand their rights.

4. On August 7, 2024—90 days before the November 5, 2024, federal General Election—the Commonwealth of Virginia announced the formalization of a systematic process to remove “individuals who are unable to verify that they are citizens to the [Virginia] Department of Motor Vehicles from the statewide voter registration list” (the “Program”).

5. In this action, the United States alleges that the implementation of the Program violates the Quiet Period Provision.

6. The Quiet Period Provision embodies Congress’s clear and considered judgment to restrict states from engaging in systematic processes aimed at removing the names of ineligible voters from the rolls in the final days before an election. And for good reason: systematic removal programs are more error-prone than other forms of list maintenance, and eligible voters placed on the path to removal days or weeks before Election Day may be deterred from voting or unable to participate in the election on the same terms that they would have but for the Commonwealth’s error.

7. The Commonwealth’s unlawful actions here have likely confused, deterred, and removed U.S. citizens who are fully eligible to vote—the very scenario that Congress tried to prevent when it enacted the Quiet Period Provision.

JURISDICTION AND VENUE

8. This Court has jurisdiction over this action pursuant to 52 U.S.C. § 20510(a) and 28 U.S.C. §§ 1331 and 1345.

9. Venue is proper in this district pursuant to 28 U.S.C. §§ 127(a) and 1391(b).

PARTIES

10. The United States brings this civil action for declaratory or injunctive relief necessary to carry out the NVRA. 52 U.S.C. § 20510(a).

11. The Commonwealth of Virginia is a state of the United States and is obligated to comply with Section 8 of the NVRA. 52 U.S.C. §§ 20503(a)(1), 20504.

12. The Virginia State Board of Elections, through the Department of Elections (ELECT), “supervise[s] and coordinate[s] the work of the county and city electoral boards and of the registrars to obtain uniformity in their practices and proceedings and legality and purity in all elections.” Va. Code § 24.2-103(A).

13. Defendant Susan Beals is the Commissioner of Elections, the chief election officer of the Commonwealth of Virginia. Va. Code § 24.2-102(B). As Virginia’s chief election official, Commissioner Beals is responsible for coordinating Virginia’s responsibilities under the NVRA. 52 U.S.C. § 20509; Va. Code § 24.2-102(B). Commissioner Beals is required, under Executive Order 35, to certify to the governor that ELECT removes individuals identified by the Virginia Department of Motor Vehicles (DMV) as “unable to verify that they are citizens” from the statewide voter registration list. *See* Commonwealth of Virginia, Office of the Governor, Executive Order Number Thirty-Five: Comprehensive Election Security Protecting Legal Voters and Accurate Counting (Aug. 7, 2024), <https://perma.cc/CK4L-PQ3K>. Commissioner Beals is sued in her official capacity.

FACTUAL ALLEGATIONS

Section 8(c)(2) of the National Voter Registration Act

14. Section 8 of the NVRA establishes requirements for the administration of voter registration for elections for federal office. 52 U.S.C. § 20507.

15. Section 8(c)(2) of the NVRA, the Quiet Period Provision, specifically directs that a “State shall complete, not later than 90 days prior to the date of a primary or general election

for federal office, any program the purpose of which is to systematically remove the names of ineligible voters from the official lists of eligible voters.” 52 U.S.C. § 20507(c)(2)(A).

16. The Quiet Period Provision does not preclude the removal of names from official lists of voters at the request of the registrant, by reason of criminal conviction or mental incapacity (as provided by State law), or by reason of the death of the registrant. 52 U.S.C. § 20507(c)(2)(B)(i); *see also* 52 U.S.C. § 20507(a)(3)(A)-(B), (4)(A).

17. The Quiet Period Provision also does not preclude correction of an individual voter’s registration records pursuant to the NVRA. 52 U.S.C. § 20507(c)(2)(B)(ii).

18. The Quiet Period Provision applies to systematic programs intended to remove the names of ineligible voters based on failure to meet initial eligibility requirements—including citizenship—at the time of registration. *See Arcia v. Fla. Sec’y of State*, 772 F.3d 1335, 1343-48 (11th Cir. 2014).

19. The Quiet Period Provision thus strikes a careful balance: it permits systematic removal programs at any time *except* for the 90 days before a federal election because that is when the risk of disfranchising eligible voters is the greatest.

Virginia’s Process to Remove Alleged Noncitizens

20. On August 7, 2024, 90 days before the November 5, 2024, federal General Election, the Virginia Governor issued Executive Order 35. *See* Commonwealth of Virginia, Office of the Governor, Executive Order Number Thirty-Five: Comprehensive Election Security Protecting Legal Voters and Accurate Counting (Aug. 7, 2024), <https://perma.cc/CK4L-PQ3K>.

21. The Executive Order formalized the Program and announced that 6,303 individuals had been removed from the rolls pursuant to the same process between January 2022 and July 2024.

22. Executive Order 35 required, among other things, the Commissioner to “certify” to the Governor that procedures were in place to provide “Daily Updates to the Voter List.”

23. The “Daily Updates” include “[r]emov[ing] individuals who are unable to verify that they are citizens to the Department of Motor Vehicles from the statewide voter registration list.”

24. The “Daily Update” also included “compar[ing] the list of individuals who have been identified as non-citizens to the list of existing registered voters and then [requiring] registrars notify any matches of their pending cancellation unless they affirm their citizenship within 14 days.”

25. Voters are identified as possible noncitizens under the Program if they chose “No” in response to questions about their United States citizenship status on certain forms submitted to the DMV.

26. Voters who chose “No” are identified as possible noncitizens even if they have previously submitted voter registration forms where they have affirmed that they are U.S. citizens.

27. When an individual has chosen “No” on a form submitted to the DMV, the Program does not require the DMV to verify the accuracy of that response.

28. The Virginia DMV sends the Department of Elections (ELECT) a list of purported noncitizens that is generated by the process explained above.

29. ELECT then attempts to match individuals on the list provided by the DMV to individuals on the voting rolls.

30. ELECT sends each local registrar a list of purported noncitizens who ELECT identifies as registered to vote in the registrar’s jurisdiction.

31. Once ELECT sends each list compiled pursuant to the Program to a registrar, the registrar is required to review each entry on the list and confirm that it matches a voter on their jurisdiction's voter rolls.

32. The Program does not require the DMV, ELECT, or local registrars to take any steps to confirm an individual's purported noncitizen status prior to mailing the individual a "Notice of Intent to Cancel." Neither ELECT nor local registrars take any steps to confirm an individual's purported noncitizen status other than mailing the individual a "Notice of Intent to Cancel."

33. In fact, local registrars do not have any discretion under the Program to decline to send a Notice of Intent to Cancel, even when the registrar has reason to believe that the voter is a United States citizen.

34. The local registrar sends a Notice of Intent to Cancel to all voters who appear on their jurisdiction's voter rolls. *See* Exhibit 1. That Notice reads: "[w]e have received information that you indicated on a recent DMV application that you are not a citizen of the United States. If the information provided was correct, you are not eligible to vote. If the information is incorrect and you are a citizen of the United States, please complete the Affirmation of Citizenship form and return it using the enclosed envelope. If you do not respond within 14 days, you will be removed from the list of registered voters. If you believe this notice has been issued in error or have questions about this notification, please call the Office of General Registrar."

35. If a voter fails to respond within 14 days, the voter's registration is automatically removed from the voter rolls and the voter is sent a Voter Registration Cancellation Notice. *See* Exhibit 2. That notice informs the voter that the local registrar "has stricken [the voter's] name

from the Voter Registration List” “on the basis of official notification from the Virginia Department of Elections that [the voter] failed to timely respond to a request to affirm [their] United States Citizenship with the 14 days allowed by the Code of Virginia (§24.2-427).”

36. The Voter Registration Cancellation Notice notes that the voter has been “Declared Non-citizen.”

37. The Voter Registration Cancellation Notice says only to contact “this office” if you believe the removal is incorrect. It does not provide information on re-registering to vote.

38. Local registrars have no discretion to prevent cancellation under the Program if the voter does not return an Affirmation of Citizenship, even if the local registrar has reason to believe that the voter is a United States citizen.

39. The Program is an automated program that constitutes systematic voter list maintenance.

Voters Have Been Removed From the Rolls Within the 90-Day Quiet Period as a Result of the Program

40. The Virginia Governor issued Executive Order 35 exactly 90 days before the general election.

41. All efforts to carry out the Program mandated by Executive Order 35 would therefore occur during the Quiet Period before the November 5, 2024, federal General Election.

42. Any voter registration cancellations carried out after August 7, 2024, therefore have occurred in the Quiet Period before the November 5, 2024, federal General Election.

43. Executive Order 35 directed continued action by requiring ELECT to certify that it continues to remove noncitizens from the voter rolls through the Program.

44. ELECT has sent, and continues to send, lists of noncitizens as identified by the Program to local registrars during the Quiet Period.

45. The most recent list was sent by ELECT to local registrars at least as recently as the week of October 7, 2024.

46. Local registrars continue to send Voter Registration Cancellation Notice letters to voters on those lists.

47. The voter registrations of those individuals who fail to respond to the Voter Registration Cancellation Notice continue to be automatically cancelled.

48. Commissioner Beals confirmed that removals pursuant to the Program are ongoing when she testified before the Virginia House Privileges and Elections Committee on September 4, 2024. *See* Virginia House of Delegates, Recording of House Privileges and Elections Committee Meeting, at 3:09:10pm (Sept. 4, 2024), <https://viriniageneralassembly.gov/house/chamber/chamberstream.php>.

49. On September 19, 2024, Commissioner Beals again confirmed that removals pursuant to the Program are ongoing when she sent a letter to the Virginia Governor confirming that daily updates to the voter lists include “[r]emoving individuals who declare or provide documentation indicating no-citizenship status and who do not respond to an affirmation of citizenship notice. To that end, DMV now shares non-citizen data daily with [the Department of Elections].” *See* Exhibit 3.

50. Local registrars have also confirmed that removals pursuant to the Program are ongoing. The Fairfax County General Registrar’s Report, dated September 12, 2024, reported that 28 voters identified by ELECT as purported noncitizens were removed from the county’s voter rolls between August 1, 2024, and August 31, 2024. *See* Fairfax County Office of Elections, General Registrar’s Report at 1 (Sept. 12, 2024), <https://perma.cc/FD5V-38RF>.

51. At the September 2024 Loudoun County Election board meeting, the Loudoun County Registrar noted that she receives daily information regarding noncitizens and the registrar's staff is sending notices of intent to cancel to those individuals. *See* Loudoun County Electoral Board, Meeting recording for September 12, 2024, <https://lfportal.loudoun.gov/LFPortalInternet/Browse.aspx?startid=308878&row=1&dbid=0&cr=1>.

52. Loudoun County removed 90 individuals identified as possible noncitizens in September 2024. *See* Loudoun County Electoral Board, Meeting Agenda for October 10, 2024 at 6, <https://lfportal.loudoun.gov/LFPortalinternet/0/edoc/847739/10-10-2024%20LCEB%20Agenda%20Packet.pdf>.

53. From January through August 2024, Loudoun County had removed a total of only 62 individuals identified as alleged noncitizens.

54. Virginia has therefore conducted, and is continuing to conduct, a systematic process aimed at identifying and removing voters suspected of not meeting Virginia's voter qualification requirements as to citizenship.

55. That systematic process is being conducted within 90 days of the November 5, 2024, federal General Election.

Impact of the Program

56. The individuals identified as "noncitizens" by the Program include U.S. citizens.

57. In Prince William County, at least 43 of the 162 individuals identified and subsequently removed before July 31, 2024, using the methodology formalized by the Program for failure to respond to the Notice of Intent to Cancel were likely U.S. citizens. *See* Prince

William County Electoral Board, Meeting Recording for September 30, 2024 at 28:00-33:00, <https://www.youtube.com/watch?v=Zr0LSt3xwCk>.

58. At least some voters removed from the rolls have re-registered. Registration to vote in Virginia requires that a voter attest that they are a U.S. citizen.

59. The Program identifies U.S. citizens as noncitizens based on the above-described methodology. At least some of those U.S. citizen voters are removed from the rolls because they do not respond to the Notice of Intent to Cancel within 14 days. That Voter Registration Cancellation Notice does not provide information on re-registering to vote.

CAUSE OF ACTION

60. The United States re-alleges and incorporates by reference the allegations set forth above.

61. Defendants' continuation of a systematic process to remove purported noncitizens registered to vote in Virginia within 90 days of the November 5, 2024, federal General Election violated and continues to violate Section 8(c)(2) of the NVRA, 52 U.S.C. § 20507(c)(2).

62. Unless and until ordered to do so by this Court, Defendants will not resolve and remedy this violation of Section 8(c)(2) of the NVRA.

PRAYER FOR RELIEF

WHEREFORE, the United States prays that the Court enter an ORDER:

- (1) Declaring that Defendants have violated Section 8(c)(2) of the NVRA;
- (2) Enjoining Defendants, their agents and successors in office, and all persons acting in concert with them from future non-compliance with Section 8(c)(2) of the NVRA;
- (3) Requiring Defendants, their agents and successors in office, and all persons acting in concert with them to halt use of the Program until after the November 5, 2024, federal

General Election;

- (4) Requiring Defendants, their agents and successors in office, and all persons acting in concert with them, to restore to the voter rolls those U.S. citizens whose registration was cancelled pursuant to the Program during the Quiet Period;
- (5) Requiring Defendants, their agents and successors in office, and all persons acting in concert with them, to provide a remedial mailing to voters who received Notices of Intent to Cancel as part of the Program during the Quiet Period or whose registration was cancelled as part of the Program during the Quiet Period
 - a. Informing those affected U.S. citizens that they have been restored to the voter rolls;
 - b. Explaining that these voters may cast a regular ballot on Election Day in the same manner as other eligible voters;
 - c. Advising individuals who are U.S. citizens, including naturalized citizens, that their identification by the Program does not establish that they are ineligible to vote or subject them to criminal prosecution for registering to vote or for voting; and
 - d. Advising individuals who are not U.S. citizens that they remain ineligible to cast a ballot in elections in Virginia;
- (6) Requiring Defendants, their agents and successors in office, and all persons acting in concert with them to provide prompt and clear information to the general public concerning the halting and reversal of the Program within the Quiet Period and the ability of impacted eligible voters to vote unimpeded on Election Day;
- (7) Requiring Defendants, their agents and successors in office, and all persons acting in concert with them to take all reasonable and practicable efforts to educate local officials, officers of election, and all other election workers concerning the cessation of the

Program, the restoration of impacted voters to active status, and the ability of impacted voters to cast a regular ballot without submitting supplemental paperwork or documentation; and

(8) Ordering any such additional relief as the interests of justice may require.

Date: October 11, 2024

Respectfully submitted,

KRISTEN CLARKE
Assistant Attorney General
Civil Rights Division

JESSICA D. ABER
United States Attorney
Eastern District of Virginia

/s/ Sejal Jhaveri
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EXHIBIT 7

Aug. 20, 2024 VFOIA Request from VACIR to the Office of the Governor, Office of the Attorney General, Virginia Department of Elections, and the Department of Motor Vehicles



VACIR
Virginia Coalition
for Immigrant Rights

August 20, 2024

Via Email

FOIA Officer
Office of the Governor
Patrick Henry Building
1111 East Broad Street
Richmond, VA 23219
foia@governor.virginia.gov

FOIA Officer
Office of the Attorney General
202 North 9th Street
Richmond, VA 23219
foia@oag.state.va.us

FOIA Coordinator
Department of Elections
Washington Building
1100 Bank Street, First Floor
Richmond, VA 23219
foia@elections.virginia.gov

FOIA Officer
Department of Motor Vehicles
Data Management Services
Attn: FOIA
P.O. Box 27412
Richmond, VA 23269
foia@dmv.virginia.gov

Dear FOIA Officers,

We are writing your offices pursuant to the Virginia Freedom of Information Act (“VFOIA”), Va. Code § 2.2-3700 *et seq.*, and the Public Disclosure of Voter Registration Activities provision of the National Voter Registration Act of 1993 (“NVRA”), 52 U.S.C. § 20507(i), to request copies of all records relating to the removal from the voter registration rolls of Virginia registered voters on the basis that they have been identified as a “non-citizen.” According to Executive Order Number Thirty-Five (2024), issued August 7, 2024, and titled “Comprehensive Election Security Protecting Legal Voters and Accurate Counting” (hereinafter “EO-35”), attached for reference, 6,303 alleged non-citizens were removed from the voter rolls between January 2022 and July 2024.

Please respond individually to each of the numbered requests below noting whether (1) responsive records have been provided, (2) no responsive records exist, or (3) responsive records exist but are being withheld. If a record does not exist, or exists but is not in the possession of your office, please explicitly say so, and indicate which office, if any, is in possession of the record, including the proper custodian’s name and email address. Please provide partially redacted records wherever non-exempt information is commingled with exempt information, and provide detail to the fullest extent possible the subject and volume of any withheld information. If responsive records are withheld in full or redacted in part, please specify each statutory exemption you believe justifies the nondisclosure and provide a description of the contents withheld, including subject matter, number of pages, and the date(s) of the record(s).



Please include any responsive records in the possession of your office, regardless of who created them. This request covers all records from January 15, 2022, through the date of your response. Specifically, we request:

1. All records relating to the removal from the voter registration rolls of Virginia registered voters on the basis that they have been identified as a non-citizen, including, but not limited to, all notes, correspondence, emails, memoranda, reports, drafts, studies, proposals, requests, agendas, call logs, calendar entries, transcripts, minutes, budgetary and financial documents, and electronic and other data used for the identification and removal from the voter registration rolls of Virginia registered voters on the basis of non-citizenship, and other records of any kind. Specifically, and at a minimum, this should include:
 - a. All communications between your offices and between your offices and local registrars relating to the removal from the voter registration rolls of Virginia registered voters on the basis that they have been identified as a non-citizen.
 - b. All records relating to the “multi-agency data-sharing protocols and standards developed by the working group called for in Executive Order [31],” including all records evidencing all aspects of the process used to “ensure the accuracy, reliability, privacy, and timeliness of the data used for list maintenance,” as described in EO-35.
 - c. All “data collected by the DMV that identifies non-citizens,” as described in EO-35, and all other records evidencing any other data or information, including the sources of any and all data and other information, used by any of your offices to identify Virginia registered voters who are potential non-citizens.
 - d. All records evidencing all aspects of the process by which the Department of Motor Vehicles, “[w]hen issuing a credential such as a driver’s license... verifies applicants’ proof of identity and legal status with the Department of Homeland Security Systematic Alien Verification for Entitlements (SAVE) database and the Social Security Administration database,” as described in EO-35, including any memoranda of understanding or other agreements by any of your offices with any other state or federal agency related to the use of SAVE or any other program or database related to the identification of potential non-citizens.
 - e. All records evidencing all aspects of the processes by which the Department of Elections “uses [data from the DMV] to scrub existing voter rolls and remove non-citizens who may have purposefully or accidentally registered to vote,” “[r]emove[s] individuals who are unable to verify that they are citizens to the Department of Motor Vehicles from the statewide voter registration list,” and “compares the list of individuals who have been identified as non-citizens to the list of registered voters and then registrars notify any matches of their pending cancellation unless they affirm their citizenship within 14 days,” as described in EO-35, including the process by which the Department of Elections confirms that the individuals identified as potential non-citizens are in fact non-citizens and that these individuals do in fact correctly “match” the individual registered voters.



- f. All records relating to any individual erroneously identified as a potential non-citizen, including any individuals who established their citizenship following receiving a notice, the means by which their citizenship was established or otherwise confirmed, and any steps taken by your offices to ensure that this same type of error is not repeated.
 - g. All records relating to public communications concerning the identification and removal from the voter registration rolls of Virginia registered voters on the basis that they are a potential non-citizen, including all records evidencing your office's awareness of the potential effects of such public communications in intimidating or otherwise dissuading eligible voters from registering to vote or voting.
2. All records relating to the development and establishment of Virginia's current policy and process for the removal from the voter registration rolls of Virginia registered voters on the basis that they have been identified as a non-citizen, including, but not limited to, all notes, correspondence, emails, memoranda, reports, drafts, studies, proposals, requests, agendas, call logs, calendar entries, transcripts, minutes, budgetary and financial documents, and electronic and other data, and other records of any kind.
 3. All records relating to any investigation by any of your offices of alleged non-citizens for registering to vote or voting, including any actions taken by your offices to refer alleged non-citizens for investigation by Commonwealth's Attorneys or any other offices.
 4. All mail and electronic communications between your office and any Virginia registered voters who have been identified as potential non-citizens, including both prior to removal and upon or after removal, and including any return communications from the voter. A representative sample of each form letter or electronic communication may be provided in lieu of individual communications where the form does not differ across communications and where there is no response from the voter.
 5. All records evidencing the supervision, reporting structure, training, and guidelines provided to the staff assigned by your office to any aspect of the process for the identification and removal from the voter registration rolls of Virginia registered voters on the basis that they are a potential non-citizen, including, but not limited to, all guidelines, procedures, policies, practices, manuals, training program and materials, and other records governing the staff assigned to any aspect of the process, including all drafts and final versions of said records.
 6. An electronic spreadsheet containing a list of all Virginia registered voters who have been removed from the voter registration rolls on the basis that they have been identified as a "non-citizen" since January 15, 2022, and all information contained in the voter file for each individual, including, but not limited to, the initial date of registration, the method of registration, the date(s) of any change(s) in their voter registration status, their voting history, the date of removal, the source and nature of any information used to determine their citizenship status, and the date(s) of any correspondence with the voter.

We prefer to receive copies of all records electronically, so long as the records are legible. Please send all responsive documents via email to monica@vacir.org, and please copy the individuals listed in the cc section of this request. Consistent with the VFOIA and NVRA, we are prepared to pay for the actual and reasonable costs of collection and copying the requested records, and



ask that you provide an estimate of such costs, should they exceed \$200, in advance of supplying the requested records.

Consistent with the VFOIA, your office must respond to this request within five (5) working days beginning the day after receipt. If it is logistically impossible for you to fully respond to this request within the five-day period, your office must state this in writing and explain the circumstances necessitating an extension of no more than seven (7) additional working days to fully respond.

Thank you for your attention and cooperation with this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Monica Sarmiento".

Monica Sarmiento
Executive Director
Virginia Coalition for Immigrant Rights
monica@vacir.org

cc:

Ryan Snow (rsnow@lawyerscommittee.org)
Javon Davis (jdavis@lawyerscommittee.org)

EXHIBIT 8

Oct. 3, 2024 Notice of Violation of National Voter Registration
Act and Demand for Remediation and Documents



VACIR
Virginia Coalition
for Immigrant Rights



LAWYERS' COMMITTEE FOR
CIVIL RIGHTS
U N D E R L A W

October 3, 2024

The Honorable Susan Beals
Commissioner of Elections
Washington Building
1100 Bank Street, First Floor
Richmond, VA 23219

Virginia Department of Elections
Washington Building
1100 Bank Street, First Floor
Richmond, VA 23219

Cc:

Attorney General Jason Miyares
Office of the Attorney General

**Re: Notice of Violation of National Voter Registration Act and Demand for Remediation
and Documents**

VIA E-MAIL AND CERTIFIED MAIL

Dear Commissioner Beals and Virginia Department of Elections:

The undersigned write pursuant to 52 U.S.C. § 20510(b)(2) to inform you that Virginia’s voter purge program mandated by Executive Order 35, relying on Virginia Code § 24.2-427, (“the Program”) violates the National Voter Registration Act (“NVRA”).

This NVRA notice letter follows a request from the Virginia Coalition for Immigrant Rights (“VACIR”) to your office and to the Department of Motor Vehicles, the Office of the Attorney General, and the Office of the Governor, for copies of all records relating to the removal from the voter registration rolls of Virginia registered voters on the basis that they have been identified as a potential “non-citizen.” The records were requested on August 20, 2024, pursuant to the Virginia Freedom of Information Act (“VFOIA”), Va. Code § 2.2-3700 *et seq.*, and the Public Disclosure of Voter Registration Activities provision of the NVRA, 52 U.S.C. § 20507(i). As of today, your office has made only a limited initial production of responsive records, despite a September 9 meeting with your staff and numerous emails discussing the specific records responsive to the request. At the September 9 meeting, your staff further informed VACIR that your office is refusing to provide the list of voters who have been removed on the basis that they were identified as a potential “non-citizen” until 90 days after submission of the request for records, or November 18, despite your office having these records in its possession and having no legal basis to withhold these records.

On August 7, 2024, Governor Youngkin signed Executive Order 35 (“E.O. 35”), providing instructions for a voter purge program of alleged noncitizens, relying on Va. Code § 24.2-427.¹ E.O. 35 requires the Commissioner of the Department of Elections to certify to the governor that it has procedures in place to make daily updates to the statewide voter registration list to “[r]emove individuals who are unable to verify that they are [U.S.] citizens to the Department of Motor Vehicles[.]” E.O. 35 at 3-4; *see also* Va. Code § 24.2-427(B)-(C). The Department of Elections (“ELECT”) is further required to make those daily updates to the voter rolls by comparing “the list of individuals who have been identified as noncitizens to the list of existing registered voters[.]” E.O. 35 at 3-4. Once ELECT has identified these individuals, “registrars notify any matches of their pending cancellation unless they affirm their citizenship within 14 days[.]” and cancel the voter’s registration if the registrar’s office does not receive this affirmation within 14 days of sending the notice. *Id.*; *see also* Va. Code § 24.2-427(B)-(C). Accordingly, E.O. 35 affirmatively directs state agencies to identify and purge voters on a systematic and ongoing basis—including during the immediate lead up to the 2024 General Election—in direct violation of the 90-day quiet period mandated by the NVRA. *See id.*; 52 U.S.C. § 20507(c)(2)(A).

E.O. 35 further demands the expedition of interagency data sharing between the Department of Motor Vehicles (DMV) and ELECT via a daily file of all alleged “non-citizens

¹ E.O. 35 claims to order the implementation of Va. Code § 24.2-429, *see* E.O. 35 at 4; however, the process described in E.O. 35 more closely aligns with Va. Code § 24.2-427, which we presume E.O. 35 intended to cite. Either way, the Program violates the NVRA for the reasons stated herein.

transactions, including addresses and document numbers.” E.O. 35 at 4. Lastly, E.O. 35 directs the registrars to “immediately notify the Commonwealth’s Attorney for their jurisdiction of this alleged unlawful conduct.” *Id.*

E.O. 35 has resulted and will continue to result in naturalized citizens who are eligible voters being removed from Virginia’s voter rolls. The DMV data E.O. 35 directs ELECT to rely on is often faulty and outdated, risking eligible voters who are U.S. citizens being identified as non-citizens and be improperly and erroneously removed from Virginia’s voter rolls. Indeed, Virginia drivers’ licenses are available to residents who are not U.S. citizens and can remain valid for up to eight years, meaning that an individual could obtain a driver’s license as a non-U.S. citizen and subsequently become a U.S. citizen and lawfully register to vote—for example by using a paper voter registration form at their naturalization ceremony—without updating their driver’s license. *See* Va. Code §§ 46.2-328.1(A), 330(A). Under these circumstances, the DMV’s records would still indicate that an eligible voter was not a U.S. citizen at the time they obtained their driver’s license, thereby improperly and erroneously triggering the removal process. Notably, the DMV does not require people to show additional proof of citizenship or lawful residence when they renew their driver’s licenses (so long as they showed such proof since 2004).² Additionally, it is our understanding that eligible voters often mistakenly check the wrong box during electronic transactions with the DMV in a way that indicates they are not a citizen despite having already confirmed their citizenship while registering to vote, thereby improperly and erroneously triggering the removal process.

The voter purges mandated by E.O. 35 and Va. Code § 24.2-427 violate the NVRA because: (1) they constitute systematic voter list maintenance within 90 days preceding a federal election; (2) they disproportionately and discriminatorily target naturalized citizens for removal and are not being carried out uniformly across local jurisdictions; and (3) they require voters to provide additional proof of U.S. citizenship not required by the National Mail Voter Registration Application or voter registration applications at the DMV and public assistance agencies in order to remain registered. *See* 52 U.S.C. §§ 20504(c), 20505(a), 20506(a), 20507(b).

As detailed below, we demand that your office and all other implementing state and local entities in Virginia immediately cease purging voters on the basis of citizenship data provided by the DMV. We further demand, pursuant to the NVRA, that ELECT immediately produce documents related to E.O. 35 and any voters purged on the basis of alleged non-U.S. citizenship. If these violations are not remedied by October 6, 2024, you could be subject to federal civil liability. *See* 52 U.S.C. § 20510(b).³

² Virginia’s Legal Presence Law, Virginia Department of Motor Vehicles, available at <https://www.dmv.virginia.gov/licenses-ids/id-cards/legal-presence> (last accessed Oct. 3, 2024)

³ Violations of the NVRA that occur within 30 days before a federal election may be subject to immediate civil actions by private parties. 52 U.S.C. § 20510(b).

I. Virginia’s Voter Purge Program Violates the NVRA.

a. Virginia May Not Systematically Remove Voters from the Rolls Within 90 Days of an Election

Section 8(c)(2)(A) of the NVRA (the “90-Day Provision”) prohibits states from carrying out “any program . . . to systematically remove the names of ineligible voters from the official lists of eligible voters” within 90 days preceding an election for federal office. 52 U.S.C. § 20507(c)(2)(A). Virginia may not take any steps to implement any program to systematically remove voters within this 90-day “quiet period.”

The systematic purges E.O. 35 set into action undoubtedly fall within the “quiet period.”⁴ Governor Youngkin announced the Program on August 7, 2024—exactly 90 days before the 2024 General Election on November 5, and 45 days before the start of early in-person voting. E.O. 35 directs daily updates to purge individuals identified as potential non-U.S. citizens based on faulty and outdated data from another state agency without a meaningful and individualized inquiry into its accuracy. *See* E.O. 35 at 3-4. A single notice that must be answered within 14 days to avoid removal, sent to voters identified from DMV lists on the basis that they at some point had a “noncitizens transaction” with the DMV—without any further attempt either by ELECT or local officials to investigate or confirm the current accuracy of this information—does not constitute the type of “individual correspondence or rigorous individualized inquiry” necessary to permit lawful removal during the 90-Day period. *See Arcia v. Florida Sec’y of State*, 772 F.3d 1335, 1346 (11th Cir. 2014).

Although the NVRA provides a narrow set of exceptions under which a state may use a systematic program to remove a voter from the rolls during the quiet period, potential citizenship status and the fact that an individual has been identified at some point in time as a potential noncitizen in a DMV database are not among the enumerated exceptions. *See* 52 U.S.C. § 20507(c)(2)(B); *Arcia*, 772 F.3d at 1345 (“Congress expressly allowed for a number of exceptions to the 90 Day Provision, and an exception for removals of non-citizens is not one of them.”). Indeed, the Eleventh Circuit ruled that a nearly identical effort by Florida to remove purported noncitizens from its voter rolls during the quiet period violated the NVRA. *See Arcia*, 772 F.3d at 1348. In *Arcia*, Florida had initiated programs to systematically identify and remove purported noncitizens from the voter rolls. *Id.* at 1339. These programs were systematic because they “did not rely upon individualized information or investigation to determine which names from the voter registry to remove.” *Id.* at 1344; *see also N.C. State Conf. of NAACP v. Bipartisan Bd. of Elections & Ethics Enf’t*, No. 1:16-CV-1274, 2018 WL 3748172, at *9 (M.D.N.C. Aug. 7, 2018) (where

⁴ Ex. A, Certification of Election Security Procedures Letter from Commissioner Beals to Governor Youngkin, (Sept. 19, 2024); Ex. B, Arlington County Electoral Board Minutes (Sept. 10, 2024); Ex. C, Fairfax County Policy for Referral of Individuals Removed from Voter Rolls (Sept. 16, 2024); Ex. D, Fairfax County Electoral Board Minutes (Aug. 15, 2024); Ex. E, Loudoun County Electoral Board Agenda Packet (Sept. 12, 2024); Ex. F, Memorandum of Understanding between VADMV and ELECT (Sept. 3, 2024).

cancellation of “374 voters’ registrations” based on a single source of information “lacked the individualized inquiry necessary to survive the NVRA’s prohibition on systematic removals within 90 days of a federal general election.”). Consequently, these programs violated the NVRA’s clear statutory language that bars a state from using “any program” to “systematically remove the names of ineligible voters.” 52 U.S.C. § 20507(c)(2)(A).

This Program by your office systematically identifies and removes voters from Virginia’s voter rolls within the 90-day quiet period and is therefore a clear violation of the NVRA.

b. E.O. 35’s List Maintenance Procedures Are Discriminatory and Their Application Is Not Uniform Across Jurisdictions.

The Program also violates NVRA Section 8(b)’s requirement that list maintenance programs be “uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965.” 52 U.S.C. § 20507(b)(1). The NVRA reflects the view of Congress that the right to vote “is a fundamental right,” that government has a duty to “promote the exercise of that right,” and that discriminatory and unfair registration laws can have a “direct and damaging effect on voter participation” and “disproportionately harm voter participation by various groups, including racial minorities.” *Project Vote/Voting for Am., Inc. v. Long*, 682 F.3d 331, 334 (4th Cir. 2012); 52 U.S.C. § 20501(a).

Virginia’s voter purge program threatens to improperly remove eligible voters who are disproportionately naturalized U.S. citizens from the voter rolls because the stale data it relies upon is significantly more likely to erroneously identify naturalized U.S. citizens as non-U.S. citizens than individuals who were born U.S. citizens. As explained above, the DMV’s citizenship data on driver’s license holders is not necessarily updated when an individual’s citizenship status changes, meaning that it might improperly identify a naturalized U.S. citizen as a non-U.S. citizen for up to eight years, or more, after naturalization. *See* Va. Code §§ 46.2-328.1(A), 330(A). This is not the case for individuals born U.S. citizens, who, absent their own error in checking the wrong box on a form, are never identified as a non-U.S. citizen in their DMV file, unless they are identified in error. Consequently, E.O. 35 will disproportionately remove naturalized U.S. citizens from Virginia’s voter rolls compared to their counterparts who were born U.S. citizens.

Federal courts have looked unfavorably on similar programs which target and disproportionately burden naturalized citizens. For example, in *United States v. Florida*, 870 F. Supp. 2d 1346 (N.D. Fla. 2012), a district court explained that a similar program likely violated Section 8(b). *Id.* at 1350. There, Florida’s Secretary of State compiled a list that included all registered voters who had disclosed that they were noncitizens at the time they applied for a driver’s license, had subsequently naturalized and registered to vote, and had not updated their citizenship status with the state agency responsible for driver’s licenses. *Id.* at 1347-48. The Florida Secretary of State ultimately abandoned this program—perhaps recognizing its fundamental unlawfulness—before the court issued a ruling. *Id.* at 1351. Nevertheless, the court explained that the program had likely violated Section 8(b) because its approach to identifying suspected

noncitizens swept in a large number of naturalized citizens. *Id.* at 1350. As the court explained, this “methodology made it likely that the properly registered citizens who would be required to respond and provide documentation [of their citizenship] would be primarily newly naturalized citizens.” *Id.* Accordingly, the “burdensome” program “was likely to have a discriminatory impact” on this group of eligible voters in violation of Section 8(b).⁵ Virginia’s Program is nearly identical to the unlawful program at issue in *United States v. Florida*.

Employing similar logic, the District of Arizona recently held that a state statutory provision that “requires county recorders to search” the SAVE database “only for naturalized voters who county recorders suspect are not U.S. citizens” was unlawful because it “subject[ed] only naturalized citizens to database checks.” *Mi Familia Vota v. Fontes*, No. CV-22-00509-PHX-SRB, 2024 WL 862406, at *38 (D. Ariz. Feb. 29, 2024), judgment entered, No. CV-22-00509-PHX-SRB, 2024 WL 2244338 (D. Ariz. 2024) (emphasis in original). As the court explained, using the SAVE database means that only “[n]aturalized citizens will always be at risk” of removal from this process, in violation of the requirement that state officials refrain from applying discriminatory practices in determining who is qualified to vote. *Id.*; see also 52 U.S.C. § 10101(a)(2)(A).

Thus, “[a] state cannot properly impose burdensome demands in a discriminatory manner” regarding voter registration, *Florida*, 870 F. Supp. 2d at 1350, including by imposing those demands disproportionately on naturalized voters. The same is true here.

E.O. 35 and its directives targeting noncitizens will disproportionately harm naturalized U.S. citizens who are eligible to vote in Virginia. *Cf. Mi Familia Vota*, 2024 WL 862406 at *22 (because state motor vehicle division “does not issue foreign-type credentials to native born citizens, only naturalized citizens will ever be misidentified as non-citizens”). As such, this list maintenance program is not “uniform” and “nondiscriminatory,” as required by the NVRA. 52 U.S.C. § 20507(b)(1). The Program implemented by Virginia (with a history of mistakes in its voter removals), which disproportionately affects naturalized citizens through the use of data containing known errors, that knowingly places burdens exclusively on those citizens to find a way to prove their citizenship within two weeks, and that subsequently purges them en masse, is discriminatory and violates Section 8(b).⁶

⁵ The district court’s framing of its analysis as “probably” in violation of Section 8(b) was consistent with the procedural posture of this case, at the preliminary injunction stage, as well as the mootness of the issue due to voluntary cessation by the Florida Secretary of State. See *Florida*, 870 F. Supp. 2d at 1347, 1351. The *Florida* district court rejected a challenge to Florida’s program under the 90-Day Provision, on the basis that removing purported noncitizens is not the kind of removal contemplated by the 90-Day Provision. *Id.* at 1349-50. The Eleventh Circuit implicitly overruled this holding two years later in *Arcia*, which held that systematic removals targeting purported noncitizens are barred by the 90-Day Provision. 772 F.3d at 1346-48; see also *id.* at 1348-49 (Suhreheinrich, J., dissenting) (basing dissent in part on the reasoning of the district court in *Florida* regarding the 90-Day Provision).

⁶ See Suzanne Gamboa, *Virginia removes 6,303 ‘noncitizens’ from voter rolls, fueling fraud allegations*, NBC News (Aug. 23, 2024), <https://www.nbcnews.com/news/latino/virginia-governor-youngkin-voter-purge-noncitizens-errors-election-rcna167925>.

The Program likewise violates the NVRA's requirement that the State "ensure that any eligible applicant is registered to vote in an election." 52 U.S.C. § 20507(a)(1). Virginia may not rely upon information that is demonstrably outdated and has not been individually confirmed to be accurate to remove voters whom federal law requires the State to "ensure" remain registered to vote.

c. E.O. 35 Adds a Citizenship Requirement That Is Not Permitted for Voters Using the Federal Form or Registering at the DMV or a Voter Registration Agency.

E.O. 35's requirement that targeted voters reaffirm their U.S. citizenship also violates the NVRA's limitation on proof of citizenship to an attestation under penalty of perjury that the registrant is a U.S. citizen. *See Arizona v. Inter Tribal Council of Arizona*, 570 U.S. 1 (2013) [hereinafter "*ITCA*"]; *Fish v. Kobach*, 840 F.3d 710, 723 (10th Cir. 2016); 52 U.S.C. §§ 20508(b)(2)(A)-(B), 20505(a)(1)-(2). The NVRA provides that a state voter registration form "may require only such identifying information (including the signature of the applicant) and other information (including data relating to previous registration by the applicant), as is necessary to enable the appropriate State election official to assess the eligibility of the applicant and to administer voter registration and other parts of the election process." 52 U.S.C. §§ 20508(b)(1), 20505(a)(1)-(2). Under the NVRA, a state voter registration form "shall include a statement that (A) specifies each eligibility requirement (including citizenship); (B) contains an attestation that the applicant meets each such requirement; and (C) requires the signature of the applicant, under penalty of perjury." *Id.* §§ 20508(b)(2), 20505(a)(1)-(2); *see also id.* § 20504(c) (imposing similar requirements on voter registration forms included as part of a driver's license application).

Further, Virginia must "accept and use" the National Mail Voter Registration Form ("Federal Form") provided by the U.S. Election Assistance Commission, which does not require documentary proof of citizenship. *See ITCA*, 570 U.S. at 4; *see also League of Women Voters of United States v. Harrington*, 560 F. Supp. 3d 177, 180, 185-86 (D.D.C. 2021) (vacating U.S. Election Assistance Commission approval of Alabama's request to include a documentary proof of citizenship requirement on its state-specific instructions for the federal voter registration form, because the Commission did not assess whether such changes were necessary for Alabama to assess voter eligibility and so failed to comply with the Administrative Procedure Act in its administration of the NVRA's requirement). Similarly, once a voter has completed a voter registration form at the DMV or at a public assistance agency, the NVRA prohibits a state from requiring additional documentation for them to successfully become registered. *Fish v. Kobach*, 309 F. Supp. 3d 1048, 1106 (D. Kan. 2018) (striking down Kansas law requiring registrants to present additional citizenship paperwork to successfully register to vote, on both NVRA and equal protection grounds).

By requiring certain voters to reaffirm their U.S. citizenship to remain registered, Virginia undermines the NVRA's command that voters need only complete a voter registration form to be

a registered voter in federal elections. *See ITCA*, 570 U.S. at 4; *Fish v. Kobach*, 840 F.3d at 723. E.O. 35’s attempt to insert an additional requirement that certain voters provide additional citizenship information about themselves as part of the State’s DMV data checks and motor voter forms violates the long-established principle that states cannot add unnecessary voter registration requirements at any stage of the registration process. *Fish v. Kobach*, 840 F.3d at 747; *Fish v. Schwab*, 957 F.3d 1105, 1142 (10th Cir. 2020). Simply put, if a state cannot “overcome the presumption that attestation [of citizenship on the voter registration form] constitutes the minimum amount of information necessary for a state to carry out its eligibility-assessment and registration duties[,]” it cannot add an additional proof of citizenship requirement to the voter registration process. *Fish v. Kobach*, 840 F.3d at 739.

Virginia’s attempt to add an additional citizenship verification requirement to its voter registration process through the back door creates a “substantial risk that citizens will be disenfranchised.” *See League of Women Voters of United States v. Newby*, 838 F.3d 1, 12 (D.C. Cir. 2016) (holding that permitting Alabama to enforce this type of requirement for voting posed such a risk). Such a requirement undermines the very purpose of the NVRA, which is “increas[ing] the number of eligible citizens who register to vote in elections for Federal office.” 52 U.S.C. § 20501(b).

II. Demand to Cease Unlawful Action and for Production of Documents.

For these reasons, we make the following demands on your office and any other state or local governmental entities acting to implement the Program:

1. Immediately cease the removal of voters from Virginia’s voter rolls on the basis of alleged non-U.S. citizenship pursuant to E.O. 35 and Va. Code § 24.2-427(B)-(C);
2. Re-register any individual removed from the voter rolls pursuant to the same program;
3. Issue a public statement that no person shall be removed from Virginia’s voter rolls pursuant to the same program;
4. Provide notice to any and all individuals contacted or noticed pursuant to the same program that they remain registered to vote in Virginia elections, including the November 2024 election, and that no further action on their part is needed.

Further, the NVRA requires that Virginia, upon request, produce “all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters.” 52 U.S.C. § 20507(i)(1). We therefore request that the following documents be produced promptly:

1. Individualized voter information⁷ for each of the following voters and voter registration applicants:
 - (a) All 6,303 registered voters your office identified as potential noncitizens prior to the issuance of E.O. 35;
 - (b) All voters canceled, purged, or otherwise removed from the list of eligible voters pursuant on the basis of alleged non-U.S. citizenship from January 2022 to the present; and
 - (c) All voter registration applicants denied registration on the basis of alleged non-U.S. citizenship;
 - (d) All data supplied by the DMV to ELECT identifying potential noncitizens;
2. Any and all instructions provided to Boards of Registrars regarding implementation of E.O. 35, Va. Code § 24.2-427 or any other program intended to remove non-U.S. citizens from the voter rolls;
3. Any and all communications with the Virginia Attorney General and Commonwealth Attorneys regarding notifications or referrals of the removal of registered voters your office identified as potential noncitizens;
4. All documents relating to any notice provided to the registered voters your office identified as potential noncitizens;
5. All records supporting your contention that noncitizens “purposefully” or “accidentally” registered to vote;
6. All documents supporting your contention that the 6,303 registered voters or voters referred to in E.O. 35 were potentially noncitizens, including the source(s) of information for determining these registered voters purportedly had noncitizen transactions, including addresses and document numbers;
7. All documents regarding any steps taken by ELECT or other state or local agencies to determine prior to removal whether any of the registered voters identified as potential noncitizens since January 15, 2022 are, in fact, naturalized citizens;
8. All advisory or guidance documents, whether formal or informal, provided to ELECT, DMV, county Boards of Registrars, Probate Judges, and/or other county election administrators regarding the implementation of E.O. 35, Va. Code § 24.2-427 or any other program intended to remove non-U.S. citizens from the voter rolls;
9. All documents relating to the removal of any of registered voter identified as a potential non-U.S. citizen since January 15, 2022;

⁷ “Individualized voter information” as used in this request includes: first name; last name; middle name; suffix; address, including street number, apartment number, city, state, zip code, and county; mailing address, if different; phone number; precinct number; voter ID number assigned by an election official; date of birth; place of birth; date of voter registration; race; gender; reason purged from voter roll or denied registration; and date purged from voter roll or denied registration.

10. All communications regarding the development, implementation, or announcement of the Program, including but not limited to:
- a) internal communications of the Secretary of Commonwealth's office;
 - b) internal communications of ELECT;
 - c) communications between ELECT and other State agencies, including but not limited to the office of the Governor, the office of the Attorney General, and the office of the Secretary of Commonwealth;
 - d) communications between the office of the Governor and any legislative branch officials or employees;
 - e) communications between ELECT and any federal officeholder or agency;
 - f) communications between ELECT or the Secretary of Commonwealth's office and any county officials, including but not limited to Boards of Registrars, Probate Judges, and other county election administrators;
 - g) communications between ELECT or the Secretary of Commonwealth's office and any outside organizations, consultants, experts, or advisers;
 - h) communications between the Secretary of Commonwealth's office and the media;
 - i) communications between the Secretary of Commonwealth's office and members of the public; and
 - j) any other communications related to E.O. 35.

We expect that any charge for these records will be a "reasonable cost," as required under the NVRA's Public Disclosure Provision. 52 U.S.C. § 20507(i)(1). Please inform us of the expected cost prior to delivery if it exceeds \$100.

We would prefer to receive all records in electronic format via email or other electronic method, if possible, to the email addresses provided in the signatures. If this is not possible, we are happy to confer about other ways we can meaningfully access these records. If any responsive documents or communications are in your possession or the possession of any employees of ELECT, the Secretary of Commonwealth on non-governmental computers, on electronic devices, or in paper copy, please include such documents and communications in your production.

* * *

The program you announced on August 7, 2024, plainly violates the NVRA. As you know, the next election for federal offices will occur on November 5, 2024, which is less than 120 days away and will be less than 30 days away on October 6, 2024. If the violations identified above are not corrected by October 6, 2024, the undersigned may seek declaratory or injunctive relief to remedy these violations. *See* 52 U.S.C.A. § 20510 (“If the violation occurred within 30 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State . . . before bringing a civil action[.]”).

Sincerely,

/s/ Brent Ferguson

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EXHIBIT 9

Oct. 7, 2024 Email from ELECT re: Notice of Violation of
National Voter Registration Act and Demand for Remediation
and Documents

Brent Ferguson

From: FOIA (ELECT) <FOIA@elections.virginia.gov>
Sent: Monday, October 7, 2024 9:46 AM
To: Brent Ferguson
Cc: Danielle Lang; ben.berwick@protectdemocracy.org; Orion Danjuma; Ryan Snow
Subject: Fw: Notice of Violation of National Voter Registration Act and Demand for Remediation and Documents
Attachments: NVRA VA Notice Letter.10.3.24With Exhibits.pdf

Brent Ferguson,

Thank you for your letter dated October 3, 2024.

The Virginia Department of Elections' (ELECT) established voter list maintenance processes comply with all applicable state and federal laws, including those referenced in your letter. As stated in ELECT's response to the Virginia Coalition for Immigrant Rights (VACIR) request submitted on August 20, 2024, ELECT will provide the list of individuals cancelled due to being declared a non-citizen within 90 days from the date of VACIR's request in alignment with the National Voter Registration Act (NVRA) and ELECT's standard process for fulfilling requests.

In addition, ELECT will review your new requests for documents and provide an estimate soon.

Thank you,

From: Brent Ferguson <bferguson@campaignlegalcenter.org>
Sent: Thursday, October 3, 2024 5:24 PM
To: Beals, Susan (ELECT) <susan.beals@elections.virginia.gov>
Cc: SBE - INFO, rr (ELECT) <info@elections.virginia.gov>; mailoag@oag.state.va.us; Danielle Lang <dlang@campaignlegalcenter.org>; ben.berwick@protectdemocracy.org; Orion Danjuma <orion.danjuma@protectdemocracy.org>; Ryan Snow <rsnow@lawyerscommittee.org>
Subject: Notice of Violation of National Voter Registration Act and Demand for Remediation and Documents

Caution: This Email Originated Outside ELECT. Exercise Caution When Opening Attachments or Clicking Links, Especially From Unknown Senders.

Commissioner Beals,
Attached is a Notice of Violation of National Voter Registration Act and Demand for Remediation and Documents.
Thank you,

Brent Ferguson
Senior Legal Counsel, Voting Rights

Campaign Legal Center
1101 14th St. NW, Suite 400
Washington, DC 20005
campaignlegalcenter.org

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

VIRGINIA COALITION FOR IMMIGRANT RIGHTS; LEAGUE OF WOMEN VOTERS OF VIRGINIA; LEAGUE OF WOMEN VOTERS OF VIRGINIA EDUCATION FUND,

Plaintiffs,

v.

Case No. 1:24-cv-01778

SUSAN BEALS, in her official capacity as Virginia Commissioner of Elections; JOHN O'BANNON, in his official capacity as Chairman of the State Board of Elections; ROSALYN R. DANCE, in her official capacity as Vice-Chairman of the State Board of Elections; GEORGIA ALVIS-LONG, in her official capacity as Secretary of the State Board of Elections; DONALD W. MERRICKS and MATTHEW WEINSTEIN, in their official capacities as members of the State Board of Elections; and JASON MIYARES, in his official capacity as Virginia Attorney General,

Defendants.

PLAINTIFFS' EMERGENCY MOTION FOR EXPEDITED DISCOVERY

Plaintiffs Virginia Coalition for Immigrant Rights (“VACIR”), League of Women Voters of Virginia and League of Women Voters of Virginia Education Fund (together “LWVVA” or “the League”) request expedited discovery that will support the efficient development of the evidentiary record and aid the Court’s adjudication of a forthcoming motion for preliminary injunction on Plaintiffs’ claims under the National Voter Registration Act (“NVRA”). *See* ECF No. 1. Plaintiffs

intend to file a motion for preliminary injunction imminently and seek relief as soon as possible given the severe ongoing voter confusion and risk of further disenfranchisement caused by Defendants' program to systematically purge Virginians identified as potential noncitizens from the voter rolls, including within the 90-day NVRA quiet period (the "Purge Program").

Accordingly, Plaintiffs request that this Court grant limited expedited discovery necessary for rigorous evaluation of the likelihood of success on the merits and the public interest in enjoining the Purge Program (described below). Specifically, Plaintiffs seek individualized voter information¹ for each of the following voters and voter registration applicants ("Purge List"):

- (1) The list of 6,303 registered voters referred to in Executive Order 35 ("E.O. 35") that the Virginia Department of Elections ("ELECT") identified and subjected to the Purge Program between January 2022 and July 2024;
- (2) The registered voters ELECT has identified and subjected to the Purge Program since the announcement of E.O. 35;
- (3) Voter registration applicants denied registration on the basis of alleged noncitizenship since instituting the Purge Program;

For each person identified as specified in (1), (2), and (3), each person's data file shall include:

- (A) the name of the agency that possessed information leading to the individual's inclusion on the Purge List (the originating agency);
- (B) the means by which the originating agency received information that led to the individual's inclusion on the Purge List (*e.g.*, the individual at one time

¹ The identifying information for the people on the Purge List should include all information kept within the Virginia voter file but, at minimum, full name, residential address, mailing address (if different), date of birth, phone number (if available), voter ID number, any associated state-issued ID numbers (such as driver's license number), all registration dates including earliest and most recent registration date, and race (if available).

provided documentation to the originating agency indicating they were not a citizen; the individual indicated they were not a citizen by checking a box on an electronic form; *etc.*);

- (C) the date that the originating agency received information that led to the individual's inclusion on the Purge List;
- (D) the individual's registration and voting history before and after being placed on the Purge List, including but not limited to date of initial registration, reason(s) for and date(s) of removal from the registration list, any subsequent date(s) of registration, and voting history; and
- (E) the individual's current voter registration status, including whether (i) currently inactive but not canceled, (ii) re-registered, (iii) canceled at the individual's request, or (iv) canceled by Defendants.

Plaintiffs respectfully request the Court order immediate production of the above records, which upon information and belief are already in Defendants' possession and can be readily produced, and which would enable Plaintiffs to attempt to mitigate the imminent disenfranchisement of additional eligible voters who have been erroneously flagged for removal.

Additionally, Plaintiffs seek:

- (4) the Virginia voter file snapshot for August 7, 2024, and a current Virginia voter file snapshot and the date on which that snapshot was taken;
- (5) any and all memoranda, policies, reports, data, summaries, correspondence, or similar documents relating to the development of the Purge Program;
- (6) any and all memoranda, policies, reports, data, summaries, correspondence, or similar documents relating to the development of the Purge List, including any and

all data files provided by the Department of Motor Vehicles (“DMV”), the Office of the Attorney General of Virginia, the Offices of Commonwealth Attorneys, and any other federal, state, or local governmental agency that provided data for the development of the Purge List;

- (7) any and all instructions, guidance, memoranda, policies, reports, data, summaries, training, correspondence, or similar documents developed by ELECT and sent to Boards of Registrars in implementation of the Purge Program;
- (8) any and all memoranda, policies, reports, data, summaries, correspondence, or similar documents relating to the development of notice letters and enclosures sent by Defendants to registered voters on the Purge List;
- (9) any and all records relating to the referral to law enforcement officials and/or the investigation by Defendant Miyares of any voter identified through the Purge Program; and
- (10) three-hour depositions pursuant to Fed. R. Civ. P. 30(b)(6) of ELECT; Commissioner Beals; and the Office of the Attorney General.²

This narrowly tailored request will facilitate this Court’s evaluation of the Purge Program on the expedited timeline necessitated by the ongoing election, which concludes on November 5.

² These shorter, targeted depositions would be only for the limited purpose of expedited discovery. By requesting these targeted depositions for expedited discovery, Plaintiffs do not waive further, lengthier depositions as the litigation progresses.

BACKGROUND

On August 7, 2024, Governor Youngkin signed E.O. 35, providing instructions for a voter purge program of alleged noncitizens, relying on Va. Code § 24.2-427.1 E.O. 35 requires the Commissioner of ELECT to certify to the governor that it has procedures in place to make daily updates to the statewide voter registration list to “[r]emove individuals who are unable to verify that they are [U.S.] citizens to the Department of Motor Vehicles[.]” E.O. 35 at 3-4; *see also* Va. Code § 24.2-427(B)-(C). ELECT is further required to make those daily updates to the voter rolls by comparing “the list of individuals who have been identified as noncitizens to the list of existing registered voters[.]” E.O. 35 at 3-4. Once ELECT has identified these individuals, “registrars notify any matches of their pending cancellation unless they affirm their citizenship within 14 days[.]” and cancel the voter’s registration if the registrar’s office does not receive this affirmation with 14 days of sending the notice. *Id.*; *see also* Va. Code § 24-2.427(B)-(C). Accordingly, E.O. 35 affirmatively directs state agencies to identify and purge voters on a systematic and ongoing basis—including within one month of the 2024 General Election—in direct violation of the 90-day quiet period mandated by the NVRA. *See id.*; 52 U.S.C. § 20507(c)(2)(A). E.O. 35 further demands the expedition of interagency data sharing between the DMV and ELECT via a daily file of all alleged “non-citizens. transactions, including addresses and document numbers.” E.O. 35 at 4.

As the existing evidence, including the directives in E.O. 35, make clear, the Purge Program relies on erroneous data—from the DMV and perhaps other sources—that includes both naturalized and U.S.-born citizens and is ongoing during the 90-day quiet period. To prevent further harm from reaching active voters during an election, Plaintiffs request limited expedited discovery.

ARGUMENT

This Court has broad discretion to supervise and manage the timing of discovery, especially where a request for a preliminary injunction provides good cause not to wait until the Rule 26(f) conference to serve discovery requests. *See Mey v. Phillips*, 71 F.4th 203, 217 (4th Cir. 2023) (citing *Russell v. Absolute Collection Servs., Inc.*, 763 F.3d 385, 396 (4th Cir. 2014) (internal citation omitted)); Fed. R. Civ. P. 26(d)(1) (permitting deviation from ordinary discovery schedule when “authorized . . . by court order”); Advisory Committee Notes (“Discovery can begin earlier if authorized . . . by . . . order This will be appropriate in some cases, such as those involving requests for a preliminary injunction”); Fed. R. Civ. P. 30(a)(2), 33(a), 33(b)(2), and 34(b).

Courts in this District “have applied differing standards when considering motions to expedite discovery for a preliminary injunction.” *Kia Motors Am., Inc v. Greenbrier GMC, Inc.*, No. 2:20CV428 (RCY), 2020 WL 8970813, at *2 (E.D. Va. Dec. 11, 2020). Many courts “apply a more flexible ‘reasonableness’ or ‘good cause’ test,” which “tak[es] into account the totality of the circumstances.” *Id.* (internal quotation marks omitted) (applying the good cause standard); *see also, e.g., Lapp v. United States*, No. 1:23-CV-248 (MSN/LRV), 2023 WL 6193009, at *1 (E.D. Va. Mar. 10, 2023) (finding “that there is good cause to allow Plaintiffs” to serve expedited tailored subpoenas prior to a Rule 26(f) conference); *RelaDyne Reliability Servs. Inc. v. Bronder*, No. 2:20CV377, 2020 WL 5745801, at *1 (E.D. Va. Aug. 4, 2020) (applying the good cause standard and allowing expedited discovery in advance of hearing on a preliminary injunction motion). Courts applying the reasonableness or good cause test consider the following factors, among others:

- (1) the procedural posture of the case;
- (2) whether the discovery at issue is narrowly tailored to obtain information that is probative to the preliminary injunction analysis;
- (3) whether the requesting party would be irreparably harmed by waiting until after the parties conduct their Rule 26(f) conference; and
- (4)

whether the documents or information sought through discovery will be unavailable in the future or are subject to destruction.

Kia Motors Am., Inc., 2020 WL 8970813, at *2.

Alternatively, some courts follow “a minority approach” and apply a modified preliminary injunction test to motions for expedited discovery that require the plaintiff to make “a strong showing of [likelihood of success on the] merits and irreparable harm to Plaintiff.” *ForceX, Inc. v. Tech. Fusion, LLC*, No. 4:11-cv-88, 2011 WL 2560110, at *4-5 (E.D. Va. June 27, 2011); *see also Kia Motors Am., Inc.*, 2020 WL 8970813, at *2 (same); *Willis Towers Watson Se., Inc. v. Alliant Ins. Servs., Inc.*, No. 3:23-CV-659-HEH, 2023 WL 9197745 (E.D. Va. Nov. 21, 2023) (granting expedited discovery under the modified PI test); *Malon v. Franklin Fin. Corp.*, No. 3:14CV671 HEH-RCY, 2014 WL 5795730, at *3 (E.D. Va. Nov. 6, 2014) (same). This standard requires the plaintiff to show only that it “has made a sufficiently colorable claim” under its cause of action “to justify limited expedited discovery.” *Malon*, 2014 WL 5795730, at *3

As explained below, Plaintiffs’ request for expedited discovery satisfies either test.

I. Plaintiffs’ Request for Expedited Discovery Is Reasonable and Supported by Good Cause

Plaintiffs’ request for expedited discovery is reasonable and supported by good cause for at least five independent reasons.

A. Plaintiffs’ Request Is Reasonable Given the Procedural Posture of the Case and the Impending General Election

First, Plaintiffs intend to seek a preliminary injunction in short order, and the discovery they seek on an expedited basis is necessary to obtain additional facts directly relevant to that preliminary injunction motion as quickly as practicable, so that the Court may consider them in deciding the motion. *Cf., e.g., Lapp*, 2023 WL 6193009, at *1 (granting expedited discovery given

Plaintiff's need to identify unknown individuals who should be named as defendants before the statute of limitations expired).

The need for expedited discovery and associated preliminary injunctive relief is urgent because of the brief time remaining until the 2024 general election on November 5. Courts that grant expedited discovery in cases involving voting and electoral issues recognize the need in this particular context for fact-finding on an expedited time frame. *See, e.g., Common Cause Ga. v. Kemp*, 347 F. Supp. 3d 1270, 1301 (N.D. Ga. 2018); *People First of Ala. v. Merrill*, 491 F. Supp. 3d 1076, 1143-44 (N.D. Ala. 2020).

B. Plaintiffs' Request Is Reasonable Given Defendants' Refusal to Produce the Information Sought in Response to Plaintiffs' NVRA Records Requests

Second, expedited discovery is also reasonable due to the secrecy of Defendants' Purge Program and Plaintiffs' inability to obtain the information they seek elsewhere. Defendants have not provided, either publicly or to Plaintiffs, the Purge List, critical information on the Purge Program's development, or critical information on the Purge Program's implementation. This evidence is important for evaluation of Plaintiffs' preliminary injunction motion, both as to likelihood of success on the merits and as to irreparable harm. Only Defendants, not Plaintiffs or the Court, possess information as to the full contours of the Purge Program, such as (for example) the full Purge List.

In fact, Defendants have refused to provide Plaintiffs the information they now seek through discovery despite Plaintiffs' records requests under the NVRA and despite Defendants having those records in their possession. The NVRA requires Defendants to maintain and make available the documents Plaintiffs seek. The Public Disclosure of Voter Registration Activities provision of the NVRA provides that states:

shall maintain for at least 2 years and shall make available for public inspection . . . all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters, except to the extent that such records relate to a declination to register to vote or to the identity of a voter registration agency through which any particular voter is registered.

52 U.S.C. § 20507(i)(1). The Public Disclosure Provision covers individualized records for registered voters subject to removal programs. *See PILF v. N.C. State Board of Elections*, 996 F.3d 257 (4th Cir. 2021); *Project Vote/Voting for America, Inc. v. Long*, 682 F.3d 331 (4th Cir. 2012); *see also* 52 U.S.C. § 20507(i)(2).

Since August 2024, Plaintiffs have submitted two NVRA records requests to Defendants. First, on August 20, Plaintiff VACIR sent a letter to Defendant Beals, Defendant Miyares, the DMV, and the Office of the Governor requesting copies of all records relating to the removal from the voter registration rolls of Virginia registered voters on the basis that they have been identified as a potential “non-citizen.” *See* ECF No. 2-6, Ex. 7. The request was made pursuant to the Public Disclosure of Voter Registration Activities provision of the NVRA, 52 U.S.C. § 20507(i). In response, Defendant Beals made only a limited initial production of responsive records, despite a September 9 meeting between VACIR and Defendant Beals’s staff and numerous emails discussing the specific records responsive to the request.

Second, on October 3, 2024, all Plaintiffs sent a letter entitled “Notice of Violation of National Voter Registration Act and Demand for Remediation and Documents” to Defendants Beals and Miyares. *See* ECF No. 2-7, Ex. 8. That letter, which was sent pursuant to the NVRA (52 U.S.C. § 20510(b)(2)), informed Defendants Beals and Miyares that the Purge Program violates three provisions of the NVRA. ELECT responded to that letter on October 7, 2024, asserting that its “established voter list maintenance processes comply with all applicable state and federal laws” and that it would wait on releasing the list of individuals cancelled due to being declared a non-

citizen until after the election, despite having those records readily available as required by the NVRA. *See* ECF No. 2-8, Ex. 9.

In light of the context in which the Defendants have continued to refuse to provide relevant and beneficial factual information despite the minimal burden associated with providing such transparency, expedited discovery is appropriate. Plaintiffs have attempted to avail themselves of this alternate route to obtain information on the Purge Program and Purge List, unsuccessfully, and have no other means to obtain information about the Purge Program and Purge List directly relevant to Plaintiffs' claims.

C. Plaintiffs' Request Is Reasonable Because It Is Narrowly Tailored to Obtain Information that Is Probative to the Preliminary Injunction Analysis

Third, Plaintiffs' request for expedited discovery is reasonable because it is narrowly tailored in scope. On the one hand, the discovery sought is directly related to Plaintiffs' NVRA claims. On the other hand, the discovery Plaintiffs seek is not burdensome. Plaintiffs seek documents relating to creation and implementation of the Purge Program. These documents are already in Defendants' possession and should not require an extensive search. The limited expedited Rule 30(b)(6) depositions that Plaintiffs seek are minimally intrusive. The requested discovery is also directly related to evidence Plaintiffs hope to present at an evidentiary hearing on their anticipated motion for preliminary injunction. Both the requested documents and the requested limited depositions will shed important light on the development and implementation of the Purge Program that is important for this litigation—particularly given that early in-person voting has already commenced and the general election will occur in just 28 days on November 5.

D. Plaintiffs' Request Is Reasonable Because the Balance of Equities Favors Plaintiffs and Their Request Is Aligned with the Public Interest

Fourth, Plaintiffs request is also reasonable because it is aligned with the public interest in voter list maintenance that is in accordance with law and in the protection of the fundamental right to vote. The NVRA reflects the view of Congress that the right to vote “is a fundamental right,” that government has a duty to “promote the exercise of that right,” and that discriminatory and unfair registration laws can have a “direct and damaging effect on voter participation” and “disproportionately harm voter participation by various groups, including racial minorities.” *Project Vote/Voting for Am., Inc. v. Long*, 682 F.3d 331, 334 (4th Cir. 2012); 52 U.S.C. § 20501(a). In respect of the fundamental interests at stake, the clear legal standards provided by the NVRA, and the Defendants' conduct in contravention of those standards, the public interest weighs in favor of expedited discovery.

E. Plaintiffs' Request Is Reasonable Because They Would Be Irreparably Harmed by Waiting Until After a Rule 26(f) Conference

Fifth and finally, as explained in detail *infra*, Part II.B., Plaintiffs' request is reasonable for the additional reason that they would suffer irreparable harm by waiting until after the parties conduct their Rule 26(f) conference for the discovery they seek.

* * *

In sum, Plaintiffs' motion for expedited discovery should be granted because Plaintiffs' discovery requests are reasonable and supported by good cause.

II. Plaintiffs' Request for Expedited Discovery Also Satisfies the Minority Approach of Applying a Modified Preliminary Injunction Test

Because Plaintiffs' requests are reasonable and supported by good cause, the motion should be granted. *See, e.g., Lapp*, 2023 WL 6193009, at *1; *RelaDyne Reliability Servs. Inc.*, 2020 WL 5745801, at *1. But in the alternative, Plaintiffs' motion also satisfies the minority approach applied by some courts that looks to the first two preliminary injunction factors. *See ForceX, Inc.*, 2011 WL 2560110, at *4-5. As discussed above, under this approach, Plaintiffs need only show that they "ha[ve] made a sufficiently colorable claim . . . to justify limited expedited discovery," *Malon*, 2014 WL 5795730, at *3, and not that they will ultimately prevail on their upcoming preliminary injunction motion, since this discovery motion seeks evidence that will aid the Court's consideration of whether a preliminary injunction is warranted.

A. Likelihood of Success on the Merits

Even pre-discovery, Plaintiffs' complaint and its attached exhibits have made "a strong showing" that Plaintiffs will likely succeed on the merits. *ForceX, Inc.*, 2011 WL 2560110, at *4-5; *see* ECF Nos. 1, 2, Exs. 2-8. As the Complaint details, the Purge Program violates the NVRA because it (1) constitutes systematic voter list maintenance within 90 days preceding a federal election; (2) discriminatorily identifies naturalized citizens for removal and is not being carried out uniformly across local jurisdictions; and (3) requires voters to provide additional proof of U.S. citizenship not required by the National Mail Voter Registration Application or voter registration applications at the DMV and public assistance agencies in order to remain registered. *See* 52 U.S.C. §§ 20504(c), 20505(a), 20506(a), 20507(b); *see also* ECF No. 1 ¶¶ 67-80. Defendant Beals has further violated the Public Disclosure of Voter Registration Activities provision of the NVRA, 52 U.S.C. § 20507(i), by refusing to provide Plaintiffs with the list of voters identified as potential

noncitizens within a reasonable amount of time despite having those records in her office's possession. *See* ECF No. 1 ¶¶ 81-84.

B. Irreparable Harm

As the complaint also demonstrates, the irreparable harm that Plaintiffs suffer is not only likely, but current and ongoing. *See* ECF No. 1 ¶¶ 19-30. The Purge Program harms organizational Plaintiffs VACIR and LWVVA directly by continuing to divert their resources away from their core activities and directly harming their members. Instead of registering additional new voters and providing programs for Virginia's immigrant community, they have and will continue to spend time and money (1) identifying new citizens, including those who have been targeted for removal or purged; (2) educating the public, in particular new citizens, on how to respond to being targeted for removal and ensuring that they remain registered or, if they were purged, how to reregister; (3) assisting new citizens who have been targeted for removal with defending their registrations and right to vote; (4) ensuring that any voters who are affected by the Purge Program who are required to vote using a provisional ballot have their votes counted. It further harms Organizational Plaintiffs because they have members who are naturalized citizens that are affected by the Purge Program.

Each day that Plaintiffs are denied relief is another election day in which their resources are drained and their members are harmed by the illegal conduct of Defendants. As the election window dwindles, Plaintiffs will never be able to fully reclaim the resources originally devoted towards accomplishing their core missions. This irreparable damage will increase exponentially over time as the most important days for Plaintiffs' core activities, which are closest to the election, are occupied by the Purge Program and its effects. Plaintiffs' members continue to suffer burdens on their fundamental right to vote during the election window under the threat of criminal

prosecution and are encumbered from being able to vote early like any other citizen. To stop further irreparable injury to Plaintiffs during this election, swift discovery is necessary to provide immediate clarity to voters' registration statuses and their ability to participate in the 2024 election.

CONCLUSION

For the foregoing reasons, Plaintiffs respectfully request that the Court grant the motion for expedited discovery.

Date: October 8, 2024

Respectfully submitted,

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**Motions for admission or pro hac vice
participation forthcoming.*

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

VIRGINIA COALITION FOR
IMMIGRANT RIGHTS; LEAGUE OF
WOMEN VOTERS OF VIRGINIA;
LEAGUE OF WOMEN VOTERS OF
VIRGINIA EDUCATION FUND; AFRICAN
COMMUNITIES TOGETHER,

Plaintiffs,

v.

SUSAN BEALS, in her official capacity as
Virginia Commissioner of Elections; JOHN
O'BANNON, in his official capacity as
Chairman of the State Board of Elections;
ROSALYN R. DANCE, in her official
capacity as Vice-Chairman of the State Board
of Elections; GEORGIA ALVIS-LONG, in
her official capacity as Secretary of the State
Board of Elections; DONALD W.
MERRICKS and MATTHEW WEINSTEIN,
in their official capacities as members of the
State Board of Elections; and JASON
MIYARES, in his official capacity as Virginia
Attorney General,

Defendants.

Case No. 1:24-cv-01778-PTG-WBP

FIRST AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Plaintiffs Virginia Coalition for Immigrant Rights (“VACIR”), League of Women Voters of Virginia and League of Women Voters of Virginia Education Fund (together “LWVVA” or “the League”), and African Communities Together (“ACT”) bring this action against Susan Beals, in her official capacity as Virginia Commissioner of Elections; the Virginia State Board of Elections

Members, in their official capacities; and Jason Miyares, in his official capacity as Virginia Attorney General, and allege the following:

INTRODUCTION

1. The right to vote is fundamental and foundational to American democracy. Every American citizen has the right to vote, regardless of where they were born. This action challenges a voter purge effort (the “Purge Program”) that patently violates Congress’s framework for protecting these fundamental rights through the National Voter Registration Act (“NVRA”). Less than 60 days ago, Defendants announced the latest version of an effort to implement an ongoing program to systematically remove certain voters from the rolls. But federal law mandates that no such voter cancelation or list maintenance programs may be conducted during the 90-day “quiet period” before an election. Congress prohibited such programs from occurring during this period to protect voter registration lists from the inevitable chaos of potentially inaccurate removals. Nevertheless, Defendants brazenly intensified their removal program the very day the quiet period commenced. Even the best designed list maintenance system undertaken with the best of intentions would be barred by federal law when so dangerously close to an election. That is reason alone to enjoin the continued operation of Defendants’ Purge Program.

2. Moreover, Defendants’ Purge Program is far from such a well-designed, well-intended list maintenance effort. It is an illegal, discriminatory, and error-ridden program that has directed the cancelation of voter registrations of naturalized U.S. citizens and jeopardizes the rights of countless others. In a purported effort to flag potential noncitizens, Defendants’ Purge Program relies on out-of-date information provided to the Department of Motor Vehicles, and perhaps other sources, *stretching back twenty years*. The State knows or should know that countless individuals who obtained drivers’ licenses while legal permanent residents have become naturalized citizens,

many even registering to vote during naturalization ceremonies. But Defendants make no effort to conduct any individualized analysis. Instead, they have classified any person who has ever indicated they were a noncitizen as presumptively ineligible to vote unless they receive and respond to a State missive within fourteen days and provide *more* evidence of their citizenship. This violates the NVRA in various ways, including the requirement that list maintenance programs be uniform and nondiscriminatory. Finally, Defendants have conducted their Purge Program under a shroud of secrecy and obfuscation, refusing to provide information or documentation about their system as it has unfolded. The NVRA mandates that states must be transparent about their voter removal programs, even when undertaken outside of the quiet period, far more so when conducted on the eve of a major election.

3. On August 7, 2024, only 90 days before the upcoming November 5 general election and 45 days before the start of early in-person voting, Virginia Governor Glenn Youngkin issued Executive Order 35 (“E.O. 35”), which provided instructions for the Purge Program of alleged noncitizens, relying on Va. Code § 24.2-427.¹ The Purge Program requires the Commissioner of the Department of Elections (“ELECT”) to certify to the governor that it has procedures in place to make daily updates to the statewide voter registration list to “[r]emove individuals who are unable to verify that they are [U.S.] citizens to the Department of Motor Vehicles[.]” E.O. 35 at 3-4; *see also* Va. Code § 24.2-427(B)-(C).

¹ Although E.O. 35 claims to order the implementation of Va. Code § 24.2-429, the process described in E.O. 35 more closely aligns with Va. Code § 24.2-427. *See* E.O. 35 at 4 (Aug. 7, 2024), *available at* <https://www.governor.virginia.gov/media/governorvirginiagov/governor-of-virginia/pdf/eo/EO-35-Comprehensive-Election-Security-Ensuring-Legal-Voters-and-Accurate-Counting---vF---8.7.24.pdf>. Plaintiffs therefore presume E.O. 35 intended to cite Va. Code § 24.2-427, but, either way, the Purge Program violates the National Voter Registration Act for the reasons stated herein.

4. The Purge Program demands the expedition of interagency data sharing between the Department of Motor Vehicles (“DMV”) and ELECT via a daily file of all alleged “non-citizens transactions, including addresses and document numbers.” E.O. 35 at 4. ELECT is then required to make daily updates to the voter rolls by comparing “the list of individuals who have been identified as noncitizens to the list of existing registered voters[.]” E.O. 35 at 3-4. Once ELECT has identified these alleged noncitizens, ELECT sends the data to county registrars and directs them to “notify any matches of their pending cancellation unless they affirm their citizenship within 14 days” of sending the notice, and ultimately cancel the voter’s registration if the registrar’s office does not receive this affirmation. *Id.*; *see also* Va. Code § 24-2.427(B)-(C).

5. The Purge Program also directs counties to refer voters removed for alleged noncitizenship to Commonwealth Attorneys for criminal investigation and potential prosecution. E.O. 35 at 4. Some counties have also elected to refer those voters to Defendant Attorney General Miyares.

6. The Purge Program by design and in implementation threatens the voting rights of eligible Virginia voters who are naturalized citizens. The Purge Program, ordered by Governor Youngkin and implemented by Defendants, affirmatively directs state agencies to identify and purge voters on a systematic and ongoing basis—including during the immediate lead up to the 2024 General Election—in direct violation of the 90-day quiet period mandated by the National Voter Registration Act (“NVRA”). 52 U.S.C. § 20507(c)(2)(A).

7. Despite Plaintiffs’ multiple requests, including through a letter from VACIR sent August 20, 2024, and a letter sent from VACIR and LWVVA on October 3, and in violation of the Public Disclosure of Voter Registration Activities provision of the NVRA, 52 U.S.C. § 20507(i), Defendant Beals has thus far provided little information related to the Purge Program, including

refusing to provide the identities of the persons subject thereto. As a result, Plaintiffs have not been able to determine conclusively who has been identified for removal or who has been removed. What is clear from Plaintiffs' investigation and the clear directives in E.O. 35 is that the Purge Program relies on erroneous data—from the DMV and perhaps other sources—that includes both naturalized and U.S.-born U.S. citizens and is ongoing during the 90-day quiet period.

8. The Purge Program systematically removes Virginians from the voter rolls shortly before the November 2024 general election based solely on the fact that they were at one point identified as a potential noncitizens—according to databases from the DMV or other sources—even if they have since become naturalized citizens and lawfully registered to vote or even if they are U.S.-born citizens who were mistakenly identified as noncitizens.

9. Governor Youngkin's ordered Purge Program, by design, identifies and classifies based on national origin without considering naturalized citizenship status. It then relies on that classification to mark individuals for removal from the voter rolls. The data and methodology that forms the basis of the Purge Program discriminates based on national origin and predictably sweeps in naturalized citizens. Many naturalized citizens have had interactions with the DMV prior to becoming a citizen. That is because all naturalized citizens were once legal permanent residents, and legal permanent residents are permitted to obtain driver's licenses and other forms of state identification, which can remain valid for up to eight years.

10. E.O. 35 claimed that Virginia has made "unprecedented strides in improving...protection against non-citizen registration," but evidence overwhelmingly shows that noncitizen registration and voting is vanishingly rare in Virginia and across the United States, and voter purges aimed at *alleged* noncitizens primarily prevent *eligible* naturalized citizens from casting ballots.

11. In its implementation, the Purge Program arbitrarily sweeps in both naturalized citizens and U.S.-born citizens not targeted by the program. While U.S.-born citizens would only be marked as noncitizens in DMV data due to user error in mistakenly checking the wrong box or leaving a box unchecked during electronic transactions with the DMV, the Purge Program has also erroneously removed from the voter rolls at least some eligible voters who are U.S.-born citizens.

12. Plaintiffs are nonprofit organizations whose missions are to help eligible Virginians register and vote and to provide services to Virginia's immigrant communities, including by providing education and assistance to Virginia's naturalized citizens in voter registration and voting. The organizations' members include naturalized and U.S.-born eligible U.S. citizens whose registrations are at risk under the Purge Program.

13. Va. Code Ann. § 24.2-427(C) and the Purge Program harm Plaintiffs VACIR, LWVVA, and ACT directly because, instead of registering additional new voters and providing programs for Virginia's immigrant community, they have and will continue to spend time and money (1) identifying new citizens, including those who have been targeted for removal or purged; (2) educating the public, in particular new citizens, on how to respond to being targeted for removal and ensuring that they remain registered or, if they were purged, how to reregister; (3) assisting new citizens who have been targeted for removal with defending their registrations and right to vote; (4) ensuring that any voters who are affected by the Purge Program who are required to vote using a provisional ballot have their votes counted. It further harms Plaintiffs because they have members who are naturalized citizens. Enjoining the Purge Program is necessary to end these harms to Plaintiffs.

14. Va. Code Ann. § 24.2-427(C) and the Purge Program violate the NVRA because they (1) constitute systematic voter list maintenance within 90 days preceding a federal election;

(2) discriminatorily identify naturalized citizens for removal and are not being carried out uniformly across local jurisdictions; and (3) require voters to provide additional proof of U.S. citizenship not required by the National Mail Voter Registration Application or voter registration applications at the DMV and public assistance agencies in order to remain registered. *See* 52 U.S.C. §§ 20504(c), 20505(a), 20506(a), 20507(b). Defendant Beals has further violated the Public Disclosure of Voter Registration Activities provision of the NVRA, 52 U.S.C. § 20507(i), by refusing to provide Plaintiffs with the list of voters identified as potential noncitizens within a reasonable amount of time despite having those records in her office’s possession. Plaintiffs therefore respectfully request that the Court declare the Purge Program unlawful, enjoin Defendants from implementing the Purge Program, restore all unlawfully removed voters to the rolls and provide public and individualized notice thereof, produce the list of voters identified as potential noncitizens, and afford Plaintiffs all other just and proper relief.

JURISDICTION AND VENUE

15. This action is brought pursuant to 52 U.S.C. § 20510(b), which provides that “[a] person who is aggrieved by a violation of [the NVRA]...may bring a civil action in an appropriate district court for declaratory or injunctive relief with respect to the violation.”

16. This Court has jurisdiction to hear this case under 28 U.S.C. §§ 1331, 1343(a)(3)-(4), and 1357 because the claims in the action arise under the laws of the United States, as well as under 42 U.S.C. §§ 1983 and 1988. This Court has jurisdiction to grant declaratory and injunctive relief and all other forms of relief available under federal law, including 28 U.S.C. §§ 2201 and 2202.

17. This Court has personal jurisdiction over the Defendants, who are all elected or appointed officials and citizens of Virginia.

18. Venue is proper in this district under 28 U.S.C. § 1391(b) because the Defendants engage in their official duties in this District, because a substantial part of the events or omissions giving rise to the claims occurred in this District, and because at least one Defendant resides in this District and all Defendants are Virginia residents.

PARTIES

Plaintiffs

19. Plaintiff **Virginia Coalition for Immigrant Rights** is a multi-racial and multi-ethnic coalition of member organizations that exists to win dignity, power, and quality of life for all immigrant and refugee communities. They seek to create a Virginia where immigrant and refugee communities have full access to family, civic, economic, and social life.

20. VACIR is comprised of 49 standing member organizations, including legal services providers, civil rights groups, and labor unions, each of which themselves work to support the immigrant community in Virginia through a variety of programs, including by assisting with voter registration and education for eligible naturalized citizens.² VACIR unifies those organizations and

² As of the filing of this Complaint, VACIR standing member organizations are ACLU People Power – Fairfax; ACLU of Virginia; African Communities Together; American Jewish Committee; AYUDA; Bread for the World; Centreville Immigration Forum; Church World Service; Coalition of Asian Pacific Americans of Virginia; Congregation Action Network; Cornerstone; Domestic Workers Alliance; Dream Project; Dreamers Mothers In Action; Edu Futuro; EMGAGE; Fuego Coalition; Hamkae Korean Community Center; Hispanic Organization of Leadership and Action; Jewish Community Relations Council; Just Neighbors; Korean American Association of Northern Virginia; Latina Institute for Reproductive Justice; League of United Latin America Citizens; Legal Aid Justice Center; Multicultural Community Center; Neighbor's Keeper; New Virginia Majority Education Fund; Northern Virginia Affordable Housing Alliance; NoVA Labor; Progress Virginia; Sacred Heart Catholic Community Center; SEIU 512; SEIU 32BJ; Shirlington Employment and Education Center; Sin Barreras; Tenants and Workers United; The Commonwealth Institute for Fiscal Analysis; Unitarian Universalist for Social Justice; United Food and Commercial Workers Local 400; Virginia Civic Engagement Table; Virginia Coalition of Latino Organizations; Virginia Immigration Intercollegiate Alliance; Virginia Interfaith Center for Public Policy; Virginia League of Planned Parenthood; Virginia League of Women Voters; Virginia Organizing; Virginia Poverty Law Center; and Voices for Virginia's Children.

supports them in achieving their shared goals, including by providing mini-grants to members to operate programs directed at assisting with voter registration and education for eligible naturalized citizens.

21. The Purge Program has harmed and will continue to harm VACIR and its members in various ways. VACIR has had to divert significant resources away from its core activities including removing language barriers to obtain government assistance, oversight of immigration detention facilities, providing support for community oversight to the Temporary Protected Status program, advocacy activities related to expanding state programs affecting immigrant communities including Medicare expansion, and providing support for community mobilization around general voter registration efforts for New Americans, and toward responding to and attempting to mitigate the effects of E.O. 35 and the Purge Program in erroneously removing eligible voters from the rolls and intimidating eligible naturalized citizens from participating in voter registration and voting. VACIR's response efforts are ongoing and include investigating the Purge Program through submitting public records requests and spending thousands of dollars to cover the costs of production, engaging in direct multi-lingual public education and outreach to naturalized citizen voters about maintaining their voter registration and re-registering if they have been removed through the Purge Program, and supporting its members to adjust and redirect general community voter registration and outreach programs toward specifically responding to E.O. 35 and the Purge Program, including through educating and assisting naturalized citizen voters with checking their voter registration status and how to re-register if they have been removed.

22. A number of VACIR's member organizations are membership organizations themselves whose members include substantial numbers of naturalized citizens, including

EMGAGE, African Communities Together, SEIU 32BJ, Hamkae Center, Latina Institute for Reproductive Justice-Virginia, Domestic Workers Alliance, NoVA Labor, and Tenants and Workers United. These organizations' naturalized citizen members are at particular risk of being purged because they may have previously self-identified as noncitizens with the Virginia DMV while applying for a driver's license and then later registered to vote through another means after obtaining their citizenship. As a direct result of E.O. 35 and the Purge Program, these members must now constantly re-check their registration status, may be forced to provide additional documentation to vote, may be intimidated from registering to vote or voting due to the Purge Program and the explicit public threat of investigation or prosecution in E.O. 35, and face other burdens due to the Purge Program.

23. A number of VACIR's member organizations have also been directly harmed by being forced to divert resources away from core activities including providing direct support and assistance to community members through a variety of programs and toward responding to and attempting to mitigate the effects of E.O. 35 and the Purge Program in erroneously removing eligible voters from the rolls and intimidating eligible naturalized citizens from participating in voter registration and voting.

24. Plaintiffs **League of Women Voters of Virginia and League of Women Voters Education Fund**, formed under Section 501(c)(4) and 501(c)(3) of the Internal Revenue Code, respectively, are nonpartisan, nonprofit, membership organizations that seek to encourage informed and active participation in government, work to increase understanding of major public policy issues, and influence public policy through education and advocacy. LWVVA is a state League of the national League of Women Voters, which was founded in 1920 as an outgrowth of the struggle to win voting rights for women, has more than 500,000 members and supporters, and

is organized in more than 750 communities in all 50 states and the District of Columbia. LWVVA has approximately 2,000 members across the state of Virginia. Some of LWVVA's members are naturalized citizens.

25. LWVVA is comprised of dues-paying members who volunteer in Virginia communities to provide voter services. LWVVA has no paid employees or staff involved with the operation of the League. Through its volunteer leaders, LWVVA provides regular training to its members and to its nonpartisan partners to assist Virginians, including those who are naturalized citizens, in getting registered, voting, and confirming their registration status. LWVVA has also arranged required Virginia training for third party voter registration for its members and nonpartisan partner organizations. LWVVA does this work as a part of its mission to protect the right to vote for Virginia voters and considers its work registering voters, encouraging them to vote, and confirming their registration to be an expression of those core values. LWVVA uses voter registration assistance as a part of a larger dialogue about a citizen's voter registration, voting plan, and the importance of voter turnout: the goal is to ensure all eligible Virginia voters are registered to vote, have a plan to vote, and can and do actually vote.

26. E.O. 35 and the Purge Program have harmed and will continue to harm the League and its members in various ways. First, the League has diverted and will continue to divert resources to counteract the harms created by the Purge Program. At the most consequential period of time for the League's core mission activities, the League first had to use its resources to rapidly understand the impact of E.O. 35 and its effect on Virginia voters. When the League learned of the Purge Program's identification of eligible Virginian voters for removal, the League had to expend its resources to counteract the immediate confusion and misinformation created by the Purge Program. The broadest way of doing so without amplifying false claims of noncitizen voting has

been to expand announcements for all Virginians to check their registration, even those who have no changes in their voter profile. The Purge Program has forced the League to both broaden these “check your registration” efforts beyond its previously targeted audience and to expand its focus on naturalized citizens. For instance, the League has already spent at least \$600 to create, translate into multiple languages, and distribute a public service announcement (PSA) throughout the state reminding voters of their right to vote and instructing them to check that their registration is valid before Election Day. The League created and distributed the PSA in direct response to the Purge Program, to ensure that all Virginia voters—including voters that the League has registered and voters who are League members—are registered and are able to vote on Election Day, in furtherance of the League’s goals of registering eligible voters and ensuring all eligible voters can vote. In direct response to the Purge Program, the League also increased its budget for digital media impressions on mobile devices by \$2,000. These PSAs were necessary because the Purge Program has deregistered thousands of Virginians, including Virginians eligible to vote, and has unquestionably intimidated many more naturalized Virginians who are now less likely to vote for fear of criminal investigation and prosecution. Therefore, the Purge Program will decrease the number of registered voters and decrease voter turnout, directly harming the League’s mission of increasing the number of registered voters and increasing voter turnout. The PSA was necessary to ameliorate those harms.

27. Separately, the League has devoted and will continue to devote resources and members’ time to counteract the effects of the Purge Program, such as by helping members and registered voters determine whether they remain eligible and by helping voters who are purged restore their eligibility. This includes direct outreach and public outreach to naturalized citizens through media, such as the League President’s September interview at Spanish speaking radio

station WRKE 100.3 LP-FM. The League is further burdened by diverting its coordination resources with other non-profits towards understanding and addressing the effects of E.O. 35 rather than coordinating on core voter assistance programs. Absent such diversion, the League would spend its money and member time on getting out the vote for the 2024 general election and planning its advocacy activities for the next year. It would also hold more voter registration drives.

28. Aside from resource diversion, the Purge Program directly harms the League's mission. When voters are unlawfully purged, it decreases the number of voters in Virginia, contrary to the League's mission of increasing the number of registered voters and voter turnout. When voters are intimidated or must take additional steps to remain registered, it harms the League's mission of ensuring that voting is easy and open for all eligible Virginians.

29. The Purge Program also harms the League's members. The League's membership includes naturalized citizens, and those members are at particular risk of being purged because they may have previously self-identified as noncitizens with the Virginia DMV. Those members must constantly re-check their registration status, may need to provide additional documentation to vote, are intimidated by the Purge Program and the threat of investigation or prosecution, and face other burdens due to the Purge Program.

30. Further, Commissioner Beals's refusal to release information about the Purge Program, including the list of voters who have been removed on the basis of the Purge Program harms LWVVA's mission. Because LWVVA cannot contact the voters who have been removed on the basis of the Purge Program—including any LWVVA members—LWVVA cannot further its goals by ensuring all eligible voters targeted by the Purge Program are registered to vote.

31. Plaintiff **African Communities Together** is a nonpartisan, nonprofit membership organization of African immigrants fighting for civil rights, opportunity, and a better life for

African immigrants and their families. Founded in 2013, ACT empowers African immigrants to integrate socially, advance economically, and engage civically. ACT assists African immigrants in obtaining critical services, provides resources and infrastructure for community and leadership development, and supports community members to engage in civic life, including through education and assistance with voter registration and voting. ACT provides multilingual assistance to African immigrants related to immigration, jobs, civic participation, and other needs.

32. ACT has approximately 12,460 members nationally, with approximately 1,079 residing in Virginia. Many of ACT's members are naturalized citizens. ACT's members pay voluntary membership dues. They participate in monthly membership meetings, leadership committees and trainings, issue-specific campaign committees, civic engagement. They also engage in public advocacy through collective actions and personal storytelling, volunteer work through community-focused programs, and many attend a national membership convention.

33. ACT is operating a robust voter engagement program in Virginia with the goal of connecting with 85,000 registered voters in African immigrant communities in 2024. This program consists of six full-time paid staff, including a lead organizer, three field organizers, and two phone-bank leads, as well as ACT members who contribute on a volunteer basis. The program provides multilingual education and assistance with all aspects of voting and encourages voters to participate through outreach and engagement about the important role voting plays in shaping the opportunities and issues facing African immigrant communities.

34. The Purge Program operated by Defendants has harmed and will continue to harm ACT and its members in various ways. ACT has had and continues to divert its staff and resources from other core activities toward attempting to mitigate the harms to its members and to Virginia's African immigrant community caused by E.O. 35 and the Purge Program. This has required

redirecting its voter engagement program by developing and producing new public education materials, revising the resources and scripts used by canvassers and phone bankers, and re-training paid staff and volunteers in order to support voters who may have been sent a removal notice or removed from the rolls by educating and assisting them in maintaining their voter registration and re-registering if necessary, as well as reassure voters about their eligibility and mitigate any intimidating effect related to the threat of referral to law enforcement and criminal investigation and prosecution as laid out in E.O. 35. Many ACT members who are naturalized citizens may have been sent a removal notice, removed from the rolls, or are at heightened risk of imminent removal due to having obtained a driver's license prior to becoming a citizen and having yet to update their DMV records.

Defendants

35. Defendant **Susan Beals** is the Virginia Commissioner of Elections. The Commissioner of Elections is the “principal administrative officer” of the Department of Elections, Va. Code § 24.2-102(B), and “the chief state election officer responsible for the coordination of state responsibilities under the National Voter Registration Act,” *id.* § 24.2-404.1. Defendant Beals is also responsible for ensuring the implementation of the Purge Program by “certify[ing] in writing to the Governor” that the Purge Program’s requirements are being met. E.O. 35 at 3. As the head of the Department of Elections, she is also responsible for generating the Purge Program’s daily list of voters alleged to be noncitizens. *Id.* at 4. Defendant Beals is sued in her official capacity.

36. Defendant **John O’Bannon** is the Chairman of the State Board of Elections (“the Board”); **Rosalyn R. Dance** is the Vice-Chairman of the Board; **Georgia Alvis-Long** is the Secretary of the Board; and **Donald W. Merricks** and **Matthew Weinstein** are members of the

Board (collectively “State Board of Election Members”). They are all sued in their official capacities. “The State Board, through the Department of Elections, shall supervise and coordinate the work of the county and city electoral boards and of the registrars to obtain uniformity in their practices and proceedings and legality and purity in all elections.” Va. Code § 24.2-103(A). It is the duty of the Board to “make rules and regulations and issue instructions and provide information consistent with the election laws to the electoral boards and registrars to promote the proper administration of election laws.” *Id.*

37. Defendant **Jason Miyares** is the Attorney General of Virginia. Under Virginia law, the Attorney General has “full authority to do whatever is necessary or appropriate to enforce the election laws or prosecute violations thereof.” Va. Code § 24.2-104(A); E.O. 35 at 4. Defendant Miyares endorsed the Purge Program, claiming credit for E.O. 35’s original announced purge of 6,303 alleged noncitizens from the voter rolls.³ Registrars and County Electoral Boards have since referred to Defendant Miyares for criminal investigation and possible criminal prosecution additional individuals whose voter registration was cancelled because of the Purge Program. He is sued in his official capacity.

FACTUAL ALLEGATIONS

I. The Purge Program and Governor Youngkin’s Announcement of E.O. 35

38. Governor Youngkin announced E.O. 35 on August 7, 2024—exactly 90 days before the 2024 General Election on November 5 and 45 days before the start of early in-person voting. E.O. 35. With this timing, every subsequent voter removal is necessarily within the NVRA’s “quiet period.”

³ Jason Miyares (@JasonMiyaresVA), X (Aug. 7, 2024, 1:57 PM), <https://perma.cc/6JGJ-KLJD> (“6,303. That’s the number of noncitizens identified and removed from Virginia’s voting rolls under our watch. I’m proud of my office’s work to help ensure election integrity.”).

39. In his August announcement, Governor Youngkin was clear that the Purge Program had already begun, explaining that between January 2022 and July 2024, 6,303 voters were removed from the voter rolls based on DMV data shared with ELECT. E.O. 35 at 2. He also explained that the Program uses a systematic, ongoing process saying, “We verify the legal presence and identity of voters using DMV data and other trusted data sources to **update our voter rolls daily**, not only adding new voters, but **scrubbing the lists** to remove those that should not be on it, like...non-citizens that have accidentally or maliciously attempted to register.”⁴

40. The Purge Program is intended to and does operate systematically: it requires “daily updates” to cancel the voter registrations of individuals identified as potential non-U.S. citizens based on faulty and outdated data without a meaningful and individualized inquiry into its accuracy. *See* E.O. 35 at 3-4.

41. Section 7.3 of the 2021 MOU indicates that a successful “match” between a record in Virginia’s voter file and a record in the DMV database requires an exact match of Social Security Number, first name, last name, and date of birth. In the event a registrant does not provide a Social Security Number, then DMV matches on first name, last name, and date of birth.

42. ELECT operators are given little, if any, guidance or criteria directing how to determine if a purported “match” between the records in the voter file and DMV database is accurate or false based on other information available to the operator. The Voter Registration List Maintenance Department of Motor Vehicles: Full SBE & Noncitizens Standard Operating Procedures (SOP) Section 4.1 merely states, “[t]he GR reviews the match to determine if the non-

⁴ *Governor Glenn Youngkin Issues Executive Order to Codify Comprehensive Election Security Measures to Protect Legal Voters and Accurate Counts*, Office of the Governor (Aug. 7, 2024), <https://www.governor.virginia.gov/newsroom/news-releases/2024/august/name-1031585-en.html> (emphasis added).

citizen and registered voter identified by VERIS is the same person” without any further explanation or elaboration.

43. In the event a DMV record indicating that an individual is a non-citizen matches to a record in Virginia’s voter file, an “Affirmation of United States Citizenship form” must be sent to a registrant along with a letter entitled “Notice of Intent to Cancel.” That letter informs the voter that “[w]e have received information that you indicated on a recent DMV application that you are not a citizen of the United States.”

44. Upon information and belief, neither the DMV, ELECT, nor county officials take any action to verify the veracity of the information suggesting an individual flagged through the Purge Program is in fact a noncitizen prior to sending the 14-day notice and initiating the removal process, instead putting the burden entirely on the voter to re-affirm their citizenship or face removal.

45. If the registrant affirmatively responds and mails the local registrar a completed Affirmation of Citizenship form within 14 days, then the registrant is marked as confirming their citizenship and the registrant is removed from the list of flagged individuals, which state officials describe as the “Declared Non-Citizen Hopper.”

46. With respect to people who do not return the Affirmation of Citizenship form, the Notice of Intent to Cancel provides that “[i]f you do not respond within 14 days, you will be removed from the list of registered voters.”

47. The Purge Program further requires that registrars “immediately notify the Commonwealth’s Attorney for their jurisdiction of this alleged unlawful conduct.” E.O. 35 at 4.

II. Implementation of the Purge Program

48. Virginians have been removed from the rolls in the 90-day “quiet period” as a result of the Purge Program, and more will be removed until it is enjoined.

49. ELECT has confirmed that it and registrars are daily receiving “non-citizen data” from the DMV and daily “[r]emoving individuals who declare or provide documentation indicating non-citizenship status and who do not respond to an affirmation of citizenship notice.” Ex. 1. Indeed, ELECT and the DMV entered a new Memorandum of Understanding on September 3, 2024, ensuring the daily data exchanges will occur. Ex. 2.

50. Counties are using these daily updates from ELECT to remove Virginians from the voter rolls. For example, Arlington, Fairfax, and Loudoun Counties have all followed ELECT’s instructions and cancelled the registrations of voters as a result of the Purge Program. Exs. 3, 4, 5. Loudoun County confirmed eight cancellations in August for alleged noncitizenship, Ex. 6 at 9, and Fairfax confirmed 49 cancellations as a result of the Purge Program, Ex. 5 at 7.

51. The 49 voter registration cancellations in Fairfax County were all due to a failure of the voter to reply affirming their citizenship within 14 days of the notice being sent. Originally, 66 voters were identified and noticed as alleged noncitizens, but 17 voters responded confirming their citizenship “and re-registered within the 14-day requirement.” Ex. 5 at 7. A member of the Fairfax County Electoral Board acknowledged that “his understanding was that many of these individuals are citizens who inadvertently checked the wrong box or did not check any box for the citizenship question on the DMV website” but also noted that registrars are unable to do research into the source of the noncitizen DMV demarcation because “the local election offices have ‘no way of knowing’ how the individual answered the DMV citizenship question.” Ex. 5 at 7.

52. Arlington and Loudoun Counties also all referred alleged noncitizen voters to the Commonwealth Attorneys for their jurisdictions for criminal investigation and potential prosecution. Exs. 3, 5. Arlington County has also referred alleged noncitizens to Defendant Attorney General Miyares for investigation and potential prosecution. Ex. 3.

53. During a September 30, 2024, Board of Elections hearing, Prince William Registrar Eric Olsen indicated that he has been asking registrants to re-verify that they are U.S. citizens even if they have previously returned an Affirmation of United States Citizenship Form to his office.

54. At the September 30 meeting, Mr. Olsen said: “[w]e looked at 162 individuals that were listed as noncitizens in the VERIS system. Forty-three of those have voted. We looked at all forty-three of those. Every single one of them had verified their citizenship previously. Some by as many as five times. All had Social Security Numbers. And we had to cancel them because of state protocol, but we also didn’t see any issue that they had done anything illegal.”⁵

III. The Purge Program’s Impact on Naturalized Citizens

55. On information and belief, the Purge Program has resulted and will continue to result in the cancellation of the voter registration of naturalized U.S. citizens. Even though naturalized citizens have the same fundamental right to vote as U.S.-born citizens, the Purge Program systematically jeopardizes the voting rights of naturalized citizen voters. The Purge Program requires naturalized citizens to provide further citizenship verification to stay on the rolls or, if they do not do so within 14 days, confirms their removal and refers them for criminal investigation and prosecution.

⁵ A recording of Mr. Olsen’s statement is available at <https://www.youtube.com/watch?v=Zr0LSt3xwCk> (29:00).

56. Data from U.S. Citizenship and Immigration Services (USCIS) shows that thousands of Virginia residents are naturalized every year. In Fiscal Year 2023, the most recent full year for which state-specific data is available, 24,100 Virginia residents became naturalized citizens.⁶ Naturalization applications generally increase in advance of general elections,⁷ and, according to USCIS data last updated on August 12, 2024, there were still an estimated 270,588 lawful permanent residents in Virginia eligible to naturalize.⁸

57. The Census Bureau has found that roughly 61% of naturalized citizens are registered to vote.⁹

58. To become a naturalized citizen, a person must first be a lawful permanent resident (often colloquially called a “green card holder”) for years. The sole exceptions are for a small number of people who become naturalized citizens due to certain service in the U.S. military or who were previously noncitizen nationals of the United States because they were born in certain U.S. territories. For that reason, all (or virtually all) naturalized citizens in Virginia lived in the United States for years before they were citizens, as noncitizens and lawful permanent residents.¹⁰

⁶ *Naturalization Statistics*, USCIS, <https://www.uscis.gov/citizenship-resource-center/naturalization-statistics> (last updated May 9, 2024).

⁷ *U.S. Naturalization Policy 16-17*, Congressional Research Service (Apr. 15, 2024), <https://crsreports.congress.gov/product/pdf/R/R43366>.

⁸ *Eligible to Naturalize Dashboard*, USCIS (Aug. 12, 2024), <https://www.uscis.gov/tools/reports-and-studies/immigration-and-citizenship-data/eligible-to-naturalize-dashboard>.

⁹ *Voting and Registration in the Election of November 2022*, Table 11, U.S. Census Bureau (Apr. 2023), <https://www.census.gov/data/tables/time-series/demo/voting-and-registration/p20-586.html>.

¹⁰ In addition, some children born outside the U.S. who were legal permanent residents become U.S. citizens by operation of law, in what is called “derived citizenship.” These children are not required to go through the naturalization process or obtain any documentation when they become citizens. When they turn 18, they can register to vote if they are otherwise eligible. Individuals with derived citizenship were typically children when at least one parent became a naturalized citizen. See *Policy Manual, Chapter 4 - Automatic Acquisition of Citizenship after Birth (INA 320)*, USCIS, <https://www.uscis.gov/policy-manual/volume-12-part-h-chapter-4>. Derived citizens are subject to the same unlawful practices as naturalized citizens under the Purge Program, and the

59. Virginia drivers' licenses, permits, and special identification cards are available to citizens and noncitizens alike including legal permanent residents, "conditional resident alien[s]," approved applicants for asylum, and entrants into the United States in refugee status. Va. Code § 46.2-328.1(A). Those forms of identification can remain valid during the applicant's authorized stay in the United States, up to the legal limit of eight years. *Id.* at §§ 46.2-328(B); 330(A).

60. Because a person must ordinarily be a lawful permanent resident for years before becoming a naturalized citizen, and because a lawful permanent resident may obtain a driver's license, permit, or special identification card in Virginia, it is extremely likely that many naturalized citizen residents of Virginia had a noncitizen exchange with the DMV prior to naturalization.

61. This means that an individual could obtain a driver's license or form of identification as a non-U.S. citizen and subsequently become a U.S. citizen and lawfully register to vote—for example by using a paper voter registration form at their naturalization ceremony—without updating their DMV record to reflect their citizen status. *See* Va. Code §§ 46.2-328.1(A), 330(A). Under these circumstances, the DMV's records would still indicate that an eligible voter was not a U.S. citizen at the time they obtained their identification, thereby improperly and erroneously triggering the removal process.

62. Some individuals may have interactions with the DMV that do not result in their citizenship information being corrected or updated in the database, which increases the likelihood that the citizenship information contained in the DMV database is outdated for some individuals.

claims regarding the unlawfulness of the Purge Program with respect to naturalized citizens in this lawsuit apply equally to derived citizens—since they, too, were previously legal permanent residents and could have interacted with the DMV before becoming citizens.

63. The DMV does not require people to show additional proof of citizenship or lawful residence when they renew their drivers' licenses (so long as they showed such proof since 2004 for legal permanent residents or 2020 for asylees or refugees).¹¹ Thus citizens who became naturalized *over the last twenty years* would likely not have updated citizenship documents on file with the DMV if they obtained a driver's license before their naturalization. The Purge Program directly threatens the voting rights of these citizens.

64. Upon information and belief, eligible voters often mistakenly leave a box empty or check the wrong box during electronic transactions with the DMV in a way that indicates they are not a citizen despite having already confirmed their citizenship while registering to vote, thereby improperly and erroneously triggering the removal process. Ex. 5 at 7. This can impact naturalized citizens as well as U.S.-born U.S. citizens.

65. Further, naturalized citizens in Virginia overwhelmingly come from communities of color that have historically been subject to discrimination in the exercise of their voting rights. For instance, in fiscal year 2022, the top five countries of origin for the 27,324 naturalized Virginia residents were: India (2,060), Afghanistan (1,803), Pakistan (1,357), Philippines (1,356), and El Salvador (1,685).¹²

66. In other states, state officials have created similar legally flawed programs in reliance on information provided when an individual obtained a driver's license. In each of those cases, public reporting and lawsuits have uncovered that the programs targeted naturalized citizens.

¹¹ *Virginia's Legal Presence Law*, Virginia Department of Motor Vehicles, available at <https://www.dmv.virginia.gov/licenses-ids/id-cards/legal-presence> (last accessed Oct. 3, 2024).

¹² *Profiles on Naturalized Citizens*, U.S. Dep't of Homeland Sec., Office of Homeland Sec. Statistics, <https://ohss.dhs.gov/topics/immigration/naturalizations/profiles-naturalized-citizens>.

67. Registration is the largest obstacle to voting in the United States. H.R. Rep. No. 103-9, at 3 (1993) (“Public opinion polls, along with individual testimony . . . indicate that failure to become registered is the primary reason given by eligible citizens for not voting. It is generally accepted that over 80 percent of those citizens who are registered vote in Presidential elections.”).

68. In passing the NVRA, Congress acknowledged that “discriminatory and unfair registration laws and procedures can have a direct and damaging effect on voter participation in elections for Federal office and disproportionately harm voter participation by various groups, including racial minorities.” 52 U.S.C. § 20501(a)(3).

69. On information and belief, Defendants have not taken any meaningful steps to ensure that individuals flagged by the Purge Program are not in fact U.S. citizens, even though (1) DMV data regarding citizenship is known to be outdated and unreliable as an indicator of current citizenship status, and (2) noncitizen designation or transactions in the DMV data are often the sole criterion to trigger voter registration cancellation.

70. Because the Purge Program by design singles out individuals who were once identified in DMV records as noncitizens and subjects them to scrutiny not generally faced by U.S.-born citizens, the Purge Program discriminates based on national origin and against naturalized citizens.

71. Beyond its patent violation of the NVRA’s quiet period, Virginia’s Purge Program subjects naturalized citizens who have previously attested to their U.S. citizenship under penalty of perjury—as all other Virginia voters do—to a duplicative, arbitrary, and discriminatory process to remain registered and vote. Giving voters less than two weeks to complete that process (including the time it takes to receive, complete and mail back the form) exacerbates the burdens

imposed by the Purge Program. The deadline increases the likelihood that U.S. citizens are removed from the voter rolls by this process even though they are eligible to vote.

IV. The Purge Program's Impact on U.S.-Born Citizens

72. On information and belief, the Purge Program has resulted and will continue to result in the cancellation of the voter registration of U.S.-born citizens. Individuals interacting with the DMV through electronic transactions often mistakenly select the wrong box in fields prompting the individual to indicate whether they are a U.S. citizen.

73. At least some individuals who are U.S. citizens mistakenly check the box indicating they are not a citizen, which would result in the individual being flagged in the DMV's noncitizens transactions list.

74. Because the Purge Program requires the DMV to transmit the list of noncitizen transactions to ELECT on a daily basis, DMV staff may not be able to identify and correct any user errors by U.S. citizens mistakenly indicating they are not a citizen prior to transmitting the list to ELECT, leading to these citizens being erroneously identified to ELECT as potential noncitizens.

V. Plaintiffs' Thwarted Effort to Obtain Information from the State

75. On August 20, 2024, Plaintiff VACIR sent a letter to Defendant Beals, Defendant Miyares, the DMV, and the Office of the Governor requesting copies of all records relating to the removal from the voter registration rolls of Virginia registered voters on the basis that they have been identified as a potential "non-citizen." Ex. 7. The request was made pursuant to the Public Disclosure of Voter Registration Activities provision of the NVRA, 52 U.S.C. § 20507(i). Defendant Beals made only a limited initial production of responsive records, despite a September

9 meeting with Defendant Beals’s staff and numerous emails discussing the specific records responsive to the request.

76. On October 3, 2024, Plaintiffs VACIR and LWVVA sent a letter entitled “Notice of Violation of National Voter Registration Act and Demand for Remediation and Documents” to Defendants Beals and Miyares. Ex. 8. That letter, sent pursuant to the NVRA (52 U.S.C. § 20510(b)(2)), informed Defendants Beals and Miyares that the Purge Program violates the three provisions of the NVRA listed in Counts One through Three, *infra*. The letter also demanded records pursuant to 52 U.S.C. § 20507(i)(1), including, among other things: individualized voter information for voters affected by the Purge Program; instructions provided to Boards of Registrars regarding implementation of E.O. 35; and communications between Defendant Beals and Defendant Miyares regarding the Purge Program. ELECT responded to that letter on October 7, 2024, asserting that its “established voter list maintenance processes comply with all applicable state and federal laws” and that it will provide the list of individuals cancelled due to being declared a non-citizen within 90 days from the date of VACIR’s August request. Ex. 9.

CLAIMS

COUNT ONE

Violation of the National Voter Registration Act, 52 U.S.C. § 20507(c)(2)(A)

(Ex parte Young, 52 U.S.C. § 20510)

All Plaintiffs Against All Defendants

77. Plaintiffs reallege, as though fully set forth in this paragraph, all the allegations of this Complaint.

78. The NVRA requires that Virginia complete “any program the purpose of which is to systematically remove the names of ineligible voters from the official lists of eligible voters” “not later than 90 days prior to the date of a[n] . . . election for Federal office.” 52 U.S.C. § 20507(c)(2)(A). This provision, called the “90-Day Provision,” means that Virginia may not take

any steps to implement any program to systematically remove voters within the 90-day period before the date of a general election—the “quiet period.”

79. The Purge Program violates the NVRA’s 90-Day Provision because it (1) is a program with the purpose of systematically removing voters from the rolls and (2) has not been completed before the 90-day quiet period before the 2024 general election and was not completed before the 90-day quiet period before the 2024 primary elections.

80. The NVRA provides that “[i]f the violation occur[s] within 30 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State...before bringing a civil action.” 52 U.S.C. § 20510(b)(3). By its own terms, the Purge Program is ongoing, with potential purges occurring daily, all within 30 days before the November 5, 2024 election for Federal office. E.O. 35 at 3-4. Plaintiffs can, therefore, bring a civil action without notice to Virginia’s chief election official.

COUNT TWO

Violation of the National Voter Registration Act, 52 U.S.C. § 20507(b)(1)

(Ex parte Young, 52 U.S.C. § 20510)

All Plaintiffs Against All Defendants

81. Plaintiffs reallege, as though fully set forth in this paragraph, all the allegations of this Complaint.

82. The NVRA requires that voter list maintenance programs be “uniform” and “nondiscriminatory.” 52 U.S.C. § 20507(b)(1).

83. Va. Code Ann. § 24.2-427(C) and the Purge Program violate the NVRA’s requirement that voter list maintenance programs be “uniform” and “nondiscriminatory” because they identify registered voters based on national origin and type of citizenship status. Because Defendants’ Purge Program is triggered by DMV data indicating a voter had previously been identified as a noncitizen, the Purge Program is directed at individuals who were formerly

noncitizens versus U.S.-born, citizens. It inevitably and predictably (indeed, by design) identifies and places burdens on citizens born outside the United States whom Defendants know or should know may be naturalized.

84. The NVRA provides that “[i]f the violation occur[s] within 30 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State...before bringing a civil action.” 52 U.S.C. § 20510(b)(3). By its own terms, the Purge Program is ongoing, with potential purges occurring daily, all within 30 days before the November 5, 2024 election for Federal office. E.O. 35 at 3-4. Plaintiffs can, therefore, bring a civil action without notice to Virginia’s chief election official.

COUNT THREE

Violation of the National Voter Registration Act, 52 U.S.C. §§ 20508(b)(1), 20505(a)(1)-(2)

(Ex parte Young, 52 U.S.C. § 1983)

All Plaintiffs Against All Defendants

85. Plaintiffs reallege, as though fully set forth in this paragraph, all the allegations of this Complaint.

86. The NVRA limits proof of citizenship to an attestation under penalty of perjury that the registrant is a U.S. citizen. *See Arizona v. Inter Tribal Council of Arizona*, 570 U.S. 1 (2013); *Fish v. Kobach*, 840 F.3d 710, 723 (10th Cir. 2016); 52 U.S.C. §§ 20505(a)(1)-(2), 20508(b)(2)(A)-(B).

87. The NVRA provides that a state voter registration form “may require only such identifying information (including the signature of the applicant) and other information (including data relating to previous registration by the applicant), as is necessary to enable the appropriate State election official to assess the eligibility of the applicant and to administer voter registration and other parts of the election process.” 52 U.S.C. §§ 20505(a)(1)-(2), 20508(b)(1). Under the NVRA, a state voter registration form “shall include a statement that (A) specifies each eligibility

requirement (including citizenship); (B) contains an attestation that the applicant meets each such requirement; and (C) requires the signature of the applicant, under penalty of perjury.” *Id.* §§ 20505(a)(1)-(2), 20508(b)(2); *see also id.* § 20504(c).

88. By requiring certain voters to reaffirm their U.S. citizenship to remain registered, Va. Code Ann. § 24.2-427(C) and the Purge Program violate the NVRA’s command that voters need only complete a voter registration form to be a registered voter in federal elections.

89. By inserting an additional requirement that certain voters provide additional citizenship information about themselves as part of the State’s DMV data checks and motor voter forms, Va. Code Ann. § 24.2-427(C) and the Purge Program also violates the NVRA’s long-established principle that states may not add unnecessary voter registration requirements at any stage of the registration process by inserting an additional requirement that certain voters provide additional citizenship information about themselves as part of the State’s DMV data checks and motor voter forms.

90. The NVRA provides that “[i]f the violation occur[s] within 30 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State...before bringing a civil action.” 52 U.S.C. § 20510(b)(3). By its own terms, the Purge Program is ongoing, with potential purges occurring daily, all within 30 days before the November 5, 2024 election for Federal office. E.O. 35 at 3-4. Plaintiffs can, therefore, bring a civil action without notice to Virginia’s chief election official.

COUNT FOUR

Violation of the National Voter Registration Act, 52 U.S.C. § 20507(i)

(Ex parte Young, 52 U.S.C. § 1983)

All Plaintiffs Against Defendant Beals

91. Plaintiffs reallege, as though fully set forth in this paragraph, all the allegations of this Complaint.

92. The Public Disclosure of Voter Registration Activities provision of the NVRA provides that states “shall maintain for at least 2 years and shall make available for public inspection... all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters, except to the extent that such records relate to a declination to register to vote or to the identity of a voter registration agency through which any particular voter is registered.” 52 U.S.C. § 20507(i)(1). The Public Disclosure Provision covers individualized records for registered voters subject to removal programs. *See PILF v. N.C. State Board of Elections*, 996 F.3d 257 (4th Cir. 2021); *Project Vote/Voting for America, Inc. v. Long*, 682 F.3d 331 (4th Cir. 2012); *see also* 52 U.S.C. 20507(i)(2).

93. Defendant Beals has thus violated the Public Disclosure of Voter Registration Activities provision of the NVRA by refusing to provide Plaintiffs with the list of voters identified as potential noncitizens within a reasonable time period despite having those records in her office’s possession at the time Plaintiff VACIR requested these records on August 20 and when Plaintiffs VACIR and LWVVA requested records on October 3.

94. Defendant Beals’s and her office’s continuing refusal to provide the requested records up to and including the time of filing of this lawsuit—which now falls within the 30-day period prior to a federal election within which aggrieved parties have immediate standing to sue to vindicate their rights under the NVRA, 52 U.S.C. § 20510(b)(3)—is certainly unlawful and the requested records must now be produced immediately.

PRAYER FOR RELIEF

Wherefore, Plaintiffs respectfully request that this Court enter judgment in their favor and against Defendants, and award the following relief:

a. Declare that Va. Code Ann. § 24.2-427(C) and Defendants' Purge Program violate the NVRA;

b. Declare that Defendant Beals's failure to produce records requested by Plaintiff VACIR on August 20, 2024, and by Plaintiffs VACIR and LWVVA on October 3, 2024, violate the Public Disclosure Provision of the NVRA;

c. Preliminarily and permanently enjoin Defendants from implementing Va. Code Ann. § 24.2-427(C) and the Purge Program and from cancelling any voter's registration as part of the Purge Program or on the basis of failing to respond to a notice letter issued as a result of the implementation of the Purge Program;

d. Order Defendants Beals and State Board of Election Members to instruct all Virginia county registrars to place back on the rolls in active status any persons whose voter registration was cancelled or marked inactive as part of the Purge Program, except for any voter who responded to a notice letter by affirming that they are not a U.S. citizen, and instruct that all impacted voters should be allowed to cast regular ballots if they appear at the polls so long as they are otherwise eligible to do so;

e. Order Defendants Beals and State Board of Election Members to instruct all Virginia county registrars to send letters to affected voters retracting the notice letters already sent out on the basis of the Purge Program;

f. Order all Defendants to take all such steps and instruct Virginia county registrars to take all such steps as are necessary to alert the public and all individuals who were sent notice

letters as a result of the implementation of the Purge Program that the notice letters sent pursuant to the Purge Program are being rescinded, that all eligible voters whose voter registration was cancelled or marked inactive due to the Purge Program may vote in the November 2024 general election, and that all eligible voters whose voter registration was cancelled or marked inactive due to the Purge Program are on the voter rolls and need not re-register to vote;

g. Order Defendants Beals and State Board of Election Members to retract all referrals made to Virginia law enforcement for investigation or prosecution of individuals made based on the Purge Program;

h. Order all Defendants to take all such steps as are necessary and instruct Virginia county registrars to take all such steps as are necessary to alert the public and all individuals whose voter registration was cancelled or marked inactive due to the Purge Program that no voter will be criminally investigated or prosecuted on the basis of the Purge Program, absent specific, individualized information that they have violated a law;

i. Order all Defendants to provide Plaintiffs with all records concerning the implementation of the Purge Program, including, but not limited to, the lists of the names and addresses and other individualized data available of all persons to whom removal notice were sent and information concerning whether or not each such person has responded to the notice as of the date that inspection of the records is made, as well as the lists of the names and addresses and all other individualized data available of all persons who have been subject to investigation for alleged violations of law as a result of the Purge Program and all records related to such investigations;

j. Award Plaintiffs their costs and reasonable attorneys' fees in this action;

k. Retain jurisdiction over this matter until all Defendants have complied with all orders and mandates of this Court; and

1. Grant Plaintiffs such other relief as this Court may deem just and proper.

Date: October 15, 2024

Respectfully submitted,

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**Motion for pro hac vice participation
forthcoming.
**Motion for pro hac vice participation
pending*

CERTIFICATE OF SERVICE

I certify that on October 15, 2024, I electronically filed the above document with the Clerk of Court using the ECF system, which will provide electronic copies to any counsel of record. Plaintiffs' Counsel will also send courtesy copies to attorneys at the Virginia Attorney General's Office who have met with Plaintiffs' counsel regarding this matter.

/s/ Shanna Ports
Shanna Ports

EXHIBIT B

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES
AND THE VIRGINIA DEPARTMENT OF ELECTIONS**

This Memorandum of Understanding (MOU) is made and entered into by and between the Virginia Department of Motor Vehicles ("DMV") and the Virginia Department of Elections ("ELECTIONS"). The MOU effective date is established by the date of execution.

**Article 1
Introduction and Purpose**

The primary purpose of this MOU is to establish the terms and conditions under which, pursuant to Code of Virginia §§ 24.2-410.1, 24.2-411.3, 46.2-208(B)(9), 46.2-208.1, and 46.2-328.1, and Executive Orders Number Thirty-One (2024) and Number Thirty-Five (2024), DMV will provide certain data and electronic access to data to ELECTIONS, which requires this data in the conduct of its official duties under Title 24.2 of the Code of Virginia, and the terms and conditions under which ELECTIONS will receive, use, and protect the data provided to it by DMV. This MOU will cover the following five data transfers:

- A. Data Extraction File Transfers
- B. Data Transferred Pursuant to the National Voter Registration Act
- C. ELECTIONS Access to relevant DMV Information Systems
- D. Digital Signature Service
- E. VERIS verification against DMV records

**Article 2
General Provisions**

2.1 Term. This MOU will commence upon the execution by both parties and will continue in effect until modified, amended, or terminated.

2.2 Termination. Either party may terminate this MOU at any time for any reason. Notwithstanding the foregoing, the parties agree that, to the extent reasonable, 30 days' notice of intent to terminate this MOU will be provided to the other party.

2.3 Review and Modification of MOU. This MOU may be modified or amended as necessary upon the mutual written agreement signed and dated by both parties. All modifications and amendments shall be incorporated and made a part of the MOU as if attached hereto. This MOU supersedes and replaces the MOU entered into by the Parties on March 15, 2021.

2.4 Relationship of the Parties. The parties shall meet and confer within 10 business days of a request of either party to address issues arising under this MOU.

2.5 Party Contacts. The parties identify the following individuals as their points of contact for operational, administrative, and/or performance questions, concerns or issues, and as their representatives to receive notice under this MOU:

For DMV:

Matthew Martin
Director of Data and Records Services
Department of Motor Vehicles
(804) 763-8568
Matthew.Martin@dmv.virginia.gov
2300 West Broad Street
P.O. Box 27412
Richmond, Virginia 23269

For ELECTIONS:

Brandon Smith
Chief Information Officer
Department of Elections
(804) 971-3960
Brandon.Smith@elections.virginia.gov
1100 Bank Street, 1st Floor
Richmond, VA 23219

2.6 Notice. Any notice required or permitted to be given under the MOU shall be in writing and shall be deemed to have been sufficiently given if delivered in person, if provided by email to the person designated by each party to receive notice by email, or if deposited in the U.S. mail, postage prepaid, for mailing by first class, registered, certified mail, or overnight courier service addressed to the individual and at the address provided by each party. The parties may change the individual identified in the preceding section to receive notice or any of the contact information by giving the other party notice of such change in accordance with this provision. The parties agree that, should the designated person cease to be the appropriate representative, such party shall appoint a new contact and notify the other party within five (5) business days of the appointment.

2.7 Titles and Headings. Titles and headings are inserted for convenience only and shall not be used to interpret this MOU.

2.8 Governing Law. This MOU shall be governed by and interpreted in accordance with the laws of the Commonwealth of Virginia and of the United States. If necessary, any disputes that arise out of the MOU shall be tried by a court of competent jurisdiction located in the Commonwealth of Virginia.

2.9 Modification of Data Fields and Services. Any addition, deletion, or significant modification of the fields included in any of the data exchanges subject to the provisions of this agreement, and any change to the frequency with which DMV sends the data to ELECTIONS, must be agreed upon in writing. The parties may amend this agreement to reflect a modification in accordance with Article 2.3 of this MOU or may attach the written documentation as an amendment to this MOU. After DMV and ELECTIONS agree, in writing, to any modification to data fields and services, DMV will develop, test, and implement software development lifecycle and change-control processes pursuant to DMV and COV policies. DMV is a pass-through for collecting customer information, and ELECTIONS is responsible for ensuring that the data received meets the agreed upon requirements in a timely manner in both test and production environments.

2.10 ELECTIONS Liability. ELECTIONS shall be liable for any misuse or misappropriation of any information obtained from DMV in connection with this MOU, any failure by ELECTIONS, its employees, agents, and/or authorized users to comply with the provisions of the Federal Driver's Privacy Protection Act, Va. Code §§ 46.2-208 and 58.1-3, and the Government Data Collection and Dissemination Practices Act, and for any failure to safeguard and limit access to DMV files as required herein.

2.11 DMV Liability. DMV shall be liable for any misuse or misappropriation of any information obtained from ELECTIONS in connection with this MOU, any failure by DMV, its employees, agents, and/or authorized users to comply with the provisions of the Federal Driver's Privacy Protection Act, Va. Code §§ 46.2-208 and 58.1-3, and the Government Data Collection and Dissemination Practices Act, and for any failure to safeguard and limit access to ELECTIONS files as required herein.

2.12 Notification of Material Changes to Services. Each party shall be required to notify the other of any planned material changes in the security or functionality of any dependent services with sufficient time for the parties to discuss any security/technical/functional considerations and/or changes.

Article 3 Data Extraction File Transfers

3.1 Provide Information. DMV agrees to provide ELECTIONS with the following data extractions:

- 1) Daily, DMV will provide to ELECTIONS an electronic file, which includes those customers for whom DMV recorded (1) a NO answer to the citizenship question posed for voter registration purposes or (2) legal presence documents indicating non-citizenship status during the business day. The NO answers will include customers who certify that they are not citizens in connection with an application for a driver or identification privilege card; however, in accordance with Code of Virginia §§ 46.2-328.3 and 46.2-345.3, DMV will not identify to ELECTIONS which customers hold privilege cards.
- 2) On or about the 10th day of each calendar month, DMV will provide to ELECTIONS an electronic file, which includes those customers for whom DMV recorded (1) an in-state or out-of-state address change or (2) an out-of-state surrender of license.
- 3) On or about the 10th day of each calendar month, DMV will provide ELECTIONS an electronic file, which includes data from each DMV customer record.

3.2 Data Format. DMV will provide ELECTIONS with the above-specified data using the file layout and transmission protocols determined and agreed to by information technology personnel of the two agencies; the file layout and transmission protocols may be revised and/or adjusted over time as the agencies' personnel deem appropriate without the necessity of a new MOU.

Such revisions or adjustments must be agreed upon in writing by both agencies. The written documentation will not become an amendment to this MOU unless requested by either party.

3.3 Costs. ELECTIONS will reimburse DMV for the costs of providing data in accordance with Article 3 of this MOU at the rate of \$600 per month. Using automated monthly billing, DMV will invoice ELECTIONS on a monthly basis following the successful and timely transmission of the data required by this MOU. ELECTIONS will remit the invoice fee in accordance with the standards set forth in the relevant CAPP topics.

Article 4
Transfer of Customer Data Pursuant to the
National Voter Registration Act

4.1 Purpose. Pursuant to the requirements of the National Voter Registration Act, 52 U.S.C. §§ 20501, et seq.; the Help America Vote Act of 2002, 52 U.S.C. §§ 20901, et seq.; and Title 24.2, Article 4, of the Code of Virginia, DMV provides customers conducting qualifying transactions the opportunity to apply to register or to update their voter information with ELECTIONS. DMV serves as a pass-through agency by collecting information from the customer and transferring the data to ELECTIONS, together with the identifying information from the customer's DMV record. This transfer of customer responses and customer record data is referred to as a "motor voter transaction." Customers present in a DMV customer service center will be presented with questions to complete the motor voter transaction on the credit card terminal located at the customer service window. Customers conducting online DMV transactions will be presented with questions to complete the motor voter transaction within their online DMV transaction.

Qualifying Transactions:

- Original Driver's License/Commercial Driver's License Issuance
- Driver's License/Commercial Driver's License Renewal
- Driver's License/Commercial Driver's License Replacement
- Original Identification Card Issuance
- Identification Card Renewal
- Identification Card Replacement
- Change of Address associated with Driver's License/Commercial Driver's License or Identification Card

Non-Qualifying Transactions:

- Driver Privilege Card Issuance or Replacement, pursuant to Code of Virginia § 46.2-328.3
- Identification Privilege Card Issuance or Replacement, pursuant to Code of Virginia § 46.2-345.3
- Change of Address for a customer who only owns a vehicle

4.3 All Customers. All customers will be informed that, if they are eligible, they will be registered to vote or have their voter registration information updated unless they decline. If the customer declines, the motor voter transaction will be concluded.

A. Application to Apply to Register to Vote

The customer will be asked if he or she is a citizen and will have the option to decline to have their information transmitted to ELECTIONS for voter registration purposes. If the customer does not decline to have their information transmitted and they have affirmed that they are a citizen, the customer will then be presented with a series of questions to collect the information needed to transmit the voter application to ELECTIONS. The language of the questions and the order in which the questions are presented for information needed to complete the voter application process are within ELECTIONS' discretion. The language of questions collecting information needed only for the DMV transaction is at DMV's discretion. The parties shall consult and attempt to agree on all language and workflow for the motor voter process. The language of the questions, including any translations thereof, presented in a motor voter transaction may be changed by written agreement of the parties without the need to amend this MOU.

B. Registered voters

Registered voters will be presented with one additional screen not seen by unregistered voters. The screen will display the customer's current voter registration information with ELECTIONS and state that, if the information is incorrect, it may be changed.

C. Non-consents

When the customer responds negatively to certain questions or prompts, the Registration Type is Non-Consent.

4.4 Transaction Confirmation. A confirmation record of each of the above-named transactions will be retained by DMV in accordance with established records retention policies.

4.5 Print-on-demand transactions. Customers who are unable or unwilling to complete the motor voter transaction on the credit card terminal available in a customer service center will be provided a print-on-demand form. DMV will prepopulate the form with the customer's information found on the DMV record. The customer will be given the opportunity to complete the form while present in the DMV and return the form to the DMV customer service representative. DMV will collect all forms and mail them on a daily basis to ELECTIONS.

4.6 Overnight batch. DMV offers customers the opportunity to change an address, renew or replace a driver's license, and renew or replace an identification card, by mailing a paper form to DMV headquarters. To comply with the requirement to offer a motor voter transaction to these customers, DMV will send a paper application prepopulated with the customer record information to the customer through an overnight batch process. Customers will be directed to return the form to ELECTIONS by mail.

4.7 Lack of social security number on DMV customer record. Prior to transmitting an electronic motor voter customer transaction, the DMV system will check the customer record to determine if the customer has a social security number on file. If the check determines no social security number is present, the motor voter transaction will be held until the end of the day, when the system will check the customer record a second time. If a social security number is present, the number will be transmitted with the customer record information and responses to the motor voter questions to ELECTIONS at that time. If the customer still does not have a social security number on file at the end of the day, the customer will be sent a paper application in accordance with the batch process in Article 4.6.

4.8 Data Retention. DMV will maintain all properties related to the submission of the customer transaction permanently. The data submitted pursuant to Articles 4.3 and 4.4 will be considered a copy once ELECTIONS has confirmed receipt and will be maintained by DMV only so long as administratively useful.

Article 5 ELECTIONS' Access to Relevant DMV Information Systems

5.1 Provide Access. DMV shall provide read-only access to relevant DMV information systems to authorized ELECTIONS users, as set forth in Article 5.2. Read-only access to relevant DMV information systems is intended to provide ELECTIONS with information to research voter registration and verify customer responses in relation to the voter registration process.

5.2 ELECTIONS Users. ELECTIONS will provide a log of all authorized users to relevant DMV information systems to DMV and keep the log updated with personnel changes. The parties will agree upon a schedule for adding or deleting authorized users as required to provide sufficient support for elections scheduled throughout the calendar year.

5.3 Operations Maintenance Windows. DMV will make every effort to ensure applicable systems and services are accessible; however, DMV systems and services may not be available during required, scheduled DMV or Commonwealth maintenance windows, including, but not limited to, the Virginia Information Technology Agency's Wednesday and Sunday evening windows.

5.4 Election-related Freeze Periods. DMV will make every effort to comply with the change freeze periods around scheduled elections. If DMV determines that a required change is critical to DMV security or operational requirements and must be made during a freeze period, DMV will take all necessary precautions to limit negative impacts to ELECTIONS' services and will notify ELECTIONS of any potential impacts prior to implementation, if feasible.

Article 6
Digital Signature Service

6.1 Purpose. ELECTIONS must obtain a customer signature to complete any electronic DMV or ELECTIONS' voting-related transaction initiated by the customer. Pursuant to Code of Virginia § 24.2-416.7, DMV shall provide ELECTIONS with a digital copy of an applicant's signature on record with DMV.

6.2 Information Provided by ELECTIONS. For each transaction conducted under Article 6, ELECTIONS sends applicable data to DMV.

6.3 Information Provided in Return to ELECTIONS. DMV provides applicable data in response to a customer submission from ELECTIONS conducted under Article 6:

6.4 Data Format. The above-specified data will be transferred using the transmission protocols determined and agreed to by information technology personnel of the two agencies; the transmission protocols may be revised and/or adjusted over time as the agencies' personnel deem appropriate without the necessity of a new MOU. Such revisions or adjustments must be agreed upon in writing by both agencies. The written documentation will not become an amendment to this MOU unless requested by either party.

Article 7
Online Verification against DMV records

7.1 Purpose. DMV will assist ELECTIONS in verifying the identity of customers seeking to register to vote by direct contact with ELECTIONS.

7.2 Information Provided by ELECTIONS. For each transaction, ELECTIONS sends the applicable data to DMV.

7.3 Information Provided in return to ELECTIONS. DMV will attempt to make an exact match to customer data on record. If an identical match is found, ELECTIONS will be notified that a match has been found. If the data is not an identical match to DMV data in any respect, ELECTIONS will be notified that an identical match has not been found.

7.4 Data Format. The above-specified data will be transferred using the transmission protocols determined and agreed to by information technology personnel of the two agencies; the transmission protocols may be revised and/or adjusted over time as the agencies' personnel deem appropriate without the necessity of a new MOU. Such revisions or adjustments must be agreed upon in writing by both agencies. The written documentation will not become an amendment to this MOU unless requested by either party.

Article 8
ELECTIONS' Responsibilities

8.1 Use of DMV information. ELECTIONS will use DMV information for the purposes of voter registration as required by Chapter 4 of Title 24.2 of the Code of Virginia. Except as provided in Va. Code §§ 24.2-404 and 24.2-444, ELECTIONS shall not make DMV information available to the public and shall not provide such information to any third party.

8.2 Confidentiality and Privacy of Information. ELECTIONS acknowledges and agrees that any information obtained pursuant to this MOU is considered personal and confidential and is subject to and governed by the restrictions upon access, use and/or dissemination of such information set forth in state and/or federal laws and regulations. ELECTIONS agrees, without reservation or qualification, that it and its employees, agents, and/or authorized users shall comply with and be subject to all applicable laws and regulations, whether federal or state, in connection with any receipt and use of DMV data received pursuant to this MOU including, but not limited to, (1) the Federal Drivers Privacy Protection Act (18 U.S.C. §§ 2721, et seq.), (2) the Government Data Collection and Dissemination Practices Act (Va. Code §§ 2.2-3800, et seq.), (3) the Virginia Computer Crimes Act (Va. Code §§ 18.2-152.1, et seq.), (4) the provisions of Va. Code §§ 46.2-208 and 58.1-3, and (5) any successor rules, regulations, or guidelines adopted by DMV with regard to disclosure or dissemination of any information obtained from DMV records or files. ELECTIONS agrees to comply with such restrictions and to make all employees, agents, and authorized users of ELECTIONS aware of such provision and of their duties and obligations thereunder.

8.3 Monitoring Use of Information. ELECTIONS agrees to monitor all use of the information obtained from DMV and to immediately report to DMV any incidents of non-compliance with federal or state laws and regulations, non-compliance with this MOU, or misuse of information provided under this MOU by any person or entity.

8.4 Limitation on Use. Distribution of privileged information, as described at Va. Code § 46.2-208, to any third party other than elections officials in order to carry out their official functions under Title 24.2 of the Code of Virginia is prohibited. ELECTIONS certifies, by execution of this MOU, that the information obtained under this MOU will not be used for civil immigration purposes or knowingly disseminated to any third party for any purpose related to civil immigration enforcement.

8.5 Antivirus and Security Patch Requirements. ELECTIONS understands and agrees that each electronic device used to access the DMV System must:

- a) Have commercially available Antivirus software installed and actively running on the device, and that the Antivirus software must be maintained with up-to-date virus definitions; and
- b) Have the latest approved operating system security patches installed on the device, and that the operating system must be maintained with up-to-date security patches.

8.6 Security Requirements. ELECTIONS shall, at its own expense, comply with and maintain compliance with all Commonwealth of Virginia IT security policies, standards, and guidelines, including any revisions, amendments, and/or successors thereto. ELECTIONS also shall, at its own expense, comply with and maintain compliance with the DMV IT Architecture and Security Documents, as may be amended from time to time.

Copies of the current Commonwealth of Virginia IT security policies, standards, and guidelines are available on the VITA Website at <http://www.vita.virginia.gov/library/default.aspx?id=537#securityPSGs>.

Copies of the most recent DMV IT Architecture and Security Documents are available on the DMV Website at <https://www.dmv.virginia.gov/sites/default/files/documents/DMV%20Security%20%26amp%3B%20Risk%20Management%20Policy%202.1.pdf>.

ELECTIONS will be responsible for reviewing these websites for revisions, updates and/or modifications at least once every six months.

8.7 Audit. DMV reserves the right to audit ELECTIONS to confirm compliance with all requirements in this MOU. ELECTIONS shall provide DMV with full access to and the opportunity to examine any electronic devices, records and/or other materials necessary to performing such audits, except any such records and/or other materials that are privileged or confidential. Similarly, ELECTIONS reserves the right to audit DMV to confirm compliance with all requirements in this MOU. DMV shall provide ELECTIONS with full access to and the opportunity to examine any electronic devices, records and/or other materials necessary to performing such audits, except any such records and/or other materials that are privileged or confidential.

IN WITNESS WHEREOF, the Parties hereto have caused this MOU to be duly executed by their authorized representatives intending to be bound by the terms and conditions herein set forth.

Virginia Department of Motor Vehicles

Virginia Department of Elections

By: Gerald F. Lackey
Gerald F. Lackey, Ph.D., Commissioner

By: Susan Beals
Susan Beals, Commissioner

Date: September 3, 2024

Date: Sept 3, 2024

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES
AND THE VIRGINIA DEPARTMENT OF ELECTIONS**

This Memorandum of Understanding (MOU) is made and entered into by and between the Virginia Department of Motor Vehicles ("DMV") and the Virginia Department of Elections ("ELECTIONS"). The MOU effective date is established by the date of execution.

**Article 1
Introduction and Purpose**

The primary purpose of this MOU is to establish the terms and conditions under which, pursuant to Code of Virginia §§ 46.2-208(B)(9) and 46.2-208.1, DMV will provide certain data and electronic access to data to ELECTIONS, which requires this data in the conduct of its official duties, and the terms and conditions under which ELECTIONS will receive, use, and protect the data provided to it by DMV. This MOU will cover the following five data transfers:

- A. Monthly Data Extraction File Transfers
- B. Data Transferred Pursuant to the National Voter Registration Act
- C. ELECTIONS Access to OnBase
- D. Digital Signature Service
- E. VERIS verification against DMV records

**Article 2
General Provisions**

2.1 Term. This MOU will commence upon the execution by both parties and will continue in effect until modified, amended, or terminated.

2.2 Termination. Either party may terminate this MOU at any time for any reason. Notwithstanding the foregoing, the parties agree that, to the extent reasonable, 30 days' notice of intent to terminate this MOU will be provided to the other party.

2.3 Amendment or Modification of MOU. This MOU constitutes the entire agreement between DMV and ELECTIONS. This MOU may be modified or amended as necessary upon the mutual written agreement signed and dated by both parties. All modifications and amendments shall be incorporated and made a part of the MOU as if attached hereto. This MOU supersedes and replaces the MOU entered into by the Parties in 2014. This MOU has no effect on Use Agreement Number 9925, entered into by the Parties for the purpose of providing ELECTIONS with access to the CSS system.

2.4 Relationship of the Parties. The parties shall meet and confer at any time upon the request of either party to address issues arising under this MOU.

2.5 Party Contacts. The parties identify the following individuals as their points of contact for operational, administrative, and/or performance questions, concerns or issues, and as their representatives to receive notice under this MOU:

For DMV:

Saundra Mastro Jack
Director of Data Management Services
Department of Motor Vehicles
(804) 864-6714
Saundra.Jack@dmv.virginia.gov
2300 West Broad Street
P.O. Box 27412
Richmond, Virginia 23269

For ELECTIONS:

Chris Piper
Commissioner
Department of Elections
(804) 864-8903
Chris.Piper@elections.virginia.gov
1100 Bank Street, 1st Floor
Richmond, VA 23219

2.6 Notice. Any notice required or permitted to be given under the MOU shall be in writing and shall be deemed to have been sufficiently given if delivered in person, if provided by email to the person designated by each party to receive notice by email, or if deposited in the U.S. mail, postage prepaid, for mailing by first class, registered, certified mail, or overnight courier service addressed the individual and at the address provided by each party. The parties may change the individual identified in the preceding section to receive notice or any of the contact information by giving the other party notice of such change in accordance with this provision. The parties agree that, should the designated person cease to be the appropriate representative, such party shall appoint a new contact and notify the other party within five (5) business days of change.

2.7 Titles and Headings. Titles and headings are inserted for convenience only and shall not be used to interpret this MOU.

2.8 Governing Law. This MOU shall be governed by and interpreted in accordance with the laws of the Commonwealth of Virginia and of the United States. If necessary, any disputes which arise out of the MOU shall be tried by a court of competent jurisdiction located in the Commonwealth of Virginia

Article 3
Monthly Data Extraction File Transfers

3.1 Provide Information. DMV agrees to provide ELECTIONS with two (2) data extractions per month, as follows:

- 1) On or about the 10th day of each calendar month, DMV will provide to ELECTIONS an electronic file, which includes those customers for whom DMV recorded (1) an in-state address change, (2) an out-of-state surrender of license, or (3) a NO answer to the citizenship question posed for voter registration purposes.

(a) Each customer record included in this file will be identified by the type of transaction, as follows:

- A = Address change
- S = License surrender
- N = Non-citizen
- P = Paper

Any record identified with an "N" will also include the date of the declaration.

(b) This electronic file will include the following data from each DMV customer record included based on one or more of the criteria identified in the preceding paragraph (a):

- Full name
- Sex
- Social Security Number
- DMV Customer Number
- Date of Birth
- Residence street address, locality, state, and zip code
- Mailing address, city, state, zip

2) On or about the 10th day of each calendar month, DMV will provide to ELECTIONS an electronic file, which includes the following data from each DMV customer record:

- Last name
- First name
- Middle name
- Name suffix
- Gender
- Social Security Number
- DMV Customer Number
- Inventory Control Number
- Date of Birth (yyyy-mm-dd format)
- Residence address line 1 (street number and name)
- Residence address line 2
- Residence address line 3
- Residence address locality
- Residence address state
- Residence address zip code
- Date residence address first reported to DMV
- Mailing address line 1 (street number and name)
- Mailing address line 2
- Mailing address line 3
- Mailing address locality
- Mailing address state
- Mailing address zip code
- Date mailing address first reported to DMV

- Documentation used to verify legal presence

3.2 Data Format. DMV will provide ELECTIONS with the above-specified data using the file layout and transmission protocols determined and agreed to by information technology personnel of the two agencies; the file layout and transmission protocols may be revised and/or adjusted over time as the agencies' personnel deem appropriate without the necessity of a new MOU. Such revisions or adjustments must be agreed upon in writing by both agencies. The written documentation will not become an amendment to this MOU unless requested by either party.

3.3 Modification to Data Fields or File Frequency. Any addition or deletion of data fields included in the file and any change to the frequency with which DMV sends the file to ELECTIONS must be agreed upon in writing. The parties may amend this agreement to reflect the change in accordance with Article 2.3 or may attach the written documentation as an amendment to this MOU.

3.4 Costs. ELECTIONS will reimburse DMV for the costs of providing data in accordance with Article 3 of this MOU at the rate of \$600 per month. Using automated monthly billing, DMV will invoice ELECTIONS on a monthly basis following the successful and timely transmission of the data required by this MOU. ELECTIONS will remit the invoice fee in accordance with the standards set forth in CARS.

Article 4

Transfer of Customer Data Pursuant to the National Voter Registration Act

4.1 Purpose. Pursuant to the requirements of the National Voter Registration Act, 52 U.S.C. § 20501, et seq.; the Help America Vote Act of 2002, Pub. L. No. 107-252, 116 Stat. 1666; and Title 24.2, Article 4, of the Code of Virginia, DMV provides customers conducting qualifying transactions the opportunity to apply to register or to update their voter information with ELECTIONS. DMV serves as a pass-through agency by collecting information from the customer and transferring the data to ELECTIONS, together with the identifying information from the customer's DMV record. This transfer of customer responses and customer record data is referred to as a "motor voter transaction." Customers present in a DMV customer service center will be presented with questions to complete the motor voter transaction on the credit card terminal located at the customer service window. Customers conducting online DMV transactions will be presented with questions to complete the motor voter transaction within their online DMV transaction. The opportunity to complete a motor voter transaction is offered to each customer conducting one of the following DMV transactions:

- Original Driver's License Issuance
- Driver's License Renewal
- Driver's License Replacement
- Original Identification Card Issuance
- Identification Card Renewal
- Identification Card Replacement

- Change of Address

4.2 Electronic Motor Voter Transactions. Once DMV determines a customer is conducting a motor voter eligible transaction, DMV sends the following data fields to confirm whether the customer is already registered to vote:

- Sending Agency : DMVWeb or InPerson
- Customer Last Name
- Customer First Name
- Customer SSN
- Customer Date of Birth
- Locality Name

ELECTIONS will return to DMV:

- IsProtected: returns true if registered voter customer is protected
- IsRegisteredVoter: returns true if customer is a registered voter
- VoterID: ELECTIONS Voter ID associated with the registered voter
- Transaction Timestamp: DateTimeStamp when voter confirmation request submitted by DMV was processed by ELECTIONS

4.3 All Customers. All customers will be informed that, if they are eligible, they will be registered to vote or have their voter registration information updated unless they decline. If the customer responds in the negative, the motor voter transaction will be concluded. DMV will transmit the following data fields to ELECTIONS:

For a negative response, one of the following Non Consent Reasons will be sent:

- DeclineVoterRecordUpdate – Customer is a registered voter and answers “No”
- DeclineRegisterToVote – Customer is not registered voter and answers “No”

A. Citizenship

Customers who do not decline will be asked whether they are a United States citizen. If the customer responds in the negative, the customer will be asked to confirm their answer. If the negative response is confirmed, the motor voter transaction will be concluded. DMV will transmit the following data fields to ELECTIONS:

- Sending Agency
- Location
- Customer Last Name
- Customer First Name
- Customer Gender
- Customer DOB
- Customer SSN

- Voter Non Consent Reason (NotUSCitizen)
- Customer DL Number
- Voter Consent Given (always assigned false when customer agrees to one of the Voter Non Consent reasons)

ELECTIONS will return to DMV:

- Transaction ID : ELECTIONS ID created and associated with the DMV request
- B. Application to Apply to Register to Vote

If a customer responds affirmatively to the question to apply to register or update voter registration information, the customer will be asked if he or she is a citizen. If the customer responds affirmatively, the customer will then be presented with a series of questions to collect the information needed to transmit the voter application to ELECTIONS. The language of the questions and the order in which the questions are presented for information needed to complete the voter application process are within ELECTIONS' discretion. The language of questions collecting information needed only for the DMV transaction is at DMV's discretion. The parties shall consult and attempt to agree on all language and work flow for the motor voter process. The language of the questions presented in a motor voter transaction may be changed by written agreement of the parties without the need to amend this MOU.

For transactions in which customers respond that they do wish to apply to register to vote or update their voter registration information, DMV will transmit the following data fields to ELECTIONS:

- Voter Submission Id
- Voter Id
- Sending Agency
- Location
- Sending Agency Time Stamp
- Is US Citizen
- Voter Consent Given
- Last Name
- First Name
- Middle Name
- Suffix
- Previous Last Name
- Previous First Name
- Previous Middle Name
- Previous Name Suffix
- Gender
- DOB
- SSN
- Driver License Number

- Email Address
- Phone Number
- Residence Address Line1
- Residence Address Line2
- Residence Address City
- Residence Address State
- Residence Address Zipcode
- Residence Address Locality
- Mailing Address Line1
- Mailing Address Line2
- Mailing Address City
- Mailing Address State
- Mailing Address Zipcode
- Mailing Address Locality
- Accept Warning Statement
- Accept Privacy Notice
- Is Prohibited
- Is Rights Restored
- Is Military
- Is Protected
- Is Law Enforcement
- Is Court Protected
- Is Confidentiality Program
- Is Being Stalked
- Is Foster Parent
- Is Registered In Another State
- Non VA Registered State
- Register To Vote Confirmation
- Voter Non Consent Reason

C. Registered voters

Registered voters will be presented with one additional screen not seen by unregistered voters. The screen will display the customer's current voter registration information with ELECTIONS and state that if the information is incorrect it may be changed in the following screens. The following data fields will be presented to the customer:

- Name
- Residence/Street
Military Status

D. Non-consents

DMV transmits the entire list of data fields listed above; however, when the customer responds negatively to certain questions or prompts, the Registration Type is Non-Consent. The questions/prompts and corresponding non-consent reasons are:

- All customers:
 - IncorrectCustomerInformation – The customer answers “No” when asked if the address information that will be sent to ELECTIONS is correct.
 - RequestPrintedApplication – If the customer is unable to or elects not complete an EMV transaction, a paper application is printed (RequestedPrintedApplication)
- Customers not registered to vote:
 - DeclineWarningStatement – The customer chooses “End” on Warning message
 - DeclinePrivacyStatement – The customer chooses “End” on Privacy message
 - DeclineAffirmationStatement - The customer chooses “Decline” when prompted to confirm all information provided is true.
 - ConfirmDeclineAffirmationStatement – The customer confirms choice to decline affirmation is correct.
 - NoResponseToCitizenQuestion – The customer answers “No Response” to citizenship question.
- Customers currently registered to vote:
 - RegisteredNotUSCitizen – The customer answers “No” to citizenship question.
 - RegisteredNoReponseToCitizenQuestion – The customer answers “No Response” to citizenship question.
 - RegisteredDeclineWarningStatement – The customer chooses “End” on Warning message.
 - RegisteredDeclinePrivacyStatement – The customer chooses “End” on Privacy message.
 - RegisteredDeclineAffirmationStatement – The customer chooses “Decline” when prompted to confirm all information provided is true and he/she authorizes cancelation of current registration.
 - RegisteredConfirmDeclineAffirmationStatement – The customer confirms choice to decline affirmation is correct.

When the Registration Type is Non-Consent, only the following columns in the Voter Registration record are applicable:

- Voter Registration Id
- Voter Submission Id
- Sending Agency
- Location
- Sending Agency Time Stamp
- Last Name
- First Name
- Gender
- DOB
- SSN
- Voter Non Consent Reason

- Driver License Number
- Create Date
- Submitted Date
- Registration Type

4.4 Print on demand transactions. Customers who are unable or unwilling to complete the motor voter transaction on the credit card terminal available in a customer service center will be provided a print on demand form. DMV will prepopulate the form with the customer's information found on the DMV record. The customer will be given the opportunity to complete the form while present in the DMV and return the form to the DMV customer service representative. DMV will collect all forms and mail them on a daily basis to the Department of General Services (DGS).

4.5 Overnight batch. DMV offers customers the opportunity to change an address, renew or replace a driver's license, and renew or replace an identification card, by mailing a paper form to DMV headquarters. To comply with the requirement to offer a motor voter transaction to these customers, DMV will send a paper application prepopulated with the customer record information to the customer through an overnight batch process. Customers will be directed to return the form to ELECTIONS by mail.

4.6 Lack of social security number on DMV customer record. Prior to transmitting an electronic motor voter customer transaction, the DMV system will check the customer record to determine if the customer has a social security number on file. If the check determines no social security number is present, the motor voter transaction will be held until the end of the day, when the system will check the customer record a second time. If a social security number is present, the number will be transmitted with the customer record information and responses to the motor voter questions to ELECTIONS at that time. If the customer still does not have a social security number on file at the end of the day, the customer will be sent a paper application in accordance with the batch process in Section 4.5

4.7 Modification to Data Fields and Services. Any addition, deletion or significant modification of data fields or services included in this data exchange must be agreed upon in writing. The parties may amend this agreement to reflect the change in accordance with Article 2.3 or may attach the written documentation as an amendment to this MOU.

Once DMV and ELECTIONS reach agreement on changes, development, testing and implementation will follow software development lifecycle and change control processes as governed by DMV and COV policies.

DMV is a pass-through for collecting customer information, and ELECTIONS is responsible for ensuring that the data received meets the agreed upon requirements in a timely manner in both test and production environments.

Article 5
ELECTION's Access to OnBase

5.1 Provide Access. DMV shall provide read-only access to OnBase to identified ELECTIONS users in order for ELECTIONS to research voter registration information and verify customer responses in relation to the voter registration process. ELECTIONS will be given access to document types Driver's License, ID Card, and Address Change.

5.2 ELECTIONS Users. ELECTIONS will provide a log of all authorized users to OnBase to DMV and keep the log updated with personnel changes. The parties will agree upon a schedule for adding or deleting authorized users as required to provide sufficient support for elections scheduled throughout the calendar year.

Article 6
Digital Signature Service

6.1 Purpose. For transactions relating to voting initiated by the customer either through DMV or ELECTIONS' electronic means, ELECTIONS must obtain a customer signature to complete the transaction. Pursuant to Va. Code § 24.2-416.7, DMV shall provide ELECTIONS with a digital copy of an applicant's signature on record with DMV.

6.2 Information Provided by ELECTIONS. For each transaction, ELECTIONS sends to DMV the following customer data fields:

- Customer number
- Social security number
- Date of Birth

6.3 Information Provided in Return to ELECTIONS. DMV provides the following data fields in response to a customer submission from ELECTIONS:

- Residence Address Street Line 1
- Residence Address Street Line 2
- Residence Address City
- Residence Address State
- Residence Address Zip
- Residence Address Country
- Mailing Address Street Line 1
- Mailing Address Street Line 2
- Mailing Address City
- Mailing Address State
- Mailing Address Zip
- Mailing Address Country
- Mailing Address Jurisdiction

- Valid Customer Number (Y/N indicator on whether Customer number found on Host file)
- Valid SSN (Y/N indicator on whether SSN provided by SBE matched Host)
- Valid DOB (Y/N indicator on whether DOB provided by SBE matched Host)
- Process Indicator (Y/N indicator on whether request was processed successfully)
- License Type
- Customer Digital Signature from CBN

6.4 Data Format. The above-specified data will be transferred using the transmission protocols determined and agreed to by information technology personnel of the two agencies; the transmission protocols may be revised and/or adjusted over time as the agencies' personnel deem appropriate without the necessity of a new MOU. Such revisions or adjustments must be agreed upon in writing by both agencies. The written documentation will not become an amendment to this MOU unless requested by either party.

6.5 Modification to Data Fields and Services. Any addition, deletion or significant alteration of data fields or services included in this data exchange must be agreed upon in writing. The parties may amend this agreement to reflect the change in accordance with Article 2.3 or may attach the written documentation as an amendment to this MOU.

Once DMV and ELECTIONS reach agreement on changes, development, testing and implementation will follow software development lifecycle and change control processes as governed by DMV and COV policies.

DMV is a pass-through for collecting customer information, and ELECTIONS is responsible for ensuring that the data received meets the agreed upon requirements in a timely manner in both test and production environments.

Article 7 VERIS Verification against DMV records

7.1 Purpose. To allow ELECTIONS to verify the identity of customers seeking to register to vote by direct contact with ELECTIONS.

7.2 Information Provided by ELECTIONS. For each transaction, ELECTIONS sends to DMV the following data elements:

- First name
- Middle name
- Last name
- Suffix
- Date of birth
- Social security number

7.3 Information Provided in return to ELECTIONS. DMV makes a first attempt to match the social security number provided by ELECTIONS with DMV's customer records. If the

social security number is found, DMV then compares the additional data elements for an exact match on first name, last name and date of birth. If all of the fields are an identical match, DMV returns the Match Indicator as 'Y.' If any of the data fields do not match, DMV returns the Match Indicator as 'N.'

If DMV's records do not contain a customer with the social security number provided by ELECTIONS, DMV attempts to search for the customer by Name. If DMV finds a match for the customer name in DMV's records, DMV then compares of first name, last name and Date of Birth with the information provided by ELECTIONS. If all three data elements match exactly the information ELECTIONS sent, DMV returns the Match Indicator as 'Y'. If any of the fields do not match, DMV returns an 'N' in the Match Indicator.

7.4 Data Format. The above-specified data will be transferred using the transmission protocols determined and agreed to by information technology personnel of the two agencies; the transmission protocols may be revised and/or adjusted over time as the agencies' personnel deem appropriate without the necessity of a new MOU. Such revisions or adjustments must be agreed upon in writing by both agencies. The written documentation will not become an amendment to this MOU unless requested by either party.

7.5 Modification to Data Fields. Any addition or deletion of data fields included in this data exchange must be agreed upon in writing. The parties may amend this agreement to reflect the change in accordance with Article 2.3 or may attach the written documentation as an amendment to this MOU.

Article 8 ELECTIONS' Responsibilities

8.1 Use of DMV information. ELECTIONS will use DMV information for the purposes of voter registration as required by Chapter 4 of Title 24.2 of the *Code of Virginia*. Except as provided in *Virginia Code* §§ 24.2-404 and 24.2-444, ELECTIONS shall not make DMV information available to the public and shall not provide such information to any third party.

8.2 Confidentiality and Privacy of Information. ELECTIONS acknowledges and agrees that any information obtained pursuant to this MOU is considered personal and confidential and is subject to and governed by the restrictions upon access, use and/or dissemination of such information set forth in state and/or federal laws and regulations. ELECTIONS agrees, without reservation or qualification, that it and its employees, agents, and/or authorized users shall comply with and be subject to all applicable laws and regulations, whether federal or state, in connection with any the receipt and use of DMV data received pursuant to this MOU including, but not limited to, (1) the Federal Drivers Privacy Protection Act (18 U.S.C. § 2721 et seq.), (2) the Government Data Collection and Dissemination Practices Act (*Va. Code* § 2.2-3800 et seq.), (3) the Virginia Computer Crimes Act (*Va. Code* § 18.2-152.1 et seq.), (4) the provisions of *Va. Code* §§ 46.2-208 and 58.1-3, and (5) any successor rules, regulations, or guidelines adopted by DMV with regard to disclosure or dissemination of any information obtained from DMV records or files. ELECTIONS agrees to comply with such restrictions and to make all employees,

agents, and authorized users of ELECTIONS aware of such provision and of their duties and obligations thereunder.

8.3 Monitoring Use of Information. ELECTIONS agrees to monitor all use of the information obtained from DMV and to immediately report to DMV any incidents of non-compliance with federal or state laws and regulations, non-compliance with this MOU, or misuse of information provided under this MOU by any person or entity.

8.4 Antivirus and Security Patch Requirements. ELECTIONS understands and agrees that each and every electronic device used to access the DMV System must:

- a) Have commercially available Antivirus software installed and actively running on the device, and that the Antivirus software must be maintained with up-to-date virus definitions; and
- b) Have the latest approved operating system security patches installed on the device, and that the operating system must be maintained with up-to-date security patches.

8.5 Security Requirements. ELECTIONS shall, at its own expense, comply with and maintain compliance with all Commonwealth of Virginia IT security policies, standards, and guidelines, including and revisions, amendments, and/or successors thereto. ELECTIONS shall make all necessary modifications to comply with and maintain compliance with all revisions, updates, modifications, and/or successors to such policies, standards, and guidelines at its own costs. ELECTIONS also shall, at its own expense, comply with and maintain compliance with the DMV IT Architecture and Security Documents, as may be amended from time to time.

Copies of the current Commonwealth of Virginia IT security policies, standards, and guidelines are available on the VITA Website at <http://www.vita.virginia.gov/library/default.aspx?id=537#securityPSGs>.

Copies of the most recent DMV IT Architecture and Security Documents are available on the DMV Website at http://www.dmv.virginia.gov/webdoc/general/security_docs.asp.

ELECTIONS will be responsible for reviewing these websites for revisions, updates and/or modifications at least once every six months.

8.6 Audit. DMV reserves the right to audit ELECTIONS to confirm compliance with all requirements in this MOU. ELECTIONS shall provide DMV with full access to and the opportunity to examine any electronic devices, records and/or other materials necessary to performing such audits, excepting any such records and/or other materials that are privileged or confidential. Similarly, ELECTIONS reserves the right to audit DMV to confirm compliance with all requirements in this MOU. DMV shall provide ELECTIONS with full access to and the opportunity to examine any electronic devices, records and/or other materials necessary to performing such audits.

8.7 ELECTIONS Liability. ELECTIONS shall be liable for any misuse or misappropriation of any information obtained from DMV in connection with this MOU, any failure by ELECTIONS, its employees, agents, and/or authorized users to comply with the provisions of the Federal Driver's Privacy Protection Act, *Virginia Code* §§ 46.2-208 and 58.1-3, and the Government Data Collection and Dissemination Practices Act and for any failure to safeguard and limit access to DMV files as required herein.


8.8 DMV Liability. DMV shall be liable for any misuse or misappropriation of any information obtained from ELECTIONS in connection with this MOU, any failure by DMV, its employees, agents, and/or authorized users to comply with the provisions of the Federal Driver's Privacy Protection Act, *Virginia Code* §§ 46.2-208 and 58.1-3, and the Government Data Collection and Dissemination Practices Act and for any failure to safeguard and limit access to ELECTIONS files as required herein.

IN WITNESS WHEREOF, the Parties hereto have caused this MOU to be duly executed by their authorized representatives intending to be bound by the terms and conditions herein set forth.

Virginia Department of Motor Vehicles

Virginia Department of Elections

By: 
Richard D. Holcomb, Commissioner

By: 
Christopher Piper, Commissioner

Date: 2-25-2021

Date: 3/15/2021

MEMORANDUM OF AGREEMENT

**BETWEEN THE DEPARTMENT OF HOMELAND SECURITY,
U.S. CITIZENSHIP AND IMMIGRATION SERVICES,
AND
THE VIRGINIA STATE BOARD OF ELECTIONS**

I. PARTIES.

The parties to this Memorandum of Agreement (MOA) are the Department of Homeland Security, U.S. Citizenship and Immigration Services (DHS-USCIS), and the **Virginia State Board of Elections** (User Agency). User Agency includes Virginia county and city general registrars responsible for maintaining voting rolls.

II. AUTHORITY.

The authorities governing this MOA include, but are not limited to, the following:

Immigration Reform and Control Act of 1986, Pub. L. No. 99-603, 100 Stat. 3359, as amended.

Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, 110 Stat. 2105, as amended.

Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. No. 104-208, 110 Stat. 3009, as amended.

Privacy Act, 5 U.S.C. § 552a, as amended.

The Inter-Governmental Cooperation Act, 31 U.S.C. § 6501, et seq., as amended.

The National Voter Registration Act of 1993, 42 U.S.C. § 1973gg-6, Pub. L. No. 103-31, 107 Stat. 77, as amended.

Help America Vote Act of 2002, 42 U.S.C. § 15483, Pub. L. No. 107-252, § 303, 116 Stat. 1666, as amended.

Code of Virginia § 24.2-103(A)

Code of Virginia § 24.2-404

Code of Virginia § 24.2-427

Code of Virginia § 24.2-430

1 VA. Admin. Code § 20-40-70

Pursuant to the requirements of the Office of Management and Budget (OMB) Circular A-97, dated August 29, 1969, which establishes the President's guidelines for implementing the Intergovernmental Cooperation Act of 1968, 31 U.S.C. Section 6501, et seq., as amended, the User Agency certifies that it cannot procure the immigration status verification services requested pursuant to this MOA reasonably and expeditiously through ordinary business channels.

III. PURPOSE.

The purpose of this MOA is to establish the terms and conditions governing the participation of the User Agency in the DHS-USCIS Systematic Alien Verification for Entitlements (SAVE) Program for the purpose of verifying citizenship and immigration status information of non-citizen and naturalized or derived U.S. citizen registrants (registrants) on the User Agency's Voting Rolls (benefit). The limited data will be provided to the User Agency by an:

- 1) Initial response (initial verification) by SAVE to an on-line inquiry of DHS records by the User Agency; and
- 2) Additional verification procedures where applicable; or
- 3) A response to a properly submitted Form G-845.

IV. RESPONSIBILITIES.

A. DHS-USCIS agrees to:

- (1) Maintain and make available to the User Agency in limited part and manner determined by DHS-USCIS after consultation with the User Agency, an immigration and naturalized or derived citizenship status information verification system under the SAVE Program known as the Verification Information System (VIS).
- (2) Respond through VIS to properly submitted verification requests from the User Agency by providing the limited information of an initial verification of a registrant's citizenship and immigration status;
- (3) Process and respond to properly submitted additional verification requests submitted by the User Agency through VIS or on Form G-845. Response time may vary, depending on DHS-USCIS workload, resources available to process additional verification requests, and the registrant's specific circumstances;
- (4) Provide to the User Agency operating instructions necessary to use VIS so that the User Agency can designate Users within the agency;
- (5) Provide to the User Agency SAVE Program point of contact information for questions or problems regarding the User Agency's participation in SAVE;
- (6) Provide access to training and information regarding the laws, policies, and procedures that govern verifying, safeguarding, using, maintaining, and disclosing certain citizenship and immigration status information;

(7) Provide the User Agency access to Form G-845, and other forms and/or supplements as appropriate, which may be reproduced and/or computer generated without prior DHS-USCIS approval;

(8) Recover no more than its actual costs. The total estimated cost of the agreement is specified on the attached USCIS Anticipated Collections from Non-Federal Sources Addendum. The User Agency certifies that it has obligated at least the amount specified on the USCIS Anticipated Collections from Non-Federal Sources Addendum to pay for its SAVE usage. DHS-USCIS shall notify the User Agency's designated Point of Contact (POC) in writing when the amount paid plus what is owed for unpaid usage equals 80 percent of the estimated total costs. DHS-USCIS will not provide services that would result in the amount paid plus the amount owed for unpaid usage exceeding the amount specified on the USCIS Anticipated Collections from Non-Federal Sources Addendum. In this instance, DHS-USCIS will be excused from further performance of the work unless and until the User Agency's authorized official increases estimated total cost of this agreement by modification pursuant to provision VIII of this MOA;

(9) Submit invoices to the User Agency's payment office at the address specified on the USCIS Anticipated Collections from Non-Federal Sources Addendum, with a copy furnished to the POC. DHS-USCIS may submit invoices when the work is completed or as otherwise authorized. The High Level Identifier, tax identification number, and associated dollar amounts will be referenced on all invoices; and

(10) Promptly initiate year-end and closeout adjustments once final costs are known.

B. User Agency agrees to:

(1) System Use.

(a) Provide to the SAVE Program the information the SAVE Program requires to respond to User Agency requests for verification of immigration or naturalized or derived citizenship status information, including (1) information from the registrant's immigration or DHS citizenship documentation, e.g., Alien Registration, Naturalization Certificate or Certificate of Citizenship number, for initial automated verification, (2) as needed, additional information obtained from the alien's immigration or DHS citizenship documentation for automated additional verification, and (3) as needed, completed Forms G-845 and other documents and information required for manual additional verification. Institute additional verification for any registrant that does not verify as a naturalized or derived citizen on initial verification. If SAVE is unable to verify the registrant as a naturalized or derived citizen after conducting the second step additional verification, the User Agency will contact the registrant to obtain proof of citizenship in accordance with the provisions of this MOA, or rely upon the registrant's attestation of citizenship. For manual only verification, ensure that Forms G-845 and other documents and information required for manual verification are provided;

- (b) Ensure that, prior to using VIS, all Users performing verification procedures complete SAVE required training including: reading the SAVE Program Guide, taking the latest version of Web tutorial(s) and maintaining a working knowledge of requirements contained therein and in this MOA as updated;**
- (c) Ensure that User Agency representatives are provided with and maintain User Ids only while they have a need to perform verification procedures;**
- (d) Ensure all Users performing verification procedures comply with all requirements contained in the SAVE Program Guide, web-based tutorial, and this MOA, and updates to these requirements;**
- (e) Ensure that all Users performing verification procedures have contact information for the SAVE Program and SAVE Monitoring and Compliance;**
- (f) Ensure all Users perform any additional verification procedures the SAVE Program requires and/or the registrant requests after the User Agency initiates a request for verification;**
- (g) Use any information provided by DHS-USCIS under this MOA solely for the purpose of determining the eligibility of persons on the User Agency's Voting Rolls and limit use of such information in accordance with this and all other provisions of this MOA;**
- (h) Comply with the requirements of the Federal Information Security Management Act (FISMA (PL-107-347), Title III, Section 301) and OMB guidance as applicable to electronic storage, transport of records between agencies, and the internal processing of records received by either agency under the terms of this MOA;**
- (i) Safeguard such information and access methods to ensure that it is not used for any other purpose than described in this MOA and protect its confidentiality, including ensuring that it is not disclosed to any unauthorized person(s) without the prior written consent of DHS-USCIS;¹**
- (j) Comply with the Privacy Act, 5 U.S.C. Section 552a, and other applicable laws, regulations, and policies, including but not limited to all OMB and DHS privacy guidance, in conducting verification procedures pursuant to this MOA, and in safeguarding, maintaining, and disclosing any data provided or received pursuant to the MOA;**
- (k) Comply with federal laws prohibiting discrimination against registrants and discriminatory use of the SAVE Program based upon the national origin, color, race,**

¹ Each registrant seeking access to information regarding himself/herself may do so by submitting a written signed request to DHS-USCIS. Instructions for submitting such requests may be found on the Freedom of Information/Privacy Act page of www.uscis.gov.

gender, religion, or disability of the registrant, including but not limited to the National Voter Registration Act, 42 U.S.C. 1973gg et seq., as amended; the Help America Vote Act, 42 U.S.C. 15301 et seq., as amended; the Voting Rights Act, 42 U.S.C. 1973 et seq., as amended; and the Civil Rights Act, 42 U.S.C. 1971, 1974, as amended;

(l) Create standardized correspondence to request that a registrant provide a Naturalization Certificate or Certificate of Citizenship to complete SAVE verification and submit that correspondence to SAVE for approval prior to system use;

(m) Provide all registrants who do not verify as a citizen under the terms of the MOA with adequate written notice that their citizenship could not be verified and the information necessary to contact DHS-USCIS (see attachment 1: Fact Sheet, which is subject to revision and reposting on the SAVE Website and Online Resources) so that such individuals may obtain a copy of their Naturalization Certificate or Certificate of Citizenship or correct their records in a timely manner, if necessary;

(n) Provide all registrants who are not verified as citizens based solely or in part on the SAVE response with the opportunity to use the User Agency's existing process to appeal the denial or the opportunity to provide an attestation of citizenship upon which User Agency will rely, and in any case, with the opportunity to contact DHS-USCIS to correct their records prior to a final decision, if necessary; and

(o) Refrain from using SAVE, or assisting any person or entity, to comply with the employment eligibility verification requirements of section 274A of the Immigration and Nationality Act, 8 U.S.C. Section 1324a.

(2) Monitoring and Compliance.

(a) Provide the SAVE Program and SAVE Monitoring and Compliance with the current e-mail, U.S postal service address, physical address, name and telephone number of the User Agency authorized representative for any notifications, questions or problems that may arise in connection with the User Agency's participation in SAVE and with notification of changes in the benefit offered by the User Agency;

(b) Notify the SAVE Program and SAVE Monitoring and Compliance immediately whenever there is reason to believe a violation of this MOA has occurred;

(c) Notify the SAVE Program and SAVE Monitoring and Compliance immediately whenever there is reason to believe an information breach has occurred as a result of User Agency action or inaction pursuant to OMB Memorandum M-07-16, "Safeguarding Against and Responding to the Breach of Personally Identifiable Information";

(d) Allow SAVE Monitoring and Compliance to monitor and review all records and documents related to the use, abuse, misuse, fraudulent use or improper use of SAVE by the User Agency, including, but not limited to original registrant consent documents required by the Privacy Act, 5 U.S.C. Section 552a or other applicable authority;

(e) Allow SAVE Monitoring and Compliance to conduct desk audits and/or site visits to review User Agency's compliance with this MOA and all other SAVE-related policy, procedures, guidance and law applicable to conducting verification and safeguarding, maintaining, and disclosing any data provided or received pursuant to this MOA;

(f) Allow SAVE Monitoring and Compliance to perform audits of User Agency's User Ids use and access, SAVE training records, SAVE financial records, SAVE biographical information, system profiles and usage patterns and other relevant data;

(g) Allow SAVE Monitoring and Compliance to interview any and all User Agency SAVE system users and any and all contact persons or other personnel within the User Agency regarding any and all questions or problems which may arise in connection with the User Agency's participation in SAVE;

(h) Allow SAVE Monitoring and Compliance to monitor system access and usage and to assist SAVE users as necessary to ensure compliance with the terms of this MOA and the SAVE Program requirements by its authorized agents or designees; and

(i) Take corrective measures in a timely manner to address all lawful requirements and recommendations on every written finding including but not limited to those of SAVE Monitoring and Compliance regarding waste, fraud, and abuse, and discrimination or any misuse of the system, non-compliance with the terms, conditions and safeguards of this MOA, SAVE Program procedures or other applicable law, regulation or policy.

(3) Reimbursement.

(a) Pay the transaction prices provided in the attached current standard billing rates, which along with methods of payment are subject to change upon prior written notification to the User Agency. Each year, the User Agency will obligate funds sufficient to reimburse DHS-USCIS under a current appropriation upon execution of the attached USCIS Anticipated Collections from Non-Federal Sources Addendum;

(b) Pay in full within 30 days of the invoice date. The User Agency will pay any applicable sales, use, excise, and like taxes, where required by law, that are stated on each invoice. Regardless of payment type, the User Agency will clearly indicate the High Level Identifier with remittance;

(c) If the User Agency pre-pays for its usage, it shall submit the entire committed amount before being allowed access to VIS; and

(d) Promptly discuss and resolve issues and questions with DHS-USCIS regarding payments. Delinquent payments shall be handled in accordance with the Debt Collection and Improvement Act of 1996, 31 U.S.C. Section 3701. Interest on all unpaid balances shall be charged at the rate of the current value of funds to the United States Treasury effective on the date of the invoice. The rate is the Treasury tax and loan rate. It is

published annually or quarterly by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins. Handling charges will accrue at monthly rates of \$5.00 for each of the first two months of delinquency and \$10.00 for each month thereafter. In addition to interest and handling charges, if DHS-USCIS does not receive payment within 90 days of the invoice, 6% per annum additional interest will be assessed. Charges will be computed from the date of the invoice and will accrue monthly with the applicable interest and handling charges. In the case of any late payment, the amount received will be applied in this sequence: (1) to any accrued penalty and handling charges; (2) to any accrued interest; and (3) to outstanding principal. Failure to make timely payment may result in termination of services.

V. POINTS OF CONTACT.

USCIS SAVE Program MS 2620, U.S. Citizenship and Immigration Services,
Department of Homeland Security, Washington, DC 20529-2620, (888) 464-4218,
Attn: SAVE Operations. E-mail: SAVEregistration@dhs.gov.

USCIS SAVE Monitoring and Compliance MS 2640, U.S. Citizenship and Immigration
Services, Department of Homeland Security, Washington, DC 20529-2640,
(888) 464-4218. E-mail: SAVE.monitoring@dhs.gov.

USER AGENCY- [Virginia State Board of Elections, 1100 Bank St., Washington
Building, 1st Floor, Richmond, VA 23219, (804) 864-8905,
Matthew.Davis@SBE.Virginia.gov

VI. OTHER PROVISIONS.

(A) MOA Responsibilities. Only authorized employees, agents, or designees of DHS-USCIS and the User Agency will carry out the requirements of this MOA. In carrying out these responsibilities, they will operate within the scope of applicable regulations, specifically delegated authorities, the program authorities and funding limitations and terms and conditions of this MOA.

(B) Determining Benefit Eligibility. This MOA is limited to the provision of verification services. DHS-USCIS will verify limited citizenship and immigration status information, but will not recommend to the User Agency whether to issue the benefit. The DHS-USCIS response is not intended to be, and should not be construed as, an opinion on the part of DHS-USCIS or the United States regarding any right or benefit under any program administered by the User Agency. The User Agency has the responsibility to determine the registrant's eligibility for the benefit.

(C) Criminal Penalties.

(1) DHS-USCIS reserves the right to use information from the User Agency for any purpose permitted by law, including, but not limited to, the prosecution of violations of Federal administrative or criminal law.

(2) The User Agency acknowledges that the information it receives from DHS-USCIS is governed by the Privacy Act, 5 U.S.C. Section 552a(i)(1), and that any person who obtains this information under false pretenses or uses it for any purpose other than as provided for in this MOA may be subject to criminal penalties.

(D) Third Party Liability.

(1) Each party to this MOA shall be solely responsible for its own defense against any claim or action by third parties arising out of or related to the execution and/or performance of this MOA, whether civil or criminal, and retain responsibility for the payment of any corresponding liability.

(2) Nothing in this MOA is intended, or should be construed, to create any right or benefit, substantive or procedural, enforceable at law by any third party against the United States, its agencies, officers, or employees or the User Agency.

(E) Disputes. Disagreements on the interpretation of the provisions of this MOA that cannot be resolved between the DHS-USCIS program office and the User Agency point of contact should be provided in writing to the authorized officials at both agencies for resolution. If settlement cannot be reached at this level, the disagreement will be elevated to the next level in accordance with DHS-USCIS procedures for final resolution.

(F) Conflicts. This MOA, its attachments and addenda constitute the full MOA on this subject between DHS-USCIS and the User Agency. Any inconsistency or conflict between or among the provisions of this MOA, will be resolved in the following order of precedence: (1) this MOA and (2) other documents incorporated by reference in this MOA, i.e., the USCIS Anticipated Collections from Non-Federal Sources Addendum, and standard billing rates.

(G) Severability. Nothing in this MOA is intended to conflict with current law or regulation or the directives of DHS, DHS-USCIS, or the User Agency. If a term of this MOA is inconsistent with such authority, then that term shall be invalid but, to the extent allowable, the remaining terms and conditions of this MOA shall remain in full force and effect. In the event of a conflict that prevents either party from fulfilling its obligations, this MOA may be immediately canceled without providing the 30 day notice period referenced in Section IX.

(H) Assignment. The User Agency may not assign this MOA, nor may it assign any of its rights or obligations under this MOA. To the extent allowable by law, this MOA shall inure to the benefit of, and be binding upon, any successors to DHS-USCIS and the User Agency without restriction.

(I) Waiver. No waiver by either party of any breach of any provision of this MOA shall constitute a waiver of any other breach. Failure of either party to enforce at any time, or

from time to time, any provision of this MOA shall not be construed to be a waiver thereof.

(J) Compliance with Other Laws. Nothing in this MOA is intended or should be construed to limit or affect the duties, responsibilities, and rights of the User Agency under the National Voter Registration Act, 42 U.S.C. 1973gg et seq., as amended; the Help America Vote Act, 42 U.S.C. 15301 et seq., as amended; the Voting Rights Act, 42 U.S.C. 1973 et seq., as amended; and the Civil Rights Act, 42 U.S.C. 1971, 1974, as amended.

VII. EFFECTIVE DATE.

This MOA shall be effective when the DHS-USCIS authorized official and User Agency authorized official have both signed the MOA. This MOA shall continue in effect unless modified or terminated in accordance with the provisions of this MOA.

VIII. MODIFICATION.

(A) This MOA is subject to periodic review by DHS-USCIS, its authorized agents or designees, and, if necessary, periodic modification and/or renewal to assure compliance with current law, policy, and standard operating procedure(s). This MOA and the attached USCIS Anticipated Collections from Non-Federal Sources Addendum constitute the complete MOA between the parties for its stated purpose, and no modification or addition will be valid unless entered into by mutual consent of both parties evidenced in writing and signed by both parties and appended to this agreement; and

(B) The User Agency may accomplish a unilateral administrative modification to add funds to the MOA, and either party may accomplish a unilateral administrative modification to change POC information. A written bilateral modification (i.e., agreed to and signed by authorized officials of both parties) is required to change any other term of this MOA.

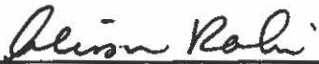
IX. TERMINATION.

Either party may terminate this MOA at any time by providing 30 days written notice of intent. DHS-USCIS, when feasible, will consult with the User Agency and attempt to reconcile issues before terminating this MOA. Notwithstanding any other provision in the MOA, DHS-USCIS may suspend or terminate this MOA without prior notice if deemed necessary because of a requirement of law or policy, upon a determination by DHS-USCIS that there has been a breach of system integrity or security by the User Agency or a failure by the User Agency to comply with established procedures or legal requirements, including but not limited to failure to pay.


Written notices shall be sent to the addresses of the POCs listed herein and shall be effective upon receipt. Either party may change its POC by written notice to the other party.

The foregoing, in conjunction with the referenced and incorporated attachments, constitutes the full agreement on this subject between DHS-USCIS and the User Agency. This MOA supersedes all previous agreements governing the provision of verification services. Those agreements are explicitly acknowledged to be null and void.

The undersigned represent that they are authorized to enter into this MOA on behalf of DHS-USCIS and the User Agency, respectively.



Alissar Rahi
Chief, SAVE Program
U.S. Citizenship and Immigration Services
Department of Homeland Security
3/26/14
Date



Donald Palmer
Secretary
Virginia State Board of Elections
3/20/2014
Date

U.S. Department of Homeland Security
U.S. Citizenship and Immigration
Services
Verification Division
Washington, DC 20024



U.S. Citizenship
and Immigration
Services

Information for Registrants: Verification of Citizenship Status and How to Obtain Your Document or Correct Your Record with USCIS

Many federal, state and local agencies verify the immigration or citizenship status of benefit applicants to ensure that only qualified aliens or naturalized and derived citizens receive benefits. These agencies verify immigration or citizenship status by using the Systematic Alien Verification for Entitlements (SAVE) Program of the U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS).

The voter registration agency in your state has submitted information to the SAVE Program for verification of your citizenship. The SAVE Program cannot confirm your citizenship status based upon information provided by the agency. Please note that there are a number of reasons why the SAVE Program may not be able to verify your citizenship, e.g., the SAVE Program can only verify naturalized or derived citizens, to the extent that a derived citizen received an official determination on citizenship by USCIS. The inability of the SAVE Program to verify your citizenship does not necessarily mean that you are not a citizen of the United States and are ineligible to vote.

If you need a replacement of your Naturalization Certificate or Certificate of Citizenship or believe that the SAVE Program response to the voter registration agency did not provide accurate information about your citizenship status and you need to make corrections to your citizenship record, please contact USCIS by using one of the following methods:

1. File a Form N-565 to obtain a replacement of your Naturalization Certificate or Certificate of Citizenship. The Form N-565 and instructions for filing can be found at: <http://www.uscis.gov/files/form/n-565.pdf> and <http://www.uscis.gov/files/form/n-565instr.pdf>

2. Schedule an appointment for an in-person interview at a local USCIS office to correct your record. You may schedule an appointment at a local USCIS office at the InfoPass website, <http://infopass.uscis.gov>, or by calling the National Customer Service Center, 1-800-375-5283. Scheduling an appointment is the fastest way to correct your records. We recommend that you bring to your appointment this Fact Sheet, documentation evidencing your citizenship status, and any information provided by the voter registration agency concerning why your citizenship status could not be verified.

Rev. Ver. August 14, 2012

3. Submit a request in writing to correct your record. If you know the information that needs to be corrected in your record, you may submit a request to correct your records to the Freedom of Information Act/Privacy Act (FOIA/PA) Office at the following address:

Privacy Act Amendment
U.S. Citizenship and Immigration Services
National Records Center
FOIA/PA Office
P.O. Box 648010
Lee's Summit, MO 64064-8010

We recommend that you include the following information in your submission, if available:

- State that you are being denied voter benefits
- Information that is inaccurate
- Proposed change(s) to the record
- Date and place of birth
- A return address
- Copies of your immigration or DHS citizenship documents
- Reason it is inaccurate
- A-File number and/or the full name
- Notarized signature of the registrant
- Other information to assist locating the record

If you do not know the information you need to correct, you may submit a written request to obtain your records by submitting Form G-639, *FOIA/PA Request*. This form is available from the nearest USCIS office or online at <http://www.uscis.gov/files/form/g-639.pdf>. You should use the address specified above, but mark the envelope "*Privacy Act Request*" rather than "*Privacy Act Amendment*."

EXHIBIT D



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Hopper Processing and Information

Step by Step Instructions

Author: Kim Minor

Rev. 10/05/2023 by Divya Gautam and Vaidehi Maddireddy

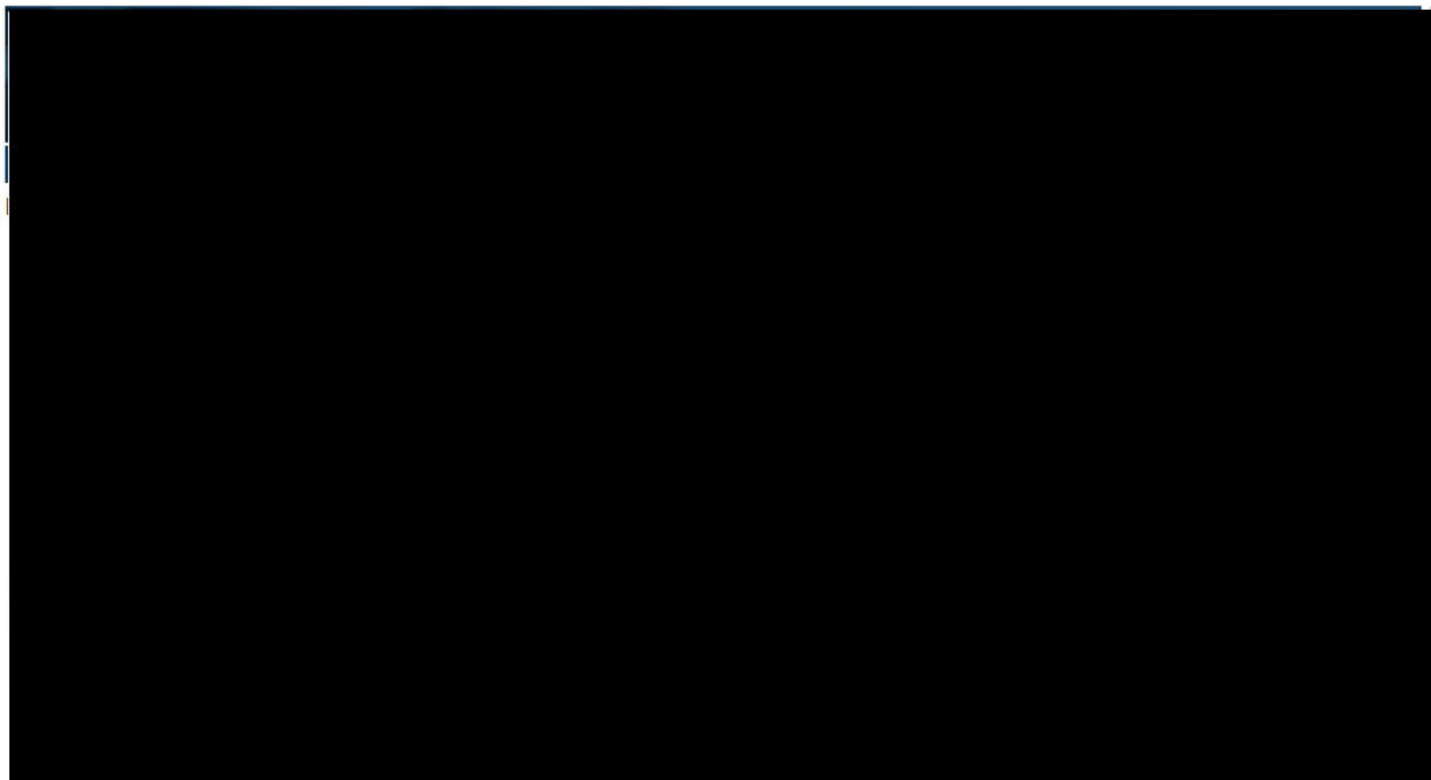
Supp. App. 0129

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General Hopper Information

In VERIS, the term "hopper" refers to a repository of specific record types that require attention from the user. The hoppers allow the user to easily access these records directly from the VERIS home page instead of having to locate the records individually.



The active hoppers are visible in the Hopper Pane, an area located on the right side of the VERIS home page. The Hopper Pane is expanded by default and may be collapsed by clicking the small triangle located in the Hopper Pane heading.

Only those hoppers with pending records are displayed in the Hopper Pane. If there are no records of a certain type, that hopper will not be displayed in the Hopper Pane.

There are two main objects located in the Hopper Pane: the hopper name and hopper URL. The left side of the pane contains a listing of hopper names with pending records and the right side contains a URL that corresponds to the hopper name. The URL also lists the number of pending records for that particular hopper.

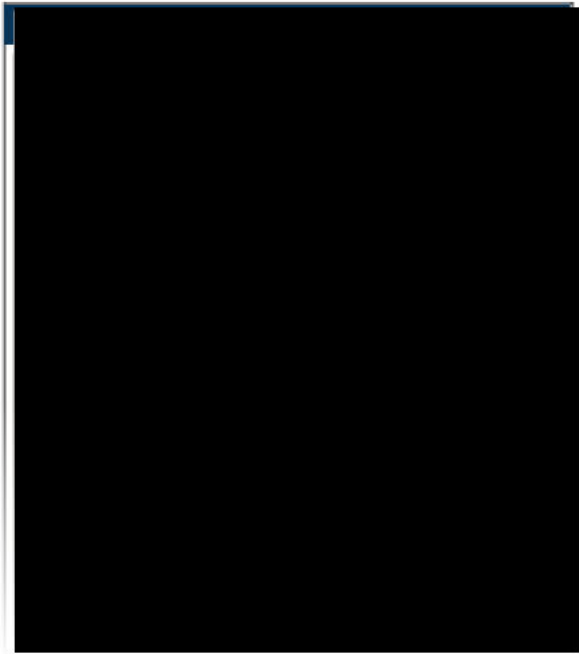
Hopper Master List

The following is a list of all of the hoppers that can be found in VERIS. They are listed in the order in which they display in VERIS.

1. DMV OAB Applications
2. Paper OAB Applications
3. Paper OAB - Expired
4. In-Person Absentees
5. DMV Registrations
6. DMV OVR Applications
7. Paper OVR Applications
8. Felony Convictions
9. Duplicates
10. Incomplete Registrations
11. Transfers
12. Death
13. Reinstate Voters
14. Felony reinstatements
15. Mentally Incapacitated
16. DMV Out of State
17. Scanned Document Images
18. Declared Non-Citizen
19. Batch reports
20. Queued reports
21. SSIS Packages
22. NCOA Matches
23. Notifications

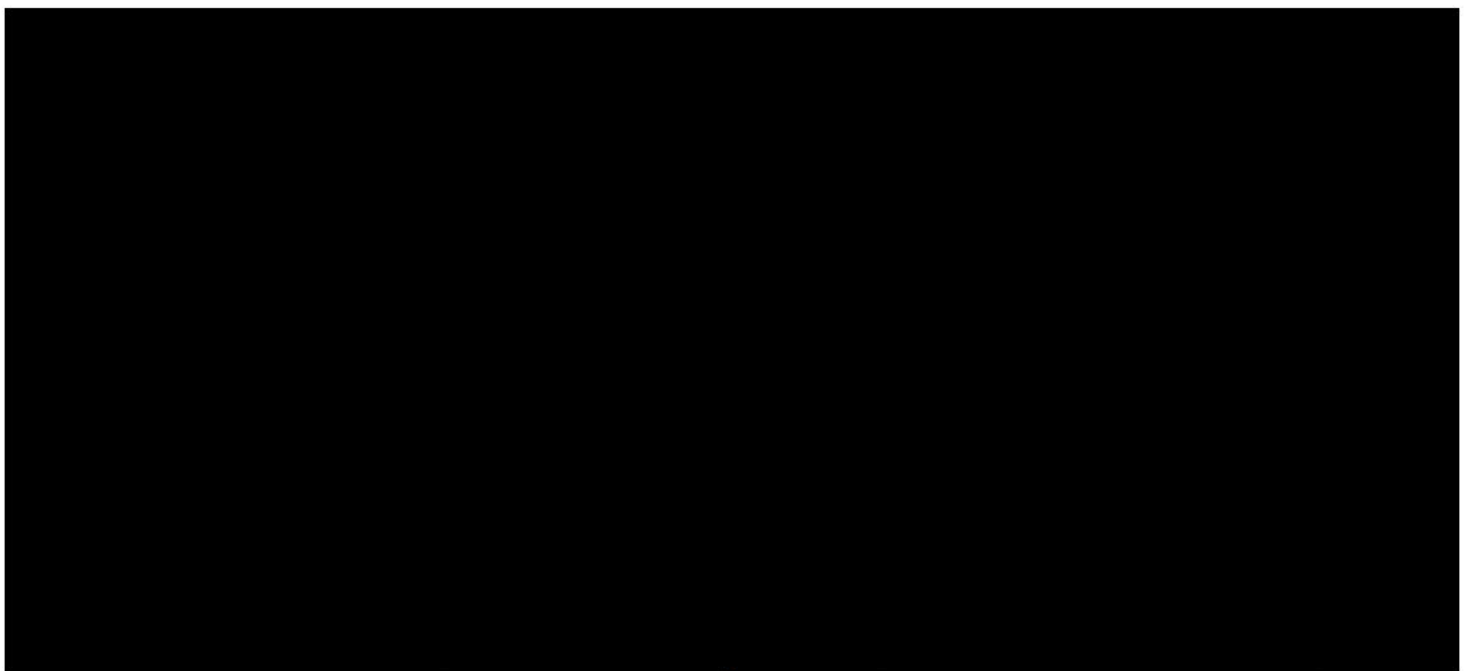
Viewing Voter Matches

To view the records for a specific hopper, click the URL that corresponds to the hopper that you wish to view.



Note: The URL shows the number of pending records for that particular hopper.

The Hopper Search page for the hopper that you selected will be displayed with all pertinent records shown in the data grid.

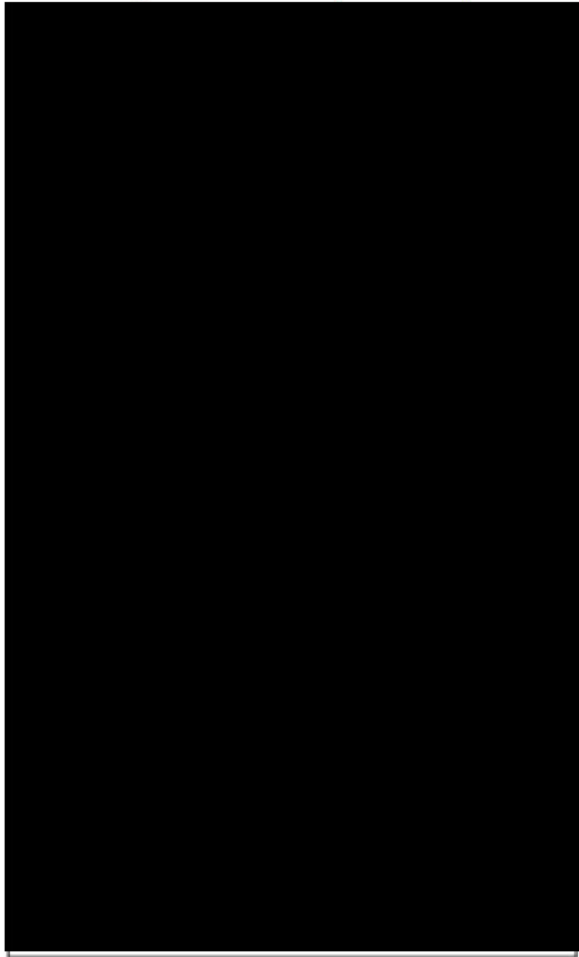


Processing Hopper Records

This section of the Hopper Processing and Information Step-by-Step document contains information about how to process records in various Hoppers. You may find additional information about many of the Hoppers shown in this document in the specific Step-by-Step Document for that area of VERIS. The documents are referenced when possible.

The order of the processes listed below corresponds to the order in which the hoppers display in VERIS. See the **Hopper Master List** section of this document to see the order.

Processing DMV and Paper OAB (Online Absentee Ballot) Hopper Records

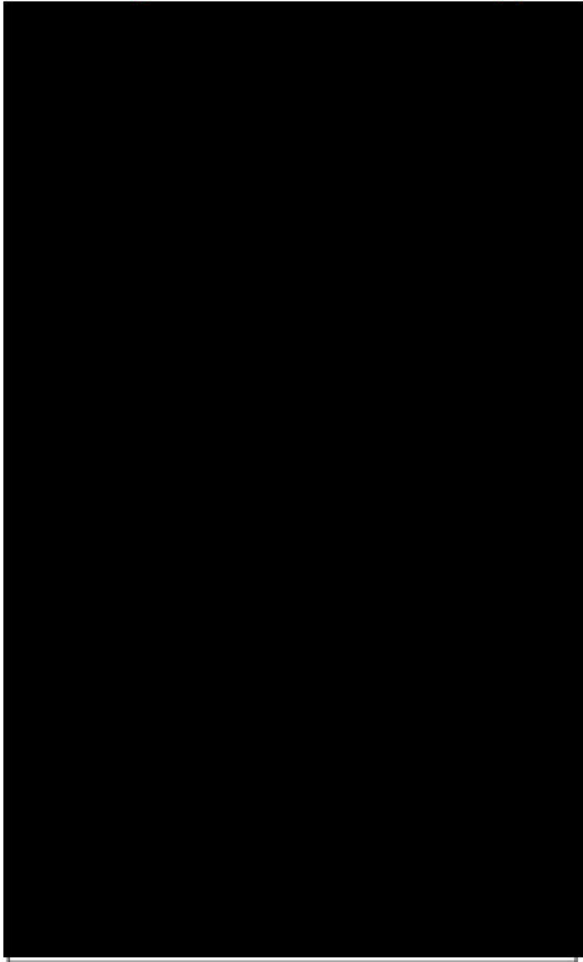


This procedure applies to the following hopper(s):

1. DMV OAB Applications
2. Paper OAB Applications
3. Paper OAB - Expired

The procedure for processing DMV and Paper OAB hopper records is described in the **Online Absentee Ballot Processing Step-by-Step** document.

Processing In-Person Absentees Hopper Records



This procedure applies to the following hopper(s):

In-Person Absentees

The procedure for processing In-Person Absentee records is described in the **Absentee Step-by-Step** document.

Processing DMV Registration Hopper Records

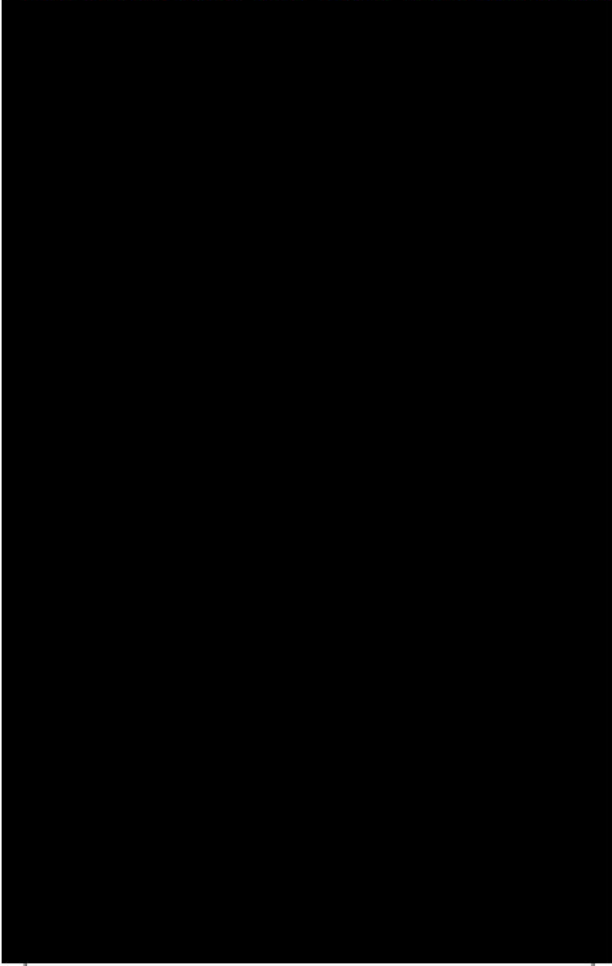


This procedure applies to the following hopper(s):

DMV Registrations

The procedure for processing DMV Registrations records is described in the **Add-Update Voter Step-by-Step** document.

Processing DMV and Paper OVR Applications Hopper Records

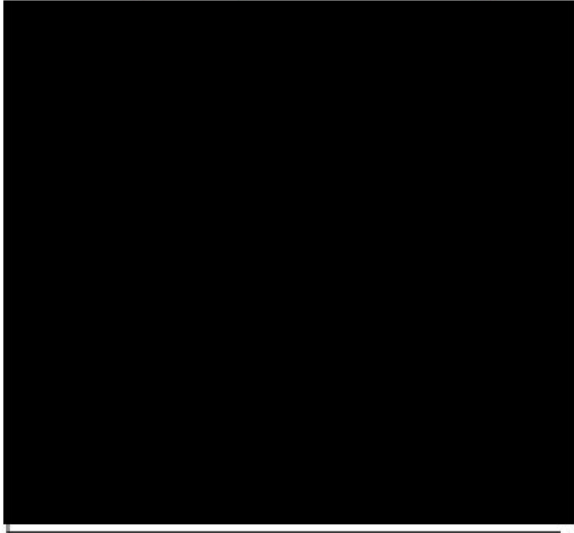


This procedure applies to the following hopper(s):

1. DMV OVR Applications
2. Paper OVR Applications

The procedure for processing DMV and Paper OVR Applications records is described in the **OVR Processing Step-by-Step** document.

Processing Felony Convictions Hopper Records



This procedure applies to the following hopper(s):

Felony Conviction

The procedure for processing Felony Conviction records is described in the **Add-Update Voter Step-by-Step** document.

Processing Duplicates Hopper Records

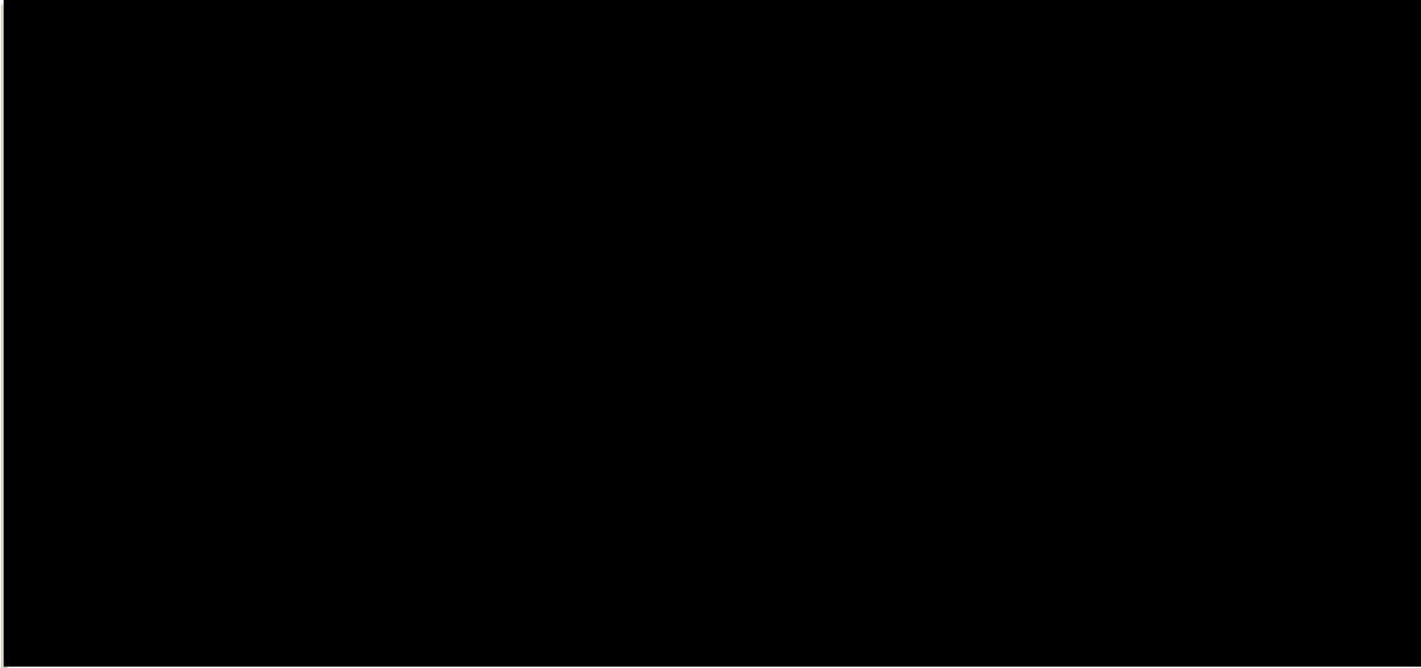


This procedure applies to the following hopper(s):

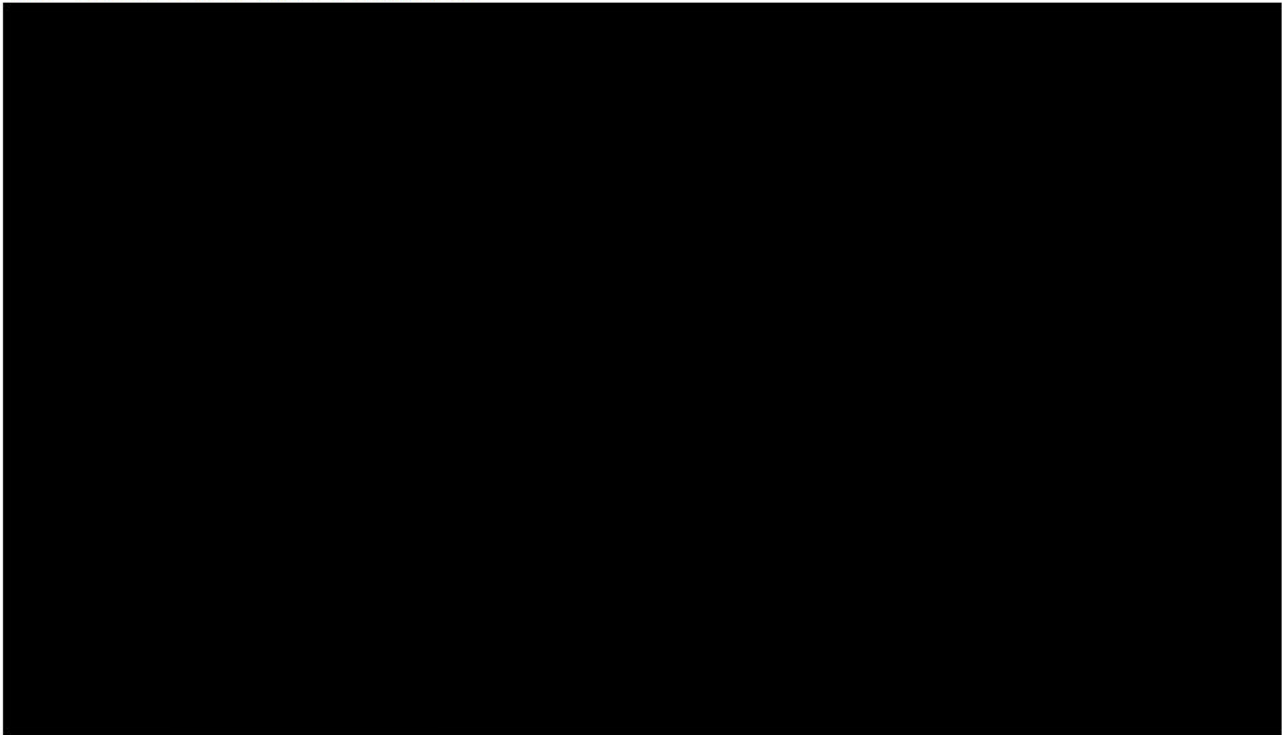
Duplicates

1. Click on the "Duplicates" Hopper.

2. "Duplicate Search" page is displayed.



3. If the voter, you search does not display on the list then Enter the "Last name" and click "Search".
4. Click on the link in the % column to match that you wish to process.
The "Duplicate view page" is displayed.

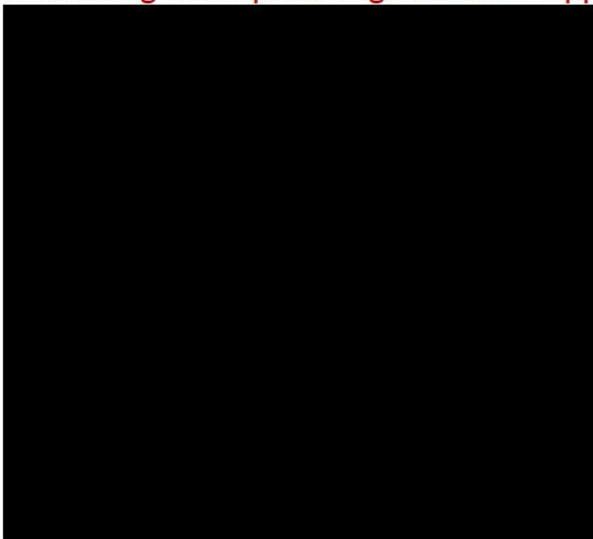


There are no other duplicate matches available.

5. Perform one of the following:

<i>If...</i>	<i>Then...</i>
<p>The voter match is approved, the duplicate Voter Record merge as single record.</p>	<p>Select Merge Approve from the Action drop-down list box.</p> <p><i>Note:</i> When you click the Save button, a pop-up shows for conformation of merger. Click “ok”, the system Merge the Duplicate record as single record, removes the name of the voter from the “Duplicates” Hopper.</p>
<p>The voter match is not accepted, then Duplicate Voter Record remains the same.</p>	<p>Select Merge Rejected from the Action drop-down list box.</p> <p><i>Note:</i> When you click the Save button, the system only rejects the record as Duplicate Record, the record will be removed from the “Duplicates” hopper but remain as individual record.</p>
<p>Further research is needed to determine if the Hopper record matches.</p>	<p>Select Research Needed from the Action drop-down list box.</p> <p><i>Note:</i> When you click the Save button, the system keeps in the hopper to be processed later and set 'R' flag to “Yes”.</p>

Processing Incomplete Registrations Hopper Records

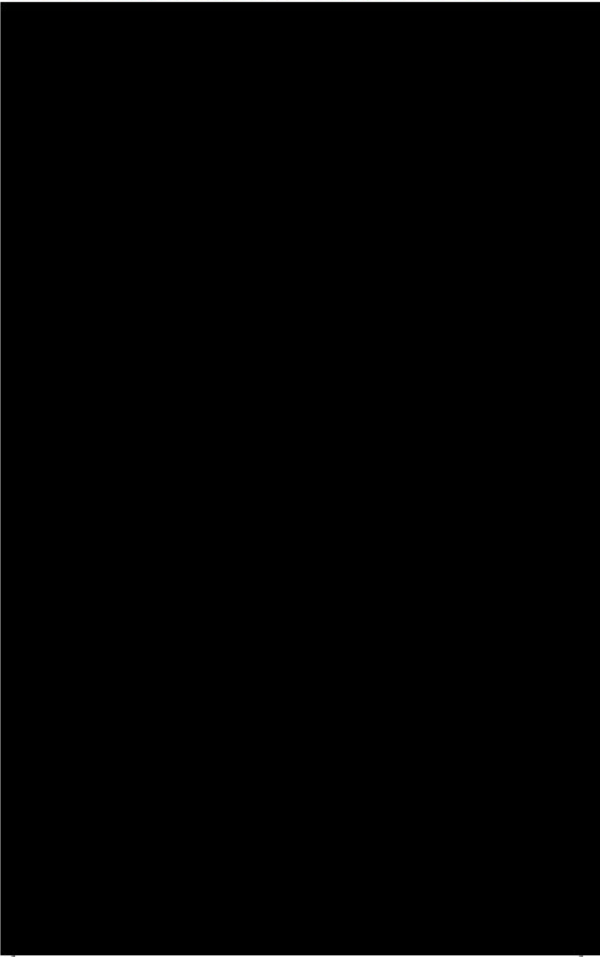


This procedure applies to the following hopper(s):

Incomplete Registrations

The procedure for processing Incomplete Registrations records is described in the **Add-Update Voter Step-by-Step** document.

Processing Transfers Hopper Records

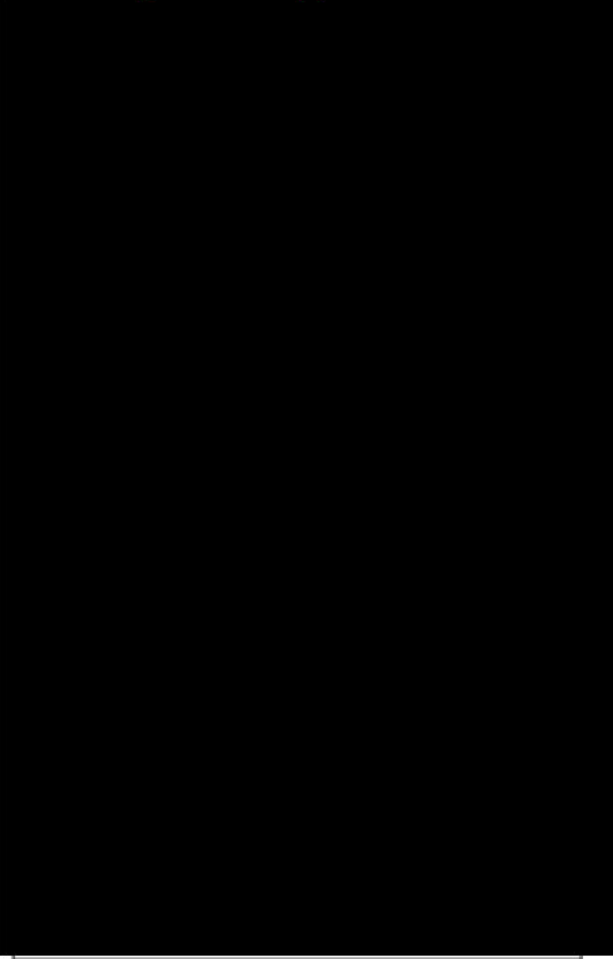


This procedure applies to the following hopper(s):

Transfers

The procedure for processing Transfers records is described in the **Add-Update Voter Step-by-Step** document.

Processing Death Hopper Records

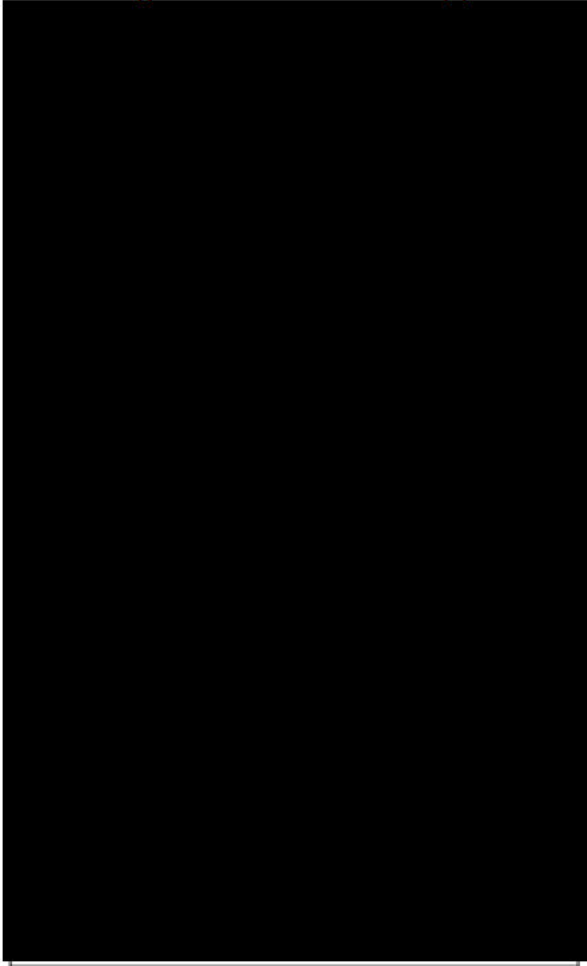


This procedure applies to the following hopper(s):

Death

The procedure for processing Death records is described in the **Add-Update Voter Step-by-Step** document.

Processing Reinstater Voters Hopper Records

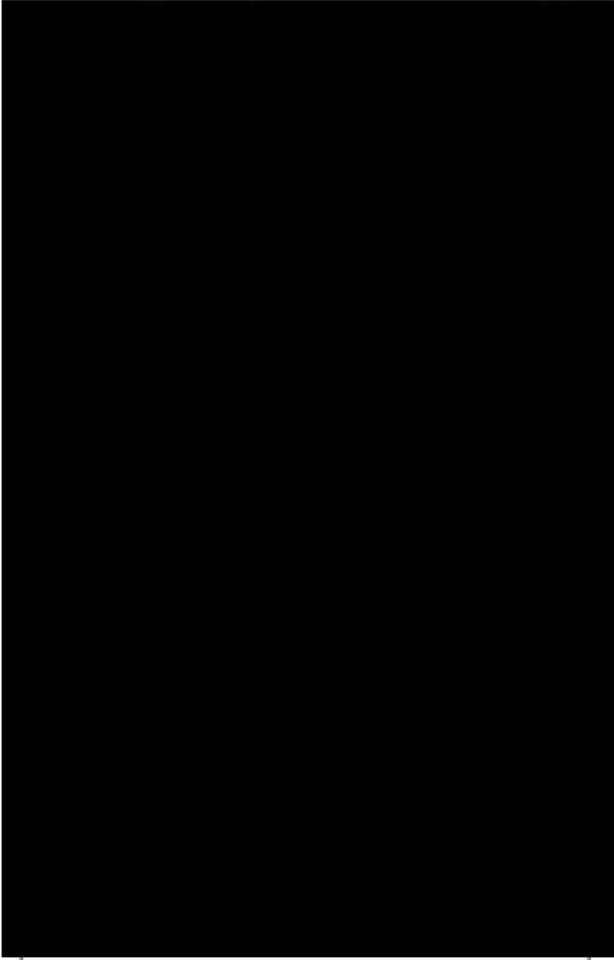


This procedure applies to the following hopper(s):

Reinstater Voters

The procedure for processing Reinstater Voters records is described in the **Add-Update Voter Step-by-Step** document.

Processing Felony Reinstatements Hopper Records

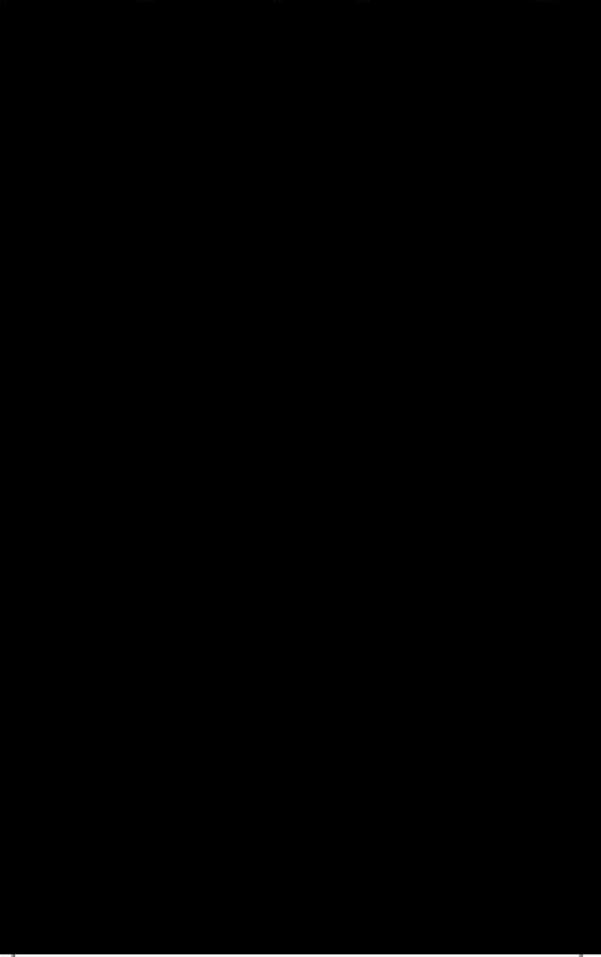


This procedure applies to the following hopper(s):

Felony Reinstatements

The procedure for processing Felony Reinstatements records is described in the **Add-Update Voter Step-by-Step** document.

Processing Mentally Incapacitated Hopper Records

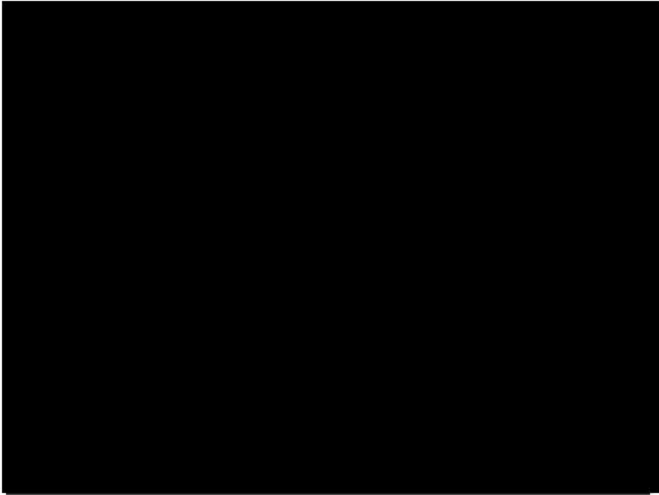


This procedure applies to the following hopper(s):

Mentally Incapacitated

The procedure for processing Mentally Incapacitated records is described in the **Add-Update Voter Step-by-Step** document.

Processing DMV Out of State Hopper Records

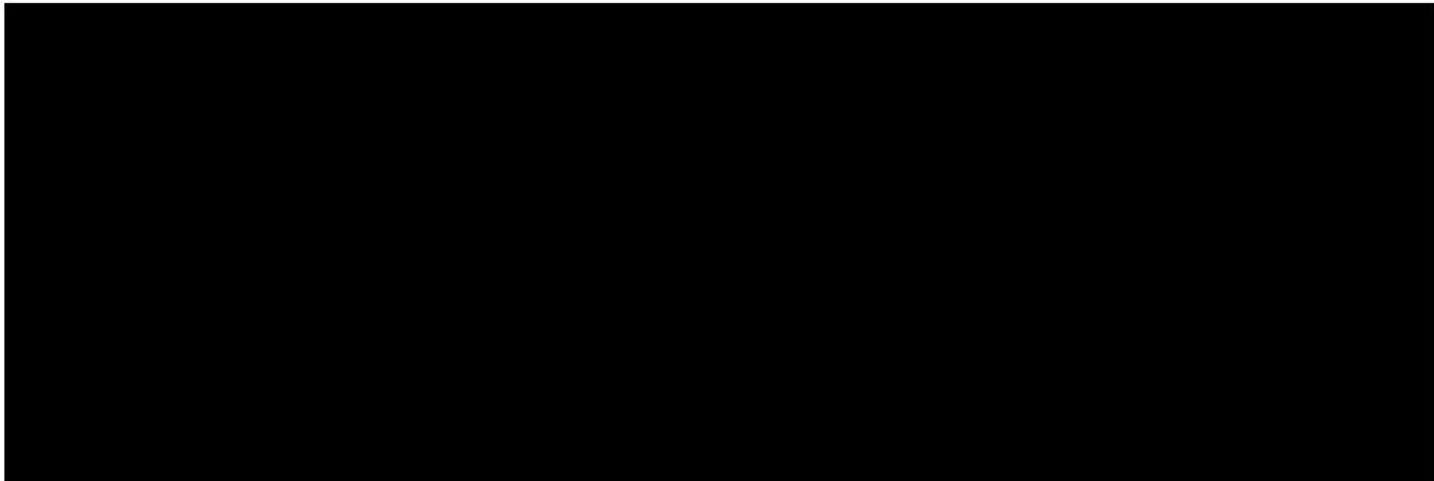


This procedure applies to the following hopper(s):

DMV Out of State

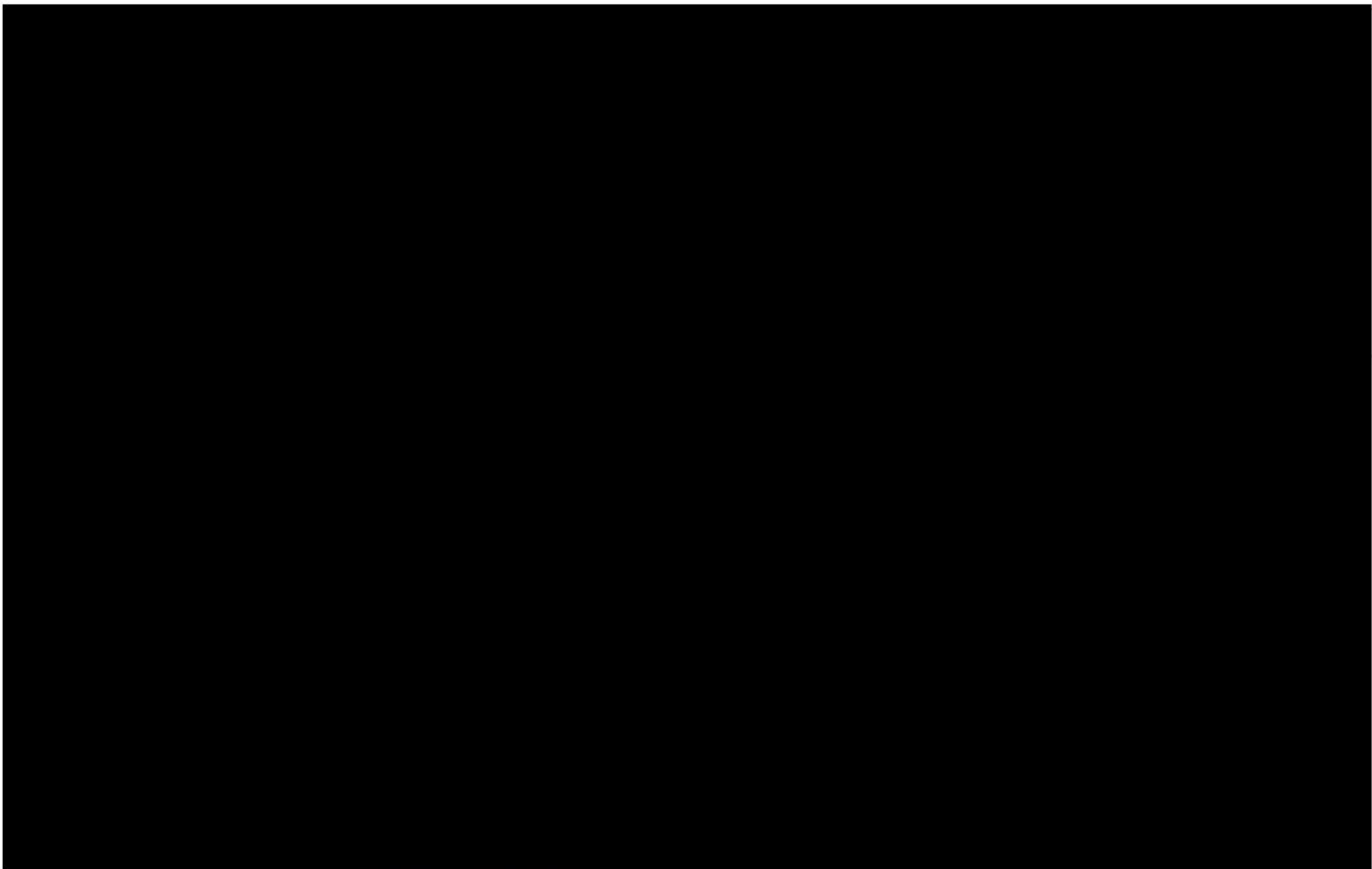
1. Follow the procedure for **Viewing Voter Matches** to view the DMV Out of State Hopper.

The DMV Out of State Matches page is displayed with the data grid populated.



2. Click the link in the % column that corresponds to the match that you wish to process.

The Hopper View page is displayed.



3. Perform one of the following:

<i>If...</i>	<i>Then...</i>
<p>The voter match is approved, the voter registration status is marked 'Cancelled' and cancellation notices should be generated for the voter.</p>	<p>Select Match Approved from the Action drop-down list box.</p> <p><i>Note:</i> When you click the Save button, the system changes the registration status of the voter’s current Voter Registration record to “Cancelled”, change the NVRA Status Reason to “DMV Surrender Out Of State”, set Comment on "Comment Detail Page" to “Status was changed to Cancelled on {Date, Time}. Reason: DMV Surrender out of state.”, remove the out of state record from the OOS Hopper and generate correspondence notices as ENG_Cancellation Letter, VA Registration Mailing Address and ENG_Cancellation Letter, Out of State Address.</p>

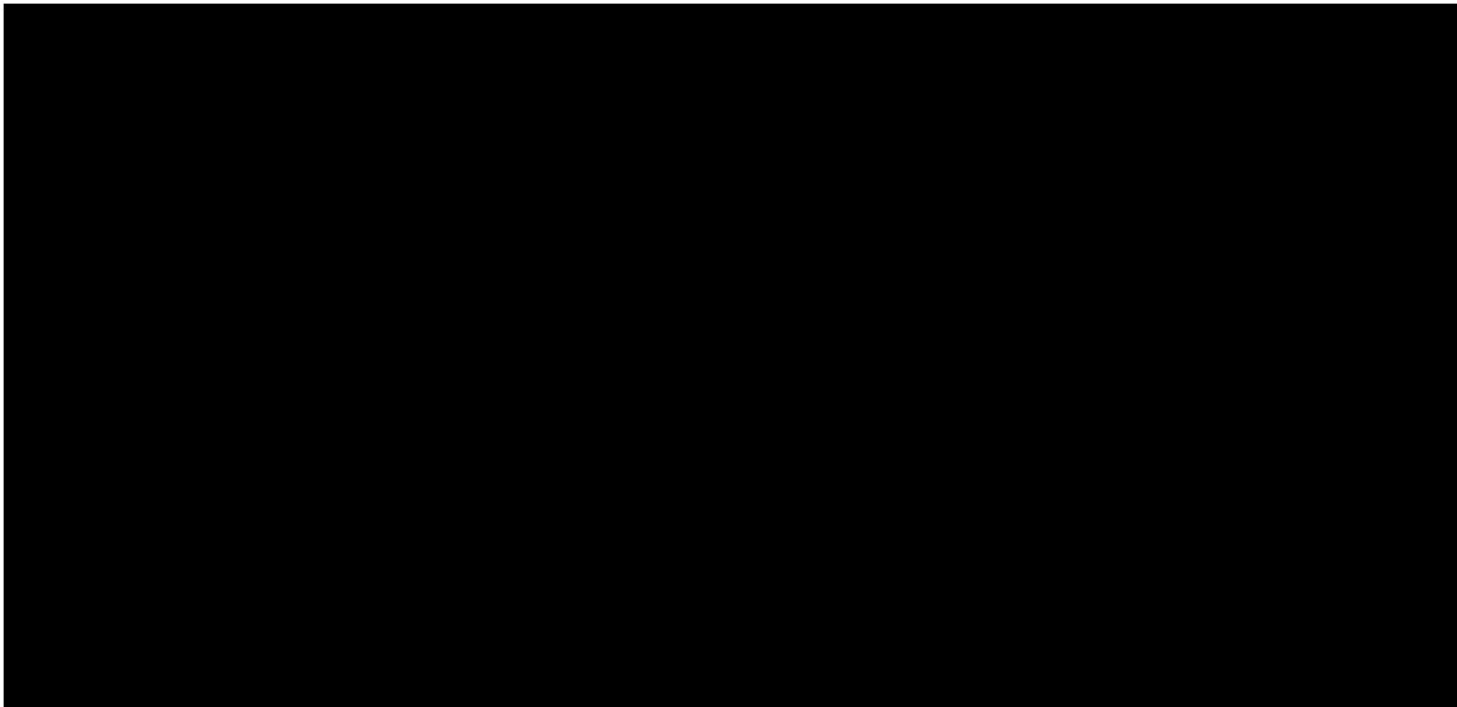
<i>If...</i>	<i>Then...</i>
The voter match is not accepted, and the record is removed from the hopper.	Select Match Rejected from the Action drop-down list box. <i>Note:</i> When you click the Save button, the system only removes the voter from the hopper.
Further research is needed to determine if the Hopper record matches.	Select Research Needed from the Action drop-down list box. <i>Note:</i> When you click the Save button, the system keeps in the hopper to be processed later and set 'R' flag to true.

4. Enter additional information in the Comments field as necessary.
5. Click the **Save** button.

The information is saved to the database.

Note: You may click the **Return** button to return to the Hopper Search page without saving.

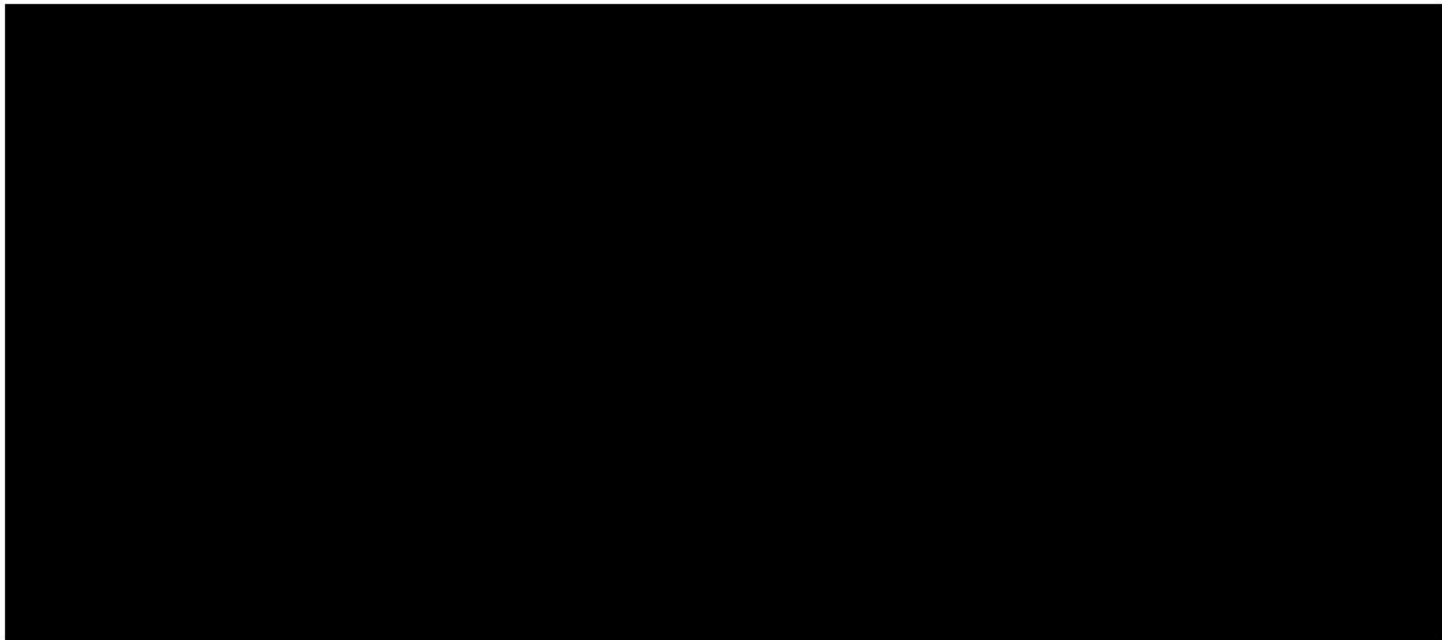
6. Click **Home**, **Voter**, **Voter Search**, enter First and Last name, choose Registration Status as **Cancelled** and click **Search**.



7. Select the matching voter and land on Overview page.



8. ENG_Cancellation Letter, VA Registration Mailing Address will display.



9. Click magnify glass for each letter to see the actual letter or click the printer to print the letters.

MADISON COUNTY
Office of Voter Registration
PO Box 267
Madison, VA 22727-0267

MADISON COUNTY
Office of Voter Registration
PO Box 267
Madison, VA 22727-0267

E-mail: registrar@madisonco.virginia.gov Phone: 540-948-6533
Website: https://www.madisonco.virginia.gov/registrar Fax:

E-mail: registrar@madisonco.virginia.gov Phone: 540-948-6533
Website: https://www.madisonco.virginia.gov/registrar Fax:

TO: [REDACTED] DATE: 9/11/2023

TO: [REDACTED] DATE: 9/11/2023

Voter Registration Cancellation Notice

This office has determined that [REDACTED] is no longer entitled to be registered to vote in the Commonwealth of Virginia because you have moved to another state. Therefore, as permitted by §24.2-427 of the Code of Virginia, this office has stricken your name from the Voter Registration List of MADISON COUNTY.

If you have not registered to vote in the state in which you currently reside, you may apply to register to vote by contacting the voter registration office near you for the voter registration application of your state or by accessing the Election Assistance Commission website at www.eac.gov to obtain the federal voter registration application.

If you believe the removal of [REDACTED] from the Voter Registration List is incorrect, please contact this office at 540-948-6533.

Voter Registration Cancellation Notice

This office has determined that [REDACTED] is no longer entitled to be registered to vote in the Commonwealth of Virginia because you have moved to another state. Therefore, as permitted by §24.2-427 of the Code of Virginia, this office has stricken your name from the Voter Registration List of MADISON COUNTY.

If you have not registered to vote in the state in which you currently reside, you may apply to register to vote by contacting the voter registration office near you for the voter registration application of your state or by accessing the Election Assistance Commission website at www.eac.gov to obtain the federal voter registration application.

If you believe the removal of [REDACTED] from the Voter Registration List is incorrect, please contact this office at 540-948-6533.



LAUREN Y. EANES



LAUREN Y. EANES
General Registrar
Madison County Voter Registration Office

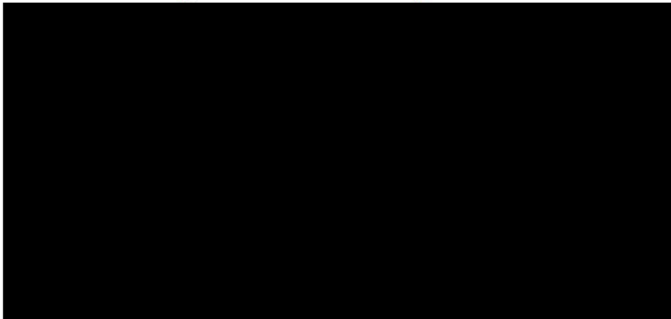
Processing the DMV Out of State Cancellation Letters from batch report:

To access the DMV OOS cancellation letters from the batch report, perform the following steps:

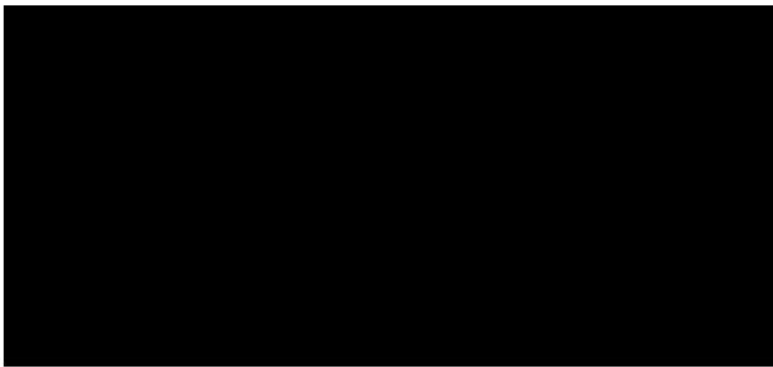
1. In VERIS Homepage, move the cursor to "Report" > "Batch Reporting".
2. The Batch Reporting page is displayed. It contains both "Cancellation letter Out of State Address" and "Cancellation Letter VA Registration Mailing Address" in Spanish as well as English.



3. For ENG_Cancellation Letter, Out of State Address
Click on ENG_Cancellation Letter, Out of State Address. It will display the list of all the cancelled voter.

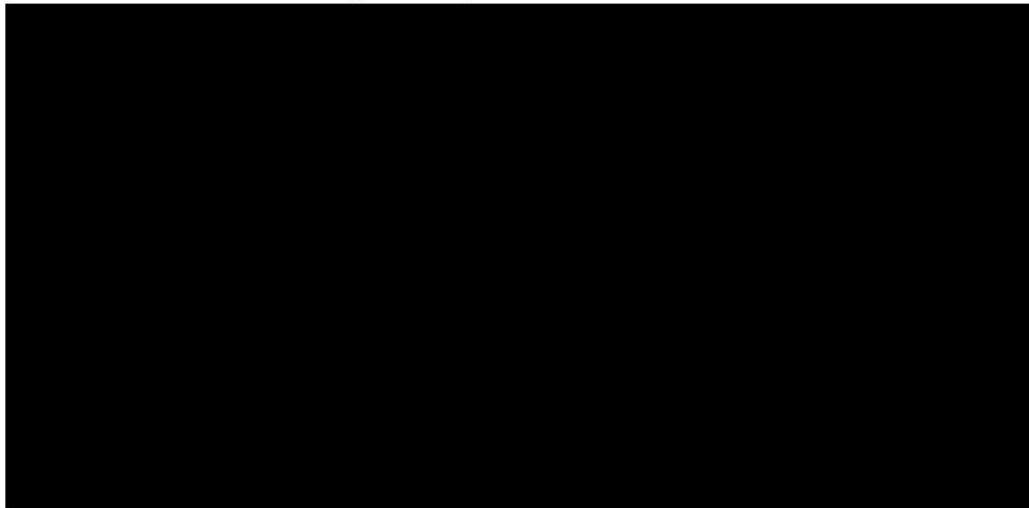


4. For ENG_Cancellation Letter, VA Registration Mailing Address.
Click on ENG_Cancellation Letter, VA Registration Mailing Address. It will display the list of cancelled voters with VA Mailing Address.

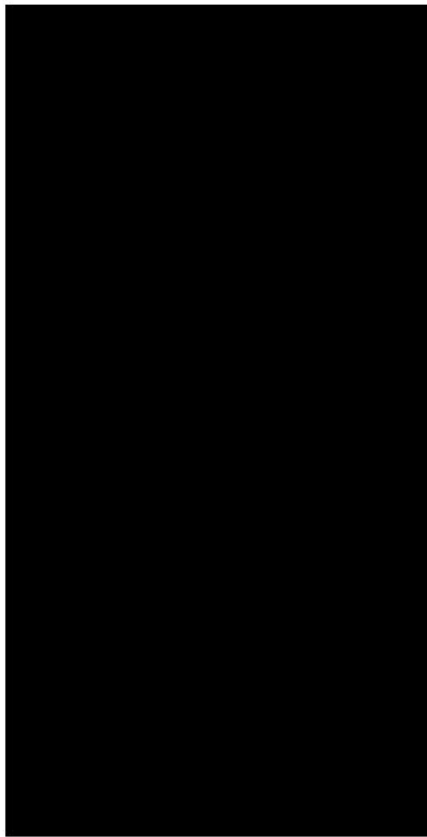


Generating the Cancellation – Out of State Report:

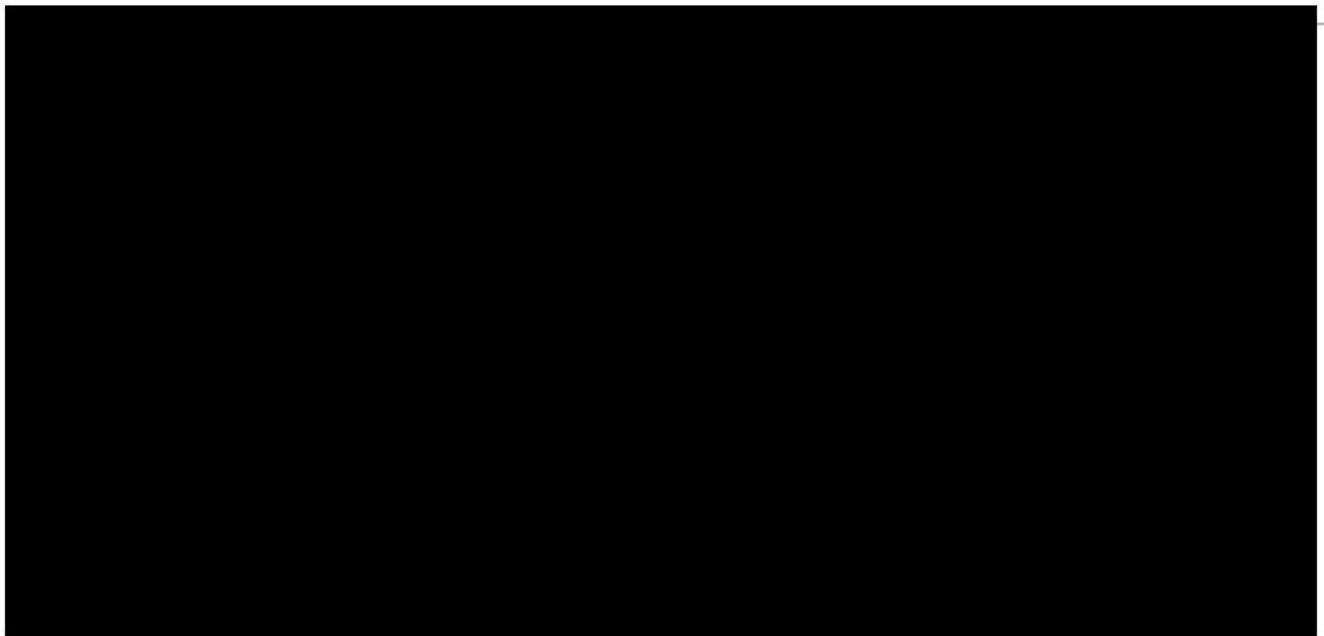
1. In VERIS Homepage, move cursor to Select Report > Report Library.
2. Select “Voter” from the Categories drop down menu.



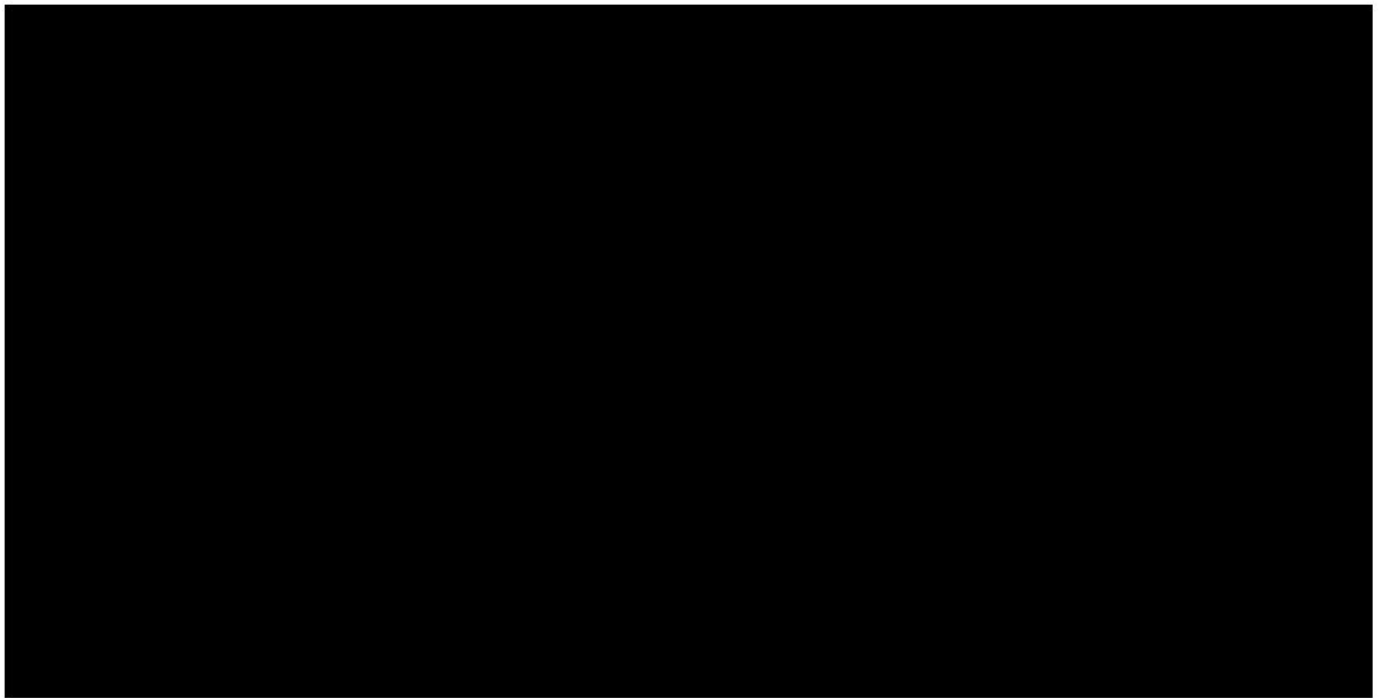
- 3.
4. Select “Cancellation-Out of State” from the list.



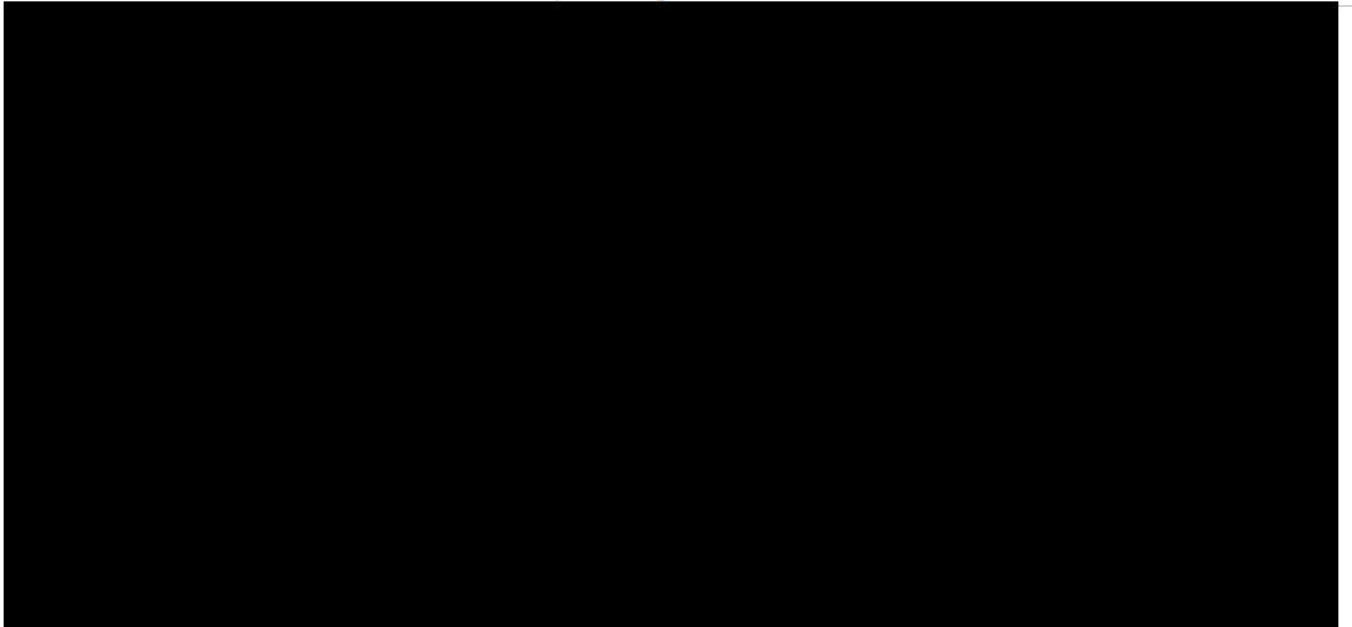
5. Report Library page for Cancellation- Out of state report is displayed.



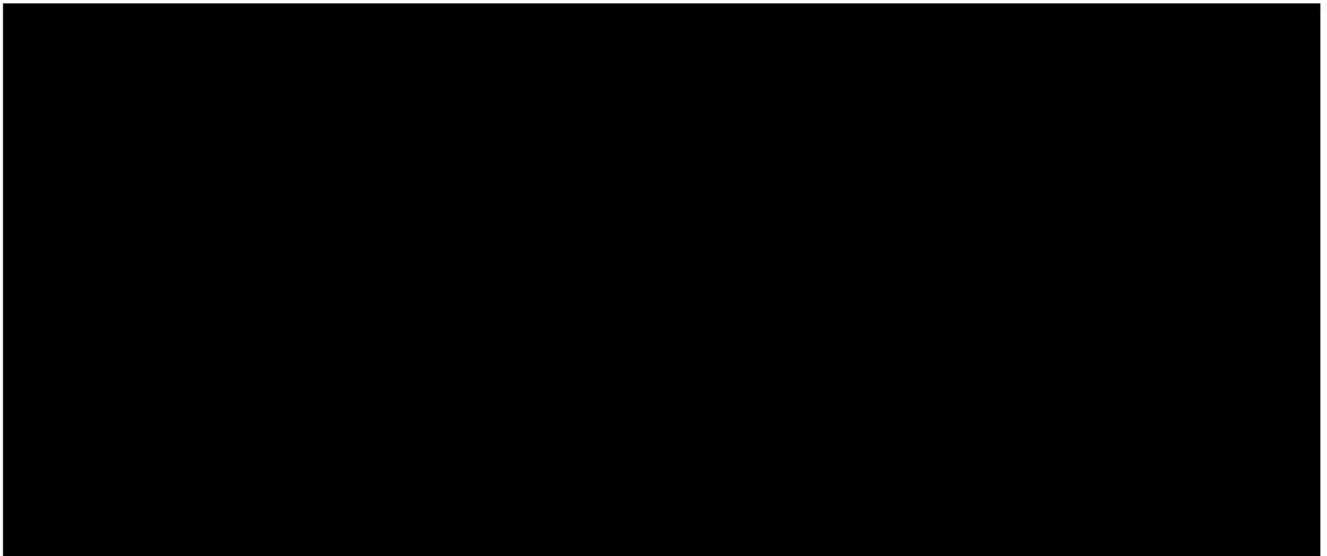
6. Fill the information along with the "Start date" and "End date" of the batch to be generated.



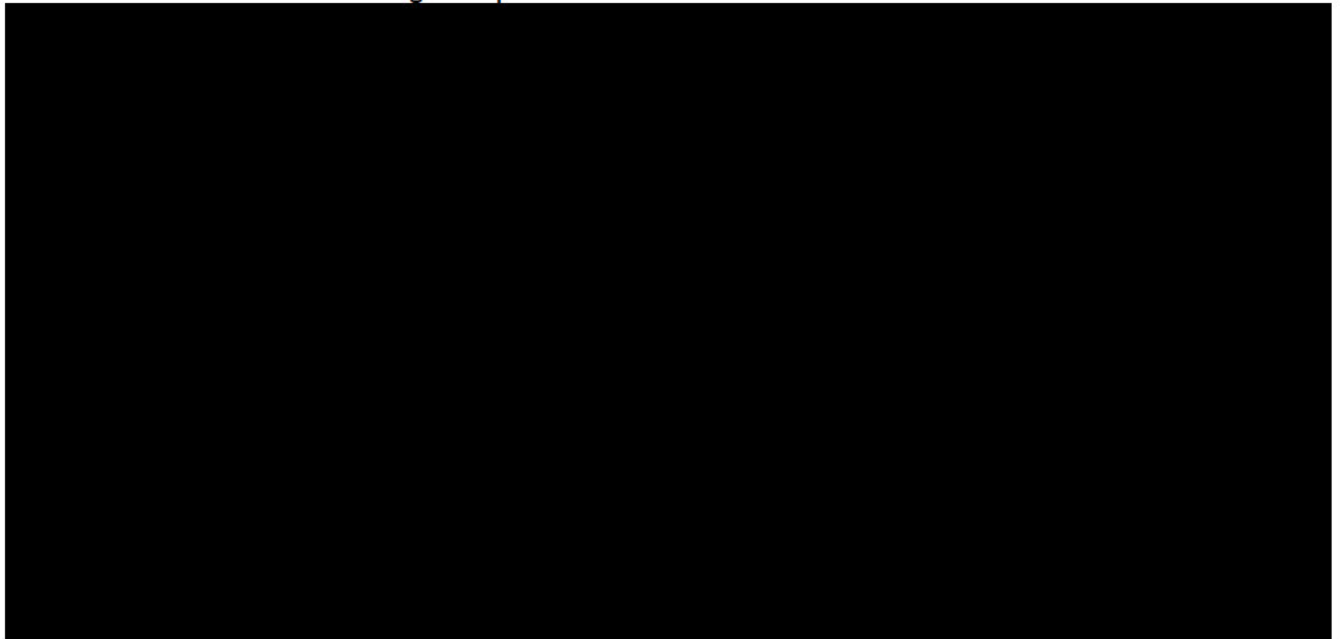
If the Start Date and End Date is not entered, then it generates the list of all the cancelled voters till date.



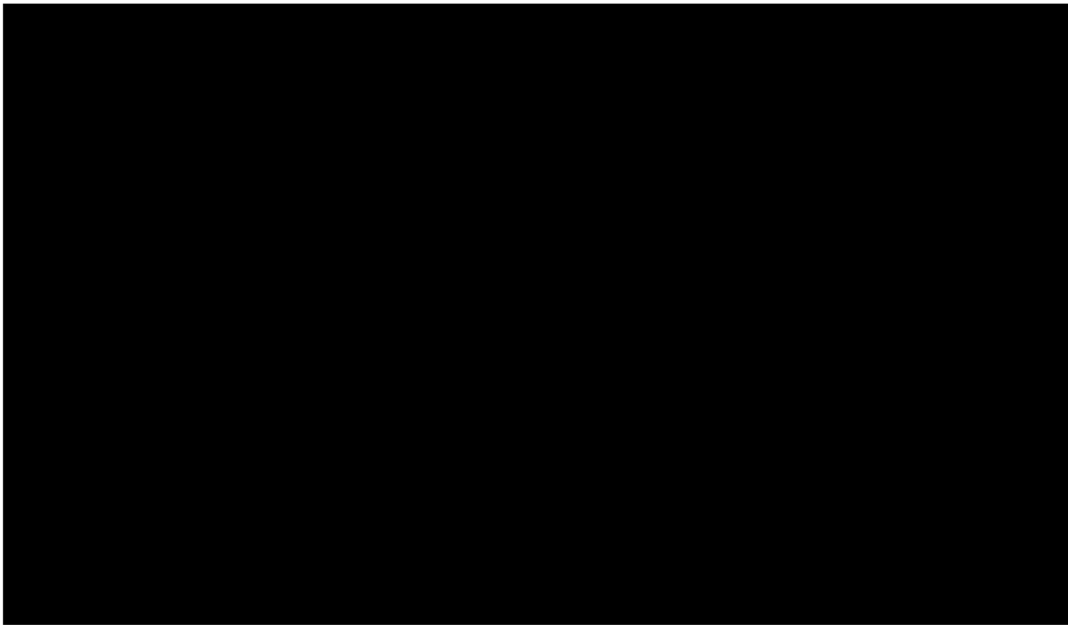
7. Report is set to PDF by default.
8. Click on View/ print.



9. To schedule the report to run at a specific day and time frame. Click the 'Scheduled Report' check box.
10. Select the desired time form the given options.

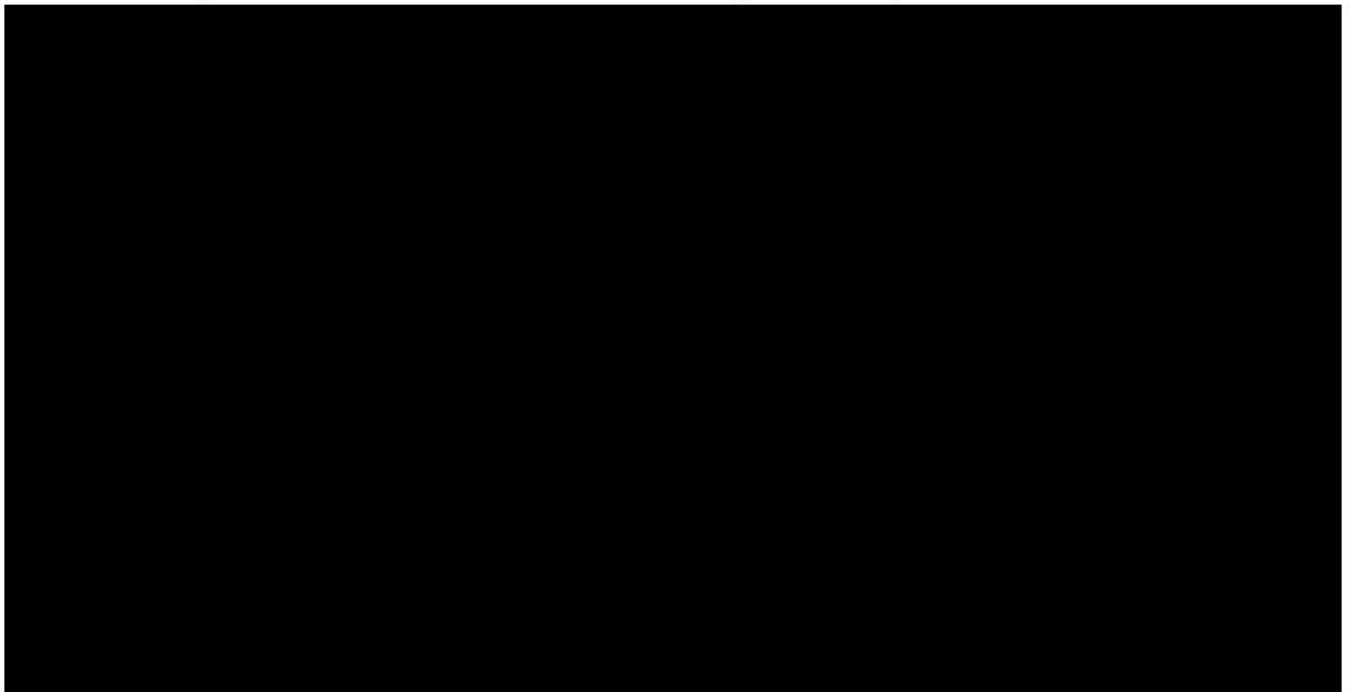


11. Click View/ print report.
12. Report will be processed in Queue.



Viewing the Cancelled Out of State Report:

1. In VERIS Homepage, go to the "Schedule & Queued Report" section.
2. Click on the report that has the recent date and time of the generated report.



3. Report is generated.
 - a. When entered Start date and End date.

Locality: 113
Precinct: ALL
District: ALL

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ELECTIONS
Cancellation - Out of State
113 - MADISON COUNTY**

Start Date: 09/11/2023
End Date: 09/11/2023

DMV Surrender Out Of State

September 2023

PCT	Name Address	Registration ID Email Address	Cancel Date	Cancel Type
0001	[REDACTED]	[REDACTED]	9/11/2023	Active Cancel - DMV Surrender Out Of State

DMV Surrender Out Of State Total: 1

b. When Start date and End date is not entered.

Locality: 113
Precinct: ALL
District: ALL

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ELECTIONS
Cancellation - Out of State
113 - MADISON COUNTY**

Start Date: N/A
End Date: N/A

DMV Surrender Out Of State

August 2023

PCT	Name Address	Registration ID Email Address	Cancel Date	Cancel Type
0006	[REDACTED]	[REDACTED]	8/30/2023	Active Cancel - DMV Surrender Out Of State

September 2023

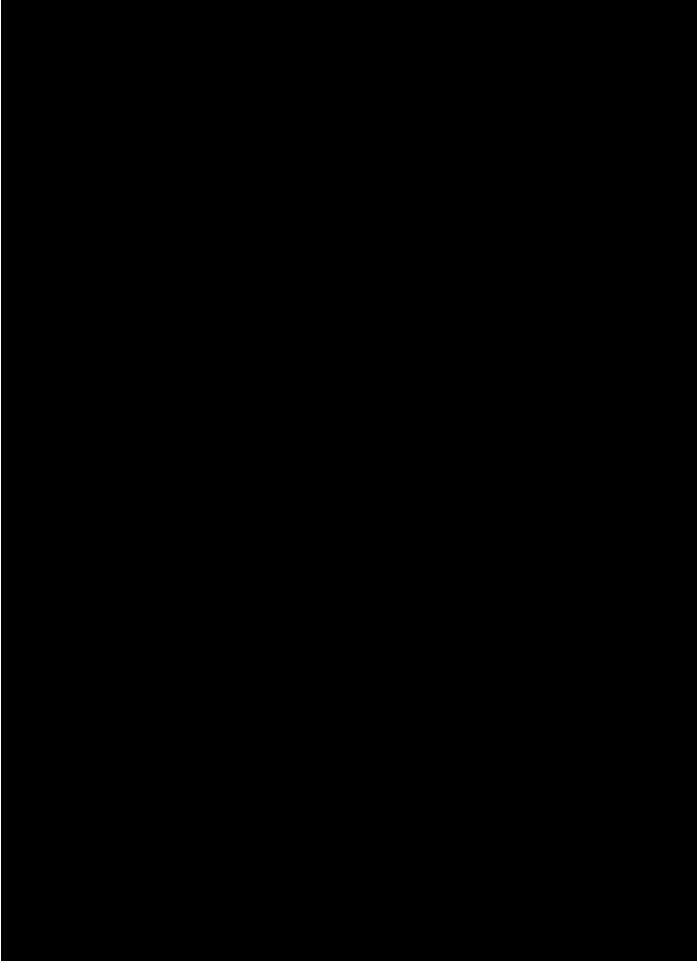
PCT	Name Address	Registration ID Email Address	Cancel Date	Cancel Type
0001	[REDACTED]	[REDACTED]	9/11/2023	Active Cancel - DMV Surrender Out Of State

DMV Surrender Out Of State Total: 2

Generated on 09/11/2023 07:57:47 PM

Page 1 of 45

Processing Scanned Document Images Hopper Records

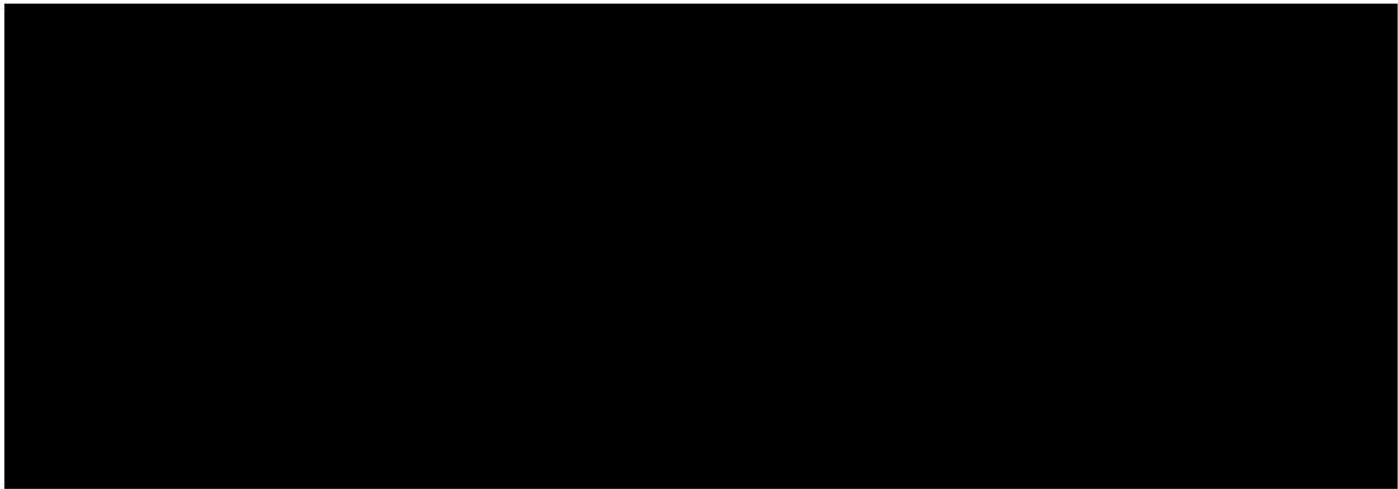


This procedure applies to the following hopper(s):


Scanned Document Images

1. Follow the procedure for **Viewing Voter Matches** to view the Scanned Document Images Hopper.

The Scanned Document Matches page is displayed with the data grid populated.



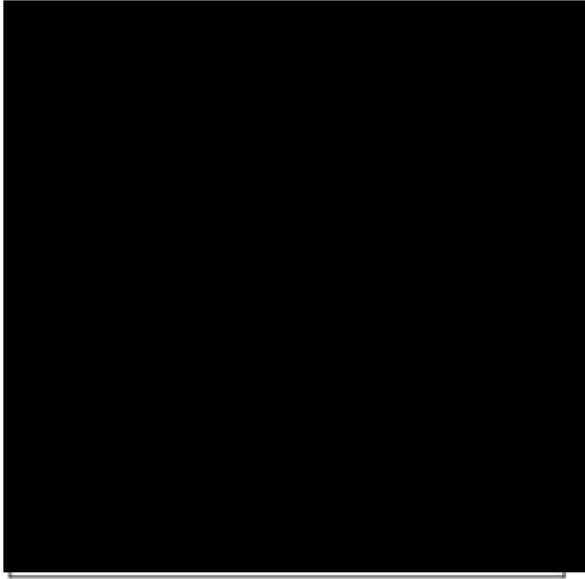
2. Perform one of the following:

<i>To...</i>	<i>Then...</i>
View a scanned document image...	Click the name of the document that you wish to view in the Document Type column.
Delete a scanned document image...	Click the delete icon  that corresponds to the document that you wish to delete.

Note: The data grid may be sorted by clicking on the various headers.

Note: The data grid may be filtered by User or Batch Name by using the filter drop down menus above the data grid.

Processing Declared Non-Citizen Hopper Records

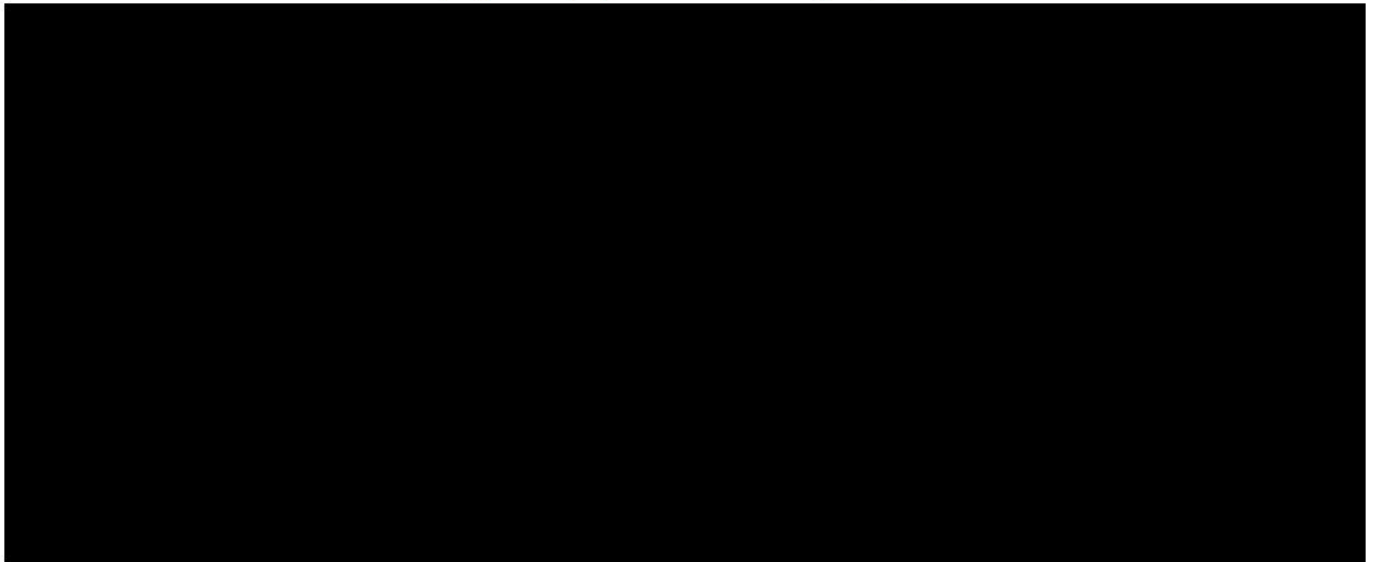


This procedure applies to the following hopper(s):

Declared Non-Citizen

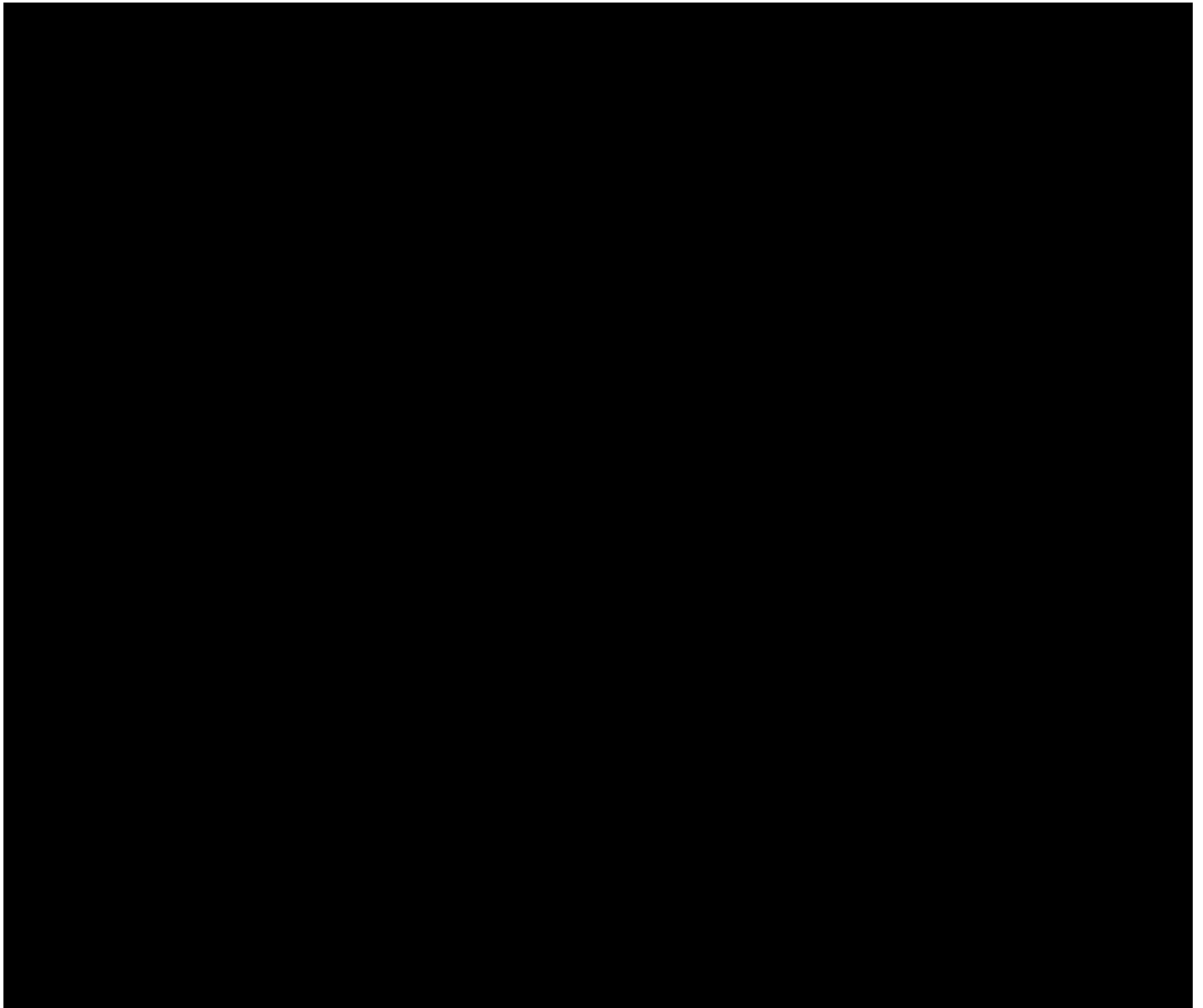
1. Follow the procedure for **Viewing Voter Matches** to view the Declared Non-Citizens Hopper.

The Declared Non-Citizens Matches page is displayed with the data grid populated.



2. Click the link in the % column that corresponds to the match that you wish to process.

The Hopper View page is displayed.



3. Perform one of the following:

<i>If...</i>	<i>Then...</i>						
<p>The existing registration and the declared non-citizen record match and you have not yet notified the voter...</p>	<p>Select Notify Voter from the Action drop-down list box.</p> <p><i>Note:</i> When you click the Save button, the system retains the record in the Hopper and creates correspondence to notify the voter of his or her non-citizen status.</p>						
<p>The voter confirmed his or her citizenship by completing, signing, and returning the Affirmation of United States Citizenship form within 14 days of notification...</p>	<p>Perform one of the following:</p> <table border="1" data-bbox="792 682 1414 1690"> <thead> <tr> <th data-bbox="792 682 1029 760"><i>If...</i></th> <th data-bbox="1029 682 1414 760"><i>Then...</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="792 760 1029 1224"> <p>The voter returned the barcoded form...</p> </td> <td data-bbox="1029 760 1414 1224"> <p>Scan the barcode on the Affirmation of United States Citizenship form.</p> <p>The system marks the record as citizenship confirmed, removes the record from the Hopper, and generates correspondence history to indicate correspondence was received from the voter.</p> </td> </tr> <tr> <td data-bbox="792 1224 1029 1690"> <p>The voter did not return the barcoded form...</p> </td> <td data-bbox="1029 1224 1414 1690"> <p>Select Citizenship Confirmed from the Action drop-down list box.</p> <p><i>Note:</i> When you click the Save button, the system removes the record from the Hopper and generates correspondence history to indicate correspondence was received from the voter.</p> </td> </tr> </tbody> </table>	<i>If...</i>	<i>Then...</i>	<p>The voter returned the barcoded form...</p>	<p>Scan the barcode on the Affirmation of United States Citizenship form.</p> <p>The system marks the record as citizenship confirmed, removes the record from the Hopper, and generates correspondence history to indicate correspondence was received from the voter.</p>	<p>The voter did not return the barcoded form...</p>	<p>Select Citizenship Confirmed from the Action drop-down list box.</p> <p><i>Note:</i> When you click the Save button, the system removes the record from the Hopper and generates correspondence history to indicate correspondence was received from the voter.</p>
<i>If...</i>	<i>Then...</i>						
<p>The voter returned the barcoded form...</p>	<p>Scan the barcode on the Affirmation of United States Citizenship form.</p> <p>The system marks the record as citizenship confirmed, removes the record from the Hopper, and generates correspondence history to indicate correspondence was received from the voter.</p>						
<p>The voter did not return the barcoded form...</p>	<p>Select Citizenship Confirmed from the Action drop-down list box.</p> <p><i>Note:</i> When you click the Save button, the system removes the record from the Hopper and generates correspondence history to indicate correspondence was received from the voter.</p>						
<p>The existing registration and the declared non-citizen record do not match...</p>	<p>Select Match Rejected from the Action drop-down list box.</p> <p><i>Note:</i> When you click the Save button, the system removes the record from the Hopper.</p>						

<i>If...</i>	<i>Then...</i>
<p>If you notified the voter of his or her non-citizen status and the voter did not confirm his or her citizenship by completing, signing, and returning the Affirmation of United States Citizenship form within 14 days of notification...</p>	<p>The System will automatically cancel the voter 21 days after notification if the voter has not confirmed citizenship.</p> <p>OR</p> <p>The voter can be cancelled manually if the you need to cancel the voter immediately after the 14-day window.</p> <p>Select Cancel Voter from the Action drop-down list box.</p> <p>Note: When you click the Save button, the system generates a cancellation notice to notify the voter that their voting privileges have been revoked.</p>
<p>Further research is needed to determine if the Hopper record matches...</p>	<p>Select Research Needed from the Action drop-down list box.</p> <p>Note: When you click the Save button, the system removes the declared non-citizen record from the Declared Non-Citizens Hopper and adds it to the Incomplete Registrations Hopper.</p>

4. Enter additional information in the **Comments** field as necessary.
5. Click the **Save** button.

The information is saved to the database.

Note: You may click the **Return** button to return to the Hopper View page without saving.

Processing Batch Reports Hopper Records

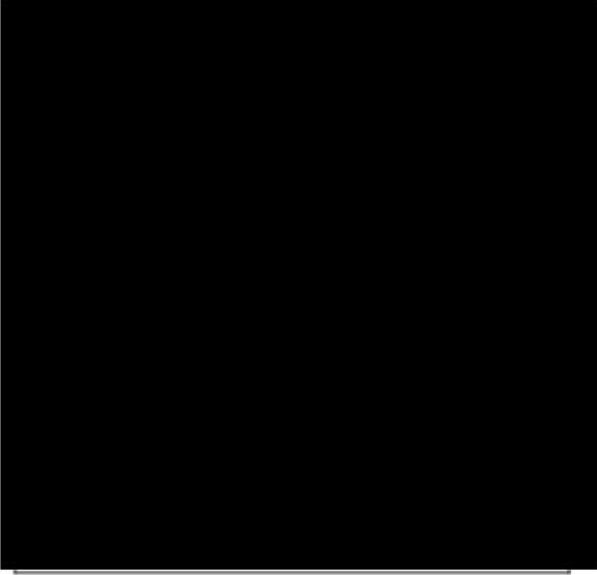


This procedure applies to the following hopper(s):

Batch Reports

The procedure for processing Batch Reports records is described in the **Voter Correspondence Step-by-Step** document.

Processing SSIS Packages Hopper Records

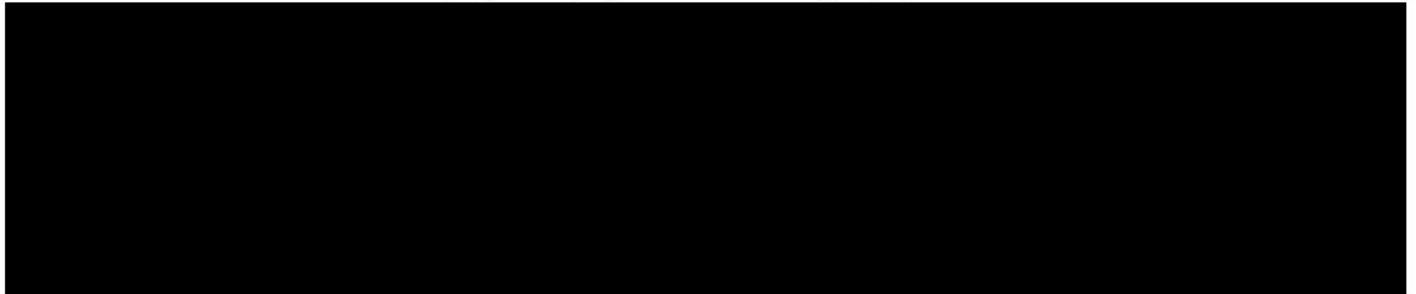


This procedure applies to the following hopper(s):

SSIS Packages

1. Follow the procedure for **Viewing Voter Matches** to view the SSIS Packages Hopper.


The Declared Non-Citizens Matches page is displayed with the data grid populated.



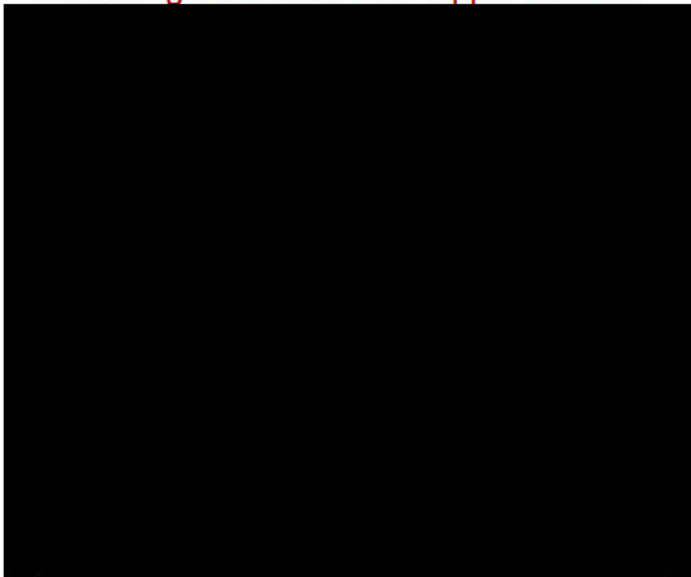
Note: The data grid may be sorted by clicking on the various headers.

Note: The data grid may be filtered by User, Package, or Status by using the filter drop down menus above the data grid.

2. Perform one of the following:

<i>To...</i>	<i>Then...</i>
View details for a SSIS Package...	Click the name of the SSIS Package that you wish to view in the Package Name column.
Delete a SSIS Package...	Click the delete icon  that corresponds to the SSIS Package that you wish to delete.
Give a SSIS Package a priority status...	Select the checkbox <input checked="" type="checkbox"/> in the PS (Priority Status) column.

Processing NCOA Matches Hopper Records



This procedure applies to the following hopper(s):

NCOA Matches

The procedure for processing NCOA Matches records is described in the **NCOA Processing Step-by-Step** document.

Processing Notifications Hopper Records

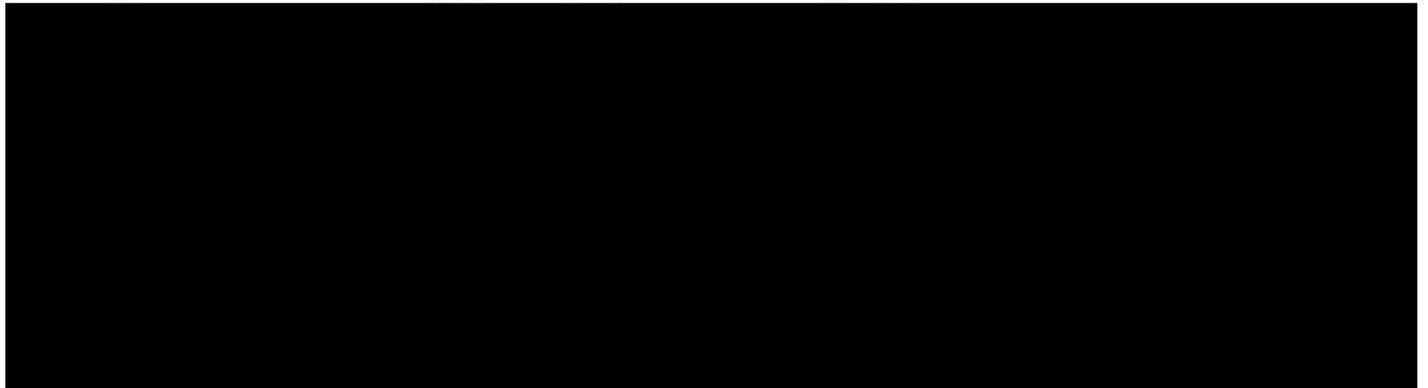


This procedure applies to the following hopper(s):

Notifications

1. Follow the procedure for **Viewing Voter Matches** to view the Notifications Hopper.

The Hopper Notifications Summary page is displayed with the data grid populated.



Note: Unread Hopper Notifications appear bolded in the data grid. Notifications that have already been read are not bolded.

Note: The data grid may be filtered by using the filter fields above the data grid.

2. Perform one of the following:

To...	Then...
View Hopper Notification Detail...	Click the date of the Hopper Notification that you wish to view in the Date column.
Mark a Hopper Notification as read...	<ol style="list-style-type: none"> 1. Select the Hopper Notification that you wish to mark as read by selecting the checkbox <input checked="" type="checkbox"/> that corresponds with it. 2. Select Mark as Read from the Select Action drop down menu. 3. Click the Update button.
Mark a Hopper Notification as unread...	<ol style="list-style-type: none"> 1. Select the Hopper Notification that you wish to mark as read by selecting the checkbox <input checked="" type="checkbox"/> that corresponds with it. 2. Select Mark as Unread from the Select Action drop down menu. 3. Click the Update button.
Delete a Hopper Notification...	<ol style="list-style-type: none"> 1. Select the Hopper Notification that you wish to mark as read by selecting the checkbox <input checked="" type="checkbox"/> that corresponds with it. 2. Select Delete from the Select Action drop down menu. 3. Click the Update button.
Mark all Hopper Notifications as read...	Click the Mark All Read button.
Send a Hopper Notification to another user or users...	<ol style="list-style-type: none"> 1. Click the New Message button. 2. Select the user to whom you wish to send a message by clicking them in the Available field. 3. Click the Select button to add the user to the Selected field.

	<p><i>Note:</i> You may remove users from the notification by selecting their username in the Selected field and clicking the Remove button.</p> <ol style="list-style-type: none">4. Repeat steps 2 and 3 until all desired users are included.5. Enter your message into the Message field.6. Click the Send button. <p><i>Note:</i> Click the Cancel button to return to the Hopper Notifications Summary screen without sending a message.</p>
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EXHIBIT E

ALEXANDRIA CITY
Office of Voter Registration
132 N Royal ST Ste 100
Alexandria, VA 22314-9896

E-mail: voters@alexandriava.gov
Website: <http://www.alexandriava.gov/Elections>

Phone: 703-746-4050
Fax: 703-838-6449

TO: 


DATE: 5/29/2024

NOTICE OF INTENT TO CANCEL

We have received information that you indicated on a recent DMV application that you are not a citizen of the United States. If the information provided was correct, you are not eligible to register to vote. If the information is incorrect and you are a citizen of the United States, please complete the Affirmation of Citizenship form and return it using the enclosed envelope. If you do not respond within 14 days, you will be removed from the list of registered voters.

If you believe this notice has been issued in error or have any questions about this notification, please call the Office of General Registrar.


ANGIE MANIGLIA TURNER
General Registrar
City of Alexandria

Supp. App. 0172

EXHIBIT G

Voter Registration Cancellation Notice

This office has cancelled the voter registration of [REDACTED] (date of birth [REDACTED]). That action was taken on the basis of official notification from the Virginia Department of Elections that you failed to timely respond to a request to affirm your United States Citizenship within the 14 days allowed by the Code of Virginia (§24.2-427). Therefore, this office has stricken your name from the Voter Registration List of ARLINGTON COUNTY.

If you believe the removal of [REDACTED] from the Voter Registration List is incorrect, please contact this office at 703-228-3456.

Declared Non-citizen

EXHIBIT K

The screenshot shows a mobile browser view of a YouTube video. The browser's address bar at the top displays the URL: <https://perma.cc/5GQ6-RUQD?type=standard>. The video player interface includes a blue header with the text "This is a Perma.cc record" and "Captured October 14, 2024, 12:41 pm". Below this, there are "View Mode" options for "Standard" and "Screenshot", and a "Show record details" link. The video player itself is mostly black, with a white sign-in prompt in the center: "Sign in to confirm you're not a bot. This helps protect our community. Learn more" and a "Sign in" button. To the right of the video player, the video title "PWC Electoral Board Meeting - September 30, 2024" is visible, along with a "Subscribe" button, the channel name "EOPWC Elections" with "61 subscribers", and a "Unlisted" status. At the bottom of the player, there are icons for likes (4), comments, shares, and a save option.

EXHIBIT M



VACIR
Virginia Coalition
for Immigrant Rights

August 20, 2024

Via Email

FOIA Officer
Office of the Governor
Patrick Henry Building
1111 East Broad Street
Richmond, VA 23219
foia@governor.virginia.gov

FOIA Officer
Office of the Attorney General
202 North 9th Street
Richmond, VA 23219
foia@oag.state.va.us

FOIA Coordinator
Department of Elections
Washington Building
1100 Bank Street, First Floor
Richmond, VA 23219
foia@elections.virginia.gov

FOIA Officer
Department of Motor Vehicles
Data Management Services
Attn: FOIA
P.O. Box 27412
Richmond, VA 23269
foia@dmv.virginia.gov

Dear FOIA Officers,

We are writing your offices pursuant to the Virginia Freedom of Information Act (“VFOIA”), Va. Code § 2.2-3700 *et seq.*, and the Public Disclosure of Voter Registration Activities provision of the National Voter Registration Act of 1993 (“NVRA”), 52 U.S.C. § 20507(i), to request copies of all records relating to the removal from the voter registration rolls of Virginia registered voters on the basis that they have been identified as a “non-citizen.” According to Executive Order Number Thirty-Five (2024), issued August 7, 2024, and titled “Comprehensive Election Security Protecting Legal Voters and Accurate Counting” (hereinafter “EO-35”), attached for reference, 6,303 alleged non-citizens were removed from the voter rolls between January 2022 and July 2024.

Please respond individually to each of the numbered requests below noting whether (1) responsive records have been provided, (2) no responsive records exist, or (3) responsive records exist but are being withheld. If a record does not exist, or exists but is not in the possession of your office, please explicitly say so, and indicate which office, if any, is in possession of the record, including the proper custodian’s name and email address. Please provide partially redacted records wherever non-exempt information is commingled with exempt information, and provide detail to the fullest extent possible the subject and volume of any withheld information. If responsive records are withheld in full or redacted in part, please specify each statutory exemption you believe justifies the nondisclosure and provide a description of the contents withheld, including subject matter, number of pages, and the date(s) of the record(s).



Please include any responsive records in the possession of your office, regardless of who created them. This request covers all records from January 15, 2022, through the date of your response. Specifically, we request:

1. All records relating to the removal from the voter registration rolls of Virginia registered voters on the basis that they have been identified as a non-citizen, including, but not limited to, all notes, correspondence, emails, memoranda, reports, drafts, studies, proposals, requests, agendas, call logs, calendar entries, transcripts, minutes, budgetary and financial documents, and electronic and other data used for the identification and removal from the voter registration rolls of Virginia registered voters on the basis of non-citizenship, and other records of any kind. Specifically, and at a minimum, this should include:
 - a. All communications between your offices and between your offices and local registrars relating to the removal from the voter registration rolls of Virginia registered voters on the basis that they have been identified as a non-citizen.
 - b. All records relating to the “multi-agency data-sharing protocols and standards developed by the working group called for in Executive Order [31],” including all records evidencing all aspects of the process used to “ensure the accuracy, reliability, privacy, and timeliness of the data used for list maintenance,” as described in EO-35.
 - c. All “data collected by the DMV that identifies non-citizens,” as described in EO-35, and all other records evidencing any other data or information, including the sources of any and all data and other information, used by any of your offices to identify Virginia registered voters who are potential non-citizens.
 - d. All records evidencing all aspects of the process by which the Department of Motor Vehicles, “[w]hen issuing a credential such as a driver’s license... verifies applicants’ proof of identity and legal status with the Department of Homeland Security Systematic Alien Verification for Entitlements (SAVE) database and the Social Security Administration database,” as described in EO-35, including any memoranda of understanding or other agreements by any of your offices with any other state or federal agency related to the use of SAVE or any other program or database related to the identification of potential non-citizens.
 - e. All records evidencing all aspects of the processes by which the Department of Elections “uses [data from the DMV] to scrub existing voter rolls and remove non-citizens who may have purposefully or accidentally registered to vote,” “[r]emove[s] individuals who are unable to verify that they are citizens to the Department of Motor Vehicles from the statewide voter registration list,” and “compares the list of individuals who have been identified as non-citizens to the list of registered voters and then registrars notify any matches of their pending cancellation unless they affirm their citizenship within 14 days,” as described in EO-35, including the process by which the Department of Elections confirms that the individuals identified as potential non-citizens are in fact non-citizens and that these individuals do in fact correctly “match” the individual registered voters.



- f. All records relating to any individual erroneously identified as a potential non-citizen, including any individuals who established their citizenship following receiving a notice, the means by which their citizenship was established or otherwise confirmed, and any steps taken by your offices to ensure that this same type of error is not repeated.
 - g. All records relating to public communications concerning the identification and removal from the voter registration rolls of Virginia registered voters on the basis that they are a potential non-citizen, including all records evidencing your office's awareness of the potential effects of such public communications in intimidating or otherwise dissuading eligible voters from registering to vote or voting.
 2. All records relating to the development and establishment of Virginia's current policy and process for the removal from the voter registration rolls of Virginia registered voters on the basis that they have been identified as a non-citizen, including, but not limited to, all notes, correspondence, emails, memoranda, reports, drafts, studies, proposals, requests, agendas, call logs, calendar entries, transcripts, minutes, budgetary and financial documents, and electronic and other data, and other records of any kind.
 3. All records relating to any investigation by any of your offices of alleged non-citizens for registering to vote or voting, including any actions taken by your offices to refer alleged non-citizens for investigation by Commonwealth's Attorneys or any other offices.
 4. All mail and electronic communications between your office and any Virginia registered voters who have been identified as potential non-citizens, including both prior to removal and upon or after removal, and including any return communications from the voter. A representative sample of each form letter or electronic communication may be provided in lieu of individual communications where the form does not differ across communications and where there is no response from the voter.
 5. All records evidencing the supervision, reporting structure, training, and guidelines provided to the staff assigned by your office to any aspect of the process for the identification and removal from the voter registration rolls of Virginia registered voters on the basis that they are a potential non-citizen, including, but not limited to, all guidelines, procedures, policies, practices, manuals, training program and materials, and other records governing the staff assigned to any aspect of the process, including all drafts and final versions of said records.
 6. An electronic spreadsheet containing a list of all Virginia registered voters who have been removed from the voter registration rolls on the basis that they have been identified as a "non-citizen" since January 15, 2022, and all information contained in the voter file for each individual, including, but not limited to, the initial date of registration, the method of registration, the date(s) of any change(s) in their voter registration status, their voting history, the date of removal, the source and nature of any information used to determine their citizenship status, and the date(s) of any correspondence with the voter.

We prefer to receive copies of all records electronically, so long as the records are legible. Please send all responsive documents via email to monica@vacir.org, and please copy the individuals listed in the cc section of this request. Consistent with the VFOIA and NVRA, we are prepared to pay for the actual and reasonable costs of collection and copying the requested records, and



ask that you provide an estimate of such costs, should they exceed \$200, in advance of supplying the requested records.

Consistent with the VFOIA, your office must respond to this request within five (5) working days beginning the day after receipt. If it is logistically impossible for you to fully respond to this request within the five-day period, your office must state this in writing and explain the circumstances necessitating an extension of no more than seven (7) additional working days to fully respond.

Thank you for your attention and cooperation with this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Monica Sarmiento".

Monica Sarmiento
Executive Director
Virginia Coalition for Immigrant Rights
monica@vacir.org

cc:

Ryan Snow (rsnow@lawyerscommittee.org)

Javon Davis (jdavis@lawyerscommittee.org)



*Commonwealth of Virginia
Office of the Governor*

Executive Order

NUMBER THIRTY-FIVE (2024)

COMPREHENSIVE ELECTION SECURITY PROTECTING LEGAL VOTERS AND ACCURATE COUNTING

By virtue of the authority vested in me as Governor, I hereby issue this Executive Order to protect the casting of legal ballots by legally eligible voters in Virginia's elections, including with stringent ballot security, complete and thorough counting machine testing, and best-in-the-nation voter list maintenance.

Importance of Initiative

In Virginia, we have established a comprehensive approach and continuous improvement process for election security, which is necessary to ensure that individuals cast legal votes. The Virginia model for securing elections has proven itself over the past few years despite the significant expansion of voting days and locations and the lingering effects of the pandemic on state and local governments. Under my Administration, Virginia has made unprecedented strides in improving the accuracy of our voter list including substantial updates for removal of deceased voters and protection against non-citizen registration.

Recent improvements we have made include establishing comprehensive data-sharing agreements with seven states and receiving additional data from 42 states.

We conducted multiple National Change of Address mailings over the past two years and will continue to conduct them. This process identifies individuals who no longer reside in Virginia. The streamlined process for eliminating deceased voters includes accessing a national death record database and conducting a comprehensive audit. This resulted in us removing 79,867 deceased voters in 2023.

Virginia is one of only three states in the nation that require those registering to vote to provide their full 9-digit social security number for registration. Over ninety percent of voters in Virginia submit electronic registration applications online through the Department of Elections (ELECT), which requires a valid Department of Motor Vehicles (DMV) credential, or submit registration applications when conducting transactions with DMV.

DMV requires applicants to submit proof of identity and legal presence for those that do not yet hold a valid Virginia credential. When issuing a credential such as a driver's license, DMV verifies applicants' proof of identity and legal status with the Department Homeland Security Systematic Alien Verification for Entitlements (SAVE) database and the Social Security Administration database.

All data collected by the DMV that identifies non-citizens is shared with ELECT, which uses it to scrub existing voter rolls and remove non-citizens who may have purposefully or accidentally registered to vote. According to data from ELECT, between January 2022 and July 2024, records indicate we removed 6,303 non-citizens from the voter rolls.

Executive Order 31 reinforced the need for timeliness of interagency data. The multi-agency data sharing protocols and standards developed by the working group called for in the Executive Order ensure the accuracy, reliability, privacy, and timeliness of the data used for list maintenance.

The audits we conduct of Virginia's list maintenance practices have not only been effective but have also earned national recognition for robust list maintenance improvements and new initiatives. This recognition is a testament to the fairness, transparency, and legality of Virginia's voting process, which includes:

- 100% paper ballots which provide a physical record of the voter's intent
- Use of paper ballot counting machines, not voting machines
- Strict chain of custody for ballots with daily reconciliation during early voting
- Application required to receive a mail ballot - no mass mailing of ballots
- Counting machines tested prior to every election
- Counting machines not connected to the internet
- Drop boxes under 24/7 monitoring

As we continue to make improvements, the Commonwealth will remain steadfast in its efforts to provide Virginians with the confidence they deserve in their elections. Our election security model is designed to prevent illegal votes and guarantee legal votes are accurately counted. However, security procedures can only be as strong as the state and federal law which governs voting. Further strengthening of Virginia's election security system will rely on strengthening state and federal law.

Directive

Accordingly, pursuant to the authority vested in me as the Chief Executive Officer of the Commonwealth, and pursuant to Article V of the Constitution of Virginia and the laws of the Commonwealth, I hereby direct all relevant Secretariats and Agencies to take the following actions:

Certification of Election Security Procedures

In order to maintain the collaboration and coordination between internal and external parties necessary to maintain the highest level of security, the Commissioner of the Department of

Elections shall certify annually in writing to the Governor that the following election security procedures are in place, including the training of registrars regarding these critical procedures, and that the Commonwealth's system of checks and balances to maintain secure elections is functioning optimally.

1. Ballot Security:
 - a. There is a documented chain of custody for paper ballots with daily reconciliation during early voting.
 - b. Ballots are tracked through every step of the process.
 - c. In precincts on election day and during early voting, ballots cast are reconciled against the number of voters checked in and number of ballots distributed to voters.
 - d. Absentee ballots must be requested by a registered voter before being mailed.
 - e. Marked absentee ballots may not be counted until the last four digits of a voter's social security number and year of birth provided on the envelope are matched to the voter's record in the statewide voter registration system.
 - f. Use of provisional ballots for the Same Day Registration process, which requires that these ballots are not counted in the precinct but go back to the registrar's office for determination of eligibility and adjudication by the Electoral Board.
 - g. 100% paper ballots are used in Virginia and are retained by clerks of court for 22 months.

2. Counting Machine Testing and Certification
 - a. Virginia does not use "voting machines" just paper ballot counting machines.
 - b. No ballot counting machines are connected to the internet.
 - c. All counting machines are certified to state and federal standards.
 - d. Every piece of equipment utilized in the voting and counting process, such as electronic pollbooks, is tested before use in a polling place.

3. Triple-Check of Election Result Accuracy
 - a. Officers of election check election results at the precinct level on election night.
 - b. Electoral Boards check elections results at the locality level in the post-election canvass.
 - c. Department of Elections staff check elections results at the state level through results review and audits prior to certification.

Certification of Accuracy of Voter Lists

The Commissioner of the Department of Elections shall certify in writing to the Governor that the following election security procedures are in place to protect voter lists:

1. Daily Updates to the Voter List to:
 - a. Add new eligible voters.
 - b. Remove voters who have moved in accordance with federal and state law.
 - c. Remove deceased voters.

- d. Remove ineligible voters, including felons and mentally incapacitated.
 - e. Remove individuals who are unable to verify that they are citizens to the Department of Motor Vehicles from the statewide voter registration list, should that individual either intentionally or unintentionally attempt to register to vote, in accordance with federal and state law.
 - f. The Department of Elections compares the list of individuals who have been identified as non-citizens to the list of existing registered voters and then registrars notify any matches of their pending cancellation unless they affirm their citizenship within 14 days.
2. When issuing a credential such as a driver's license, DMV verifies applicants' proof of identity and legal status with the Department Homeland Security Systematic Alien Verification for Entitlements (SAVE) database and the Social Security Administration database.

Referral for False Claims of Citizenship

The Department of Motor Vehicles shall expedite the interagency data sharing with the Department of Elections of non-citizens by generating a daily file of all non-citizens transactions, including addresses and document numbers.

In accordance with the *Code of Virginia* § 24.2-429, all registrars are required to cancel the registrations of non-citizens who have registered to vote in a local, state, or federal election by falsely claiming that they are a citizen, including the forging of documentation or any other means of improper registration. *Code of Virginia* § 24.2-1019 additionally requires said registrars to immediately notify the Commonwealth's Attorney for their jurisdiction of this alleged unlawful conduct. Additionally, the Office of the Attorney General has full authority to enforce election laws pursuant to *Code of Virginia* § 24.2-104.

Awareness Campaign for Election Security

The Department of Elections shall encourage and provide information to all general registrars to post or provide to voters directly regarding election-related offenses and their punishments (Title 24.2, Chapter 10 of the *Code of Virginia*), including:

- § 24.2-1000. Intimidation and threats toward election officials; penalty.
- § 24.2-1002.1. Unlawful disclosure or use of social security number or part thereof.
- § 24.2-1004. Illegal voting and registrations.
- § 24.2-1009. Stealing or tampering with ballot containers, voting or registration equipment, software, records or documents.
- § 24.2-1007. Soliciting or accepting bribe to influence or procure vote.
- § 24.2-1016. False statements; penalties.

All state agencies that register individuals to vote shall post the aforementioned information in a conspicuous place or provide it to applicants directly.

Given under my hand and under the Seal of the Commonwealth of Virginia this 7th day of August, 2024.



Glenn Youngkin
Glenn Youngkin, Governor

Attest:

Kelly Gee
Kelly Gee, Secretary of the Commonwealth

EXHIBIT R

Jones, Cheryl Sue

From: Norcutt, Matthew (ELECT) <Matthew.Norcutt@elections.virginia.gov>
Sent: Monday, September 16, 2024 9:14 AM
To: Jones, Cheryl Sue
Cc:
Subject: RE: 90-day voter cancellation & non-citizen hopper

Hello Cheryl,

You would continue to process cancelations. Per the NVRA (2)(A) A State shall complete, not later than 90 days prior to the date of a primary or general election for Federal office, any program the purpose of which is to systematically remove the names of ineligible voters from the official lists of eligible voters.

(B) Subparagraph (A) shall not be construed to preclude-

- (i) the removal of names from official lists of voters on a basis described in paragraph (3)(A) or (B) or (4)(A) of subsection (a); or
- (ii) correction of registration records pursuant to this chapter.

Removing non-Citizens would be considered correction of the voter records which is precluded from the 90-day prohibition.

Thanks,

Matthew Norcutt

Elections and Registration Specialist
Virginia Department of Elections
1100 Bank St 1st Floor
Richmond, VA 23219
804-801-6435
matthew.norcutt@elections.virginia.gov

Department of Elections Email Disclaimer:

This message, including any attachments, may summarize laws, regulations and policies of the Virginia Department of Elections or the Commonwealth of Virginia. Furthermore, this message and any responses sent to this email address may be subject to public disclosure under FOIA. For more information, please call the Virginia Department of Elections at 1-800-552-9745 or visit <https://www.elections.virginia.gov/e-mail-disclaimer/index.html>.

From: Jones, Cheryl Sue <CherylSue.Jones@fairfaxcounty.gov>
Sent: Friday, September 13, 2024 1:17 PM
To: Norcutt, Matthew (ELECT) <Matthew.Norcutt@elections.virginia.gov>
Subject: 90-day voter cancellation & non-citizen hopper

Caution: This Email Originated Outside ELECT. Exercise Caution When Opening Attachments or Clicking Links, Especially From Unknown Senders.

Good afternoon Matthew,

The GREB handbook instructs in 8.4.1:

Cancellations under any list maintenance program must be made no later than 90 days before the date of the next federal primary or general election.

The reference in NVRA

52 USC 20507: Requirements with respect to administration of voter registration (house.gov)

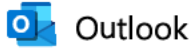
This would appear to include the program to cancel non-citizens, so we're surprised Elect is populating the non-citizen hopper. Should we not act on voters in the non-citizen hopper until after the election?

Best regards,
Cheryl

Cheryl Jones

Deputy Director / Deputy General Registrar
Fairfax County Office of Elections
12000 Government Center Pkwy Suite 323
Fairfax, VA 22035
T: 703-324-7739
Fairfaxcounty.gov/Elections

Exhibit 3



FW: Follow up

From Jhaveri, Sejal (CRT) <Sejal.Jhaveri@usdoj.gov>

Date Mon 10/14/2024 5:31 PM

To Remlinger, Brian (CRT) <Brian.Remlinger@usdoj.gov>; Muench, Kevin (CRT) <Kevin.Muench@usdoj.gov>

📎 1 attachments (145 KB)

Full Analysis Non-Citizens VERIS Review.pdf;

From: Olsen, Eric <EOlsen@pwcgov.org>
Sent: Monday, October 14, 2024 12:45 PM
To: Jhaveri, Sejal (CRT) <Sejal.Jhaveri@usdoj.gov>
Subject: [EXTERNAL] RE: Follow up

Per your request, please find the attached document which covers the research completed by our staff on this topic at the request of my Electoral Board.

Eric Olsen
Director of Elections/General Registrar
Prince William County Office of Elections
www.pwcvotes.org
9250 Lee Ave Suite 1
Manassas, VA 20110
703-792-6470 (Office)

From: Jhaveri, Sejal (CRT) <Sejal.Jhaveri@usdoj.gov>
Sent: Monday, October 14, 2024 11:14 AM
To: Olsen, Eric <EOlsen@pwcgov.org>
Cc: Remlinger, Brian (CRT) <Brian.Remlinger@usdoj.gov>
Subject: Follow up

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Registrar Olsen,

Thank you for speaking with us recently. We would like to request a copy of the research you apparently sent to the Prince William County Electoral Board referenced in your comments at the September 30 Electoral Board meeting. Thank you for considering the request.

Thanks,

Sejal Jhaveri
Trial Attorney
U.S. Department of Justice
Civil Rights Division
Voting Section

(202) 305-7376
(202) 532-5610 (cell)
Pronouns: she/her/hers

From: [Olsen, Eric](#)
To: [Scarborough, Keith](#); [Dillon, Mark](#); [Steverson, London](#)
Subject: Full Analysis Non-Citizens VERIS Review
Date: Friday, May 17, 2024 6:55:00 PM

You all asked me to look into what Jeff Fuller reported as “31 voters in PRINCE WILLIAM COUNTY cast 74 illegal ballots” and that he believes we should “consider referring this matter to the PWC Commonwealth Attorney and the Attorney General for investigation of class six felony voting law violations.” These are incorrectly assumed facts on his part and indicative of a lack of understanding of the process.

SUMMARY:

After thoroughly reviewing a larger data pool than reported, this data demonstrates NO basis that any “illegal ballots” have been cast by individuals nor any grounds for appropriately referring the matter to the Commonwealth’s Attorney. If anything, there is ample and consistent evidence that these individuals are fully qualified U.S. citizens who have had their voter registration cancelled due to an honest mistake and poor form design. Our office is complying with all state list maintenance procedures and legal obligations.

RESEARCH AND DATA SET

Natalia Taylor and I investigated this matter and I want to thank her for doing a lot of research on this matter. During an active election, this issue took up roughly 5 combined days of our time to examine voting records in depth and explain the nuance here. We both worked additional unpaid hours beyond our required hours to not interrupt our election-related duties.

We looked at nearly the last year of data (a wider data set than that reported by Mr. Lareau) from May of 2023 through February of 2024 during which 162 voters have been cancelled for the VERIS reason “declared non-citizen.”

It should be noted that this reason is a VERIS classification and is NOT dispositive of the individuals not being citizens nor of documentation challenging their citizenship. Among the 162 cancellations we reviewed:

- Roughly $\frac{3}{4}$ of this group has never cast a ballot.
- Only 43 individuals have a voting history ranging mostly between 2012-2020.

EVIDENCE OF CITIZENSHIP

In looking at the specific cohort of 43 voters with voting history, here are three important commonalities:

1. All 43 individuals have a voter registration application where they affirmed being a US citizen.
2. All 43 individuals indicated a social security number that can generally only be obtained by a US citizen.
3. All 43 individuals were cancelled after updating their information at the DMV.

DMV FORM CHALLENGES

If an individual does not affirm their citizenship on their initial application, their registration would have been DENIED. However, these individuals were CANCELLED. And the reason they were cancelled is NOT because ELECT received information they are illegally in the country, but likely due to failure to check a box. Take a look at the DMV's form and looks at why a voter might miss this question on this particular form:

<https://www.dmv.virginia.gov/sites/default/files/forms/dl1p.pdf>

If you notice, the location of the citizenship question is in the top of the form OUTSIDE the form's main application. It could easily be confused as an "Office Use Only" section. Additionally, with these forms on clipboards, the citizenship section could be partially or fully covered to someone using the form. Furthermore, we know voters sometimes make mistakes on forms in general. There are several important notes here:

1. The DMV form makes missing this question more likely than occurs on voter registration forms.
2. ELECT does not receive images of the DMV forms (the data is simply transferred), so ELECT has limited data and acts to cancel the registration in the absence of more specific information or an application image.
3. A voter's registration is NOT cancelled if a voter that has already affirmed their citizenship on their registration form simply omits answering the question on an update form.

So, this is a special circumstance where the form design and process create cancellations for citizens that have provided ample evidence of their citizenship. While it is unfortunate, we have noted many times that there are certain responsibilities you have in registering and voting to maintain your right. And much like a mail ballot with missing information, an omission here can change the outcome. These voters are sent a notice of their pending cancellation, but the timeframe to respond is very short, they may not receive it, might ignore it, and/or may have language barriers that prevent understanding it.

With same-day registration, these voters have an option that enables them to register and vote if they are unfairly cancelled. Anecdotally, we have a number of voters who have complained to our office about being cancelled because of this DMV process after decades of being registered and being citizens born in this country. We work to assist them in correcting the issue.

FURTHER ANALYSIS

After being triggered to be cancelled by the DMV omission, these voters do have two weeks to reverse the cancellation and affirm their status. We know that 26 of the 43 voters here either moved, re-registered, or affirmed their registration after the cancellation. The remaining 17 did not take action, but that does not indicate they are not legal citizens given barriers discussed previously and solid evidence they have usually repeatedly affirmed their citizenship on non-DMV forms. I researched some voters among this list who had checked the "Yes" box on past voter registration forms three to five times over many years. We confirmed every one of the 43 individuals has at least one citizen affirmation.

While I have no grounds to assume they cast invalid ballots, in the worst-case and highly unlikely scenario that these 17 people are not citizens, they make up 0.005% of PWC voters. Over the many years of elections we are talking about, the impact if all 17 of these voters were not valid would be approximately 0.0038% of election results. We have to deal with some imperfection in the system and stating our process is 99.996% accurate in a worst-case scenario is pretty excellent. But again, we have direct evidence these are extremely likely to still be qualified valid voters and who were qualified voters that cast legal ballots at the time they voted. There is no actual evidence of that worst-case scenario, but it is provided to demonstrate how unusually rare this is.

CONCLUSION

After review of a data set of 162 PWC voters cancelled for “non-citizen” status over the past 10 months, voters who cast ballots (43) prior to their registration cancellation were duly registered and met the requirements to vote in Virginia at the time they voted. ALL of the 43 voters affirmed their citizenship on their original voter registration form (many reaffirmed it 2-5 subsequent times as well), provided social security numbers, and were cancelled due to an omission at the DMV, a form with known shortcomings in design and data transfer limitations. Such a cancellation is required under VA Code 24.2-427 and does not occur if the voter simply has an omission when they complete a normal voter registration update if they have already affirmed their citizenship previously. Even after this type of cancellation (a VERIS term, not a description of the process), many of these voters reaffirmed their citizenship, moved, or re-registered to restore their registration status. Our office is following the correct protocols of Virginia Code and ELECT guidelines in processing these cancellations, even if it is unfortunate for many of these qualified voters. Several pieces of evidence common to ALL of them indicate they are qualified citizens. No law requires an omission of citizenship (after it had been affirmed) to be reported to legal authorities. No evidence exists that demonstrates any ballots were cast illegally. No judgment of the circumstances and facts here would make it a remotely appropriate use of my time or authority to report citizens who did not commit a crime, but who have already confirmed multiple times they are citizens and missed seeing a box on a poorly designed form.

Eric Olsen

Director of Elections/General Registrar

Prince William County Office of Elections

www.pwcvotes.org

9250 Lee Ave Suite 1

Manassas, VA 20110

703-792-6470 (Office)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ALABAMA COALITION FOR)
IMMIGRANT JUSTICE, *et al.*,)

Plaintiffs,)

v.)

Case No.: 2:24-cv-01254-AMM

WES ALLEN, in his official)
capacity as Alabama Secretary of)
State, *et al.*,)

Defendants.)

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

Case No.: 2:24-cv-01329-AMM

STATE OF ALABAMA and)
WES ALLEN, in his official)
capacity as Alabama Secretary of)
State,)

Defendants.)

THIRD DECLARATION OF CLAY HELMS

My name is Clay Helms. I am over the age of 19 and competent to provide testimony in this matter. The facts I have set out below are based upon my personal knowledge and/or the records of the Alabama Secretary of State’s office maintained in the ordinary course of business.

Exhibit T

1. I am the Chief of Staff for Secretary of State Wes Allen, a position I have held since Secretary Allen took office in January 2023.

2. My original declaration in these consolidated cases explained that the noncitizen letter process began with 3,251 individuals, of whom 453 were already Inactive before the August letters were ever sent.

3. My second declaration noted that, as of when PowerProfile was checked on October 8, 2024, of the original 3,251 individuals, **1,049** were **Active**, **2,043** were **Inactive**, and **159** were **Disqualified**, irrespective of whether PowerProfile contains a scanned copy of the submitted Voter Removal Request, NVRA-25. (For more information about this last category, please see paragraphs 56 and 57 of my original declaration.)

4. The Secretary of State's office has now instructed the Registrars to promptly make 1,025 individuals Active.

5. In response to criticism of the methodology used by the Secretary of State's office in developing the original list of 3,251 individuals, I reached out to ALEA on or about September 25, 2024 to ask for further assistance.

6. On September 25, 2024, I emailed ALEA a list of 1,462 individuals for whom our evidence of noncitizenship had come from the Alabama Department of Labor. This is the same list that had been sent to the Board of Registrars with the

September template letter on September 18, 2024. (That email to the Registrars had an Excel file for ALEA matches and an Excel file for Labor matches.)

7. I asked ALEA to try to match these 1,462 individuals to individuals in its own records and, for any matches, inform me if the last issued credential (driver's license or non-driver ID) was a foreign national (FN) credential.

8. ALEA performed the matching analysis using last name, date of birth, and last four digits of the Social Security number.

9. On Friday, October 11, 2024, I received the list back from ALEA with all 1,462 individuals included. ALEA had added data indicating which individuals were matched and which individuals had FN credentials.

10. ALEA matched 1,442 individuals. Twenty individuals were not matched. Seventy matched individuals were last issued FN credentials.

11. I sent the Excel file to Adam Alexander, who is the Director of our Information Systems Division. I instructed Director Alexander to use the October 8, 2024 snapshot to add status, status reason, and status change date to each of the 1,462 records.

12. When I got the Excel file back from Director Alexander with the status, status reason, and status date change information added, I removed a number of individuals from the file. The following paragraphs describe which categories of individuals I removed, but are not intended to specify the sequence of removal.

13. I removed from the list the 20 individuals whom ALEA did not match.

14. I removed from the list the 70 matched individuals for whom ALEA had most recently issued FN credentials.

15. I removed from the list matched individuals who were in Active status.

16. I removed from the list matched individuals who were in Disqualified status.

17. I removed from the list matched individuals who were in Inactive status for reasons other than noncitizen letter process, *e.g.*, the general NVRA purge program or because of undeliverable mail. The status reason data allows me to see why a particular individual is Inactive. The status reason for the noncitizen letter process is PCV, which stands for Pending Citizenship Verification.

18. After my removals, there were 1,025 individuals on the list whom ALEA has verified were last issued a regular credential—not a FN credential—but who were made Inactive during the noncitizen letter process.

19. I sent the Excel file with 1,025 individuals to Director Alexander and instructed him to add the county name for each individual using the October 8, 2024 snapshot.

20. Thereafter, Director of Elections Jeff Elrod emailed the Boards of Registrars on the evening of Friday, October 11, 2024 as follows:

Dear Registrars:

Attached is a list of voters from the ongoing citizenship verification process who are currently in the “Inactive” status. After further data analysis, these individuals have been verified and, upon your review of this spreadsheet, need to be made “Active.” Once you have changed these voters to an active status, you then need to mail a voter identification card to the voter. This process must be completed by the end of business on **Tuesday, October 15**. Once you have changed the status and generated the notice to be mailed, please confirm to me that this has been completed.

If you have any questions, please let me know.

Thanks,
[signature block omitted]

21. Monday, October 14, 2024, is a State and federal holiday.

22. As Director Elrod explains, the 1,025 individuals should be made Active. Once each individual is made Active, he or she will be able to vote in the 2024 General Election without taking any further steps attributable to the noncitizen letters.

23. Further, Director Elrod instructed the Registrars to send a Voter Information Card, like the one in Exhibit 28 to my original declaration, to each individual to confirm the voter has been made Active. The card will also have polling place information.

24. The following table shows how many individuals are on the list for each county. Counties that do not have anyone on the list are not included.

County	Number of Individuals
Autauga	18
Baldwin	59
Barbour	6
Blount	2
Bullock	2
Chambers	7
Chilton	9
Choctaw	2
Clarke	5
Crenshaw	3
Cullman	2
Dale	9
Dallas	10
Dekalb	12
Escambia	13
Etowah	24
Franklin	5
Geneva	4
Greene	3
Hale	1
Henry	4
Houston	24
Jackson	9
Jefferson	221
Lamar	3
Lauderdale	18
Lawrence	1
Lee	2

County	Number of Individuals
Limestone	19
Lowndes	4
Madison	105
Marengo	8
Marion	4
Marshall	15
Mobile	167
Monroe	5
Montgomery	97
Perry	4
Pike	8
Russell	10
Shelby	50
St. Clair	17
Sumter	2
Talladega	17
Walker	8
Washington	1
Wilcox	6

25. Making each of the 1,025 individuals Active and creating each Voter Information Card, which is populated by PowerProfile, is fairly quick and easy by comparison to the process of sending the template letters. Quite a few counties have low numbers of individuals for whom they need to take these actions. Jefferson County, Madison County, Mobile County, and Montgomery County have staffs.

26. Keep in mind that, as noted in my original declaration at ¶ 62, Director Elrod had instructed the Registrars back on September 5, 2024 that: “For cases where you run the verification check on the existing driver license and/or last four of social security number, and the system responds that either number is verified, you may change the voter’s status back to “Active” (unless the voter was inactivated for a separate reason). The verification procedure confirms their eligibility and no further action is needed by the voter.” This email is Exhibit 23 to my original declaration.

27. The verification procedure that Director Elrod is referring to, like the matching process described in this declaration, involves checking Inactive voters against ALEA’s records, though the verification process Director Elrod references can also check against the Social Security database.

* * *

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 17, 2024.



Clay Helms
Chief of Staff
Office of the Secretary of State
State of Alabama

EXHIBIT A

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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ALABAMA COALITION FOR IMMIGRANT JUSTICE; LEAGUE OF WOMEN VOTERS OF ALABAMA EDUCATION FUND; ALABAMA STATE CONFERENCE OF THE NAACP; ROALD HAZELHOFF; JAMES STROOP; CARMEL MICHELLE COE; and EMILY JORTNER,

Plaintiffs,

v.

WES ALLEN, in his official Capacity as Alabama Secretary of State; STEVE MARHSALL, in his capacity as Alabama Attorney General; and JAN BENNETT, BARRY STEPHENSON, CINDY WILLIS THRASH, and SHEILA COX BARBUCK, in their official capacities as Chairs of Boards of Registrars of Elmore, Jefferson, Lee, and Marhsall Counties,

Defendants.

UNITED STATES OF AMERICA, Plaintiff,

v.

STATE OF ALABAMA and WES ALLEN, in his official capacity as Alabama Secretary of State,

Defendants.

CASE NO. 2:24-CV-01254-AMM

CASE NO: 2:24-cv-01329-AMM

**** MOTION HEARING ****

BEFORE THE HONORABLE ANNA MANASCO, UNITED STATES DISTRICT JUDGE, at Birmingham, Alabama, on Wednesday, October 16, 2024, commencing at 10:10 a.m.

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APPEARANCES

FOR THE PLAINTIFF, ALABAMA COALITION FOR IMMIGRANT JUSTICE, et al.

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FOR THE DEFENDANTS:

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Proceedings reported by stenographic court reporter, transcript produced using computer-aided transcription.

Transcript prepared by:
Kelli M. Griffin, RPR, CSR
Official Court Reporter

1 (Proceedings commenced at 10:10 a.m. in open court.)

2 THE COURT: All right. Good morning, everybody.

3 MR. FREEMAN: Good morning, Your Honor.

4 MR. DELHEIM: Good morning.

5 THE COURT: All right. While I get set up, let's take
6 appearances.

7 Who do I have for the United States?

8 MR. FREEMAN: Dan Freeman on behalf of the United
9 States.

10 MR. DELHEIM: Richard Delheim for the United States.

11 MS. SLATER: Kelli Slater for the United States.

12 THE COURT: All right. Good morning to all of you.

13 All right. Who do I have for the private plaintiffs?

14 MS. HUDDLESTON: Kathryn Huddleston from Campaign
15 Legal Center, Your Honor. And with me are my colleagues,
16 Danielle Lang, Kate Hamilton, and Shilpa Jindia.

17 MR. MCGUIRE: Good morning, Your Honor. Joseph
18 McGuire for the private plaintiffs.

19 THE COURT: All right.

20 MS. COHEN: Good morning, Your Honor. Michelle Kanter
21 Cohen from Fair Elections Center for the private plaintiffs.

22 THE COURT: Okay. Is that everybody? All right.

23 Good morning to all of you.

24 All right. Who do I have for the State defendants?

25 MR. OVERING: Robert Overing for State defendants.

1 MS. MESSICK: Misty Messick for the State defendants.

2 MR. WOODARD: Scott Woodard for State defendants.

3 THE COURT: All right. Good morning to all of you.

4 Okay. I appreciate everyone's diligent work yesterday and
5 received all of the submissions and communications overnight,
6 and so I am prepared to proceed this morning unless anybody has
7 anything else we need to take up.

8 All right. Okay. These cases are before the Court on two
9 motions to dismiss by the State defendants, a motion for a
10 preliminary injunction by the United States, and a motion for
11 preliminary injunction by the private plaintiffs.

12 The cases are presently consolidated, and at the hearing
13 on some of the issues raised on the motions for a preliminary
14 injunction yesterday, the Court received evidence and heard
15 testimony from Mr. Clay Helms who serves as the Chief of Staff
16 to the Alabama Secretary of State. At the Court's direction,
17 the evidence and argument yesterday was to be limited to the
18 issue of the 90-day provision. During the hearing, all parties
19 agreed that testimony taken was admissible in both cases
20 currently pending before the Court.

21 At the conclusion of the hearing yesterday, I shared my
22 preliminary views of the evidence and argument and afforded the
23 parties a final opportunity to resolve the matter overnight.
24 The parties engaged in discussions but were not able to agree
25 on a resolution.

1 So in connection with the forthcoming written order, the
2 Court now makes the following findings of fact and conclusions
3 of law. The Court emphasizes that what follows is limited to
4 the issue of the 90-day provision. Federal law imposes a
5 deadline for programs like the one currently before the Court
6 and Secretary Allen's office blew the deadline for the 2024
7 general election with real consequences for thousands of
8 Alabamians who the Secretary now acknowledges are, in fact,
9 legally entitled to vote. Accordingly, the Court will find
10 that a preliminary injunction should issue and will not harm
11 the State's ability to investigate and prosecute noncitizens
12 who try to vote in Alabama.

13 At the present time, the Court will make no other findings
14 or conclusions about any of the other issues in the cases. As
15 to the preliminary injunction standard, the Court first finds
16 that the United States is substantially likely to succeed on
17 the merits of its claim that the Secretary of State violated
18 the 90-day provision of the National Voter Registration Act of
19 1993, 52 U.S.C. Section 20507(c)(2)(a). The Court's finding in
20 this regard rests entirely on undisputed facts, testimony by
21 Mr. Helms on behalf of Secretary Allen and the State of
22 Alabama, and concessions by counsel for the State defendants.

23 The 90-day provision states that a state shall complete,
24 not later than 90 days prior to the date of a primary or
25 general election for federal office, any program, the purpose

1 of which is to systematically remove the names of ineligible
2 voters from the official list of eligible voters.

3 The Court first turns to the issue whether the process
4 undertaken by Secretary Allen's office was a program for
5 purposes of the 90-day provision. Under controlling Eleventh
6 Circuit precedent, the statutory term, "any program" has a
7 broad meaning and encompasses programs of any kind. That's the
8 Arcia case at page 1344.

9 In its closing argument, counsel for the State defendant
10 stated his awareness of the discussion of the word "any" by the
11 Eleventh Circuit in Arcia and stated that we're not fighting so
12 much that this isn't a program. And consistent with that
13 acknowledgment, the Court finds that Secretary Allen's
14 announced process fits within the broad meaning based on a
15 plain reading of the statute and Arcia. Because the program
16 modified voter lists on a basis, other than registrant's
17 request for removal, criminal conviction, or mental incapacity,
18 or death, the program was subject to the 90-day provision under
19 52 U.S.C. Section 20507(c)(2)(b). In deed, if the Secretary's
20 process here is not a program within the meaning of the
21 National Voter Registration Act, it's difficult for the Court
22 to imagine what would qualify as a program.

23 The Court next turns to the question whether the program
24 was completed 90 days before an election for federal office.
25 Per Secretary Allen's August 13th, 2024 press release, which is

1 Doc. 49-1 in the CM/ECF record, the Court finds that the
2 program at issue here was initiated 84 days prior to the
3 general election to be held in 2024. The Court further finds
4 that the program remains ongoing to this day, as reflected by
5 multiple declarations from Mr. Helms detailing the actions his
6 office has taken in recent days and weeks in connection with
7 the program.

8 The State defendants conceded, at page 169 of the rough
9 transcript yesterday, that the program was not completed
10 outside the 90-day period. And in response to questions from
11 the Court, Mr. Helms testified that the program would affect
12 the upcoming 2024 general election. As to the issue whether
13 the purpose of the program was to remove the names of
14 ineligible voters from the official list of eligible voters,
15 the Court finds Secretary Allen's August 13th, 2024 press
16 release was titled "Secretary of State, Wes Allen, implements
17 process to remove noncitizens registered to vote in Alabama."
18 The Court finds that that press release stated that Secretary
19 Allen is instructing the Board of Registrars in all 67 counties
20 to immediately inactivate and initiate steps necessary to
21 remove individuals who are not United States citizens.
22 Mr. Helms testified yesterday that the Secretary stands behind
23 that press release to this day, and he testified yesterday that
24 the program has multiple purposes, one, for noncitizens to
25 remove themselves and, two, for citizens to update their voter

1 information. In his deposition, Mr. Helms testified that the
2 purpose was to remove noncitizens that were already on the
3 rolls illegally and were potentially voting. That's Exhibit 46
4 at page 74, line 18. Because the program targeted alleged
5 noncitizens for ultimate removal from the voter registration
6 list, and based on Mr. Helms's deposition testimony, the Court
7 finds that the purpose of the program was to remove ineligible
8 voters from the official list of eligible voters for purposes
9 of the 90-day provision.

10 The Court now addresses the question whether the purpose
11 of the program was to remove ineligible voters systematically.
12 Mr. Helms testified that the basic methodology for creating the
13 list of 3251 Alabamians was to take information on anyone who
14 provided noncitizenship data to the Alabama Law Enforcement
15 Agency or the Alabama Department of Labor and crosscheck it
16 with the voter file. This methodology was also described by
17 Secretary Allen's office in a letter to the Department of
18 Justice on September 19th, 2024, which is at Doc. 49-7 in the
19 record. Voter removal programs based on mass computerized
20 database matching, such as what is done here or what was done
21 here, are systematic programs under controlling Eleventh
22 Circuit precedent. That's at page 1344 of the Arcia case.

23 Additionally, Mr. Helms testified that he understood that
24 in any process using data, you're going to have the potential
25 for false positives for other issues. And this testimony

1 indicates that Mr. Helms understood that when the Secretary's
2 office generated lists that put voters on a path to removal as
3 part of the program, that process was systematic in nature.

4 The State argues that nevertheless, removals in the
5 program are not systematic because the process merely invites
6 individual voters to engage in a case-by-case dialogue with the
7 State about their eligibility to vote. The Court rejects this
8 interpretation because it, A, misses the reality that putting
9 voters on a path to removal is systematic in this program, B
10 runs afoul of Arcia's rule that programs use a mass
11 computerized data-matching process are definitionally
12 systematic, and, C, would allow mass computerized data-matching
13 programs to completely evade the 90-day provision, which is
14 inconsistent with the text and purpose of the statute.

15 Finally, the rote use of template letters by County Boards
16 of Registrars in all of Alabama's counties, templates that were
17 provided by the Secretary, illustrates the systematic nature of
18 the path to removal that the program created.

19 For the following reasons, the Court finds that the United
20 States is likely to establish that the Alabama Secretary of
21 State's program is covered by the 90-day provision and violated
22 it. The State defendants raised two primary arguments against
23 this finding, and the Court now turns to those. One is about
24 the timing of removals that may occur as part of the program,
25 and one is about marking voters as inactive on the rolls. The

1 Court will reject both arguments.

2 First, the State defendants argue that there's no
3 statutory violation here because no removals have occurred or
4 will occur before the 2024 election, other than self-removals,
5 and the 90-day provision bars only removals during that time
6 frame. Testimony from Mr. Helms does indicate that other than
7 self-removals no removals have occurred to date in connection
8 with the program, and the only removals, other than
9 self-removals, that will occur, will happen in connection with
10 the 2028 election. But this does not undo the reality that the
11 purpose of the program is to systematically remove ineligible
12 voters from the rolls, which is what brings it within the reach
13 of the statute. And as a practical matter, the Secretary's
14 communications to registrars and voters in August of 2024 were
15 in the context of the 2024 general election. The August press
16 release and August letters stated that voters were on a path to
17 removal from the rolls, and it directed them about resolving
18 that issue before the 2024 general election. It said nothing
19 about 2028. The State defendants make a number of statutory
20 interpretation arguments to the effect that the 90-day
21 provision does not bar the operation of programs within 90 days
22 of an election; it bars only systematic removals within that
23 timeframe. But based on answers to the Court's questions
24 yesterday, the State defendants take this argument too far, so
25 far as to allow the Secretary of State to commence a program

1 with the purpose of systematically removing ineligible voters
2 from the rolls merely 80 days before the election, tell voters
3 as a part of that program that they have been removed, and
4 escape liability for a statutory violation on a ground that, in
5 truth, that removal has not been accomplished. This
6 interpretation would read the words "purpose" and "complete"
7 out of the statute and give them no meaning. The Court thus
8 rejects the State defendants' statutory arguments on those
9 grounds as well as for the other statutory interpretation
10 reasons articulated by the United States on rebuttal at the
11 close of the hearing yesterday.

12 Second, the State defendants argue that there is no
13 violation of the 90-day provision because so far voters have
14 only been inactivated as a part of this program, unless they
15 have self-removed, and inactive voters may still cast a ballot.
16 But the testimony of Mr. Helms and the letters to voters
17 themselves made clear that inactivation is just a precursor
18 step on the path to removal, so the fact that to date the
19 Secretary's office has only inactivated voters as part of the
20 program does not change the fact that the purpose of the
21 program is to remove ineligible voters for the rolls.

22 The Court next turns to the issue of whether irreparable
23 harm will occur in the absence of preliminary injunctive
24 relief, and the Court has no difficulty finding that following
25 the Secretary's violation of the 90-day provision, both the

1 United States and voters in Alabama will suffer irreparable
2 harm in the absence of preliminary injunctive relief. First,
3 the harm to the United States is clear as a matter of law.
4 Under controlling precedent, the United States suffers an
5 injury when its valid laws in a domain of federal authority are
6 undermined by impermissible State action. That's United States
7 versus Alabama 691 f.3rd 1269 at 1301 decided by the Eleventh
8 Circuit in 2012. Second, the harm to Alabama voters is obvious
9 and has been obvious to the Secretary since he began this
10 program. Based on the Secretary's own evidence of harm to
11 voters offered in this case in the last four days, the Court
12 rejects unequivocally legal counsel's argument that there is no
13 harm to voters but only a slight inconvenience. In this
14 regard, the Court makes the following specific findings:

15 One, the Secretary's August 13th, 2024, press release made
16 clear that the Secretary understood that because of the way
17 that the lists were generated, the program would put some
18 citizens on a path to removal even though they are eligible to
19 vote. In that press release, Secretary Allen stated that some
20 of the individuals who were issued noncitizen identification
21 numbers, since receiving them, have become naturalized citizens
22 and are therefore eligible to vote.

23 Mr. Helms -- two, Mr. Helms testified yesterday that he
24 and Secretary Allen understood that this error and other
25 inclusion errors would occur as part of the program because,

1 quote, in any process using data, you are going to have the
2 potential for false positives or other issues, end quote.

3 Three, Mr. Helms also testified yesterday that he and
4 Secretary Allen had no idea how high the error rate would be
5 when the program began back in August.

6 Four, according to Mr. Helms's declarations and his
7 testimony yesterday, since the program began, the Secretary has
8 learned information that has caused his office to conclude that
9 more than 2,000 of the 3,251 voters originally on the list were
10 inaccurately inactivated, and those voters have been
11 reactivated. Accordingly, the error rate is admitted at well
12 more than 50 percent. Of the remaining approximately 1,000
13 voters, the record does not establish how many were
14 inaccurately inactivated.

15 Five, despite knowing that errors would occur, Secretary
16 Allen referred everyone on the list, all 3,251 people to
17 Attorney General Marshall via letter, hand-delivered, on August
18 13th, 2024, for criminal investigation.

19 Six, despite knowing now that he inaccurately referred
20 more than 2,000 Alabamians for criminal investigation,
21 Mr. Helms testified that Secretary Allen has taken no steps to
22 correct his inaccurate referral.

23 Seven, counsel from the Attorney General's office told the
24 Court yesterday that the Attorney General takes referrals of
25 criminal activity by other constitutional officers very

1 seriously, which comes as no surprise to the Court.

2 Eight, additionally, the plaintiffs developed evidence, a
3 podcast interview of Secretary Allen, that before this program
4 was implemented, Secretary Allen was aware of the 90-day
5 provision and knew that under federal law the State could not
6 engage in certain kinds of voter roll maintenance within the 90
7 days preceding a federal election.

8 Accordingly, the Court has no difficulty finding that the
9 Alabamians who were and/or remain inaccurately inactivated on
10 the voter rolls and who were and/or remain referred for
11 criminal investigation as a part of this untimely program have
12 been harmed by those actions, and that harm will continue to
13 occur absent preliminary injunctive relief.

14 The Court now turns to the balancing of the equities
15 knowing that Congress designed the NVRA to carefully balance
16 the four competing purposes of the statute. The equities favor
17 injunctive relief when the balance Congress struck is upset
18 through noncompliance with the 90-day provision, and as Arcia
19 explains, quote, at most times during the election cycle the
20 benefits of systematic programs outweigh the costs because
21 eligible voters who are incorrectly removed have enough time to
22 rectify any errors. In the final days before an election,
23 however, the calculus changes, end quote. The whole point of
24 the 90-day provision as set forth in Arcia is to be very
25 cautious about programs that may systematically remove and have

1 the purpose of systematically removing voters on the eve of an
2 election.

3 As previously explained, Mr. Helms's own testimony,
4 together with evidence that is not in dispute, establishes that
5 Alabama's untimely program worked real harms to Alabama voters
6 mere weeks before the 2024 general election. It led them to
7 believe that they needed to take action to ensure their ability
8 to cast a ballot in that election, and it led the Secretary to
9 inaccurately refer thousands of Alabamians for criminal
10 investigation by the State's chief law enforcement officer.
11 The Secretary's efforts to reactivate large numbers of voters
12 during the pendency of this lawsuit underscores the Secretary's
13 understanding of this harm.

14 Mr. Helms has submitted three declarations which in total
15 established that the Secretary's office has directed the
16 reactivation of more than 2,000 voters of the 3,251 who were
17 inactivated as part of the program. Mr. Helms testified about
18 one instance in which a voter was inaccurately instructed by a
19 county registrar to complete a self-removal form even though
20 that voter is eligible to vote. That evidence was the
21 declaration of Mr. Clarence Hunter, an active Alabama voter
22 from Russell County, and that declaration was submitted by the
23 plaintiffs. Mr. Helms testified that the registrar did not
24 follow the instructions and that the Secretary's office worked
25 to address that harm.

1 On the other side of the equity scale, based on
2 Mr. Helms's testimony, it appears that through this program,
3 the Secretary has identified a handful, at least four, perhaps
4 as many as ten, perhaps more, noncitizens who were somehow on
5 Alabama's voter rolls. In any event, Alabama will suffer no
6 undue prejudice as a result of a preliminary injunction
7 because, A, the Secretary can -- could and should have acted
8 earlier and, B, the Secretary still has the ability to remove
9 noncitizens from the rolls on the basis of individualized
10 information despite the 90-day provision.

11 Based on the foregoing admissions and findings, the Court
12 rejects the State defendants' argument that for the purposes of
13 evaluating the equities the program has at most caused only a
14 slight inconvenience to inactivated voters that has now been
15 resolved. This was not a no-harm, no-foul instance of
16 noncompliance with the 90-day provisions, and the equities
17 counsel strongly in favor of preliminary injunctive relief.

18 As to the public interest factor, the public interest, the
19 public has a clear interest in the enforcement of federal
20 statutes that protect constitutional rights, especially voting
21 rights, under *United States v. Raines*, which is 362 U.S. 17 at
22 page 27, a 1960 decision of the United States Supreme Court.
23 That public interest is served by enforcing federal statutes
24 that are meant to reduce systematic programs that are
25 disruptive to the last 90 days of a federal election cycle, and

1 this is especially applicable in the facts of this case.

2 The State argues that the public interest is served by
3 removing noncitizens from voter rolls in Alabama, and that's
4 certainly true, but the Court's orders today will in no way
5 limit the State's authority to investigate and prosecute
6 noncitizens who try to vote in elections in Alabama. Under
7 Arcia and the Court's orders, the 90-day provision does not,
8 quote, bar a state from investigating potential noncitizens and
9 removing them on the basis of individualized information even
10 within the 90-day window, end quote.

11 So to repeat what the Court said and expressed earlier,
12 Federal law imposes a deadline for programs like this one.
13 Secretary Allen's office blew the deadline for the 2024 general
14 election, and that had real consequences for the thousands of
15 Alabamians who the Secretary now acknowledges are, in fact,
16 legally entitled to vote.

17 The Court finds that a preliminary injunction should
18 issue, will not harm the State's ability to investigate and
19 prosecute noncitizens who try to vote in Alabama. And the
20 Court will not make, at this time, any other findings or
21 conclusions about any other issues in the case.

22 A written order will issue momentarily that will grant, in
23 part, the United States motion for a preliminary injunction,
24 reserve ruling on the motion for preliminary injunction filed
25 by the private plaintiffs, deny, in part, the State defendants'

1 motion to dismiss as to the claim asserted by the United
2 States, and reserve ruling as to the remainder of the motions
3 to dismiss in both cases.

4 Is there anything else we need to take up while we're
5 together?

6 MS. MESSICK: May we be heard on exactly what the
7 injunction will be?

8 THE COURT: Well, I won't limit your opportunity to
9 make a record today, but, I mean, the opportunity to submit
10 proposed orders was open until 6:30 this morning. But if there
11 are arguments you would like to make as to what the injunction
12 should be, I can hear them now.

13 MS. MESSICK: Okay. Thank you, Your Honor. We had
14 some feedback on the proposal that the United States made and
15 some concerns. Do you want to --

16 MR. OVERING: Well, it shouldn't be -- shouldn't be
17 long, and I understand that it may already be written and may
18 issue imminently. But we had concerns primarily about the
19 deadline about three days to comply with all of these things.
20 It takes time not only to figure out the status of the people
21 on the list and provide those updates that are in the Helms'
22 declarations, to communicate with 67 boards of registrars to
23 put together personalized letters and to get those out the
24 door. And, you know, if three days being Saturday, that's a
25 lot different than three business days, which could mean Monday

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C E R T I F I C A T E

I certify that the foregoing is a correct transcript
from the record of proceedings in the above-entitled matter.

Dated: 10/16/2024



Kelli M. Griffin, RPR, CSR

Exhibit B



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

the Handbook

Chapter 8

List Maintenance

August 2024

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8. List Maintenance

REFERENCE ELECT's Annual List Maintenance Reports	ADDITIONAL RESOURCES EAC Fact Sheet: List Maintenance and NVRA
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8.1 CHAPTER ORGANIZATION

Federal law (the National Voter Registration Act, hereafter “NVRA”) requires each state to have a program that makes a reasonable effort to remove the names of ineligible voters from the official list of registered voters.¹ Virginia meets this requirement in part through the Code of Virginia §24.2-427, which requires the general registrar to cancel registrations under certain conditions.² These processes are called list maintenance.

This chapter seeks to equip elections officials with the background, law, and practical “how-to” to follow list maintenance practices that comply with federal and state laws. §8.1 defines maintenance and list data sources such as the Department of Motor Vehicles and Central Criminal Records Exchange which ELECT is required to provide general registrars. §8.2 shows the federal law underpinning Virginia’s VERIS list maintenance system and introduces the topics of §8.3 and §8.4, the cancellation and confirmation programs.

8.1.1 Definition of List Maintenance

List maintenance is the process by which elections officials retain accurate and current lists of registered voters. The basic framework for list maintenance is set forth in Article 5 of Chapter 4 of Title 24.2.³ These provisions implement the NVRA.⁴



The Department of Elections must promptly provide, and general registrars must act upon within **30 days**, information regarding list maintenance (deceased, moved outside locality of residence, felony conviction, adjudication of incapacity, declared noncitizen who has not timely affirmed U.S. citizenship, other disqualification provided by law).⁵

8.1.2 ELECT Information Exchange

The Department of Elections must receive, review, and provide to registrars the following information:

- A monthly list of all persons convicted of a felony during the preceding month and a comprehensive annual list of all persons ever convicted of a felony from Virginia’s Central Criminal Records Exchange (CCRE);⁶
- a weekly list of all persons 17 years of age or older who have died in the Commonwealth from the Virginia Department of Health;⁷

¹ See the “National Voter Registration Act” [52 USC §20507\(a\)\(4\)](#).

² See the Code of Virginia [§24.2-427](#).

³ See the Code of Virginia [§24.2-427](#) et seq.

⁴ NVRA, [52 USC §20501](#) et seq.

⁵ See the Code of Virginia [§24.2-404\(A\)\(4\)](#).

⁶ See the Code of Virginia [§24.2-409](#).

⁷ See the Code of Virginia [§24.2-408](#).



- duplicate registrations identified from comparing other states’ registration and voting information with annual reporting⁸ to the General Assembly which can be found online at [Voter List Maintenance Report webpage](#).
- information exchanges with other state election officials.⁹

8.1.3 Restoration of Rights

Registrars also have increased responsibilities to detect and remove felons and determine restoration of rights. The Code of Virginia §24.2-427 requires general registrars to conduct a pre-election review “within 21 to 14 days before any primary or general election”.¹⁰

8.2 FEDERAL AND STATE LAWS GOVERNING LIST MAINTENANCE

8.2.1 National Voter Registration Act (“NVRA”)

NVRA mandates that each state develops and maintains programs to ensure accurate and current voter registration rolls. These list maintenance programs are required to be **uniform, nondiscriminatory and in compliance with the Voting Rights Act**.¹¹ NVRA does not permit a list maintenance system to remove the name of a voter from the list because of failure to vote, to prohibit selective or discriminatory voter removal practices. NVRA divides the required list maintenance programs into two major areas: cancellations and confirmations.

8.2.2 VERIS List Maintenance: Confirmation and Cancellation

As per the Code of Virginia §24.2-404(1), list maintenance programs requirements of NVRA are managed through the Virginia Election and Registration Information System (“VERIS”).¹² Through VERIS, it is possible to add or cancel registrants, maintain records of “Active” and “Inactive” voters, generate reports of transactions and activity, track the origin of registration applications, maintain records of confirmation mailings, and interface with other State agencies.¹³

⁸ See LIS Reports to the General Assembly, required as per the Code of Virginia [§24.2-404](#) (F), report pending.

⁹ See Code of Virginia [§24.2-404.4](#).

¹⁰ See Code of Virginia [§24.2-427](#).

¹¹ See [Voting Rights Act of 1965, 51 U.S.C. §10101 et seq.](#)

¹² See Code of Virginia [§24.2-404](#).

¹³ See GREB Chapter 9 (Records Access and Retention) (providing details on what records are available for public inspection and copying).





Frequently Asked Questions about the NVRA

Can the public request copies of voter registration applications? Yes. While elections records in VERIS are exempt from the Freedom of Information Act as per §24.2-404 (B), the National Voter Registration Act (NVRA) requires each general registrar's office to provide copies of voter registration applications submitted after July 20, 2011, and other documents relating to voter registration maintenance activities, including copies of correspondence to voters including denial letters if available. **Social security numbers and day as well as month of birth must be completely redacted before providing these applications for inspection.**

Can any member of the public request records? A request for voter registration applications invokes the NVRA, federal law which requires the provision of voter registration applications to any requestor, regardless of whether the requestor is a state resident. Regarding other records, general registrars are only obligated to provide records under the Virginia Freedom of Information Act to residents of the Commonwealth.

Under the NVRA, what are the circumstances under which Virginia can remove a person's name from the voter registration rolls? Section 8 permits States to remove the name of a person from the voter registration rolls upon the request of the registrant and, as Virginia law provides, for mental incapacity or criminal conviction. The Act also requires States to conduct a general list maintenance program that makes a reasonable effort to remove ineligible persons from the voter rolls by reason of the person's death, or a change in the residence of the registrant outside of the jurisdiction.

What is "removal at the request of the registrant"? A removal at the request of the registrant under the NVRA involves first-hand information from a registrant that can originate in at least 3 ways: 1) a registrant requesting to remove his or her name from the voting registration list, 2) a registrant completing and returning a notice card indicating an address change outside the jurisdiction, or 3) a registrant submitting a new application registering to vote a second time in a new jurisdiction, and providing information regarding the registrant's prior voter registration address on the new application, which the State can use as a request to cancel or transfer his or her prior registration. **A registrant advising of a new address within the same jurisdiction or registering to vote a second time at a new address within the same jurisdiction, should trigger an updating of the original registration, rather than its cancellation.**



8.2.2.1 Voter Confirmation Program

NVRA requires each state to conduct “regular periodic reviews”, which are maintenance programs to identify voters who may have moved from their address of registration.¹⁴ The Code of Virginia §24.2-428 implements NVRA by requiring an annual systematic review of the voter registration records to identify voters who may have moved without notifying the general registrar.¹⁵ This review will not immediately cancel a voter from the registration rolls, but does initiate the process for confirming residence addresses.

8.2.2.2 Voter Cancellation Program



Under the Code of Virginia §24.2-428, if a response to the “Confirmation Notice” is not received “in thirty days after it is sent to the voter, the registered voter's name shall be placed on inactive status”.¹⁶ This applies to registrants that were either identified by the general registrar, processed from data received from DMV, or identified through the National Change of Address (NCOA) match as having moved within or outside their locality of registration.¹⁷

Voters on “Inactive” status in VERIS can be returned to “Active” status by a voter-initiated action. Actions such as change of address, re-registration, or voting in an election can reactivate the voter.

Voters who fail to respond to an address confirmation request and fail to take any voter-initiated action for **two federal elections** will have their voter registration cancelled in the NVRA cancellation program. This cancellation function is **automated in VERIS** and occurs **after each November federal election**.

Pursuant to §24.2-703.1(D), “A voter shall be removed from the permanent absentee voter list if... the voter's registration is placed on inactive status pursuant to § [24.2-428](#) or [24.2-428.1](#).”¹⁸ VERIS does not automatically cancel or expire a voter's Permanent AB application when the voter's registration is inactivated due to non-response to NCOA mailings. Voters on the Permanent Absentee List whose registration status is set to “Inactive” due to non-response to NCOA mailings will need to have their Permanent AB applications manually cancelled by the locality that approved their Permanent AB application.

¹⁴ See 52 USC §20507(a)(4)(B).

¹⁵ See Code of Virginia §[24.2-428](#).

¹⁶ *Id.*

¹⁷ See 52 USC [§20507\(d\)\(2\)\(A\)](#).

¹⁸ See Code of Virginia §[24.2-703.1\(D\)](#).



VERIS

Follow these steps to cancel or expire Permanent AB applications of voters inactivated due to non-response of NCOA mailings:

1. Open the attached spreadsheet.
2. Filter the list to show only your locality.
3. For each voter on the list in your locality:
 - a. Search for the voter from the Absentee Search in VERIS.
 - i. Click the pencil icon beside the unexpired, approved Permanent AB application on the Absentee History page.
 1. If you do not have the pencil icon, it may indicate that another locality approved the application. If so, contact the locality or submit a Jira ticket to have the application expired.
 - ii. Cancel or expire the application.
 1. To cancel the application, change the Application Status to "Cancelled or Duplicate".
 2. To expire the application, change the Expiration Date to the date the Voter Registration records were inactivated for NCOA.
 - iii. Change the status reason to "Expired or Cancelled due to Inactivated Voter Registration for NCOA Mailing Non-Response".
 - iv. Click "Save".
4. Once all applications in the list for your locality have been cancelled or expired, notify your ERS Specialist by email.

**8.2.2.3 NVRA-Mandated Records Access**

Lists of voters whose registration have been cancelled under this program are available for public inspection and copying.¹⁹ The general registrar must post the list at the courthouse, or have it published in a newspaper of general circulation, in the general registrar's community.²⁰ The general registrar must provide a certified copy of the list to the chairman of each political party in the locality. An electoral board may approve accepting a registrar's electronic read email receipt as equivalent to a certificate of mailing to the party chair required by Virginia law.²¹

¹⁹ See [52 U.S.C. §20507\(i\)](#). See Code of Virginia [§24.2-444\(A\)](#).

²⁰ See Code of Virginia [§24.2-429](#).

²¹ *Id.*



8.3 CANCELLATION PROGRAM

8.3.1 Deceased Voters

The name of a person who is known to be deceased must be removed from the voter registration rolls.²² In order to *know* that a voter is deceased for purposes of cancellation, local registrars should receive reliable information that provides certainty of the death. There are many sources that provide such information, including:

- Confirmation of death by deceased voter’s family or estate (Requires the ELECT 427B Form)²³
- Confirmation of death by registrar or deputy registrar who personally knows the deceased voter (Requires the ELECT 427B Form)
- Records from the State Registrar of Vital Records processed through the hopper.
- Records from local health officials
- A death certificate.
- An obituary posted in a newspaper distributed within the locality or on a website of a licensed funeral home (Requires the registrar or deputy to complete the ELECT 427B Form)
- NAPHSIS requests submitted to ELECT via JIRA Ticket

The Code of Virginia §24.2-404.3 requires ELECT to compare the voter lists with records belonging to the Bureau of Vital Statistics and the Social Security Administration (SSA). The Department of Elections complies with the requirement to match the SSA death list annually by October 1.²⁴ Additionally, the State Registrar of Vital Records is required to transmit a *weekly* list of all persons 17 years of age or older, who have died in the Commonwealth, electronically to the Department of Elections for list maintenance purposes.²⁵ The VERIS “Hopper” and “Agency Updates” screens will reflect this information and the following steps should be taken for processing:

²² See [52 USC §20507](#) (a)(4)(A). See Code of Virginia [§24.2-427\(B\)](#).

²³ See [ELECT-427 Registration Report of Death of Registered Voter](#).

²⁴ See Code of Virginia [§24.2-404.3](#).

²⁵ See Code of Virginia [§24.2-408](#).



VERIS

Once the identity of a deceased individual has been matched with the information of the registered voter, cancel the voter registration using the VERIS “Hopper” or the “Change Status” screens. On the “Change Status” screen, select “Deceased” for the NVRA reason and place important supporting information in the “Comment” section.



- Mark the back of the application in the box provided for deceased. Include the date of death, date of deletion, and the source of the information.
- If a box is not provided, record the information on the lower right corner of the back of the application.
- Attach appropriate documentation to the back of the application or keep the documentation in a separate file. Scan documentation and attach to VERIS record.
- File the application form in the Deleted file.
- Retain and destroy application and attached documentation in compliance with the GS-01 Records Retention and Disposition Schedule.

VERIS will generate a cancellation letter expressing condolences to “The Family of” the deceased former voter. Consideration should be given to timing the mailing of the notification to allow time for grieving (about 10 days following a published death notice is appropriate). Notice of the cancellation must also be provided by email if one was provided.²⁶

8.3.2 Felony Conviction

The name of a person who has been convicted of a felony must be removed from the official list of registered voters.²⁷ General registrars have three basic responsibilities regarding felony convictions:

1. Remove names when felony information in VERIS is updated once a month and annually.
2. Review the official list of registered voters based on current information “21 to 14 days” before primary and general elections.²⁸
3. Deny registration to new applicants with felony convictions for which rights have not been restored for their most recent felony

²⁶ See Code of Virginia [§24.2-427\(B\)](#).

²⁷ See [52 USC §20507\(a\)\(3\)\(B\)](#). See Code of Virginia [§24.2-427\(B\)](#).

²⁸ See Code of Virginia [§24.2-427](#).



If a voter that previously had their rights restored commits a new felony, the individual must have their voter registration cancelled.²⁹

VERIS



Pursuant to [§24.2-409](#), each month VERIS receives updated electronic files reporting felony convictions from the Virginia State Police CCRE (Central Criminal Records Exchange). In addition, reports of felony convictions by United States District Courts are entered into VERIS, pursuant to [§24.2-409.1](#). GRs may review citizens who have had their rights restored by the Governor by visiting: <https://commonwealth.virginia.gov/judicial-system/restoration-of-rights/>. The VERIS “Hopper” and “Felon Search” screens will reflect the new information. Take the following steps:

- Process all Felony Conviction potential matches through the “Hopper.”
- Determine if a registered voter matches the Felony Conviction information. If so, approve the match to cancel the voter’s registration. Individual voters may also be cancelled through the “Change Status” screen. On the “Change Status” screen, select “Felon” for the NVRA reason and place important supporting information in the “Comment” section.

Non-VERIS Steps for Hard-Copy Applications

- Mark the box provided for “Convicted of Felony” on the back of the application. Include the date of conviction, and the State Police SID number.
- If a box is not provided, record the information on the lower right corner on the back of the application.
- Attach appropriate documentation to the back of the application or keep the documentation in a separate file. Scan the documentation and attach to the VERIS record.
- File the application in the “Deleted” file.
- Retain and destroy application and attached documentation in compliance with the GS-01 Records Retention and Disposition Schedule.
- Mail the notice generated by VERIS stating the reason for removal and any comments entered when processing the cancellation. Include an Application and Instructions for Restoration of Civil Rights Form. Notice of the cancellation must also be provided by email if one was provided.

²⁹ *Id.*





Best Practice

We suggest considering the following when processing felony conviction data:

- The information concerning a felony conviction is not always accurate. Most errors can be accounted for by administrative error, wrongful felony convictions, identity theft, or felony charges that should have been reduced to misdemeanors.
- Individuals have the right to challenge the record; the Virginia State Police (804-674-2000) provides information on the procedures to challenge the record.
- You can request a criminal history search by filing a Criminal Record Name Search (Form SP-167) with the Virginia State Police. The fee for filing this request is \$15.00.
- The Department of Elections will research to confirm accuracy of the conviction information upon request from the general registrar.
- Once an error has been corrected through State Police procedures, the individual will receive notification of the correction from the State Police or appropriate authority. Any person who wishes to be reinstated must provide this documentation to the general registrar.

Please note that persons convicted in other states or under federal law may have their rights restored by “other appropriate authority” determined by the law of the convicting jurisdiction. Other state laws may provide for restoration through much simpler or even automatic processes. Thus, a citizen moving to Virginia whose rights have been restored in the convicting state may register to vote in Virginia indicating restored felon status on the Virginia voter registration application.

8.3.3 Adjudicated Incapacitated

The name of a person who has been adjudicated incapacitated by a court must be removed from the lists of eligible registered voters unless the court order specifically provides voting rights.³⁰

Adjudications for Incapacity can only be ordered by a Circuit Court which may recognize an order from another state. **Simple commitment to an institution for treatment does not constitute an adjudication of mental incompetence or incapacity.** The Circuit Court Clerks are required to send to Department of Elections monthly reports of all persons adjudicated incapacitated.³¹ This required reporting may involve persons in other states and countries under the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.³²

³⁰ See [52 USC §20507\(a\)\(3\)\(B\)](#). See Code of Virginia [§24.2-427\(B\)](#); [§64.2-2000](#).

³¹ See Code of Virginia [§24.2-410](#).

³² See Code of Virginia [§64.2-2001](#) et seq.





Best Practice: The Department of Elections is responsible for entering relevant data into VERIS. In rare cases, the circuit clerk may forward these reports directly to your office. Please be sure to forward the reports to the Department of Elections and notify the clerk's office that the reports should be delivered to the Department of Elections. The Code of Virginia permits the Commissioner and Deputy Commissioner to determine the manner of reporting which may be electronic.

VERIS

The VERIS "Hopper" and "Mentally Incapacitated" screens will reflect the information entered by ELECT. The following steps should be taken:



- Process all potential matches through the "Hopper" that appear for the locality. The general registrar must determine if a registered voter matches the adjudication information. If so, approve the match to cancel the voter's registration. Individual voters may also be cancelled through the "Change Status" screen. On the "Change Status" screen, select "Mentally Incapacitated" as the NVRA reason and place important supporting information in the "Comment" section.

Non-VERIS Steps for Hard-Copy Applications

- Mark the box provided for "Adjudicated Incapacitated" on the back of the application. Include the date of the adjudication and the Circuit Court case number.
- If a box is not provided, record the information on the lower right corner on the back of the application.
- Attach appropriate documentation to the back of the application or keep the documentation in a separate file.
- File the application in the Deleted file.
- Retain and destroy application and attached documentation in compliance with the GS-1 Records Retention and Disposition Schedule.
- Mail the notice of cancellation generated by VERIS, stating the reason for removal and any comments entered when processing the cancellation. Notice of the cancellation must also be provided by email if one was provided.¹

A legal representative of a person under an adjudication of incapacity may petition the circuit court to make provision for voting rights. If the order is silent regarding voting rights, the person is disqualified from voting.



8.3.4 Personal Request

Anyone who wishes to cancel their voter registration for personal reasons may submit a signed written request either by mail, fax, or in person.³³ Within 10 days of receiving a notice of cancellation, the general registrar must send correspondence confirming the voter's removal. The following steps should be taken:

- Process a "Personal Request" cancellation using the VERIS "Change Status" screen. Select "Per Choice" as the reason to cancel the voter. Place important supporting information in the "Comment" section. Cancelling a voter's record through VERIS will automatically generate the required correspondence, which must be sent within ten (10) days of receipt of the request for cancellation. Notice of the cancellation must also be provided by email if one was provided.³⁴



Law Note

To cancel registration during the twenty-two (22) days before an election, the voter must make the request in person at the registrar's office or submit a written notarized request.³⁵ Voters who mail a personal request cancellation notice during the twenty-two (22) days before an election may not be cancelled for that election unless the mailed request is notarized.³⁶ The Code of Virginia §24.2-427(A) states that "Any registered voter may cancel his registration and have his name removed from the central registration records by signing an authorization for cancellation and mailing or otherwise submitting the signed authorization to the general registrar." Cancel "at least 22 days prior to an election in order to be valid in that election." The general registrar shall acknowledge receipt of the authorization and advise the voter ... that his registration has been canceled within 10 days of receipt of such authorization.

Non-VERIS Steps for Hard-Copy Applications

- Mark the box provided for "Personal Request" on the back of the application.
- If a box is not provided, record the information in the lower right corner on the back of the application.
- Scan the documentation and attach it to the cancelled VERIS record.
- Attach the documentation for the removal to the back of the application form or keep this information in a separate file.
- File the application in the Deleted file.
- Retain and destroy application and attached documentation in compliance with the GS-1 Records Retention and Disposition Schedule.
- Mail the notice of cancellation generated by VERIS, stating the reason for removal and any comments entered when processing the cancellation.

³³ See [52 USC §20507\(d\)\(1\)\(A\)](#). See also Code of Virginia [§24.2-427\(A\)](#).

³⁴ See Code of Virginia [§24.2-427\(B\)](#).

³⁵ See Code of Virginia [§24.2-427](#).

³⁶ *Id.*



8.3.5 Error

A general registrar on occasion may need to cancel voter registrations in VERIS to correct administrative error. Administrative corrections that do not actually cancel a voter do not require notice. When making corrections, please note the following types of cancellations:

- If, after approving registration, the general registrar discovers evidence of ineligibility such as omission of citizenship or a felony conviction without restoration and, if confirmation of registration has not been sent, the registrar may cancel a voter and re-enter the information correctly using the following steps:
 - Delete the voter using the VERIS “Change Status” screen. Select cancel for the reason of “Registrar Error,” or “Ineligible.” Important supporting information can be entered in the “Comment” section.
 - Re-enter the voter’s information into VERIS and deny for the appropriate reason. This action will automatically generate the required correspondence to be sent to the voter listing the reason(s) for the denial. Delete any generated correspondence regarding an approval created in error.

Non-VERIS Steps for Hard-Copy Applications

- Mark the box provided for “Denied” on the back of the application.
 - If a box is not provided, record the information on the lower right corner on the back of the application.
 - Scan the documentation and attach to the denied VERIS record.
 - Attach the documentation for the removal to the back of the application form or keep this information in a separate file.
 - File the application in the “Denied” file.
 - Retain and destroy application and attached documentation in compliance with the GS-01 Records Retention and Disposition Schedule.
 - Mail the notice of denial generated by VERIS, stating the reason(s) for removal and any comments entered when processing the cancellation/denial.
- If, after approving the registration and mailing correspondence confirming registration, the general registrar discovers evidence of ineligibility such as a felony without restoration, then the regular cancellation process under §24.2-427 must be followed. This requires the general registrar to mail notice of cancellation and the right of appeal to the voter. Follow these steps:
 - Remove the voter using the VERIS “Change Status” screen. Select “Registrar Error,” or “Ineligible” as the reason to cancel the voter. Important supporting information can be entered in the “Comment” section.
 - Notate the back of the application “Error Deleted.”
 - File the application in the “Deleted” file.
 - Scan the documentation and attach to the cancelled VERIS record.
 - Attach appropriate documentation to the back of the application or keep the documentation in a separate file.



- Retain and destroy application and attached documentation in compliance with the GS-01 Records Retention and Disposition Schedule.
 - Mail the notice of cancellation generated by VERIS, stating the reason for removal and any comments entered when processing the cancellation.
 - Notice of the cancellation must also be provided by email if one was provided.³⁷
- If, after approving the registration and mailing the confirmation correspondence, the general registrar discovers information warranting inquiry as to residence, then the general registrar may request an address confirmation mailing or initiate the hearing procedure.³⁸ Cancellation by the general registrar after a hearing is appealable to the circuit court.³⁹ The general registrar’s refusal to cancel can also be appealed by any qualified voter of the locality.



Law Note

“Any person whose registration was cancelled in accordance with the decision of the general registrar pursuant to §24.2-429, shall have the right of appeal, as provided in §24.2-422, to the circuit court of the county or city in which he offers to register. Any qualified voter of the county or city shall have the same right of appeal from the decision of the general registrar refusing to cancel the registration of any person alleged to be improperly registered.” The Code of Virginia §24.2-430.

8.3.6 Voter Now Registered in Another State

Voter registration in Virginia must be cancelled when the general registrar receives a notice signed by the voter or from a voter registration official of another state that the voter has registered in that other state.⁴⁰ These notices require the following actions:

- Process all Out-of-State cancellations on the “Change Status” screen. Select the “Out of State” box and place important supporting information in the “Comment” section.

Non-VERIS Steps for Hard-Copy Applications

- Notate the back of the application out-of-state.
- Scan relevant documentation and attach to cancelled VERIS record.
- Attach appropriate documentation to the back of the application or keep the documentation in a separate file.
- File the application in the “Deleted” file.
- Retain and destroy application and attached documentation in compliance with the GS-01 Records Retention and Disposition Schedule.

³⁷ See Code of Virginia [§24.2-427\(B\)](#).

³⁸ See Code of Virginia [§24.2-429](#).

³⁹ See Code of Virginia [§24.2-430](#).

⁴⁰ See [52 USC §20507\(a\)\(4\)](#); See Code of Virginia [§24.2-427 \(B\)](#).



- Mail the notice of cancellation generated by VERIS, stating the reason for removal and any comments entered when processing the cancellation. Notice of the cancellation must also be provided by email if one was provided.⁴¹

8.3.7 Non-Citizen

Each month the Department of Motor Vehicles (DMV) is required to furnish to Department of Elections a complete list of all persons who have indicated that they are not a United States citizen to DMV.⁴² The Department of Elections will transmit that information to the appropriate general registrar. When notification is received, the following steps should be taken.⁴³

- The general registrar is required to mail a notice of pending cancellation to each registered voter identified by DMV as a non-citizen. The voter is given 14 days from the date the notice was mailed to return a signed statement affirming citizenship.
- If the notice is returned as complete and affirmed, mark the voter as affirmed in VERIS and scan and attach the Affirmation to the voter's VERIS record.
- VERIS will automatically cancel the registration of any voter who does not respond to the notice within 21 days.
- Non-citizen cancellations are processed through the "Hopper." Determine if a registered voter matches the non-citizen information provided by the Department of Elections. If so, use "Cancel Voter" to approve the match and cancel the voter's registration. Individual voters may also be cancelled through the "Change Status" screen. On the "Change Status" screen, select "Declared Non-Citizen" for the reason and place important supporting information in the "Comment" section.

Non-VERIS Steps for Hard-Copy Applications

- Notate the reason for the cancellation on the back of the application.
- Scan and attach documentation to cancelled VERIS record.
- Attach appropriate documentation to the back of the application or keep the documentation in a separate file.
- Retain and destroy the application and attached documentation in compliance with the GS-01 Records Retention and Disposition Schedule.
- Mail the notice of cancellation generated by VERIS, stating the reason for removal and any comments entered when processing the cancellation. Notice of the cancellation must also be provided by email if one was provided.⁴⁴

⁴¹ See Code of Virginia [§24.2-427\(B\)](#).

⁴² See Code of Virginia [§24.2-410.1](#) (B).

⁴³ See Code of Virginia [§24.2-427](#) (B)(1).

⁴⁴ See Code of Virginia [§24.2-427\(B\)](#).



8.4 CONFIRMATION PROGRAM

8.4.1 Why Request Confirmation

Several factors can trigger the requirement to request a voter confirm his or her registration. These are discussed below and include the U.S. Postal Service's "National Change of Address" program analysis, a notification of out of state activity reported by the Department of Motor Vehicles, or a discrepancy noted in a voter address.

Please note that cancellation may incidentally result from this process if the voter fails to respond to a confirmation request or take other specified action for two general federal elections.⁴⁵

Cancellations under any list maintenance program must be made no later than 90 days before the date of the next federal primary or general election.⁴⁶

8.4.1.1 U.S. Postal Service's "National Change of Address"

Many states, including Virginia, use the U.S. Postal Service's National Change of Address ("NCOA") program to systematically analyze their voter registration records.⁴⁷ At least once a year, the Department of Elections uses the information in the NCOA database registry to match the voter registration addresses of all "Active" registrants in VERIS with USPS addresses. Any voter whose residence address listed in VERIS does not match the address listed with USPS is scheduled to be sent by "forwardable" mail a "Confirmation Notice" to confirm his/her residence address information.

8.4.1.2 DMV Notification of Out-of-State

Several other activities provide reasons to request a confirmation notice be sent to a voter in addition to the NCOA postal match confirmation process. One such reason is notification that the voter has relocated.

Each month VERIS receives an updated electronic file from DMV of persons who have surrendered their Virginia driver's license indicating relocation to another state. VERIS will automatically search for any potential matches of registered voters in the electronic file from DMV. The potential matches will appear in the VERIS "Hopper" for the locality. After reviewing the record, the general registrar may select the record that is a match. This will initiate a request for a "Confirmation Notice" to be sent to the voter.

8.4.1.3 Address Discrepancy

Another reason to request confirmation of a voter's address is the indication of an address discrepancy. General registrars can request a confirmation notice be sent to a registrant based upon reliable information indicating that the registrant has moved. This includes official mail returned as undeliverable or an address on a candidate petition that differs from the address of voter registration. The general registrar may also request a confirmation but should do so only if information warranting inquiry as to residence is discovered.

⁴⁵ See Code of Virginia [§24.2-428.2](#).

⁴⁶ See [52 USC §20507\(C\)\(2\)\(A\)](#).

⁴⁷ See Code of Virginia [§24.2-428](#) (defining Virginia's procedures).



Frequently Asked Questions



What if the USPS NCOA information shows that the voter moved within the same locality? Registrars should mark the voter record for confirmation.

What if the USPS NCOA data shows that the voter moved within the Commonwealth but different locality? The general registrar should forward that information to the general registrar of that locality and the voter record should be marked for confirmation.

8.4.2 ELECT's Confirmation Mailing

The Department of Elections initiates an annual "Confirmation Mailing" using the information in VERIS from the NCOA postal match and general registrar confirmation requests.⁴⁸ The steps of the "Confirmation Mailing" process are as follows:

- The program provides a data file for each identified registrant whose address does not match the United States Postal Service address.
- The data file is imported into VERIS, and "Confirmation Mailing" is recorded in the registrant's record. The data file is sent to the mail vendor. (The data file will also include registrants who were marked for confirmation mailing by the general registrar). The mail vendor prepares and mails the Confirmation Notice to registrants.
- The Confirmation Notice contains a return, postage paid card and instructions for completing the card. The notices are sent by forwarded mail and must provide the voter an opportunity to confirm or change their information.
- When Confirmation Notices are received, the information is recorded in VERIS. This data is then utilized by the general registrar for various purposes, such as updating a voter's address, transferring the voter's details to a different locality within Virginia, deregistering a voter who has relocated outside of Virginia, or performing any essential actions to keep the registration list up to date. Confirmation programs are available for public inspection and copying.⁴⁹ Registrars can request reports by accessing the VERIS Reports Library.⁵⁰

8.4.3 VERIS: How to Obtain List of Voters Whose Record was Cancelled



To obtain the listing of all voters whose record was cancelled, select the Cancelled–Other report from the VERIS Reports Library. You should use a date range to identify voters cancelled during a certain time frame such as 1/15/15 – 1/19/15. VERIS will generate a report containing public information authorized in §24.2-444.⁵¹ You should print four (4) copies of this report for distribution as follows:

⁴⁸ See [52 USC §20507\(c\)\(B\)](#).

⁴⁹ See Code of Virginia [§24.2-444\(B\)](#).

⁵⁰ See Chapter 9 Records Access and Retention for details on records available for public inspection.

⁵¹ See Code of Virginia [§24.2-444](#).



- One (1) copy must be posted at the courthouse or published in a newspaper of general circulation in your locality.
- Two (2) copies must be certified by you and delivered or mailed, obtaining a certificate of mailing, to the chair of each political party in your locality; and
- One (1) copy is for your records and available for public inspection and copying under Va. Code §24.2-444(B).⁵²



Law Note

“The Department shall provide to each general registrar, for each precinct in his county or city, lists of registered voters for inspection. The lists shall contain the name, address, year of birth, gender, and all election districts applicable to each registered voter. The lists shall be opened to public inspection at the office of the general registrar when the office is open for business. ... The Department shall provide to each general registrar lists of persons denied registration for public inspection. Such lists may be provided electronically through the Virginia voter registration system and produced in whole or in part upon a request for public inspection.”⁵³

8.4.4 Return of Registered Voter to Active Status

Pursuant to the Code of Virginia §24.2-428.2, general registrars return to active status registered voters who were placed on inactive status if the voter “notifies the general registrar of a change of address”, “responds to a confirmation notice with information that the voter continues to reside at the registration address”, “votes or attempts to vote” in a primary, special or general election or “transfers his registration to another county or city within the Commonwealth”.⁵⁴

8.4.5 Cancellation/Removal Due to Inactivity

ELECT runs list maintenance processes to identify voters whose registration should be cancelled under the Code of Virginia §24.2-428.2: “If the registered voter fails to take such action on or before the day of the second general election for federal office after the voter was placed on inactive status, the general registrar shall cancel the person’s voter registration.”⁵⁵ ELECT’s process cancels the voter registration record of those voters whose registration record has been in an “Inactive” status for two (2) successive general elections for federal office.

8.5 NATIONWIDE INFORMATION EXCHANGES

When a voter moves out of state and registers to vote in their new state, the voter should indicate to the new state that they were previously registered in Virginia. The new state should then notify Virginia that the voter wants to cancel their Virginia voter registration. The Code of Virginia §24.2-404.4 requires ELECT to attempt to establish a data sharing relationship with the neighboring states to maintain the accuracy of the voter registration list.⁵⁶ For a comprehensive

⁵² *Id.*

⁵³ *Id.*

⁵⁴ See Code of Virginia [§24.2-428.2](#).

⁵⁵ See Code of Virginia [§24.2-428.2](#).

⁵⁶ See Code of Virginia [§24.2-404.4](#).



overview of ELECT’s list maintenance practices, please visit the website and review the yearly list maintenance reports found [here](#).⁵⁷

⁵⁷ See Department of Elections website, Voter Registration and List Maintenance, <https://www.elections.virginia.gov/resultsreports/maintenance-reports/>



Exhibit D

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

VIRGINIA COALITION FOR IMMIGRANT
RIGHTS, *et al.*,

Plaintiffs,

v.

SUSAN BEALS
*in her official capacity as Virginia Commissioner
of Elections, et al.*,

Defendants.

Case No. 1:24-cv-1778 (PTG/WBP)

UNITED STATES OF AMERICA,

Plaintiff,

v.

COMMONWEALTH OF VIRGINIA, *et al.*,

Defendants.

Case No. 1:24-cv-1807 (PTG/WBP)

DECLARATION OF JUDY BROWN

I, Judy Brown, am employed by the Loudoun County, Virginia, Elections and Voter Registration Office ("Elections Office"). My official title is General Registrar, and I am a custodian of records for the Elections Office. I state that each of the records identified herein by Bates number is a true and correct duplicate of an official record in the custody of the Elections Office:

- a) USA-Loudoun-00001 to USA-Loudoun-00006
- b) USA-Loudoun-00007 to USA-Loudoun-00008

- c) USA-Loudoun-00009 to USA-Loudoun-00023
- d) USA-Loudoun-00024
- e) USA-Loudoun-00025 to USA-Loudoun-00050
- f) USA-Loudoun-00051 to USA-Loudoun-00170
- g) USA-Loudoun-00171 to USA-Loudoun-00186

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 22, 2024


JUDY BROWN

Virginia Voter Registration Application Form

Loudoun

Use this form to register to vote in Virginia or report a change in name or address. If you are already registered with your current name and address, you do not need to re-register.

- To register to vote in Virginia, you must:
- Be a United States citizen
 - Be a resident of Virginia
 - Be 18 years old by the next general election
 - Have had your voting rights restored if you have ever been convicted of a felony
 - Have had your capacity restored if you have ever been declared mentally incapacitated in a Circuit Court

Identification Requirement

For Registration: If you are registering for the first time by mail, federal law (the Help America Vote Act) requires you to provide identification the first time you vote in a federal election. Please enclose a copy of one of the following documents that shows your name and address with your application: (1) current and valid photo ID, (2) current utility bill, (3) bank statement, (4) government check, (5) paycheck, or (6) other government document. You can also present this required information at the polls, but may experience delays. If eligible to vote absentee by mail, your mailed absentee ballot will not be counted unless the required identification has been provided to your local electoral board no later than noon on the Friday following the election.

For Voting: Virginia law requires you also to provide identification when you vote in person. For information on other types of qualified identification, please visit: <http://www.sbe.virginia.gov/links/voterID> or call toll free at 1-800-552-9745 (TTY: 1-800-260-3466)

Starred (*) items are required. If you do not complete all of the items that are marked with *, your application may be denied. Once your local registrar approves your application, you will receive a voter card by mail

1 *Are you a citizen of the United States of America? YES NO *Will you be at least 18 years of age on or before the next General Election day? YES NO **If you checked "NO" in response to either of these questions, do not complete this form.**

2 Male Female * Social Security Number * Gender * Date of Birth Daytime Telephone Number
 None None
* Last Name * First Name * Full Middle or Maiden Name * Suffix (Jr., Sr., III, Etc.)

3 Residence (Permanent) Home Address Apt/Unit/Lot/Rm/Ste City/Town Zip Code

If Rural Address or Homeless, please describe where you reside E-mail address
Mailing Address (if different/Virginia PO Box or Uniformed Service Address, if applicable (include Zip Code) Name of City or County of Residence

4 *Have you ever been convicted of a felony? YES NO State where convicted
If YES, have your voting rights been restored? YES NO If YES, when restored?

5 *Have you ever been judged mentally incapacitated? YES NO
If YES, has court restored you to capacity? YES NO If YES, when restored?

6 **Registration Statement:** I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided on this form is true. I authorize the cancellation (entered in Box 7 below) of my current registration and I have read the Privacy Act Notice on the front of this form.

Signature (or mark if unable to sign) REG DATE: 12/11/2024 PCT. 509 ok 14400
If applicant is unable to sign due to a physical disability, write the name/address of person who assisted. (Required). Check if you have a disability that requires someone to assist you in order to vote.
 Protected Voter Code if applicable. See instructions.
 I'm interested in being an Election Official on Election Day. Please send me information.

7 *Previous Voter Registration Information—Commonwealth of Virginia
 No, I am not currently registered to vote in Virginia or another state. **NEW CITIZEN**
 Yes, I am registered to vote at another address in Virginia or in another state. If YES, the information below must be completed:

Full Name as Registered Date of Birth Social Security Number (last 4 digits required)
Address at which you were previously registered to vote City/Town State Zip Code

City/County/Town of Residence (if applicable). This cancellation information will be sent to the county or city and state you entered above.

Exhibit E

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

VIRGINIA COALITION FOR IMMIGRANT
RIGHTS, *et al.*,

Plaintiffs,

v.

SUSAN BEALS
*in her official capacity as Virginia Commissioner
of Elections, et al.*,

Defendants.

Case No. 1:24-cv-1778 (PTG/WBP)

UNITED STATES OF AMERICA,

Plaintiff,

v.

COMMONWEALTH OF VIRGINIA, *et al.*,

Defendants.

Case No. 1:24-cv-1807 (PTG/WBP)

DECLARATION OF JUDY BROWN

I, Judy Brown, am employed by the Loudoun County, Virginia, Elections and Voter Registration Office ("Elections Office"). My official title is General Registrar, and I am a custodian of records for the Elections Office. I state that each of the records identified herein by Bates number is a true and correct duplicate of an official record in the custody of the Elections Office:

- a) USA-Loudoun-00001 to USA-Loudoun-00006
- b) USA-Loudoun-00007 to USA-Loudoun-00008

- c) USA-Loudoun-00009 to USA-Loudoun-00023
- d) USA-Loudoun-00024
- e) USA-Loudoun-00025 to USA-Loudoun-00050
- f) USA-Loudoun-00051 to USA-Loudoun-00170
- g) USA-Loudoun-00171 to USA-Loudoun-00186

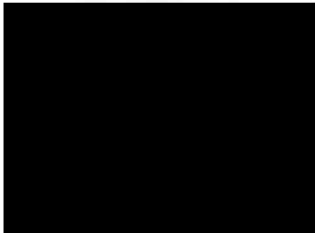
Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 22, 2024


JUDY BROWN



**COMMONWEALTH OF VIRGINIA
AFFIRMATION OF CITIZENSHIP**
§ 24.2-410.1 of the Code of Virginia



**SUBJECT TO PENALTY OF LAW, I DO HEREBY AFFIRM THAT I AM A
CITIZEN OF THE UNITED STATES OF AMERICA**

Jaebyn

SIGNATURE OF VOTER

PRINTED NAME
OF VOTER:

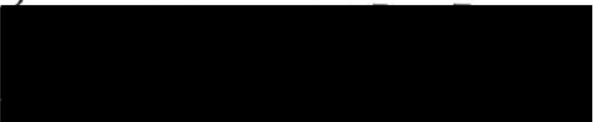


Date of birth:

Oct 1, 2004

Current address:

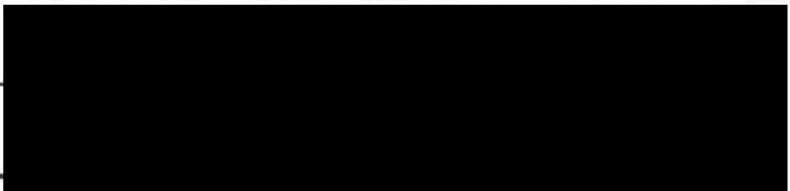
Street/P.O. Box/Apt.#
City/Town/State/Zip



Mailing address [if
different]:

Street/P.O. Box/Apt.#
City/Town/State/Zip

Daytime telephone
number:



Email address:

**> INTENTIONALLY MAKING A MATERIALLY FALSE STATEMENT ON THIS
FORM IS A FELONY. THE PUNISHMENT IS UP TO TEN YEARS IN PRISON AND
A FINE UP TO \$2,500. YOU ALSO LOSE YOUR RIGHT TO VOTE.**

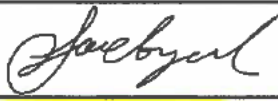
IF YOU ARE A CITIZEN, PLEASE RETURN COMPLETED FORM TO:

Office of Elections
Office of Voter Registration
750 Miller Dr SE Ste 150
Leesburg, VA 20175-7618


Received

SEP 25 2024

Loudoun County Voter Registration

Registration Type			
Voter ID		274860841	
Registration Date			
SSN		[REDACTED]	
Date of Birth		10/01/2004	
Last Name		[REDACTED]	
First Name		[REDACTED]	
Middle Name		[REDACTED]	
Suffix		[REDACTED]	
Gender		M	
US Citizen		Yes	
Residence Address			
[REDACTED]			
Locality			
LOUDOUN COUNTY			
Mailing Address			
Same as Residence			
Email		[REDACTED]	
Phone		[REDACTED]	
Military, Overseas, or Address Undeliverable or Homeless		No	
Felony conviction or judged mentally incapacitated?		No	
Protected Voter Code		Right to vote restored?	
Pollworker Interest		Registered in another state?	
		No	
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
			
Date Submitted		11/8/2023 1:57:38 PM	
Transaction #		18196301	
VRA-OVR-2 09/2017			

VIRGINIA VOTER REGISTRATION APPLICATION

Registration Type			
Voter ID		Registration Date	
SSN		Date of Birth	
Last Name		Gender	
First Name		US Citizen	
Middle Name		Yes	
Suffix			
Residence Address			
Locality			
LOUDOUN COUNTY			
Mailing Address			
Same as Residence			
Email		Phone	
Military, Overseas, or Address Indeliverable or Homeless		Felony conviction or judged mentally incapacitated?	
No		No	
Protected Voter Code		Right to vote restored?	
Pollworker Interest		Registered in another state?	
		No	
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
			
Date Submitted		Transaction #	
11/8/2022 11:21:31 AM		4344692	
VRA-OVR-2 09/2017			

Same Day Registration - Virginia Voter Registration Application

Starred (*) items are required. If you do not complete all of the items that are marked with *, your application may be denied. (See instructions on reverse side).

1. YES NO
 * I am a citizen of the United States of America. * Full social security number: [REDACTED] No SSN was ever issued.
 * Date of birth: 10/01/2004 * Gender: M

2. * Last name: [REDACTED] Jr. Sr. II III IV (Circle if applicable) None
 * First name: [REDACTED] * Middle name: [REDACTED]
 * Residence address (May not be a P.O. Box): [REDACTED] Apt # [REDACTED]
 * City/Town/Village: [REDACTED] * ZIP: [REDACTED]
 E-mail: [REDACTED] Phone: [REDACTED]

3. * Have you ever been convicted of a felony or judged mentally incapacitated and disqualified to vote? YES NO * If YES, has your right to vote been restored? YES NO

4. I am an active-duty uniformed services member, spouse or dependent or an overseas citizen.
 I am providing a mailing address (below) because my residence address is not serviced by the U.S. Postal Service or I am homeless.
 I am providing a Virginia P.O. Box (below) to protect my residence address from public disclosure because I or a household member is/has:
 An active/previously law enforcement officer, judge, U.S. or Virginia Attorney General
 Attorney. Been granted a court issued protective order.
 In fear for personal safety from being threatened or stalked by another person.
 A participant in the Virginia Attorney General's Address Confidentiality Program.
 Been approved to be a foster parent.
 My mailing address (Complete only if you have checked a box in this section):

5. I am currently registered to vote in another state: _____ (Indicate state of previous registration)

6. I am interested in being an Officer of Election (poll worker) on Election Day. Please send me information.

7. **AFFIRMATION:** I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided on this form is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.

* Signature: [Handwritten Signature] Today's date: [REDACTED]
 By checking this box, I affirm both that I am an individual with physical disabilities and the Affirmation Statement above. Pursuant to Article I, § 7 of the Constitution of Virginia, individuals with physical disabilities are not required to sign the application for voter registrations.

Virginia Voter Registration Application Receipt

The application collector must submit your completed application within 10 days or by the deadline to register for the next election, whichever comes first. You can check your voter registration status online at www.elections.virginia.gov/registration. If you do not receive confirmation of your voter registration status within 30 days, contact your local voter registrar or the Virginia Department of Elections.

Date application received: _____

Name, phone and e-mail of office, group or individual receiving application: _____

Thank you for applying to vote in Virginia!

VAE000-1 01/19



**COMMONWEALTH OF VIRGINIA
AFFIRMATION OF CITIZENSHIP**

§ 24.2-410.1 of the Code of Virginia

**SUBJECT TO PENALTY OF LAW, I DO HEREBY AFFIRM THAT I AM A
CITIZEN OF THE UNITED STATES OF AMERICA**

[Handwritten signature] _____
SIGNATURE OF VOTER

PRINTED NAME
OF VOTER: _____

Date of birth: *04/23/2006*

Current address: _____ Street/P.O. Box/Apt.# _____

Mailing address [different]: _____
OPENTEXT™

Daytime telephone number: _____
Captiva

Email address: _____
Unlicensed Evaluation Version

**> INTENTIONALLY MAKING A MATERIALLY FALSE STATEMENT ON THIS
FORM IS A FELONY. THE PUNISHMENT IS UP TO TEN YEARS IN PRISON AND
A FINE UP TO \$2,500. YOU ALSO LOSE YOUR RIGHT TO VOTE.**

IF YOU ARE A CITIZEN, PLEASE RETURN COMPLETED FORM TO:

Office of Elections
Office of Voter Registration
750 Miller Dr SE Ste 150
Leesburg, VA 20175-7618

Received

SEP 26 2024

Loudoun County Voter Registration

Virginia Voter Registration Application

Registration Type			
Voter ID		Registration Date	
SSN		Date of Birth	04/23/2006
Last Name		Gender	F
First Name		US Citizen	Yes
Middle Name			
Suffix			
Residence Address			
Locality			
LOUDOUN COUNTY			
Mailing Address			
Same as Residence			
Email		Phone	
Military, Overseas, or Address Indeliverable or Homeless		No	Felony conviction or judged mentally incapacitated?
			No
Protected Voter Code		Right to vote restored?	
Pollworker Interest		Registered in another state?	
		No	
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
<i>Indeebha</i>			
Date Submitted		Transaction #	VRA-OVR-2 09/2017
4/5/2024 2:24:17 PM		18672463	



**COMMONWEALTH OF VIRGINIA
AFFIRMATION OF CITIZENSHIP**

§ 24.2-410.1 of the Code of Virginia

**SUBJECT TO PENALTY OF LAW, I DO HEREBY AFFIRM THAT I AM A
CITIZEN OF THE UNITED STATES OF AMERICA**

wdfm

SIGNATURE OF VOTER

PRINTED NAME
OF VOTER:



Date of birth:

11/01/1989

Current address:

Street/P.O. Box/Apt.#
City/Town/State/Zip

Mailing address [if
different]:

Street/P.O. Box/Apt.#
City/Town/State/Zip

Daytime telephone
number:

Email address

**> INTENTIONALLY MAKING A MATERIALLY FALSE STATEMENT ON THIS
FORM IS A FELONY. THE PUNISHMENT IS UP TO TEN YEARS IN PRISON AND
A FINE UP TO \$2,500. YOU ALSO LOSE YOUR RIGHT TO VOTE.**

IF YOU ARE A CITIZEN, PLEASE RETURN COMPLETED FORM TO:

Office of Elections
Office of Voter Registration
750 Miller Dr SE Ste 150
Leesburg, VA 20175-7618

Received

OCT 09 2024

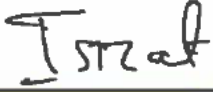
Loudoun County Voter Registration

Received

OCT 10 2024

Loudoun County Voter Registration

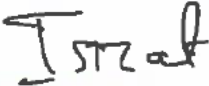
VIRGINIA VOTER REGISTRATION APPLICATION

Registration Type			
Voter ID		Registration Date	
SSN	[REDACTED]	Date of Birth	11/01/1989
Last Name	[REDACTED]	Gender	F
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address	[REDACTED]		
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email	[REDACTED]	Phone	[REDACTED]
Military, Overseas, or Address Indeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Unionworker Interest		Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	4/19/2024 9:04:53 AM	Transaction #	18717301
			VRA-OVR-2 09/2017


Virginia Voter Registration Application

Registration Type			
Voter ID		516396241	
Registration Date			
SN		[REDACTED]	
Date of Birth		11/01/1989	
Last Name		[REDACTED]	
First Name		[REDACTED]	
Middle Name		[REDACTED]	
Suffix		[REDACTED]	
Residence Address		[REDACTED]	
Locality			
LOUDOUN COUNTY			
Mailing Address			
Same as Residence			
Email		[REDACTED]	
Phone		[REDACTED]	
Military, Overseas, or Address Indeliverable or Homeless		No	
Felony conviction or judged mentally incapacitated?		No	
Protected Voter Code		[REDACTED]	
Right to vote restored?		[REDACTED]	
Pollworker Interest		[REDACTED]	
Registered in another state?		No	
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
[Handwritten Signature]			
Date Submitted		8/2/2023 12:16:09 PM	
Transaction #		17874964	
VRA-OVR-2 09/2017			

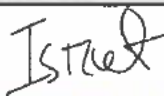
Virginia Voter Registration Application

Registration Type	UPDATE		
Voter ID	516396241	Registration Date	
SSN	[REDACTED]	Date of Birth	11/01/1989
Last Name	[REDACTED]	Gender	F
First Name	[REDACTED]	US Citizen	Yes
Middle Name			
Suffix			
Residence Address	[REDACTED]		
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email		Phone	
Military, Overseas, or Address Undeliverable or Homeless		Felony conviction or judged mentally incapacitated?	
Protected Voter Code		Right to vote restored?	
Pollworker Interest		Registered in another state?	
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	10/3/2017 2:38:43 PM	Transaction #	2396153
			VRA-OVR-2 09/2017

VIRGINIA VOTER REGISTRATION APPLICATION

Registration Type	UPDATE		
Voter ID	516396241	Registration Date	
SSN	[REDACTED]	Date of Birth	[REDACTED]
Last Name	[REDACTED]	Gender	F
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address	[REDACTED]		
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email		Phone	
Military, Overseas, or Address Undeliverable or Homeless		Felony conviction or judged mentally incapacitated?	
Protected Voter Code		Right to vote restored?	
Unionworker Interest		Registered in another state?	
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	6/23/2017 2:27:36 PM	Transaction #	1907962
			VRA-OVR-2 09/2017


VIRGINIA VOTER REGISTRATION APPLICATION

Registration Type	UPDATE		
Voter ID	516396241	Registration Date	
SSN	[REDACTED]	Date of Birth	[REDACTED]
Last Name	[REDACTED]	Gender	F
First Name	[REDACTED]	US Citizen	Yes
Middle Name			
Suffix			
Residence Address	[REDACTED]		
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email		Phone	
Military, Overseas, or Address Indeliverable or Homeless		Felony conviction or judged mentally incapacitated?	
Protected Voter Code		Right to vote restored?	
Pollworker Interest		Registered in another state?	
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	6/8/2017 3:22:23 PM	Transaction #	1836445
			VRA-OVR-2 09/2017

Virginia Voter Registration Application

Registration Type	UPDATE		
Voter ID	516396241	Registration Date	
SSN	[REDACTED]	Date of Birth	11/01/1989
Last Name	[REDACTED]	Gender	F
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address	[REDACTED]		
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email		Phone	
Military, Overseas, or Address Indeliverable or Homeless		Felony conviction or judged mentally incapacitated?	
Protected Voter Code		Right to vote restored?	
Pollworker Interest		Registered in another state?	
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature	Isred		
Date Submitted	5/9/2017 9:11:01 AM	Transaction #	1694414
			VRA-OVR-2 09/2017

Virginia Voter Registration Application

Registration Type	UPDATE		
Voter ID	516396241	Registration Date	
SSN	[REDACTED]	Date of Birth	11/01/1989
Last Name	[REDACTED]	Gender	F
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address	[REDACTED]		
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email		Phone	
Military, Overseas, or Address Indeliverable or Homeless		Felony conviction or judged mentally incapacitated?	
Protected Voter Code		Right to vote restored?	
Unionworker Interest		Registered in another state?	
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	3/3/2017 9:32:25 AM	Transaction #	1439732
			VRA-OVR-2 09/2017

Use this form to register to vote in Virginia or report a change in name or address. If you are already registered with your current name and address, you do not need to re-register.

- To register to vote in Virginia, you must:
 - Be a United States citizen
 - Be a resident of Virginia
 - Be 18 years old by the next general election
- Have had your voting rights restored if you have ever been convicted of a felony
- Have had your capacity restored if you have ever been declared mentally incapacitated in a Circuit Court

Identification Requirement

For Registration: If you are registering for the first time by mail, federal law (the Help America Vote Act) requires you to provide identification the first time you vote in a federal election. Please enclose a copy of one of the following documents that shows your name and address with your application: (1) current and valid photo ID, (2) current utility bill, (3) bank statement, (4) government check, (5) paycheck, or (6) other government document. If eligible to vote absentee by mail, your mailed absentee ballot will not be counted unless the required identification has been provided to your local electoral board no later than noon on the Friday following the election.

For Voting: Virginia law requires you also to provide photo identification when you vote in person. An information card or other correspondence confirming your registration does not qualify as photo identification. For information on types of qualified photo identification, or how to obtain a Voter Photo Identification card, please visit <http://elections.virginia.gov/links/voterID> or call toll free 1-800-552-9745 (TTY: 1-800-260-3466).

Starred (*) items are required. If you do not complete all of the items that are marked with *, your application may be denied. Once your local registrar approves your application, you will receive confirmation by mail.

1 *Are you a citizen of the United States of America? YES NO

*Will you be at least 18 years of age on or before the next General Election day? YES NO

If you checked "NO" in response to either of these questions, do not complete this form.

2 [Redacted] Male Female

*Social Security Number [Redacted] *Gender [Redacted] *Date of Birth 11/01/1989

Daytime Telephone Number [Redacted]

*Last Name [Redacted] *First Name [Redacted] *Full Middle or Maiden Name None *Suffix (Jr., Sr., III, Etc.) None

3 *Residence (Permanent) Home Address [Redacted] Apt/Unit/Lot/Rm/Ste [Redacted] City/Town [Redacted] Zip Code [Redacted]

If Rural Address or Homeless, please describe where you reside [Redacted] E-mail address [Redacted]

Mailing Address (if different) Virginia P.O. Box or Uniformed Service Address, if applicable (include Zip Code) [Redacted] Name of City or County of Residence [Redacted]

4 *Have you ever been convicted of a felony? YES NO State where convicted [Redacted]

If YES, have your voting rights been restored? YES NO If YES, when restored? [Redacted]

5 *Have you ever been judged mentally incapacitated? YES NO

If YES, has court restored you to capacity? YES NO If YES, when restored? [Redacted]

6 Registration Statement: I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided on this form is true. I authorize the cancellation (entered in Box 7 below) of my current registration and I have read the Privacy Act Notice on the front of this form.

* Signature (or mark if unable to sign) [Redacted] 11/14/8

If applicant is unable to sign due to a physical disability, write the name/address of person who assisted. (Required) [Redacted]

Protected Voter Code if applicable. See instructions.

I'm interested in being an Election Official on Election Day. Please send me information.

7 *Previous Voter Registration Information--Commonwealth of Virginia

No, I am not currently registered to vote in Virginia or another state.

Yes, I am registered to vote at another address in Virginia or in another state. If YES, the information below must be completed:

NEW CITIZEN

Full Name as Registered [Redacted] Date of Birth 11/07/2014 Social Security Number [Redacted] (last 4 digits required)

Address at which you were previously registered to vote [Redacted] City/Town [Redacted] State [Redacted] Zip Code [Redacted]

City/County/Town of Residence (if applicable). This cancellation information will be sent to the county or city and state you entered above.

Exhibit F

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

<p>VIRGINIA COALITION FOR IMMIGRANT RIGHTS, <i>et al.</i>,</p> <p>Plaintiffs,</p> <p>v.</p> <p>SUSAN BEALS <i>in her official capacity as Virginia Commissioner of Elections, et al.</i>,</p> <p>Defendants.</p>	<p>Case No. 1:24-cv-1778 (PTG/WBP)</p>
<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff,</p> <p>v.</p> <p>COMMONWEALTH OF VIRGINIA, <i>et al.</i>,</p> <p>Defendants.</p>	<p>Case No. 1:24-cv-1807 (PTG/WBP)</p>

DECLARATION OF JUDY BROWN

I, Judy Brown, am employed by the Loudoun County, Virginia, Elections and Voter Registration Office ("Elections Office"). My official title is General Registrar, and I am a custodian of records for the Elections Office. I state that each of the records identified herein by Bates number is a true and correct duplicate of an official record in the custody of the Elections Office:

- a) USA-Loudoun-00001 to USA-Loudoun-00006
- b) USA-Loudoun-00007 to USA-Loudoun-00008


- c) USA-Loudoun-00009 to USA-Loudoun-00023
- d) USA-Loudoun-00024
- e) USA-Loudoun-00025 to USA-Loudoun-00050
- f) USA-Loudoun-00051 to USA-Loudoun-00170
- g) USA-Loudoun-00171 to USA-Loudoun-00186

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 22, 2024



JUDY BROWN

Virginia Voter Registration Application


Registration Type			
Voter ID		Registration Date	
SSN	[REDACTED]	Date of Birth	04/02/1997
Last Name	[REDACTED]	Gender	M
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address			
[REDACTED]			
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email	[REDACTED]	Phone	[REDACTED]
Military, Overseas, or Address Indeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Pollworker Interest		Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	10/5/2024 1:24:18 PM	Transaction #	19413481
			VRA-OVR-2 09/2017


NEW APP.
ACTIVE VOTER

Virginia Voter Registration Application

Registration Type			
Voter ID		Registration Date	
SSN		Date of Birth	04/02/1997
Last Name		Gender	M
First Name		US Citizen	
Middle Name		Yes	
Suffix			
Residence Address			
Locality			
LOUDOUN COUNTY			
Mailing Address			
Same as Residence			
Email		Phone	
Military, Overseas, or Address Undeliverable or Homeless		No	Felony conviction or judged mentally incapacitated?
			No
Protected Voter Code		Right to vote restored?	
Pollworker Interest		Registered in another state?	
		No	
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
			
Date Submitted	5/4/2024 3:38:43 PM	Transaction #	18770355
			VRA-OVR-2 09/2017


Virginia Voter Registration Application

Registration Type			
Voter ID		Registration Date	
SSN	[REDACTED]	Date of Birth	04/02/1997
Last Name	[REDACTED]	Gender	M
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address		[REDACTED]	
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email	[REDACTED]	Phone	[REDACTED]
Military, Overseas, or Address Indeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Pollworker Interest		Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	3/26/2021 12:18:59 AM	Transaction #	14861643
			VRA-OVR-2 09/2017

Registration Type			
Voter ID		Registration Date	
SSN	[REDACTED]	Date of Birth	10/16/2000
Last Name	[REDACTED]	Gender	M
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address		[REDACTED]	
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email	[REDACTED]	Phone	[REDACTED]
Military, Overseas, or Address Indeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Pollworker Interest		Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	9/22/2024 1:59:04 PM	Transaction #	4620889
			VRA-OVR-2 09/2017

NEW APP,
ACTIVE VOTER

Virginia Voter Registration Application

Registration Type			
Voter ID		Registration Date	
SSN		Date of Birth	
Last Name		10/16/2000	
First Name		Gender	
Middle Name		M	
Suffix		US Citizen	
Residence Address		Yes	
Locality			
LOUDOUN COUNTY			
Mailing Address			
Same as Residence			
Email		Phone	
Military, Overseas, or Address Indeliverable or Homeless		Military	
Protected Voter Code		Felony conviction or judged mentally incapacitated?	
Pollworker Interest		Right to vote restored?	
		Registered in another state?	
		No	
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
			
Date Submitted		Transaction #	
3/6/2024 8:30:57 AM		18563682	
VRA-OVR-2 09/2017			

Virginia Voter Registration Application

Use Blue or Black Ink

Starred (*) items are required. If you do not complete all of the items that are marked with *, your application may be denied. (See instructions on reverse side)

1. YES NO *N* * I am a citizen of the United States of America. * Full social security number [redacted] * Date of birth 10/16/2000 * Gender Male

2. * Last name [redacted] * First name [redacted] * Middle name [redacted] * Residence address (May include P.O. Box) [redacted] Apt # [redacted] * City/Town [redacted] * State [redacted] * ZIP [redacted] * E-mail [redacted] * Phone [redacted]

3. * Have you ever been convicted of a felony or judged mentally incapacitated and disqualified to vote? YES NO * YES, has your right to vote been restored? YES NO

4. I am an active-duty uniformed services member, spouse or dependent; or an overseas citizen.
 I am providing a mailing address (below) because my residence address is not serviced by the U.S. Postal Service or I am homeless.
 I am providing a Virginia P.O. Box (below) to protect my residence address from public disclosure because:
 I am an active or retired law enforcement officer, judge, U.S. or Virginia Attorney General attorney
 I have a court issued protective order for my benefit
 I have evidence of filing a complaint with law enforcement that either I or a household member is in fear for personal safety from another person who has threatened or stalked either me or a household member
 I am a participant in the Virginia Attorney General's Address Confidentiality Program
 My mailing address (complete only if you have checked a box in this section):

5. I am currently registered to vote in another state: _____ (Indicate state of previous registration)

6. I am interested in being an Officer of Election (poll worker) on Election Day. (request needed form) *PCT: 209⁰⁰*

7. **AFFIRMATION:** I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided on this form is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.

* Signature *[Handwritten Signature]* Today's date: 10/11/2011

By checking this box, I affirm both that I am an individual with physical disabilities and the information Statement above. Pursuant to Article II, § 2 of the Constitution of Virginia, individuals with physical disabilities are not required to sign the application for voter registrations.


* Virginia Voter Registration Application Receipt

The application collector will submit your completed application within 10 days or by the deadline to register for the next election, whichever comes first. You can check your voter registration status online at elections.virginia.gov/elect/voter. If you do not receive confirmation of your voter registration status within 30 days, contact your local voter registrar or the Virginia Department of Elections.

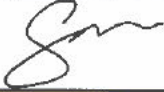
Name, phone and e-mail of office, group or individual receiving application: _____


Date application received: _____

Thank you for applying to vote in Virginia!


Registration Type			
Voter ID		Registration Date	
SSN	[REDACTED]	Date of Birth	10/31/2000
Last Name	[REDACTED]	Gender	F
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address	[REDACTED]		
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email	[REDACTED]	Phone	[REDACTED]
Military, Overseas, or Address Undeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Unionworker Interest		Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	9/24/2024 11:49:59 AM	Transaction #	4624125
			VRA-OVR-2 09/2017

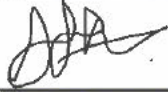
NEW APP.
ACTIVE VOTER

Registration Type			
Voter ID		Registration Date	
SSN	[REDACTED]	Date of Birth	10/31/2000
Last Name	[REDACTED]	Gender	F
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address	[REDACTED]		
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email		Phone	[REDACTED]
Military, Overseas, or Address Undeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Unionworker Interest		Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	11/3/2023 11:55:08 AM	Transaction #	18180700
			VRA-OVR-2 09/2017

Registration Type			
Voter ID		Registration Date	
SSN	[REDACTED]	Date of Birth	06/06/2005
Last Name	[REDACTED]	Gender	
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address	[REDACTED]		
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email	[REDACTED]	Phone	[REDACTED]
Military, Overseas, or Address Undeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Fullworker Interest		Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	10/7/2024 4:39:41 PM	Transaction #	4665233
			VRA-OVR-2 09/2017

NEW APP.
ACTIVE VOTER

Registration Type			
Voter ID		Registration Date	
SSN		Date of Birth	06/06/2005
Last Name	[REDACTED]	Gender	M
First Name		US Citizen	Yes
Middle Name			
Suffix			
Residence Address		[REDACTED]	
Locality		LOUDOUN COUNTY	
Mailing Address		Same as Residence	
Email		Phone	[REDACTED]
Military, Overseas, or Address Indeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Unionworker Interest		Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	9/10/2024 12:42:46 PM	Transaction #	4572129
			VRA-OVR-2 09/2017

Registration Type			
Voter ID		Registration Date	
SSN		Date of Birth	06/06/2005
Last Name		Gender	M
First Name		US Citizen	Yes
Middle Name			
Suffix			
Residence Address			
Locality			
Mailing Address		Same as Residence	
Email		Phone	
Military, Overseas, or Address Indeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Unionworker Interest		Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	7/13/2023 1:19:28 PM	Transaction #	17803163
			VRA-OVR-2 09/2017

NEW APP. ACTIVE VOTER S N

Virginia Voter Registration Application

Use blue or black ink

Starred (*) items are required. If you do not complete all of the items that are marked with *, your application may be denied (See instructions on reverse side).

1. YES NO
 * I am a citizen of the United States of America. * Full social security number [redacted] No SSN was ever issued. * Date of birth 08/12/2000 * Gender Female

2. * Last name [redacted] Jr. Sr. II III IV (Circle if applicable) None
 * First name [redacted] * Middle name [redacted] None
 * Residence address (May not be a P.O. Box) [redacted] Apt # [redacted]
 * City/Town [redacted] * ZIP [redacted]
 E-mail [redacted] Phone [redacted]

3. * Have you ever been convicted of a felony or judged mentally incapacitated and disqualified to vote? YES NO If YES, has your right to vote been restored? YES NO

4. I am an active-duty uniformed services member, spouse or dependent; or an overseas citizen.
 I am providing a mailing address (below) because my residence address cannot receive mail or I am homeless.
 I am providing a Virginia P.O. Box (below) to protect my residence address from public disclosure because I or a household member is/has:
 An active or retired law enforcement officer, judge, magistrate, U.S. or Virginia Attorney General attorney.
 Been granted a court issued protective order.
 In fear for personal safety from being threatened or stalked by another person.
 A participant in the Virginia Attorney General's Address Confidentiality Program.
 Been approved to be a foster parent.
 A current or former state or local election official, their employee, or Commonwealth official.
 My mailing address (Complete only if you have checked a box in this section) [redacted] PCT 712
 OCT 07 2024

5. I am currently registered to vote in another state: _____ (Indicate state of previous registration) Loudoun County Voter Registration

6. I am interested in being an Officer of Election (poll worker) on Election Day. Please send me information.

7. AFFIRMATION: I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided on this form is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.
 * Signature [Handwritten Signature] Today's date: 10/07/2024
 By checking this box, I affirm both that I am an individual with physical disabilities and the Affirmation Statement above. Pursuant to Article II, § 2 of the Constitution of Virginia, individuals with physical disabilities are not required to sign the application for voter registrations.

* Virginia Voter Registration Application Receipt

The application collector must submit your completed application within 10 days or by the deadline to register for the next election, whichever comes first. You can check your voter registration status online at www.elections.virginia.gov/registration. If you do not receive confirmation of your voter registration status within 30 days, contact your local voter registrar or the Virginia Department of Elections.

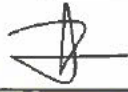
[redacted]

Name, phone and e-mail of office, group or individual receiving application

MM/DD/YYYY
 Date application received

Thank you for applying to vote in Virginia!

VA-NVRA-10

Registration Type			
Voter ID		Registration Date	
SSN		Date of Birth	
Last Name		Gender	
First Name		F	
Middle Name		US Citizen	
Suffix		Yes	
Residence Address			
Locality			
LOUDOUN COUNTY			
Mailing Address			
Same as Residence			
Email		Phone	
Military, Overseas, or Address Indeliverable or Homeless		Felony conviction or judged mentally incapacitated?	
No		No	
Protected Voter Code		Right to vote restored?	
Pollworker Interest		Registered in another state?	
		No	
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
			
Date Submitted		Transaction #	
4/4/2024 8:31:04 AM		18665933	
VRA-OVR-2 09/2017			



Home Voter Search Voter Overview Application Merge Absentee Street File

VERIS_PROD_93-2.9.27.1 | 10/13/2024

Home > Voter > Absentee > Absentee History

Voter Overview 🔍 📄

Name: [REDACTED]
Voter ID: 014663612
Date of Birth: XX/XX/2000
Language Preference: English

Status: **CANCELLED**
Locality: **LOUDOUN COUNTY**
Precinct: 712 - STONE HILL

SSN: [REDACTED]
Address: [REDACTED]

✓ **Verified Residential**

CD: 10 SEN: 032 HSE: 026 Election: STERLING DISTRICT

Prohibited Voter - Declared Non-Citizen

Election: 2024 November General Show All ⓘ
 Display All Localities

Absentee Applications

In Person Voter

Election	Sent	Received	Status	Status Reason		
2024 November General		9/3/2024	Approved	Online Application - Approved.		

Ongoing Absentee Applications

The voter does not currently have any absentee voter applications.

Absentee Ballots

Election	Sent	Received	Reissued	Status	Status Reason		
2024 November General	9/16/2024		No	Issued	Issued		



Home Voter Search Voter Overview Application Merge Absentee Street File

VERIS_PROD_92-2.9.27.1 | 10/16/2024

Home > Voter > Absentee > Absentee History

Voter Overview

Name: [REDACTED] Status: **ACTIVE** SSN: [REDACTED]
 Voter ID: 049966682 Locality: **LOUDOUN COUNTY** Address: [REDACTED] **Verified Residential**
 Date of Birth: XX/XX/2000 Precinct: 712 - STONE HILL
 Language Preference: English
 CD: 10 SEN: 032 HSE: 026 Election: STERLING DISTRICT

Election: 2024 November General Show All
 Display All Localities

Absentee Applications

In Person Voter Add Application


Election	Sent	Received	Status	Status Reason		
2024 November General		10/3/2024	Approved	Approved		

Ongoing Absentee Applications


The voter does not currently have any absentee voter applications.

Absentee Ballots


Election	Sent	Received	Reissued	Status	Status Reason		
2024 November General	10/7/2024		No	Issued	Issued		

Registration Type			
Voter ID		Registration Date	
SN	[REDACTED]	Date of Birth	03/25/2006
Last Name	[REDACTED]	Gender	
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address		[REDACTED]	
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email	[REDACTED]	Phone	[REDACTED]
Military, Overseas, or Address undeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Fullworker Interest		Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	10/15/2024 3:45:48 PM	Transaction #	4707536
			VRA-OVR-2 09/2017

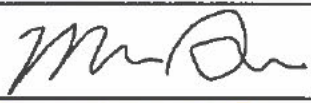
NEW APP.
 ACTIVE VOTER

Registration Type			
Voter ID		Registration Date	
SSN	[REDACTED]	Date of Birth	03/25/2006
Last Name	[REDACTED]	Gender	F
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address		[REDACTED]	
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email	[REDACTED]	Phone	[REDACTED]
Military, Overseas, or Address Indeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Pollworker Interest		Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	10/15/2024 8:07:45 AM	Transaction #	4702408
			VRA-OVR-2 09/2017

NEW APP.
ACTIVE VOTER

Registration Type			
Voter ID		Registration Date	
SSN	[REDACTED]	Date of Birth	03/25/2006
Last Name	[REDACTED]	Gender	
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address	[REDACTED]		
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email	[REDACTED]	Phone	[REDACTED]
Military, Overseas, or Address Indeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Pollworker Interest		Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	10/14/2024 7:20:41 PM	Transaction #	4699068
			VRA-OVR-2 09/2017

DUP
 NEW APP.
 ACTIVE VOTER

Registration Type			
Voter ID		Registration Date	
SSN	[REDACTED]	Date of Birth	03/25/2006
Last Name	[REDACTED]	Gender	F
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address	[REDACTED]		
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email		Phone	[REDACTED]
Military, Overseas, or Address Indeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Pollworker Interest		Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	12/7/2023 8:16:43 AM	Transaction #	18277426
			VRA-OVR-2 09/2017

Virginia Voter Registration Application

Use blue or black ink

Starred (*) Items are required. If you do not complete all of the items that are marked with *, your application may be denied (See instructions on reverse side).

1. YES NO *N*
 * I am a citizen of the United States of America. * Full social security number [REDACTED] No SSN was ever issued.
 * Date of birth 11/10/2005 * Gender FEMALE

2. * Last name [REDACTED] Jr. Sr. II III IV (Order if applicable)
 * First name [REDACTED] * Middle name ANJUMAN None
 * Residence address (May not be a P.O. Box) [REDACTED] Apt # [REDACTED]
 * City/Town [REDACTED] * ZIP [REDACTED]
 E-mail [REDACTED] Phone [REDACTED]

3. * Have you ever been convicted of a felony or judged mentally incapacitated and disqualified to vote? YES NO If YES, has your right to vote been restored? YES NO

4. I am an active-duty uniformed services member, spouse or dependent; or an overseas citizen.
 I am providing a mailing address (below) because my residence address is not serviced by the U.S. Postal Service or I am homeless.
 I am providing a Virginia P.O. Box (below) to protect my residence address from public disclosure because I or a household member is/has:
 An active or retired law enforcement officer, judge, U.S. or Virginia Attorney General attorney.
 Been granted a court issued protective order.
 In fear for personal safety from being threatened or stalked by another person.
 A participant in the Virginia Attorney General's Address Confidentiality Program.
 Been approved to be a foster parent.

PCT
716

My mailing address (Complete only if you have checked a box in this section)
 [REDACTED]

Received
OCT - 9 2024
 Loudoun County Voter Registration

5. I am currently registered to vote in another state: _____. (Indicate state of previous registration)

6. I am interested in being an Officer of Election (poll worker) on Election Day. Please send me information. *Voter Said Yes*

7. AFFIRMATION: I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided on this form is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice. *to citizenship Smart*

* Signature [Handwritten Signature] [REDACTED] Today's date: 09/27/2024

By checking this box, I affirm both that I am an individual with physical disabilities and the Affirmation Statement above. Pursuant to Article II, § 2 of the Constitution of Virginia, individuals with physical disabilities are not required to sign the application for voter registrations. *S*

NEW APP
ACTIVE VOTER



Home Voter Search Voter Overview Application Merge Absentee Street File

VERIS_PROD_93-29.27.1 | 10/13/2024

Home > Voter > Absentee > Absentee History

Voter Overview

Name: [REDACTED]
 Voter ID: 220237834
 Date of Birth: XX/XX/2005
 Language Preference: English

Status: **CANCELLED**
 Locality: **LOUDOUN COUNTY**
 Precinct: 716 - RIDGETOP

SSN: [REDACTED]
 Address: [REDACTED]

Verified Residential

CD: 10 SEN: 032 HSE: 028 Election: STERLING DISTRICT

Prohibited Voter - Declared Non-Citizen

Election: 2024 November General Show All *i*
 Display All Localities

Absentee Applications

In Person Voter

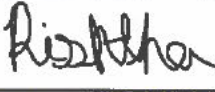
Election	Sent	Received	Status	Status Reason		
2024 November General		7/24/2024	Approved	Online Application - Approved.		


Ongoing Absentee Applications

The voter does not currently have any absentee voter applications.

Absentee Ballots

Election	Sent	Received	Reissued	Status	Status Reason		
2024 November General	9/16/2024		No	Issued	Issued		

Registration Type			
Voter ID	[REDACTED]	Registration Date	
SSN	[REDACTED]	Date of Birth	11/10/2005
Last Name	[REDACTED]	Gender	F
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address	[REDACTED]		
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email	[REDACTED]	Phone	[REDACTED]
Military, Overseas, or Address Indeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Unionworker Interest	No	Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	7/24/2024 4:13:11 PM	Transaction #	4516361
			VRA-OVR-2 09/2017

Registration Type			
Voter ID		Registration Date	
SSN		Date of Birth	11/10/2005
Last Name	[REDACTED]	Gender	F
First Name		US Citizen	Yes
Middle Name			
Suffix			
Residence Address		[REDACTED]	
Locality	LOUDOUN COUNTY		
Mailing Address	Same as Residence		
Email		Phone	
Military, Overseas, or Address Indeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Unionworker Interest		Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature			
Date Submitted	7/20/2023 2:08:47 PM	Transaction #	17828553
		VRA-OVR-2 09/2017	

Registration Type			
Voter ID		Registration Date	
SSN	[REDACTED]	Date of Birth	01/17/1946
Last Name	[REDACTED]	Gender	M
First Name	[REDACTED]	US Citizen	Yes
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address			
[REDACTED]			
Locality	FAIRFAX COUNTY		
Mailing Address	Same as Residence		
Email	[REDACTED]	Phone	[REDACTED]
Military, Overseas, or Address Undeliverable or Homeless	No	Felony conviction or judged mentally incapacitated?	No
Protected Voter Code		Right to vote restored?	
Unionworker Interest		Registered in another state?	No
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature	[REDACTED]		
Date Submitted	10/10/2024 5:08:07 PM	Transaction #	4681218
			VRA-OVR-2 09/2017

NEW APP.
ACTIVE VOTER

Registration Type	UPDATE		
Voter ID	303010145	Registration Date	
SSN	[REDACTED]	Date of Birth	01/17/1946
Last Name	[REDACTED]	Gender	M
First Name	[REDACTED]	US Citizen	
Middle Name	[REDACTED]		
Suffix	[REDACTED]		
Residence Address	[REDACTED]		
Locality	LOUBOUN COUNTY		
Mailing Address	Same as Residence		
Email		Phone	
Military, Overseas, or Address Undeliverable or Homeless		Felony conviction or judged mentally incapacitated?	
Protected Voter Code		Right to vote restored?	
Unionworker Interest		Registered in another state?	
I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided for voter registration is true. I authorize the cancellation of my current registration and I have read the Privacy Act Notice.			
Signature	[REDACTED]		
Date Submitted	1/9/2019 11:28:35 AM	Transaction #	11950139
			VRA-OVR-2 09/2017

EXHIBIT AA

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

VIRGINIA COALITION FOR
IMMIGRANT RIGHTS; LEAGUE OF
WOMEN VOTERS OF VIRGINIA;
LEAGUE OF WOMEN VOTERS OF
VIRGINIA EDUCATION FUND;
AFRICAN COMMUNITIES
TOGETHER,

Plaintiffs,

v.

SUSAN BEALS, in her official capacity
as Virginia Commissioner of Elections;
JOHN O'BANNON, in his official
capacity as Chairman of the State Board
of Elections; ROSALYN R. DANCE, in
her official capacity as Vice-Chairman of
the State Board of Elections; GEORGIA
ALVIS-LONG, in her official capacity as
Secretary of the State Board of Elections;
DONALD W. MERRICKS and
MATTHEW WEINSTEIN, in their
official capacities as members of the
State Board of Elections; and JASON
MIYARES, in his official capacity as
Virginia Attorney General,

Defendants.

Case No. 1:24-cv-01178 (Lead)

Case No. 1:24-cv-01807

Judge Patricia Tolliver Giles

SUPPLEMENTAL DECLARATION OF JOAN PORTE

Pursuant to 28 U.S.C. § 1746, I, Joan Porte, declare as follows:

1. I am the President of the League of Women Voters of Virginia and the League of Women Voters of Virginia Education Fund (collectively LWVVA or the League). I have served in this role since July 1, 2023.

2. I submitted a Declaration in support of Plaintiffs' Motion for Preliminary Injunction. I am submitting this supplement to detail new information that the League has acquired and new activities that the League has undertaken since I filed my first declaration.

3. LWVA has learned of a member ("the League Member") who was subject to the Purge Program after the issuance of E.O 35. I reached out to the League Member today after finding out that she was included on the list, produced by Defendants, of voters purged for alleged non-citizenship.

4. The League Member is a naturalized citizen who has voted before. Prior to my informing her, the League Member was unaware that her voter registration had been cancelled.

5. The League Member, as of now, does not feel comfortable coming forward and identifying herself. In our conversation, she expressed that she was alarmed to find out that her voter registration had been cancelled for alleged non-citizenship.

6. LWVVA is currently dedicating additional volunteer time and the League's limited funds to distribute postcards to all the registered voters purged

from the voter list for alleged non-citizenship after the issuance of E.O. 35. The postcards include the same language as the postcards sent to the voters identified as likely to have been purged prior to E.O. 35 and included in paragraph 32 of my prior declaration.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 23, 2024 in Arlington, Virginia.

A handwritten signature in black ink, appearing to read "Joan Porte", is written over a solid horizontal line.

Joan Porte

EXHIBIT BB

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

VIRGINIA COALITION FOR IMMIGRANT RIGHTS; LEAGUE OF WOMEN VOTERS OF VIRGINIA; LEAGUE OF WOMEN VOTERS OF VIRGINIA EDUCATION FUND; AFRICAN COMMUNITIES TOGETHER,

Plaintiffs,

v.

SUSAN BEALS, in her official capacity as Virginia Commissioner of Elections; JOHN O'BANNON, in his official capacity as Chairman of the State Board of Elections; ROSALYN R. DANCE, in her official capacity as Vice-Chairman of the State Board of Elections; GEORGIA ALVIS-LONG, in her official capacity as Secretary of the State Board of Elections; DONALD W. MERRICKS and MATTHEW WEINSTEIN, in their official capacities as members of the State Board of Elections; and JASON MIYARES, in his official capacity as Virginia Attorney General,

Defendants.

Case No. 1:24-cv-01778 (Lead)
Case No. 1:24-cv-01807
Judge Patricia Tolliver Giles

SUPPLEMENTAL DECLARATION OF GIGI TRAORE

Pursuant to 28 U.S.C. § 1746, I, Gigi Traore, declare as follows:

1. I am the National Civic Engagement Director for African Communities Together (“ACT”), a 501(c)(3) nonprofit corporation with its principal place of business located in New York City, New York.

2. I submitted a Declaration in support of Plaintiffs' Motion for Preliminary Injunction. I am submitting this supplement to detail new information that ACT has acquired and new activities ACT has undertaken since I filed my first declaration.
3. ACT has learned of at least three individual members who have had their voter registration canceled since Executive Order 35 was issued on August 7, 2024.
4. ACT staff and volunteers have reached out to all three individuals. It is my understanding and belief that all of three individuals are United States citizens and eligible voters. Due to the expedited nature of this litigation, we have been unable to secure declarations directly from these impacted members.
5. ACT staff and volunteers have engaged in substantial efforts to contact individuals who have been removed via the Purge Program, especially among African immigrant communities. Our efforts to contact improperly removed voters are ongoing and substantially aided by recent acquisition of the lists of voters removed under the Purge Program.
6. To date we have identified eleven individuals, in addition to the three ACT members discussed above, who have been improperly removed from the vote rolls. It is my understanding and belief that all eleven individuals are United States citizens and eligible voters. Many of these individuals have been registered for years and are frequent voters.
7. It is my understanding and belief that some of the removed voters are naturalized U.S. citizens.
8. Many of the removed voters ACT has contacted did not realize there was any problem with their registration until they were contacted by ACT volunteers.

9. Some of these individuals have been able to re-register and cast a ballot. Others have represented to ACT volunteers that they intend to re-register and vote during early voting or on Election Day.

Executed this 23th day of October, 2024, in Washington, D.C.



Gigi Traore
National Civic Engagement Director
African Communities Together

EXHIBIT CC

DECLARATION OF CAROLINA DIAZ TAVERA

Pursuant to 28 U.S.C. § 1746, I, Carolina Diaz Tavera, declare as follows:

1. I am over 18 years of age and am competent to make this declaration.
2. I have personal knowledge of the matters stated herein and would testify to the same if called as a witness in Court.
3. I am a resident of Fairfax County and meet all qualifications to vote in this locality.
4. I was born in Colombia and emigrated to the United States in February of 2000.
5. I moved to Virginia and obtained a driver's license in 2001.
6. I became a U.S. citizen in 2013.
7. I registered to vote on August 15, 2013.
8. I voted in the 2016 presidential primary and general elections, and the 2020 presidential primary and general elections.
9. I last updated my driver's license with my current address on April 25, 2018.
10. On October 9, 2024, I wanted to confirm my polling location, and so I attempted to look up my voter registration record using the Virginia Department of Elections online voter lookup portal.
11. When I entered my information, I was sent to a page stating that I was not registered and there was no record of my registration. I attempted to enter my information several more times but each time got this same message.
12. I was confused about why my registration was not listed and concerned that I may not be able to vote in the election.
13. On October 10, I spoke with a friend who encouraged me to attempt to re-register to vote, which I did using the online voter registration system.
14. After re-registering, I used the online portal to look up my voter registration record, and found my record had been restored, including my initial date of registration and my voting history.

15. A few days later, I heard from a friend that Governor Youngkin had ordered voters to be removed from the rolls based on Virginia DMV records allegedly showing they were not citizens. I wonder if the fact that when I got my first driver's license in Virginia, I was a legal resident and not a citizen played a role in this situation. Because of this situation, I have not yet voted in this election, although I still plan to vote.

16. I am concerned that my voter registration may be cancelled again, and that I may not be able to vote in this election or future elections.

17. Many of my friends and community members are also immigrants who became U.S. citizens and want to exercise their right to vote. I am concerned that many of them may find their voter registration has been cancelled and not be able to vote, or that they may not vote because they are confused, discouraged, or intimidated.

18. I am a native Spanish speaker but I'm fluent in English. I can read and understand written English.

19. In giving this declaration, I was asked questions in English which were translated for me into Spanish, and my answers were given in Spanish and translated and written down in English.

20. I have read and understood this declaration and it is true and accurate.

21. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 23rd day of October, 2024, in Alexandria, VA.



Carolina Diaz Tavera

EXHIBIT DD

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

VIRGINIA COALITION FOR
IMMIGRANT RIGHTS; LEAGUE OF
WOMEN VOTERS OF VIRGINIA;
LEAGUE OF WOMEN VOTERS OF
VIRGINIA EDUCATION FUND;
AFRICAN COMMUNITIES
TOGETHER,

Plaintiffs,

v.

SUSAN BEALS, in her official capacity as
Virginia Commissioner of Elections;
JASON MIYARES, in his official capacity
as Virginia Attorney General;

Defendants.

Civil Action No. 1:24-cv-1778

SUPPLEMENTAL DECLARATION OF ANNA J. DORMAN

I, Anna J. Dorman, declare as follows:

1. I am an attorney representing Plaintiffs Virginia Coalition for Immigrant Rights, League Of Women Voters Of Virginia, League Of Women Voters Of Virginia Education Fund, and African Communities Together. I have been employed by Protect Democracy as Counsel since April 2023. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

2. During the week of October 21, 2024, I spoke with two impacted voters who were removed from the Virginia voter rolls under the Purge Program.

First Impacted Voter – Christine Rabassa

3. On Monday, October 21, 2024, I spoke via telephone with Ms. Christine Rabassa.
4. Ms. Rabassa is a Henrico resident who, according to records obtained by Plaintiffs, had her voter registration canceled in accordance with E.O. 35.
5. Ms. Rabassa confirmed that she is a lifelong citizen of the United States and an eligible voter who has been registered to vote in the Commonwealth of Virginia for more than 20 years.
6. Ms. Rabassa confirmed that she had voted in “many” previous elections without incident and that voting is very important to her and something she prioritizes.
7. Ms. Rabassa told me that her driver’s license expired on August 3, 2024. She went to the Quioccasin Department of Motor Vehicles in Henrico on August 28, 2024 to secure a new license. She did not make any intentional changes in her voter registration or citizenship status during that interaction.
8. Ms. Rabassa was unaware of having received any notifications regarding her registration status from election officials via mail or any other medium between August and October, 2024.
9. Ms. Rabassa is a lifelong Republican.
10. Ms. Rabassa attempted to vote in person at the Government Center early voting location at Parham Road in Henrico in early October.
11. When she presented her identification, poll workers were unable to confirm her name on the poll books and called over the supervisor.

12. Ms. Rabassa was then taken to a separate room with the supervisor who informed her that her registration had been canceled. It was represented to Ms. Rabassa that her registration was canceled because the U.S. citizen box on her DMV paperwork back in August was not checked.
13. The supervisor then reviewed registration records and confirmed that Ms. Rabassa was an eligible voter. She was then required to re-register.
14. Ms. Rabassa was unable to vote on that day, was turned away from the polls and not offered a provisional ballot, and was required to return on a second occasion in order to cast her ballot.
15. Since receiving the list of individuals removed under the Purge Program on Tuesday, October 24, 2024, I have confirmed that Ms. Rabassa is included on the list and had her registration canceled on September 6, 2024.
16. I also confirmed that Ms. Rabassa has subsequently re-registered and that her current registration status is “active.”

Second Impacted Voter – Ms. Shantae Martin

17. On October 23, 2024, I spoke with a second impacted individual who had their registration canceled under the Purge Program.
18. This second individual, Shantae Martin, is a 37 year old resident of Prince William County, Virginia.
19. She is a United States citizen and was born and raised in the Commonwealth of Virginia.
20. Ms. Martin has been registered to vote in Virginia for more than 10 years and regularly participates in elections.

21. Ms. Martin told me that voting is very important to her because it brings her together with her grandmother.
22. Ms. Martin was removed from the voter rolls as a result of the Purge Program because Prince William County identified her as an alleged non-U.S. citizen, even though she was born in the United States and has been a U.S. citizen her entire life.
23. Ms. Martin only recently learned that she was no longer registered to vote when a volunteer with African Communities Together (“ACT”) called her to tell her her voter registration had been canceled.
24. She recalls receiving a flier in April that said something about being an illegal alien and being prohibited to vote, but represented to me that she did not pay it any attention because she has always voted in Prince William County, they have all her information and know that she is a citizen and eligible voter.
25. Ms. Martin informed me that she last went to the Department of Motor Vehicles in April to get her driver’s license.
26. Ms. Martin informed me that she did not recall being asked to confirm that she was a U.S. citizen at that time or being asked any questions about her citizenship.
27. Ms. Martin was already registered to vote long before getting her license so she did not even consider whether anything that happened there would impact her voting status.
28. Ms. Martin represented to me that she is worried that because she was removed from the voter rolls, she will be unable to vote in the 2024 General Election. She plans to use same day registration to vote in person on Election Day.

I declare under penalty of perjury that the foregoing Declaration is true and correct.

Anna J. Dorman

Executed on October 24, 2024

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Time	Cancel Type	Current Registration Status
ACCOMACK COUNTY							4/2/2024	4/2/2024																17:15.0	Active C	Cancelled	
ACCOMACK COUNTY							2/5/2024	2/5/2024																19:33.3	Active C	Cancelled	
ACCOMACK COUNTY							7/19/2023	7/19/2023																20:24.5	Active C	Cancelled	
ACCOMACK COUNTY							7/17/2018	7/17/2018																16:32.7	Active C	Cancelled	
ACCOMACK COUNTY							9/1/2016	9/1/2016																16:13.6	Inactive C	Cancelled	
ACCOMACK COUNTY							5/4/2024	5/4/2024																18:12.5	Active C	Cancelled	
ALBEMARLE COUNTY							1/22/2024	1/22/2024																20:46.0	Active C	Cancelled	
ALBEMARLE COUNTY							11/20/2014	11/20/2014																19:56.7	Active C	Cancelled	
ALBEMARLE COUNTY							6/24/2024	6/24/2024																16:13.1	Active C	Cancelled	
ALBEMARLE COUNTY							3/1/2018	3/1/2018																17:07.1	Active C	Cancelled	
ALBEMARLE COUNTY							5/15/2024	5/15/2024																18:35.1	Active C	Cancelled	
ALBEMARLE COUNTY							4/15/2024	4/15/2024																19:15.8	Active C	Cancelled	
ALBEMARLE COUNTY							11/1/2023	11/1/2023																16:16.8	Active C	Cancelled	
ALBEMARLE COUNTY							3/12/2024	3/12/2024																17:32.0	Active C	Cancelled	
ALBEMARLE COUNTY							7/11/2024	7/11/2024																18:22.8	Active C	Cancelled	
ALBEMARLE COUNTY							1/2/2024	1/2/2024																19:28.8	Active C	Cancelled	
ALBEMARLE COUNTY							11/28/2022	11/28/2022																16:15.1	Active C	Cancelled	
ALBEMARLE COUNTY							7/23/2024	7/23/2024																19:54.0	Active C	Cancelled	
ALBEMARLE COUNTY							8/6/2021	8/6/2021																16:14.0	Active C	Cancelled	
ALBEMARLE COUNTY							5/10/2024	5/10/2024																18:32.4	Active C	Cancelled	



Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Res Address Line1	Res Address Line2	Res Address Line3	Res City	Res State	Res Zip	Mail Address Line1	Mail Address Line2	Mail Address Line3	Mail City	Mail State	Mail Zip	Cancel Date Time	Cancel Type	Current Registration Status
ACCOMACK COUNTY							4/2/2024	4/2/2024															17:15.0	Active C	Cancelled	
ACCOMACK COUNTY							2/5/2024	2/5/2024															19:33.3	Active C	Cancelled	
ACCOMACK COUNTY							7/19/2023	7/19/2023															20:24.5	Active C	Cancelled	
ACCOMACK COUNTY							7/17/2018	7/17/2018															16:32.7	Active C	Cancelled	
ACCOMACK COUNTY							9/1/2016	9/1/2016															16:13.6	Inactive	Cancelled	
ACCOMACK COUNTY							5/4/2024	5/4/2024															18:12.5	Active C	Cancelled	
ALBEMARLE COUNTY							1/22/2024	1/22/2024															20:46.0	Active C	Cancelled	
ALBEMARLE COUNTY							11/20/2014	11/20/2014															19:56.7	Active C	Cancelled	
ALBEMARLE COUNTY							6/24/2024	6/24/2024															16:13.1	Active C	Cancelled	
ALBEMARLE COUNTY							3/1/2018	3/1/2018															17:07.1	Active C	Cancelled	
ALBEMARLE COUNTY							5/15/2024	5/15/2024															18:35.1	Active C	Cancelled	
ALBEMARLE COUNTY							4/15/2024	4/15/2024															19:15.8	Active C	Cancelled	
ALBEMARLE COUNTY							11/1/2023	11/1/2023															16:16.8	Active C	Cancelled	
ALBEMARLE COUNTY							3/12/2024	3/12/2024															17:32.0	Active C	Cancelled	
ALBEMARLE COUNTY							7/11/2024	7/11/2024															18:22.8	Active C	Cancelled	
ALBEMARLE COUNTY							1/2/2024	1/2/2024															19:28.8	Active C	Cancelled	
ALBEMARLE COUNTY							11/28/2022	11/28/2022															16:15.1	Active C	Cancelled	
ALBEMARLE COUNTY							7/23/2024	7/23/2024															19:54.0	Active C	Cancelled	
ALBEMARLE COUNTY							8/6/2021	8/6/2021															16:14.0	Active C	Cancelled	
ALBEMARLE COUNTY							5/10/2024	5/10/2024															18:32.4	Active C	Cancelled	

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Time	Cancel Type	Current Registration Status
ALBEMARLE COUNTY								12/11/2006	12/11/2006															16:11.1	Inactive C	Cancelled	
ALBEMARLE COUNTY								6/8/1984	6/8/1984															16:12.7	Active C	Active	
ALEXANDRIA CITY								3/11/2024	3/11/2024															21:02.3	Active C	Cancelled	
ALEXANDRIA CITY								4/15/2024	4/15/2024															19:01.0	Active C	Cancelled	
ALEXANDRIA CITY								8/27/2021	8/27/2021															22:14.3	Active C	Cancelled	
ALEXANDRIA CITY								4/14/2021	4/14/2021															16:36.1	Active C	Cancelled	
ALEXANDRIA CITY								6/26/2024	6/26/2024															19:55.0	Active C	Cancelled	
ALEXANDRIA CITY								1/17/2024	1/17/2024															20:22.6	Active C	Cancelled	
ALEXANDRIA CITY								8/22/2023	8/22/2023															16:55.5	Active C	Cancelled	
ALEXANDRIA CITY								10/10/2023	10/10/2023															21:27.2	Active C	Cancelled	
ALEXANDRIA CITY								4/23/2024	4/23/2024															20:24.8	Active C	Cancelled	
ALEXANDRIA CITY								6/28/2024	6/28/2024															21:40.3	Active C	Cancelled	
ALEXANDRIA CITY								9/25/2023	9/25/2023															21:17.2	Active C	Cancelled	
ALEXANDRIA CITY								8/23/2023	8/23/2023															18:49.9	Active C	Cancelled	
ALEXANDRIA CITY								2/5/2024	2/5/2024															18:55.9	Active C	Cancelled	
ALEXANDRIA CITY								8/2/2023	8/2/2023															21:46.4	Active C	Cancelled	
ALEXANDRIA CITY								1/30/2024	1/30/2024															17:11.0	Active C	Cancelled	
ALEXANDRIA CITY								12/11/2023	12/11/2023															16:07.6	Active C	Cancelled	
ALEXANDRIA CITY								5/15/2024	5/15/2024															16:49.8	Active C	Cancelled	
ALEXANDRIA CITY								5/10/2024	5/10/2024															17:34.6	Active C	Cancelled	

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Line 1	Residence Line 2	Residence Line 3	Residence City	State	ZIP	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail ZIP	Cancel Date/Time	Cancellation Type	Current Registration Status
ALEXANDRIA CITY								1/8/2024	1/8/2024															20:48.8	Active C	Cancelled
ALEXANDRIA CITY								12/28/2023	12/28/2023															20:54.5	Active C	Cancelled
ALEXANDRIA CITY								3/12/2024	3/12/2024															22:01.0	Active C	Cancelled
ALEXANDRIA CITY								8/25/2023	8/25/2023															16:22.8	Active C	Cancelled
ALEXANDRIA CITY								5/28/2024	5/28/2024															16:32.4	Active C	Cancelled
ALEXANDRIA CITY								9/18/2023	9/18/2023															19:53.9	Active C	Cancelled
ALEXANDRIA CITY								3/8/2021	3/8/2021															16:33.7	Inactive	Cancelled
ALEXANDRIA CITY								2/10/2020	2/10/2020															16:34.0	Inactive	Cancelled
ALEXANDRIA CITY								6/27/2024	6/27/2024															16:19.4	Active C	Cancelled
ALEXANDRIA CITY								6/9/2004	6/9/2004															17:09.7	Active C	Cancelled
ALEXANDRIA CITY								12/27/2021	12/27/2021															16:23.8	Inactive	Cancelled
ALEXANDRIA CITY								10/10/2023	10/10/2023															21:42.3	Inactive	Cancelled
ALEXANDRIA CITY								7/18/2023	7/18/2023															17:51.4	Active C	Cancelled
ALEXANDRIA CITY								10/16/2023	10/16/2023															19:27.9	Active C	Cancelled
ALEXANDRIA CITY								11/21/2023	11/21/2023															20:05.9	Inactive	Cancelled
ALEXANDRIA CITY								12/20/2023	12/20/2023															16:05.3	Active C	Cancelled
ALEXANDRIA CITY								7/1/2024	7/1/2024															20:04.8	Active C	Cancelled
ALEXANDRIA CITY								8/14/2023	8/14/2023															21:38.1	Active C	Cancelled
ALEXANDRIA CITY								2/6/2024	2/6/2024															18:14.9	Active C	Cancelled
ALEXANDRIA CITY								8/8/2024	8/8/2024															16:01.2	Active C	Cancelled

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Date of Birth	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	State	ZIP	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail ZIP	Cancel Date/Time	Cancel Type	Current Registration Status	
ALEXANDRIA CITY								10/25/2023	10/25/2023															19:47.0	Active C	Cancelled	
ALEXANDRIA CITY								3/14/2024	3/14/2024																16:42.0	Active C	Cancelled
ALEXANDRIA CITY								5/6/2021	5/6/2021																16:11.8	Active C	Cancelled
ALEXANDRIA CITY								7/15/2014	7/15/2014																16:06.3	Active C	Cancelled
ALEXANDRIA CITY								3/29/2024	3/29/2024																21:51.2	Active C	Cancelled
ALEXANDRIA CITY								7/24/2023	7/24/2023																20:25.7	Active C	Cancelled
ALEXANDRIA CITY								2/21/2024	2/21/2024																16:21.4	Active C	Cancelled
ALEXANDRIA CITY								2/21/2024	2/21/2024																16:44.5	Inactive	Cancelled
ALEXANDRIA CITY								2/21/2024	2/21/2024																17:17.9	Inactive	Cancelled
ALEXANDRIA CITY								2/21/2024	2/21/2024																16:48.8	Inactive	Cancelled
ALEXANDRIA CITY								2/21/2024	2/21/2024																16:59.4	Inactive	Cancelled
ALEXANDRIA CITY								2/21/2024	2/21/2024																16:26.0	Inactive	Cancelled
ALEXANDRIA CITY								2/21/2024	2/21/2024																16:16.1	Inactive	Cancelled
ALEXANDRIA CITY								2/21/2024	2/21/2024																16:54.1	Inactive	Cancelled
ALEXANDRIA CITY								2/21/2024	2/21/2024																16:00.9	Inactive	Cancelled
ALEXANDRIA CITY								2/21/2024	2/21/2024																16:12.8	Inactive	Cancelled
ALEXANDRIA CITY								2/21/2024	2/21/2024																16:10.8	Inactive	Cancelled
ALEXANDRIA CITY								2/21/2024	2/21/2024																16:46.8	Inactive	Cancelled
ALEXANDRIA CITY								2/21/2024	2/21/2024																16:10.4	Inactive	Cancelled
ALEXANDRIA CITY								2/21/2024	2/21/2024																16:01.3	Inactive	Cancelled

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Cancel Date	Cancel Time	Cancel Type	Current Registration Status
ARLINGTON COUNTY							7/11/2023	7/11/2023										17:04.7	Active C	Cancelled	
ARLINGTON COUNTY							7/21/2023	7/21/2023										17:02.3	Active C	Cancelled	
ARLINGTON COUNTY							1/19/2024	1/19/2024										16:23.8	Active C	Cancelled	
ARLINGTON COUNTY							2/3/2016	2/3/2016										16:26.6	Active C	Cancelled	
ARLINGTON COUNTY							7/20/2022	7/20/2022										16:16.8	Active C	Cancelled	
ARLINGTON COUNTY							12/15/2023	12/15/2023										16:42.6	Active C	Cancelled	
ARLINGTON COUNTY							1/8/2024	1/8/2024										17:14.9	Active C	Cancelled	
ARLINGTON COUNTY							9/7/2021	9/7/2021										17:01.0	Active C	Cancelled	
ARLINGTON COUNTY							6/28/2024	6/28/2024										16:21.4	Active C	Cancelled	
ARLINGTON COUNTY							1/18/2024	1/18/2024										16:46.4	Active C	Cancelled	
ARLINGTON COUNTY							4/30/2024	4/30/2024										17:09.3	Active C	Cancelled	
ARLINGTON COUNTY							10/9/2014	10/9/2014										16:56.3	Active C	Active	
ARLINGTON COUNTY							6/24/2024	6/24/2024										17:11.7	Active C	Cancelled	
ARLINGTON COUNTY							9/25/2020	9/25/2020										16:55.3	Active C	Cancelled	
ARLINGTON COUNTY							9/24/2021	9/24/2021										16:58.9	Active C	Cancelled	
ARLINGTON COUNTY							7/11/2024	7/11/2024										16:38.3	Active C	Cancelled	
ARLINGTON COUNTY							2/9/2024	2/9/2024										16:40.4	Active C	Cancelled	
ARLINGTON COUNTY							1/3/2023	1/3/2023										16:49.1	Active C	Cancelled	
ARLINGTON COUNTY							11/28/2023	11/28/2023										16:52.9	Active C	Cancelled	
ARLINGTON COUNTY							8/16/2022	8/16/2022										16:50.5	Active C	Cancelled	

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Res Address Line1	Res Address Line2	Res Address Line3	Res City	Res State	Res Zip	Mail Address Line1	Mail Address Line2	Mail Address Line3	Mail City	Mail State	Mail Zip	Cancel Date Time	Cancel Type	Current Registration Status
BEDFORD COUNTY							4/5/2023	4/5/2023																16:05.4	Active C	Cancelled
BEDFORD COUNTY							8/25/2021	8/25/2021																16:07.2	Active C	Cancelled
BRISTOL CITY							4/19/2024	4/19/2024																29:15.1	Active C	Cancelled
BRUNSWICK COUNTY							4/16/2024	4/16/2024																18:26.0	Active C	Cancelled
CAMPBELL COUNTY							9/17/1979	9/17/1979																16:14.2	Active C	Active
CAROLINE COUNTY							3/17/1992	3/17/1992																16:33.2	Active C	Cancelled
CAROLINE COUNTY							6/26/2024	6/26/2024																17:17.1	Active C	Cancelled
CAROLINE COUNTY							10/5/2022	10/5/2022																18:53.5	Active C	Cancelled
CARROLL COUNTY							11/9/2023	11/9/2023																48:10.6	Active C	Cancelled
CARROLL COUNTY							9/26/2024	9/26/2024																43:20.7	Active C	Cancelled
CHARLES CITY COUNTY							7/31/2019	7/31/2019																16:00.3	Active C	Cancelled
CHARLOTTESVILLE CITY							4/15/2024	4/15/2024																58:10.8	Active C	Cancelled
CHARLOTTESVILLE CITY							1/30/2024	1/30/2024																58:30.9	Active C	Cancelled
CHARLOTTESVILLE CITY							11/15/2023	11/15/2023																58:44.8	Active C	Cancelled
CHARLOTTESVILLE CITY							6/25/2024	6/25/2024																59:02.3	Active C	Cancelled
CHARLOTTESVILLE CITY							9/10/2020	9/10/2020																49:38.3	Active C	Cancelled
CHARLOTTESVILLE CITY							3/11/2019	3/11/2019																07:07.2	Active C	Cancelled
CHARLOTTESVILLE CITY							7/19/2023	7/19/2023																59:18.6	Active C	Cancelled
CHARLOTTESVILLE CITY							11/4/2021	11/4/2021																59:31.8	Active C	Cancelled
CHARLOTTESVILLE CITY							3/1/2023	3/1/2023																59:48.1	Active C	Cancelled

Locality	DMVC	Customer	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Time	Cancel Type	Current Registration Status
CHARLOTTESVILLE CITY								6/26/2024	6/26/2024															00:05.5	Active C	Cancelled	
CHARLOTTESVILLE CITY								5/13/2024	5/13/2024															00:21.7	Active C	Cancelled	
CHESAPEAKE CITY								10/17/2022	10/17/2022															16:13.7	Active C	Cancelled	
CHESAPEAKE CITY								3/25/2024	3/25/2024															17:25.5	Active C	Cancelled	
CHESAPEAKE CITY								8/31/2023	8/31/2023															16:16.1	Active C	Cancelled	
CHESAPEAKE CITY								8/20/2018	8/20/2018															16:26.4	Active C	Cancelled	
CHESAPEAKE CITY								2/12/2024	2/12/2024															16:21.1	Active C	Cancelled	
CHESAPEAKE CITY								11/29/2023	11/29/2023															16:59.9	Active C	Cancelled	
CHESAPEAKE CITY								1/5/2006	3/16/2007															16:50.9	Active C	Cancelled	
CHESAPEAKE CITY								2/19/2019	2/19/2019															16:53.6	Inactive C	Cancelled	
CHESAPEAKE CITY								11/9/2021	11/9/2021															16:54.7	Active C	Cancelled	
CHESAPEAKE CITY								2/1/2021	2/1/2021															17:21.1	Active C	Cancelled	
CHESAPEAKE CITY								2/28/2017	2/28/2017															16:48.5	Active C	Cancelled	
CHESAPEAKE CITY								10/21/2016	10/21/2016															16:29.2	Active C	Cancelled	
CHESAPEAKE CITY								7/2/2024	7/2/2024															17:16.4	Active C	Cancelled	
CHESAPEAKE CITY								2/12/2024	2/12/2024															16:52.3	Active C	Cancelled	
CHESAPEAKE CITY								3/12/2018	3/12/2018															16:08.3	Inactive C	Cancelled	
CHESAPEAKE CITY								8/16/2023	8/16/2023															16:43.7	Active C	Cancelled	
CHESAPEAKE CITY								3/11/2009	3/11/2009															16:34.7	Active C	Cancelled	
CHESAPEAKE CITY								12/7/2023	12/7/2023															17:19.6	Active C	Cancelled	

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Date of Birth	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Address Line1	Residence Address Line2	Residence Address Line3	County	Registration Type	Mail Address Line1	Mail Address Line2	Mail Address Line3	Mail City	Mail State	Mail Zip	Cancel Date Time	Cancel Type	Current Registration Status
CHESAPEAKE CITY							10/2/2023	10/2/2023															16:23.6	Active C	Cancelled
CHESAPEAKE CITY							12/4/2023	12/4/2023															17:31.9	Active C	Cancelled
CHESAPEAKE CITY							3/20/2024	3/20/2024															16:09.7	Active C	Cancelled
CHESAPEAKE CITY							2/12/2024	2/12/2024															16:45.9	Active C	Cancelled
CHESAPEAKE CITY							1/12/2024	1/12/2024															17:01.1	Active C	Cancelled
CHESAPEAKE CITY							7/14/2023	7/14/2023															16:57.2	Active C	Cancelled
CHESAPEAKE CITY							7/18/2023	7/18/2023															16:47.3	Active C	Cancelled
CHESAPEAKE CITY							7/20/2023	7/20/2023															16:58.5	Active C	Cancelled
CHESAPEAKE CITY							4/4/2024	4/4/2024															16:56.6	Active C	Cancelled
CHESAPEAKE CITY							8/2/2023	8/2/2023															17:22.4	Active C	Cancelled
CHESAPEAKE CITY							7/5/2022	7/5/2022															16:27.6	Active C	Cancelled
CHESAPEAKE CITY							5/17/2024	5/17/2024															16:13.4	Active C	Cancelled
CHESAPEAKE CITY							12/7/2022	12/7/2022															17:32.9	Active C	Cancelled
CHESAPEAKE CITY							3/13/2024	3/13/2024															16:07.2	Active C	Cancelled
CHESAPEAKE CITY							1/22/2024	1/22/2024															16:58.7	Active C	Cancelled
CHESAPEAKE CITY							10/17/2022	10/17/2022															17:10.8	Active C	Cancelled
CHESAPEAKE CITY							7/20/2023	7/20/2023															17:18.4	Active C	Cancelled
CHESAPEAKE CITY							8/20/2008	8/20/2008															16:03.0	Active C	Cancelled
CHESAPEAKE CITY							5/31/2024	5/31/2024															16:22.4	Active C	Cancelled
CHESAPEAKE CITY							5/19/2008	5/19/2008															16:38.9	Active C	Cancelled

Locality	DMVC	FirstN	Middle	LastNa	Suffix	Birth	te	nDate	er	ed	ne1	ne2	ne3	ty	e	p	Line1	Line2	Line3	ity	tate	ip	Time	pe	ationStatus
CHESAPEAKE CITY								8/19/2016	8/19/2016														16:25.1	Active C	Cancelled
CHESTERFIELD COUNTY								10/5/2022	10/5/2022														22:05.8	Active C	Cancelled
CHESTERFIELD COUNTY								5/20/2024	5/20/2024														22:25.2	Active C	Cancelled
CHESTERFIELD COUNTY								10/13/2023	10/13/2023														22:37.4	Active C	Cancelled
CHESTERFIELD COUNTY								4/14/2017	4/14/2017														16:20.7	Active C	Cancelled
CHESTERFIELD COUNTY								4/25/2024	4/25/2024														22:51.8	Active C	Cancelled
CHESTERFIELD COUNTY								3/8/2024	3/8/2024														23:03.0	Inactive	Cancelled
CHESTERFIELD COUNTY								6/21/2024	6/21/2024														23:25.5	Active C	Cancelled
CHESTERFIELD COUNTY								3/27/2024	3/27/2024														23:35.3	Active C	Cancelled
CHESTERFIELD COUNTY								9/7/2023	9/7/2023														23:50.7	Active C	Cancelled
CHESTERFIELD COUNTY								7/12/2024	7/12/2024														16:58.2	Active C	Cancelled
CHESTERFIELD COUNTY								2/23/2023	2/23/2023														16:41.5	Active C	Cancelled
CHESTERFIELD COUNTY								8/17/2023	8/17/2023														24:04.0	Active C	Cancelled
CHESTERFIELD COUNTY								4/30/2024	4/30/2024														24:22.6	Active C	Cancelled
CHESTERFIELD COUNTY								7/1/2024	7/1/2024														24:35.3	Active C	Cancelled
CHESTERFIELD COUNTY								6/26/2024	6/26/2024														16:07.3	Active C	Cancelled
CHESTERFIELD COUNTY								2/6/2023	2/6/2023														16:15.8	Active C	Cancelled
CHESTERFIELD COUNTY								10/5/2022	10/5/2022														24:50.0	Active C	Cancelled
CHESTERFIELD COUNTY								4/30/2024	4/30/2024														25:31.4	Active C	Cancelled
CHESTERFIELD COUNTY								4/26/2024	4/26/2024														25:46.2	Active C	Cancelled

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Date of Birth	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential Address Type	Registration State	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Time	Cancel Type	Current Registration Status
CHESTERFIELD COUNTY								9/3/2024	9/3/2024														16:12.8	Active C	Cancelled	
CHESTERFIELD COUNTY								8/30/2017	8/30/2017														16:02.5	Active C	Cancelled	
CHESTERFIELD COUNTY								10/7/1989	10/7/1989														16:24.8	Active C	Merged	
CHESTERFIELD COUNTY								1/10/2023	1/10/2023														25:58.8	Active C	Cancelled	
CHESTERFIELD COUNTY								1/10/2023	1/10/2023														17:22.4	Inactive	Cancelled	
CHESTERFIELD COUNTY								1/9/2024	1/9/2024														26:11.3	Active C	Cancelled	
CHESTERFIELD COUNTY								1/18/2024	1/18/2024														26:22.8	Active C	Cancelled	
CHESTERFIELD COUNTY								3/13/2024	3/13/2024														26:33.8	Active C	Cancelled	
CHESTERFIELD COUNTY								12/4/2023	12/4/2023														26:44.8	Active C	Cancelled	
CHESTERFIELD COUNTY								2/7/2020	2/7/2020														26:53.7	Active C	Cancelled	
CHESTERFIELD COUNTY								2/1/2024	2/1/2024														27:04.1	Active C	Cancelled	
CHESTERFIELD COUNTY								3/8/2024	3/8/2024														51:31.0	Active C	Cancelled	
CHESTERFIELD COUNTY								10/8/2022	10/8/2022														27:14.5	Active C	Active	
CHESTERFIELD COUNTY								11/5/2020	11/5/2020														35:17.3	Active C	Cancelled	
CHESTERFIELD COUNTY								1/10/2024	1/10/2024														15:58.5	Active C	Cancelled	
CHESTERFIELD COUNTY								6/26/2024	6/26/2024														27:29.2	Active C	Cancelled	
CHESTERFIELD COUNTY								9/5/2023	9/5/2023														27:38.8	Active C	Cancelled	
CHESTERFIELD COUNTY								4/11/2024	4/11/2024														27:47.9	Active C	Cancelled	
CHESTERFIELD COUNTY								2/6/2024	2/6/2024														27:58.8	Active C	Cancelled	
CHESTERFIELD COUNTY								10/8/2022	10/8/2022														16:28.7	Active C	Cancelled	

Locality	DMVC Customer	FirstN	Middle	LastNa	Suffix	Birth	EarliestReg	RegistrationDate	Phone	Protected	Res	Address	Address	Address	Residence	State	Zip	Mail_A	Mail_A	Mail_A	Mail_C	Mail_S	Mail_Z	CancelDate	CancelType	CurrentRegistrationStatus
CHESTERFIELD COUNTY							2/12/2024	2/12/2024																28:08.8	Active C	Cancelled
CHESTERFIELD COUNTY							4/7/1998	4/7/1998																16:14.0	Active C	Cancelled
CHESTERFIELD COUNTY							9/11/2024	9/11/2024																23:16.1	Active C	Cancelled
CHESTERFIELD COUNTY							8/26/2021	8/26/2021																15:54.3	Inactive C	Cancelled
CHESTERFIELD COUNTY							4/19/2024	4/19/2024																28:18.2	Active C	Cancelled
CHESTERFIELD COUNTY							3/7/2024	3/7/2024																28:26.6	Active C	Cancelled
CHESTERFIELD COUNTY							1/8/2024	1/8/2024																28:35.0	Active C	Cancelled
CHESTERFIELD COUNTY							7/26/2019	7/26/2019																28:44.2	Active C	Cancelled
CHESTERFIELD COUNTY							4/5/2021	4/5/2021																28:51.7	Active C	Cancelled
CHESTERFIELD COUNTY							7/24/2023	7/24/2023																29:00.2	Active C	Cancelled
CHESTERFIELD COUNTY							9/21/2023	9/21/2023																29:11.3	Active C	Cancelled
CHESTERFIELD COUNTY							3/1/2021	3/1/2021																29:20.4	Active C	Cancelled
CHESTERFIELD COUNTY							5/28/2024	5/28/2024																29:28.6	Active C	Cancelled
CHESTERFIELD COUNTY							1/29/2024	1/29/2024																29:36.4	Active C	Cancelled
CHESTERFIELD COUNTY							1/23/2024	1/23/2024																29:45.4	Active C	Cancelled
CHESTERFIELD COUNTY							3/28/2024	3/28/2024																31:01.2	Active C	Cancelled
CHESTERFIELD COUNTY							3/29/2023	3/29/2023																17:21.3	Active C	Cancelled
CHESTERFIELD COUNTY							4/16/2019	4/16/2019																32:19.7	Active C	Cancelled
CHESTERFIELD COUNTY							12/29/2023	12/29/2023																32:33.8	Active C	Cancelled
CHESTERFIELD COUNTY							2/12/2024	2/12/2024																16:02.5	Active C	Cancelled

Locality	DMVC Customer VoterID	FirstN Name	Middle Name	LastNa me	Suffix	DateOf Birth	EarliestReg istrationDa te	Registratio nDate	Phone_ Numbr	Protect ed	ssLi ne1	dressLi ne2	dressLi ne3	Res_Ci ty	Re s_S Z	Mail_A Line1	Mail_A Line2	Mail_A Line3	Mail_C ity	Mail_S tate	Mail_Z ip	CancelDate Time	ationTy pe	CurrentRegistr ationStatus	
CHESTERFIELD COUNTY							7/20/2023	7/20/2023														40:48.5	Active C	Cancelled	
CHESTERFIELD COUNTY							12/30/2016	12/30/2016															16:35.2	Active C	Cancelled
CHESTERFIELD COUNTY							12/18/2023	12/18/2023															39:57.8	Active C	Cancelled
CHESTERFIELD COUNTY							8/9/2023	8/9/2023															39:44.1	Active C	Cancelled
CHESTERFIELD COUNTY							8/17/2006	8/17/2006															16:22.0	Active C	Cancelled
CHESTERFIELD COUNTY							7/3/2023	7/3/2023															39:33.4	Active C	Cancelled
CHESTERFIELD COUNTY							6/16/2016	6/16/2016															16:05.3	Active C	Cancelled
CHESTERFIELD COUNTY							8/7/2023	8/7/2023															39:15.2	Active C	Cancelled
CHESTERFIELD COUNTY							3/8/2024	3/8/2024															39:05.9	Active C	Cancelled
CHESTERFIELD COUNTY							10/13/2020	10/13/2020															16:03.2	Active C	Cancelled
CHESTERFIELD COUNTY							5/28/2024	5/28/2024															38:49.6	Active C	Cancelled
CHESTERFIELD COUNTY							1/8/2024	1/8/2024															38:36.6	Active C	Cancelled
CHESTERFIELD COUNTY							3/12/2024	3/12/2024															38:25.2	Active C	Cancelled
CHESTERFIELD COUNTY							2/2/2024	2/2/2024															38:13.3	Active C	Cancelled
CHESTERFIELD COUNTY							10/17/2022	10/17/2022															38:00.4	Active C	Cancelled
CHESTERFIELD COUNTY							1/27/2017	1/27/2017															16:43.5	Active C	Cancelled
CHESTERFIELD COUNTY							3/26/2024	3/26/2024															16:07.0	Active C	Cancelled
CHESTERFIELD COUNTY							6/26/2024	6/26/2024															37:50.0	Active C	Cancelled
CLARKE COUNTY							6/25/2024	6/25/2024															19:11.5	Active C	Cancelled
CLARKE COUNTY							11/9/2023	11/9/2023															19:31.3	Active C	Cancelled

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date/Time	Cancel Type	Current Registration Status
CLARKE COUNTY								9/13/2024	9/13/2024															16:22.5	Active C	Cancelled
COLONIAL HEIGHTS CITY								2/1/2024	2/1/2024															19:37.9	Active C	Cancelled
COLONIAL HEIGHTS CITY								3/6/2024	3/6/2024															17:44.0	Inactive	Cancelled
COLONIAL HEIGHTS CITY								5/20/2024	5/20/2024															17:03.5	Active C	Cancelled
COLONIAL HEIGHTS CITY								1/23/2024	1/23/2024															16:22.3	Active C	Cancelled
COLONIAL HEIGHTS CITY								6/21/2024	6/21/2024															16:31.0	Active C	Cancelled
COLONIAL HEIGHTS CITY								10/30/2023	10/30/2023															16:32.6	Active C	Cancelled
COLONIAL HEIGHTS CITY								1/23/2024	1/23/2024															18:45.9	Active C	Cancelled
COVINGTON CITY								4/22/2024	4/22/2024															16:33.7	Active C	Cancelled
COVINGTON CITY								9/20/2018	9/20/2018															16:00.0	Inactive	Cancelled
CRAIG COUNTY								12/4/2020	12/4/2020															16:23.2	Active C	Cancelled
CULPEPER COUNTY								6/26/2024	6/26/2024															18:55.1	Active C	Cancelled
CULPEPER COUNTY								9/29/2022	9/29/2022															16:01.1	Active C	Cancelled
CULPEPER COUNTY								9/28/2016	9/28/2016															17:04.9	Active C	Cancelled
CULPEPER COUNTY								6/26/2024	6/26/2024															16:12.7	Active C	Cancelled
CULPEPER COUNTY								5/6/2024	5/6/2024															20:47.8	Active C	Cancelled
CULPEPER COUNTY								3/13/2024	3/13/2024															19:21.0	Active C	Cancelled
CULPEPER COUNTY								3/3/2016	3/3/2016															21:25.8	Active C	Cancelled
CULPEPER COUNTY								9/3/2015	9/3/2015															19:49.8	Active C	Cancelled
CULPEPER COUNTY								8/15/2018	8/15/2018															23:09.2	Active C	Cancelled

Locality	DMVC Customer	FirstN	Middle	LastNa	Suffix	DateOf	EarliestReg	RegistrationDate	Phone	Protected	Res	AddressLine1	AddressLine2	AddressLine3	Res_City	State	Zip	Mail_Address	Mail_Address	Mail_Address	Mail_City	Mail_State	Mail_Zip	CancelDate	CancelTime	CancelType	CurrentRegistrationStatus
CULPEPER COUNTY							4/24/2024	4/24/2024																17:15.7	Active C	Active	
CULPEPER COUNTY							6/27/2024	6/27/2024																19:14.6	Active C	Cancelled	
CULPEPER COUNTY							10/2/2023	10/2/2023																21:54.2	Active C	Cancelled	
CULPEPER COUNTY							12/11/2019	12/11/2019																17:18.3	Active C	Cancelled	
DANVILLE CITY							3/8/2024	3/8/2024																20:45.1	Active C	Cancelled	
DANVILLE CITY							12/4/2023	12/4/2023																17:27.8	Active C	Cancelled	
DANVILLE CITY							8/30/2023	8/30/2023																19:01.2	Active C	Cancelled	
DICKENSON COUNTY							7/18/2024	7/18/2024																16:04.2	Active C	Cancelled	
DINWIDDIE COUNTY							12/7/2006	12/7/2006																16:59.4	Active C	Cancelled	
DINWIDDIE COUNTY							5/21/2024	5/21/2024																20:02.3	Active C	Cancelled	
ESSEX COUNTY							8/4/2008	8/4/2008																16:38.4	Active C	Cancelled	
ESSEX COUNTY							10/13/2022	10/13/2022																17:54.1	Inactive C	Cancelled	
FAIRFAX CITY							2/8/2016	2/8/2016																49:52.0	Active C	Cancelled	
FAIRFAX CITY							11/18/2022	11/18/2022																49:58.2	Active C	Cancelled	
FAIRFAX CITY							8/29/2016	8/29/2016																50:03.5	Active C	Cancelled	
FAIRFAX COUNTY							4/15/2024	4/15/2024																19:44.3	Active C	Cancelled	
FAIRFAX COUNTY							10/2/2023	10/2/2023																21:45.4	Active C	Cancelled	
FAIRFAX COUNTY							2/1/2024	2/1/2024																16:03.7	Active C	Cancelled	
FAIRFAX COUNTY							7/5/2023	7/5/2023																21:41.3	Active C	Cancelled	
FAIRFAX COUNTY							3/11/2024	3/11/2024																18:22.2	Active C	Cancelled	

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Date of Birth	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date Time	Cancellation Type	Current Registration Status	
FAIRFAX COUNTY								3/13/2024	3/13/2024															17:50.0	Active C	Cancelled	
FAIRFAX COUNTY								11/22/2023	11/22/2023																17:57.0	Active C	Cancelled
FAIRFAX COUNTY								4/10/2018	4/10/2018																21:36.0	Active C	Cancelled
FAIRFAX COUNTY								4/22/2019	4/22/2019																21:06.1	Inactive	Cancelled
FAIRFAX COUNTY								7/18/2024	7/18/2024																16:20.7	Active C	Cancelled
FAIRFAX COUNTY								7/7/2023	7/7/2023																20:33.2	Active C	Cancelled
FAIRFAX COUNTY								2/8/2024	2/8/2024																20:43.5	Active C	Cancelled
FAIRFAX COUNTY								4/15/2024	4/15/2024																22:06.6	Active C	Cancelled
FAIRFAX COUNTY								1/31/2024	1/31/2024																17:30.6	Active C	Cancelled
FAIRFAX COUNTY								5/17/2024	5/17/2024																18:00.4	Active C	Cancelled
FAIRFAX COUNTY								3/11/2024	3/11/2024																20:59.7	Active C	Cancelled
FAIRFAX COUNTY								2/28/2023	2/28/2023																16:56.3	Active C	Cancelled
FAIRFAX COUNTY								9/20/2023	9/20/2023																21:23.1	Active C	Cancelled
FAIRFAX COUNTY								12/11/2023	12/11/2023																17:00.4	Active C	Cancelled
FAIRFAX COUNTY								11/14/2023	11/14/2023																16:45.5	Active C	Cancelled
FAIRFAX COUNTY								5/3/2024	5/3/2024																22:04.5	Active C	Cancelled
FAIRFAX COUNTY								1/30/2024	1/30/2024																21:52.4	Inactive	Cancelled
FAIRFAX COUNTY								8/10/2020	8/10/2020																17:40.3	Active C	Cancelled
FAIRFAX COUNTY								6/26/2024	6/26/2024																21:12.1	Active C	Cancelled
FAIRFAX COUNTY								11/15/2021	11/15/2021																16:57.1	Active C	Cancelled

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Date of Birth	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Line 1	Residence Line 2	Residence Line 3	Residence Type	Registration State	Registration Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date Time	Cancel Type	Current Registration Status
FAIRFAX COUNTY							12/8/2023	12/8/2023																20:49.8	Active C	Cancelled
FAIRFAX COUNTY							8/14/2023	8/14/2023																19:39.4	Active C	Cancelled
FAIRFAX COUNTY							1/25/2024	1/25/2024																19:57.0	Active C	Cancelled
FAIRFAX COUNTY							3/14/2024	3/14/2024																22:24.8	Active C	Cancelled
FAIRFAX COUNTY							1/24/2024	1/24/2024																20:27.8	Active C	Cancelled
FAIRFAX COUNTY							3/13/2024	3/13/2024																18:38.2	Active C	Cancelled
FAIRFAX COUNTY							4/3/2024	4/3/2024																21:55.5	Active C	Cancelled
FAIRFAX COUNTY							6/25/2024	6/25/2024																17:35.7	Active C	Cancelled
FAIRFAX COUNTY							9/5/2008	9/5/2008																16:19.4	Active C	Cancelled
FAIRFAX COUNTY							7/12/2018	7/12/2018																16:30.0	Active C	Cancelled
FAIRFAX COUNTY							6/16/2015	6/16/2015																18:24.8	Active C	Cancelled
FAIRFAX COUNTY							7/17/2023	7/17/2023																22:25.7	Active C	Cancelled
FAIRFAX COUNTY							3/13/2024	3/13/2024																16:46.2	Active C	Cancelled
FAIRFAX COUNTY							1/23/2018	1/23/2018																18:20.4	Active C	Cancelled
FAIRFAX COUNTY							2/12/2024	2/12/2024																16:12.3	Active C	Cancelled
FAIRFAX COUNTY							12/15/2023	12/15/2023																20:26.8	Active C	Cancelled
FAIRFAX COUNTY							3/9/2020	3/9/2020																16:55.1	Active C	Cancelled
FAIRFAX COUNTY							4/3/2024	4/3/2024																16:36.7	Active C	Cancelled
FAIRFAX COUNTY							8/25/2023	8/25/2023																16:14.6	Active C	Cancelled
FAIRFAX COUNTY							7/24/2023	7/24/2023																18:08.4	Active C	Cancelled

Locality	DMVC Customer	VoterID	ResNum	FirstN	Middle	LastNa	Suffix	DateOf	Birth	EarliestReg	RegistrationDate	Phone	Protected	Res	AddressLine1	AddressLine2	AddressLine3	Res	City	State	Zip	CancelDate	Time	Cancel	RegistrationStatus
FAIRFAX COUNTY										12/11/2023	12/11/2023											18:11.3	Active C	Cancelled	
FAIRFAX COUNTY										8/19/2024	8/19/2024											16:17.2	Active C	Cancelled	
FAIRFAX COUNTY										3/19/2024	3/19/2024											22:22.4	Active C	Cancelled	
FAIRFAX COUNTY										6/26/2024	6/26/2024											18:15.8	Active C	Cancelled	
FAIRFAX COUNTY										1/15/2021	1/15/2021											20:19.0	Active C	Cancelled	
FAIRFAX COUNTY										3/12/2024	3/12/2024											21:47.3	Active C	Cancelled	
FAIRFAX COUNTY										1/9/2024	1/9/2024											19:35.1	Active C	Cancelled	
FAIRFAX COUNTY										5/14/2024	5/14/2024											18:30.7	Active C	Cancelled	
FAIRFAX COUNTY										2/1/2018	2/1/2018											17:52.9	Active C	Cancelled	
FAIRFAX COUNTY										11/17/2023	11/17/2023											20:58.7	Active C	Cancelled	
FAIRFAX COUNTY										11/13/2023	11/13/2023											19:38.0	Active C	Cancelled	
FAIRFAX COUNTY										11/15/2023	11/15/2023											19:17.8	Active C	Cancelled	
FAIRFAX COUNTY										12/6/2023	12/6/2023											16:03.6	Active C	Cancelled	
FAIRFAX COUNTY										2/6/2024	2/6/2024											17:59.1	Active C	Cancelled	
FAIRFAX COUNTY										12/26/2023	12/26/2023											20:47.0	Active C	Cancelled	
FAIRFAX COUNTY										7/13/2018	7/13/2018											16:16.2	Active C	Cancelled	
FAIRFAX COUNTY										12/20/2023	12/20/2023											21:04.8	Active C	Cancelled	
FAIRFAX COUNTY										6/30/2023	6/30/2023											16:06.3	Active C	Cancelled	
FAIRFAX COUNTY										4/5/2024	4/5/2024											21:43.2	Active C	Cancelled	
FAIRFAX COUNTY										8/22/2024	8/22/2024											18:18.1	Active C	Cancelled	

Locality	DMVC	FirstN	Middle	LastNa	Suffix	Birth	EarliestReg	RegistrationDate	Phone	Protected	Res	Res_Ad	Res_Ad	Res_Ci	Res	Mail_A	Mail_A	Mail_A	Mail_C	Mail_S	Mail_Z	CancelDate	Cancel	CurrentRegistr	
	ustomer	ame	Name	me		DateOf	istrationDa	Registratio	Numb	Protect	ssLi	dressLi	dressLi	Res_Ci	tit	ddress	ddress	ddress	Mail_C	Mail_S	Mail_Z	Time	ationTy	ationStatus	
	er	ame	Name	me	Suffix	Birth	te	nDate	er	ed	ne1	ne2	ne3	ty	e	p	Line1	Line2	Line3	ity	tate	ip	Time	pe	ationStatus
FAIRFAX COUNTY							10/10/2014	10/10/2014														16:19.2	Active C	Cancelled	
FAIRFAX COUNTY							8/21/2023	8/21/2023														20:31.6	Active C	Cancelled	
FAIRFAX COUNTY							10/9/2018	10/9/2018														17:00.3	Active C	Cancelled	
FAIRFAX COUNTY							12/12/2023	12/12/2023														16:02.4	Active C	Cancelled	
FAIRFAX COUNTY							12/12/2023	12/12/2023														16:20.4	Inactive	Cancelled	
FAIRFAX COUNTY							12/12/2023	12/12/2023														16:43.6	Inactive	Cancelled	
FAIRFAX COUNTY							12/12/2023	12/12/2023														17:17.1	Inactive	Cancelled	
FAIRFAX COUNTY							4/5/2024	4/5/2024														19:03.3	Active C	Cancelled	
FAIRFAX COUNTY							1/18/2024	1/18/2024														19:33.0	Active C	Cancelled	
FAIRFAX COUNTY							8/13/2024	8/13/2024														16:11.4	Active C	Cancelled	
FAIRFAX COUNTY							10/4/2023	10/4/2023														20:14.5	Active C	Cancelled	
FAIRFAX COUNTY							5/1/2024	5/1/2024														16:37.5	Active C	Cancelled	
FAIRFAX COUNTY							1/18/2024	1/18/2024														18:13.6	Active C	Cancelled	
FAIRFAX COUNTY							9/1/2023	9/1/2023														16:33.4	Active C	Cancelled	
FAIRFAX COUNTY							8/3/2021	8/3/2021														20:35.2	Active C	Cancelled	
FAIRFAX COUNTY							5/6/2024	5/6/2024														16:40.6	Active C	Cancelled	
FAIRFAX COUNTY							4/16/2024	4/16/2024														16:52.0	Active C	Cancelled	
FAIRFAX COUNTY							6/26/2024	6/26/2024														20:15.9	Active C	Cancelled	
FAIRFAX COUNTY							10/4/2023	10/4/2023														17:31.8	Active C	Cancelled	
FAIRFAX COUNTY							10/7/2022	10/7/2022														18:19.5	Active C	Cancelled	

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Line 1	Residence Line 2	Residence Line 3	Residence Type	Registration State	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date Time	Registration Type	Current Registration Status
FAIRFAX COUNTY							9/19/2023	9/19/2023															17:05.8	Active C	Cancelled
FAIRFAX COUNTY							4/2/2024	4/2/2024															20:32.8	Active C	Cancelled
FAIRFAX COUNTY							4/4/2022	4/4/2022															16:33.7	Inactive	Cancelled
FAIRFAX COUNTY							9/22/2023	9/22/2023															18:12.3	Active C	Cancelled
FAIRFAX COUNTY							4/8/2024	4/8/2024															18:34.5	Active C	Cancelled
FAIRFAX COUNTY							1/18/2024	1/18/2024															16:18.3	Inactive	Cancelled
FAIRFAX COUNTY							6/14/2021	6/14/2021															17:24.0	Active C	Cancelled
FAIRFAX COUNTY							12/6/2004	12/6/2004															16:08.8	Active C	Cancelled
FAIRFAX COUNTY							9/28/2020	9/28/2020															18:47.2	Active C	Cancelled
FAIRFAX COUNTY							4/11/2024	4/11/2024															16:27.8	Active C	Cancelled
FAIRFAX COUNTY							12/7/2023	12/7/2023															19:15.5	Active C	Cancelled
FAIRFAX COUNTY							11/4/2022	11/4/2022															22:03.3	Active C	Cancelled
FAIRFAX COUNTY							1/30/2020	1/30/2020															21:16.1	Active C	Cancelled
FAIRFAX COUNTY							7/21/2022	7/21/2022															17:35.7	Active C	Cancelled
FAIRFAX COUNTY							6/24/2024	6/24/2024															17:01.2	Active C	Cancelled
FAIRFAX COUNTY							3/15/2024	3/15/2024															21:00.8	Inactive	Cancelled
FAIRFAX COUNTY							4/1/2024	4/1/2024															18:36.9	Active C	Cancelled
FAIRFAX COUNTY							12/26/2000	12/26/2000															16:05.9	Active C	Cancelled
FAIRFAX COUNTY							2/8/2022	2/8/2022															18:52.2	Active C	Cancelled
FAIRFAX COUNTY							4/16/2024	4/16/2024															20:23.8	Active C	Cancelled

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Time	Cancel Date	Cancel Type	Current Registration Status
FAIRFAX COUNTY								3/1/2018	3/1/2018															18:32.7		Inactive	Cancelled
FAIRFAX COUNTY								3/15/2024	3/15/2024															16:51.0		Active C	Cancelled
FAIRFAX COUNTY								1/4/2024	1/4/2024															20:09.8		Active C	Cancelled
FAIRFAX COUNTY								5/15/2024	5/15/2024															19:43.4		Active C	Cancelled
FAIRFAX COUNTY								11/14/2023	11/14/2023															18:23.4		Active C	Cancelled
FAIRFAX COUNTY								9/18/2024	9/18/2024															16:13.9		Active C	Cancelled
FAIRFAX COUNTY								2/12/2024	2/12/2024															21:31.1		Active C	Cancelled
FAIRFAX COUNTY								7/7/2017	7/7/2017															19:29.1		Active C	Cancelled
FAIRFAX COUNTY								3/12/2018	3/12/2018															22:20.3		Active C	Cancelled
FAIRFAX COUNTY								9/23/1999	9/23/1999															16:53.9		Active C	Cancelled
FAIRFAX COUNTY								11/20/2020	11/20/2020															17:23.9		Active C	Cancelled
FAIRFAX COUNTY								9/24/2024	9/24/2024															16:03.1		Active C	Cancelled
FAIRFAX COUNTY								6/28/2023	6/28/2023															16:20.9		Active C	Cancelled
FAIRFAX COUNTY								10/15/2020	10/15/2020															17:02.6		Active C	Cancelled
FAIRFAX COUNTY								3/13/2024	3/13/2024															19:36.7		Active C	Cancelled
FAIRFAX COUNTY								9/5/2023	9/5/2023															20:18.1		Active C	Cancelled
FAIRFAX COUNTY								6/27/2017	6/27/2017															17:43.2		Active C	Cancelled
FAIRFAX COUNTY								8/17/2023	8/17/2023															17:10.0		Active C	Cancelled
FAIRFAX COUNTY								4/17/2023	4/17/2023															17:06.6		Active C	Cancelled
FAIRFAX COUNTY								8/5/2024	8/5/2024															16:37.8		Active C	Cancelled

Locality	DMVC	FirstN	Middle	LastNa	Suffix	Birth	te	nDate	er	ed	ne1	ne2	ne3	ty	e	p	Line1	Line2	Line3	ity	tate	ip	Time	pe	ationStatus
FAIRFAX COUNTY							3/18/2024	3/18/2024															19:40.9	Active C	Cancelled
FAIRFAX COUNTY							9/24/2024	9/24/2024															16:43.7	Active C	Cancelled
FAIRFAX COUNTY							8/22/2023	8/22/2023															21:28.3	Active C	Cancelled
FAIRFAX COUNTY							2/12/2024	2/12/2024															16:42.8	Active C	Cancelled
FAIRFAX COUNTY							4/15/2024	4/15/2024															16:16.0	Active C	Cancelled
FAIRFAX COUNTY							8/1/2023	8/1/2023															17:38.0	Active C	Cancelled
FAIRFAX COUNTY							5/23/2024	5/23/2024															19:34.0	Active C	Cancelled
FAIRFAX COUNTY							8/16/2023	8/16/2023															22:11.8	Active C	Cancelled
FAIRFAX COUNTY							7/19/2000	7/19/2000															17:12.3	Active C	Cancelled
FAIRFAX COUNTY							9/30/2021	9/30/2021															17:20.4	Active C	Cancelled
FAIRFAX COUNTY							5/11/2018	5/11/2018															16:35.1	Active C	Cancelled
FAIRFAX COUNTY							4/1/2024	4/1/2024															21:58.2	Active C	Cancelled
FAIRFAX COUNTY							12/12/2023	12/12/2023															17:46.0	Active C	Cancelled
FAIRFAX COUNTY							9/13/2024	9/13/2024															16:09.0	Active C	Cancelled
FAIRFAX COUNTY							1/24/2024	1/24/2024															20:39.5	Active C	Cancelled
FAIRFAX COUNTY							11/14/2023	11/14/2023															17:11.2	Active C	Cancelled
FAIRFAX COUNTY							4/26/2024	4/26/2024															21:14.8	Active C	Cancelled
FAIRFAX COUNTY							11/25/2015	11/25/2015															17:25.9	Active C	Cancelled
FAIRFAX COUNTY							12/20/2023	12/20/2023															20:01.0	Active C	Cancelled
FAIRFAX COUNTY							2/25/2015	2/25/2015															16:38.9	Active C	Cancelled

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Time	Registration Type	Current Registration Status	
FAIRFAX COUNTY								2/24/2024	2/24/2024																17:16.8	Active C	Cancelled	
FAIRFAX COUNTY								11/16/2022	11/16/2022																	20:45.6	Active C	Cancelled
FAIRFAX COUNTY								3/21/2024	3/21/2024																	19:56.0	Active C	Cancelled
FAIRFAX COUNTY								10/11/2022	10/11/2022																	17:35.7	Active C	Cancelled
FAIRFAX COUNTY								5/13/2024	5/13/2024																	18:09.7	Active C	Cancelled
FAIRFAX COUNTY								6/26/2024	6/26/2024																	19:07.1	Active C	Cancelled
FAIRFAX COUNTY								7/27/2023	7/27/2023																	20:17.0	Active C	Cancelled
FAIRFAX COUNTY								7/11/2023	7/11/2023																	18:45.7	Active C	Cancelled
FAIRFAX COUNTY								4/25/2024	4/25/2024																	18:35.5	Active C	Cancelled
FAIRFAX COUNTY								7/14/2023	7/14/2023																	17:14.5	Active C	Cancelled
FAIRFAX COUNTY								4/29/2024	4/29/2024																	21:53.3	Active C	Cancelled
FAIRFAX COUNTY								9/6/2023	9/6/2023																	18:32.9	Active C	Cancelled
FAIRFAX COUNTY								6/25/2024	6/25/2024																	22:23.7	Active C	Cancelled
FAIRFAX COUNTY								4/23/2024	4/23/2024																	20:51.2	Active C	Cancelled
FAIRFAX COUNTY								1/30/2017	1/30/2017																	20:36.4	Inactive	Cancelled
FAIRFAX COUNTY								1/31/2024	1/31/2024																	22:09.7	Active C	Cancelled
FAIRFAX COUNTY								4/2/2024	4/2/2024																	16:21.9	Active C	Cancelled
FAIRFAX COUNTY								4/24/2024	4/24/2024																	19:18.9	Active C	Cancelled
FAIRFAX COUNTY								9/20/2000	9/20/2000																	16:29.2	Active C	Cancelled
FAIRFAX COUNTY								3/18/2024	3/18/2024																	21:24.3	Active C	Cancelled

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Date of Birth	Earliest Registration Date	Registration Date	Phone Number	Protected	Res Address Line1	Res Address Line2	Res Address Line3	Res City	Res State	Res Zip	Mail Address Line1	Mail Address Line2	Mail Address Line3	Mail City	Mail State	Mail Zip	Cancel Date Time	Cancel Type	Current Registration Status	
FAIRFAX COUNTY							11/16/2023	11/16/2023																21:34.7	Active C	Cancelled	
FAIRFAX COUNTY							4/19/2024	4/19/2024																	20:20.0	Active C	Cancelled
FAIRFAX COUNTY							3/26/2024	3/26/2024																	16:17.2	Active C	Cancelled
FAIRFAX COUNTY							3/11/2024	3/11/2024																	21:37.1	Active C	Cancelled
FAIRFAX COUNTY							5/23/2024	5/23/2024																	20:29.2	Active C	Cancelled
FAIRFAX COUNTY							7/19/2023	7/19/2023																	20:12.1	Inactive C	Cancelled
FAIRFAX COUNTY							4/29/2024	4/29/2024																	18:58.1	Active C	Cancelled
FAIRFAX COUNTY							7/5/2023	7/5/2023																	21:19.6	Active C	Cancelled
FAIRFAX COUNTY							12/30/2015	12/30/2015																	17:07.4	Active C	Cancelled
FAIRFAX COUNTY							11/9/2021	11/9/2021																	17:02.1	Active C	Cancelled
FAIRFAX COUNTY							1/16/2024	1/16/2024																	17:13.3	Active C	Cancelled
FAIRFAX COUNTY							1/2/2024	1/2/2024																	21:21.0	Active C	Cancelled
FAIRFAX COUNTY							3/22/2024	3/22/2024																	21:56.6	Active C	Cancelled
FAIRFAX COUNTY							3/25/2024	3/25/2024																	21:03.4	Active C	Cancelled
FAIRFAX COUNTY							11/17/2023	11/17/2023																	20:41.0	Active C	Cancelled
FAIRFAX COUNTY							6/26/2024	6/26/2024																	17:04.4	Active C	Cancelled
FAIRFAX COUNTY							6/23/2006	4/9/2007																	18:38.3	Active C	Cancelled
FAIRFAX COUNTY							8/20/2024	8/20/2024																	16:13.2	Active C	Cancelled
FAIRFAX COUNTY							12/9/2009	12/9/2009																	16:08.8	Active C	Cancelled
FAIRFAX COUNTY							6/26/2024	6/26/2024																	20:38.3	Active C	Cancelled

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date Time	Cancel Type	Current Registration Status	
FAIRFAX COUNTY								8/2/2023	8/2/2023															22:02.2	Active C	Cancelled	
FAIRFAX COUNTY								5/15/2024	5/15/2024																17:54.0	Active C	Cancelled
FAIRFAX COUNTY								9/6/2023	9/6/2023																16:58.2	Active C	Cancelled
FAIRFAX COUNTY								6/25/2024	6/25/2024																22:16.3	Active C	Cancelled
FAIRFAX COUNTY								5/25/2022	5/25/2022																18:07.2	Active C	Cancelled
FAIRFAX COUNTY								12/6/2016	12/6/2016																18:18.0	Active C	Cancelled
FAIRFAX COUNTY								5/30/2023	5/30/2023																16:07.5	Active C	Cancelled
FAIRFAX COUNTY								12/18/2023	12/18/2023																17:24.9	Active C	Cancelled
FAIRFAX COUNTY								4/9/2024	4/9/2024																16:24.0	Active C	Cancelled
FAIRFAX COUNTY								9/28/2018	9/28/2018																19:23.4	Active C	Cancelled
FAIRFAX COUNTY								6/26/2024	6/26/2024																16:10.7	Active C	Cancelled
FAIRFAX COUNTY								3/24/1999	3/24/1999																16:40.1	Active C	Cancelled
FAIRFAX COUNTY								4/5/2023	4/5/2023																16:17.6	Active C	Cancelled
FAIRFAX COUNTY								4/5/2023	4/5/2023																15:59.0	Inactive	Cancelled
FAIRFAX COUNTY								4/5/2023	4/5/2023																16:24.2	Inactive	Cancelled
FAIRFAX COUNTY								4/5/2023	4/5/2023																16:05.1	Inactive	Cancelled
FAIRFAX COUNTY								4/5/2023	4/5/2023																16:22.9	Inactive	Cancelled
FAIRFAX COUNTY								4/5/2023	4/5/2023																16:45.7	Inactive	Cancelled
FAIRFAX COUNTY								4/5/2023	4/5/2023																17:18.9	Inactive	Cancelled
FAIRFAX COUNTY								4/5/2023	4/5/2023																16:49.9	Inactive	Cancelled

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line1	Residential Address Line2	Residential Address Line3	Residential Address Type	Registration Status	Mail Address Line1	Mail Address Line2	Mail Address Line3	Mail City	Mail State	Mail Zip	Cancel Date Time	Cancel Type	Current Registration Status
FAIRFAX COUNTY							8/28/2023	8/28/2023															19:16.7	Active C	Cancelled
FAIRFAX COUNTY							5/11/2021	5/11/2021															19:09.7	Active C	Cancelled
FAIRFAX COUNTY							2/16/2021	2/16/2021															17:37.1	Active C	Cancelled
FAIRFAX COUNTY							8/11/2020	8/11/2020															16:37.7	Active C	Cancelled
FAIRFAX COUNTY							9/8/2023	9/8/2023															16:56.9	Active C	Cancelled
FAIRFAX COUNTY							11/22/2023	11/22/2023															22:21.4	Active C	Cancelled
FAIRFAX COUNTY							10/10/2022	10/10/2022															16:24.8	Active C	Cancelled
FAIRFAX COUNTY							5/24/2024	5/24/2024															19:12.2	Active C	Cancelled
FAIRFAX COUNTY							9/26/2023	9/26/2023															19:31.5	Active C	Cancelled
FAIRFAX COUNTY							6/26/2024	6/26/2024															16:48.8	Active C	Cancelled
FAIRFAX COUNTY							5/10/2024	5/10/2024															16:31.6	Active C	Cancelled
FAIRFAX COUNTY							4/4/2024	4/4/2024															16:26.9	Active C	Cancelled
FAIRFAX COUNTY							11/21/2023	11/21/2023															22:17.5	Active C	Cancelled
FAIRFAX COUNTY							9/14/2017	9/14/2017															18:48.1	Active C	Cancelled
FAIRFAX COUNTY							9/18/2024	9/18/2024															16:12.3	Active C	Cancelled
FAIRFAX COUNTY							9/21/2023	9/21/2023															17:33.2	Active C	Cancelled
FAIRFAX COUNTY							7/6/2012	7/6/2012															16:22.7	Active C	Cancelled
FAIRFAX COUNTY							1/4/2022	1/4/2022															16:04.2	Inactive	Cancelled
FAIRFAX COUNTY							3/12/2024	3/12/2024															17:27.9	Active C	Cancelled
FAIRFAX COUNTY							3/19/2024	3/19/2024															19:10.8	Active C	Cancelled

Locality	DMVC	Customer	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Line 1	Residence Line 2	Residence Line 3	Residence Type	Registration Line 1	Registration Line 2	Registration Line 3	Registration City	Registration State	Registration Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Time	Cancel Date	Cancel Type	Current Registration Status
FAIRFAX COUNTY								5/14/2019	5/14/2019																		21:32.2	Active C	Cancelled		
FAIRFAX COUNTY								8/2/2021	8/2/2021																		18:27.6	Active C	Cancelled		
FAIRFAX COUNTY								8/22/2024	8/22/2024																		16:27.9	Active C	Cancelled		
FAIRFAX COUNTY								5/15/2024	5/15/2024																		17:12.3	Active C	Cancelled		
FAIRFAX COUNTY								11/30/2016	11/30/2016																		18:45.2	Active C	Cancelled		
FAIRFAX COUNTY								8/7/2023	8/7/2023																		19:13.4	Inactive C	Cancelled		
FAIRFAX COUNTY								3/18/2024	3/18/2024																		20:53.1	Active C	Cancelled		
FAIRFAX COUNTY								10/2/2023	10/2/2023																		19:08.3	Active C	Cancelled		
FAIRFAX COUNTY								12/22/2023	12/22/2023																		17:08.8	Active C	Cancelled		
FAIRFAX COUNTY								11/28/2023	11/28/2023																		21:30.0	Inactive C	Cancelled		
FAIRFAX COUNTY								8/16/2023	8/16/2023																		16:13.8	Active C	Cancelled		
FAIRFAX COUNTY								9/25/2023	9/25/2023																		21:59.6	Active C	Cancelled		
FAIRFAX COUNTY								9/19/2017	9/19/2017																		16:09.6	Inactive C	Cancelled		
FAIRFAX COUNTY								8/31/2017	8/31/2017																		19:05.9	Active C	Cancelled		
FAIRFAX COUNTY								5/13/2024	5/13/2024																		18:32.0	Active C	Cancelled		
FAIRFAX COUNTY								6/24/2024	6/24/2024																		18:20.7	Active C	Cancelled		
FAIRFAX COUNTY								5/2/2024	5/2/2024																		20:42.1	Active C	Cancelled		
FAIRFAX COUNTY								4/18/2024	4/18/2024																		18:03.5	Active C	Cancelled		
FAIRFAX COUNTY								5/5/2022	5/5/2022																		16:47.3	Active C	Cancelled		
FAIRFAX COUNTY								6/27/2024	6/27/2024																		18:43.6	Active C	Cancelled		

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Date of Birth	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Cancel Date	Registration Type	Current Registration Status
FAIRFAX COUNTY							6/24/2024	6/24/2024										17:44.5	Active C	Cancelled
FAIRFAX COUNTY							8/2/2023	8/2/2023										18:42.0	Active C	Cancelled
FAIRFAX COUNTY							4/1/2024	4/1/2024										21:50.2	Active C	Cancelled
FAIRFAX COUNTY							4/11/2024	4/11/2024										19:22.0	Active C	Cancelled
FAIRFAX COUNTY							7/3/2023	7/3/2023										20:03.3	Active C	Cancelled
FAIRFAX COUNTY							11/16/2021	11/16/2021										16:02.3	Active C	Cancelled
FAIRFAX COUNTY							9/10/2024	9/10/2024										16:15.6	Active C	Cancelled
FAIRFAX COUNTY							5/5/2022	5/5/2022										16:44.7	Active C	Cancelled
FAUQUIER COUNTY							8/28/2023	8/28/2023										55:37.4	Active C	Cancelled
FAUQUIER COUNTY							4/30/2024	4/30/2024										56:07.2	Active C	Cancelled
FAUQUIER COUNTY							10/9/2019	10/9/2019										57:14.4	Active C	Cancelled
FAUQUIER COUNTY							3/8/2024	3/8/2024										57:35.4	Active C	Cancelled
FAUQUIER COUNTY							12/2/2011	11/1/2017										58:15.4	Active C	Cancelled
FAUQUIER COUNTY							11/28/2023	11/28/2023										58:59.9	Active C	Cancelled
FAUQUIER COUNTY							4/17/2024	4/17/2024										59:27.7	Active C	Cancelled
FAUQUIER COUNTY							3/18/2024	3/18/2024										59:51.3	Active C	Cancelled
FAUQUIER COUNTY							11/20/2023	11/20/2023										28:06.2	Active C	Cancelled
FAUQUIER COUNTY							11/13/2023	11/13/2023										00:30.1	Active C	Cancelled
FAUQUIER COUNTY							4/20/2023	4/20/2023										40:37.8	Inactive	Cancelled
FLUVANNA COUNTY							7/24/2023	7/24/2023										42:40.6	Active C	Cancelled

Locality	VoterID	DMVC rNumbr ustomer	FirstN ame	Middle Name	LastNa me	Suffix	DateOf Birth	EarliestReg istrationDa te	Registratio nDate	Phone_ Numbr	Protect ed	ssLi ne1	dressLi ne2	dressLi ne3	Res_Ci ty	Re s _Ad dress	Re s _Ad dress	Re s _Ad dress	Mail_A Line1	Mail_A Line2	Mail_A Line3	Mail_C ity	Mail_S tate	Mail_Z ip	CancelDate Time	ationTy pe	CurrentRegistr ationStatus
FREDERICK COUNTY							9/9/2024	9/9/2024																15:57.6	Active C	Cancelled	
FREDERICK COUNTY							5/18/2017	5/18/2017																	16:53.4	Active C	Cancelled
FREDERICK COUNTY							6/21/2023	6/21/2023																	16:22.6	Active C	Cancelled
FREDERICK COUNTY							2/5/2024	2/5/2024																	18:27.1	Active C	Cancelled
FREDERICK COUNTY							7/13/2023	7/13/2023																	18:06.4	Active C	Cancelled
FREDERICK COUNTY							4/5/2024	4/5/2024																	16:40.7	Active C	Cancelled
FREDERICK COUNTY							3/18/2024	3/18/2024																	17:33.5	Active C	Cancelled
FREDERICK COUNTY							6/25/2024	6/25/2024																	18:34.0	Active C	Cancelled
FREDERICK COUNTY							11/1/2021	11/1/2021																	17:26.1	Active C	Cancelled
FREDERICK COUNTY							1/26/2006	1/26/2006																	16:54.6	Active C	Cancelled
FREDERICK COUNTY							10/17/2022	10/17/2022																	16:09.0	Active C	Cancelled
FREDERICK COUNTY							10/17/2022	10/17/2022																	16:38.9	Inactive C	Cancelled
FREDERICK COUNTY							6/28/2024	6/28/2024																	18:58.3	Active C	Cancelled
FREDERICK COUNTY							2/5/2024	2/5/2024																	16:20.7	Active C	Cancelled
FREDERICKSBURG CITY							5/22/2024	5/22/2024																	16:45.8	Active C	Cancelled
FREDERICKSBURG CITY							5/6/2024	5/6/2024																	18:49.1	Active C	Cancelled
FREDERICKSBURG CITY							1/9/2024	1/9/2024																	21:44.1	Active C	Cancelled
FREDERICKSBURG CITY							1/9/2024	1/9/2024																	18:39.5	Active C	Cancelled
FREDERICKSBURG CITY							9/25/2023	9/25/2023																	17:04.0	Active C	Cancelled
FREDERICKSBURG CITY							11/8/2016	11/8/2016																	20:57.2	Active C	Cancelled

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	State	ZIP	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail ZIP	Cancel Date	Cancel Time	Cancel Type	Current Registration Status
FREDERICKSBURG CITY								3/29/2024	3/29/2024															21:11.0	Active C	Cancelled	
FREDERICKSBURG CITY								7/17/2023	7/17/2023															20:44.6	Active C	Cancelled	
GALAX CITY								1/22/2024	1/22/2024															17:29.3	Active C	Cancelled	
GLOUCESTER COUNTY								8/14/2023	8/14/2023															25:24.5	Active C	Cancelled	
GOOCHLAND COUNTY								8/1/2024	8/1/2024															17:28.9	Active C	Cancelled	
GREENE COUNTY								6/20/2024	6/20/2024															20:08.3	Active C	Cancelled	
GREENE COUNTY								3/19/2024	3/19/2024															17:06.2	Active C	Cancelled	
HAMPTON CITY								3/21/2024	3/21/2024															20:01.1	Active C	Cancelled	
HAMPTON CITY								9/28/2016	9/28/2016															16:49.2	Active C	Cancelled	
HAMPTON CITY								7/18/2014	7/18/2014															16:41.5	Active C	Cancelled	
HAMPTON CITY								11/15/2023	11/15/2023															18:13.8	Active C	Cancelled	
HAMPTON CITY								4/17/2024	4/17/2024															18:10.2	Active C	Cancelled	
HAMPTON CITY								7/2/2024	7/2/2024															17:46.8	Active C	Cancelled	
HAMPTON CITY								10/13/2023	10/13/2023															16:44.2	Active C	Cancelled	
HAMPTON CITY								7/13/2023	7/13/2023															17:45.5	Active C	Cancelled	
HAMPTON CITY								7/15/2024	7/15/2024															16:48.6	Active C	Cancelled	
HAMPTON CITY								1/30/2024	1/30/2024															16:25.2	Active C	Cancelled	
HAMPTON CITY								12/15/2023	12/15/2023															18:14.7	Active C	Cancelled	
HAMPTON CITY								7/20/2021	7/20/2021															16:50.8	Active C	Cancelled	
HAMPTON CITY								1/18/2022	1/18/2022															16:22.5	Active C	Cancelled	

Locality	DMVC Customer	VoterID	Residence	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Line 1	Residence Line 2	Residence Line 3	Residence Type	Registration Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Time	Cancel Date	Action Type	Current Registration Status
HANOVER COUNTY								12/31/2020	12/31/2020															44:21.8	Active C	Cancelled	
HANOVER COUNTY								4/2/2024	4/2/2024															24:44.4	Active C	Cancelled	
HANOVER COUNTY								1/4/2024	1/4/2024															57:36.5	Active C	Cancelled	
HANOVER COUNTY								2/2/2023	2/2/2023															24:50.7	Inactive	Cancelled	
HANOVER COUNTY								9/27/2023	9/27/2023															57:44.1	Active C	Cancelled	
HARRISONBURG CITY								3/14/2024	3/14/2024															18:53.7	Active C	Cancelled	
HARRISONBURG CITY								7/17/2023	7/17/2023															22:26.7	Active C	Cancelled	
HARRISONBURG CITY								2/12/2024	2/12/2024															16:30.3	Active C	Cancelled	
HARRISONBURG CITY								4/13/2023	4/13/2023															20:52.2	Active C	Cancelled	
HARRISONBURG CITY								1/29/2024	1/29/2024															16:21.8	Active C	Cancelled	
HARRISONBURG CITY								2/1/2024	2/1/2024															16:18.5	Active C	Cancelled	
HARRISONBURG CITY								2/27/2024	2/27/2024															16:24.8	Active C	Cancelled	
HARRISONBURG CITY								3/17/2022	3/17/2022															16:30.4	Inactive	Cancelled	
HARRISONBURG CITY								4/15/2024	4/15/2024															22:05.4	Active C	Cancelled	
HARRISONBURG CITY								6/19/2024	6/19/2024															21:18.6	Active C	Cancelled	
HARRISONBURG CITY								3/7/2024	3/7/2024															21:07.0	Active C	Cancelled	
HARRISONBURG CITY								9/26/2023	9/26/2023															20:21.4	Active C	Cancelled	
HARRISONBURG CITY								8/5/2024	8/5/2024															16:06.0	Active C	Cancelled	
HARRISONBURG CITY								3/26/2024	3/26/2024															18:01.5	Active C	Cancelled	
HARRISONBURG CITY								1/30/2014	1/30/2014															16:12.3	Inactive	Cancelled	

Locality	DMVC	Customer	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Line 1	Residence Line 2	Residence Line 3	Residence City	State	Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Time	Cancel Date	Cancel Type	Current Registration Status
HARRISONBURG CITY								5/25/2023	5/25/2023															16:05.4	Inactive	Cancelled	
HARRISONBURG CITY								4/22/2024	4/22/2024															16:28.9	Active	Cancelled	
HARRISONBURG CITY								11/13/2020	11/13/2020															21:39.4	Active	Cancelled	
HARRISONBURG CITY								11/16/2023	11/16/2023															16:44.1	Active	Cancelled	
HARRISONBURG CITY								3/7/2024	3/7/2024															16:43.0	Active	Cancelled	
HARRISONBURG CITY								10/6/2022	10/6/2022															21:13.3	Active	Cancelled	
HARRISONBURG CITY								4/2/2024	4/2/2024															19:59.6	Active	Cancelled	
HARRISONBURG CITY								9/28/2020	9/28/2020															16:47.4	Active	Cancelled	
HARRISONBURG CITY								1/19/2024	1/19/2024															19:26.0	Active	Cancelled	
HARRISONBURG CITY								9/20/2020	9/20/2020															16:45.1	Inactive	Cancelled	
HARRISONBURG CITY								10/13/2022	10/13/2022															16:48.5	Active	Cancelled	
HARRISONBURG CITY								10/15/2012	10/15/2012															16:09.8	Active	Cancelled	
HARRISONBURG CITY								11/16/2023	11/16/2023															18:44.8	Active	Cancelled	
HARRISONBURG CITY								6/1/2023	6/1/2023															17:26.0	Active	Cancelled	
HARRISONBURG CITY								8/2/2023	8/2/2023															20:34.0	Inactive	Cancelled	
HARRISONBURG CITY								3/7/2024	3/7/2024															18:04.7	Active	Cancelled	
HARRISONBURG CITY								9/5/2023	9/5/2023															20:02.2	Active	Cancelled	
HARRISONBURG CITY								1/20/2021	1/20/2021															16:23.9	Active	Cancelled	
HARRISONBURG CITY								10/6/2022	10/6/2022															16:49.8	Active	Cancelled	
HARRISONBURG CITY								3/7/2024	3/7/2024															21:22.2	Active	Cancelled	

Locality	DMVC	Customer	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Time	Cancel Type	Current Registration Status
HENRICO COUNTY								9/14/2022	9/14/2022															49:39.8	Active C	Cancelled	
HENRICO COUNTY								12/12/2023	12/12/2023															04:59.7	Active C	Cancelled	
HENRICO COUNTY								11/30/2021	11/30/2021															50:50.4	Active C	Cancelled	
HENRICO COUNTY								4/29/2021	4/29/2021															58:31.6	Active C	Active	
HENRICO COUNTY								10/1/2004	10/1/2004															09:33.0	Active C	Active	
HENRICO COUNTY								9/14/2022	9/14/2022															52:31.8	Active C	Cancelled	
HENRICO COUNTY								9/11/2024	9/11/2024															05:18.0	Active C	Active	
HENRICO COUNTY								4/12/2018	4/12/2018															54:54.3	Active C	Cancelled	
HENRICO COUNTY								6/19/2019	6/19/2019															28:33.7	Active C	Active	
HENRICO COUNTY								11/5/2021	11/5/2021															11:44.9	Active C	Cancelled	
HENRICO COUNTY								8/16/2024	8/16/2024															28:51.0	Active C	Active	
HENRICO COUNTY								4/27/2017	4/27/2017															06:18.4	Inactive C	Active	
HENRICO COUNTY								7/13/2018	7/13/2018															29:54.1	Active C	Cancelled	
HENRICO COUNTY								7/1/2024	7/1/2024															00:41.6	Active C	Cancelled	
HENRICO COUNTY								8/11/2004	8/11/2004															09:01.0	Active C	Active	
HENRICO COUNTY								9/25/2023	9/25/2023															14:12.4	Active C	Cancelled	
HENRICO COUNTY								11/9/2012	11/9/2012															06:49.7	Active C	Active	
HENRICO COUNTY								12/8/2016	12/8/2016															15:07.5	Active C	Cancelled	
HENRICO COUNTY								8/21/2023	8/21/2023															11:50.5	Active C	Cancelled	
HENRICO COUNTY								4/5/2024	4/5/2024															16:39.1	Active C	Cancelled	

Locality	VoterID	DMVC CustomerNumbr	FirstName	MiddleName	LastName	Suffix	BirthDate	EarliestRegistrationDate	RegistrationDate	PhoneNumber	Protected	ResidentialAddressLine1	ResidentialAddressLine2	ResidentialAddressLine3	ResidentialCity	ResidentialState	ResidentialZip	MailAddressLine1	MailAddressLine2	MailAddressLine3	MailCity	MailState	MailZip	CancelDate	CancelTime	CancelType	CurrentRegistrationStatus
HENRICO COUNTY								9/29/2022	9/29/2022															07:55.2	Active C	Active	
HENRICO COUNTY								9/28/2022	9/28/2022															21:01.6	Active C	Cancelled	
HENRICO COUNTY								4/17/2024	4/17/2024															07:51.4	Active C	Cancelled	
HENRICO COUNTY								12/22/2020	12/22/2020															39:42.2	Active C	Active	
HENRICO COUNTY								11/15/2023	11/15/2023															09:35.8	Active C	Active	
HENRICO COUNTY								9/18/2024	9/18/2024															30:07.2	Active C	Active	
HENRICO COUNTY								3/11/2008	3/11/2008															53:50.4	Active C	Cancelled	
HENRICO COUNTY								12/11/2020	12/11/2020															30:27.7	Active C	Active	
HENRICO COUNTY								2/28/2018	2/28/2018															27:14.5	Active C	Cancelled	
HENRICO COUNTY								8/21/2024	8/21/2024															10:04.0	Active C	Active	
HENRICO COUNTY								1/23/2018	1/23/2018															29:39.2	Active C	Cancelled	
HENRICO COUNTY								2/10/2021	2/10/2021															35:06.2	Active C	Cancelled	
HENRICO COUNTY								3/17/2022	3/17/2022															36:33.1	Active C	Cancelled	
HENRICO COUNTY								8/29/1989	8/29/1989															42:14.0	Active C	Active	
HENRICO COUNTY								10/5/2018	10/5/2018															43:34.7	Active C	Cancelled	
HENRICO COUNTY								11/4/2021	11/4/2021															45:11.2	Active C	Cancelled	
HENRICO COUNTY								10/11/2022	10/11/2022															30:18.8	Active C	Active	
HENRICO COUNTY								12/19/2022	12/19/2022															57:57.6	Active C	Cancelled	
HENRICO COUNTY								9/10/2024	9/10/2024															11:56.8	Active C	Cancelled	
HENRICO COUNTY								8/18/2016	8/18/2016															10:07.8	Active C	Cancelled	

Locality	DMVC	FirstN	Middle	LastNa	Suffix	DateOf	EarliestReg	RegistrationDate	Phone	Protect	ssLi	dressLi	dressLi	Res_Ci	Res	Mail_A	Mail_A	Mail_A	Mail_C	Mail_S	Mail_Z	CancelDate	ationTy	CurrentRegistr
	er	ame	Name	me		Birth	te	nDate	er	ed	ne1	ne2	ne3	ty	e	Line1	Line2	Line3	ity	tate	ip	Time	pe	ationStatus
HENRICO COUNTY							4/9/2024	4/9/2024														02:34.2	Active C	Cancelled
HENRICO COUNTY							12/2/1996	12/2/1996														04:29.1	Active C	Active
HENRICO COUNTY							5/16/2019	5/16/2019														10:56.7	Active C	Active
HENRICO COUNTY							10/8/2024	10/8/2024														17:26.4	Active C	Cancelled
HENRICO COUNTY							9/11/2021	9/11/2021														05:10.1	Active C	Cancelled
HENRICO COUNTY							12/4/2023	12/4/2023														06:13.2	Active C	Cancelled
HENRICO COUNTY							9/16/2016	9/16/2016														07:13.7	Active C	Cancelled
HENRICO COUNTY							9/15/2023	9/15/2023														21:48.7	Active C	Active
HENRICO COUNTY							9/21/2022	9/21/2022														08:04.4	Active C	Cancelled
HENRICO COUNTY							7/21/2020	7/21/2020														09:39.4	Active C	Cancelled
HENRICO COUNTY							5/5/2021	5/5/2021														12:48.5	Active C	Cancelled
HENRICO COUNTY							3/5/2004	3/5/2004														13:47.0	Active C	Active
HENRICO COUNTY							4/25/2000	4/25/2000														10:14.3	Active C	Active
HENRICO COUNTY							3/14/2018	3/14/2018														22:27.5	Active C	Active
HENRICO COUNTY							9/24/2021	9/24/2021														53:13.9	Active C	Cancelled
HENRICO COUNTY							8/27/2019	8/27/2019														54:30.8	Active C	Cancelled
HENRICO COUNTY							5/18/2022	5/18/2022														55:09.3	Active C	Cancelled
HENRICO COUNTY							8/14/2024	8/14/2024														22:50.6	Active C	Active
HENRICO COUNTY							8/2/2022	8/2/2022														56:03.0	Active C	Cancelled
HENRICO COUNTY							8/26/2024	8/26/2024														12:54.6	Active C	Active

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Date of Birth	Earliest Registration Date	Registration Date	Phone Number	Protected	Res _Ad dress	Res _Ad dress	Res _Ad dress	Res _Cl ty	Re _e s _s _Z	Mail _A ddress	Mail _A ddress	Mail _A ddress	Mail _C ity	Mail _S tate	Mail _Z ip	Cancel Date Time	Cancel ation Type	Current Registr ation Status	
HENRICO COUNTY							7/27/2023	7/27/2023															23:15.3	Active C	Active	
HENRICO COUNTY							12/14/2018	12/14/2018																57:11.1	Active C	Cancelled
HENRICO COUNTY							7/19/2024	7/19/2024																58:06.9	Active C	Cancelled
HENRICO COUNTY							8/15/2017	8/15/2017																17:20.0	Active C	Cancelled
HENRICO COUNTY							12/28/2023	12/28/2023																04:31.8	Active C	Cancelled
HENRICO COUNTY							12/7/2022	12/7/2022																17:14.3	Active C	Cancelled
HENRICO COUNTY							4/12/2024	4/12/2024																17:08.3	Active C	Cancelled
HENRICO COUNTY							11/21/2007	11/21/2007																56:19.8	Active C	Cancelled
HENRICO COUNTY							11/21/2007	9/16/2024																05:12.0	Active C	Cancelled
HENRICO COUNTY							8/28/2020	8/28/2020																05:52.0	Active C	Cancelled
HENRICO COUNTY							7/15/2020	7/15/2020																25:29.9	Active C	Active
HENRICO COUNTY							7/27/2018	7/27/2018																06:34.2	Active C	Cancelled
HENRICO COUNTY							3/29/2021	3/29/2021																17:00.2	Active C	Cancelled
HENRICO COUNTY							12/2/2022	12/2/2022																16:54.6	Active C	Cancelled
HENRICO COUNTY							4/21/1976	4/21/1976																56:29.4	Active C	Cancelled
JAMES CITY COUNTY							10/25/2023	10/25/2023																40:49.8	Active C	Cancelled
JAMES CITY COUNTY							3/4/2024	3/4/2024																40:59.2	Active C	Cancelled
JAMES CITY COUNTY							3/18/2024	3/18/2024																41:08.9	Active C	Cancelled
JAMES CITY COUNTY							11/9/2021	11/9/2021																51:51.5	Active C	Cancelled
JAMES CITY COUNTY							10/6/2008	10/6/2008																42:44.5	Active C	Active

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date/Time	Registration Type	Current Registration Status
JAMES CITY COUNTY							11/20/2020	11/20/2020																42:54.6	Active C	Cancelled
JAMES CITY COUNTY							5/2/2000	5/2/2000																23:26.8	Active C	Cancelled
JAMES CITY COUNTY							9/13/2023	9/13/2023																18:05.8	Active C	Cancelled
JAMES CITY COUNTY							10/14/2023	10/14/2023																43:41.6	Active C	Cancelled
JAMES CITY COUNTY							11/20/2023	11/20/2023																43:51.6	Active C	Cancelled
JAMES CITY COUNTY							3/6/2024	3/6/2024																44:01.8	Active C	Cancelled
KING GEORGE COUNTY							11/3/2021	11/3/2021																19:58.2	Active C	Cancelled
KING GEORGE COUNTY							12/22/2023	12/22/2023																19:46.3	Inactive	Cancelled
KING GEORGE COUNTY							2/17/2022	2/17/2022																16:23.5	Active C	Cancelled
KING GEORGE COUNTY							4/18/2024	4/18/2024																18:47.9	Active C	Cancelled
LOUDOUN COUNTY							11/4/2020	11/4/2020																18:30.5	Active C	Cancelled
LOUDOUN COUNTY							4/5/2024	4/5/2024																17:01.9	Active C	Cancelled
LOUDOUN COUNTY							3/28/2024	3/28/2024																19:43.9	Active C	Cancelled
LOUDOUN COUNTY							12/8/2023	12/8/2023																19:50.2	Active C	Cancelled
LOUDOUN COUNTY							2/12/2024	2/12/2024																19:52.7	Active C	Cancelled
LOUDOUN COUNTY							3/26/2021	3/26/2021																16:40.6	Active C	Cancelled
LOUDOUN COUNTY							7/21/2023	7/21/2023																16:47.8	Active C	Cancelled
LOUDOUN COUNTY							2/12/2024	2/12/2024																18:25.1	Active C	Cancelled
LOUDOUN COUNTY							4/30/2024	4/30/2024																20:33.4	Active C	Cancelled
LOUDOUN COUNTY							10/7/2020	10/7/2020																16:58.0	Active C	Cancelled

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Date of Birth	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Line 1	Residence Line 2	Residence Line 3	Residence Type	Registration State	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date/Time	Registration Type	Current Registration Status
LOUDOUN COUNTY							8/24/2018	8/24/2018															16:23.3	Active C	Cancelled
LOUDOUN COUNTY							1/25/2024	1/25/2024															19:32.2	Active C	Cancelled
LOUDOUN COUNTY							4/16/2024	4/16/2024															18:05.2	Active C	Cancelled
LOUDOUN COUNTY							8/29/2012	8/29/2012															16:13.1	Active C	Cancelled
LOUDOUN COUNTY							11/4/2020	11/4/2020															18:23.9	Active C	Cancelled
LOUDOUN COUNTY							10/15/2018	10/15/2018															20:18.2	Active C	Cancelled
LOUDOUN COUNTY							4/15/2024	4/15/2024															16:52.0	Active C	Cancelled
LOUDOUN COUNTY							8/20/2024	8/20/2024															16:28.5	Active C	Cancelled
LOUDOUN COUNTY							7/3/2024	7/3/2024															16:11.5	Active C	Cancelled
LOUDOUN COUNTY							8/21/2018	8/21/2018															16:19.9	Active C	Cancelled
LOUDOUN COUNTY							7/10/2023	7/10/2023															17:38.1	Active C	Cancelled
LOUDOUN COUNTY							5/7/2003	5/7/2003															16:42.5	Active C	Cancelled
LOUDOUN COUNTY							7/8/2024	7/8/2024															18:03.9	Active C	Cancelled
LOUDOUN COUNTY							9/30/2022	9/30/2022															17:40.9	Active C	Cancelled
LOUDOUN COUNTY							12/7/2023	12/7/2023															20:16.0	Active C	Cancelled
LOUDOUN COUNTY							4/16/2024	4/16/2024															17:21.5	Active C	Cancelled
LOUDOUN COUNTY							7/18/2024	7/18/2024															20:49.0	Active C	Cancelled
LOUDOUN COUNTY							10/6/2023	10/6/2023															18:08.7	Active C	Cancelled
LOUDOUN COUNTY							3/12/2024	3/12/2024															18:56.7	Active C	Cancelled
LOUDOUN COUNTY							3/11/2024	3/11/2024															19:17.0	Active C	Cancelled

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Res- Address Line1	Res- Address Line2	Res- Address Line3	Res- City	Res- State	Res- Zip	Mail- Address Line1	Mail- Address Line2	Mail- Address Line3	Mail- City	Mail- State	Mail- Zip	Cancel Date Time	Cancel Type	Current Registration Status	
LOUDOUN COUNTY							12/8/2023	12/8/2023																16:41.8	Active C	Cancelled	
LOUDOUN COUNTY							5/13/2024	5/13/2024																	20:40.5	Active C	Cancelled
LOUDOUN COUNTY							4/25/2024	4/25/2024																	16:35.3	Active C	Cancelled
LOUDOUN COUNTY							11/9/2021	11/9/2021																	18:29.6	Active C	Cancelled
LOUDOUN COUNTY							8/1/2023	8/1/2023																	16:28.2	Active C	Cancelled
LOUDOUN COUNTY							5/3/2024	5/3/2024																	20:17.3	Active C	Cancelled
LOUDOUN COUNTY							3/6/2024	3/6/2024																	15:59.7	Active C	Cancelled
LOUDOUN COUNTY							12/19/2016	12/19/2016																	16:30.6	Active C	Cancelled
LOUDOUN COUNTY							7/30/2024	7/30/2024																	16:10.1	Active C	Cancelled
LOUDOUN COUNTY							4/9/2024	4/9/2024																	20:38.8	Active C	Cancelled
LOUDOUN COUNTY							3/22/2023	3/22/2023																	16:54.4	Active C	Cancelled
LOUDOUN COUNTY							3/3/2023	3/3/2023																	16:11.6	Active C	Cancelled
LOUDOUN COUNTY							6/20/2018	6/20/2018																	16:08.8	Active C	Cancelled
LOUDOUN COUNTY							9/22/2023	9/26/2023																	19:10.5	Active C	Cancelled
LOUDOUN COUNTY							1/16/2024	1/16/2024																	18:21.9	Active C	Cancelled
LOUDOUN COUNTY							11/8/2019	11/8/2019																	19:05.5	Active C	Cancelled
LOUDOUN COUNTY							11/8/2022	11/8/2022																	20:28.0	Active C	Active
LOUDOUN COUNTY							3/11/2024	3/11/2024																	17:17.3	Active C	Cancelled
LOUDOUN COUNTY							3/11/2024	3/11/2024																	20:36.4	Active C	Cancelled
LOUDOUN COUNTY							1/26/2021	1/26/2021																	17:42.8	Active C	Cancelled

Locality	VoterID	DMVC CustomerNumbr	FirstName	MiddleName	LastName	Suffix	DateOfBirth	EarliestRegistrationDate	RegistrationDate	PhoneNumber	Protected	ResidentialAddressLine1	ResidentialAddressLine2	ResidentialAddressLine3	ResidentialCity	ResidentialState	ResidentialZip	MailAddressLine1	MailAddressLine2	MailAddressLine3	MailCity	MailState	MailZip	CancelTime	CancelType	CurrentRegistrationStatus	
LOUDOUN COUNTY								8/7/2023	8/7/2023															18:27.1	Active C	Cancelled	
LOUDOUN COUNTY								7/16/2024	7/16/2024																16:53.2	Active C	Cancelled
LOUDOUN COUNTY								1/30/2024	1/30/2024																20:04.6	Active C	Cancelled
LOUDOUN COUNTY								1/16/2024	1/16/2024																18:40.0	Active C	Cancelled
LOUDOUN COUNTY								7/11/2024	7/11/2024																16:17.1	Inactive	Cancelled
LOUDOUN COUNTY								9/6/2024	9/6/2024																16:08.2	Active C	Cancelled
LOUDOUN COUNTY								8/16/2023	8/16/2023																19:26.2	Active C	Cancelled
LOUDOUN COUNTY								1/4/2024	1/4/2024																18:38.6	Active C	Cancelled
LOUDOUN COUNTY								7/5/2023	7/5/2023																16:56.9	Active C	Cancelled
LOUDOUN COUNTY								10/2/2023	10/2/2023																19:20.4	Active C	Cancelled
LOUDOUN COUNTY								7/3/2024	7/3/2024																17:22.3	Active C	Cancelled
LOUDOUN COUNTY								2/1/2024	2/1/2024																20:14.6	Active C	Cancelled
LOUDOUN COUNTY								7/3/2024	7/3/2024																17:00.4	Active C	Cancelled
LOUDOUN COUNTY								1/14/1999	1/14/1999																19:00.3	Active C	Cancelled
LOUDOUN COUNTY								7/3/2024	7/3/2024																16:42.7	Active C	Cancelled
LOUDOUN COUNTY								8/31/2016	8/31/2016																15:55.8	Active C	Cancelled
LOUDOUN COUNTY								9/3/2024	9/3/2024																16:18.5	Active C	Cancelled
LOUDOUN COUNTY								7/17/2024	7/17/2024																16:29.5	Active C	Cancelled
LOUDOUN COUNTY								8/14/2023	8/14/2023																19:45.0	Active C	Cancelled
LOUDOUN COUNTY								6/17/2021	6/17/2021																16:15.6	Active C	Cancelled

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Line 1	Residence Line 2	Residence Line 3	Residence City	Residence State	Residence Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Time	Registration Type	Current Registration Status
LOUDOUN COUNTY								11/8/2021	11/8/2021															19:09.0	Active C	Cancelled	
LOUDOUN COUNTY								9/25/2023	9/25/2023															17:06.0	Active C	Cancelled	
LOUDOUN COUNTY								4/2/2024	4/2/2024															18:55.6	Active C	Cancelled	
LOUDOUN COUNTY								4/8/2024	4/8/2024															18:33.5	Active C	Active	
LOUDOUN COUNTY								7/11/2024	7/11/2024															19:13.7	Active C	Cancelled	
LOUDOUN COUNTY								1/16/2024	1/16/2024															19:23.6	Active C	Cancelled	
LOUDOUN COUNTY								5/2/2024	5/2/2024															19:18.9	Active C	Cancelled	
LOUDOUN COUNTY								8/4/2023	8/4/2023															18:11.2	Active C	Cancelled	
LOUDOUN COUNTY								10/5/2022	10/5/2022															16:30.8	Active C	Cancelled	
LOUDOUN COUNTY								6/10/2009	6/10/2009															16:11.0	Active C	Cancelled	
LOUDOUN COUNTY								3/15/2017	3/15/2017															16:24.2	Active C	Cancelled	
LOUDOUN COUNTY								9/28/1988	9/28/1988															16:06.3	Inactive C	Cancelled	
LOUDOUN COUNTY								10/15/2018	10/15/2018															19:21.4	Active C	Cancelled	
LOUDOUN COUNTY								5/22/2024	5/22/2024															18:20.8	Active C	Cancelled	
LOUDOUN COUNTY								11/12/2021	11/12/2021															16:26.5	Active C	Cancelled	
LOUDOUN COUNTY								10/10/2023	10/10/2023															20:29.0	Active C	Cancelled	
LOUDOUN COUNTY								8/13/2020	8/13/2020															16:15.6	Inactive C	Cancelled	
LOUDOUN COUNTY								2/5/2024	2/5/2024															17:35.4	Inactive C	Cancelled	
LOUDOUN COUNTY								3/11/2024	3/11/2024															17:13.8	Active C	Cancelled	
LOUDOUN COUNTY								10/17/2016	10/17/2016															17:18.8	Active C	Cancelled	

Locality	VoterID	DMVC Customer rNumbr	FirstN ame	Middle Name	LastNa me	Suffix	DateOf Birth	EarliestReg istrationDa te	Registratio nDate	Phone_ Numb er	Protect ed	ssLi ne1	dressLi ne2	dressLi ne3	Res_Ci ty	Re s_S Z	Mail_A ddress Line1	Mail_A ddress Line2	Mail_A ddress Line3	Mail_C ity	Mail_S tate	Mail_Z ip	CancelDate Time	ationTy pe	CurrentRegistr ationStatus	
LOUDOUN COUNTY							12/13/2023	12/13/2023															18:52.0	Active C	Cancelled	
LOUDOUN COUNTY							11/9/2021	11/9/2021																20:08.3	Active C	Cancelled
LOUDOUN COUNTY							10/6/2023	10/6/2023																16:36.4	Active C	Cancelled
LOUDOUN COUNTY							1/24/2024	1/24/2024																19:40.2	Active C	Cancelled
LOUDOUN COUNTY							11/14/2014	11/14/2014																16:19.8	Active C	Active
LOUDOUN COUNTY							4/18/2024	4/18/2024																16:37.8	Active C	Cancelled
LOUDOUN COUNTY							12/12/2023	12/12/2023																16:45.3	Active C	Cancelled
LOUDOUN COUNTY							12/4/2015	12/4/2015																16:24.5	Active C	Cancelled
LOUDOUN COUNTY							8/12/2021	8/12/2021																16:28.8	Active C	Cancelled
LOUDOUN COUNTY							9/1/2023	9/1/2023																18:01.3	Active C	Cancelled
LOUDOUN COUNTY							6/28/2024	6/28/2024																16:20.9	Active C	Cancelled
LOUDOUN COUNTY							7/14/2023	7/14/2023																18:49.0	Active C	Cancelled
LOUISA COUNTY							6/21/2024	6/21/2024																17:01.8	Active C	Cancelled
LOUISA COUNTY							11/13/2023	11/13/2023																17:15.8	Active C	Cancelled
LYNCHBURG CITY							4/19/2005	4/19/2005																16:51.9	Active C	Cancelled
LYNCHBURG CITY							3/22/2022	3/22/2022																16:56.1	Active C	Cancelled
LYNCHBURG CITY							11/5/2008	11/5/2008																16:02.2	Active C	Active
LYNCHBURG CITY							10/17/2016	10/17/2016																48:43.2	Active C	Cancelled
LYNCHBURG CITY							4/15/2024	4/15/2024																02:08.0	Active C	Cancelled
LYNCHBURG CITY							6/27/2024	6/27/2024																02:14.6	Active C	Cancelled

Locality	D	er	ame	Name	me	Suffix	Birth	te	nDate	er	ed	ne1	ne2	ne3	ty	e	p	Line1	Line2	Line3	ity	tate	ip	Time	pe	ationStatus
LYNCHBURG CITY							6/20/2006	6/20/2006																02:21.0	Active C	Cancelled
LYNCHBURG CITY							9/12/1997	9/12/1997																16:00.3	Active C	Active
LYNCHBURG CITY							4/8/2024	4/8/2024																17:12.3	Active C	Cancelled
LYNCHBURG CITY							5/9/2024	5/9/2024																18:36.0	Active C	Cancelled
LYNCHBURG CITY							6/24/2024	6/24/2024																18:58.2	Active C	Cancelled
LYNCHBURG CITY							3/6/2015	3/6/2015																18:39.5	Active C	Cancelled
LYNCHBURG CITY							9/28/2016	9/28/2016																02:28.1	Active C	Active
MANASSAS CITY							9/27/2022	9/27/2022																09:49.7	Active C	Cancelled
MANASSAS CITY							10/16/2023	10/16/2023																29:01.8	Active C	Cancelled
MANASSAS CITY							8/2/2023	8/2/2023																30:08.7	Active C	Cancelled
MANASSAS CITY							2/23/2018	2/23/2018																04:33.2	Active C	Cancelled
MANASSAS CITY							5/2/2024	5/2/2024																30:20.6	Active C	Cancelled
MANASSAS CITY							5/9/2024	5/9/2024																26:32.1	Active C	Cancelled
MANASSAS CITY							10/12/2022	10/12/2022																30:29.3	Active C	Cancelled
MANASSAS CITY							8/19/2024	8/19/2024																10:15.3	Active C	Cancelled
MANASSAS CITY							5/15/2024	5/15/2024																31:00.4	Active C	Cancelled
MANASSAS CITY							6/26/2024	6/26/2024																31:07.6	Active C	Cancelled
MANASSAS CITY							9/28/2020	9/28/2020																31:16.9	Active C	Cancelled
MANASSAS CITY							8/23/2023	8/23/2023																32:23.8	Active C	Cancelled
MANASSAS CITY							3/17/2022	3/17/2022																27:08.3	Active C	Merged

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	State	Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Type	Current Registration Status
MANASSAS CITY								1/29/2024	1/29/2024															32:55.2	Active C	Cancelled
MANASSAS CITY								5/6/2024	5/6/2024															11:41.5	Active C	Cancelled
MANASSAS CITY								4/30/2024	4/30/2024															33:05.1	Active C	Cancelled
MANASSAS CITY								5/3/2022	5/3/2022															33:27.7	Active C	Cancelled
MANASSAS CITY								5/20/2024	5/20/2024															33:37.2	Active C	Cancelled
MANASSAS CITY								7/11/2024	7/11/2024															22:54.1	Active C	Cancelled
MANASSAS CITY								10/10/2023	10/10/2023															34:13.9	Active C	Cancelled
MANASSAS CITY								9/9/2022	9/9/2022															29:30.3	Active C	Cancelled
MANASSAS CITY								12/4/2023	12/4/2023															34:37.8	Active C	Cancelled
MANASSAS CITY								6/22/2021	6/22/2021															27:39.1	Active C	Cancelled
MANASSAS CITY								12/13/2023	12/13/2023															34:45.4	Active C	Cancelled
MANASSAS CITY								12/27/2023	12/27/2023															34:53.2	Active C	Cancelled
MANASSAS CITY								6/28/2024	6/28/2024															35:02.5	Active C	Cancelled
MANASSAS PARK CITY								11/13/2023	11/13/2023															54:35.5	Active C	Cancelled
MANASSAS PARK CITY								9/14/2021	9/14/2021															53:56.1	Active C	Cancelled
MANASSAS PARK CITY								9/30/2016	9/30/2016															11:02.2	Active C	Active
MANASSAS PARK CITY								5/7/2018	5/7/2018															11:09.2	Active C	Active
MANASSAS PARK CITY								2/1/2024	2/1/2024															54:27.6	Active C	Cancelled
MANASSAS PARK CITY								10/4/2021	10/4/2021															54:08.3	Inactive	Cancelled
MANASSAS PARK CITY								8/23/2017	8/23/2017															54:19.1	Active C	Cancelled

Locality	VoterID	DMVC CustomerNumbr	FirstName	MiddleName	LastName	Suffix	BirthDate	EarliestRegistrationDate	RegistrationDate	PhoneNumbr	Protected	ResidenceLine1	ResidenceLine2	ResidenceLine3	ResidenceType	RegistrationState	RegistrationZip	MailAddressLine1	MailAddressLine2	MailAddressLine3	MailCity	MailState	MailZip	CancelDate	CancelTime	CancelType	CurrentRegistrationStatus
MANASSAS PARK CITY							4/17/2024	4/17/2024																54:44.3	Active C	Cancelled	
MANASSAS PARK CITY							5/3/2021	5/3/2021																	49:44.5	Active C	Cancelled
MARTINSVILLE CITY							4/25/2024	4/25/2024																	26:51.0	Active C	Cancelled
MARTINSVILLE CITY							4/2/2024	4/2/2024																	29:46.8	Active C	Cancelled
MARTINSVILLE CITY							3/20/2024	3/20/2024																	29:48.1	Active C	Cancelled
MECKLENBURG COUNTY							3/27/2024	3/27/2024																	20:42.6	Active C	Cancelled
NEW KENT COUNTY							6/2/2008	6/2/2008																	17:24.8	Active C	Cancelled
NEWPORT NEWS CITY							5/13/2024	5/13/2024																	18:07.2	Active C	Cancelled
NEWPORT NEWS CITY							4/8/2024	4/8/2024																	18:42.3	Active C	Cancelled
NEWPORT NEWS CITY							9/25/2023	9/25/2023																	16:56.2	Active C	Cancelled
NEWPORT NEWS CITY							7/16/2024	7/16/2024																	17:53.2	Active C	Cancelled
NEWPORT NEWS CITY							8/27/2024	8/27/2024																	18:01.0	Active C	Cancelled
NEWPORT NEWS CITY							7/16/2024	7/16/2024																	17:29.6	Active C	Cancelled
NEWPORT NEWS CITY							10/12/2022	10/12/2022																	17:34.7	Active C	Cancelled
NEWPORT NEWS CITY							11/26/2019	11/26/2019																	18:57.2	Active C	Cancelled
NEWPORT NEWS CITY							10/6/2023	10/6/2023																	16:29.3	Active C	Cancelled
NEWPORT NEWS CITY							10/10/2023	10/10/2023																	17:12.1	Active C	Cancelled
NEWPORT NEWS CITY							4/24/2024	4/24/2024																	18:22.9	Active C	Cancelled
NEWPORT NEWS CITY							5/18/2022	5/18/2022																	17:03.6	Active C	Cancelled
NEWPORT NEWS CITY							3/22/2024	3/22/2024																	18:49.8	Active C	Cancelled

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Time	Cancel Type	Current Registration Status
NEWPORT NEWS CITY								1/25/2024	1/25/2024															16:42.5	Active C	Cancelled
NEWPORT NEWS CITY								8/22/2023	8/22/2023															17:27.2	Active C	Cancelled
NEWPORT NEWS CITY								6/27/2022	6/27/2022															17:59.2	Active C	Cancelled
NEWPORT NEWS CITY								9/29/2023	9/29/2023															18:11.4	Active C	Cancelled
NEWPORT NEWS CITY								9/28/2023	9/28/2023															19:02.0	Inactive C	Cancelled
NEWPORT NEWS CITY								8/8/2023	8/8/2023															18:48.7	Active C	Cancelled
NEWPORT NEWS CITY								5/24/2024	5/24/2024															18:22.0	Active C	Cancelled
NEWPORT NEWS CITY								8/23/2024	8/23/2024															16:21.5	Active C	Cancelled
NEWPORT NEWS CITY								5/28/2024	5/28/2024															16:53.0	Active C	Cancelled
NEWPORT NEWS CITY								9/4/2013	9/4/2013															16:39.5	Active C	Cancelled
NEWPORT NEWS CITY								4/22/2024	4/22/2024															16:46.8	Active C	Cancelled
NEWPORT NEWS CITY								4/15/2024	4/15/2024															17:13.2	Active C	Cancelled
NEWPORT NEWS CITY								9/10/2020	9/10/2020															19:02.8	Active C	Cancelled
NEWPORT NEWS CITY								8/30/2023	8/30/2023															16:24.2	Active C	Cancelled
NEWPORT NEWS CITY								4/8/2024	4/8/2024															16:28.4	Active C	Cancelled
NEWPORT NEWS CITY								2/5/2024	2/5/2024															18:24.2	Active C	Cancelled
NEWPORT NEWS CITY								1/23/2024	1/23/2024															17:00.7	Active C	Cancelled
NEWPORT NEWS CITY								3/27/2024	3/27/2024															16:19.2	Active C	Cancelled
NEWPORT NEWS CITY								2/7/2024	2/7/2024															16:42.6	Active C	Cancelled
NEWPORT NEWS CITY								3/29/2024	3/29/2024															16:27.6	Active C	Cancelled

Locality	DMVC	Customer	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	City	State	Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Type	Current Registration Status
NEWPORT NEWS CITY								3/16/2023	3/16/2023															16:39.7	Active C	Cancelled
NEWPORT NEWS CITY								7/1/2024	7/1/2024															17:46.7	Active C	Cancelled
NEWPORT NEWS CITY								4/19/2017	4/19/2017															17:23.2	Inactive C	Cancelled
NEWPORT NEWS CITY								5/6/2024	5/6/2024															16:38.6	Active C	Cancelled
NORFOLK CITY								4/19/2024	4/19/2024															20:30.4	Active C	Cancelled
NORFOLK CITY								6/20/2024	6/20/2024															19:12.5	Active C	Cancelled
NORFOLK CITY								6/20/2024	6/20/2024															20:12.1	Active C	Cancelled
NORFOLK CITY								2/22/2024	2/22/2024															19:49.2	Active C	Cancelled
NORFOLK CITY								1/8/2024	1/8/2024															16:39.2	Active C	Cancelled
NORFOLK CITY								3/6/2024	3/6/2024															20:03.5	Active C	Cancelled
NORFOLK CITY								3/11/2024	3/11/2024															16:05.6	Active C	Cancelled
NORFOLK CITY								4/3/2024	4/3/2024															16:18.3	Active C	Cancelled
NORFOLK CITY								6/20/2024	6/20/2024															18:46.8	Active C	Cancelled
NORFOLK CITY								6/20/2024	6/20/2024															16:04.2	Active C	Cancelled
NORFOLK CITY								1/16/2024	1/16/2024															18:44.9	Active C	Cancelled
NORFOLK CITY								9/21/2022	9/21/2022															17:09.9	Active C	Cancelled
NORFOLK CITY								3/6/2024	3/6/2024															17:33.0	Active C	Active
NORFOLK CITY								6/28/2024	6/28/2024															20:33.7	Active C	Cancelled
NORFOLK CITY								6/21/2024	6/21/2024															16:17.2	Active C	Cancelled
NORFOLK CITY								4/19/2022	4/19/2022															12:50.7	Active C	Cancelled

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Date of Birth	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	State	ZIP	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail ZIP	Cancel Date	Cancel Type	Current Registration Status
NORFOLK CITY								11/8/2023	11/8/2023															2019.4	Active C	Cancelled
NORFOLK CITY								2/5/2024	2/5/2024															19:06.8	Active C	Cancelled
NORFOLK CITY								8/8/2024	8/8/2024															08:51.7	Active C	Cancelled
NORFOLK CITY								9/3/2020	9/3/2020															19:14.7	Active C	Cancelled
NORFOLK CITY								12/20/2021	12/20/2021															09:26.9	Active C	Cancelled
NORFOLK CITY								8/26/2024	8/26/2024															16:02.6	Active C	Cancelled
NORFOLK CITY								3/6/2024	3/6/2024															18:50.5	Active C	Cancelled
NORFOLK CITY								3/6/2024	3/6/2024															17:50.4	Active C	Cancelled
NORFOLK CITY								11/8/2023	11/8/2023															16:15.9	Active C	Cancelled
NORFOLK CITY								4/24/2023	4/24/2023															10:00.2	Active C	Cancelled
NORFOLK CITY								9/11/2018	9/11/2018															16:51.7	Active C	Cancelled
NORFOLK CITY								12/4/2023	12/4/2023															11:59.0	Active C	Cancelled
NORFOLK CITY								10/16/2023	10/16/2023															18:53.3	Active C	Cancelled
NORFOLK CITY								8/29/2019	8/29/2019															20:21.9	Active C	Cancelled
NORFOLK CITY								11/16/2023	11/16/2023															20:10.7	Active C	Cancelled
NORFOLK CITY								4/26/2024	4/26/2024															20:31.8	Active C	Cancelled
NORFOLK CITY								11/27/2023	11/27/2023															17:04.4	Active C	Cancelled
NORFOLK CITY								11/29/2022	11/29/2022															17:26.7	Active C	Cancelled
NORFOLK CITY								11/29/2022	11/29/2022															17:00.1	Inactive	Cancelled
NORFOLK CITY								11/29/2022	11/29/2022															16:17.1	Inactive	Cancelled

Locality	D	er	ame	Name	me	Suffix	Birth	te	nDate	er	ected	ne1	ne2	ne3	ty	e	p	Line1	Line2	Line3	ity	tate	ip	Time	pe	ationStatus
NORFOLK CITY								11/29/2022	11/29/2022															16:38.4	Inactive	Cancelled
NORFOLK CITY								11/29/2022	11/29/2022															16:44.4	Inactive	Cancelled
NORFOLK CITY								11/29/2022	11/29/2022															16:38.7	Inactive	Cancelled
NORFOLK CITY								11/29/2022	11/29/2022															16:31.1	Inactive	Cancelled
NORFOLK CITY								11/29/2022	11/29/2022															16:58.3	Inactive	Cancelled
NORFOLK CITY								11/29/2022	11/29/2022															16:52.9	Inactive	Cancelled
NORFOLK CITY								11/29/2022	11/29/2022															16:04.4	Inactive	Cancelled
NORFOLK CITY								11/29/2022	11/29/2022															16:15.3	Inactive	Cancelled
NORFOLK CITY								4/19/2024	4/19/2024															16:34.1	Active C	Cancelled
NORFOLK CITY								1/29/2024	1/29/2024															20:37.7	Inactive	Cancelled
NORTHAMPTON COUNTY								8/30/2023	8/30/2023															18:03.2	Active C	Cancelled
NORTON CITY								6/24/2024	6/24/2024															10:34.6	Active C	Cancelled
NOTTOWAY COUNTY								5/5/2021	5/5/2021															02:50.6	Active C	Cancelled
NOTTOWAY COUNTY								11/28/2023	11/28/2023															02:33.2	Active C	Cancelled
NOTTOWAY COUNTY								9/17/1979	9/17/1979															46:21.1	Active C	Active
ORANGE COUNTY								8/28/2023	8/28/2023															19:47.7	Active C	Cancelled
ORANGE COUNTY								9/26/2022	9/26/2022															17:54.7	Active C	Active
PATRICK COUNTY								7/10/2023	7/10/2023															16:09.9	Active C	Cancelled
PETERSBURG CITY								10/17/2022	10/17/2022															15:59.0	Active C	Cancelled
PETERSBURG CITY								8/8/2023	8/8/2023															17:08.6	Active C	Cancelled

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Time	Cancel Type	Current Registration Status
PORTSMOUTH CITY							5/14/2024	5/14/2024																17:59.1	Active C	Cancelled	
PORTSMOUTH CITY							12/22/2022	12/22/2022																16:25.7	Active C	Cancelled	
PORTSMOUTH CITY							4/7/2014	4/7/2014																17:57.6	Active C	Cancelled	
PORTSMOUTH CITY							6/19/2003	6/19/2003																16:10.8	Active C	Cancelled	
PORTSMOUTH CITY							8/24/2000	8/24/2000																16:41.5	Active C	Cancelled	
POWHATAN COUNTY							3/13/2024	3/13/2024																39:38.3	Active C	Active	
PRINCE GEORGE COUNTY							7/24/2024	7/24/2024																56:34.5	Active C	Cancelled	
PRINCE GEORGE COUNTY							8/24/2024	8/24/2024																16:32.5	Active C	Cancelled	
PRINCE GEORGE COUNTY							6/25/2024	6/25/2024																19:55.2	Active C	Cancelled	
PRINCE WILLIAM COUNTY							1/30/2024	1/30/2024																23:00.8	Active C	Cancelled	
PRINCE WILLIAM COUNTY							5/18/2017	5/18/2017																23:11.6	Active C	Cancelled	
PRINCE WILLIAM COUNTY							8/12/2024	8/12/2024																14:29.2	Active C	Cancelled	
PRINCE WILLIAM COUNTY							8/30/2023	8/30/2023																24:07.6	Active C	Cancelled	
PRINCE WILLIAM COUNTY							1/15/2020	1/15/2020																23:27.7	Inactive C	Cancelled	
PRINCE WILLIAM COUNTY							3/11/2024	3/11/2024																23:37.7	Active C	Cancelled	
PRINCE WILLIAM COUNTY							4/24/2024	4/24/2024																23:46.8	Active C	Cancelled	
PRINCE WILLIAM COUNTY							3/27/2024	3/27/2024																23:54.2	Active C	Cancelled	
PRINCE WILLIAM COUNTY							3/1/2022	3/1/2022																14:34.5	Active C	Cancelled	
PRINCE WILLIAM COUNTY							9/7/2023	9/7/2023																24:16.5	Active C	Cancelled	
PRINCE WILLIAM COUNTY							7/31/2023	7/31/2023																24:23.7	Active C	Cancelled	

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential Type	Registration State	Registration Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Time	Registration Type	Current Registration Status
PRINCE WILLIAM COUNTY								9/18/2023	9/18/2023															24:31.5	Active C	Cancelled	
PRINCE WILLIAM COUNTY								7/3/2024	7/3/2024															24:44.5	Active C	Cancelled	
PRINCE WILLIAM COUNTY								4/16/2024	4/16/2024															24:51.7	Active C	Cancelled	
PRINCE WILLIAM COUNTY								7/3/2023	7/3/2023															25:06.1	Active C	Cancelled	
PRINCE WILLIAM COUNTY								3/12/2018	3/12/2018															25:16.4	Active C	Cancelled	
PRINCE WILLIAM COUNTY								6/28/2022	6/28/2022															32:04.0	Active C	Cancelled	
PRINCE WILLIAM COUNTY								7/2/2024	7/2/2024															25:23.4	Active C	Cancelled	
PRINCE WILLIAM COUNTY								9/6/2023	9/6/2023															25:31.1	Active C	Cancelled	
PRINCE WILLIAM COUNTY								7/3/2024	7/3/2024															25:38.3	Active C	Cancelled	
PRINCE WILLIAM COUNTY								5/28/2024	5/28/2024															25:47.8	Active C	Cancelled	
PRINCE WILLIAM COUNTY								7/26/2023	7/26/2023															25:55.0	Active C	Cancelled	
PRINCE WILLIAM COUNTY								6/25/2024	6/25/2024															16:18.5	Active C	Cancelled	
PRINCE WILLIAM COUNTY								10/17/2016	10/17/2016															26:26.1	Active C	Cancelled	
PRINCE WILLIAM COUNTY								8/1/2024	8/1/2024															21:29.2	Active C	Cancelled	
PRINCE WILLIAM COUNTY								8/16/2023	8/16/2023															26:38.2	Active C	Cancelled	
PRINCE WILLIAM COUNTY								4/15/2024	4/15/2024															16:42.4	Active C	Cancelled	
PRINCE WILLIAM COUNTY								11/28/2023	11/28/2023															26:51.2	Active C	Cancelled	
PRINCE WILLIAM COUNTY								6/16/2022	6/16/2022															26:59.0	Active C	Cancelled	
PRINCE WILLIAM COUNTY								11/21/2022	11/21/2022															27:18.3	Active C	Cancelled	
PRINCE WILLIAM COUNTY								2/5/2024	2/5/2024															27:27.1	Active C	Cancelled	

Locality	DMVC Customer	VoterID	ResNum	FirstN	Middle	LastNa	Suffix	Birth	DateOf	RegistrationDa	RegistrationDate	Phone	Protected	Res	Address	Res_Ad	Res_Ad	Res_Ad	Res_Ci	Res	Address	Mail_A	Mail_A	Mail_A	Mail_C	Mail_S	Mail_Z	CancelDate	Time	ationTy	CurrentRegistr
PRINCE WILLIAM COUNTY								7/31/2023		7/31/2023																	23:13.1	Active C	Cancelled		
PRINCE WILLIAM COUNTY								5/10/2024		5/10/2024																	26:59.8	Active C	Cancelled		
PRINCE WILLIAM COUNTY								9/28/2023		9/28/2023																	27:38.0	Active C	Cancelled		
PRINCE WILLIAM COUNTY								7/10/2024		7/10/2024																	27:46.3	Active C	Cancelled		
PRINCE WILLIAM COUNTY								6/21/2017		6/21/2017																	32:18.8	Inactive	Cancelled		
PRINCE WILLIAM COUNTY								7/12/2023		7/12/2023																	27:53.7	Active C	Cancelled		
PRINCE WILLIAM COUNTY								4/11/2024		4/11/2024																	22:54.5	Active C	Cancelled		
PRINCE WILLIAM COUNTY								12/28/2023		12/28/2023																	28:00.6	Active C	Cancelled		
PRINCE WILLIAM COUNTY								4/10/2024		4/10/2024																	28:07.5	Active C	Cancelled		
PRINCE WILLIAM COUNTY								2/7/2023		2/7/2023																	28:14.5	Active C	Cancelled		
PRINCE WILLIAM COUNTY								1/24/2024		1/24/2024																	16:25.1	Active C	Cancelled		
PRINCE WILLIAM COUNTY								12/19/2023		12/19/2023																	28:22.1	Active C	Cancelled		
PRINCE WILLIAM COUNTY								7/29/2024		7/29/2024																	28:30.1	Active C	Cancelled		
PRINCE WILLIAM COUNTY								5/20/2024		5/20/2024																	28:37.5	Active C	Cancelled		
PRINCE WILLIAM COUNTY								9/13/2023		9/13/2023																	28:46.1	Active C	Cancelled		
PRINCE WILLIAM COUNTY								7/31/2023		7/31/2023																	28:53.6	Active C	Cancelled		
PRINCE WILLIAM COUNTY								11/20/2019		11/20/2019																	29:00.6	Active C	Cancelled		
PRINCE WILLIAM COUNTY								5/2/2024		5/2/2024																	21:37.9	Active C	Cancelled		
PRINCE WILLIAM COUNTY								9/27/2021		9/27/2021																	16:01.0	Active C	Cancelled		
PRINCE WILLIAM COUNTY								7/22/2024		7/22/2024																	29:07.8	Active C	Cancelled		

Locality	DMVC Customer	VoterID	RegistrationNum	First Name	Middle Name	Last Name	Suffix	Date of Birth	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Time	Registration Type	Current Registration Status
PRINCE WILLIAM COUNTY								1/24/2024	1/24/2024																59:46.3	Active C	Cancelled	
PRINCE WILLIAM COUNTY								10/6/2023	10/6/2023																59:23.3	Active C	Cancelled	
PRINCE WILLIAM COUNTY								4/26/2024	4/26/2024																58:36.8	Active C	Cancelled	
PRINCE WILLIAM COUNTY								4/12/2024	4/12/2024																58:28.0	Active C	Cancelled	
PRINCE WILLIAM COUNTY								8/28/2024	8/28/2024																31:13.0	Active C	Cancelled	
PRINCE WILLIAM COUNTY								9/8/2023	9/8/2023																04:28.0	Active C	Cancelled	
PRINCE WILLIAM COUNTY								1/12/2024	1/12/2024																04:41.2	Active C	Cancelled	
PRINCE WILLIAM COUNTY								11/28/2023	11/28/2023																04:54.6	Active C	Cancelled	
PRINCE WILLIAM COUNTY								4/25/2022	4/25/2022																05:04.6	Active C	Cancelled	
PRINCE WILLIAM COUNTY								3/27/2024	3/27/2024																05:13.0	Active C	Cancelled	
PRINCE WILLIAM COUNTY								11/29/2010	11/29/2010																16:26.4	Active C	Cancelled	
PRINCE WILLIAM COUNTY								4/12/2024	4/12/2024																05:28.2	Active C	Cancelled	
PRINCE WILLIAM COUNTY								7/18/2023	7/18/2023																05:37.0	Active C	Cancelled	
PRINCE WILLIAM COUNTY								9/16/2024	9/16/2024																41:03.3	Active C	Cancelled	
PRINCE WILLIAM COUNTY								8/2/2023	8/2/2023																12:40.9	Active C	Cancelled	
PRINCE WILLIAM COUNTY								11/29/2023	11/29/2023																22:10.9	Active C	Cancelled	
PRINCE WILLIAM COUNTY								9/16/2019	9/16/2019																14:55.0	Active C	Cancelled	
PRINCE WILLIAM COUNTY								5/28/2024	5/28/2024																13:15.3	Active C	Cancelled	
PRINCE WILLIAM COUNTY								7/5/2024	7/5/2024																32:21.6	Active C	Cancelled	
PRINCE WILLIAM COUNTY								12/13/2023	12/13/2023																14:02.9	Active C	Cancelled	

Locality	D	DMVC ustomer	FirstN	Middle	LastNa	Suffix	Birth	EarliestReg	RegistrationDate	Phone_Numb	Protected	Res	Res_Ad	Res_Ad	Res_Ad	Res_Ci	Re	s	Mail_A	Mail_A	Mail_A	Mail_C	Mail_S	Mail_Z	CancelDate	Cancel	CurrentRegistr
	VoterID	rNumb	ame	Name	me		DateOf	istrationDa	nDate	er	ed	ne1	dressLi	dressLi	dressLi	ty	e	p	Line1	Line2	Line3	ity	tate	ip	Time	pe	ationStatus
PRINCE WILLIAM COUNTY								9/25/2024	9/25/2024																21:58.4	Active C	Cancelled
PRINCE WILLIAM COUNTY								11/28/2023	11/28/2023																58:14.5	Active C	Cancelled
PRINCE WILLIAM COUNTY								9/24/2024	9/24/2024																33:09.4	Active C	Cancelled
PRINCE WILLIAM COUNTY								2/9/2024	2/9/2024																14:33.8	Active C	Cancelled
PRINCE WILLIAM COUNTY								6/13/2008	6/13/2008																16:05.1	Active C	Active
PRINCE WILLIAM COUNTY								4/5/2024	4/5/2024																15:31.2	Active C	Cancelled
PRINCE WILLIAM COUNTY								8/11/2015	8/11/2015																16:08.1	Active C	Cancelled
PRINCE WILLIAM COUNTY								7/5/2024	7/5/2024																17:03.0	Active C	Cancelled
PRINCE WILLIAM COUNTY								5/30/2023	5/30/2023																16:13.6	Active C	Cancelled
PRINCE WILLIAM COUNTY								2/19/2024	2/19/2024																17:21.1	Active C	Cancelled
PRINCE WILLIAM COUNTY								3/11/2024	3/11/2024																17:53.5	Active C	Cancelled
PRINCE WILLIAM COUNTY								1/25/2024	1/25/2024																32:46.7	Active C	Cancelled
PRINCE WILLIAM COUNTY								12/19/2023	12/19/2023																32:59.0	Active C	Cancelled
PRINCE WILLIAM COUNTY								4/9/2024	4/9/2024																33:07.9	Active C	Cancelled
PRINCE WILLIAM COUNTY								9/14/2022	9/14/2022																33:16.8	Active C	Cancelled
PRINCE WILLIAM COUNTY								8/4/2023	8/4/2023																33:24.6	Active C	Cancelled
PRINCE WILLIAM COUNTY								7/10/2024	7/10/2024																33:35.3	Active C	Cancelled
PRINCE WILLIAM COUNTY								4/11/2024	4/11/2024																33:42.3	Active C	Cancelled
PRINCE WILLIAM COUNTY								10/14/2020	10/14/2020																33:50.9	Active C	Cancelled
PRINCE WILLIAM COUNTY								7/8/2022	7/8/2022																41:10.1	Active C	Cancelled

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Line 1	Residence Line 2	Residence Line 3	Residential Type	Registration State	Registration Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Time	Registration Type	Current Registration Status
PRINCE WILLIAM COUNTY							6/25/2024	6/25/2024																34:16.3	Active C	Cancelled	
PRINCE WILLIAM COUNTY							1/17/2024	1/17/2024																34:30.9	Active C	Cancelled	
PRINCE WILLIAM COUNTY							1/22/2024	1/22/2024																34:46.6	Active C	Cancelled	
PRINCE WILLIAM COUNTY							2/12/2024	2/12/2024																34:53.7	Active C	Cancelled	
PRINCE WILLIAM COUNTY							4/15/2024	4/15/2024																35:01.5	Active C	Cancelled	
PRINCE WILLIAM COUNTY							12/27/2023	12/27/2023																16:43.8	Active C	Cancelled	
PRINCE WILLIAM COUNTY							9/28/2023	9/28/2023																38:24.2	Active C	Cancelled	
PRINCE WILLIAM COUNTY							8/13/2018	8/13/2018																16:17.7	Inactive	Cancelled	
PRINCE WILLIAM COUNTY							9/11/2024	9/11/2024																4:21.3	Active C	Cancelled	
PRINCE WILLIAM COUNTY							9/27/2019	9/27/2019																38:53.0	Active C	Cancelled	
PRINCE WILLIAM COUNTY							9/13/2023	9/13/2023																39:02.1	Active C	Cancelled	
PRINCE WILLIAM COUNTY							10/17/2022	10/17/2022																39:12.1	Active C	Cancelled	
PRINCE WILLIAM COUNTY							6/18/2018	6/18/2018																22:06.4	Active C	Cancelled	
PRINCE WILLIAM COUNTY							8/28/2023	8/28/2023																39:21.9	Active C	Cancelled	
PRINCE WILLIAM COUNTY							8/20/2024	8/20/2024																22:16.2	Active C	Cancelled	
PRINCE WILLIAM COUNTY							4/19/2024	4/19/2024																34:39.0	Active C	Cancelled	
PRINCE WILLIAM COUNTY							9/6/2023	9/6/2023																39:32.3	Active C	Cancelled	
PRINCE WILLIAM COUNTY							9/9/2022	9/9/2022																16:35.9	Active C	Cancelled	
PRINCE WILLIAM COUNTY							2/5/2024	2/5/2024																39:41.6	Active C	Cancelled	
PRINCE WILLIAM COUNTY							6/25/2024	6/25/2024																38:41.3	Active C	Cancelled	

Locality	VoterID	DMVC CustomerNumbr	FirstName	MiddleName	LastName	Suffix	BirthDate	EarliestRegistrationDate	RegistrationDate	PhoneNumber	Protected	ResidentialAddressLine1	ResidentialAddressLine2	ResidentialAddressLine3	ResidentialCity	ResidentialState	ResidentialZip	MailAddressLine1	MailAddressLine2	MailAddressLine3	MailCity	MailState	MailZip	CancelTime	CancelDate	RegistrationType	CurrentRegistrationStatus
PRINCE WILLIAM COUNTY								10/11/2005	10/11/2005															41:38.2		Active C	Cancelled
PRINCE WILLIAM COUNTY								8/28/2023	8/28/2023															39:51.1		Active C	Cancelled
PRINCE WILLIAM COUNTY								9/5/2024	9/5/2024															59:48.4		Active C	Cancelled
PRINCE WILLIAM COUNTY								11/18/2021	11/18/2021															16:31.7		Active C	Cancelled
PRINCE WILLIAM COUNTY								3/14/2022	3/14/2022															31:43.6		Active C	Cancelled
PRINCE WILLIAM COUNTY								10/12/2022	10/12/2022															40:16.6		Active C	Cancelled
PRINCE WILLIAM COUNTY								8/9/2023	8/9/2023															40:26.5		Active C	Cancelled
PRINCE WILLIAM COUNTY								8/4/2023	8/4/2023															40:36.7		Active C	Cancelled
PRINCE WILLIAM COUNTY								4/15/2019	4/15/2019															16:58.3		Active C	Cancelled
PRINCE WILLIAM COUNTY								3/21/2024	3/21/2024															40:55.8		Active C	Cancelled
PRINCE WILLIAM COUNTY								7/17/2023	7/17/2023															41:05.7		Active C	Cancelled
PRINCE WILLIAM COUNTY								1/3/2024	1/3/2024															41:13.8		Active C	Cancelled
PRINCE WILLIAM COUNTY								2/7/2020	2/7/2020															41:23.2		Active C	Cancelled
PRINCE WILLIAM COUNTY								1/13/2023	1/13/2023															41:55.8		Active C	Cancelled
PRINCE WILLIAM COUNTY								6/5/2023	6/5/2023															42:06.3		Inactive	Cancelled
PRINCE WILLIAM COUNTY								7/19/2017	7/19/2017															17:03.8		Active C	Cancelled
PRINCE WILLIAM COUNTY								10/8/2020	10/8/2020															42:26.4		Active C	Cancelled
PRINCE WILLIAM COUNTY								10/4/2023	10/4/2023															42:38.1		Active C	Cancelled
PRINCE WILLIAM COUNTY								7/3/2024	7/3/2024															42:47.6		Active C	Cancelled
PRINCE WILLIAM COUNTY								4/22/2024	4/22/2024															42:57.9		Active C	Cancelled

Locality	VoterID	DMVC CustomerNumbr	FirstName	MiddleName	LastName	Suffix	BirthDate	EarliestRegistrationDate	RegistrationDate	PhoneNumbr	Protected	ResidenceLine1	ResidenceLine2	ResidenceLine3	ResidenceType	RegistrationState	MailAddressLine1	MailAddressLine2	MailAddressLine3	MailCity	MailState	MailZip	CancelDate	CancelTime	CancelType	CurrentRegistrationStatus
PRINCE WILLIAM COUNTY								3/21/2024	3/21/2024														50:23.6	Active C	Cancelled	
PRINCE WILLIAM COUNTY								4/29/2024	4/29/2024														50:15.2	Active C	Cancelled	
PRINCE WILLIAM COUNTY								8/25/2020	8/25/2020														50:05.9	Active C	Cancelled	
PRINCE WILLIAM COUNTY								12/12/2022	12/12/2022														16:37.2	Active C	Cancelled	
PRINCE WILLIAM COUNTY								1/29/2024	1/29/2024														49:55.4	Active C	Cancelled	
PRINCE WILLIAM COUNTY								12/8/2021	12/8/2021														17:26.7	Inactive	Cancelled	
PRINCE WILLIAM COUNTY								8/15/2024	8/15/2024														17:32.7	Active C	Cancelled	
PRINCE WILLIAM COUNTY								7/25/2024	7/25/2024														17:39.5	Active C	Cancelled	
PRINCE WILLIAM COUNTY								7/10/2024	7/10/2024														37:15.0	Active C	Cancelled	
PRINCE WILLIAM COUNTY								4/18/2024	4/18/2024														37:07.5	Active C	Cancelled	
PRINCE WILLIAM COUNTY								7/9/2024	7/9/2024														16:06.1	Active C	Cancelled	
PRINCE WILLIAM COUNTY								4/12/2024	4/12/2024														36:59.7	Active C	Cancelled	
PRINCE WILLIAM COUNTY								8/28/2023	8/28/2023														36:45.9	Active C	Cancelled	
PRINCE WILLIAM COUNTY								2/12/2024	2/12/2024														36:37.6	Active C	Cancelled	
PRINCE WILLIAM COUNTY								8/16/2023	8/16/2023														36:30.8	Active C	Cancelled	
PRINCE WILLIAM COUNTY								8/8/2023	8/8/2023														36:23.6	Active C	Cancelled	
PRINCE WILLIAM COUNTY								7/1/2024	7/1/2024														36:16.8	Active C	Cancelled	
PRINCE WILLIAM COUNTY								12/20/2002	12/20/2002														16:14.6	Active C	Cancelled	
PRINCE WILLIAM COUNTY								8/2/2023	8/2/2023														36:09.5	Active C	Cancelled	
PRINCE WILLIAM COUNTY								4/12/2024	4/12/2024														36:02.2	Active C	Cancelled	

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Time	Registration Type	Current Registration Status
PRINCE WILLIAM COUNTY								12/5/2023	12/5/2023															35:26.8	Active C	Cancelled	
PRINCE WILLIAM COUNTY								10/16/2023	10/16/2023															35:20.0	Active C	Cancelled	
PULASKI COUNTY								9/5/2024	9/5/2024															16:37.4	Active C	Cancelled	
RAPPAHANNOCK COUNTY								8/14/2023	8/14/2023															55:36.1	Active C	Cancelled	
RICHMOND CITY								7/30/2020	7/30/2020															17:39.2	Active C	Cancelled	
RICHMOND CITY								12/15/2023	12/15/2023															18:44.1	Active C	Cancelled	
RICHMOND CITY								8/14/2023	8/14/2023															18:01.8	Active C	Cancelled	
RICHMOND CITY								5/6/2024	5/6/2024															18:00.2	Active C	Cancelled	
RICHMOND CITY								12/18/2023	12/18/2023															17:40.2	Active C	Cancelled	
RICHMOND CITY								7/8/2024	7/8/2024															18:50.7	Active C	Cancelled	
RICHMOND CITY								5/14/2024	5/14/2024															18:04.2	Active C	Cancelled	
RICHMOND CITY								10/1/2018	10/1/2018															16:22.1	Active C	Cancelled	
RICHMOND CITY								3/26/2021	3/26/2021															18:14.9	Inactive C	Cancelled	
RICHMOND CITY								10/12/2023	10/12/2023															16:31.8	Active C	Cancelled	
RICHMOND CITY								4/30/2024	4/30/2024															16:37.7	Active C	Cancelled	
RICHMOND CITY								4/3/2024	4/3/2024															16:47.5	Active C	Cancelled	
RICHMOND CITY								6/21/2017	6/21/2017															16:33.7	Active C	Cancelled	
RICHMOND CITY								11/29/2023	11/29/2023															16:02.2	Active C	Cancelled	
RICHMOND CITY								9/28/2023	9/28/2023															18:13.6	Active C	Cancelled	
RICHMOND CITY								4/6/2023	4/6/2023															16:00.1	Active C	Cancelled	

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Date of Birth	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line1	Residential Address Line2	Residential Address Line3	Residential Type	Registration Status	Mail Address Line1	Mail Address Line2	Mail Address Line3	Mail City	Mail State	Mail Zip	Cancel Date Time	Cancel Type	Current Registration Status
RICHMOND CITY							9/26/2023	9/26/2023															16:50.7	Inactive C	Cancelled
RICHMOND CITY							7/1/2024	7/1/2024															17:14.3	Active C	Cancelled
RICHMOND CITY							1/10/2024	1/10/2024															16:13.4	Active C	Cancelled
RICHMOND CITY							12/5/2018	12/5/2018															16:27.4	Inactive C	Cancelled
RICHMOND CITY							8/28/2024	8/28/2024															16:44.1	Active C	Cancelled
RICHMOND CITY							7/18/2024	7/18/2024															17:32.2	Active C	Cancelled
RICHMOND CITY							3/22/2024	3/22/2024															17:03.1	Active C	Cancelled
RICHMOND CITY							7/11/2023	7/11/2023															16:26.7	Active C	Cancelled
RICHMOND CITY							2/22/2024	2/22/2024															16:55.2	Active C	Cancelled
RICHMOND CITY							6/28/2024	6/28/2024															16:34.1	Active C	Cancelled
RICHMOND CITY							2/24/2022	2/24/2022															16:12.2	Active C	Cancelled
RICHMOND CITY							7/3/2024	7/3/2024															18:26.1	Active C	Cancelled
RICHMOND CITY							5/13/2021	5/13/2021															16:17.6	Active C	Cancelled
RICHMOND CITY							12/22/2021	12/22/2021															17:28.4	Active C	Cancelled
RICHMOND CITY							9/27/2023	9/27/2023															18:10.6	Active C	Cancelled
RICHMOND CITY							3/15/2021	3/15/2021															16:29.9	Active C	Cancelled
RICHMOND CITY							1/22/2024	1/22/2024															16:44.7	Active C	Cancelled
RICHMOND CITY							5/6/2024	5/6/2024															16:39.4	Active C	Cancelled
RICHMOND CITY							9/19/2024	9/19/2024															16:04.6	Active C	Cancelled
RICHMOND CITY							12/1/2021	12/1/2021															16:43.7	Active C	Cancelled

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Line1	Residence Line2	Residence Line3	Residence Type	Registration State	Registration Zip	Mail Address Line1	Mail Address Line2	Mail Address Line3	Mail City	Mail State	Mail Zip	Cancel Date Time	Cancel Type	Current Registration Status	
RICHMOND CITY							5/23/2024	5/23/2024																18:30.4	Active C	Cancelled	
RICHMOND CITY							1/17/2024	1/17/2024																	18:05.1	Active C	Cancelled
RICHMOND CITY							5/16/2024	5/16/2024																	17:17.6	Active C	Cancelled
RICHMOND CITY							4/17/2024	4/17/2024																	17:07.7	Active C	Cancelled
RICHMOND CITY							8/7/2019	8/7/2019																	16:19.6	Active C	Cancelled
RICHMOND CITY							8/30/2023	8/30/2023																	16:36.3	Active C	Cancelled
RICHMOND CITY							1/23/2024	1/23/2024																	18:54.8	Active C	Cancelled
RICHMOND CITY							7/24/2020	7/24/2020																	16:06.9	Active C	Cancelled
RICHMOND CITY							1/25/2024	1/25/2024																	17:48.1	Active C	Cancelled
RICHMOND CITY							4/18/2024	4/18/2024																	18:16.6	Active C	Cancelled
RICHMOND CITY							8/5/2024	8/5/2024																	16:18.7	Active C	Cancelled
RICHMOND CITY							5/4/2016	5/4/2016																	16:05.7	Active C	Cancelled
RICHMOND CITY							3/12/2024	3/12/2024																	16:47.5	Active C	Cancelled
RICHMOND CITY							10/1/1998	10/1/1998																	16:34.6	Active C	Cancelled
RICHMOND CITY							12/11/2023	12/11/2023																	17:51.2	Active C	Cancelled
RICHMOND CITY							5/30/2023	5/30/2023																	17:20.6	Active C	Cancelled
RICHMOND CITY							12/19/2023	12/19/2023																	17:21.4	Inactive C	Cancelled
RICHMOND CITY							5/10/2024	5/10/2024																	16:31.7	Active C	Cancelled
RICHMOND CITY							5/17/2016	5/17/2016																	17:42.2	Active C	Cancelled
RICHMOND CITY							2/8/2016	2/8/2016																	17:30.8	Active C	Cancelled

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Time	Cancel Type	Current Registration Status	
RICHMOND CITY							2/9/2024	2/9/2024																16:09.2	Active C	Cancelled	
RICHMOND CITY							10/15/2020	10/15/2020																	16:25.4	Active C	Cancelled
RICHMOND CITY							5/20/2024	5/20/2024																	17:08.6	Active C	Cancelled
RICHMOND CITY							12/18/2023	12/18/2023																	16:38.6	Active C	Cancelled
RICHMOND CITY							5/16/2017	5/16/2017																	16:08.4	Inactive	Cancelled
ROANOKE CITY							7/18/2023	7/18/2023																	16:37.2	Active C	Cancelled
ROANOKE CITY							5/28/2024	5/28/2024																	16:03.3	Active C	Cancelled
ROANOKE CITY							9/6/2023	9/6/2023																	16:09.6	Active C	Cancelled
ROANOKE CITY							6/10/2022	6/10/2022																	16:40.7	Active C	Cancelled
ROANOKE CITY							2/12/2024	2/12/2024																	16:33.6	Active C	Cancelled
ROANOKE CITY							4/2/2024	4/2/2024																	16:06.9	Active C	Cancelled
ROANOKE CITY							5/6/2024	5/6/2024																	16:24.2	Active C	Cancelled
ROANOKE CITY							11/15/2023	11/15/2023																	16:05.8	Active C	Cancelled
ROANOKE CITY							6/24/2024	6/24/2024																	16:19.8	Active C	Cancelled
ROANOKE CITY							12/5/2022	12/5/2022																	16:27.6	Active C	Cancelled
ROANOKE CITY							12/18/2023	12/18/2023																	16:28.1	Active C	Cancelled
ROANOKE CITY							7/24/2023	7/24/2023																	16:25.7	Active C	Cancelled
ROANOKE CITY							4/1/2024	4/1/2024																	16:39.4	Active C	Cancelled
ROANOKE CITY							9/24/2012	9/24/2012																	16:10.4	Active C	Cancelled
ROANOKE CITY							11/13/2018	11/13/2018																	16:15.5	Active C	Cancelled

Locality	VoterID	DMVC Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Line 1	Residence Line 2	Residence Line 3	Residence City	Residence State	Residence Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Time	Cancel Type	Current Registration Status	
ROANOKE COUNTY							3/25/2024	3/25/2024																18:07.6	Active C	Cancelled	
ROANOKE COUNTY							7/17/2023	7/17/2023																	16:21.2	Inactive C	Cancelled
ROANOKE COUNTY							9/21/2022	9/21/2022																	19:22.3	Active C	Cancelled
ROANOKE COUNTY							9/27/2023	9/27/2023																	16:46.9	Active C	Cancelled
ROANOKE COUNTY							4/23/2024	4/23/2024																	20:06.2	Active C	Cancelled
ROANOKE COUNTY							7/18/2023	7/18/2023																	16:23.9	Active C	Cancelled
ROANOKE COUNTY							9/11/2023	9/11/2023																	20:23.4	Active C	Cancelled
ROANOKE COUNTY							7/5/2023	7/5/2023																	18:17.9	Active C	Cancelled
ROANOKE COUNTY							5/20/2024	5/20/2024																	19:17.9	Active C	Cancelled
ROANOKE COUNTY							2/25/2009	2/25/2009																	18:12.6	Active C	Cancelled
ROANOKE COUNTY							9/14/2023	9/14/2023																	16:50.8	Active C	Cancelled
ROANOKE COUNTY							3/13/2024	3/13/2024																	18:19.3	Active C	Cancelled
ROANOKE COUNTY							3/13/2024	3/13/2024																	17:56.2	Active C	Cancelled
ROCKINGHAM COUNTY							9/4/2024	9/4/2024																	08:28.0	Active C	Cancelled
RUSSELL COUNTY							11/14/2023	11/14/2023																	18:09.5	Active C	Cancelled
SCOTT COUNTY							10/1/1999	10/1/1999																	17:07.1	Active C	Cancelled
SHENANDOAH COUNTY							4/14/2022	4/14/2022																	17:04.5	Active C	Cancelled
SHENANDOAH COUNTY							5/14/2024	5/14/2024																	19:04.1	Active C	Cancelled
SHENANDOAH COUNTY							4/29/2024	4/29/2024																	17:19.9	Active C	Cancelled
SHENANDOAH COUNTY							10/12/2023	10/12/2023																	18:02.5	Active C	Cancelled

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Line1	Residence Line2	Residence Line3	Residence Type	Registration State	Registration Zip	Mail Address Line1	Mail Address Line2	Mail Address Line3	Mail City	Mail State	Mail Zip	Cancel Date Time	Cancel Type	Current Registration Status	
SHENANDOAH COUNTY							6/20/2024	6/20/2024																17:36.8	Active C	Cancelled	
SHENANDOAH COUNTY							11/8/2023	11/8/2023																	19:59.5	Active C	Cancelled
SHENANDOAH COUNTY							4/9/2024	4/9/2024																	20:50.5	Active C	Cancelled
SHENANDOAH COUNTY							9/18/2019	9/18/2019																	20:35.4	Active C	Cancelled
SHENANDOAH COUNTY							7/25/2024	7/25/2024																	16:11.8	Active C	Cancelled
SHENANDOAH COUNTY							10/17/2016	10/17/2016																	16:09.5	Active C	Cancelled
SHENANDOAH COUNTY							8/18/2021	8/18/2021																	20:21.0	Active C	Cancelled
SHENANDOAH COUNTY							9/12/2023	9/12/2023																	18:29.2	Active C	Cancelled
SPOTSYLVANIA COUNTY							3/6/2024	3/6/2024																	16:40.9	Active C	Cancelled
SPOTSYLVANIA COUNTY							3/22/2024	3/22/2024																	16:19.9	Active C	Cancelled
SPOTSYLVANIA COUNTY							10/17/2022	10/17/2022																	17:17.4	Active C	Cancelled
SPOTSYLVANIA COUNTY							1/21/2017	1/21/2017																	17:30.4	Active C	Cancelled
SPOTSYLVANIA COUNTY							3/6/2024	3/6/2024																	16:09.0	Active C	Cancelled
SPOTSYLVANIA COUNTY							11/13/2023	11/13/2023																	16:55.7	Active C	Cancelled
SPOTSYLVANIA COUNTY							7/3/2023	7/3/2023																	17:06.8	Active C	Cancelled
SPOTSYLVANIA COUNTY							5/9/2024	5/9/2024																	17:34.1	Active C	Cancelled
SPOTSYLVANIA COUNTY							9/11/2023	9/11/2023																	17:07.9	Active C	Cancelled
SPOTSYLVANIA COUNTY							3/15/2024	3/15/2024																	17:27.9	Active C	Cancelled
SPOTSYLVANIA COUNTY							11/13/2023	11/13/2023																	17:09.7	Active C	Cancelled
SPOTSYLVANIA COUNTY							5/6/2024	5/6/2024																	17:13.7	Active C	Cancelled

Locality	DMVC	Customer	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Residential State	Residential Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Type	Current Registration Status
STAFFORD COUNTY								1/23/2024	1/23/2024															16:25.5	Active C	Cancelled
STAFFORD COUNTY								3/7/2017	3/7/2017															16:29.4	Active C	Cancelled
STAFFORD COUNTY								7/29/2022	7/29/2022															16:45.7	Active C	Cancelled
STAFFORD COUNTY								2/27/2023	2/27/2023															16:29.6	Active C	Cancelled
STAFFORD COUNTY								4/1/2019	4/1/2019															16:36.9	Active C	Cancelled
STAUNTON CITY								11/22/2023	11/22/2023															20:43.8	Active C	Cancelled
STAUNTON CITY								1/9/2024	1/9/2024															17:34.2	Active C	Cancelled
SUFFOLK CITY								10/17/2022	10/17/2022															16:29.3	Active C	Cancelled
SUFFOLK CITY								1/19/2024	1/19/2024															16:37.4	Active C	Cancelled
SUFFOLK CITY								4/26/2022	4/26/2022															16:31.6	Active C	Cancelled
SUFFOLK CITY								10/15/2012	10/15/2012															16:25.9	Active C	Cancelled
SUFFOLK CITY								1/8/2024	1/8/2024															16:36.1	Active C	Cancelled
SUFFOLK CITY								2/10/2020	2/10/2020															16:42.4	Active C	Cancelled
SUFFOLK CITY								4/1/2024	4/1/2024															16:39.9	Active C	Cancelled
SUFFOLK CITY								4/11/2024	4/11/2024															16:41.3	Active C	Cancelled
SUFFOLK CITY								10/6/2008	10/6/2008															16:47.6	Active C	Cancelled
SUFFOLK CITY								10/11/2022	10/11/2022															16:23.8	Active C	Cancelled
SUFFOLK CITY								5/13/2024	5/13/2024															16:34.6	Active C	Cancelled
SUFFOLK CITY								10/17/2016	10/17/2016															16:30.7	Active C	Cancelled
SURRY COUNTY								4/19/2022	4/19/2022															19:41.4	Inactive	Cancelled

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Date of Birth	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Address Line1	Residence Address Line2	Residence Address Line3	Residence City	Residence State	Residence Zip	Mail Address Line1	Mail Address Line2	Mail Address Line3	Mail City	Mail State	Mail Zip	Cancel Date Time	Cancel Type	Current Registration Status	
TAZEWELL COUNTY							5/6/2024	5/6/2024																18:02.6	Active C	Cancelled	
VIRGINIA BEACH CITY							11/16/2020	11/16/2020																	17:16.2	Active C	Cancelled
VIRGINIA BEACH CITY							8/21/2024	8/21/2024																	15:57.1	Active C	Cancelled
VIRGINIA BEACH CITY							3/6/2024	3/6/2024																	19:39.1	Active C	Active
VIRGINIA BEACH CITY							8/6/2020	8/6/2020																	15:55.1	Active C	Cancelled
VIRGINIA BEACH CITY							8/26/2024	8/26/2024																	16:16.9	Active C	Cancelled
VIRGINIA BEACH CITY							11/9/2020	11/9/2020																	20:27.0	Active C	Cancelled
VIRGINIA BEACH CITY							11/8/2023	11/8/2023																	17:11.2	Active C	Cancelled
VIRGINIA BEACH CITY							10/5/2023	10/5/2023																	20:48.2	Active C	Cancelled
VIRGINIA BEACH CITY							10/2/2023	10/2/2023																	16:14.7	Active C	Cancelled
VIRGINIA BEACH CITY							12/9/2023	12/9/2023																	19:36.8	Active C	Cancelled
VIRGINIA BEACH CITY							11/8/2023	11/8/2023																	16:08.9	Active C	Cancelled
VIRGINIA BEACH CITY							9/3/1998	9/3/1998																	16:34.5	Active C	Cancelled
VIRGINIA BEACH CITY							12/5/2022	12/5/2022																	16:24.7	Active C	Cancelled
VIRGINIA BEACH CITY							11/21/2023	11/21/2023																	18:42.2	Active C	Cancelled
VIRGINIA BEACH CITY							5/20/2024	5/20/2024																	20:52.7	Active C	Cancelled
VIRGINIA BEACH CITY							9/9/2024	9/9/2024																	15:56.4	Active C	Cancelled
VIRGINIA BEACH CITY							1/10/2024	1/10/2024																	19:34.4	Active C	Cancelled
VIRGINIA BEACH CITY							6/19/2024	6/19/2024																	17:30.6	Active C	Cancelled
VIRGINIA BEACH CITY							1/19/2007	1/19/2007																	16:21.1	Active C	Cancelled

Locality	DMVC	Customer	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Line 1	Residence Line 2	Residence Line 3	Residence Type	State	Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Time	Cancel Date	Cancel Type	Current Registration Status
VIRGINIA BEACH CITY								6/19/2024	6/19/2024															18:06.6		Active C	Cancelled
VIRGINIA BEACH CITY								9/15/2023	9/15/2023															18:37.4		Active C	Cancelled
VIRGINIA BEACH CITY								8/14/2024	8/14/2024															15:59.7		Active C	Cancelled
VIRGINIA BEACH CITY								10/2/2008	10/2/2008															16:36.4		Active C	Cancelled
VIRGINIA BEACH CITY								11/8/2021	11/8/2021															19:07.9		Active C	Cancelled
VIRGINIA BEACH CITY								7/1/2023	7/1/2023															17:26.2		Active C	Cancelled
VIRGINIA BEACH CITY								8/1/2024	8/1/2024															16:26.2		Active C	Cancelled
VIRGINIA BEACH CITY								12/13/2023	12/13/2023															17:53.3		Active C	Cancelled
VIRGINIA BEACH CITY								1/10/2024	1/10/2024															17:25.1		Active C	Cancelled
VIRGINIA BEACH CITY								7/21/2003	7/21/2003															16:05.9		Active C	Cancelled
VIRGINIA BEACH CITY								7/13/2020	7/13/2020															19:42.7		Active C	Cancelled
VIRGINIA BEACH CITY								1/15/2021	1/15/2021															16:04.0		Active C	Cancelled
VIRGINIA BEACH CITY								9/28/2023	9/28/2023															17:18.3		Active C	Cancelled
VIRGINIA BEACH CITY								12/13/2023	12/13/2023															17:41.8		Active C	Cancelled
VIRGINIA BEACH CITY								11/8/2023	11/8/2023															16:10.3		Active C	Cancelled
VIRGINIA BEACH CITY								3/7/2024	3/7/2024															18:28.0		Active C	Cancelled
VIRGINIA BEACH CITY								6/19/2024	6/19/2024															19:02.6		Active C	Cancelled
VIRGINIA BEACH CITY								11/4/2020	11/4/2020															48:34.8		Active C	Cancelled
VIRGINIA BEACH CITY								12/20/2023	12/20/2023															19:24.7		Active C	Cancelled
VIRGINIA BEACH CITY								11/8/2018	11/8/2018															17:48.1		Active C	Cancelled

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Date of Birth	Earliest Registration Date	Registration Date	Phone Number	Protected	Res _Ad dress	Res_Ad dress	Res_Ad dress	Res_Ci ty	Re _e s _s _Z _p	Mail_A ddress Line1	Mail_A ddress Line2	Mail_A ddress Line3	Mail_C ity	Mail_S tate	Mail_Z ip	Cancel Date Time	Cancel ationTy pe	Current Registr ationStatus	
VIRGINIA BEACH CITY								3/6/2024	3/6/2024														20:51.6	Active C	Cancelled	
VIRGINIA BEACH CITY								3/6/2024	3/6/2024															20:34.4	Active C	Cancelled
VIRGINIA BEACH CITY								1/16/2024	1/16/2024															16:11.2	Active C	Cancelled
VIRGINIA BEACH CITY								3/7/2024	3/7/2024															18:31.4	Active C	Cancelled
VIRGINIA BEACH CITY								1/29/2024	1/29/2024															20:07.3	Active C	Cancelled
VIRGINIA BEACH CITY								3/6/2024	3/6/2024															20:41.5	Active C	Cancelled
VIRGINIA BEACH CITY								3/6/2024	3/6/2024															18:59.7	Active C	Cancelled
VIRGINIA BEACH CITY								4/2/2024	4/2/2024															18:15.7	Active C	Cancelled
VIRGINIA BEACH CITY								6/17/2021	6/17/2021															15:58.8	Inactive	Cancelled
VIRGINIA BEACH CITY								9/21/2023	9/21/2023															19:27.3	Active C	Cancelled
VIRGINIA BEACH CITY								5/11/2024	5/11/2024															18:16.6	Active C	Cancelled
VIRGINIA BEACH CITY								8/12/2023	8/12/2023															17:23.0	Active C	Cancelled
VIRGINIA BEACH CITY								3/27/2024	3/27/2024															17:49.2	Active C	Cancelled
VIRGINIA BEACH CITY								12/20/2023	12/20/2023															20:09.6	Active C	Cancelled
VIRGINIA BEACH CITY								6/19/2024	6/19/2024															18:41.3	Active C	Cancelled
VIRGINIA BEACH CITY								4/18/2024	4/18/2024															17:39.7	Active C	Cancelled
VIRGINIA BEACH CITY								4/10/2024	4/10/2024															20:47.2	Active C	Cancelled
WARREN COUNTY								8/30/2023	8/30/2023															46:48.0	Active C	Cancelled
WARREN COUNTY								11/9/2023	11/9/2023															47:28.3	Active C	Cancelled
WARREN COUNTY								9/17/2019	9/17/2019															48:07.3	Active C	Cancelled

Locality	VoterID	DMVC Customer Number	First Name	Middle Name	Last Name	Suffix	Date of Birth	Earliest Registration Date	Registration Date	Phone Number	Protected	Residential Address Line 1	Residential Address Line 2	Residential Address Line 3	Residential City	Registration State	Registration Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date	Cancel Time	Action Type	Current Registration Status
WARREN COUNTY							12/19/1991	12/19/1991																49:13.4	Active C	Cancelled	
WARREN COUNTY							7/12/2021	7/12/2021																48:31.3	Active C	Cancelled	
WARREN COUNTY							11/22/2023	11/22/2023																48:50.7	Active C	Cancelled	
WASHINGTON COUNTY							4/3/2024	4/3/2024																19:51.2	Active C	Cancelled	
WASHINGTON COUNTY							8/25/2020	8/25/2020																17:15.2	Active C	Active	
WILLIAMSBURG CITY							5/14/2024	5/14/2024																21:29.2	Active C	Cancelled	
WILLIAMSBURG CITY							7/1/2024	7/1/2024																22:11.0	Active C	Cancelled	
WILLIAMSBURG CITY							5/13/2024	5/13/2024																16:25.3	Active C	Cancelled	
WILLIAMSBURG CITY							6/27/2024	6/27/2024																22:19.0	Active C	Cancelled	
WILLIAMSBURG CITY							1/17/2020	1/17/2020																20:30.3	Active C	Cancelled	
WILLIAMSBURG CITY							7/17/2023	7/17/2023																17:22.3	Active C	Cancelled	
WILLIAMSBURG CITY							5/3/2022	5/3/2022																16:32.7	Active C	Cancelled	
WINCHESTER CITY							11/13/2023	11/13/2023																17:44.3	Active C	Cancelled	
WINCHESTER CITY							3/11/2024	3/11/2024																18:46.6	Active C	Cancelled	
WINCHESTER CITY							10/7/2021	10/7/2021																18:43.1	Active C	Cancelled	
WINCHESTER CITY							4/3/2023	4/3/2023																19:01.2	Active C	Cancelled	
WINCHESTER CITY							1/2/2024	1/2/2024																18:25.1	Active C	Cancelled	
WINCHESTER CITY							1/8/2024	1/8/2024																16:48.8	Active C	Cancelled	
WINCHESTER CITY							5/9/2024	5/9/2024																17:18.8	Active C	Cancelled	
WISE COUNTY							12/11/2023	12/11/2023																16:17.7	Active C	Cancelled	

Locality	DMVC Customer VoterID	Residence Number	First Name	Middle Name	Last Name	Suffix	Birth Date	Earliest Registration Date	Registration Date	Phone Number	Protected	Residence Address Line 1	Residence Address Line 2	Residence Address Line 3	Residence City	Residence State	Residence Zip	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail City	Mail State	Mail Zip	Cancel Date Time	Cancel Type	Current Registration Status
WYTHE COUNTY								6/27/2024	6/27/2024															5:25.8	Active C	Cancelled
YORK COUNTY								4/18/2024	4/18/2024															17:15.4	Active C	Cancelled
YORK COUNTY								6/24/2024	6/24/2024															17:06.9	Active C	Cancelled
YORK COUNTY								5/8/2024	5/8/2024															17:19.8	Active C	Cancelled
YORK COUNTY								8/5/2019	8/5/2019															17:55.5	Active C	Cancelled
YORK COUNTY								6/9/2021	6/9/2021															03:32.3	Active C	Cancelled
YORK COUNTY								1/29/2024	1/29/2024															16:59.7	Active C	Cancelled
YORK COUNTY								3/12/2024	3/12/2024															18:40.4	Active C	Cancelled
YORK COUNTY								5/17/2018	5/17/2018															18:28.4	Active C	Cancelled

ROUGH DRAFT

October 24, 2024

VIRGINIA COALITION FOR IMMIGRANT RIGHTS, et al.,

v.

SUSAN BEALS, et al.,

Case Number: 1:24-cv-01778-PTG-WBP

1 THURSDAY MORNING SESSION, OCTOBER 24, 2024

2 (10:03 a.m.)

3 THE COURTROOM CLERK: The Court calls *Virginia Coalition*
4 *For Immigrant Rights, et al. versus Susan Beals, et al.*, Case
5 Number 1:24-cv-1778.

6 May I have appearances please first for the Plaintiffs?

7 MR. FERGUSON: Brent Ferguson, Your Honor, for the Private
8 Plaintiffs.

9 MR. GORDON: Good morning, Your Honor. Steve Gordon on
10 behalf of the United States. I also have counsel here from the
11 Civil Rights Division of the Department of Justice, and I'm going
12 to let her introduce herself.

13 MS. JHAVERI: Good morning, Sejal Jhaveri for the United
14 States.

15 THE COURT: Good morning.

16 MR. DANJUMA: Good morning, Your Honor. Orion Danjuma on
17 behalf of the United States.

18 MR. POWERS: Good morning, Your Honor. John Powers on
19 behalf of the Private Plaintiffs.

20 MS. SNOW: Good morning, Your Honor. Ryan Snow on behalf
21 of the Private Plaintiffs.

22 THE COURT: Good morning. And we have three in the jury
23 box.

24 MS. LEEPER: Good morning. Simone Leeper for the Private
25 Plaintiffs.

1 MS. PORTS: Good morning, Your Honor. I'm Shanna Ports on
2 behalf of the Private Plaintiffs.

3 MS. LANG: Good morning, Your Honor. Danielle Lang on
4 behalf of the Private Plaintiffs.

5 THE COURT: Good morning to all of you.

6 MR. COOPER: Good morning, Your Honor. Charles Cooper on
7 behalf of the Defendants in the case. With me are two of my
8 colleagues, Mr. Joe Masterman and Mr. Brad Larson.

9 THE COURT: Good morning.

10 MR. COOPER: And we are all mindful, Your Honor, that
11 we're here with the Court's permission. We're grateful for that
12 and we're honored. Thank you.

13 THE COURT: Good morning. Happy to have you give here.

14 MR. JAMES: Good morning, Your Honor, Chuck James for the
15 Defendants.

16 MR. SANFORD: Good morning, Your Honor. Thomas Sanford
17 for the Defendants.

18 THE COURT: Good morning. Good morning to everyone in the
19 courtroom as well. We're on today for motions for preliminary
20 injunctions. We have the motion that was filed by our Private
21 Plaintiffs, as well as the motion that was filed by the United
22 States.

23 And as the parties are aware, I consolidated the cases
24 because I found that there were common issues in law, and I
25 thought that that made sense to consolidate.

1 I also expedited our briefing schedule, and I thank
2 counsel for complying with that and the quality of your briefing.
3 I've reviewed everything including the Private Plaintiffs reply
4 that was filed late last night.

5 That being said, our first course of business today will
6 be for -- to determine the order of things. And first I need a
7 sense of whether or not you're just relying on the evidence that
8 you have attached to your briefing or whether or not you
9 anticipate offering additional evidence or witnesses this
10 morning, and I'm going to start first with our Private
11 Plaintiffs.

12 MR. FERGUSON: Sure. Good morning, Your Honor. As of
13 now, we plan to call one witness, and that's Dr. Michael McDonald
14 who's submitted an expert report. As Your Honor has seen, we
15 have moved to have him testify electronically. He is available,
16 as we've discussed with the Court, at 11:15 this morning. We
17 would propose, Your Honor, that the both sets of Plaintiffs, the
18 United States and Private Plaintiffs, make legal argument first
19 and then call Dr. McDonald after that.

20 THE COURT: In terms of -- so you're relying on all of the
21 exhibits that you have attached to there -- first to your initial
22 motion, as well as there was one declaration attached to your
23 reply brief?

24 MR. FERGUSON: That's right, Your Honor. We've submitted
25 two other evidentiary issues. We've submitted additional

1 declarations this morning. We have copies of all of those
2 declarations for the Court and for defense counsel.

3 We also --

4 THE COURT: What are those declarations? Are they
5 attached to something?

6 MR. FERGUSON: They are supplemental declarations,
7 exhibits to our reply brief from last night.

8 Your Honor, we received a production from Defendants on
9 Tuesday evening. And as the -- as the declarations make clear,
10 after that time, after Plaintiffs learned of the purge list, the
11 voters who are taken off the rolls, they have contacted members
12 and other Virginians who were taken off the rolls, and these
13 declarations relate to that.

14 In addition, Your Honor, I'd like to move to admit the
15 list of purged voters with personal information redacted, which
16 we have for you on a flash drive and we have paper copies as well
17 with those redactions.

18 THE COURT: Okay. Can I see the paper copy, and have you
19 provided that to --

20 MR. FERGUSON: We can provide it right now.

21 THE COURT: Okay. As well as the declarations, because I
22 only saw one declaration actually attached to the reply, and so
23 you're talking about additional declarations?

24 MR. FERGUSON: That's correct, Your Honor.

25 THE COURT: And so for these declarations, they should be

1 marked as Plaintiffs' 1 and so on. Okay? So for anything
2 that -- everything that you all have filed attached to a
3 pleading, we will just use the exhibit numbers or the docket
4 numbers --

5 MR. FERGUSON: Okay.

6 THE COURT: -- so that it's clear what we are
7 referencing --

8 MR. FERGUSON: Sure.

9 THE COURT: -- and not to overcome complicate things with
10 new numbers today.

11 With respect to the exhibits that are attached to
12 Plaintiffs' motions, are there any objections to those?

13 If you'd have a seat.

14 I believe it's Mr. Cooper.

15 MR. COOPER: Your Honor, you're speaking about the
16 exhibits that include the one attached last night to the reply
17 brief and the ones that have just been --

18 THE COURT: No. I'm first speaking -- because they're
19 relying on everything that they have provided to the Court to
20 date, so with respect to what's attached to, I believe, it's
21 their exhibit -- it's Docket Number 26, all of those exhibits.

22 MR. COOPER: Well, Your Honor, with respect to the
23 exhibits that were originally attached to their motion papers --

24 THE COURT: Yes.

25 MR. COOPER: -- we would have no objection to those.

1 THE COURT: Okay. And so all of those will be received.

2 (Plaintiffs' Exhibits admitted into the record.)

3 MR. COOPER: I'm not at all sure that we won't have
4 objections with respect to the ones that came in last night on
5 the reply brief and the one that's just been handed up. We've
6 not had a chance really to take a look at those.

7 THE COURT: And neither has the Court, so I'm going to
8 look at the one on the reply brief late last night but not the
9 additional ones, and so we'll all take a look at those so I
10 understand.

11 What -- with respect to the exhibits that are attached to
12 the government's motion, do you have any objection to any of
13 those?

14 MR. COOPER: No. Oh, no, Your Honor. To --

15 THE COURT: Thank you.

16 MR. COOPER: No, no.

17 THE COURT: And I'll ask the United States: Do you intend
18 on calling any witnesses today? If you could come to the podium.

19 MS. JHAVERI: No, Your Honor. We intend to rely on the
20 evidence attached to our papers.

21 THE COURT: Okay. Thank you. And with respect to the
22 Defendants, Mr. Cooper, will you be calling --

23 MR. COOPER: We will not be calling witnesses, no, Your
24 Honor. Thank you.

25 THE COURT: The first thing I want to do is give them an

1 opportunity, as well as the Court, to review the new declarations
2 because we've not had an opportunity to see those. We'll
3 determine if there are any objections to those, and after that we
4 will then proceed to legal arguments with both sides. Okay? So
5 if you could pass those up.

6 (Brief pause in proceedings.)

7 THE COURT: Thank you. And you provided the redacted list
8 to them as well so they have that?

9 MR. FERGUSON: I believe so, Your Honor.

10 MS. LEEPER: Your Honor, the fax we went to this morning
11 ran out of toner, so we actually only found one copy of the
12 redacted list, and so --

13 THE COURT: Okay. We'll make copies.

14 MS. LEEPER: -- that information is information that was
15 provided to us by the Defendants, just absent the columns except
16 for the --

17 THE COURT: The Court will make the copy.

18 MS. LEEPER: Okay.

19 THE COURT: Thank you. And so we're going to take a brief
20 recess to give them an opportunity to review it. The Court will
21 review it as well, and then I'll take the bench again. We're in
22 recess.

23 (Thereupon, a recess in the proceedings occurred from
24 10:12 a.m. until 10:41 a.m.)

25 THE COURT: Okay. For purposes of the record, just so

1 we're clear what we're talking about, the Private Plaintiffs'
2 exhibits are BB, CC, and DD. The list that I received didn't
3 have a label on it, so we will label it EE. Okay?

4 And so, Mr. Cooper, I will hear from you with respect to
5 your position on the exhibits.

6 MR. COOPER: Thank you, Your Honor. I'm sorry, I've not
7 saved the cover sheet, so I'm going to have to speak from the
8 document number, if I may.

9 THE COURT: You can.

10 MR. COOPER: Document 108.

11 THE COURT: Okay.

12 MR. COOPER: Can we just speak to these one at a time,
13 then? I have three exhibits.

14 THE COURT: Okay.

15 MR. COOPER: And --

16 THE COURT: And -- and 108, just for the record, that it's
17 clear, is Exhibit BB.

18 MR. COOPER: Okay.

19 THE COURT: Okay? So go ahead.

20 MR. COOPER: Thank you. And this is a supplemental
21 declaration of GiGi Traore, if I've got to the pronunciation
22 right.

23 THE COURT: Yeah.

24 MR. COOPER: Your Honor, these exhibits, you know, go to
25 the question of standing, and I'm -- they've been submitted for

1 that purpose. This one deals with three anonymous members.
2 They're not identified, and their circumstances are described by
3 an official of the organization of which they are members. But,
4 Your Honor, we do object to declarations from anonymous people.
5 There's no way that we can consult any records that the State has
6 with respect to an anonymous person to see if there's --

7 THE COURT: Okay. I'm going to be clear, though. It's
8 not -- the declaration is not for an anonymous person. The
9 declaration is from Ms. -- and I'm not sure of the pronunciation
10 of the name either -- Traore, but it does indicate that they have
11 reached out to the organization and staff and volunteers have
12 reached out to three individuals.

13 MR. COOPER: Right.

14 THE COURT: And those are the -- the individuals are who
15 you're saying are anonymous?

16 MR. COOPER: That's right. And these are people that are
17 represented to be members. And I don't mean in any way to -- for
18 this to carry a negative connotation, but we believe we are
19 entitled to have the identities of members that on whom the
20 organization or organizations will pin their standing for --
21 associational standing, so that we can check any records that we
22 have connected with them to see if there are any additional
23 information that may bare on the experience that is described in
24 these declarations.

25 There may be other information that, Your Honor, we would

1 want to bring to the Court's attention with respect to them.

2 So an anonymous member, Your Honor, we don't believe can
3 satisfy the requirement that a specifically identified person is
4 necessary for associational standing.

5 Now, if on receiving the identity -- and we would
6 certainly do so pursuant to any kind of protective order that the
7 Plaintiffs might want to -- might want to secure, but upon
8 receiving them, we might withdraw this objection, Your Honor, if
9 there's no additional information that we thought was necessary.
10 And we would consult with counsel for the Plaintiffs, perhaps, to
11 develop additional information not in our records with respect to
12 anonymous members.

13 So that's my objection with respect to that. And, Your
14 Honor, that objection also pertains, as well, to the declaration
15 that was attached to the reply brief that came in last night
16 around 11:00 or so, which it falls into that same bucket of an
17 organization official describing the experience of an anonymous
18 member.

19 May I proceed to 108-1?

20 THE COURT: Yes.

21 MR. COOPER: All right. Thank you. And that is CC, I
22 see. This is a declaration of Carolina Diaz Tavera, and this
23 is -- to my grasp of what is before us, the only declaration from
24 an actual identified voter, but this person -- I see nothing in
25 this declaration to suggest that Ms. Tavera is a member of any of

1 the organizations. There's no allegation of membership here.

2 THE COURT: So this doesn't have to just go to the
3 standing issue, does it, this declaration? I don't know if
4 that's the purposes that this was provided or not. You can get
5 clarification on that.

6 MR. COOPER: Well, Your Honor, I guess then -- then let me
7 refine my objection. To the extent that it goes to some other
8 issue, I'd like to know from Plaintiffs' counsel what it is to
9 determine if we might not have an objection for that, but I'm --
10 my understanding, my grasp of these papers is that they're going
11 to the question of associational standing.

12 THE COURT: Okay.

13 MR. COOPER: And finally, with respect to -- I'm sorry --
14 108 -- 108-2, this is a declaration of Anna Dorman. Anna Dorman
15 being one of the lawyers for the Plaintiffs' side. And this is,
16 as I say, an attorney declaration. There are two identified
17 impacted voters here, but there's no allegation that I see in
18 this either of membership.

19 Now, we're not -- we're not going to object to the
20 admissibility of this, I guess, Your Honor, but we certainly will
21 argue that a nonmember does not provide associational standing
22 for the Plaintiffs.

23 THE COURT: Thank you.

24 MR. COOPER: And my colleague, Mr. James, would like to
25 offer an objection now to their expert witness.

1 THE COURT: With respect to the list, there is no
2 objection?

3 MR. SANFORD: Your Honor, if I could just ask Plaintiffs
4 how many --

5 THE COURT: If you could come to the podium, and then also
6 if you could state your name again.

7 MR. SANFORD: Thomas Sanford. If I could just ask the
8 Plaintiffs how many rows were on this list to make sure that --
9 multiple spreadsheets were sent over to them, and I want to
10 confirm which of the spreadsheets this was.

11 MS. LEEPER: Your Honor, I didn't memorize the exact --

12 THE COURT: And your name, if you could say it.

13 MS. LEEPER: Yes, Simone Leeper for the Plaintiffs. I've
14 not memorized the number of rows --

15 THE COURT REPORTER: Say that one more time.

16 MS. LEEPER: I have not memorized the number of rows, but
17 I can confirm that this is the list of removed voters based on
18 alleged non-citizenship.

19 MR. SANFORD: So you think it's like 1,600 roughly?

20 MS. LEEPER: Yes.

21 MR. SANFORD: Thank you. No objection.

22 THE COURT: And 1,600 rows means 1,600 individuals, just
23 to be clear?

24 MR. SANFORD: Your Honor, I believe it would be 1,600
25 instances of a cancellation. There can be duplicates on the

1 rows.

2 THE COURT: Thank you. With respect to the expert?

3 MR. JAMES: Good morning, Your Honor. Chuck James for the
4 Defendants here. One friendly amendment. My counsel --
5 co-counsel here referenced earlier no objections. That is true
6 for all of the pleadings and the attachments as to the lay
7 witnesses and to those various attestations. There is an
8 exception, however, for Dr. McDonald who is the government's --
9 I'm sorry, who is the Plaintiffs' party cutetive expert. We will
10 have an objection both to that expert as well as to his
11 declaration. I wanted to note that is an exception to the
12 default rule.

13 THE COURT: Understood. And we'll take that up at the
14 appropriate time.

15 MR. JAMES: Thank you.

16 THE COURT: Do you want to respond to the objection?

17 MR. FERGUSON: Sure, Your Honor. Greg Ferguson for the
18 plaintiff Plaintiffs.

19 In general, Your Honor, I'd like to say that the
20 objections made are not evidentiary. They largely go to the
21 weight that this Court should afford this evidence, and I think
22 the Court can make its own decision there.

23 Building off of what you pointed out, Your Honor, these
24 declarations go to various elements. So we have to show for the
25 preliminary injunction, I would say, the irreparable harm

1 showing, principally, but also showing that people are
2 systematically removed from the rolls, and they also can go to
3 standing.

4 I can respond to counsel's points about an anonymous
5 member. I think that's an argument on the merits that I'm happy
6 to address at any point. I don't think it's really appropriate
7 here for whether these declarations are let in.

8 I'll just note for Your Honor that of course the
9 evidentiary rules at a preliminary injunction hearing are
10 relaxed.

11 THE COURT: Understood. Anything else?

12 MR. FERGUSON: That's all.

13 THE COURT: Okay. All right. So I'm going to take your
14 objections under advisement. I'll consider them prior to issuing
15 my ruling on the ultimate issue, let you know how I decide with
16 respect to your objections to the declarations.

17 MR. COOPER: Thank you, Your Honor.

18 THE COURT: Um-hmm. Let's proceed to argument with
19 respect to -- you said you wanted to start with your legal
20 arguments, Mr. Ferguson?

21 MR. FERGUSON: Yes, Your Honor, could I make one --
22 address one other housekeeping matter first? As I mentioned, we
23 planned to call one expert witness today. For the Court's
24 information, the reason we're calling one witness is that we
25 attempted to subpoena two other witnesses, and we don't believe

1 they're in the courtroom. I believe Mr. Snow can address that in
2 more detail, but we just wanted to clarify with the Court and
3 confirm that they have not arrived.

4 MR. SNOW: Thank you, Your Honor. Ryan Snow with the
5 Private Plaintiffs. Further to Your Honor's question earlier,
6 the Private Plaintiffs did attempt to serve subpoenas on two
7 third-party witnesses. That would be Prince William County
8 general registrar Eric Olsen, whose public statements in an
9 e-mail are present in the Court's record through our briefing.

10 And the second witness would have been director of data
11 for the Virginia Department of Motor Vehicles, Matthew Martin.
12 We had substantial difficulties serving either of them their
13 subpoenas, despite being in touch directly with Mr. Martin as
14 recently as Tuesday, would not accept electronic service, and our
15 process server was not able to find somebody at his office to
16 accept service on his behalf. We did want to just note that for
17 Your Honor's information. We don't believe they're in the
18 courtroom, but to the extent that they are, we would ask to be
19 able to take their testimony today.

20 THE COURT: Okay. And so is there a Mr. Matthew Martin or
21 a Mr. Eric Olsen present in the courtroom? If so, please
22 identify yourself by standing.

23 (No response.)

24 THE COURT: No one is standing, so it appears that --

25 MR. SNOW: Thank you, Your Honor.

1 THE COURT: -- they're not here.

2 MR. SNOW: Thank you.

3 THE COURT: You may proceed.

4 MS. JHAVERI: May it please the Court. My name is Sejal
5 Jhaveri for the United States. While Virginia can carry out
6 uniform and nondiscriminatory systematic list maintenance
7 procedures most days of a year, it cannot do so in the 90 days
8 before a federal election, but Virginia has done just that. And
9 absent an injunction from this court, the United States and
10 Virginia voters will be irreparably harmed.

11 United States has also shown that it's likely to succeed
12 on the merits, and that the balance of equities in public
13 interest also weigh in favor of issuing a preliminary injunction
14 in this case.

15 I plan to address each of the preliminary injunction
16 factors but can also start with the Court's questions.

17 THE COURT: Why don't you get started, and then I'll
18 interrupt with my questions.

19 MS. JHAVERI: Yes, Your Honor.

20 THE COURT: You may proceed.

21 MS. JHAVERI: I'll begin by looking at the likelihood of
22 success on the merits. First, I want to note what is not in
23 contention. Virginia has admitted that it has continued a
24 program of removing voters through this -- through its program,
25 through the 90 days before the federal election. As recently per

1 the exhibit that Plaintiffs just introduced -- I apologize, I
2 think it's marked EE -- there are removals occurring as recently
3 as October 21st, which I believe is the day that the list was
4 produced or created. So, there's no disagreement about that.

5 Defendants argue that their process is not systematic.
6 The NVRA precludes systematic list maintenance procedures from
7 occurring in the 90 days before a federal election because those
8 procedures are more likely to have errors. This was a policy
9 decision by Congress, and it is for that reason to protect voters
10 who might be removed accidentally or by mistake during that
11 period. That's the purpose of this provision, and it looks at
12 systematic list maintenance procedures.

13 Virginia argues that the procedure is individualized and
14 not systematic. That is not the case here. First, as the 11th
15 Circuit in *Arcia* said, the language of the NVRA is broad. It
16 says any program which has expansive meaning.

17 THE COURT: Let's start with what your understanding of
18 what their program is --

19 MS. JHAVERI: Yes, Your Honor.

20 THE COURT: -- because as I've worked through and read
21 through the declarations and even looked at the maintenance
22 handbook, voter maintenance list handbook, it is somewhat
23 unclear. But is it that the DMV does a search based on whatever
24 transactions that they were to determine who may have -- may not
25 be a citizen?

1 MS. JHAVERI: So, the starting point is the DMV data of
2 individuals who have indicated in some way or another a
3 noncitizen status through a variety of forms that I believe the
4 State attached to their briefing.

5 That data is then aggregated and then transferred to the
6 Department of Elections. And this data transfer is one of the
7 characteristics of a systematic process, which is similar to what
8 happened in *Arcia* where it was a data transfer from I believe the
9 Department of Homeland Security SAVE program. And also just one
10 week ago a court in Alabama found a program was systematic where
11 it was based on information from the Department of Labor and also
12 I believe SAVE.

13 So, to start that, as I understand it, that's the first
14 part of the process. There is a transfer from -- of data from
15 the DMV to the Department of Elections.

16 At that point the Department of Elections matches the
17 individual, and I believe it's -- they refer to it in the
18 declaration as an electronic matching process to the voter rolls.
19 And that's to identify that the person who is referenced from the
20 DMV is the same person as on the voter rolls. There's no further
21 analysis of whether that person is a noncitizen or a U.S.
22 citizen.

23 Then my understanding is that the Department of Elections
24 looks to see where that person lives and sends the information to
25 the appropriate general registrar in that county or city.

1 That general registrar, upon receiving it, does an
2 additional match to make sure that it is the person that is on
3 their rolls -- again, only checking for that particular piece of
4 information -- that it is the same identity as the person on
5 their rolls, and they send an auto-created notice called a Notice
6 of Intent to Cancel. This is something that's created in the
7 VERIS system, which is the statewide registration system.

8 That automatic notice is then mailed out by the general
9 registrar. The notice directs the person that they have 14 days
10 to respond and complete -- there's an attached attestation of
11 citizenship.

12 THE COURT: And that goes back to the registrar?

13 MS. JHAVERI: And, yes, that -- if the person completes
14 it, they are asked to send that back to their local general
15 registrar.

16 THE COURT: Um-hmm.

17 MS. JHAVERI: And that -- those notices are auto-created.
18 It's a form notice which the Northern District of Alabama found
19 just last week is another indicator that this is a systematic
20 process. These are notices created through the VERIS system.
21 They have 14 days to respond. If they don't respond within 14
22 days, per the executive order, the voter is cancelled from the
23 voter rolls.

24 As I understand the process to be, the automatic
25 cancellation actually occurs at 21 days, though, per the

1 handbook, the local registrars can manually cancel that person at
2 14 days.

3 THE COURT: Understood.

4 MS. JHAVERI: So, to go back to the systematic element of
5 this, as we discuss the process, you can see that the case law
6 identifies a few factors that show systematic. The first, as I
7 mentioned, is database matching. So we clearly have database
8 matching here. It's Department of DMV to the Department of
9 Elections. Virginia points out that all of this starts with an
10 individual transaction. That is correct, but that does not
11 change that this is -- that does not alter the fact that this is
12 database matching. All data initially starts out as an
13 individual input.

14 THE COURT: But it's an individual transaction that
15 occurred at the DMV, right, just by this person handling business
16 that day?

17 MS. JHAVERI: That's right. It is an individual
18 transaction that occurs at the DMV, but another factor that maybe
19 helps illustrate how this is data, is that they're not passing
20 over the form, right? They're not passing over the actual form
21 that the person filled out or anything like that. They're
22 passing over a list of information, which I believe is outlined
23 in one of the declarations the State submitted. And that list is
24 what's getting matched to the information at the Department of
25 Elections.

1 This is sort of the classic data matching that the NVRA
2 was contemplating.

3 And, again, I want to note --

4 THE COURT: Well, they refer to it as data fields. You
5 know, it's data fields. It's not the forms itself. What the DMV
6 sends to electric -- and I'm reading from the declaration of I
7 believe it's Ms. Boyles -- Ms. Coles -- that it's a -- they send
8 extensive data fields for each individual.

9 MS. JHAVERI: Yes, Your Honor. And I believe that that is
10 exactly the type of database matching that is referenced in the
11 11th Circuit's decision in *Arcia*, and that the Northern District
12 of Alabama also recently found to be systematic in nature. And
13 it makes sense. What the -- what the 90-day time period
14 provision is about is to prevent harm of having eligible voters
15 removed off the rolls in that period where it's hard to remedy
16 the removal.

17 Other days of the year, this is not an issue. As I
18 started with, Virginia can continue to do nondiscriminatory and
19 uniform systematic list maintenance throughout the year. We have
20 a very limited claim here, and it's related to the 90 days before
21 a federal election.

22 And so, additional -- in addition to the database
23 matching, there's a lack of reliable firsthand evidence specific
24 to the voters. Um, for example, they're getting this transfer of
25 data, but all of these individuals, per Virginia law, must have

1 attested to citizenship in order to be on the rolls in the first
2 place, so at best these are conflicting data points.

3 As I touched on earlier, another factor that the Northern
4 District of Alabama found relevant in its hearing last week was
5 the mailing of these form notices. That, again, is what we have
6 here. These are notices that are created through the automated
7 VERIS system. The general registrar does mail them, but what
8 they're doing is that administrative task of printing and
9 validating.

10 And we know that they're not doing any further
11 investigation here. Attached to our original preliminary
12 injunction papers, we identified Prince William County board
13 meeting as well as an e-mail that talks about the same issue
14 where the County registrar there had looked -- and I want to be
15 clear, these are individuals before the Quiet Period, but this is
16 the same process -- had looked at the 43 individuals who had
17 voting records that were removed off the rolls in Prince William
18 County, and each of them, once looking in their records, had
19 indicia that they were U.S. citizens, all 100 percent of the
20 individuals that they looked at, but the Prince William County
21 registrar believed, per the State's policy, that those voters
22 must be canceled from the rolls.

23 So, despite the State's contention that this is an
24 individualized process, the evidence that we produced, as well as
25 the State's own description of what is occurring, shows that this

1 is a systematic process.

2 I think one place where it's distilled very clearly that
3 this is a systematic process is in that Virginia Department of
4 Elections handbook. And I would refer to 8.37, which is -- and I
5 apologize. I can get you the exact cite to our papers, but it
6 was attached to our reply brief.

7 THE COURT: Okay.

8 MS. JHAVERI: I believe it was Exhibit B to our reply
9 brief. And in there, the language notes the requirements here.
10 Each month the DMV is required to furnish to Elect, Elect will
11 transmit the information to the appropriate registrar.

12 The general registrar is required to mail a notice of
13 pending cancellation, and VERIS will automatically cancel the
14 registration of any voter who does not respond to the notice
15 within 21 days.

16 THE COURT: In Ms. Coles' declaration she says there is an
17 individualized determination at the registrar, but what you're
18 saying is this handbook contradicts that?

19 MS. JHAVERI: It contradicts that. And to the extent that
20 Ms. Coles is saying that there is an individualized
21 determination, that determination is simply to determine that the
22 person that's produced on the list from the Department of
23 Elections is the person that is on the local registrar's rolls.
24 It doesn't mean that there's any individualized assessment of the
25 citizenship of that person, any review of other documentation

1 they might have, anything like that.

2 Does that address your question, Your Honor?

3 THE COURT: It does.

4 MS. JHAVERI: Okay. And, Your Honor, you referenced the
5 data sort of aspect of a data field, and I think that one thing I
6 would note and -- is that that actually -- the fact that these
7 fields exist, and that there's a memorandum of understanding of
8 the data format, is a further indicator that this is a database
9 matching process. This is not an individualized assessment.

10 So, based on the case law and based on this process, the
11 evidence the United States has provided shows that this is a
12 systematic process covered within the Quiet Period Provision.

13 I'll next address the statutory arguments that the
14 State -- that the Commonwealth makes.

15 I think it is simplest to address this by looking first at
16 the statutory text. And it says -- Section 8C, the Quiet Period
17 Provision, specifically directly that -- and this is the text --
18 "A state shall complete, not later than 90 days prior to the date
19 of a primary or general election for federal office, any program,
20 the purpose of which would systematically remove the names of
21 ineligible voters from the official list of eligible voters."

22 That has a simple and clear understanding as the 11th
23 Circuit indicated in its decision in *Arcia*. The Congress made a
24 policy decision about these types of systematic removals
25 happening in the 90 days before an election, and it clearly

1 stated out three exceptions. It wrote out three exceptions. It
2 knew how to write out exceptions. It did not write for
3 non-citizenship as one of the exceptions.

4 So, the Commonwealth's argument confuses a number of
5 different provisions in order to make an argument about what is
6 fairly clear language in the Quiet Period Provision.

7 And as a broader point, because the Quiet Period Provision
8 is only in effect for the 90 days before the general -- federal
9 election, it makes sense that it has a broader reach as well,
10 that it affects programs that may be perfectly legal at other
11 points of the year.

12 The other provisions that the Commonwealth's brief touches
13 on are discussing general processes that occur at other times
14 during the process, not in these 90 days right before the
15 election.

16 So the textual equivalency that the Commonwealth's brief
17 makes between, you know, Section 8D1 and the quiet period is just
18 one that doesn't exist because the purposes of those provisions
19 are different. And what makes the most sense is to follow the
20 plain language of those provisions as the 11th Circuit did in
21 *Arcia*, as the Northern District of Alabama did just last week,
22 and find that Congress had a policy goal in mind here. It knew
23 how to write its exceptions. It did not include non-citizenship
24 as an exception to the 90-day provision.

25 I also just want to briefly touch -- the Commonwealth in

1 their brief referenced that a majority of federal judges have
2 found otherwise. That is a misleading statement. The citations
3 made, first, are to a dissenting judge in *Arcia*, so it's not the
4 law of the 11th Circuit.

5 The second is to the District Court in *Arcia* that was
6 overruled by the 11th Circuit division.

7 And the third is to the reasoning in *United States v.*
8 *Florida*, which was also -- that reasoning is overruled by
9 their -- by the decision in *Arcia*.

10 And finally they cite *Bell v. Marinko*, and that case is
11 not about the Quiet Period Provision.

12 So I just want to touch on that case law.

13 And I'll just make one more point about likelihood of
14 success on the merits. The State in its option noted that the
15 United States had precleared the statutory precedent to this
16 program. That -- as we noted in our reply yesterday, that has no
17 import in this analysis.

18 The preclearance analysis under Section 5 of the Voting
19 Rights Act, when it was in effect, has a completely different
20 standard. The standard is, "The purpose of or will have the
21 effect of diminishing the ability of any citizen of the United
22 States on account of race or color."

23 And the letter -- it's the one the Defendants attached --
24 clearly says that it does not -- Section 5 expressly provides
25 that, "The failure of the Attorney General to object does not bar

1 subsequent litigation to enjoin the enforcement of the changes."

2 And, again, our challenge here is focused on the 90-day
3 Quiet Period Provision -- violation of the 90-day Quiet Period
4 Provision.

5 We have -- we can have additional cites that are included
6 in our reply brief of case law that supports this point as well.

7 THE COURT: Have you reviewed the documents that were
8 provided pursuant to the motion for expedited discovery?

9 MS. JHAVERI: I have --

10 THE COURT: The list.

11 MS. JHAVERI: I -- Private Plaintiffs provided me with the
12 documents. I believe it was yesterday. And I've had some chance
13 to look at the list, including the one that is marked as
14 Exhibit EE, but I don't know that I can answer every question
15 about it.

16 THE COURT: No. Of these individual -- I just want to
17 know whether or not -- and I understand that these were -- even
18 though this information was requested earlier pursuant to the
19 public disclosures provision, I want to get a sense of whether or
20 not there's been any analysis of the individuals who have been
21 removed. I know that different plaintiff organizations -- and
22 this may be a question for them once they start their argument,
23 but I want to get a sense of how many of these individuals --
24 whether there's been any determination beyond what I see in these
25 declarations that these are U.S. citizens or that they're U.S.

1 citizens.

2 MS. JHAVERI: Your Honor, I'll also let my colleagues, the
3 Private Plaintiffs' counsel, answer this question. My
4 understanding is they're not -- aside from making phone calls to
5 determine --

6 THE COURT: And I want to be clear, that is not a
7 requirement for me to decide with respect to looking at the
8 90-day provision, but it is something that I would like -- the
9 Court would like to know.

10 MS. JHAVERI: Yes, Your Honor, and that's exactly right.
11 The 90-day provision doesn't require -- we know U.S. citizens
12 have been removed based on other evidence.

13 THE COURT: It doesn't have to -- it doesn't require an
14 error. The purpose of the 90-day provision is to prevent.

15 MS. JHAVERI: Yes. Yes, Your Honor. And of the lists, I
16 believe there are about 1,650, as my colleague noted, occurrences
17 of cancellations.

18 I do not believe that there is a way, at least for the
19 Plaintiffs, including the United States, to determine the
20 citizen -- the actual citizenship of all of those individuals.

21 THE COURT: Thank you.

22 MS. JHAVERI: And I think that brings us to talking about
23 the harm here.

24 THE COURT: Um-hmm.

25 MS. JHAVERI: As we've noted in our preliminary injunction

1 papers, there's harm to the United States. The United States
2 suffers an injury when its valid laws in a domain of federal
3 authority are undermined by a state, in this case. And, again,
4 this -- we briefed this a little more extensively, but this is a
5 continuing violation in the 90-day period which has harm to the
6 United States. In fact, the Northern District of Alabama found
7 that harm to the United States is clear as a matter of law.

8 Second, we do know that U.S. citizens are being caught in
9 this program. We know that in a couple of different ways. But
10 before I get to those ways, I do want to note: The right to vote
11 is the essence of a democratic society, meaning that any
12 restriction on that right strikes at the heart of representative
13 government. And that's from *Reynolds v. Sims*.

14 So, we know that U.S. citizens are being caught in this
15 process because we've seen that there are -- the Prince William
16 County example that I just gave you earlier.

17 We also know -- we attached some documents from Loudoun
18 County to our reply brief. There, of those individuals who were
19 removed during the quiet period, eight have reregistered. Three
20 produced an affirmation of citizenship, again, showing that these
21 are U.S. citizens. And, indeed, one of the voter applications of
22 a removed individual says the words "new citizen" on them, which
23 is common for voter registration applications at naturalization
24 ceremonies.

25 So, we know that there is harm to voters here, and we

1 proposed a remedy that is narrowly tailored to remedy this harm
2 but not create extensive burden for the State -- for the
3 Commonwealth.

4 I can touch more on remedy --

5 THE COURT: I want you to walk through these exhibits that
6 are attached to your reply brief --

7 MS. JHAVERI: Yes. Yes, Your Honor.

8 THE COURT: -- because it's -- there is -- the declaration
9 from Ms. Brown, who is the general registrar --

10 MS. JHAVERI: Yes.

11 THE COURT: -- in Loudoun County, but it doesn't
12 necessarily indicate what the records are. She -- it indicates
13 these are all official records within the custody of their
14 elections office, but --

15 MS. JHAVERI: Yes, Your Honor. If you give me one moment
16 to get to the proper documents -- my binder -- I am happy to walk
17 through them. And we did redact them sort of heavily because
18 there was so much PII. If you would prefer something filed under
19 seal, we can do that as well.

20 THE COURT: I don't know if we need that for the purposes
21 of this hearing --

22 MS. JHAVERI: Sure.

23 THE COURT: -- unless, Mr. Cooper, do you have a position
24 on that, with respect to using just these redacted documents
25 from -- I don't think it matters.

1 MS. JHAVERI: Sure.

2 THE COURT: Mr. Cooper?

3 MR. COOPER: I don't believe that it matters either, Your
4 Honor.

5 THE COURT: Okay. So I think the redacted copies are
6 fine. It just removes their name and address but the
7 registration IDs are there to show that these are individuals.

8 MS. JHAVERI: Yes, exactly.

9 And so, the first document, which is attachment Exhibit C
10 to our preliminary injunction reply papers, includes -- in the
11 first instance the declaration --

12 THE COURT: And for the purposes of the record, that is --
13 it's at Docket Number 100-3.

14 MS. JHAVERI: Yes, Your Honor. And so, starting on ECF
15 page 4, which is USA-Loudoun 0001, this is the list of removed
16 voters in Loudoun County per this noncitizen removal process
17 between August 7th, 2024 and October 16th, 2024. And those dates
18 are identified at the top of the page on the right side.

19 THE COURT: Okay.

20 MS. JHAVERI: And the next document, Exhibit D, which is
21 document -- ECF Number 100-4 -- again, it begins with the
22 declaration from Ms. Brown, but if we look at USA-Loudoun 00024,
23 this is the voter registration application I was just referring
24 to that says "New Citizen." And you can see that about a third
25 of the way down on the right side. The stamp is there.

1 And then Exhibit E, which is ECF Number 100-5, again,
2 starts with the declaration from Ms. Brown and moves on starting
3 at USA-Loudoun 0009. These are the individuals who produced an
4 attestation of citizenship in response to receiving the notice of
5 intent to cancel. It give additional voter registration
6 information for these individuals.

7 And then on Exhibit F, which is document 100-6, again,
8 begins with the declaration of Ms. Brown.

9 And then E, voter registration applications, are those
10 individuals who were removed pursuant to this process in the
11 quiet period but reapplied and reregistered to vote.

12 And I believe those are all the exhibits, Your Honor,
13 unless there's another one that I've missed.

14 THE COURT: No.

15 MS. JHAVERI: Okay.

16 THE COURT: Thank you.

17 MS. JHAVERI: I want to quickly touch on the public
18 interest and the balance of the equities, which both weigh in
19 favor of issuing an injunction in this case.

20 We -- we all, of course, agree that allowing noncitizens
21 to vote is not in the public interest, and that's not what this
22 case is about. It's about enforcing the 90-day provision that
23 prevents systematic removal and not denying U.S. citizens who are
24 qualified to vote the right to vote in Virginia.

25 Um, I --

1 THE COURT: You know, before we move on to the public
2 interest --

3 MS. JHAVERI: Yes.

4 THE COURT: -- I want to go back to the issue of the
5 balance of the equities, because one of the arguments raised in
6 the opposition is that Plaintiffs have in some way slept on their
7 rights and waited two months into the, you know, the 90-day
8 provision in order to bring this lawsuit.

9 MS. JHAVERI: Your Honor, as you've just referenced, I
10 think the first point to make is that these lawsuits are
11 time-limited. The violation -- and, again, we only have one
12 allegation in our complaint. The violation is limited to the 90
13 days before the federal election. And when we became aware of
14 the violation in this case, we acted as swiftly as we could.

15 We don't believe that this is a reason to -- that the
16 weighing of -- that this does not weight against granting an
17 injunction in this case. We did move as swiftly as we could once
18 we found out about the violation, and there's -- there is -- the
19 harm to the United States and to Virginia voters outweighs that.

20 Your Honor, I -- the United States has established that it
21 is likely to succeed on every factor of the preliminary
22 injunction factors. And we've proposed a remedy that's narrowly
23 tailored to remedy the harm with as little burden to the
24 Commonwealth as possible.

25 The Commonwealth raises one other argument that I would

1 like to address, and that is that it is too late to achieve
2 remedy for this violation under the Purcell principle.

3 I want to start by saying Purcell has never been applied
4 to a quiet period violation, and that makes sense. The goals at
5 the heart of Purcell, the dual goals of maintaining the status
6 quo and preventing voter confusion, are the same goals that are
7 the heart of the Quiet Period Provision. And so it's Virginia
8 that would have -- with its actions, has upset that status quo.
9 And so the remedy we seek is simply to remedy that. *Purcell* and
10 the quiet period work hand in hand. They are not antagonistic in
11 this analysis. And, again, that's why no other -- no court has
12 ever applied the *Purcell* principle to the Quiet Period Provision.

13 So, Your Honor, if you have no further questions --

14 THE COURT: Did you skip -- I may have, because I asked a
15 question and I interrupted you. Did you touch on the public
16 interest?

17 MS. JHAVERI: Oh, Your Honor, I -- I'm sorry. I did also
18 skip it in my notes. I started to talk about that noncitizens
19 voting is not in the public interest, but that's not what this
20 case is about. The public interest is harmed every time eligible
21 U.S. voters are denied their franchise or weight is placed on
22 their franchise.

23 In addition, where the United States is a party in this
24 suit, the public interest and the balance of equities merges and
25 the harm to the U.S., as we discussed earlier, it is continuing

1 with these ongoing violations.

2 If you have no further questions --

3 THE COURT: I do not.

4 MS. JHAVERI: The United States asks that you enjoin
5 Virginia from continuing this program within the 90 days before a
6 federal election. I will pass it on to my colleague.

7 THE COURT: Okay. Thank you.

8 MR. FERGUSON: Good morning. Excuse me. Good morning,
9 Your Honor. Once again, Brent Ferguson for the Private
10 Plaintiffs. I'll be addressing the preliminary injunction motion
11 in general and also go into some specifics about the 90-day
12 provision. My colleague, Mr. Danjuma will address the uniform
13 and nondiscriminatory claim that we've made as well.

14 Your Honor, a preliminary injunction in this case is not
15 only appropriate but it's vital. Virginia's actions here violate
16 the NVRA. They will cause Virginia voters and Plaintiffs
17 irreparable harm.

18 I'd like to start off by giving some background here and
19 answer two questions that Your Honor asked to the United States.
20 And those two questions were about how this program actually
21 operates, and then the timing of this purge program and the
22 timing of this lawsuit.

23 So, as you know, the governor's executive order was issued
24 on August 7th. That's exactly 90 days before the election coming
25 up in a couple of week.

1 Since that time, it's been exceedingly difficult to get
2 information about how this program is operating, to learn which
3 voters are affected, and who they are, including whether they
4 include members of plaintiff organizations.

5 Now, since Tuesday evening, about 36 hours ago, when we
6 got discovery from Defendants, we know a little bit more. We
7 know that over 1,600 people have been purged just in this 90-day
8 period.

9 THE COURT: Okay, well there's some --

10 MR. FERGUSON: Sorry.

11 THE COURT: I think there's some dispute there, because
12 what they're indicating is there are 1,600 instances of
13 cancellation, but each cancellation does not necessarily indicate
14 an individual or do you know of something else?

15 MR. FERGUSON: Sure, Your Honor. So, again, we've had
16 this information for very little time, and --

17 THE COURT: I understand.

18 MR. FERGUSON: -- I can't verify what the State says
19 there. My initial understanding is that I think there were 1,649
20 people on this list, and there are at least a couple dozen where
21 it involved multiple transactions where people could be listed a
22 couple of times. I think my best understanding right now is that
23 it's just over 1,600 that have been taken off and have not gotten
24 back on.

25 I also believe that it doesn't include people who were

1 taken off and then reregistered under this program. That's my
2 understanding right now.

3 So, Your Honor, Defendants' theme, as you mentioned, is
4 delay. They've claimed that Plaintiffs didn't move quickly
5 enough in this lawsuit. But as we talked about in our papers and
6 as we talked about on Monday before Judge Porter, the Plaintiffs
7 took action immediately after EO35 was issued. That includes six
8 days after EO35 plaintiff sent the first letter to the State
9 asking for more information about operation of this program and
10 raising the possibility that this program violated the NVRA.
11 That was followed up by an August 20 letter -- 20th letter, and
12 then several meetings between Plaintiffs and representatives of
13 Defendants trying to figure out how this program operated.

14 In large part, those letters and those meetings led to
15 nothing. As you know, Your Honor, we got no meaningful
16 information about the program's operation until 36 hours ago.

17 What the Plaintiffs did do, when they were stonewalled by
18 Defendants, was start attending county board of registrar's
19 meetings and talking to counties to see how this program was
20 operating.

21 THE COURT: Hold on. The -- the voter maintenance
22 handbook that was I believe attached to the government's reply
23 brief, did that come out of the discovery that you received on --

24 MR. FERGUSON: That -- so, that was not the discovery we
25 received on Tuesday.

1 THE COURT: Okay.

2 MR. FERGUSON: That -- I believe that's, yeah, attached to
3 one of Defendants' papers. I'm not sure exactly --

4 THE COURT: No, it's a different one, but I'll reask that
5 question later, because there are two different handbooks that
6 I've seen. There's a handbook that was attached to government's
7 reply brief. Let me see here. It's Docket Number 100.2. It
8 says, "The Handbook, Chapter 8, List Maintenance."

9 And then there was a handbook, I believe, attached to the
10 opposition. It looks a little differently. Let's see here.
11 Yes. Well, this is part -- I guess the standard operating
12 procedure for voter registration list maintenance. That was
13 attached to defendant's -- it's at Docket Number 92-8.

14 MR. FERGUSON: Sure.

15 THE COURT: I'm just trying to figure out, because they're
16 slightly different, and I wanted to -- but I'll ask that question
17 of Mr. Cooper.

18 MR. FERGUSON: Okay. Your Honor, so stepping back a
19 little bit. It was on August 7th that Plaintiffs learned just
20 how this program might operate, and that Defendants were likely
21 to try to implement it in some way during the 90-day quiet
22 period.

23 When Plaintiffs started attending these meetings that I
24 mentioned -- and that's in -- largely in September -- they
25 started seeing that people were going off of the rolls, and those

1 are in exhibits -- especially Exhibits K and J to our preliminary
2 injunction motion. They started seeing that, and they started
3 seeing comments, including from the Prince William registrar who
4 we've mentioned earlier that we tried to call, showing that under
5 the program that the -- Virginia was operating, dozens of people
6 were being purged, that the counties had no discretion in whether
7 they could keep those people on the rolls even though those
8 people had provided affirmations of citizenship.

9 And so Plaintiffs were doing all this in September,
10 gathering evidence, making sure that this program was actually
11 violating the law.

12 And just one final point on this that I don't think
13 Defendants acknowledge, is that under the NVRA there's a
14 requirement to send a notice letter of violation, and then
15 there's a waiting period. And so that waiting period only gets
16 lifted 30 days before the election. And our complaint was filed
17 on October 7th, which was the very first day available to us
18 after that waiting period was lifted.

19 So, Your Honor, that evidence that I've been talking about
20 that we've gotten in the short time exemplifies the flaws with
21 this program and why it's systematic.

22 Now, I want to point out the declarations that were
23 submitted last night and this morning. As Your Honor knows,
24 these were put together within 24 hours of receiving the first
25 set of documents for the State.

1 In those declarations, collectively, along with the one
2 that the United States mentioned about the voter who had the new
3 citizen stamp on his application, that's 18 people that the
4 Plaintiffs have identified just in that very short time period
5 that are citizens and were removed within this period.

6 We now know that when the Department of Motor Vehicles
7 provides data to the Department of Elections on the checkbox
8 issue -- and, Your Honor, we'll get into this, but the Defendants
9 claim that people are checking the box to say they're not U.S.
10 citizens and they're removing those people.

11 When the Department of Motor Vehicles provides that
12 information, they don't also send whether that applicant has
13 previously provided proof of citizenship, like a passport. They
14 don't include that information. And that's one of the reasons
15 that a lot of citizens are being drawn into this program.

16 Now --

17 THE COURT: In there, did you see that in the declaration
18 from Ms. Coles and Mr. Koski, that the Defendants attached to
19 their opposition, they said that they don't forward those
20 check -- unchecked box cases, but --

21 MR. FERGUSON: So I --

22 THE COURT: -- your -- the one declaration we received
23 this morning contradicts that.

24 MR. FERGUSON: I believe it -- I had to -- my -- here's my
25 understanding, based solely on these declarations, which, again,

1 we received just a few days ago. My understanding is Defendants'
2 representation is that for the wrong checkbox issue, they are
3 forwarding those onto the Department of Elections. And there is
4 a separate issue where people have provided some kind of
5 documentation that would indicate legal presence but not
6 citizenship. And then the Commonwealth recognizes that it's
7 possible that those people have later naturalized as citizens.
8 And so in large part they're saying they don't forward those onto
9 the Department of Elections, but then there's this big caveat
10 that says for one year about on an ad hoc basis they did forward
11 that information after running a SAVE check. And I'm happy to
12 get all into that, Your Honor. I would say for purposes of the
13 90-day provision, none of that is really relevant here because,
14 clearly, as Virginia has acknowledged, they're doing this program
15 with regard to both sets of those people within the 90-day
16 period.

17 Your Honor, I'd like to move to the merits of the 90-day
18 provision. Now, my colleague with the United States focused
19 mainly on whether this program is systematic, and I can address
20 that.

21 I will focus more on whether citizenship status itself is
22 completely exempted from the 90-day provision as Defendants
23 argue.

24 But more generally, Your Honor, the NVRA prevents any
25 program, the purpose of which is to systematic remove names of

1 ineligible voters from the rolls within the 90-day window.

2 And so I want to highlight just once again that the
3 prevailing case law here is very clear. That's from the 11th
4 Circuit in *Arcia*. That's from the Northern District of Alabama
5 just seven days ago issued a very comprehensive opinion about a
6 system that's almost identical to this one. And all the
7 Defendants can do in response is cite to dissents and count the
8 number of judges who have been overruled that had a different
9 understanding.

10 So a couple of points closer to the facts on this program.
11 So, Defendants acknowledge that this program involves data from
12 the DMV. And they also, as I mention, highlight that at least a
13 portion of these voters are run through a SAVE check. That's the
14 Systematic Alien Verification for Entitlements. *Arcia* addressed
15 both of these issues and said that even when a county -- whether
16 the state uses SAVE, that's a systematic program and it violates
17 the law. And that was true in *Arcia*, even when the Secretary of
18 State there instructed county officials to do their own
19 investigation before removing people. And as you've seen, Your
20 Honor, that's not true in this case.

21 And *Arcia* also highlighted just the purpose of the 90-day
22 provision. It said that Congress told states to be more cautious
23 within the 90-day window, and the evidence we're getting in just
24 in the last couple of days shows why that's super important.

25 Now, Your Honor, the same was true in *ACIJ* from just a

1 week ago. That was a similar program. The court said it found
2 no trouble finding harm to voters and that it violated the 90-day
3 provision.

4 Now, when we go through the plain text of the statute,
5 there's a few terms that courts look at to decide whether a
6 program complies with the law. The first is the term "any
7 program," and of course that's broad language that Congress used.
8 It's -- indicates that Congress wanted to prevent any type of
9 program that would purge voters from the rolls.

10 The statute also looks at what the purpose of the program
11 is. And as E035 issued from the governor shows, the purpose of
12 the program is to remove noncitizens. That's what they say, and
13 that makes it fall under the statute.

14 Now, as I mentioned, Your Honor, Defendants make two
15 statutory arguments here: One is whether the program is
16 systematic; and the second one is whether this provision applies
17 to citizenship at all.

18 I'll address the second one, as I mentioned. So,
19 basically what Defendants are trying to do is engage in a
20 tortured reading of a very broadly-worded law. As I said, the
21 statute prevents any program that systematically removes voters.
22 So Defendants' brief spends several pages getting to the result
23 that they prefer, that this broadly-worded provision actually
24 only prevents programs that involve some kind of change of
25 address, but the statute applies to any program.

1 And then it has specific exceptions where such programs
2 can exist, and that involves people who have died in that 90-day
3 period. So that would just be an extremely roundabout way of
4 Congress saying that all they wanted to prevent was purges
5 related to change of address.

6 Now, *Arcia* made this point at page 1348 of that opinion.
7 This interpretation that Defendants are putting forward would
8 functionally eviscerate the phrase "any program" from the
9 statute, and that's why courts have rejected that interpretation.

10 Now, if we were to get beyond that consideration -- which
11 I think is dispositive -- and we were to follow Defendants down
12 this road of trying to parse the exact meaning of the phrase
13 "ineligible voter," which is really the core of the argument in
14 their brief, what they want the term "ineligible voter" to mean
15 is, "Someone who is eligible once but has since become
16 ineligible."

17 Congress didn't say that when it wrote the statute. It
18 said "ineligible voters" and, of course, we would all agree that
19 noncitizens are ineligible voters.

20 Now, what Defendants also do is they somehow try to define
21 the term "voter" in the statute only as someone who's eligible to
22 vote, not someone who actually does vote. And if you look at the
23 dictionary definition, even the one that they provide in their
24 brief, the definition of "voter" includes someone who votes,
25 whether they're eligible or not. And there's no question that

1 there are people on this list that vote, that have voted in the
2 past and continue to vote, and this program purges many of those
3 people. So even on Defendants' own terms that dictionary
4 definition fails them.

5 And I want to make just one final point about the way that
6 they try to categorize this. And so, their theory, essentially,
7 that the statute only applies to people who were once eligible
8 and then have become ineligible, doesn't even hold up, because
9 they use -- one example could be people who've been convicted of
10 a felony, and then can't vote because of that.

11 But they assume that anyone convicted of a felony was
12 originally eligible when they registered and then became
13 ineligible because of that felony. But what's true in fact is
14 that many people have committed felonies at some point in time
15 and then they try to register after that. That would mean they'd
16 be ineligible the whole time. So this kind of statutory parsing,
17 it's inappropriate in this situation, due to the words "any
18 program," but it also just doesn't work on its own terms.

19 Your Honor, I just want to very quickly address a couple
20 of points on whether the program is systematic. I think that's
21 been well covered by my colleague with the United States and in
22 our brief, but a couple of points.

23 One is a point I mentioned at the top. If you look at the
24 declarations just submitted a few days ago, they address these
25 two categories of people that we talked about: One is people who

1 check the non-citizenship box when they apply at the DMV; and the
2 other one is people who have provided documents indicating
3 permanent residence.

4 Now, as I said, the declarations show that when the DMV is
5 transferring that data over about the people who have checked the
6 box "non-citizenship," they're not transferring over citizenship
7 documentation if they have it, which could include a passport.
8 And the very fact that they're not trying to do that shows why
9 this is a systematic program. It's just moving a list of people
10 from the DMV to Elect, and then generating template letters and
11 requiring registrars to send them.

12 Second is that, in defendant's brief, a big thing that
13 they rely on to say that this program isn't systematic is that
14 they have done some kind of double-check on a portion of these
15 voters through the SAVE program. But, as we've talked about, the
16 SAVE program is a systematic program itself. So the fact that
17 that's being used actually just helps show more why this is
18 systematic. And that was in front of the Court in *Arcia*, and
19 they talked about it specifically how it's a systematic check.
20 SAVE is just another database that doesn't get Defendants out of
21 this problem, and, of course, it can be faulty as well.

22 THE COURT: What is your understanding of when the SAVE
23 check occurs? It's clear that it occurred during the ad hoc
24 period because that's what was acknowledged in the declarations,
25 but outside of the ad hoc period, what is your understanding?

1 MR. FERGUSON: That's a great question, Your Honor, and I
2 wish I knew. I think that from Defendants' papers and
3 declarations, this ad hoc period lasted -- I think it was some
4 point in 2023 to 2024. And then I believe they were trying to
5 conduct SAVE checks on all of those people within some certain
6 amount of time, but I don't know the answer.

7 And I would say that, of course, SAVE has its own accuracy
8 issues, but with regard to the 90-day period, what we know is
9 that all of these people, regardless of when the SAVE check was
10 run, they were purged in late August, I think the defense says,
11 and that's within the 90-day period. So the program has to be
12 complete by the 90-day period, so running the SAVE check before
13 then doesn't solve any statutory problem here.

14 Your Honor, I'd like to move on to irreparable harm. And
15 I think, as my colleague with the United States said, there's no
16 question here that voters and Virginians will be harmed and that
17 plaintiff groups will be harmed. And we know that from the case
18 law, courts routinely deem restrictions on voting rights
19 irreparable injury. And the evidence thus far that we've gone
20 over a little bit today just confirms that. We know, for
21 example, that the 43 voters mentioned by the Prince William
22 County registrar were people who had affirmed citizenship
23 sometimes multiple times. We have the declarations submitted
24 just in the last couple of days showing how Plaintiffs have
25 identified members and identified quite a few people in that

1 short time who have been affected by this program. And I will
2 say people who didn't know that they were even removed from the
3 rolls, and so would likely be surprised by that if they showed up
4 to vote. And then, if they tried to vote an absentee ballot for
5 sure.

6 The opinion from the Court in *ACIJ* just a week ago in the
7 Northern District of Alabama is instructive. The Court there
8 said "had no difficulty finding that those who were inaccurately
9 inactivated or remain referred for investigation have been
10 harmed."

11 Now, the same is true, not just to voters, but of
12 plaintiff groups here. As we can see in the last couple of days,
13 the Plaintiffs have spent time and resources trying to identify
14 not only their numbers, but Virginia voters who are wrongfully
15 harmed, they've spent thousands of dollars sending communication
16 to those voters and other Virginians trying to make sure people
17 are aware of this and are able to stay on the rolls if they are
18 eligible. They spent hours training their staff to help do this
19 when they're registering voters. And all of that is lost time on
20 get out the vote and registering voters. And that's the core of
21 what these organizations do, especially with regard to new
22 citizens. And they're unable to do that because of this program.
23 The bottom line here is that fewer voters harms the plaintiff
24 groups.

25 I want to address one main point that the defense has made

1 in regard to this harm argument, and they basically say that
2 because Virginia has a same-day registration system, that there's
3 essentially no harm, even if people are removed from the rolls
4 unlawfully.

5 There are several reasons why that doesn't add up. The
6 first is a problem with absentee ballots. Absentee ballot voters
7 can't do the same-day registration process and show up and
8 register. And I think the state's response to this is basically
9 by speculating that this won't affect a lot of people, because
10 they -- you know, they think that probably someone would know and
11 then take care of this before trying to submit an absentee
12 ballot, but that's just what it is. It's speculation. It fails
13 to acknowledge that a lot of people in Virginia vote absentee.
14 And if we look at the numbers just from the last few elections,
15 that can be millions of people in a presidential election and
16 close to a million in a midterm election. So just saying that
17 this probably won't affect many people isn't a very effective
18 response.

19 It also just fails to acknowledge the huge looming problem
20 with Defendants' argument, is that sending these letters to
21 people who are new U.S. citizens is intimidation, and
22 Dr. McDonald will testify about this and has already put in a
23 declaration about this. But if someone's a new American who
24 plans to vote and they receive a letter from the state saying
25 they're being purged from the rolls and that they -- know that

1 they might be investigated or prosecuted if they try to vote,
2 evidence just shows that that makes people more likely to vote.
3 That harms those voters.

4 And then finally, Your Honor, just I think a factual point
5 on whether provisional ballots will be counted. So Defendants
6 submit statements saying that in reality almost all provisional
7 ballots are counted. They've also put in the Coles declaration
8 at paragraph 37 that when election boards decide whether to count
9 provisional ballots, they will not consider whether someone has
10 been purged under this program.

11 Now, a couple of responses to all of that. First of all,
12 even if most provisional ballots are counted, that's not all of
13 them and that certainly affects some people. The factual
14 statements in the Coles declaration are unsupported by any
15 citation or any assurance that local boards of elections will not
16 take into account that someone's just been purged when they're
17 trying to decide whether a provisional ballot will be counted.

18 If you look at the Virginia Code on this, that's 24.2-416,
19 and then the board's website itself, it says that, "The board
20 determines the validity of someone's vote based on whether
21 they're eligible." That's certainly no solace for people who
22 are -- have been purged and just want to show up to vote. I
23 don't think they can count on the fact that it will be counted.

24 A final point on this, Your Honor, is that Defendants'
25 position here just undercuts the purpose of the program. What

1 they will get up and say here is that there are actually a lot of
2 noncitizens on the rolls, and this program started 90 day
3 before -- 90 days before the election is really vital to make
4 sure that noncitizens don't vote.

5 Now, of course, for the reasons we've stated, we don't
6 think that's true. But even if it were true, then under
7 Defendants' argument here, what they're doing is they're purging
8 people from the rolls and then saying, "Okay. But if you got
9 purged and didn't reregister, you can just show up on election
10 day and there is no additional check of your citizenship and you
11 can just vote and that will counted without any other review."

12 Your Honor, very quickly before I end, I just want to
13 highlight the points on the Purcell argument that the United
14 States mentioned. So the Purcell doctrine is applicable in
15 certain circumstances where it counsels against court
16 intervention when that intervention might cause some confusion.
17 I will note that in Defendants' opposition brief they write the
18 whole brief using this four-factor framework that they say that
19 Purcell requires. That's something from a two justice
20 concurrence in a state order from a few years ago. That's not
21 the law. That's something that they want to apply to this case
22 and isn't applicable.

23 And as my colleague mentioned, Congress passed the 90-day
24 provision with the specific intent of reducing confusion and
25 chaos before an election. That's the same thing that *Purcell* is

1 intended to do, and that's why the Defendants can't point to any
2 case where Purcell would be used to prohibit litigation on this
3 90-day provision.

4 Your Honor, if you have no further questions, I'll save my
5 remaining argument for rebuttal and pass it and to Mr. Danjuma.

6 THE COURT: Okay. Thank you.

7 MR. DANJUMA: Thank you. Good morning, Your Honor, Orion
8 Danjuma on behalf of the Private Plaintiffs. So, what I'd like
9 to address is the NVRA requirement that the removal process is
10 instituted by a state be uniform and nondiscriminatory.

11 Now, we certainly appreciate the Court's compliments to us
12 and the State for the rapid briefing. We've certainly been up
13 very late trying to complete that, and obviously we appreciate
14 the Court considering this so swiftly and taking these matters up
15 so quickly, but I want to make sure that we don't miss aspects of
16 this independent claim that the Private Plaintiffs have brought.

17 First let me -- before I start on some of these
18 clarifications, I want to note that the clarifications I'm making
19 about this system do not affect the Private Plaintiffs or the
20 government's 90-day claim. The 90-day claim is based on a very
21 clear statute. We've outlined that in the brief. The
22 defendant -- the Defendants have simply misunderstood or
23 misinterpreted the statute, and ignorance of the law is no
24 defense.

25 As for the uniform and nondiscriminatory claim, I'd like

1 to make three clarifications. First, the timeframe. That's
2 applicable here.

3 Second, to discuss the systems that we have initial
4 information from defense counsel, the way the State is applying
5 the pertinent systems.

6 And then, third, talk to the Court about some potential
7 solutions to the problems that we've been seeing.

8 So, first on the timeframe, I want to clarify that, while
9 this discussion has pertained largely to the 90-day period, our
10 claims for relief go beyond removal --

11 THE COURT: That's understood.

12 MR. DANJUMA: Got it. And then the second issue is the
13 scope of the programs that we're discussing. And the Defendants
14 have represented that there are at least two routes by which
15 individuals become perjured pursuant to their programs. This is
16 obviously our initial understanding.

17 But one is this box check issue on DMV transactions, and
18 the second is based on documents, documents that an individual
19 has on file demonstrating their birth abroad.

20 So, in the DMV checkbox scenarios what we're dealing with
21 is inconsistent statement the State has about citizenship. A
22 person has said they're a citizen on their voter registration
23 form, but there's something different that's indicated in the DMV
24 transaction.

25 The document comparison is different. And as confirmed by

1 the Coles' declaration, the Defendants initiate a process of
2 removal when a citizen has indicated that they -- sorry, when an
3 individual indicates and affirms that they're a citizen both DMV
4 transactions and on the voter registration application. It's at
5 that point -- so, those representations are consistent, but the
6 Defendants are doing a search below that, those affirmations.
7 And I think those two routes could be illustrative to discussing
8 components of this claim because I think they may function in
9 different ways.

10 The use of a document check through the SAVE database is a
11 classification based on national origin because it intrinsically
12 demonstrates based on national origin. You can only run a SAVE
13 check or a SAVE database search on someone with an A number. It
14 is not possible to use that method to do any search on a natural
15 born citizen. And for that reason, courts who have reviewed
16 similar programs have found that a system that relies on this
17 method is intrinsically discriminatory. So in the *Mi Familia*
18 *Vota* case, the Court said that naturalized citizens will always
19 be at risk of election officials' decision to further investigate
20 those voter citizenship status based on this policy, and that
21 that will never apply to native born citizens.

22 The Defendants talk to some extent about the concern of
23 disparate impact, but I want to be clear here that when we're
24 talking about the underlying documents, we're talking about a
25 classification. This is a classification that only applies to

1 individuals who are born abroad, and that is the touchstone of
2 national origin discrimination.

3 And I think that's important because, as we've seen just
4 from this initial set of records that we've received from the
5 State, there can be a lag in voter registration. There could
6 even be indications on the voter registration application itself
7 that a new citizen stamp has been made, for instance. That might
8 not be something that a SAVE database match will be able to pick
9 up initially.

10 And the state election officials in those cases are being
11 forced to ignore this direct evidence that they have of someone's
12 citizenship.

13 Now, let's talk about the DMV checkbox issue because I do
14 think that is different, although I want to emphasize that it
15 does not immunize the State against this issue.

16 The existence of a checkbox is not the same as a
17 classification by virtue of underlying agency record documents in
18 the way that this separate policy is that uses a SAVE check.

19 However, it can still effectively act as an unlawful
20 classification, a discriminatory classification, in the way that
21 courts have reviewed this issue. And the reason why that is the
22 case is that we do not have from the Defendants at this point a
23 representation about the timeframe in which they are observing
24 this DMV checkbox issue. And so, for instance, in the *United*
25 *States v. Florida* case, the Court in that case observed that the

1 state was essentially sending these large lists of individuals
2 that they had thought to be noncitizens, and it turned out that a
3 large majority of them were, in fact, citizens, and they
4 evaluated the evidence to show that there would be this average
5 sort of three-year period of naturalization for the many citizens
6 in Florida. And we do not know from the declarations, or at
7 least I have not been able to receive it, and of course we
8 haven't had a chance to depose, although we have sought
9 depositions and to subpoena individuals from the state, we don't
10 know the timeframe in which we're looking at these individuals.

11 So, in other words, if the State is, in fact, relying on
12 very stale DMV checkbox representations, that, I would say, is in
13 effect a classification that would -- that would discriminate on
14 the basis of natural --

15 THE COURT: And I understand the limitations you've had
16 with respect to discovery, but, you know, the fact that we're,
17 you know -- you're phrasing this as if that, then it's stale and
18 then there's a classification issue, speaks volume to me for
19 where we are today.

20 MR. DANJUMA: True. And what I'll say, Your Honor -- and
21 I think that maybe dovetails exactly to the next idea that I
22 have, which is some solutions for the Court on this issue about
23 where we are today.

24 And I will say that the -- the -- the concerns that we
25 have on the 90-day provision are very clear on the record at the

1 point -- at this moment, and so there's a clear way for the Court
2 to issue relief on those claims, and that is, I think, entirely
3 proper, but I also want to emphasize that there are relevant
4 forms of relief on this claim as well.

5 So, as to the SAVE database matching provision, as -- the
6 State has said that there's this one instance of SAVE matches
7 that they've used recently in August on this issue.

8 Now, that is within the quiet period, so that's covered
9 by -- that is both a problem under the uniform discriminatory
10 prong, and it's also a problem under the 90-day period. So, if
11 that is the only time that they've used a database match of this
12 form, the injunction in that period would cover that. But I
13 don't read them to be saying that it's the only time they've used
14 these documents to -- these documents, even when a citizen is
15 affirming -- when an individual is affirming their citizenship.

16 And so what I would say is, an order from the Court
17 enjoining the use of these matches from any point since the last
18 five years, if that is not occurring, if they're not doing that,
19 then that order is fine. It wouldn't provide a burden on the
20 State, but it would cover people beyond the 90-day period that
21 we're talking about.

22 And then in addition, a checkbox -- an injunction to deal
23 with the issue of the checkbox. If the State is using checkboxes
24 with stale data from more than three years ago, an injunction
25 would ensure that those aren't being used as the basis for

1 removal. And if they are not using those as a basis to remove
2 citizens, then such an order has no impact on the State.

3 So those are my -- those are -- that's what I have to say
4 on this issue. Does the Court have any questions for me?

5 THE COURT: I do not. Thanks.

6 MR. DANJUMA: Thank you.

7 THE COURT: Anything else from our Plaintiffs at this
8 point? I know there is the issue with the witness, who I
9 understand is in the Zoom room. This may be the time we take up
10 the objection with respect to that, but why don't we have a
11 break. Let's give ourselves 15 minutes, and then we'll come
12 back.

13 (Thereupon, a recess in the proceedings occurred from
14 12:04 p.m. until 12:25 p.m.)

15 THE COURT: Okay. I think we were going to -- is this
16 regarding our expert witness?

17 MR. JAMES: Yes.

18 THE COURT: Okay. I think we're going to take up the
19 objection first for Mr. James.

20 MR. JAMES: Thank you for this opportunity, Your Honor.
21 Good afternoon. I am again Chuck James representing the
22 Defendants. We're asking this Court to strike the testimony as
23 well as the declaration of Dr. McDonald.

24 The basis for that is essentially threefold, Your Honor.

25 He -- his proposed testimony does not meet the *Daubert*

1 standards, and we'll begin with that. First and foremost, Your
2 Honor, we should be mindful of what the burdens are. The burden
3 here is on the moving party to establish that this individual is,
4 in fact, an expert, and in the field and has the appropriate
5 training and experience. We don't believe that they'll meet that
6 burden, Your Honor.

7 In fact, they essentially are going to -- we believe will
8 fail for three main reasons. Let's start with the timing of
9 this, Your Honor. I think it's important to note that the
10 organizational Plaintiffs in this matter filed this action on
11 October the 7th. That was with ECF Number 1, of course. That's
12 the impetus of this entire case.

13 And it wasn't until their -- they designated or retained
14 Mr. McDonald and filed his declaration, which was executed on
15 October 11th and then filed on October the 15th.

16 But even then it wasn't clear that they intended to offer
17 him as a witness. That actually came up almost after the fact
18 when talking about needing to have him appear remotely when they
19 made the reference --

20 THE COURT: It wasn't clear when they attached his
21 declaration to their filing?

22 MR. JAMES: It wasn't clear how they intended to use him.
23 They didn't make a formal declaration. They didn't designate him
24 as an expert appropriately. They simply said, "We have this
25 person. Here's his declaration," and they sent it but it wasn't

1 entirely clear how they were going to use him, Your Honor.

2 THE COURT: Okay. Because this is a preliminary
3 injunction.

4 MR. JAMES: Yes, Your Honor.

5 THE COURT: And so the normal rules of evidence don't
6 apply.

7 MR. JAMES: Understood.

8 THE COURT: And so if you want to talk to me about his
9 qualifications or about deficiencies in his opinions, I'm open to
10 hearing those.

11 MR. JAMES: Yes, Your Honor. I'll move on to those.

12 So, we would be prejudiced, Your Honor. We, the
13 Defendants, would be prejudiced in this matter, Your Honor.

14 I would note that, if you look at his testimony, his
15 proposed testimony, what it actually says is it is replete
16 with --

17 THE COURT: Hold on. Hold on, because I have so many
18 binders for me to --

19 MR. JAMES: I'm actually flipping and doing the same.

20 THE COURT: Okay.

21 MR. JAMES: I'll take the opportunity as well, Your Honor.
22 Thank you.

23 THE COURT: Okay. It's -- they're Docket 26-2.

24 MR. JAMES: That's correct, Your Honor, filed October I
25 believe that's the 15th.

1 So, his proposed testimony fails for three reasons, Your
2 Honor: First it is irrelevant; second, it is unreliable; and
3 third, for the reasons I just mentioned, and we'll get into in
4 more detail, it's procedurally improper.

5 It has to be relevant to the task at hand. And if you
6 look at the stated purpose of his report, it is actually
7 inconsistent with the goals of this hearing.

8 Very early in his declaration he states that his
9 assignment is, "Plaintiffs' lawyers asked me to review the
10 Commonwealth of Virginia citizenship verification procedure."

11 THE COURT: Where are you reading from, which page and
12 paragraph?

13 MR. JAMES: This is page 3 of document 26 --
14 Document/Docket Entry 26-2, Your Honor.

15 THE COURT: Okay.

16 MR. JAMES: It's the bolded paragraph about two-thirds of
17 the way down the page, "my assignment."

18 THE COURT: Yes. Thank you.

19 MR. JAMES: And he says, "This is what I'm here to do.
20 This is what I plan to offer to this Court." And it speaks
21 to procedure -- the procedures as amended and to opine on the
22 potential consequences of the policies on registrants.

23 He's not talking about the quiet period. He's not talking
24 about the NVRA. He's not talking about those things that I would
25 argue are most relevant for this Court's consideration and have

1 been the subject matter of most of the argument here today.

2 He makes a couple of significant admissions as well, Your
3 Honor. He simply doesn't know whether these policies have, in
4 fact, impacted the citizens. His very goal was to do this. But
5 if you actually skip to the following page, Your Honor, page 4,
6 again, Docket 26.2, and you look at his six opinions, I would
7 call them assignments of error almost --

8 THE COURT: And just so the record is clear, the page
9 numbers you are giving correspond to the page number at the
10 bottom of the page and not the header.

11 MR. JAMES: You're right, and I will switch and make -- be
12 consistent. I will speak then -- if it's okay with the Court,
13 I'll speak to the docket entry as well as the ECF page.

14 THE COURT: Okay.

15 MR. JAMES: So we're talking Docket Entry 26.2, Your
16 Honor, page 5 of 32.

17 THE COURT: Okay.

18 MR. JAMES: Those are his six opinions, and each of them
19 says some form of may: "Citizens may have to affirm," number
20 two. Number three, "Natural born citizens may be subjected."
21 Number six, second line, "They may suffer immediate harms."

22 This is not a case where a scholarly individual has, based
23 on their training and experience, come to definitive conclusions
24 and said, "Based on this, I opine that." Even his opinions are
25 couched and caveated.

1 He admittedly doesn't know how Virginia uses the SAVE
2 database and how that would avoid removing naturalized citizens
3 from the rolls. He says, and I quote, "I do not have access to
4 Virginia's MOU at DHS regarding the use of the SAVE database."

5 He goes on and says, "I do not know if Virginia is subject
6 to these provisions, and if so, is compliant with them." That's
7 at page 5, Your Honor, and I want to ensure that that's page 5 of
8 32 -- I'm sorry, that's actually page 6 of 32.

9 He goes on and says, Your Honor, he doesn't know whether
10 any person removed from the rolls, because they failed to affirm
11 their citizenship is, in fact, a citizen.

12 This is not a question that he reviewed. His declaration
13 doesn't even mention the option of same-day voter registration
14 and how that might be applicable here and impact the alleged
15 long-term and significant irreparable harm that is caused by the
16 policies in place here from their position.

17 As a result of that, his testimony cannot help this Court
18 assess the impact of the challenge process on anyone in Virginia.
19 In fact, a large portion of his article of his declaration speaks
20 about his training and experience and testimony in other states.
21 And that's not to diminish that. It's not to diminish his
22 scholarship. But what you may have done under Georgia law --

23 THE COURT: Well, he said he used an audit I thought.

24 MR. JAMES: He did, Your Honor. He makes -- he makes
25 reference to that early on, and he mentioned that he was on a

1 bipartisan commission.

2 THE COURT: For the Virginia Department of Elections.

3 MR. JAMES: He did. And yet the analysis that he offers,
4 the things that he says -- and we'll point to some of these
5 things here momentarily -- repeatedly go, "Based on my experience
6 in Georgia or Florida or Kansas or Arizona, I believe X, Y, and Z
7 may be happening in Virginia," but he doesn't base that on
8 documents in Virginia. He doesn't seemingly base that on
9 analysis or investigation that he has done. He repeatedly says,
10 "Based on what I have done in other states," and then he jumps
11 and makes those leaps as they relate to Virginia.

12 And he does so without making a reliable foundation. He
13 doesn't state anything about his methods. Notably missing from
14 his declaration is a portion that says "This is how I conducted
15 my work. These are the documents that I looked at. This is the
16 way that I analyzed it."

17 He makes reference to some -- to some documents, but he
18 doesn't say, "This is my methodology. This is the accepted
19 science in this field."

20 What he does, instead, is simply skip over that. And in
21 contrast to his own practice, we've seen that in other places he
22 has testified and provided reports where he does include a
23 methodology, but it's not present here.

24 I would also point out to the Court that he talks at some
25 length about the cancellation of noncitizen voters in other

1 states, and he concludes this -- this is page 9, Your Honor, and
2 I believe, because it's page 9 it's actually going to be page 10
3 of 32 for purposes of the docket -- he says, "If the experience
4 of other states serve as a guide, the many voters flagged" --

5 THE COURT: Wait. What part of the page?

6 MR. JAMES: That would be -- let me see.

7 (Brief pause in proceedings.)

8 MR. JAMES: It is here, Your Honor. Bear with me.

9 THE COURT: Take your time.

10 (Brief pause in proceedings.)

11 THE COURT: What was the first part of the sentence,
12 please?

13 MR. JAMES: The beginning of the sentence was, "If the
14 experiences of other states serve as a guide." 5.2, Your Honor,
15 which can be found --

16 THE COURT: All right. I have that, 5.2.

17 MR. JAMES: That is page 9, Your Honor. I apologize. I
18 told the right cite, page 9, which is 10 through -- page 10 of 32
19 for purposes of the docket entry.

20 THE COURT: Okay.

21 MR. JAMES: The point here being that he stresses -- he
22 stresses "if." His -- his -- he repeatedly bases his analysis on
23 other states indicating that if this is true, then I presume this
24 is what's happening in Virginia.

25 And as I noted before, if you look at all of his opinions,

1 each of them are couched in that way.

2 You combine this, Your Honor, with the unreliability. You
3 add to that the procedural nature of this. He filed his
4 declaration. We have not had an opportunity to explore that
5 sufficiently with him. I get where we are at this early stage of
6 the investigation of the -- of the litigation, Your Honor, but
7 under the local rules -- sorry, Rule 26, "Experts must normally
8 be disclosed well before a hearing," and it certainly would have
9 been appropriate to make an explicit declaration of that prior to
10 the hearing, Your Honor.

11 I'll rest there.

12 THE COURT: Okay. Thank you. But I will say this:
13 Considering that it is attached to the motion, I don't find this
14 untimely. Okay?

15 MR. JAMES: Understood, Your Honor.

16 MR. POWERS: Good afternoon, Your Honor.

17 THE COURT: For the record, your name again.

18 MR. POWERS: John Powers for the Private Plaintiffs.

19 THE COURT: Good morning or good afternoon, Mr. Powers.

20 MR. POWERS: Good afternoon. Your Honor, I would suggest
21 that we start by suggesting that Dr. McDonald's expertise and
22 experiences evaluating citizenship verification procedures
23 employed around the country is a strength, allows him to
24 contextualize Virginia's practices and better understand, you
25 know, for example, we're talking about interaction with SAVE and

1 federal databases. You know, he's -- you know, and I'm happy to
2 lay a foundation with him, you know, to the extent it'd be
3 helpful, but, you know, having served as an expert in cases
4 challenging citizenship verification procedures in Georgia,
5 Kansas, and in Arizona, I would put Dr. McDonald in a good
6 position. I would suggest he's actually one of the foremost
7 experts on citizenship verification procedures.

8 THE COURT: I don't doubt his expertise, but my question
9 is whether or not I need this here, because what he is doing is
10 also, you know, summarizing some of the information that
11 Mr. Olsen provided, the general registrar from Prince William
12 County about what he perceived as a lack of discretion and him --
13 citizens being removed through this process. And given, in
14 light, what I have forecasted with my comments to your prior
15 colleague, I really do think my focus here is on this 90 days.
16 What is he --

17 MR. POWERS: Yes.

18 THE COURT: And my question is: Do I need that? Does the
19 Court need it, because an expert is to assist the fact finder.

20 MR. POWERS: Of course. Of course, Your Honor.

21 THE COURT: And in this instance, that -- you know, that
22 is me. And I don't know if I need mister -- or Dr. MacDonald in
23 order to make the assessment based on I have the evidence you
24 have submitted. I have the evidence from the United States, as
25 well as the evidence from the Defendants, so I just don't know if

1 it is necessary.

2 MR. POWERS: Yes, Your Honor. Dr. McDonald's -- the
3 description and his declaration of the processes that Virginia is
4 employing I think go to the question of whether the inquiry is
5 systematic or individualized. Dr. McDonald has also reviewed the
6 filings from the State on Tuesday, including the declarations of
7 Mr. Koski and Ms. Coles. He's prepared to opine those practices
8 as they've been described and addressed. The question of the
9 systematic versus individualized inquiries. He's also reviewed
10 the data.

11 THE COURT: I know. And see, I anticipate that will be a
12 bone of contention. Once he starts opining based on the
13 opposition that has come, because then those are new opinions
14 that then -- that he would then be making. It would be
15 additional into what has been already disclosed. Okay?

16 MR. POWERS: Yes. Yes, Your Honor. And, you know, to the
17 extent Your Honor has questions, for example, about the number of
18 folks affected, you know, the exact number of impacted folks, the
19 length of time they've been registered, Dr. McDonald can also
20 offer testimony relevant -- relevant to that.

21 THE COURT: What, did he look at that list? Is this what
22 he had received? Is he going to explain this?

23 MR. POWERS: Yes, Your Honor.

24 THE COURT: But I don't know if I need that in order to
25 make my ruling with respect to the 90 days.

1 MR. POWERS: We certainly --

2 THE COURT: I don't want to create an issue that I don't
3 need to create.

4 MR. POWERS: I understand. Your Honor, the --

5 THE COURT: Let me -- before we call him or -- I'm going
6 to reserve ruling on this. Okay. And understand I'm going to do
7 something. I'm going to allow them to make their legal arguments
8 and reserve ruling on it and then revisit. Okay? Do you
9 understand?

10 MR. POWERS: Sorry, so -- okay.

11 THE COURT: Yes, yes. I'm going to reserve ruling on the
12 issue of whether or not to allow your expert. Okay?

13 MR. POWERS: Um-hmm.

14 THE COURT: I'm going to allow them to proceed with their
15 legal arguments, and then I will consider and rule on that.
16 Okay?

17 MR. POWERS: All right.

18 THE COURT: Thank you very much.

19 Was there anything else before we -- for you all outside
20 of the expert before I move on to the Commonwealth?

21 MR. FERGUSON: No, Your Honor.

22 THE COURT: Thank you. Mr. Cooper?

23 MR. COOPER: Thank you, Your Honor, and may it please the
24 Court again. Charles Cooper for the Defendants. I have a lot to
25 work through here, and I very much appreciate all of us to ensure

1 your indulgence and patience thus far. I hope I will not try it,
2 but we do have a lot to --

3 THE COURT: You will not.

4 MR. COOPER: -- work through.

5 THE COURT: You will not.

6 MR. COOPER: Okay. Thank you. I want to start, Your
7 Honor, by stating the obvious. We're now only ten days away from
8 the 2024 presidential election. And I am not going to trudge
9 through all of the measures that the Plaintiffs are asking you to
10 do in their proposed order, but I would like to highlight that
11 they're asking you to restore to the rolls all -- all of the
12 self-identified noncitizens removed from the rolls since August
13 7, and the Plaintiffs I think are correct when they say that's
14 roughly 1,600 people. I don't have the exact number, but it's --
15 that's very close.

16 And they'd like you to advise them or order that they be
17 advised by mail and that the public and that the election workers
18 and everybody else be advised that they may cast a ballot in the
19 same manner as other eligible voters.

20 Now, Your Honor, a request for the kind of relief that is
21 before you now, and the kind of disruptive impact that that would
22 have on the election machinery just days before a presidential
23 legislation, can be justified, we would submit, only by the most
24 compelling and urgent need, and if at all.

25 And, Your Honor, on this score, we do submit to you that

1 the *Purcell* doctrine is the applicable doctrine for you to
2 reference as you consider the order that you're being asked to
3 enter.

4 THE COURT: If I accepted that position, though, when
5 would there ever be an appropriate challenge to the 90-day
6 provision? Because it's always going to come on the eve of an
7 election --

8 MR. COOPER: That's true.

9 THE COURT: -- because it's within the 90 days.

10 MR. COOPER: Your Honor.

11 THE COURT: And it does resonate with me that the *Purcell*
12 doctrine and the 90-day provision have the same goal.

13 MR. COOPER: Your Honor, I think that is a fair point to
14 an extent --

15 THE COURT: Okay.

16 MR. COOPER: -- but within that 90-day period, within that
17 90-day period it was 60 days before the Plaintiffs brought their
18 suit, 61 or 2 days -- Private Plaintiffs, 61 or 2 before the
19 Department of Justice brought their suit.

20 THE COURT: But it was not 60 days to their action,
21 correct? Because they were making attempts to gain information
22 from the Commonwealth. And then there's also the notice
23 provision and the waiting provision before you file a lawsuit,
24 correct?

25 MR. COOPER: Your Honor, I've got to address those points.

1 THE COURT: Okay.

2 MR. COOPER: First of all, they didn't need any additional
3 information other than what was in Virginia law and has been
4 there since 2006. And the Virginia law that has -- that has
5 required this very process for at least 15 years, many general
6 election cycles and during the 90-day period, so this is not
7 something that's new in this state.

8 And beyond that, you know, on --

9 THE COURT: Okay. Let me -- because I do have a question
10 about that. The fact that something isn't new doesn't mean that
11 it's not known or it doesn't mean that it is known. So, what
12 evidence -- because you say that this law has been in effect for
13 a long time; however -- and that this was going on, according to
14 you, at other times during this 90-day provision with respect to
15 other elections, but that doesn't mean that they had notice of
16 it. And even if they didn't have -- even if they did have notice
17 of it, it's a suit now.

18 MR. COOPER: Your Honor, fair point, but they did have
19 notice of it on August 7th --

20 THE COURT: Okay.

21 MR. COOPER: -- certainly, when the executive order was
22 signed. That was 90 days before the -- before the election.
23 That was the beginning, if it's applicable -- and we'll get into
24 why we don't believe that it is, Your Honor, at all -- but that
25 the 90-day period began. And, Your Honor, they certainly knew

1 the executive order. They -- we -- there doesn't appear to be a
2 dispute about that. And the executive order was unequivocal in
3 what it would require. And it's clear that if they're right
4 about how they read the 90-day provision, but their claim was
5 ripe then and there. They didn't know -- they didn't need to
6 know another thing except that the State of Virginia was on --
7 now on a daily basis rather than a monthly basis going to send to
8 -- the DMV was going to send to Elect, on a daily basis, the
9 information about people who represented themselves on DMV forms
10 as noncitizens, something that was happening before that, and you
11 know, almost two decades before that on a monthly basis.

12 So the thing that changed, Your Honor, in the executive
13 order was that it became on a daily basis, but that was the
14 moment when nobody can say, "Hey, we didn't" -- excuse me -- "we
15 didn't know."

16 And so, then the question becomes: Okay. When could they
17 have brought their case? They cite this statute -- you've
18 mentioned it -- and they're making a fair point, but they're
19 riding it way too hard, Your Honor, because the applicable
20 statute says -- and this is Section 52 -- title 52 U.S.C. 20510
21 that they've cited, Section B2, I would submit is the applicable
22 provision -- "If the violation is not corrected" -- may I proceed
23 and read it?

24 THE COURT: Yes.

25 MR. COOPER: "If the violation is not corrected within 90

1 days after receipt of a notice under paragraph 1, or" -- and
2 here's the pertinent language -- "or within 20 days after receipt
3 of the notice that the violation occurred within 120 days before
4 the date of an election for federal office."

5 So that's the provision we're in. The violation, if
6 violation there was, of a 90-day period, took place within 120
7 days before the date of the election.

8 So, they -- that had a 20-day period for notice before
9 they would argue they could have brought a lawsuit at all,
10 although they certainly could have brought their discrimination
11 claim, as opposed to their 90-day claim prior to that.

12 But, Your Honor, so notice could have been provided
13 contemporaneously, essentially, with the executive order. 20
14 days go by and that's when they could have brought this lawsuit.
15 That's 40 days, essentially, in that range, give or take a day,
16 before they actually brought the suit. And so, instead of now
17 having ten days -- if the Court had put us on the same breakneck
18 schedule that you had us on -- instead of ten days to the
19 election, we'd have had 50 days to the election.

20 And so this is my point. And this is why *Purcell* isn't
21 just out the window, as they would say. And the -- and the
22 important element of *Purcell*, and, Your Honor, of the balance of
23 equities, that a plaintiff's delay in bringing the suit is
24 relevant to.

25 So, Your Honor, I submit to you that *Purcell* is -- remains

1 a relevant consideration. And I guess I would also say, how
2 could it not be, if we are in front of an election and the
3 request before you is judicial intervention in the election
4 machinery? Yeah, sometime that is warranted. Sometimes it's --
5 it is -- it's unavoidable, but all we're saying is the courts
6 require a preliminary injunction analysis that takes that into
7 account and raises the burden on the Plaintiffs above the
8 standard for part -- the plaintiff -- PI test that they've been
9 advocating.

10 Now, Your Honor, I don't believe they satisfy that test,
11 but I do believe that the Court has to be sensitive to the
12 *Purcell* issue, and we would submit -- apply that what we believe
13 is the correct analysis. And, yes, it comes from Justice
14 Kavanaugh in the opinion and then the --

15 THE COURT: It's not --

16 MR. COOPER: -- analysis we're giving you.

17 THE COURT: It's not that it comes from Justice Kavanaugh,
18 it's that it's in, you know, a concurring opinion.

19 MR. COOPER: Yes. Yes, it's an concurring opinion.

20 THE COURT: So that's not the test. It's not the law.

21 MR. COOPER: Well, Your Honor, we would submit to you
22 this.

23 THE COURT: You want me to adopt it, though?

24 MR. COOPER: Well, what we're saying is, it's a fair and
25 accurate and careful distillation of the case law governing the

1 Purcell doctrine. That's what we -- that's what we think Justice
2 Kavanaugh is saying.

3 We think he's right, and we think that that distillation
4 of the -- of the -- of the wealth of precedent cautioning federal
5 courts about measures that are disruptive to elections on the eve
6 of elections, has to be -- has -- the Court has to be sensitive
7 to that, and we think that's the test that governs.

8 I guess the other thing I want to say is, it's true that,
9 you know, we don't have a Supreme Court case that says, "This is
10 it." Again, we think that Justice Kavanaugh's analysis and
11 distillation is a fair -- we would say accurate representation of
12 what the cases really say and mean.

13 But the Fourth Circuit in a very recent decision did treat
14 with Justice Kavanaugh's four point test in a case. And I want
15 to apologize to my friends for the Plaintiffs. I didn't have
16 this from my associate until late last night, but it's a Fourth
17 Circuit case called Pierce against North Carolina Board of
18 Elections, 97 F.4 194. And the Court there, the Fourth Circuit
19 there at page 220 actually treats with Justice Kavanaugh's test.

20 And so, while I'm going to focus my argument for the Court
21 on that test, again, I believe everything I'm going to say also
22 would -- would establish, Your Honor, that the Plaintiffs don't
23 meet the traditional four-part *Winter* test. Okay?

24 So, with that -- with that, Your Honor, the first part of
25 that test -- I'm just going to go through it one-by-one if I

1 may -- is the merits, the question of the merits. And so under
2 the, what I would say, is the *Purcell* distilled test, the
3 Plaintiffs have to show not just the likely to succeed, Your
4 Honor, but that as well that the merits are clear-cut, entirely
5 clear-cut in their favor.

6 And I guess I want to back up for just a minute because
7 Justice Kavanaugh advanced this test as a, "relaxed version of
8 *Purcell*."

9 He discussed how *Purcell* is not absolute, notwithstanding
10 the fact that some have advanced it as an absolute rule. It's
11 not absolute, and certainly we're not suggesting to the Court
12 that it's absolute. But he thought this was a relaxed version of
13 *Purcell*, and so the merits, Your Honor, the Plaintiffs have to
14 satisfy the burden that the merits are clear-cut, entirely
15 clear-cut in their favor, but at a minimum they have to show --
16 as they admit and we all know. At a minimum they have to show a
17 likelihood of success.

18 And, Your Honor, I do believe that we've properly
19 suggested to the Court that a majority of the judges who have --
20 who have looked at the scope, who have actually opined on the
21 scope of the removal provisions of the NVRA have come to the
22 conclusion that we are suggesting to you is the correct
23 conclusion, and that we are advocating. A majority of them have.
24 Certainly they've --

25 THE COURT: What's the majority?

1 MR. COOPER: I'm sorry?

2 THE COURT: Are you talking about the people who were
3 overruled?

4 MR. COOPER: I beg your pardon?

5 THE COURT: Are you talking about the judges that were
6 overruled?

7 MR. COOPER: I am talking -- yes, Your Honor. I am just
8 counting heads here. I'm just counting heads. And they've got
9 two judges in *Arias* -- I mean *Arcia*, and I've got three. And,
10 Your Honor, the one thing that -- and, Your Honor, on top of
11 that, I've got three Sixth Circuit judges in the *Bell* case,
12 which, it's true, it wasn't a 90-day case, but we think it -- it
13 can't be -- its ruling cannot be stopped at the 90-day provision.
14 But, just in counting heads, I at least have a wash.

15 And, Your Honor, if that's the case, how can it be said
16 that the merits are clear-cut favorable to the Plaintiffs? This
17 isn't just, you know, counsel for the Defendants. These are
18 federal judges who've looked specifically at this case. And,
19 Your Honor, I'm going to walk through why I submit to you they
20 are right and the majority in *Arcia* was wrong.

21 And there's nothing in this circuit to bind you. You are
22 here on a tabula rasa to decide this case on however you see the
23 merits, except that, again, the burden is on them to show they're
24 likely to succeed at least, and I would say entirely clear-cut in
25 this *Purcell* circumstance.

1 And, Your Honor, I want to submit to you again, I think
2 the majority of federal judges have said that -- and I'm quoting
3 from the *Bell* case now -- "Congress did not intend to bar the
4 removal of names from the official list of eligible voters of
5 persons with" -- excuse me -- "persons who were ineligible and
6 improperly registered in the first place."

7 So, somebody who couldn't lawfully register in the first
8 place can't be -- there is no limitation under the removal
9 provisions on removing that person from the list. That's -- the
10 bottom line is that, with respect to that class of people -- and
11 it obviously includes --

12 THE COURT: But don't I then have to assume that everyone
13 on that list then is, in fact, a noncitizen? Even if I were to
14 accept your position, you're assuming it from the outset of the
15 investigation or from the outset -- from the moment the process
16 starts, right?

17 MR. COOPER: Well, Your Honor --

18 THE COURT: Because if you all get an attestation form
19 back, then that's good enough.

20 MR. COOPER: Yes, Your Honor, but --

21 THE COURT: But you're -- then you are assuming from the
22 very outset that the person that -- and if I accept your reading
23 of the statute, that this provision was never meant to cover
24 individuals who were not ineligible --

25 MR. COOPER: That's right.

1 THE COURT: -- or were ineligible from the beginning --

2 MR. COOPER: That is right.

3 THE COURT: -- everyone on the list -- because we have now
4 evidence in this record -- because even if I didn't consider
5 every person that they have -- you know, the people who were the,
6 what you call -- refer to as the anonymous ones, there is an
7 individual in here for which they have provided a declaration
8 that is a United States citizen.

9 MR. COOPER: Your Honor, we're not here to defend the
10 proposition that United States citizens should be or can properly
11 be removed from the rolls. We will acknowledge that. And the
12 whole process acknowledges the possibility that somebody who has
13 self-identified to the State that they are noncitizen, that there
14 may have been a mistake made. And the whole process is designed
15 to try to individually -- and we'll come back to that --
16 individually examine into the -- into the conflict in the -- in
17 the documentation and resolve it correctly, resolve it correctly.
18 And, yes, to provide an individualized opportunity, two of them,
19 for the individual -- for the person who is the self-identified
20 noncitizen to correct it.

21 But, Your Honor, this process is designed to ensure that
22 noncitizens who are not, never were, and cannot be voters are not
23 on the rolls. That is an obligation that the State has under the
24 NVRA, as well as state law, and this is a process designed to do
25 that.

1 So the question really is, Your Honor, does -- I think
2 even counsel would agree, for the Plaintiffs' side, that if I'm
3 right and what I believe to be a majority of the federal judges
4 to look at this are right, then this -- then this process is
5 not -- is not prohibited, is not touched by either removal
6 provision: The general removal provision, which we're going to
7 trudge through unfortunately; and the 90-day removal provision.

8 THE COURT: But the statute includes exceptions, correct?
9 And non-citizenship was not one of your exceptions.

10 MR. COOPER: That is true.

11 THE COURT: So how do you respond to that?

12 MR. COOPER: May I -- may I do that?

13 THE COURT: Yes.

14 MR. COOPER: And to do that, there's no shortcuts.

15 THE COURT: Okay.

16 MR. COOPER: We have to trudge through the provisions,
17 Your Honor, that I think bear on that question. And I think, we
18 would submit, brought at least several judges, putting the
19 majority not side -- several judges to the conclusion that I'm
20 advancing here, that it just doesn't reach it.

21 And so, Your Honor -- sorry -- let's start obviously, and
22 the Court has heard now what the 90-day provision is, the C2, and
23 so let me share it with you a third time.

24 The 90-day provision, Your Honor, the so-called Quiet
25 Period Provision, prohibits states from, I'm quoting now,

1 "Removing the names of ineligible voters from the official list
2 of eligible voters."

3 Now, to understand, Your Honor, what the scope of that is,
4 I would like to start with a different provision, the general
5 removal provision. And that is a 3. But, Your Honor, I would
6 even like to begin, so that we understand what A-3 means, with
7 A-1, and so I would ask the Court, if you have the statute before
8 you --

9 THE COURT: I do.

10 MR. COOPER: All right. Start at A-1 or A.

11 "In the administration of voter registration for electors
12 for federal office, each state shall, one, ensure that any
13 eligible applicant is registered to vote in an election under
14 Section 20504 of this title" -- excuse me -- "In an election" --
15 I beg your pardon. I misread it.

16 "In an election, what? A, in the case of registration
17 with a motor vehicle application, under Section 20504 of this
18 title, if the valid voter registration of the applicant is
19 submitted to the appropriate state motor vehicle authority not
20 later than," et cetera, et cetera.

21 So, Your Honor, the State has an obligation only to
22 register an eligible applicant who has provided to the State the
23 valid voter registration form, a valid voter registration form.

24 The next provision, B, says the same thing. In the case
25 of registration by mail, under Section 20505 of this title, if

1 the valid voter registration form of the applicant is postmarked,
2 et cetera, et cetera. D has the same language. C has the same
3 language. D has the same language. The whole point of A1, Your
4 Honor, is that th estates have to register only valid, eligible
5 applicants who present valid registration forms.

6 Now we skip down to the general removal provision, 3. And
7 it too keys off the first sentence of A, "In the administration
8 of voter registration for elections for federal office, the state
9 shall, 3, provide that the name of a registrant may not be
10 removed from the official list of eligible voters except" -- and
11 then they list the very exceptions or at least the exceptions
12 that you just mentioned earlier: Somebody who has requested
13 removal; someone who's committed a felony, been convicted; mental
14 incapacity. And then jumping down to 4, someone who has passed
15 away or there's been a change of address. Four exceptions under
16 the general removal provision.

17 But I want to focus now on the -- on the opening line.
18 "Provide that the name of a registrant may not be removed from
19 the official list of eligible voters except..."

20 What is a registrant? Well, Your Honor, we know what a
21 registrant is from everything that precedes it. It's someone who
22 is an eligible applicant who's presented a valid voter
23 registration form. If he's not done those things, he can't be a
24 registrant, because he can't be registered. The State has no
25 obligation to register, and it shouldn't register him.

1 So, Your Honor, the -- and here's where the exclusio point
2 becomes, you know, Your Honor, very important. If these
3 exceptions had not been listed, then the State would not be able
4 to remove any of them, Your Honor, because they were valid
5 registrants when they registered. So they were registrants, but
6 the -- but the statute had to provide an exception because
7 otherwise the blanket prohibition that provide that the name of a
8 registrant may not be removed from the official list of eligible
9 voters would have permitted the removal of them from that list of
10 eligible voters. So an exception, Your Honor, had to be made.

11 Now, does that mean those exceptions -- the presence of
12 those exceptions, that they're the only exceptions, Your Honor,
13 and that -- and, therefore, no other removals in the -- can take
14 place under from the general -- under the general removal
15 provision, this one? That can't be right. That would mean
16 that -- and this was what the courts that I'm suggesting have
17 gotten this right, and what the Court in *Bell* said in terms that
18 I opened my argument with. It would -- it would mean, you know,
19 that noncitizens, minors, and even fraudulent fictitious people
20 could not be removed because they're not listed here. They're
21 not -- they're not an exception, and if -- but why is it that
22 they can be removed, I would submit to you. And by the way, that
23 would be absurd. The Court has to do its best to reject an
24 absurd result. Congress couldn't possibly have intended to
25 prohibit in this blanket removal ban, removing from the list --

1 the list of eligible voters, people who were never eligible in
2 the first place, people who were on the rolls void ab initio from
3 the beginning, and that's the -- and that's the point that the
4 courts are making.

5 They -- so, Your Honor, they weren't registrants. They're
6 not prevented -- the State isn't prevented from removing
7 noncitizens and the others because they never were legitimately
8 registrants in the first place. Their registration was void
9 *ab initio*.

10 And, Your Honor, now moving forward to the -- to the Quiet
11 Period Provision. The same analysis, Your Honor, has to obtain.

12 But before we do, Your Honor, please note that the removal
13 is from -- in the general provision, is, Your Honor, from the
14 official list of eligible voters. Two points: One, someone
15 whose registration was not from an eligible applicant and
16 therefore was void *ab initio* and couldn't become a resident, also
17 could not become a voter, couldn't become a voter, couldn't be on
18 the list of voters, and that's -- and that's the point we made,
19 and I'm, admittedly, making this point more elaborately here than
20 we were able with the time we had to make it in our briefing, but
21 the key term, then, in the Quiet Period Provision, C2, is -- is
22 voter.

23 The -- Your Honor, the person can't be a registrant also
24 cannot be a voter, cannot be on the list of eligible voters
25 because they're not a voter, just as they weren't a registrant.

1 And, Your Honor, that same provision, the Quiet Period
2 Provision, has three of the four exceptions, and it is the
3 Plaintiffs, Justice Department, and the Private Plaintiffs'
4 argument that because noncitizens aren't listed there, they can't
5 be within -- they -- the State cannot remove them during the
6 90-day period because they're not listed there and the exceptions
7 are exclusive. We're saying, yes, the exceptions are exclusive,
8 true, but there's another reason, a different reason why
9 noncitizens, minors, fictitious people can be removed, and that's
10 because they're not covered. They're not covered by the general
11 provision, and they're not covered by the 90-day provision,
12 because if they were, they wouldn't be able to be removed ever,
13 not in 90 days, not 91-plus days.

14 Your Honor, and that's what I mean by we have to trudge
15 through this. I admit this is not the clearest statute, but I
16 commend to you the analysis of the judges that we submit to you
17 have gotten this right.

18 And with respect to the majority in *Arcia*, the ones that
19 didn't get it right, that we're -- so that's, Your Honor, our
20 submission on the text and the structure. The structure -- the
21 structure being the notion that these listed exceptions have to
22 be exclusive, and that because they're exclusive, no one else,
23 noncitizens, can't be removed. Your Honor, that can't be right.
24 And, in fact, the Department of Justice admitted in one of the
25 Florida cases -- I don't remember which one -- yeah, that can't

1 be right.

2 And so, unless you decide, as the majority in *Arcia* did,
3 that the same word in two different adjacent statutes mean
4 different things and have different results, then, Your Honor,
5 again, we submit to you that the -- that the district judges that
6 got overruled and the dissent in *Arcia* have it right.

7 And if we're right about that, then they have no
8 likelihood of success. But whether we're right about it or not,
9 given the respectable Federal Court judge support for this
10 thinking and this interpretation, they certainly don't have an
11 entirely clear-cut case.

12 Let me --

13 THE COURT: That is if I accept that ruling, that it has
14 to be entirely clear-cut instead of the normal way preliminary
15 injunctions are considered.

16 MR. COOPER: I'm sorry?

17 THE COURT: Unless I consider during the normal course of
18 a preliminary injunction, and since this is a mandatory
19 injunction, I think it is a higher standard in some respects,
20 maybe it's not, in some respects it is a higher standard, but I
21 don't know if it has to be clear-cut in the way that you are
22 describing it in the sense of no other judge out there could have
23 ever seen something differently, and, you know, we have this
24 dissent over there, and this person over here, because I want to
25 look at the plain meaning of the statute, and --

1 MR. COOPER: That's what I'm arguing to you, Your Honor.

2 THE COURT: I know.

3 MR. COOPER: That's my submission to you.

4 THE COURT: And I -- and I'm glad that you took the time
5 to walk through your reading of it.

6 MR. COOPER: Yeah.

7 THE COURT: I don't know if I agree with the whole -- with
8 your reading of it. I need to -- I need to take a look.

9 MR. COOPER: Sure.

10 THE COURT: But I'm glad that you walked through it in the
11 way that you did. One thing that they pointed out in the reply
12 brief -- and I don't know if you've had an opportunity to really
13 read that.

14 MR. COOPER: It came in at 11:00 last night, Your Honor,
15 I -- with heavy eyelids --

16 THE COURT: Then I won't --

17 MR. COOPER: -- I tried to quickly breeze through it.

18 THE COURT: I won't ask the question. Go on with your
19 argument.

20 MR. COOPER: I appreciate that, letting me off that hook.

21 Your Honor, then --

22 THE COURT: Let's move ahead and talk about, if I do read
23 it, the statute, and it applies to this process, I want you to
24 walk through the process and --

25 MR. COOPER: Yes, sure.

1 THE COURT: -- show how it is individualized.

2 MR. COOPER: And that's my next item.

3 THE COURT: Maybe, since it's 1:20 we should take our
4 lunch break, I'm thinking, and then we'll resume at 2:20, and
5 then we'll pick up there.

6 MR. COOPER: Very well, Your Honor. Thank you.

7 THE COURT: I usually take it at 1:00, the lunch break,
8 and we're a little late. We'll do that and then we'll resume.
9 We'll resume at probably 2:25.

10 MR. COOPER: Very well, Your Honor.

11 THE COURT: We're in recess.

12 (Thereupon, a luncheon recess was had beginning at
13 1:23 p.m.)

14 **AFTERNOON SESSION, OCTOBER 24, 2024**

15 (2:35 p.m.)

16 THE COURT: Mr. Cooper.

17 MR. COOPER: Good afternoon again, Your Honor.

18 THE COURT: Good afternoon.

19 MR. COOPER: Charles Cooper for the Defendants. The
20 question is systematic. Your Honor, we're not completely without
21 resources to understand what Congress meant by that term. In
22 fact, we've got some very useful guides in the legislative
23 history. The Senate report in particular is revealing, and I
24 want to share a passage with you from it, which I believe
25 reflects what Congress had in mind when it was talking about a

1 systematic program and why it is dramatically distinguishable
2 from the program or the process that the Commonwealth of Virginia
3 is using.

4 The Senate report explains this: "Almost all states now
5 employ some procedure for updating lists at least once every two
6 years. About one fifth of the states canvass all voters on the
7 list. The rest of the states do not contact all voters, but
8 instead target only those voters who did not vote in the most
9 recent election. Whether states canvass all those on the list or
10 just nonvoters, most send a notice to assess whether the person
11 has moved."

12 Your Honor, nothing could be farther from that. And by
13 the way, that's not the only passage that is reflective. Many
14 passages or some passage -- additional passages in both the
15 Senate report and the House report talk about this type of mass
16 mailing, this type of canvassing. In fact, they talk about
17 door-to-door canvassing, what could be less individualized than
18 these items that the legislative history speaks of. And nothing
19 could be farther from that than the Commonwealth's process.

20 And so let's begin at the beginning. It starts, Your
21 Honor, with an individual who does self-declare or who has
22 otherwise provided documentation that identifies that individual
23 as a noncitizen.

24 So it begins with that individual -- on that individual
25 basis. And then, yes, the Plaintiffs are correct, the --

1 THE COURT: But the focus is on not -- in the statute not
2 on the individual, but what the particular state, in this case,
3 the Commonwealth, is doing, what the Commonwealth's process is.

4 MR. COOPER: Yes, Your Honor.

5 THE COURT: And what is the Commonwealth's process once
6 they have that information.

7 MR. COOPER: Well, that's true, but I guess the point I
8 would make is this isn't the State kind of canvassing generally,
9 not knowing what it will find in terms of citizens versus
10 noncitizens, or in that instance, in terms of people who are
11 still residents versus people who are no longer residents.

12 This is the State receiving an individual's information
13 that that individual is a noncitizen. The State can't just
14 ignore that. It can't ignore that. It has a responsibility to
15 ensure that that's -- that person is not on its rolls, if that is
16 in truth a noncitizen.

17 THE COURT: I don't know if that -- the states need to
18 investigate that or look into that bears on whether or not it is
19 systematic or not.

20 MR. COOPER: Well, and the State knows -- Your Honor, the
21 State, we would submit to you, has no better way to investigate
22 it than to go to the individual him or herself, and that's what
23 they seek to do, is go to the individual. There's a conflict,
24 yes. And I'll get back to the next step in the process, but a
25 conflict in the state's information has surfaced, at least when

1 that noncitizen information is collected, and, as the statute --
2 Virginia statute requires, goes to Elect. And, yes, Elect then
3 runs that individual's information through the so-called VERIS
4 database. That certain is true.

5 And that database basically serves as a screening device
6 to see if the individuals who have self-identified as a
7 noncitizen are on the rolls. And that system isn't perfect, but
8 it's -- but it is -- it has been designed with the algorithm or
9 whatever to ensure that false positives, if you will, don't
10 happen or are kept to a minimum.

11 But that process, Your Honor, using a database for
12 screening purposes, the Plaintiffs and the Department of Justice
13 say, "Well, that's it. We win. It's not individualized. It's
14 systematic." That can't be right, Your Honor, that fact that
15 there's a -- the introduction in this system in this process
16 early on that uses computer databases to -- as a screening device
17 can't eliminate the possibility that it is individual and that
18 individualized steps that make the process individual take place
19 after that. And that's our -- that's our submission.

20 Let's -- and let's analogize this to something that we're
21 all very familiar with here. The discovery process, document
22 production. What happens? You ask the other side for these
23 documents. Then you agree on search terms. Search terms to do
24 what? To use a database to cull from the universe of documents
25 ones that match, ones that respond to those search terms. But

1 what happens after that? They are reviewed individually,
2 typically, and in that review process, Your Honor, the culling
3 takes place. Well, this isn't responsive, so this individual
4 document doesn't go. This document is responsive, so it does go.
5 This one's responsive but its privileged. It doesn't go. We're
6 going to keep that out. What would be more individualized than
7 that with, you know, countless documents, as we've all been
8 through? That is an individual process, but yes, it uses
9 computer at the front end. That's what this process does, Your
10 Honor, because once the information from the data match in the
11 computer, the search process, if you will, yields its results of
12 apparent matches. Those are sent to the individual registrars in
13 the -- throughout the Commonwealth, and the individual registrars
14 are required to manually review the data from the individual
15 that's come over from DMV.

16 THE COURT: I've seen it, how they're reviewed. Is it the
17 name?

18 MR. COOPER: I'm sorry?

19 THE COURT: Is it the name? Is it those data points --

20 MR. COOPER: Yes, that's --

21 THE COURT: -- the name, social security?

22 MR. COOPER: That's exactly it, yes. And --

23 THE COURT: And so -- let me make sure that I have the
24 process right.

25 MR. COOPER: Yes.

1 THE COURT: So the DMV collects its information, and at
2 this point within this 90-day process or 90-day provision, they
3 are daily sending over these files of names, and the information
4 in there is potentially: First name; last name; social security,
5 in certain instances; date of birth. Is address?

6 MR. COOPER: Your Honor, I believe it is, and --

7 THE COURT: I know for sure it's the full name -- full
8 social -- it's the social security when it is available, first
9 name, last name, date of birth.

10 MR. COOPER: Yeah. And there's more in those data fields,
11 Your Honor, that's sent over. It's not just those. It's all
12 the -- all the data that they have from DMV goes to Elect, and
13 then --

14 THE COURT: And this is according to --

15 MR. COOPER: I know Ms. Coles in her -- in her declaration
16 identifies some of those data fields, yes. And this is
17 paragraph 5 of her declaration. She says it contains extensive
18 data fields for each individual sent -- I can't read this.

19 THE COURT: Well, I'm -- okay.

20 MR. COOPER: Let me pull it up here. That allowed both
21 Elect and the general registrars to accurately compare the
22 individual to the list of registered voters. Those data fields
23 include among other things, this -- honestly --

24 THE COURT: So it -- but essentially it is identity,
25 right?

1 MR. COOPER: Yes.

2 THE COURT: These are things that go to identity?

3 MR. COOPER: Yeah. Yes, exactly.

4 THE COURT: Because it is -- and that's from the DMV to
5 the voter registration roll -- to the VERIS system and then from
6 what Elect sends to the registrars is the same thing.

7 MR. COOPER: Yes.

8 THE COURT: It's the --

9 MR. COOPER: Well --

10 THE COURT: -- information to establish identity.

11 MR. COOPER: That's exactly right. And it's all the
12 information that they have that enables them to make a match or
13 to reject it. And the computer process, the search process in
14 the VERIS system rejects a lot of them as being in the -- you
15 know, most of them, probably, I don't know, but most of them as
16 being registered, but there are hits, yes.

17 THE COURT: But it's an identity. It's to say that
18 these -- it's to have -- to the best extent possible -- because
19 what your records say the manual says is that one of -- at least
20 one of the following sets of criteria must be the same for a
21 match to occur between the DMV and VERIS, and it's one of each
22 of -- one of these, full social security, name -- social security
23 number, or first and last name, or last name and date of birth.

24 MR. COOPER: Right.

25 THE COURT: So not even all of those, just one.

1 MR. COOPER: Well, Your Honor --

2 THE COURT: This is according to Docket Number 9-5 --

3 MR. COOPER: -- That is --

4 THE COURT: -- 21.

5 MR. COOPER: That is how it reads, Your Honor.

6 THE COURT: Okay.

7 MR. COOPER: I guess what I am representing to you, which
8 has been represented to me, and I believe is now being
9 represented to you as well in this declaration, is that while the
10 manual requires at least one, the practices they send over, you
11 know, a lot of data fields, and there's more than just the ones
12 listed here.

13 And those data fields coming from -- or data points I
14 guess coming from DMV then do -- kind of go into the Elect's,
15 VERIS database, and the matching process data-to-data takes
16 place.

17 Now, again, I think the analogy to the search process in
18 a -- in a document production is quite apt. There'll be some
19 hits that are unresponsive. There'll be -- there'll be some
20 people who don't come out of that search, who may well should
21 have, but the point is that the computer does serve as a
22 screening tool designed to either confirm or -- to determine
23 whether or not the individual who has self-identified as a
24 noncitizen is on the voter rolls.

25 But, Your Honor, the place -- and I agree that's hard to

1 call individualized, but does that mean that the whole process is
2 not and cannot be individualized? I think that's what I
3 understand my friends on the other side to say. And I don't
4 think that's -- I don't think that's sustainable.

5 And I -- for example, because, after that screening
6 process takes place, the names, as I say, go to each general
7 local registrar. The general local registrar is to manually
8 review the data, both the data coming from the DMV and the data
9 that's in the Elect's possession. And the registrar either
10 concludes with a high level of confidence, "Yeah, this is a
11 match. This person is on the voter list," or concludes, "No,
12 this is a false positive, if you will, from the data search" and
13 excludes them.

14 So that's an individualized review, just like a lawyer
15 looking at documents that come out of a result of search terms.

16 And then, Your Honor, yes, a computer is used to send each
17 individual a notice of intent to cancel that advised -- you have
18 the notice in front of you. You know exactly what it says, but
19 it advises the individual that Elect has information to the
20 effect that the individual may be a noncitizen, and it invites --
21 well, and it says: If this is in error, send back this
22 affirmation of citizenship. That's all you have to do. We don't
23 want -- we don't need any more proof than that. Send it back in
24 this pre-addressed envelope. A process that the Supreme Court in
25 *Husted*, we cited to the Court, said was a very simple, easy

1 process, one that anyone truly interested in voting would
2 undertake.

3 THE COURT: That was a very different circumstance in that
4 case than this case, when you're talking about any interested
5 voter would respond or send back the card. In that case, it was
6 a card and also, you know, whether or not you can vote in the
7 election over the next four years. Here we're talking about
8 sending back a card in 14 or 21 days. I don't want to be
9 dismissive of, you know, people and their life and thinking
10 they're not interested because they didn't send the card back in
11 that timeframe because, you know, things happen. You know, I
12 just don't want to be dismissive of that. That was a different
13 case. It was a longer period than just 14 days that Justice
14 Alito was speaking to.

15 MR. COOPER: Your Honor, point taken. I don't mean to be
16 dismissive of the circumstance, just to point out that that
17 process itself is not one that is -- it's one that the -- that
18 the Commonwealth has attempted to make as convenient as it can
19 for the individual to confirm their citizenship -- to affirm it.

20 And the next step, Your Honor, in this process is, if the
21 affirmation is not returned, then another notice, it's a notice
22 of cancellation, goes to the individual, and it advises the
23 person of their -- the cancellation of their voting registration,
24 which by the way, doesn't actually occur for another seven days,
25 but it then also again invites the person, if it's an error,

1 please contact this office.

2 So, Your Honor, I guess our submission to you is that this
3 process is designed to identify only noncitizens. It's designed
4 to catch mistakes, if mistakes have been made, either by the
5 Commonwealth or by the individual in executing forms. And it's
6 designed to correct those mistakes as much as possible and on an
7 individualized basis.

8 And if the Court has no additional questions, I'll move on
9 to the next point.

10 THE COURT: I don't. Thank you.

11 MR. COOPER: Very well. Your Honor, I guess I want to --

12 THE COURT: Oh, you know what, I'm sorry, Mr. Cooper. I
13 did have this question, if you can answer it, because I wasn't
14 entirely clear on it: When does -- when is -- who is using SAVE
15 and when do they use SAVE, because that appears inconsistent in
16 the materials. I think in the statute it appears that the DMV
17 would be using SAVE --

18 MR. COOPER: That's right.

19 THE COURT: -- but then I also saw where I guess the MOU
20 was between Elect and USCIS for the use of SAVE. So, can you --
21 can you shed any light on that?

22 MR. COOPER: Well, the SAVE process was introduced into
23 this case.

24 THE COURT: Oh, only in the ad hoc process?

25 MR. COOPER: Yes.

1 THE COURT: Okay. Then let's move from that.

2 MR. COOPER: That ad hoc process -- and it's described in
3 the declarations before you, and I know no more about it.

4 THE COURT: I was clear on the ad hoc process.

5 MR. COOPER: Yeah.

6 THE COURT: It was just outside of that process, so thank
7 you.

8 MR. COOPER: Yeah. If there's anything outside of that
9 process, I don't know it. Okay.

10 Your Honor, I want to just touch briefly on the claim made
11 by the Private Plaintiffs that this is discriminatory. And, of
12 course, the statute requires that any program of removal be
13 nondiscriminatory and uniform.

14 We submit that this process is facially neutral. It is
15 indifferent to what the status is of somebody who self-identifies
16 as a noncitizen. Anyone who does, then, is entered into this
17 process. And, Your Honor, I guess the place where I think their
18 argument falters is on the notion that this process, which may
19 well -- though I don't know -- have a disproportionate impact on
20 naturalized citizens, and which in turn may have a
21 disproportionate impact along the lines of national origin. I
22 think that's -- that's a premise of their argument. That fact,
23 if it is a fact, would not -- would not kind of get them over the
24 goal line because the -- there's a discriminatory intent
25 requirement here, and they just -- there's no intent or any

1 evidence of any discriminatory intent to disadvantage in any way
2 naturalized citizens or people on the basis of their national
3 origin.

4 And, Your Honor, I think that the requirement of intent
5 isn't just the, I guess, knowledge, if you will -- and this is
6 not something I understand the Plaintiffs to have said, but I
7 want to address it. It's not -- it's not knowledge that this
8 process may land more heavily on naturalized citizens or people
9 on the basis of national origin. That -- knowledge of that is
10 not discriminatory intent. We know from the *Feeney* case, I think
11 it was, that discriminatory intent requires doing something
12 because it will land more heavily on that class of people.
13 There's just no evidence -- and, Your Honor, I can just tell you
14 there's just -- that's not what's at work at all in this process.

15 So I'll turn now to irreparable harm, which is the --
16 which is the second requirement. Whether the Court welcomes the
17 *Purcell* standard that I've urged deponent, or whether it sticks
18 with the traditional standard, irreparable harm is an element.

19 And, Your Honor, our argument here is that the irreparable
20 harm thing is -- it's a balance of harms in this context.

21 First of all, I want to address each step in this process.
22 We would submit that getting -- that being identified in the
23 process and getting a notice of intent to cancel with a request
24 to affirm your citizenship if it's an error, is not itself
25 irreparable harm. Even if the comment made about that process in

1 *Husted*, I think is how it'd be pronounced by the Supreme Court,
2 is -- was in a different context, still, it's hard to call
3 that -- we would submit, it's very hard to call placing that
4 onus, if you will, on somebody who's self-identified to the
5 Commonwealth that their a noncitizen to clear it up, to correct
6 them, to correct it.

7 And even the cancellation notice, being cancelled, we
8 would argue is very hard to understand as irreparable harm for
9 reasons counsel's already addressed, and that is that an
10 individual who has been cancelled, number one, is once again
11 provided a request, if the you will, to correct this if it's
12 wrong by calling into your local registrar, number one. And,
13 Your Honor, that individual can still vote -- can still vote
14 under the same-day registration and voting from the date that it
15 begins right up until election day.

16 And let me also address the notion of the absentee
17 ballots. There's some force to that point. There's some force
18 to that point. But I also don't think it's dispositive by any
19 stretch for two reasons. First, if somebody who has missed or I
20 guess it just -- the circumstance is kind of -- is premised on
21 the notion the individual did not get either notice and then they
22 sought an absentee blot. But if they didn't get either notice in
23 the mail, it's not -- it's not obvious that it's likely they're
24 going to get their absentee ballots in the mail. So that
25 universe of possible citizens who ultimately get disadvantaged, I

1 don't think it -- I think has been exaggerated.

2 But finally, Your Honor -- and this is what I meant when I
3 said there's a balance of harms -- the Commonwealth is of the
4 belief that the individuals who have self-identified as
5 noncitizens and who have not returned the form and who have not
6 sought to correct the Commonwealth's records when they received
7 the notice of cancellation, that those individuals are
8 noncitizens. That's the premise of the law, the Commonwealth
9 law, that --

10 THE COURT: I understand that that's your premise, and it
11 could be that some of those individuals are noncitizens, and it's
12 also -- it's part of it, and we've seen it borne out, where these
13 people were not citizens, they were naturalized, and they could
14 not have returned the form. So it's not enough to say that all
15 of these are noncitizens.

16 MR. COOPER: Yeah, I -- and, Your Honor, I'm not
17 suggesting to you that this process or any process would
18 eliminate every unfortunate error. I -- the Commonwealth gets
19 that, and that would be extremely unfortunate, and the
20 Commonwealth seeks to avoid it, but --

21 THE COURT: I think of the evidence that we have with
22 respect to Mr. Olsen -- Olsen's statement, he's the one who's the
23 registrar in Prince William County and indicated that there were
24 43 people who were removed, that he knows were -- had attested in
25 the past people who were citizens. He says that in his e-mail.

1 MR. COOPER: Well, Your Honor, I think they was
2 identifying -- I thought he was identifying 43 people who either
3 had moved away or who did reregister or who did return the
4 affirmation, and I don't have it at hand, but -- but to whatever
5 extent this process surfaced citizens and those citizens
6 nonetheless were -- because of the process or other reasons that
7 are apart from the process, still able to vote, then this process
8 worked to that extent. It worked to that extent.

9 He also identifies 17 who -- there's no way to -- at all
10 to conclude that those are not noncitizens and are citizens.

11 But where does this bring us? Where does it bring us? It
12 brings us to the place where entering the order that they want is
13 not a cost-free option, Your Honor.

14 There is no doubt at all that if 1,600 people that the
15 Commonwealth believes to be noncitizens, understanding that there
16 may be some -- there may be mistakes there, but there are going
17 to be hundreds of noncitizens back on those rolls, and every
18 time -- and if a noncitizen votes, it will cancel out a legal
19 vote, so that is a harm as well. That is a harm. That is a harm
20 that they're asking the Court to bring forward. And it's our
21 earnest belief that that harm represents a significantly larger
22 threat than does the -- than does the possibility of error as a
23 result of this system, an error that results, despite same-day
24 registration and all the rest of it, in the awful circumstance
25 where an individual loses their opportunity to vote.

1 We're not making light in any way of that, but it's no
2 more awful than a person's legal vote being canceled by somebody
3 who's not authorized to vote, who's not eligible to vote.

4 Your Honor, I guess my final -- my final point from this
5 standard that I believe the Court should be applying here is
6 whether or not the measures that are being ordered or that the
7 plaintiff is seeking, whether those measures are, at least,
8 feasible before the election without significant cost, confusion,
9 or hardship.

10 Now, the measures here, I think it's self-evident, if the
11 you will, that those will entail -- the ones that the Plaintiffs
12 seek will entail significant -- more than just significant, but
13 significant cost, confusion, and hardship. This -- again, it's
14 ten days before the election, and --

15 THE COURT: I don't take that lightly. I do not.

16 MR. COOPER: Forgive me.

17 THE COURT: I don't take that lightly. I do not.

18 MR. COOPER: Yeah, I'm sure.

19 THE COURT: But what it would entail would be the
20 registrars sending out new letters to the individuals who had
21 been removed. It would require them being restored to the rolls.
22 What else?

23 MR. COOPER: Oh, well --

24 THE COURT: I --

25 MR. COOPER: -- that ultimately will depend on you. But

1 the -- but the request is much more extensive than just that.
2 That is the most aggressive, if you will, relief that they seek.
3 And, you know, without that relief, they -- the rest of it, you
4 know, obviously doesn't matter, so that's the dog here. The
5 other stuff is the tail, but the other stuff is very important
6 and it's very costly, and it also is very -- it -- with the time
7 that's left, it would cause a lot of confusion. It would cause
8 confusion within the election machinery, among the election
9 workers, among the poll workers. They're asking that they be
10 provided guidance and education on the restoration to the rolls;
11 that press releases be sent out, that websites contain certain
12 information. And, Your Honor, I guess our point is: Those
13 things can't happen without a confusion and potential, you know,
14 chaotic results within the election administration itself.

15 But apart from that, there'll be confusion among voters.
16 There may be -- there may be voters who are noncitizens who now
17 will go and vote and commit a crime and not really -- not
18 really --

19 THE COURT: They have -- one of their requests is that the
20 letter would inform that noncitizens -- if you're a noncitizen,
21 you still can't vote.

22 MR. COOPER: If they're being put back on the rolls, Your
23 Honor, that seems like the definition of confusion. But -- and,
24 that does not, to the Commonwealth, seem like a genuine safeguard
25 against noncitizen voting.

1 So, Your Honor, I have just one final point to make, and
2 this is -- this is on the balance of equities --

3 THE COURT: Yes.

4 MR. COOPER: -- which is -- which is really subsumed in
5 the points we've been discussing about the delay issue and about
6 this last point we've been discussing.

7 But the government says that the public interest is on
8 their side. Well, that's true. They represent the public
9 interest, but no more so in the Commonwealth than the
10 government -- the sovereign government of the Commonwealth. The
11 cases they cite are cases in which the government stands against
12 private individuals, private corporations. There's no contest
13 there who has the public interest. Here, Your Honor, just
14 suggesting to you, it's a wash.

15 And I think I've come to the place where I say thank you
16 very much for your patience and indulging me for this lengthy
17 period of time. And if you have any questions now or at any
18 point, we stand ready to respond.

19 THE COURT: Thank you.

20 MS. JHAVERI: Your Honor, good afternoon. Sejal Jhaveri
21 again for the United States. I would like to touch -- I would
22 like to start with one of the conversations that you finished
23 talking about with counsel for the Commonwealth, and that is our
24 proposed order, the remedy that we seek in this case.

25 For the benefit of the record, I'm referring to ECF

1 document number 924. That's our proposed order in this case.

2 As your order -- Your Honor -- excuse me -- already
3 pointed out, the order is pretty limited in its nature, and the
4 additional information we now have from State Defendants
5 quantifies the number of people affected. So we're talking about
6 mailing around 1,600 letters. I think that's the number we've
7 all been using. We know that they can do that. We know that
8 these are the text of letters that they've been sending as part
9 of this program.

10 And the other aspects of the proposed order are also not
11 onerous on the Defendants. They have stated that it will harm
12 election machinery, but my understanding is Virginia uses e-poll
13 books, which mean these voters can be returned to the active
14 polls pretty seamlessly.

15 And as you already noted, the letter would advise the
16 individual who receives it that U.S. citizenship is a requirement
17 to cast a ballot in Virginia.

18 And we also do ask that there be some information passed
19 onto general registrars, but we do know that that is a process
20 that the State already has in place to pass along this
21 information. And so, while certainly there is some burden --
22 because no action comes with no burden -- we have worked to try
23 and tailor a remedy that would have minimal burden on the State.

24 And in reference to voter confusion, like I said when I
25 was up here this morning, what this order would do is remediate

1 the voter confusion caused by Virginia's actions in violating the
2 quiet period.

3 And, unless you have any questions specifically on the
4 proposed order, I would then turn to some of the legal points --

5 THE COURT: Go to the legal points.

6 MS. JHAVERI: Yes, Your Honor. First, our claim, the
7 United States' claim, is limited simply to the violation of the
8 90-day quiet period, which means that the program that the State
9 -- excuse me, that the Commonwealth would use at other times of
10 the year might be perfectly allowable.

11 This program is systematic. Counsel essentially agreed
12 with the description of the program that we have -- we discussed
13 earlier this morning. The portion that counsel argues makes it
14 individualized is that matching, but again, that is just to make
15 sure that that person is the same person on the rolls as the DMV
16 data indicates.

17 In addition, the notices do not make this an
18 individualized process. There were notices in *Arcia*, which is
19 the Eleventh Circuit case, and also in the same program that was
20 found by an Alabama District Court to violate the Quiet Period
21 Provision just last week.

22 In this case, the particular harm is compounded by the
23 short time period that individuals have to respond, and they are
24 removed from the rolls by a failure to respond, which is not an
25 individualized data point. It's simply a failure to respond to

1 information provided.

2 Counsel made a note that errors are just a part of this
3 type of process, and that's true, and that's exactly what
4 Congress was thinking when it passed the Quiet Period Provision.
5 Those types of errors, they may be acceptable at other times of
6 the year when there's time to remediate them, but they are not
7 acceptable, per Congress' policy choice, in the 90 days before an
8 election, and that's the issue we have before us.

9 So, this is not an individualized process. This is a
10 systematic process, as falls under the Quiet Period Provision,
11 very clearly within the case law that's been established.

12 I apologize. I'm just looking at my notes to make sure
13 I've covered that.

14 If I could just jump back to the proposed order for a
15 minute. I failed to make one point. Virginia has noted in its
16 papers that it stopped sending out the notices of intent to
17 cancel on October 14th, but as we saw from the list that was
18 entered into the evidence as Exhibit EE, there were individuals
19 removed as recently as October 21st. So, an important part of
20 any injunction is to prohibit any removals in these final 12 days
21 before the election, and that is something that this Court can
22 order, and we've sought in our proposed order.

23 I will turn next just briefly to address the Purcell --
24 Justice Kavanaugh's test related to Purcell. Counsel cited a
25 Fourth Circuit case, which I think is *Pierce* -- and I apologize.

1 I've lost the citation. My understanding is that case is not one
2 in which the Fourth Circuit has adopted the four prongs of
3 Kavanaugh's *Purcell* test. They merely reference it because the
4 Plaintiffs said they could meet the test. Now they find that the
5 Plaintiffs could not, but there's no analysis in that case, or I
6 think it's less than a paragraph that's even mentioned on it, and
7 they certainly don't adopt the test.

8 And so I would just echo what I said when I was up here
9 earlier, that *Purcell* -- the goals of *Purcell* are the same as
10 those of the 90-day quiet period and that this Court's order
11 in -- if it were to order a preliminary injunction here, would
12 have the same goals as the *Purcell* principle of maintaining the
13 status quo of those individuals who were on the rolls at the
14 90-day mark and also helping to remediate the confusion caused by
15 Virginia's actions.

16 Um, Your Honor, if you have no further questions for me, I
17 would ask that you enter a preliminary injunction as the -- as
18 the United States' proposed order indicates.

19 THE COURT: No questions. Thank you.

20 MS. JHAVERI: Thank you.

21 MR. FERGUSON: Good afternoon, Your Honor. Once again,
22 Brent Ferguson for the Private Plaintiffs.

23 Your Honor, just a few points in response to the defense.
24 And first, I'll take them in order. I think Mr. Cooper began by
25 talking about a delay in bringing this suit, and so I want to

1 point out a few things in response to that.

2 So, Virginia waited until August 7th to issue a public
3 order stating their plan to implement this escalated purge
4 program. That's what created this dispute largely with regard to
5 the 90-day provision. We know from Virginia's submissions thus
6 far and that ad hoc process we've talked about, that this was
7 long planned, and that there was a backlog of many people that
8 would be purged. And then they would -- they were actually
9 purged at the end of August, so that's what created the delay
10 here. That's why we're rushing at this point.

11 Now, my colleague mentioned that there's an existing law
12 on the book since 2006, and there's a manual that talks about
13 this process. What I would say is it's very common for states to
14 have general removal programs, and it's also very common for them
15 not to apply them within the 90-day period because that's against
16 federal law. So the existence, the mere existence of that 2006
17 law, doesn't notify Plaintiffs or anyone that it will be applied
18 in this manner.

19 Now, I think one thing Mr. Cooper brought up was that the
20 EO was issued on August 7th and seemed to believe that Plaintiffs
21 could file a lawsuit shortly thereafter. Certainly, Your Honor,
22 there are a lot of things that go into making a showing for a
23 preliminary injunction, as Mr. Cooper has highlighted at some
24 length today. And so Plaintiffs need to investigate, as we
25 mentioned, with regard to this program, how it was operating,

1 this list maintenance procedure, the fact that people were being
2 removed, and that there is irreparable harm. And I think we've
3 shown all that now. That's not something that you can show on
4 the day after an executive order is issued.

5 On this point, I just want to highlight the NVRA's window
6 to sue once again. Now, we've said that we are unable to file
7 suit until that 30-day window opened, and that's the day that we
8 did file suit on October 7th. Now, Mr. Cooper noted that there
9 is a 20-day waiting period separately for actions that are taken
10 within the 120-day window before an election. Of course that
11 ignores what I've just gone over, is the necessity to do
12 investigation and to prepare for this. And while we certainly
13 would have liked to have been able to file suit in late
14 September, that 20-day waiting period prevented us from doing so.

15 Now, Your Honor, I can also respond some on the points
16 discussed about the 90-day interpretation, whether it applies to
17 citizenship programs generally. I don't want to do that unless
18 you're interested in hearing some follow-up on that.

19 THE COURT: I don't know if I need that.

20 MR. FERGUSON: Okay. I'll move on, in that case.

21 Just a couple of points on whether this program is
22 systematic. Now, Your Honor, we've talked about the roughly
23 1,600 people on this list that have been purged in the last 90
24 days.

25 Now, the evidence shows that we received in discovery that

1 many of these people were entered multiple times. That means
2 that they got caught up in the system more than once, and I think
3 that's when we talked about that difference between 1,649 and
4 1,610. And the mere fact that people can affirm their
5 citizenship again and that then get purged again just shows why
6 this is systematic -- a systematic process and it's not
7 individualized.

8 I want to highlight again, as I noted this morning, the
9 DMV has citizenship documents for a good number of these people,
10 including passports, including the stamp that says "New Citizen,"
11 and the election's department doesn't ask for that data when
12 they're doing this process with regard to the checkbox.

13 Now, I brought that up this morning. It's in the Coles'
14 declaration, and the defense provided no response to that. I
15 think that's pretty clear-cut showing that this is a systematic
16 program.

17 I'll move on to the harm, Your Honor. The Defendants
18 respond about the same-day registration process and claim that
19 because people can register on the day that they go, there's no
20 harm here. I also want to note that in the production that we
21 received on Tuesday there is a separate list of 75 people who
22 have tried to register to vote during this 90-day period and been
23 rejected because of this purge program, and so I would say
24 that --

25 THE COURT: Where's that? Where's that reflected?

1 MR. FERGUSON: So, Your Honor, I made a motion this
2 morning to introduce that full set of evidence that we got that's
3 separate from the paper one we had for you. I want to clarify
4 that I want to move to submit that under seal, and I have it
5 right here.

6 THE COURT: Oh, Is that the flash drive you --

7 MR. FERGUSON: Yup.

8 THE COURT: -- all were referencing?

9 MR. FERGUSON: Yup.

10 THE COURT: And what is on the flash drive that isn't on
11 the printed copy?

12 MR. FERGUSON: So, I believe what we just -- what we gave
13 you is the list of 1,600.

14 THE COURT: Yes.

15 MR. FERGUSON: What we also received from Defendants were
16 a list of -- I believe it's 75 people who tried to register
17 during this period and were ejected. Those are initial
18 registrations rather than purges.

19 THE COURT: Okay.

20 MR. FERGUSON: And then -- and we had asked for that in
21 the expedited discovery motion. And then separately it's two
22 voter file snapshots, one from August 7th and one from current
23 day, and so comparing those lists shows the difference in who's
24 eligible, so --

25 THE COURT: How so? Because explain those two screenshots

1 for me, because you did request the screenshot for -- are you
2 saying the number that we can see the decrease in the number of
3 people who've just --

4 MR. FERGUSON: Right, or we would see -- we would be able
5 to see who's on the list on August 7th and who's not on the list
6 as of the day it was created, which I believe is probably October
7 21st. I can't be --

8 THE COURT: Okay. Is it a list of --

9 MR. FERGUSON: It's the full voter file, to my
10 understanding.

11 THE COURT: The full voter file for --

12 MR. FERGUSON: It's something that --

13 THE COURT: -- the Commonwealth?

14 MR. FERGUSON: Sorry. Yeah, something that just Virginia
15 maintains in the common practice.

16 So, just to be clear, I'm giving you a list of what's on
17 this and what is within the discovery. We just wanted to provide
18 that. That's not necessary for the point I'm making about the 75
19 voters that were --

20 THE COURT: Then I don't know if I need that list filed
21 with the Court --

22 MR. FERGUSON: So --

23 THE COURT: -- unless you have a reason why the Court
24 would need a list of every registered voter in the Commonwealth.
25 I don't think that is something that the Court needs. I'm open

1 to hear your position on that, Mr. Cooper, as well.

2 Mr. Ferguson.

3 MR. FERGUSON: So, the one response I would make to that,
4 Your Honor, is we have that list of 1,600 includes people who
5 were purged and have not reregistered, to my understanding.
6 This -- the comparing the voter file snapshots would show you
7 also who's gone off and then gone back on, I believe.

8 THE COURT: Okay. Candidly, that's going to be -- that
9 will be too complicated for this Court to figure out.

10 MR. FERGUSON: I understand.

11 THE COURT: Because it will require, I guess, for me to do
12 this comparison to figure out who, from the list of 1,600, has
13 not made it back on the list.

14 MR. FERGUSON: I understand, and that -- I believe that's
15 something Dr. McDonald was planning to testify to you, but
16 totally understood, Your Honor. We have the flash drive with
17 everything, and if not all of it is admitted by the Court, we
18 understand.

19 In that event, I'd like to just move on to some of the
20 discussion from the defense about noncitizens who may be on this
21 list. And so Mr. Cooper said, you know, Virginia can't eliminate
22 every unfortunate error, but they believe that it must contain
23 hundreds of noncitizens. And I think that is based on pure
24 speculation, and everything we know to date shows that that's
25 probably not true.

1 Now, let's remember for one thing that every time someone
2 registers to vote they affirm under penalty of perjury that
3 they're a United States citizen. And all the Defendants are
4 asking them to do here that they claim solves this problem is to
5 just do that one more time.

6 Now, we also have the initial evidence that we've gotten
7 in the last couple of days that we discussed this morning that a
8 lot of U.S. citizens are on this list.

9 And then I think what's most powerful, Your Honor, is that
10 when you look at these cases we've been discussing all day,
11 including *Arcia*, including *ACIJ* from Alabama, and the *Whitley*
12 case from Texas that we haven't talked about as much, anytime
13 these programs are put into actual scrutiny and courts or experts
14 look at the number of actual noncitizens on the list, it's always
15 a tiny percentage of the people on that list. And that's, I
16 think, a really powerful point. And, of course, that's the
17 reason that Congress banned this type of voter purge.

18 Your Honor, I'll move on just to make one final point
19 about the burden Mr. Cooper testified to in restoring voters to
20 the rolls in the next ten days.

21 I would say that one thing to know is that the State --
22 the Commonwealth was taking these steps in the last few months,
23 knowing that this program was likely unlawful, having received,
24 of course, letters from Plaintiffs raising this issue, decided to
25 move ahead with this, knowing this was the problem, and then

1 taking all of these steps within this preelection window. And
2 that includes continuing to purge people from the rolls as we
3 speak.

4 Now, they've said on their papers that the program stopped
5 on October 15th, but what I think they're saying is that they
6 stopped sending the letters on October 15th. Then there's a 14-
7 or 21-day window that extends from that. And the evidence that
8 we're discussing here that we just received shows that people
9 were being removed up to October 21st, I believe. And, of
10 course, that will continue.

11 So if the State has the resources to continue removing
12 people from the rolls under this unlawful program, I think they
13 can do the opposite and move people back through a simple
14 electronic process.

15 If there's nothing further, Your Honor, we ask that you
16 grant Plaintiffs' motion.

17 THE COURT: Thank you. Is there anything else from
18 Plaintiffs?

19 MS. JHAVERI: Not for United States.

20 THE COURT: From our Private Plaintiffs, is there anything
21 else?

22 MR. FERGUSON: Nothing from us, Your Honor. Thank you.

23 THE COURT: And so, are you -- because I said I would take
24 up the issue with Dr. McDonald, so you all are --

25 MR. FERGUSON: If I may confer with my colleague for a

1 moment?

2 THE COURT: Yes.

3 (Discussion had off the record.)

4 MR. FERGUSON: Nothing further from us.

5 THE COURT: Okay.

6 MR. FERGUSON: Thank you.

7 THE COURT: Thank you. Okay. And nothing further on this
8 side as well. So, it's 3:35. You said that -- do I -- is there
9 anything on that flash drive that you were submitting to the
10 Court, or was it only the -- that is what held that complete data
11 file?

12 MR. FERGUSON: Your Honor, there's one additional piece of
13 evidence. I was -- the reason I brought this drive up is because
14 there's a separate list of 75 people who have attempted to
15 register, I believe, for the first time during this window and
16 been rejected under the program. And the point I'm making there,
17 why that's important, is because that shows that it's probably
18 not so simple to do same-day registration as the other side is
19 claiming.

20 And so, if we submit this to you, you can see that that
21 list exists. That's something, again, that we received on
22 Tuesday night, but just --

23 THE COURT: Is there a way to extract that from the other
24 part of the file?

25 MR. FERGUSON: I'm sure there is. It might just take a

1 moment for us --

2 THE COURT: Okay.

3 MR. FERGUSON: -- but we can do that.

4 THE COURT: Well, why don't we take -- Mr. Cooper, you're
5 standing?

6 MR. COOPER: I just want to be able to get some
7 confirmation that the Defendants are going to be able to have
8 access to whatever this is he's talking about.

9 THE COURT: Oh, of course. So --

10 (Discussion had off the record.)

11 THE COURT: Okay. Let's just talk on the record. I --
12 we're going to make sure that, you know, before it's admitted,
13 that you have the opportunity to review it, and then -- are you
14 coming forward? You have something?

15 MR. SANFORD: Your Honor, Thomas Sanford. I believe
16 Plaintiffs are saying this is something that we provided to them,
17 but I'm not familiar with this list of 75, so I think there might
18 have been some --

19 THE COURT: Well, you all can -- we're going to take a
20 recess, and you all can figure that out. And once you do, please
21 alert Mr. Jones, and we will resume just so that I can receive
22 that, okay, if it's appropriate or if I need to hear something
23 further on it. But why don't you take a moment to let them see
24 it and see what you can do about extracting it. I think we can
25 at least a, what, 20 minutes? Is that sufficient?

1 MR. FERGUSON: That's fine.

2 THE COURT: Okay. So 20 minutes.

3 (Thereupon, a recess in the proceedings occurred from
4 3:37 p.m. until 4:05 p.m.)

5 THE COURT: Mr. Ferguson.

6 MR. FERGUSON: Your Honor, so we conferred with defense
7 counsel. We've shown -- here's what we did. We took the flash
8 drive and we removed those lawyer file snapshots that you didn't
9 want to see. The only things that are on the flash drive now are
10 that spreadsheet we gave you already on paper, and then the
11 second spreadsheet that's the 75 voters who were denied
12 registration within the 90-day period.

13 I want to just make a couple things clear. Again, I want
14 to -- I just want to highlight that we move to admit this under
15 seal because this flash drive doesn't have the redactions that
16 the paper copy did.

17 I also want to highlight, this doesn't --

18 THE COURT: Okay. Hold on a second. So, the flash drive
19 has what we referred to in court today as EE?

20 MR. FERGUSON: Yes.

21 THE COURT: Okay. Your list. And that is not what's
22 redacted. Why do I need that if I have admitted this redacted
23 list?

24 MR. FERGUSON: We can take that off as well.

25 THE COURT: Take that off as well, and then allow -- since

1 I'm -- since I'm taking custody of a flash drive, I --

2 MR. FERGUSON: Yes.

3 THE COURT: -- just want them to then review it so that
4 they're clear of what is being admitted into evidence.

5 MR. FERGUSON: Yeah. And Mr. Sanford reviewed it on our
6 computer --

7 THE COURT: Okay.

8 MR. FERGUSON: -- the one remaining document, which is the
9 list of 75. And of course I'll let him speak on reviewing that.

10 I just want to say that -- so, I just want to make clear
11 what this -- the purpose of this is. It doesn't affect any of
12 the relief that we're asking for or that the United States is
13 asking for.

14 I brought it up only to show the point that people within
15 the 90-day period were also being denied registration rather than
16 just being taken off the existing rolls.

17 And then a final note. This was a document provided in
18 response to Judge Porter's discovery order, which was document
19 number 72. And there's number 2 on the list of documents he
20 required, and what order says is that the Defendants needed to
21 provide "Individual voter registration information for voter
22 registration applicants denied registration based on alleged
23 non-citizenship on or after August 7th."

24 THE COURT: Okay. And so, just to be clear, on this flash
25 drive what I'm going to get at this time, though, is only the

1 list of the 75?

2 MR. FERGUSON: Yes, Your Honor.

3 THE COURT: Because you're going to take off that other
4 item --

5 MR. FERGUSON: Yes.

6 THE COURT: -- that I don't need because the redacted copy
7 is already in evidence.

8 MR. FERGUSON: Yes.

9 THE COURT: And that's what I'm asking you to let -- is it
10 Mr. Sanford?

11 MR. SANFORD: Yes, Mr. Sanford, Your Honor.

12 THE COURT: Mr. Sanford review just so it's clear that
13 he's seeing the final thing that's coming back to the Court --

14 MR. FERGUSON: Yup.

15 THE COURT: -- and that I'm receiving as evidence.

16 Okay. Thank you, Mr. Ferguson.

17 MR. FERGUSON: Sure.

18 THE COURT: And so -- oh, did you have something?

19 MR. SANFORD: Yes, Your Honor. On this list, I do just
20 want to clarify what it is. And, again, it's what was responsive
21 to that order from the magistrate judge for voter registration
22 information, for voter registration applicants denied
23 registration based on alleged non-citizenship. So I don't think
24 that's particularly relevant in this case because, for example,
25 if you submit a paper application form to register to vote and

1 you check "I'm not a citizen" on that, the registration is going
2 to be denied. I don't think this really tells you anything
3 related to the existing statutory process and EO35 and just kind
4 of wraps up a lot more information. And so I don't -- how
5 Plaintiffs are viewing this list is somewhat different from what
6 it actually is, Your Honor.

7 THE COURT: Okay. And so, is it clear on it -- from
8 what I'll be seeing, is it clear that -- because you said it --
9 why was it denied?

10 MR. SANFORD: It -- these are just denials based on
11 non-citizenship, and it's not set forth in the list of what's
12 causing that denial. And so I don't think it really, at this
13 stage, sheds light on pretty much anything, because we -- you
14 know, this could just be someone checked "I'm not a citizen," in
15 which case --

16 THE COURT: I understand.

17 MR. SANFORD: -- it should be denied.

18 THE COURT: And so, to be clear, what is in evidence is
19 essentially everything that was attached to Private Plaintiffs'
20 initial motion, with the exception of I'm not receiving
21 Dr. McDonald's declaration. Okay?

22 Then everything attached to the United States' motion and
23 reply, everything that's attached to the Defendants' motion, and
24 I am receiving over your objection the declarations that were
25 submitted today. I think it's BB, CC, and DD. Okay. I am

1 receiving those, but I think it's -- one was the declaration of a
2 citizen who indicates that they were cancelled, and the other two
3 declarations are from plaintiff organizations and relay
4 information that they received.

5 I appreciate what you're saying in terms of the
6 individuals are anonymous, but I don't think that makes it
7 inadmissible within -- in these -- the context of what we have
8 going on here. In some other time it would be hearsay on top of
9 hearsay, but for these purposes, I think it is -- it's
10 appropriate.

11 Is there anything else?

12 MR. FERGUSON: Nothing from the Private Plaintiffs, Your
13 Honor.

14 MS. JHAVERI: Your Honor, I have something just to
15 clarify. I apologize. I apologize if I missed it, but I just
16 want to note that Exhibit EE that we've been referring to today,
17 that list is also in evidence.

18 THE COURT: Yes. If I -- I received that when it was --
19 this morning, so yes, it is in evidence. EE is in.

20 MS. JHAVERI: Thank you, Your Honor, and I apologize.

21 THE COURT: Okay.

22 MR. COOPER: Nor anything from the Defendants, Your Honor.
23 Thank you.

24 THE COURT: All right. Thank you. So let's talk about
25 next steps, because time is of the essence. We have to move

1 quickly, and I understand and I appreciate the importance here
2 for all sides.

3 And so, I need a little time to look at some things, so
4 I'm going to -- we've got two options, because this is going to
5 have to be oral, because that will, you know -- an oral
6 announcement of the judgment because that will be fast. Okay?

7 And so, I'm inclined to adjourn for today and bring you
8 back tomorrow early to do that. Is -- are you agreeable?

9 MR. FERGUSON: Yes, Your Honor.

10 MR. COOPER: Yes, Your Honor. We'll be represented
11 tomorrow. It may not be by me.

12 THE COURT: And that's unfortunate, Mr. Cooper.

13 MR. COOPER: Indeed.

14 THE COURT: It's been a pleasure.

15 MR. COOPER: Thank you.

16 THE COURT: Let's say 9:30. Does that work for all
17 parties?

18 MS. JHAVERI: Yes, Your Honor.

19 MR. FERGUSON: Yes, Your Honor.

20 MR. COOPER: Yes, Your Honor.

21 THE COURT: Okay. Thank you. Then we'll be adjourned for
22 today. Thank you.

23 (Proceedings adjourned at 4:14 p.m.).

24

25

REALTIME UNEDITED TRANSLATION DISCLAIMER IN THE MATTER OF

VIRGINIA COALITION FOR IMMIGRANT RIGHTS, et al.,

v.

SUSAN BEALS, et al.,

Case Number: 1:24-cv-01778-PTG-WBP

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No. 24-2071

IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

VIRGINIA COALITION FOR IMMIGRANT RIGHTS, et al.,
Plaintiffs – Appellees,

v.

SUSAN BEALES, in her official capacity as Virginia Commissioner of
Elections, et al.,
Defendants – Appellants.

On Appeal from the United States District Court
for the Eastern District of Virginia

EMERGENCY MOTION FOR STAY PENDING APPEAL

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INTRODUCTION

Less than two weeks before the 2024 Presidential Election, and more than a month into early voting, a district court has forced Virginia officials to place around 1,600 *self-identified noncitizens* back onto its voter rolls, in violation of Virginia law and all common sense. About 600 of these individuals checked a box at the DMV stating that they are not citizens and about 1,000 were positively identified as noncitizens through the Federal Government's own Systematic Alien Verification for Entitlements (SAVE) database. The district court based this drastic injunction on a provision of the National Voter Registration Act (NVRA) that does not even apply to the removal of noncitizens and other void *ab initio* registrations. And even if it did apply to the removal of noncitizens, Virginia's program complied with it anyway.

This injunction, which prohibits the application of a law that has been on the books since the Justice Department precleared it in 2006, will irreparably injure Virginia's sovereignty, confuse voters, overload the board of elections and general registrars, and likely even trick some noncitizens into thinking that they are eligible to vote. This Court should stay this election-eve injunction. *See Pierce v. North Carolina State Bd.*

of Elec., 97 F.4th 194, 229 (4th Cir. 2024); *La Union de Pueblo Entero v. Abbott*, __ F.4th __, 2024 WL 4487493, at *3 (5th Cir. Oct. 16, 2024); *see also id.* at *5 (Ramirez, J., concurring in the judgment); *Tennessee Conf. of the NAACP v. Lee*, 105 F.4th 888, 896 (6th Cir. 2024) (per curiam).

Virginia thus respectfully moves for a stay of the district court’s injunction pending appeal. Virginia further requests an immediate administrative stay to permit the orderly resolution of this motion, and in any event requests a ruling by no later than 10 a.m. Monday, October 28, 2024. If the Court declines to grant a longer stay, it should at a minimum stay the injunction until Friday, November 1, to permit the Supreme Court to consider an application for a stay.¹

BACKGROUND

I. Legal and Factual Background

Based on its finding that “the right *of citizens* of the United States to vote is a fundamental right,” Congress enacted the National Voter Registration Act, 52 U.S.C. §§ 20501 *et seq.* Among other things, the NVRA is intended to “enhance[] the participation of eligible *citizens* as voters in

¹ Pursuant to Federal Rule of Appellate Procedure 8(a)(2)(C), both the United States and the organizational plaintiffs were provided notice of this stay motion. They oppose this motion and will be filing responses.

elections for Federal office,” to “protect the integrity of the electoral process,” and to “ensure that accurate and current voter registration rolls are maintained.” 52 U.S.C. § 20501(a)(1), (b) (emphasis added).

To promote eligible citizens’ participation in federal elections, the NVRA requires “each State [to] establish procedures to register to vote . . . by application made simultaneously with an application for a motor vehicle driver’s license.” *Id.* § 20503(a), (a)(1); *see generally id.* § 20504. These procedures require that “each State shall . . . ensure that any eligible applicant is registered to vote in an election.” *Id.* § 20507(a)(1). “[I]f the valid voter registration form of the applicant is submitted to the appropriate motor vehicle authority,” then the applicant must be allowed to vote. *Id.* § 20507(a)(1)(A). The substantive qualifications for a “valid application,” such as citizenship status, is a question for the States. *See Arizona v. Intertribal Council of Ariz.*, 570 U.S. 1, 16 (2013) (explaining that states oversee *who* is eligible to vote).

At the same time the NVRA required States to allow “eligible applicants” to “register[],” it imposed conditions on removing these “registrants” from the rolls. 52 U.S.C. § 20507(a)(3). Under the NVRA’s General Removal Provision, a person who is an “eligible applicant” and has

properly registered to vote “may not be removed from the official list of eligible voters except” in four enumerated circumstances: voter request, death of the voter, voter felony conviction or mental incapacity, and change in voter residence (if certain procedures are followed), *id.* § 20507(a)(3), (4).

In addition to the General Removal Provision’s ban on removing “registrants” from the list of “eligible voters,” which applies at all times, the NVRA also contains a special prohibition on certain removals close to federal elections. Section 8(c)(2), the so-called Quiet Period Provision, prohibits States from “systematic[ally]” removing “ineligible voters” from the rolls within 90 days of a federal election, with exceptions for systematic removals due to voter request, death of the voter, and voter felony conviction or mental incapacity. *Id.* § 20507(c)(2).

To ensure that its rolls remain clean while also complying with the NVRA, Virginia amended its election code in 2006 to require the DMV to send the information of any individual who declares himself to be a noncitizen on a DMV form to the Virginia Board of Elections (ELECT). Va. Code Ann. § 24.2-410.1. ELECT checks that person’s information against the Virginia Election and Registration Information System

(VERIS) to ensure that these self-declared noncitizens are not mistakenly included on the voter rolls. A-177 ¶ 6.² Only if there is a match does ELECT forward the information to the local registrars to continue the verification process. *Id.*

ELECT's general policy is to send local registrars only the records of persons who affirmatively and contemporaneously declared that they are not citizens on a DMV form. A-176 ¶ 22. It did, however, also recently collaborate with the DMV to ensure that persons who engaged in DMV transactions between July 1, 2023, and June 30, 2024, and had noncitizen documents on file, were not improperly on the voter rolls. A-184 ¶ 21; A-176 ¶ 22. To accurately ensure that noncitizens were not registered, and that any individuals who had subsequently become naturalized citizens were not mistakenly removed, the DMV ran these individuals' information through the Department of Homeland Security's SAVE database. *See* Va. Code Ann. § 24.2-404(E) (requiring ELECT to use SAVE "for the purposes of verifying that voters listed in the Virginia voter registration system are United States citizens"); A-184 ¶ 22; A-176 ¶ 23.

² This notation refers to the Appendix containing relevant excerpts from the record, which is appended to this motion.

The SAVE database can determine whether a noncitizen resident has subsequently obtained citizenship. A-177 ¶¶ 27-29. Only those persons registered to vote who had noncitizen documents on file with the DMV and also were confirmed as current noncitizens in a fresh SAVE search were transmitted to the local registrars for each jurisdiction to act upon. A-184-85 ¶¶ 19, 22-23; A-176 ¶ 24-25. ELECT's transmissions of individuals' information to the local registrars from this ad hoc process occurred in late August 2024. A-176 ¶ 25. ELECT's individualized approach, which confirmed noncitizen status with a SAVE search within the previous 30 days, ensured that no naturalized citizens were removed from the voter rolls based on outdated DMV documents during the ad hoc process. A-184 ¶¶ 19, 22; A-176-77 ¶¶ 22-24; 30-31.

When ELECT finds a match between a noncitizen and a person on the voting rolls, either after a person has checked the noncitizen box or failed a recent SAVE search, ELECT sends the person's information to the local general registrar, who manually confirms the match. A-173 ¶ 7. Virginia law requires "general registrars to delete . . . the name of any voter who . . . is known not to be a United States citizen by reason of" that person's self-declaration of noncitizen status or from information

ELECT received from a SAVE verification. Va. Code Ann. § 24.2-404(A)(4); *see id.* § 24.2-427(C). Accordingly, the registrar *manually* reviews each potential match on an individual basis to confirm that the noncitizen and the registered voter identified in VERIS are the same person. A-173 ¶ 7. The registrar has discretion in this process to correct any errors she spots, such as that the person identified in the DMV file and the person in VERIS are not the same individual or that the registrar has superior information as to the person’s citizen status. A-264; *see* Va. Code Ann. § 24.2-427(B) (registrar is to act based on information “known by him”). If the registrar determines that the noncitizen and the registered voter are the same person, then the registrar will mail the individual a “Notice of Intent to Cancel” that individual’s registration to vote. Va. Code Ann. § 24.2-427(C); A-301.

The Notice of Intent to Cancel explains that ELECT recently received information from the DMV that the recipient may not be a citizen and asks the recipient to affirm within 14 days that he is a citizen in order to stay on the voter rolls. A-309. If the recipient fails to return the printed affirmation of citizenship in the preaddressed envelop within the 14-day period, he is removed from the voter rolls and sent another notice

explaining his removal and providing a number to call if he thinks there has been a mistake. By default, Virginia also provides a grace period and does not actually cancel registrations until 21 days after the Notice of Intent to cancel is sent. A-302; A-174 ¶¶ 10-11. Even if the person fails to respond to any of these notices, he can still reregister with no impediments or show up in person and same-day register to vote, including on Election Day. A-174 ¶ 14.; *see* Va. Code Ann. § 24.2-420.1.

Governor Youngkin’s Executive Order 35, issued on August 7, 2024, did not create these processes. That order simply required the DMV and ELECT to update their data-sharing efforts on a daily basis and affirm that they were following pre-existing law. A-313.

II. Procedural Background

The Plaintiffs in these consolidated cases—the United States and an assortment of advocacy organizations (“Organizational Plaintiffs”)—asked the district court to inject itself into the Commonwealth’s reasonable and longstanding election processes shortly before the election, and weeks after early voting had begun. Despite *Purcell* and its progeny, the district court obliged. It first concluded that *Purcell* was not controlling because claims under the Quiet Period Provision are inherently close to

an election, and “this is not a case where the plaintiffs are seeking to enjoin the enforcement of Virginia’s election laws.”³ A-460-61. The court thus “applied . . . the *Winter* factors” as if there were not an election looming. A-461.

The court held that the NVRA’s Quiet Period Provision applies to noncitizens and that Virginia’s program was “systematic.” A-463. Balancing the equities, it relied on hearsay and a handful of anecdotal evidence to conclude that Virginia’s program was going to cause irreparable harm and was against the public interest because “[t]h[at] evidence” only showed that the noncitizens it ordered Virginia to add to its voting rolls “failed to return a form and attest that they were citizens.” A-472.

Thus, on October 25th, only ten days before a hotly contested election, the district court ordered Virginia to, within five days, restore approximately 1,600 noncitizens to the voter rolls, initiate a mass mailing to those noncitizens notifying them that they had been placed back on the rolls, promulgate guidance for the local registrars to follow, issue pub-

³ It is unclear what the district court could have meant by this, especially as it entered an injunction that stopped Virginia from enforcing state law only minutes later.

lic statements retracting the previously mailed cancellations, and “educate local officials, poll workers, and the general public,” including “the tracking of poll worker training in all 95 counties and independent cities in the Commonwealth.” A-490-91. The Defendants moved for a stay of the injunction and the district court denied the motion. A-486-87. They now move for this Court to stay the injunction pending appeal in accordance with well-settled principles of election law.

ARGUMENT

The district court entered a broad injunction on the eve of an election, accepting a sweeping argument about a complex statutory provision that this Court has never interpreted. This Court should therefore grant the stay.

Although in most circumstances an applicant for a stay pending appeal must satisfy the *Nken* factors, *see Nken v. Holder*, 556 U.S. 418, 426 (2009), they do not apply here. Considerations specific to “election cases” require courts to apply far more searching review of election-eve injunctions. *Merrill v. Milligan*, 142 S. Ct. 879, 880 (2022) (Kavanaugh, J., concurring in grant of applications for stays); *see generally Purcell v. Gonzales*, 549 U.S. 1 (2006).

Thus, courts should stay an injunction of a state election law issued close to an election unless plaintiffs have demonstrated “at least the following”: “(i) the underlying merits are entirely clearcut in favor of the plaintiff; (ii) the plaintiff would suffer irreparable harm absent the injunction; (iii) the plaintiff has not unduly delayed bringing the complaint to court; and (iv) the changes in question are at least feasible before the election without significant cost, confusion, or hardship.” *Merrill*, 142 S. Ct. at 881. Although this Circuit has not explicitly adopted this four-part test, it recently applied it. *See Pierce v. North Carolina State Bd. of Elec.*, 97 F.4th 194, 229 (4th Cir. 2024). Plaintiffs fail to establish a single factor, much less all four.⁴

⁴ The district court erred not only by failing to apply the *Merrill* test, but by failing to apply *any* formulation of *Purcell*. Even if this Court concludes that *Purcell* and related cases do not require what Justice Kavanaugh believes they do, that is no reason to ignore the doctrine altogether. The Defendants would prevail under any *Purcell* standard here, and they also meet the traditional *Nken* factors for the reasons described in this motion.

I. The underlying merits favor the Defendants, so they cannot be “entirely clearcut” in favor of the Plaintiffs

First, the Plaintiffs failed to show that the merits are “entirely clearcut” in their favor. *Merrill*, 142 S. Ct. at 881. Indeed, the merits heavily favor the Defendants.

A. The NVRA’s quiet period provision does not apply to removal of noncitizens

The NVRA’s Quiet Period Provision does not apply to the removal of individuals, such as noncitizens, who were never eligible to vote in the first place. Virginia’s removal of noncitizens within 90 days of the election therefore did not violate the law.

When interpreting the NVRA, courts must start, as always, with the statute’s plain language. *See Davidson v. United Auto Credit Corp.*, 65 F.4th 124, 128 (4th Cir. 2023). To discern the meaning of that language, courts look to the meaning of the words, informed by the context in which they are used, which “often provides invaluable clues to understanding the[ir] meaning.” *United States v. Smith*, 919 F.3d 825, 837 (4th Cir. 2019).

Section 8 of the NVRA governs “the administration of voter registration for elections for Federal office.” 52 U.S.C. § 20507(a). It provides that “State[s] shall . . . ensure that any *eligible applicant* is registered to

vote.” *Id.* § 20507(a)(1) (emphasis added). The instruction is simple—those applicants who are “eligible” must be “registered” by the State. *Id.* Section 8 then provides different ways that an applicant with a “valid voter registration form” can register, such as through the DMV. *See id.* § 20507(a)(1)(A)-(D). Once the “eligible applicant[’s]” “valid voter registration form” is accepted, the statute refers to him as a “registrant,” and provides him certain protections. *See id.* § 20507(a)(3).

After explaining how an “eligible applicant” can become a “registrant” through submitting a “valid voter registration form,” Section 8 explains in the General Removal Provision how a “registrant” can be removed from the list of “eligible voters.” *Id.* The “name of a registrant may not be removed from the official list of eligible voters” *at all* except in four enumerated circumstances: voluntary removal of the registrant, felony conviction or adjudication of mental incapacity, death of the registrant, or change in residence (if certain procedures are followed). *Id.* § 20507(a)(3)-(4). In short, once an “eligible applicant” becomes a “registrant,” Section 8 of the NVRA narrowly restricts the reasons he can be removed. *Id.* § 20507(a)(1).

The removal restrictions become stricter in the 90 days before a federal election. At that point, the Quiet Period Provision prohibits “systematic,” as compared to individualized, removal programs targeting “ineligible voters.” 52 U.S.C. § 20507(c)(2). The Quiet Period Provision incorporates three of the four exceptions in the General Removal Provision: request of the registrant, criminal conviction or mental incapacity, and death of the registrant. *Id.* § 20507(c)(2)(B). It does not permit removing registrants based on a change in residence.

In short, an “eligible applicant” becomes a “registrant” upon filing a “valid voter registration form,” and is then protected from removal at all times, unless such removal is pursuant to one of four enumerated exceptions. Within 90 days of an election, the rules get stricter, with the “systematic” removal of “ineligible voters” being prohibited, subject to three exceptions. *Id.* § 20507(c)(2)(A).

But the NVRA does not prohibit the removal from the voter rolls of persons, such as noncitizens and minors, who were never “eligible applicant[s]” and thus could not become “registrant[s].” The Quiet Period Provision does not cover noncitizens at all, and thus Virginia’s removal of noncitizens within 90 days of the election did not violate federal law.

Concluding that a noncitizen is a “registrant” protected under the NVRA would lead to absurd and unconstitutional results. Again, there are only four exceptions from the Act’s blanket prohibition on removing a “registrant.” *See* 52 U.S.C. § 20507(a)(3)-(4). A noncitizen who invalidly registers is not one of them. Therefore, if “registrant” includes noncitizens who end up on the rolls, then the NVRA bars States from removing noncitizens from its rolls *at any time*.

Such a restriction on a State’s removal power would be both facially absurd and unconstitutional. The Supreme Court has made clear that the “Elections Clause empowers Congress to regulate how federal elections are held, but not who may vote in them,” and forcing States to keep noncitizens on their voter rolls would cross the line into regulating “who” may vote in federal elections. *Arizona v. Intertribal Council of Ariz.*, 570 U.S. 1, 16 (2013). Indeed, the Supreme Court has said that it would “raise serious constitutional doubts” if Congress interfered with voter eligibility in a lesser way, such as restricting how States can gather information related to enforcing their eligibility requirements. *Id.* at 17. The text and structure of the General Removal Provision thus make clear that “registrant” only refers to those who were originally “eligible applicants.” 52

U.S.C. § 20507(a)(1). Noncitizens do not qualify; the right to vote is limited to U.S. citizens. Va. Const. art. II, § 1; Va. Code Ann. § 24.2-404.4; 18 U.S.C. § 611.

The District Court agreed that noncitizens can be removed under the General Removal Provision at any time, presumably because they are not “registrants.” A-467 (“[T]he Commonwealth . . . ha[s] the authority to investigate and remove noncitizens from the registration rolls.”). Yet there is no textual basis to divorce the Quiet Period Provision from the General Removal Provision. Given that the General Removal Provision places no restrictions on the removal of noncitizens, who were never “eligible applicants” or “registrants” to begin with, it follows that the Quiet Period Provision does not apply to noncitizens either.

The Quiet Period Provision states that “[a] State shall complete, not later than 90 days prior to the date of a primary or general election for Federal office, any program the purpose of which is to systematically remove the names of ineligible voters from the official lists of eligible voters.” 52 U.S.C. § 20507(c)(2)(A). As noted previously, it then incorporates by cross-reference three of the four exceptions from the General Removal

Provision: “request of the registrant,” “criminal conviction or mental incapacity,” and “the death of the registrant.” *Id.* § 20507(c)(2)(B).

The provision only limits the removal of “ineligible voters,” *id.* § 20507(c)(2)(A), and only a “registrant” can become an “eligible voter.” The term “voter,” standing alone, excludes noncitizens. A “voter” is a person who “votes or has the legal right to vote.” Voter, Merriam-Webster, (<https://www.merriam-webster.com/dictionary/voter>) (last accessed Oct. 25, 2024). In the NVRA, it is a synonym for “registrant,” a person who *validly* completed the application process. See p. 13, *supra*. The adjectives “eligible” or “ineligible” then narrow the term “voters” to apply to two subsets of “voters.” An “eligible voter” is a person who is “qualified to participate” in a given election. Eligible, *supra*, (<https://www.merriam-webster.com/dictionary/eligible>) (last accessed Oct. 25, 2024). On the other hand, an “ineligible voter” is a person who had “vote[d] or ha[d] the legal right to vote” but is “not qualified” in a given election. Ineligible, *supra*, (<https://www.merriam-webster.com/dictionary/ineligible>) (last accessed Oct. 25, 2024). For example, a voter, or a registrant, could become ineligible because he has moved away, been convicted of a felony, or been

declared mentally incapacitated. *See* 52 U.S.C. § 20507(a)(3)(B), (a)(4)(B).

Thus, the Quiet Period Provision restricts programs with the “purpose” of “systematic[ally]” removing voters—those who “vote[d] or ha[d] the legal right to vote,” but who are no longer “qualified” to vote in a given election (perhaps because the person moved to a different jurisdiction). The plain text of the Quiet Period Provision therefore does not prohibit removing from the rolls persons who never could have validly registered in the first place because such persons were never “eligible voters” or even “ineligible voters.” 52 U.S.C. § 20507(c)(2)(A). They are not “voters” or “registrants” at all. Therefore, States are free to systematically remove noncitizens, minors, and fictitious persons anytime, including within 90 days of an election, without running afoul of the NVRA.

The statutory-purpose section of the NVRA further indicates that noncitizens are not protected by the Quiet Period Provision. The “Findings and Purposes” section of the NVRA declares that the goal of the statute is to “promote the exercise of” the “right of *citizens* of the United States to vote” and to “ensure that accurate and current voter registration rolls are maintained.” 52 U.S.C. § 20501(a), (b) (emphasis added).

Interpreting the NVRA to restrict the removal of noncitizens, who Section 8(a)(1) makes clear are not allowed to even become “registrants,” would make a mockery of the goal of ensuring “accurate and current voter registration rolls.” *Id.* It would also dilute the “right of citizens of the United States to vote.” *See Reynolds v. Sims*, 377 U.S. 553, 555 (1964).⁵

To be sure, some courts, including the court below, have come out the other way. *See Arcia v. Florida Secretary of State*, 772 F.3d 1335, 1348 (11th Cir. 2014). But other judges have correctly concluded that “Congress did not intend to bar the removal of names from the official list of persons who were ineligible and improperly registered to vote in the first place.” *Bell v. Marinko*, 367 F.3d 588, 591-92 (6th Cir. 2004). And while the only federal appellate court to address the issue concluded, over

⁵ The legislative history of the NVRA also indicates that the Quiet Period Provision applies only to the removal of originally valid registrations. The Senate Report described the Provision’s goal as forcing “[a]ny program which the States undertake to *verify addresses*” to be “completed not later than 90 days before a primary or general election.” *See* S. Rep. 103-6, at 18-19 (1993) (emphasis added). Likewise, the House Report stated that the Quiet Period Provision simply “applies to the State outreach activity such as a mailing or a door to door canvas.” H.R. Rep. No. 103-9, at 16 (1993). The Report specifically confirms that the NVRA “should not be interpreted in any way to supplant th[e] authority” of election officials “to make determinations as to [an] applicant’s eligibility, such as citizenship, as are made under current law and practice.” *Id.* at 8.

a dissent, that the Quiet Period Provision applies to noncitizens, it failed to analyze the plain meaning of the term “voter” or how only “eligible applicant[s]” can become “registrants.” *Arcia*, 772 F.3d at 1347. It also recognized that the logical conclusion of its interpretation was the absurdity that Congress had banned States from *ever* removing noncitizens from their voter rolls. Yet it brushed these concerns aside by declaring that “Congress could change the language of the General Removal Provision to assuage any constitutional concerns.” *Id.* That decision, we respectfully submit, is plainly wrong.

The Plaintiffs come far short of showing that the merits are “entirely clear” in their favor.

B. Virginia’s noncitizen removal process relied on individualized data and was thus not systematic

Even if the Quiet Period Provision applies to noncitizens, Virginia did not violate it. The Quiet Period Provision does not bar all removals from the rolls within 90 days of a federal election. It only prohibits those done “systematic[ally].” 52 U.S.C. § 20507(c)(2)(A). All parties agree that a removal based on individualized information is not “systematic” within the meaning of the NVRA. *See* A-463; A-070-71; A-106; *see Arcia*, 772

F.3d at 1348 (“[T]he 90 Day Provision would not bar a state from investigating potential non-citizens and removing them on the basis of individualized information, even within the 90-day window.”).

Virginia’s removal of noncitizens here falls on the “individualized” side of the line. *Arcia*, 772 F.3d at 1348. DMV forwards the names of individuals who have newly declared themselves to be noncitizens to ELECT, which forwards those self-declared noncitizens who appear on voter rolls to local registrars. A-173 ¶¶ 3-8; A-182-84 ¶¶ 5, 12–20. There is another step of individualized review when the local registrar contacts each self-declared noncitizen by mail, providing an opportunity for the individual to mail back within 14 days a pre-printed form affirming his citizenship. As the Supreme Court has noted with respect to this very type of procedure, “a reasonable person with an interest in voting is not likely to ignore notice of this sort,” and thus can be expected to “take the simple and easy step of mailing back the preaddressed” card. *Husted v. A. Phillip Randolph Institute*, 584 U.S. 756, 779 (2018). And if he does not return the pre-printed affirmation of citizenship, he is sent a Notice of Cancellation that invites him a second time to contact the local registrar to correct any mistake concerning his citizenship. The process thus

begins with a personal attestation of noncitizenship and ends in the removal of that person from the voter rolls only when he is sent two individualized letters offering opportunities for an individual corrective response. This is the very definition of an individualized process.

The ad hoc process was similarly individualized. The process was limited to individuals who had provided residency documents to the DMV demonstrating noncitizenship, which DMV confirmed with a SAVE search. A-176 ¶ 22-24. To ensure that people who had subsequently obtained citizenship would not be removed based on old data, ELECT required an additional, fresh SAVE search to show that each person remained a noncitizen before sending the individual's information to the local registrar. A-176-77 ¶¶ 22–24, 29–31; A-184 ¶¶ 21-22. Even then, the registrar again conducted an individualized review and provided each person an opportunity to attest to his citizenship to remain on the rolls. A-173 ¶ 7; A-302; A-174 ¶¶ 10–11. The district court put great weight on the fact that “electronic comparison[s]” were used in the matching process to conclude that the program was “systematic.” A-464. But the use of electronic tools in a larger process does not automatically make the

process “systematic,” particularly where, as here, the process involved several layers of individualized review and contact with each person.

II. Virginia will be irreparably harmed absent a stay, not the Plaintiffs

Enjoining a state from enforcing its “duly enacted” laws automatically “inflict[s] ‘a form of irreparable injury.’” *Pierce*, 97 F.4th at 225 (quoting *Maryland v. King*, 567 U.S. 1301, 1303 (2012) (Roberts, C.J., in chambers)). That is exactly what the district court did here, enjoining Virginia from enforcing Va. Code Ann. § 24.2-410.1, a longstanding law passed in 2006. And as discussed further below, enjoining Virginia from enforcing its state election laws on the eve of the election will irreparably harm it by imposing significant costs, confusion, and hardship. See Part IV, *infra*. Virginia will suffer irreparable harm without a stay.

Not only will the Commonwealth of Virginia be irreparably harmed absent a stay, so will its voters and the public at large. The injunction leaves Virginia with no way to determine who is eligible to vote and who is not within the next two weeks, and over 1,000 of the removed self-identified noncitizens were confirmed as noncitizens by fresh SAVE searches. Noncitizen voting “drives honest citizens out of the democratic

process and breeds distrust of our government. Voters who fear their legitimate votes will be outweighed by fraudulent ones will feel disenfranchised.” *Purcell v. Gonzales*, 549 U.S. 1, 4 (2006) (per curiam). Citizens’ “right of suffrage can be denied by a debasement or dilution of the weight of a citizen’s vote just as effectively as by wholly prohibiting the free exercise of the franchise.” (quoting *Reynolds v. Sims*, 377 U.S. 553, 555 (1964)). Once this dilution occurs, there can be no remedy for legitimate voters. There is “no do-over and no redress” after “the election occurs.” *See League of Women Voters of N.C. v. North Carolina*, 769 F.3d 224, 247 (4th Cir. 2014).

Plaintiffs contend that they will suffer irreparable harm without an injunction because citizens removed from the rolls will lose the right to vote. Not so. Even assuming a citizen was removed from the voter rolls because he mistakenly checked the wrong box at the DMV and somehow missed both notices, he can still same-day register, including on Election Day itself, and cast a provisional ballot. *See Va. Code Ann. § 24.2-420.1*. 98% of provisional ballots are counted, and a person’s prior removal from the rolls provides no basis to reject a provisional ballot, so long as the person attests to his citizenship in his same-day registration. ELECT,

2023 Annual Virginia Election Retrospective & Look Ahead at 25–26 (Mar. 6, 2024), <https://tinyurl.com/229x8z8u>; A-174-75, A-178 ¶¶ 13-16; 39. The ability to cast a provisional ballot “provides an adequate remedy” in these circumstances, meaning that the harm is not “irreparable.” *Crawford v. Marion County Elec. Bd.*, 553 U.S. 181, 197-98 (2008) (opinion of Stevens, J.).

III. The Plaintiffs unreasonably delayed filing suit

A plaintiff cannot overcome *Purcell* if he has “unduly delayed” bringing his complaint. *Merrill*, 142 S. Ct. at 881. Because both Plaintiffs here chose to bring their complaints at the last minute, this prong provides another reason to grant a stay.

The statute that sets up Virginia’s noncitizen removal process was enacted and precleared in 2006. Every aspect of the present suit could have been litigated back then. Instead, the Plaintiffs waited until Governor Youngkin issued Executive Order 35, which simply increased the rate at which the data was shared between agencies. Indeed, Virginia has been removing noncitizens during the so-called quiet period since at least 2010. A-175 ¶ 17.

Even after Governor Youngkin issued Executive Order 35 on August 7th, the Plaintiffs still failed to act. The Organizational Plaintiffs waited to sue until two months into the three-month quiet period, on October 7. The district court ignored their failure because they claimed that they did not have enough information to sue in August, but much of the evidence in this case was already public, including the law they are challenging. The Organizational Plaintiffs also fault the NVRA's exhaustion provision, but that only requires the aggrieved party wait until 20 days after filing a notice with the State, 52 U.S.C. § 20510(b)(2), so it cannot explain the 60-day delay here. The United States' only excuse for its tardiness is that the voting-rights section of the Department of Justice was somehow unaware of this law until October of 2024, even though it was precleared in 2006. A-354. This Court should not reward DOJ's apparent incompetence. If the media is widely reporting on a controversy,⁶ the United States surely could have become informed earlier by exercising diligence.

⁶ *See, e.g.*, Suzanne Gamboa, Virginia Removes 6,303 'Noncitizens' From Voter Rolls, Fueling Fraud Allegations, NBC News (Aug. 23, 2024), <https://tinyurl.com/5f8evrjh>.

Plaintiffs argued that *Purcell* cannot apply to the quiet period because, by their nature, violations can only occur within 90 days of an election. A-113-14. But that argument cannot excuse Plaintiffs' decision to wait until the eve of the election to seek relief, even though there was nothing stopping them from bringing the claims at least 40 days earlier. The decision to wait has serious consequences. If Plaintiffs had brought these claims at the beginning of the quiet period, they could have been addressed through a far less burdensome status quo injunction, simply ordering Virginia to temporarily cease its process. Instead, the district court imposed a multi-part *mandatory* injunction upon Virginia on the eve of the election, requiring Virginia's voting officials to add more than a thousand individuals to its voter rolls past the state deadline for doing so, to send out mailings to each of these individuals and every registrar, and to conduct trainings of poll workers and registrars "in all 95 counties." A-492 ¶ 7; see *Taylor v. Freeman*, 34 F.3d 266, 270 n.2 (4th Cir. 1994) ("Mandatory preliminary injunctive relief in any circumstance is disfavored, and warranted only in the most extraordinary circumstances."). Further, early voting started in Virginia on September 20, its voting registration process (apart from same-day registration) closed on

October 15, and the deadline to request an absentee ballot was October 25. If the Plaintiffs had been diligent in bringing this suit, the issues could have been settled before those critical dates.

IV. The changes required by the district court’s injunction will create significant costs, confusion, and hardship

“Running elections state-wide is extraordinarily complicated and difficult. Those elections require enormous advance preparations by state and local officials, and pose significant logistical challenges.” *Merrill*, 142 S. Ct. at 880 (opinion of Kavanaugh, J.). In large part because these burdens increase as election day gets closer, Virginia closes its registration system 21 days before the election. A-177 ¶ 32-33. Yet the district court would reopen it, forcing the varied general registrars to re-enroll over 1,000 noncitizens.

Not only does the injunction force the various registrars to re-enroll self-identified noncitizens past the registration deadline, it also requires ELECT to take a variety of burdensome remedial actions. For example, officials must draft and “issue guidance to county registrars in every local jurisdiction” directing them on compliance with the injunction, as well as “tracking . . . poll worker training in all 95 counties and independent cities.” A-490, A-492 ¶¶ 4, 7. Attempting to send such notices and to give

last-minute guidances and trainings to general registrars and poll workers will create confusion and make even-handed administration of the election much more difficult. A-179-80 ¶¶ 44-46. There is no way to guarantee that the 133 registrars in Virginia will apply such newly promulgated guidance in the same manner. The potential for unequal treatment across jurisdictions is exactly what *Purcell* is designed to avoid. *See La Union de Pueblo Entro v. Abbott*, __ F.4th __, 2024 WL 4487493, at *3 (5th Cir. Oct. 16, 2024); *see also id.*, at *5 (Ramirez, J., concurring in the judgment); *Wise v. Circosta*, 978 F.3d 93, 98–99, 103 (4th Cir. 2020).

And all of this would cause a massive influx of work for the registrars and confusion among voters just days before a presidential election. A-179-80 ¶¶ 44-46. Every minute spent on compliance with this injunction is a minute that could have been spent on ensuring a smooth and trustworthy election. The 2024 Presidential Election is shaping up to be a close one, and the last thing that Virginia election administrators need is to jump through a series of court-imposed hoops to allow self-identified noncitizens back on the voter rolls.

Finally, the court-ordered remedial mailings telling people that they have been improperly removed from the voter rolls may very well

confuse noncitizens into thinking they can vote. Not only would such a mistake potentially expose the noncitizen to criminal charges, such court-introduced errors would severely undercut the public's faith in our electoral system. The point of *Purcell* is that election administration is a complicated endeavor even without judicial interference. "Late judicial tinkering with election laws," even with the best of intentions, "can lead to disruption and to unanticipated and unfair consequences for candidates, political parties, and voters, among others." *Merrill*, 142 S. Ct. at 881 (opinion of Kavanaugh, J.).

CONCLUSION

The motion for a stay of the preliminary injunction pending appeal should be granted. The Court should also grant an immediate administrative stay to permit the orderly resolution of this motion, and it should at a minimum stay the injunction until Friday, November 1, to permit the Supreme Court to consider an application for a stay. In any event, because the district court ordered Virginia to comply with the mandatory injunction no later than October 30, 2024, and because further appellate review may be necessary, Virginia respectfully requests that this Court issue a ruling by no later than 10 a.m. Monday, October 28, 2024.

Dated: October 25, 2024

RESPECTFULLY SUBMITTED,

COMMONWEALTH OF VIRGINIA;
VIRGINIA STATE BOARD OF ELEC-
TIONS; SUSAN BEALS, in her official
capacity as Virginia Commissioner of
Elections; **JOHN O'BANNON**, in his of-
ficial capacity as Chairman of the State
Board of Elections; **ROSALYN R.**
DANCE, in her official capacity as
Vice-Chairman of the State Board of
Elections; **GEORGIA ALVIS-LONG**, in
her official capacity as Secretary of the
State Board of Elections; **DONALD W.**
MERRICKS and **MATTHEW WEIN-**
STEIN, in their official capacities as
members of the State Board of Elec-
tions; and **JASON MIYARES**, in his of-
ficial capacity as Virginia Attorney
General

/s/ Erika L. Maley

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CERTIFICATE OF COMPLIANCE

This motion is accompanied by a separate motion for an expansion of the length limitations of Fed. R. App. P. 27(d)(2)(A) from 5,200 words to 6,200 because this motion contains 6,163 words, excluding the portions not subject to that limitation. This response complies with the typeface and the type style requirements of Rule 27(d)(1)(E) because it has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Century typeface.

/s/ Erika L. Maley

Erika L. Maley

Solicitor General

Counsel for Defendants-Appellants

CERTIFICATE OF SERVICE

I certify that on October 25, 2024, I electronically filed the foregoing motion with the Clerk of this Court by using the appellate CM/ECF system. The participants in the case are registered CM/ECF users and service will be accomplished by the appellate CM/ECF system.

/s/ Erika L. Maley

Erika L. Maley (VSB #97533)

Solicitor General

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