



TEN

POTENTIAL ELECTION LAW VIOLATIONS

OF

MICHIGAN'S SECRETARY OF STATE

by
Michigan Fair Elections Institute
Mifairelections.org
patrice@mifairelections.org P.O.
Box 41,
Stockbridge, Michigan 49285

March 19, 2024

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EXECUTIVE SUMMARY

The inflow of large amounts of money from foreign and out-of-state entities has emboldened Michigan's executive and legislative branches. They have accelerated their systematic dismantling of processes instituted to safeguard the honesty and integrity of the state's elections. Left relatively unchecked, the governor and secretary of state appear to be violating federal and state election laws in significant ways.

This report analyzes the key alleged breaches to election law. Michigan Fair Elections Institute, an educational nonprofit 501(c)3 organization, currently has several federal lawsuits working their way through the court system. The MFEI legal team prepared *Ten Potential Election Law Violations of Michigan's Secretary of State* in order to assist those who seek to restore integrity to Michigan's elections.

Ten government legally unauthorized actions run the risk of voter suppression through the dilution and nullification of eligible votes. These actions include the following:

1. Michigan is violating of the Freedom of Information Act in no longer disclosing the method of casting ballots: Absentee, Election Day, or early voting.
2. More ballots than voters.

Difference between Official Vote Count and Official Number of Voters Federal Election 2020

QVF Dates	Official Vote Total per SOS	Total QVF votes	Missing VoterIDs Votes
12/1/2020	5,579,317	5,475,180	104,137
1/1/2021	5,579,317	5,476,095	103,222
4/1/2021	5,579,317	5,511,303	68,014
10/1/2023	5,579,317	5,321,429	257,888
11/1/2023	5,579,317	5,314,009	265,308
12/1/2023	5,579,317	5,307,751	271,566

QVF never had a total equaling the 2020 reported results

Figure 2. Source Michigan SOS Qualified Voter File. Chart by [CheckMyVote.org](https://checkmyvote.org)

3. The new law authorizing automatic voter registration is registering non-citizens to vote. This law is not supposed to go into effect until June 2025.

4. Michigan's Secretary of State appears to be violating Michigan law for her failure to make reasonable efforts to maintain the QVF and for ignoring privacy and security laws and enrolling the state in the Electronic Registration Information Center (ERIC).

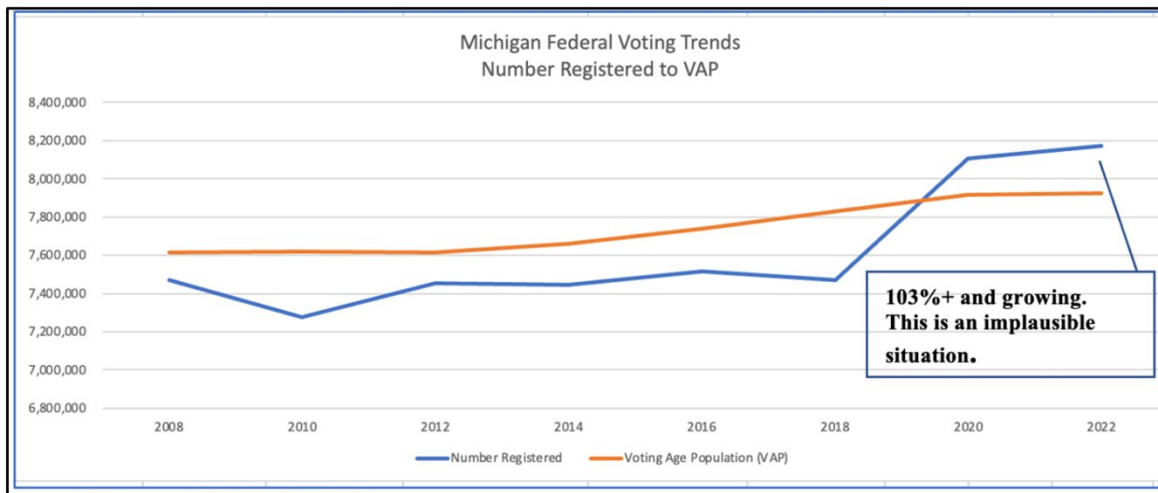


Figure 3. Created by Mark Vaeth. Source: Michigan Federal Voting Trends. CVAP 2017-2021 5-Year ACS Data - CSV Format. <https://www.census.gov/programs-surveys/decennial-census/about/voting-rights/cvap.html>.

5. Assigning multiple voter IDs is a violation of federal law and should cease immediately.

Three Voter IDs per Voter										Absentee Ballot Daily Report	
Local ID	State ID								ID		
LOCAL VOTERID	COUNTYNAME	JURISNAME	WARD	PRECINCT	LASTNAME	FIRSTNAME	MIDDLENAME	YOB	SOS MATCH VID	VOTERID	FULLNAME
26001603237	OAKLAND	ROYAL OAK CITY	4	AARDAL	ROBERTA	JEAN		194	7340908	69526001603237	AARDAL, ROBERTA JEAN
26000343915	OAKLAND	ROYAL OAK CITY	23	AARON	CAROL	LYNN		195	2874484	69526000343915	AARON, CAROL LYNN
26015070345	OAKLAND	ROYAL OAK CITY	11	ABBASSE	KIRSTYN	MARIE		199	160228057	69526015070345	ABBASSE, KIRSTYN MARIE
26000346791	OAKLAND	ROYAL OAK CITY	19	ABBEY	ARTHUR	PERRY		196	2874154	69526000346791	ABBEY, ARTHUR PERRY III
26010428304	OAKLAND	ROYAL OAK CITY	19	ABBEY	JOSHUA	DOUGLAS		198	159239692	69526010428304	ABBEY, JOSHUA DOUGLAS
26010227164	OAKLAND	ROYAL OAK CITY	19	ABBOTT	LORI	JEAN		195	34335916	69526014962610	ABBOTT, LAINEY LOU
26014962610	OAKLAND	ROYAL OAK CITY	2	ABBOTT	LAINEY	LOU		200	160854603	69526010227164	ABBOTT, LORI JEAN
26014206336	OAKLAND	ROYAL OAK CITY	2	ABBOTT	NOLAN	ROBERT		200	160643816	69526014206336	ABBOTT, NOLAN ROBERT
26014404394	OAKLAND	ROYAL OAK CITY	2	ABDILLA	SARAH	RACHEL		199	1165009449	69526014404394	ABDILLA, SARAH RACHEL
26005251901	OAKLAND	ROYAL OAK CITY	21	ABDOO	THERESE	MARIE		195	105179837	69526005251901	ABDOO, THERESE MARIE
26013833009	OAKLAND	ROYAL OAK CITY	9	ABDULLATIF	YESMEEN	JAMILEH		198	33940483	69526013833009	ABDULLATIF, YESMEEN JAMILEH
26006829553	OAKLAND	ROYAL OAK CITY	7	ABEJEAN	BRITTANY	ALIX		198	108853190	69526006829553	ABEJEAN, BRITTANY ALIX

Figure 4. Source: CheckMyVote.org

6. During the 2022 election, 83 percent of Michigan's overseas ballots came from non-military civilians. Against EAC instructions, the SOS directs clerks to treat non-military overseas voters as having "protected status" and to process the applications and ballots

without verifying the identity, citizenship, signature, or state residency of the voter. The potential exists for eight fatal system failures:

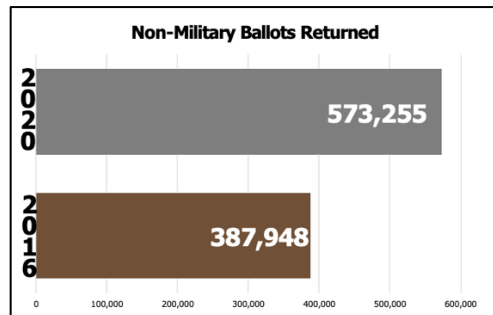
1. No verification of the eligibility of overseas non-military applicants
2. Preferential and unvetted treatment as “protected voters”
3. Defective signature verification process
4. These are likely to become permanent absentee ballots
5. No residency checks
6. Obsolete technology
7. Receipt of unverified foreign-mailed ballot
8. False sense of security

Issuing Absent Voter Ballots

Any absent voter request received by a protected voter must be handled immediately and honored for every election in the calendar year it was received. If received after the November election in a calendar year, the application applies to the following calendar year. While military and overseas voters tend to use the FPCA/FWAB application, they may submit any application form normally accepted of an absent voter. By Federal law, for any request received more than 45 days prior to an election, a ballot **must** be sent at least 45 days prior to the election. **Important Note:** If the voter is not registered and does not submit an FPCA/FWAB, a registration form must be sent as well as an AV ballot.

[Military and Overseas Voters Manual for Election Administrators](#) (Manual), page 15.

7. The risk of foreign, overseas, non-citizen voters is large, growing, and spikes during presidential election years.



Election Administration and Voting Survey (EAVS), [2016](#) and [2020](#), Verity Vote.

8. Permitting university students to register to vote and vote at their college campuses may be in violation of Michigan elector residency law.
9. Are we certain that all registrants listed on the QVF are 17½ or older?
10. People are unlawfully voting from jail.

***Prisoners Who Voted in 2022: Wayne, Genesee, and Oakland Counties
Incarcerated Felons and Prisoners Found Guilty of Misdemeanors***

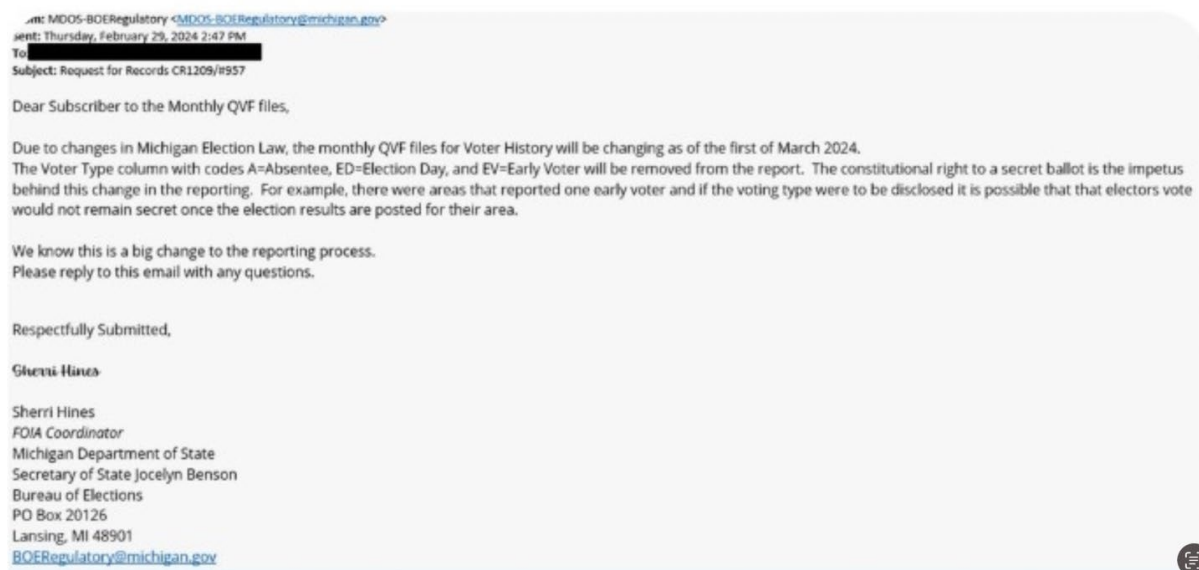
	Confirmed Prisoner	Probation	Parolee	Absconded from probation	No Information Available	Total Absentee Votes 2022
Genesee	9	1			3	13
Oakland	1				11	12
Wayne	55	8	5	2	60	130
Wayne Med	Not Available				119	119
Total	65	9	5	2	193	274

###

1. Michigan is violating of the Freedom of Information Act in no longer disclosing the method of casting ballots: Absentee, Election Day, or early voting.

On February 29, 2024, prior to releasing the Presidential Primary voting records, the FOIA coordinator for Michigan's Secretary of State notified subscribers that, as of March 1, Michigan's official voter rolls, the Qualified Voter File (QVF), would no longer disclose whether people voted absentee, on Election Day, or early voted.

FOIA Coordinator, Sherri Hines wrote, "The Voter Type column with codes A=Absentee, ED=Election Day, and EV=Early Voter will be removed from the report."



"We know this is a big change to the reporting process," Hines acknowledged. The employee in the office of the Secretary of State and its Bureau of Elections said the SOS's office initiated the cloaking in order to protect the secrecy of ballots. "The constitutional right to a secret ballot is the impetus behind this change in the reporting. For example, there were areas that reported one early voter and if the voting type were to be disclosed, it is possible that the electors vote would not remain secret once the election results are posted for their area."

However, if the SOS were sincere in her concern to protect the secrecy of the ballot, she could combine early in-person voting into Election Day in-person voting reports and call both *in-person* voting. No genuine need and no legal argument supports the SOS's refusal to disclose absentee and in-person voting reports to the public via FOIA.

Michigan Compiled Law (MCL [168.509gg](#)) itemizes the information that is exempt from FOIA, and the manner in which a voter casts their ballot is not exempt from disclosure. Exempted information includes only the following:

- (a) The record that an individual declined to register to vote.
 - (b) The office that received a registered elector's application.
 - (c) A registered elector's driver license or state personal identification card number.
 - (d) The month and day of birth of a registered elector.
 - (e) The telephone number provided by a registered elector.
 - (f) The digitized signature of an elector that is captured or reproduced and transmitted to the qualified voter file by the secretary of state or a county, city, or township clerk under section 509hh or by the secretary of state under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307.
- (2) Except as otherwise provided in this subsection, the last 4 digits of a registered elector's Social Security number contained in a registration record are exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. The last 4 digits of a registered elector's Social Security number contained in a registration record may only be used by the secretary of state to verify a registered elector's data as provided by the help America vote act of 2002 and to verify a registered elector's status under this act, and must not be used or released for any other purpose.
- (3) If an individual preregisters to vote under section 496a, the information contained in the registration record for that individual is confidential and not subject to disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, until that individual is 17-1/2 years of age. Once that individual is 17-1/2 years of age, the information contained in the registration record for that individual is subject to the exemptions provided in subsection (1).

Tim Vetter, co-founder of CheckMyVote, told Michigan Fair Elections Institute that the lack of transparency raises the specter of abuse.

Former Senator Patrick Colbeck tweeted opposition to the Secretary's action, saying the change "inhibits the ability of auditors to verify the chain of custody for election records."

"Keep in mind, local clerks have seven days after an election to upload vote results into the QVF," Vetter warned.

Remedy: If there is found to be an authentic issue with protecting the secrecy of the ballot, early in-person voting and Election Day in-person voting reports can be combined to call both *in-person* voting. The right to FOIA absentee and in-person voting must be preserved.

2. More ballots than voters

For the past two federal elections, more ballots were counted than were attributed to voters. Failure to reconcile the discrepancy of more votes than voters is unacceptable.

After the Nov. 3, 2020, presidential election, the state reported 104,137 more counted ballots than voters. Then, the first available QVF after the lower-turnout 2022 election showed 17,974 more counted ballots than were attributed to recorded voters.

**Difference between Official Vote Count
and Official Number of Voters
Federal Election 2022**

QVF Dates	<u>11/8/2022</u> Official Vote Totals per SOS	Total QVF votes	Missing VoterIDs Votes
12/1/2022	4,500,400	4,482,426	17,974
1/1/2023	4,500,400	4,481,289	19,111
2/1/2023	4,500,400	4,477,556	22,844
3/1/2023	4,500,400	4,474,045	26,355
4/1/2023	4,500,400	4,469,659	30,741
5/1/2023	4,500,400	4,466,226	34,174
6/1/2023	4,500,400	4,461,222	39,178
7/1/2023	4,500,400	4,456,940	43,460
8/1/2023	4,500,400	4,453,010	47,390
9/1/2023	4,500,400	4,448,087	52,313
10/1/2023	4,500,400	4,444,635	55,765
11/1/2023	4,500,400	4,439,354	61,046
12/1/2023	4,500,400	4,434,954	65,446
1/1/2024	4,500,400	4,429,687	70,713

Figure 1. Source Michigan SOS Qualified Voter File. Chart by [CheckMyVote.org](https://checkmyvote.org)

The SOS data shows partial uploads of voter history records happening statewide and not from any individual clerks. When CheckMyVote questioned the Secretary of State's office about the discrepancies, the SOS office faulted local clerks for failing to upload vote history data. These unacceptable and unlawful discrepancies have continued unresolved for years and never been reconciled.

Evidence indicates the SOS is changing voter history, as shown in Figures 1 and 2 above and in Figure 3 below:

**Difference between Official Vote Count
and Official Number of Voters
Federal Election 2020**

QVF Dates	<u>11/3/2020</u> Official Vote Total per SOS	Total QVF votes	Missing VoterIDs Votes
12/1/2020	5,579,317	5,475,180	104,137
1/1/2021	5,579,317	5,476,095	103,222
4/1/2021	5,579,317	5,511,303	68,014
10/1/2023	5,579,317	5,321,429	257,888
11/1/2023	5,579,317	5,314,009	265,308
12/1/2023	5,579,317	5,307,751	271,566

QVF never had a total equaling
the 2020 reported results

Figure 2. Source Michigan SOS Qualified Voter File. Chart by [CheckMyVote.org](https://checkmyvote.org)

Voter Histories Removed and Delayed Votes Added 2020

QVF Dates	11/3/2020 Official Vote Total per SOS	VoterIDs that voted on 11/3/2020 per QVF date		Unique Votes REMOVED and ADDED per QVF date that voted on 11/3/2020.		
		Total QVF votes	Missing VoterIDs Votes	Common Votes & VoterIDs	History Votes REMOVED	DELAYED Votes ADDED
12/1/2020	5,579,317	5,475,180	104,137	0	0	0
1/1/2021	5,579,317	5,476,095	103,222	5,453,624	21,556	22,471
4/1/2021	5,579,317	5,511,303	68,014	5,462,409	13,686	48,894
10/1/2023	5,579,317	5,321,429	257,888	5,321,219	5,201	210
11/1/2023	5,579,317	5,314,009	265,308	5,313,911	7,519	98
12/1/2023	5,579,317	5,307,751	271,566	5,307,624	6,385	127
				SUM---->	270,559	103,128

Figure 3. Source: [CheckMyVote.org](https://checkmyvote.org), December 2023.

Disenfranchising boards of canvassers

As the nation heads into the 2024 election, the State has reduced the role of the Board of Canvassers and State Board of Canvassers to “ministerial.” This attempt to undermine the authority of these important bodies could force them to approve unbalanced jurisdictions.

168.842 Board of state canvassers; meeting; time and place, notice, adjournment; expedited canvass of returns.

(1) The board of state canvassers, for the purpose of canvassing the returns and ascertaining and determining the result of an election, shall meet on or before the twentieth day after the election. The secretary of the board of state canvassers shall appoint the day of the meeting, which must be as soon as practicable after the receipt of the returns from the boards of county canvassers, and shall notify the other members of the board. The board shall complete the canvass and announce the board's determination not later than the twentieth day after the election. The board may at the time of its meeting canvass the returns for any office for which the returns have been received.

(2) If the unofficial election returns show that the election of electors of President and Vice President of the United States is determined by a vote differential between the first place and second place candidates for President and Vice President of the United States of less than 25,000 votes, the secretary of state shall direct the boards of county canvassers to canvass returns for electors of President and Vice President of the United States on an expedited schedule. The secretary of state may direct the boards of county canvassers to complete the statements for electors of President and Vice President of the United States required by section 824 and certify the statements as required by section 828 to the secretary of state by the seventh day after the election or by a date before the fourteenth day after the election.

(3) The secretary of the board of state canvassers may appoint the day for the board of state canvassers to conduct the expedited canvass of the returns for electors of President and Vice President of the United States and determine the results of that election. The day appointed for the expedited canvass must be as soon as practicable after receipt of the returns from the

boards of county canvassers, but the board of state canvassers shall complete the canvass and announce the board's determination no later than the twentieth day after the election.

(4) It is the ministerial, clerical, and nondiscretionary duty of the board of state canvassers, and each of the members of the board of state canvassers, to certify election results based solely on the certified statements of votes from counties. ([SB 529](#) went into effect Feb. 13, 2024.) [emphasis added]

History: 1954, Act 116, Eff. June 1, 1955 ;-- Am. [2004, Act 92](#), Imd. Eff. Apr. 26, 2004 ;-- Am. [2018, Act 382](#), Eff. Mar. 19, 2019 ;-- Am. [2023, Act 269](#), Eff. Feb. 13, 2024

Five factors appear to have contributed to the unacceptable and non-credible discrepancies arising between the lower number of voters and the larger number of counted ballots (based on the SOS's Official Reports and the SOS's official Qualified Voter Files):

1. Secretary of State Jocelyn Benson, as Michigan's top election official, signed an agreement with the Electronic Registration Information Center (ERIC) in January 2019.
2. Secretary Benson issued inaccurate and unlawful guidance, as determined by different judges in five or more separate court proceedings (cited below).
3. Vote history in the statewide files is missing and not in sync with local vote history.
4. Changed vote history locations which make audits against local vote records impossible.
5. For reasons that defy common sense, sealed out-of-balance ballot containers are exempt from recount. These containers should be opened and brought into balance. They should not be exempt from recount.

Remedy: The number of counted ballots must match the number of recorded voters. The partial data uploads of voter histories that are occurring statewide and not from any individual clerks should be investigated to find out the source of the issue. During elections, out of balance ballot containers should be opened and brought into balance. Unbalanced jurisdictions should not be certified. Board of Canvasser certification should be required prior to authorizing the governor to certify an election.

3. The new law authorizing automatic voter registration is registering non-citizens to vote. This law is not supposed to go into effect until June 2025

- A. "The Department of Justice appears to be using taxpayer dollars to have...the U.S. Marshals Service encourage...noncitizens to register to vote," stated a letter to the DOJ from Mississippi's leading election official, Secretary of State Michael Watson (R).

Secretary Watson's letter, dated March 6, to U.S. Attorney General Merrick Garland also said, "It is quite shocking, in the midst of a crisis at our southern border and an unprecedented crime wave, that the Biden administration has chosen to expend tax dollars and vital law enforcement resources on a program that risks bloating state voter rolls with ineligible and non-citizen voters."

A headline in [The Federalist](#) read, "DOJ Is Using Bidenbucks To Encourage Illegals And Felons To Vote, Says Mississippi Secretary Of State." [Executive Order 14019](#) (EO) issued in March 2021, [ordered](#) "hundreds of federal agencies to interfere in state and local election administration by using U.S. taxpayer money to boost voter registration and get-out-the-vote activities."

"Our understanding is that everyone in the Marshals' custody is given a form advising them of their right to register and vote," Secretary Watson's letter said, according to [Fox News](#).

"Providing ineligible non-citizens with information on how to register to vote undoubtedly encourages them to illegally register to vote, exposing them to legal jeopardy beyond their immigration status."

Watson tweeted:



The program of automatically registering to vote everyone who registers for a driver's license (or chauffeur's license, state ID card, etc.) violates the Michigan Constitution as well as Michigan Election Law as it stands today. It does not go into effect until June 30, 2025.

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

***** 168.493a THIS SECTION IS AMENDED EFFECTIVE JUNE 30, 2025: See 168.493a.amended *****

The Secretary of State shall register those who meet the qualifications of an elector (pursuant to section 492 of Michigan Election Law)

§168.493a Automatic voter registration; qualifications; option to opt-out; information added to qualified voter file; erroneous registration not a violation.

(1) Subject to subsections (2) and (3), the secretary of state **shall automatically register to vote each individual who meets the qualifications of an elector** under section 492 **and who submits an application for an operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced driver license or enhanced official state personal identification card issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.** In addition, subject to subsections (2) and (3), **the secretary of state shall automatically register to vote each individual who meets the qualifications of an elector under section 492 and who submits a**

change of address application for an operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced driver license or enhanced official state personal identification card issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.

(2) For purposes of subsection (1), **the secretary of state shall only automatically register to vote an individual who indicates on his or her operator's or chauffeur's license application, official state personal identification card application, or change of address application that he or she is a citizen of the United States.**

(3) The secretary of state shall not automatically register to vote an individual who indicates on the operator's or chauffeur's license application, official state personal identification card application, enhanced driver license application, enhanced official state personal identification card application, or change of address application that he or she declines to use the application as a voter registration application. **The secretary of state shall not transmit any information to the qualified voter file regarding any individual who declines to use an application described in this section as a voter registration application.**

(4) The secretary of state shall add any information required under section 509q to the qualified voter file for each elector registered under subsection (1) and shall forward the name of each elector registered under this section to the clerk of the city or township in which each elector registered resides.

(5) **An individual who is not eligible to vote and who, without intending to register to vote, becomes registered to vote through human or mechanical error is not considered to have knowingly intended to register to vote in violation of section 519.**

According to the [FBI website](#): An election crime is generally a federal crime if... “The conduct involves false voter registration.”

To anyone wishing to attribute the consequences of Biden's EO and the subsequent statewide EO from Governor Gretchen Whitmer to ignorance or poor judgment, consider this: According to an article in the *Midwesterner*, an [Illegals group claims credit for flipping the Michigan state House, and as payoff the party in power will seek to approve drivers licenses for illegal aliens](#).

B. “Electors” must be citizens of the United States. Michigan Election Law (§168.3) defines a “qualified elector” as someone who is qualified pursuant to Article II, §1 of Michigan's Constitution of 1963.

MCL 168.492 Qualifications for registration as elector.

Each individual who has the following qualifications of an elector is entitled to register as an elector in the township or city in which he or she resides. The individual must be a citizen of the United States; not less than 17-1/2 years of age; a resident of this state; and a resident of the township or city.

C. Article II, § 1 of Michigan's Constitution of 1963 defines who is qualified to vote:

§ 1 Qualifications of electors; residence. Sec. 1.

Every citizen of the United States who has attained the age of 21 years, who has resided in this state six months, and who meets the requirements of local residence provided by law, shall be an elector and qualified to vote in any election except as otherwise provided in this constitution. The legislature shall define residence for voting purposes.

History: Const. 1963, Art. II, § 1, Eff. Jan. 1, 1964

Compiler's Notes: U.S. Const., Amendment XXVI, § 1, provides: "The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age."

Former Constitution: See Const. 1908, Art. III, §§ 1-3.

It's about money, power...and ballots.

Vivek Ramaswamy attributed the law-breaking to a coordinated effort to change the electorate in order to win elections. During a March 7 [interview](#), the former presidential candidate said, "In principle, election integrity, voter ID at the ballot box, and the issue of illegal immigration or border security are two separate issues." Then he pointed out, "Election integrity and illegal immigration have become intertwined" and are "intimately linked." Ramaswamy said "No one voted for this," and "A nation without borders is not a nation."

Rearing its head in Michigan

Tudor Dixon, former gubernatorial candidate, tweeted an article on March 10, in which she said, "Everyone knows the first step to destroying democracy is to give illegals driver's licenses and open the door to non-citizens voting in our elections."

Dixon alleged a *quid pro quo* took place in Betsy Coffia's election campaign. "Illegals organized your election ground game and got you elected in exchange for driver's licenses."



(2) Tudor Dixon on X: ".@BetsyCoffia we know why you deleted this tweet. Dems published articles bragging about your quid pro quo: Illegals organized your election ground game and got you elected in exchange for driver's licenses. Risking our safety for your power. <https://t.co/8MAdXWfgxr>" / X (twitter.com)

Dixon said funding allowed the two entities to hire a significant number of people, including a six-person communications team.

According to Guidestar, a website that tracks non-profit organizations, We The People Michigan received over \$7 million in a year:

We the People - Mi	
Detroit, MI EIN: 84-3520391	
COMMUNITIES THROUGHOUT MICHIGAN TO PROMOTE RACIAL AND ECONOMIC JUSTICE; FACILITATE RELATIONSHIPS BETWEEN COMMUNITY LEADERS FROM RURAL, SUBURBAN, AND URBAN COMMUNITIES ACROSS MICHIGAN; STRENGTHEN DEMOCRATIC PRACTICES; AND PROMOTE ROBUST CIVIC PARTICIPATION. ... TO ORGANIZE, TRAIN, AND EDUCATE COMMUNITIES THROUGHOUT MICHIGAN TO PROMOTE RACIAL AND ...	
	GROSS RECEIPTS ⓘ
	\$7,093,160
	ASSETS
	\$6,009,373

A [listing](#) on the We the People Action Fund website said it was also adding a cultural strategist, Detroit organizer, and southeast Michigan lead organizer.

We The People Action Fund took in over \$2 million:

We the People Action Fund

Detroit, MI | EIN: 84-3528071

TO PROMOTE RACIAL AND ECONOMIC JUSTICE THROUGHOUT MICHIGAN BY
TRAINING AND ORGANIZING COMMUNITY LEADERS ACROSS THE STATE;
ENGAGING COMMUNITY MEMBERS IN THE DEVELOPMENT OF THOUGHTFUL
PUBLIC POLICY SOLUTIONS THROUGH NONPARTISAN EDUCATIONAL MEANS;
ENGAGING IN VOTER EDUCATION AND VOTER MOBILIZATION EFFORTS ... TO
PROMOTE RACIAL AND ECONOMIC JUSTICE THROUGHOUT MICHIGAN BY
TRAINING AND ORGANIZING COMMUNITY LEADERS ACROSS THE STATE;
ENGAGING COMMUNITY MEMBERS IN THE DEVELOPMENT OF THOUGHTFUL
PUBLIC POLICY SOLUTIONS THROUGH NONPARTISAN EDUCATIONAL MEANS;
ENGAGING IN VOTER EDUCATION AND VOTER MOBILIZATION ...

GROSS RECEIPTS ⓘ

\$2,056,137

ASSETS

\$1,647,369

Michigan's [HB 4410](#), the Drive SAFE Act, was introduced April 13, 2023, and referred to the House Regulatory Reform Committee.

Though once pooh-poohed as a conspiracy theory, increasing evidence indicates that foreign entities, corrupt politicians, and progressive nonprofits are actively recruiting noncitizens to vote in U.S. elections.

Remedy: The secretary of state is required by law to verify citizenship before registering a applicant to vote. The Secretary of State, in registering every person who applies for a driver's license (or chauffeur's license or state ID card, etc.) is violating the Michigan Constitution as well as Michigan Election Law as it stands today. Further, the SOS is attempting to shift the burden to those who are automatically registered to vote to those people who should "return the card" stating they don't want to vote. However, once they have applied for the driver's license (chauffeur's license, state ID, etc.), their name is listed on the state's official voter rolls, the Qualified Voter File. State law is also in violation of Federal law, which makes an ineligible individual a felon if he or she registers or votes. Federal law takes precedence over state law.

4. Michigan's Secretary of State appears to be violating Michigan law for her failure to make reasonable efforts to maintain the QVF and for ignoring privacy and security laws and enrolling the state in the Electronic Registration Information Center (ERIC)

Largely as a result of the SOS joining Michigan in ERIC, the state's Qualified Voter File (QVF) shows, as Figure 1 illustrates below, more voter registrations than the state's voting age population (VAP).

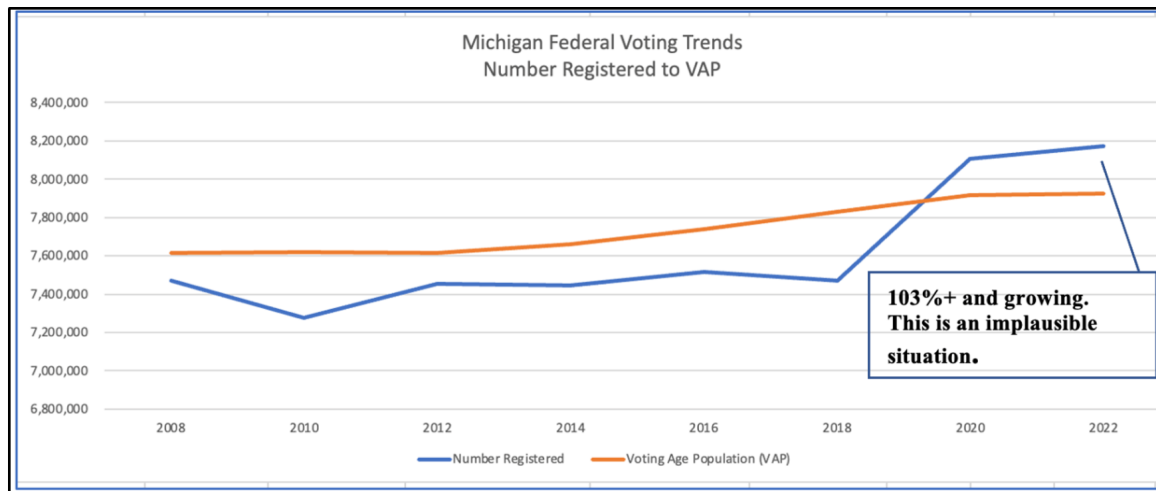


Figure 3. Created by Mark Vaeth. Source: Michigan Federal Voting Trends. CVAP 2017-2021 5-Year ACS Data - CSV Format. <https://www.census.gov/programs-surveys/decennial-census/about/voting-rights/cvap.html>.

168.509o Qualified voter file; establishment and maintenance; individuals considered registered voters; signed application; development and use of process to update qualified voter file; availability of canceled voter registration information; participation in multistate programs or services; limitations.

(1) The secretary of state shall direct and supervise the establishment and maintenance of a statewide qualified voter file. The secretary of state shall establish the technology to implement the qualified voter file. The qualified voter file is the official file for the conduct of all elections held in this state. The secretary of state may direct that all or any part of the city or township voter registration files must be used in conjunction with the qualified voter file at the first state primary and election held after the creation of the qualified voter file.

(2) Notwithstanding any other provision of law to the contrary, an individual who appears to vote in an election and whose name appears in the qualified voter file for that city, township, or school district, and who is not designated in the qualified voter file as preregistered to vote as provided under section 496a, is considered a registered elector of that city, township, or school district under this act.

(3) The secretary of state, a designated voter registration agency, or a county, city, or township clerk shall not place a name of an individual into the qualified voter file unless that individual signs an application as prescribed in section 509r(3), or is registered to vote or preregistered to vote under section 493a or 493b. The secretary of state or a designated voter registration agency shall not allow an individual to indicate a different address than the address in either the secretary of state's or designated voter registration agency's files to be placed in the qualified voter file.

(4) The secretary of state shall develop and utilize a process by which information obtained through the United States Social Security Administration's death master file that is used to cancel an operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, of a deceased resident of this state is also used at least once a month to update the [qualified](#) voter file to cancel the voter registration of any elector determined to be deceased. The secretary of state shall make the canceled voter registration information under this subsection available to the clerk of each county, city, or township to assist with the clerk's obligations under section 510.

(5) Subject to this subsection, the secretary of state shall participate with other states in 1 or more recognized multistate programs or services, if available, to assist in the verification of the current residence and voter registration status of electors. The secretary of state shall not participate in any recognized multistate program or service described in this subsection that requires this state to promote or adopt legislation as a condition of participation in that program or service. **In addition, the secretary of state shall not participate in any recognized multistate program or service described in this subsection if the secretary of state determines that data of that program or service are not being adequately secured or protected.** The secretary of state shall follow the procedures under section 509aa(5) with regard to any electors affected by information obtained through any multistate program or service.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995 ;-- Am. [2018, Act 125](#), Eff. Dec. 31, 2018 ;-- Am. [2018, Act 126](#), Imd. Eff. May 3, 2018 ;-- Am. [2022, Act 195](#), Imd. Eff. Oct. 7, 2022;

5. Assigning multiple voter IDs is a violation of federal law. It should cease immediately.

The Secretary of State is responsible for administering the accuracy and transparency of Michigan's official Qualified Voter File, QVF. She is also responsible for issuing a single identifier per voter, as required by federal law. Single voter identifiers (IDs) are necessary if a state is to conduct safe, secure, and fair elections.

The issue at hand is this: The voter ID for *every* registered voter on the SOS's official list is *always* a different number than the voter identifier in the local clerk's jurisdiction. This is in violation of the Federal Help America Vote Act (HAVA).

HAVA Requirement 9 explicitly prohibits multiple identifiers. It states, "Under the computerized list, a unique identifier is assigned to each legally registered voter in the state."

The "Computerized Statewide Voter Registration List Requirements / Implementation," according to HAVA Section 303(a)(1)(A), requires a single and uniform identifier on an official, centralized and computerized list.

Why voter IDs matter

Multiple identifiers open the door to duplicate voting. They make reconciling voter registrants and auditing election results next to impossible. Multiple identifiers obfuscate public transparency. They make checking to see if one eligible registrant voted one time per election a nightmare and quagmire. Multiple identifiers effectively erase ballot chain of custody. They may be used to add special codes for nefarious actors to target specific voters. In addition, multiple identifiers are sometimes used to cloak the manipulation of data.

Given that multiple identifiers are in clear violation of federal and state law and given that they open the door to fraud, their existence in Michigan begs the question: Why would the Secretary of State take such extreme measures to knowingly and deliberately violate the law?

Evidence of the existence of multiple identifiers

Examples of multiple identifiers for individual registrants on the voter list are provided below. The red-rimmed columns depict VOTERIDs in a local clerk's voter roll list and the voter ID assigned by the state in its official QVF. A third ID for the same people appears in the Daily Absentee Ballot Report. Three different identifiers are assigned to each registrant in the Qualified Voter File (QVF).

Evidence indicates the SOS is aware of and creates links to the multiple voter IDs

The Secretary of State claims to have no access to the locally assigned voter IDs (See memo below.). This claim is of concern because the Daily Absentee Ballot Report makes clear that the SOS must know the local jurisdiction's voter IDs. The SOS creates the form and format for the

Daily Absentee Ballot Report. The clerks provide the content. Both are available to the public, but two of the local clerk reports contain different voter identifiers for the same voter. The same report, when produced by the State, contains a third voter identifier per voter.

This conversion could not occur without the State knowing the at least one of the other identifiers and linking it/them to generate its report.

Below are actual numbers and examples of three IDs per voter from three different types of reports: One from a local clerk; the second from the State., and the third from a local clerk in which the clerk affixes a prefix number of 695 to the local voter ID.

All are produced on the SOS system.

Three Voter IDs per Voter												
Local ID								State ID		Absentee Ballot Daily Report ID		
LOCAL VOTERID	COUNTYN AME	JURISNAME	WARD PRECI NC	LASTNAME	FIRSTNAM E	MIDDLENA ME	YOB	SOS MATCH VID		VOTERID	T ER	FULLNAME
26001603237	OAKLAND	ROYAL OAK CITY	4	AARDAL	ROBERTA	JEAN	194	7340908		69526001603237		AARDAL, ROBERTA JEAN
26000343915	OAKLAND	ROYAL OAK CITY	23	AARON	CAROL	LYNN	195	2874484		69526000343915		AARON, CAROL LYNN
26015070345	OAKLAND	ROYAL OAK CITY	11	ABBASSE	KIRSTYN	MARIE	199	160228057		69526015070345		ABBASSE, KIRSTYN MARIE
26000346791	OAKLAND	ROYAL OAK CITY	19	ABBEY	ARTHUR	PERRY	196	2874154		69526000346791		ABBEY, ARTHUR PERRY III
26010428304	OAKLAND	ROYAL OAK CITY	19	ABBEY	JOSHUA	DOUGLAS	198	159239692		69526010428304		ABBEY, JOSHUA DOUGLAS
26010227164	OAKLAND	ROYAL OAK CITY	19	ABBOTT	LORI	JEAN	195	34335916		69526014962610		ABBOTT, LAINEY LOU
26014962610	OAKLAND	ROYAL OAK CITY	2	ABBOTT	LAINEY	LOU	200	160854603		69526010227164		ABBOTT, LORI JEAN
26014206336	OAKLAND	ROYAL OAK CITY	2	ABBOTT	NOLAN	ROBERT	200	160643816		69526014206336		ABBOTT, NOLAN ROBERT
26014404394	OAKLAND	ROYAL OAK CITY	2	ABDILLA	SARAH	RACHEL	199	1165009449		69526014404394		ABDILLA, SARAH RACHEL
26005251901	OAKLAND	ROYAL OAK CITY	21	ABDOO	THERESE	MARIE	195	105179837		69526005251901		ABDOO, THERESE MARIE
26013833009	OAKLAND	ROYAL OAK CITY	9	ABDULLATIF	YESMEEN	JAMILEH	198	33940483		69526013833009		ABDULLATIF, YESMEEN JAMILEH
26006829553	OAKLAND	ROYAL OAK CITY	7	ABEJEAN	BRITTANY	ALIX	198	108853190		69526006829553		ABEJEAN, BRITTANY ALIX

Figure 4. Source: [CheckMyVote.org](https://www.checkmyvote.org)

Multiple, duplicate IDs per registrant also become evident when one compares a QVF report from the local clerk with a QVF report from the Secretary of State. Tim Vetter requested both voter IDs when he submitted a Freedom of Information Act (FOIA) request for the November 2022 voters list. In response, the Bureau of Elections claimed it does “not have record of ‘VoterID’ that is given out by jurisdictions.”

From: [McMillan, Sarah \(MDOS\)](#)
Sent: Wednesday, April 26, 2023 11:08 AM
To: [Tim Vetter](#)
Cc: [Patrice Johnson](#); [Patrick Colbeck](#); [Janice Daniels](#); [Talsma, Stuart \(MDOS\)](#)
Subject: RE: FOIA request - Tim Vetter - Jan. Feb. 2023

Hi Tim,

Sorry for delay. We have a couple things that we need you to clarify.

We can get you the entire state voter files from Jan 1, 2023 and Feb 1, 2023. Did you also want the complete voting history files with these? These files will not include any voters that have been cancelled, moved out of state, etc.

- Are you looking for a file of just who voted in the Nov 2022 election or are you looking for all past voting history for every voter?
- We can include the "Voter_Identification_Number", however we do not have record of "voterID" that is given out by jurisdictions so we will not be able to provide that

Thank you

Sarah McMillan

Data & Programs Analyst/FOIA Coordinator
Michigan Department of State – Bureau of Elections
Register to vote or get important voter information at Michigan.gov/vote

The SOS does NOT have any record of the voterIDs reported on the local QVFs!

However, Michigan's Director of the Bureau of Elections, Jonathan Brater, confirmed the existence of multiple voter identifiers in a memo he circulated to clerks throughout the state on July 10, 2023. On page six Director Brater stated, "Some individuals have claimed the fact that there are multiple identifying numbers corresponding to voter records in the QVF suspicious. In reality there are multiple identifiers for security reasons." (Complete Brater memo is available upon request.)



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

MEMORANDUM

Date: July 10, 2023
To: Municipal and County Election Officials
From: Jonathan Brater, Director of Elections
Subject: Security of Qualified Voter File and Electronic Pollbooks

Memorandum
July 10, 2023
Page 6

However, votes that occurred at addresses when the voter's move predated QVF Refresh will display at the current address. This is not because of some nefarious purpose, but because QVF Legacy did not have the data capability as the current system.

QVF Record Identifying and Voter ID Numbers

Some individuals have claimed that the fact that there are multiple identifying numbers corresponding to voter records in QVF suspicious. In reality, there are multiple numbers for security reasons. Voters have a public voter ID number in QVF and the EPB, which is public and disclosed in public record requests. QVF also contains separate record-identifying numbers that correspond to voter records, which are used for security and verification purposes (and which are not publicly disclosed for security reasons). Again, the non-disclosed record-identifying number is not different from the voter ID number for some nefarious purpose, but as an internal verification and security measure.

Figure 5. Source: Jonathan Brater, Director, Michigan Bureau of Elections.

6. During the 2022 election, 83 percent of Michigan's overseas ballots came from non-military civilians. Against EAC instructions, the SOS directed clerks to treat non-military overseas voters as having "protected status" and to process the applications and ballots without verifying the identity, citizenship, signature, or state residency of the voter.

Everyone wants overseas military to be able to vote no matter their battleground situation. No question, overseas military voter registrants deserve designation as "protected status." They rightfully can receive and cast their ballots electronically because they have access to highly secure military identification and online military communications systems, called the Common Access Card, or CAC.

Non-military applicants and military dependents, however, have no similar access to military IDs or to the secure CAC system.

By the federal government's own admission, "There is no registry of overseas citizens that records where each of these individuals resides overseas." (See [2022 Overseas Citizen Population Analysis \(OCA\)](#), *Technical Report 2023*, Federal Voting Assistance Program, [FVAP.gov](#), page 187.)

UOCAVA Voting Process:

Step 1:



A UOCAVA citizen completes a Federal Post Card Application (FPCA) to apply to register to vote and/or request an absentee ballot. The completed FPCA is submitted directly to the applicant's election official.

Step 2:



The election official reviews the submitted FPCA. After verifying eligibility, the election official sends the applicant an absentee ballot.

Step 3:



The applicant receives the absentee ballot, votes the ballot and returns it to the local election official to be counted.

Note: If the FPCA was rejected the election official must notify the voter. If applicants have not received a requested absentee ballot 30 days before the election, they should complete and submit the Federal Write-In Absentee Ballot (FWAB) to ensure their vote is received in time to be counted.

Fatal system failure #1: No verification of the eligibility of overseas non-military applicants.

The Michigan SOS recommends a process that runs contrary to the process recommended by the agency in charge of overseas voting. The Elections Assistance Commission administers both the Uniformed and Overseas Civilian Voter Act (UOCAVA) and the Help America Vote Act (HAVA), and the EAC instructs election officials to verify each applicant's eligibility.

Step 2 of the "UOCAVA Voting Process" depicted here clearly instructs election officials to verify each applicant's eligibility after receiving the EAC's online post card application.

"The election official reviews the submitted FPCA [Federal Post Card Application]. **After verifying eligibility**, the election official sends the applicant an absentee ballot." [emphasis added]

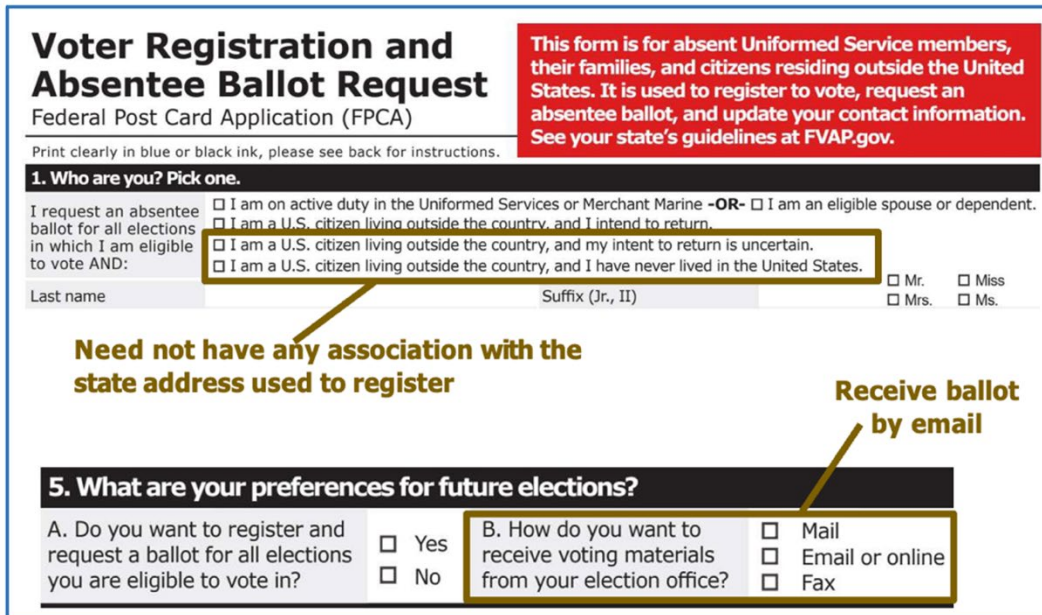
The EAC's online Federal Voter Assistance Program ([FVAP](#)) provides convenient online access for overseas military and

UOCAVA and Elected Officials Fact Sheet.

https://www.fvap.gov/uploads/FVAP/Outreach-Materials/FVAP_ElectionOfficials_20150827.pdf

non-military to apply to register to vote. In the process, the EAC may request information as to an overseas applicant's eligibility, but applicants may decline to provide it to the EAC. Regardless, the EAC forwards the application to the state. Upon receipt, state and local officials bear the responsibility of collecting the information necessary to verify the applicant's identity, citizenship, and state residency.

Below, the [Federal Post Card Application](#) (FPCA) for absentee ballots shows how applicants may decline to provide their Social Security number, driver's license, or valid ID, and the EAC will still forward the application to the state. Each the state is then supposed to complete the verification process, as directed in Step 2 of the "UOCAVA Voting Process" above.



Voter Registration and Absentee Ballot Request
 Federal Post Card Application (FPCA)

Print clearly in blue or black ink, please see back for instructions.

1. Who are you? Pick one.

I request an absentee ballot for all elections in which I am eligible to vote AND:

☐ I am on active duty in the Uniformed Services or Merchant Marine -OR- ☐ I am an eligible spouse or dependent.
☐ I am a U.S. citizen living outside the country, and I intend to return.
☐ I am a U.S. citizen living outside the country, and my intent to return is uncertain.
☐ I am a U.S. citizen living outside the country, and I have never lived in the United States.

Last name _____ Suffix (Jr., II) _____

☐ Mr. ☐ Miss
☐ Mrs. ☐ Ms.

Need not have any association with the state address used to register

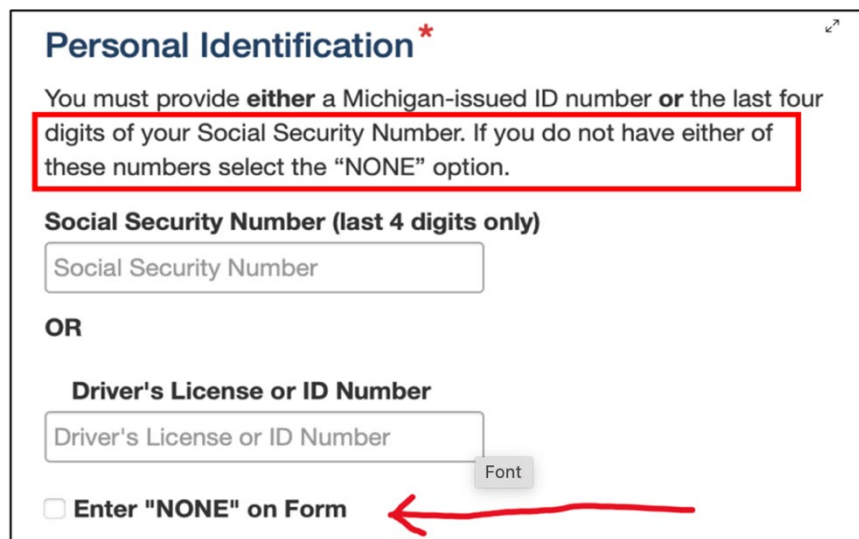
5. What are your preferences for future elections?

A. Do you want to register and request a ballot for all elections you are eligible to vote in? ☐ Yes ☐ No

B. How do you want to receive voting materials from your election office? ☐ Mail ☐ Email or online ☐ Fax

Receive ballot by email

Source: Federal Voting Assistance Program <https://www.fvap.gov/r3/fpca/my-information>.



Personal Identification *

You must provide **either** a Michigan-issued ID number **or** the last four digits of your Social Security Number. If you do not have either of these numbers select the "NONE" option.

Social Security Number (last 4 digits only)

Social Security Number _____

OR

Driver's License or ID Number

Driver's License or ID Number _____

Font

☐ Enter "NONE" on Form

Source: <https://www.fvap.gov/r3/fpca/my-information>.

Michigan's Secretary of State, however, ignores the stark differences between overseas military versus overseas non-military. She ignores the unmitigated risk of unverifiable non-military overseas registrants. She ignores the fact that non-military applicants' have no access to secure email systems.

Instead, the Michigan Secretary of State provides a [manual](#) for Election Administrators that professes it was "designed to cover all aspects of the handling of voter registrations, absentee ballot requests, and absentee ballots for military and overseas voters." (page 3) The manual, contrary to the instructions of EAC (the federal agency that manages overseas voting), tells clerks, "In addition to being a registration form, the [online] FPCA/FWAB form is also an absentee ballot application."

Fatal system failure #2: Preferential and unvetted treatment as "protected voters."

Then, Michigan's Secretary of State Jocelyn Benson goes a step further. Her office instructs clerks to treat all overseas non-military applicants as having "protected status."

Key Points

☆ ***Protected Voters***

- *Members of a uniformed service on active duty or their dependent
- *Members of the Merchant Marine or their dependent
- ***Civilian voter living overseas**
- *National Guardsman activated on State orders

Source: "Introduction to Military and Overseas Ballots," *Military and Overseas Voters Manual for Election Administrators*, page 3, State of Michigan, Secretary of State, Michigan Department of State Bureau of Elections, March 2018.

https://www.michigan.gov/-/media/Project/Websites/sos/02vanderroest/Military_overseas_manual.pdf?rev=ad9bd3a61f644a2e90c963b95cd39347

Upon receipt of the online application, clerks are to accept their online postcard applications with no further scrutiny or security checks. The SOS, under cover of treating overseas voters as "protected voters," directs clerks to "prepare a master card and send a voter identification card, [Voter Certificate](#)." (See [Military and Overseas Voters Manual for Election Administrators](#), page 3.)

Rather than verify the identities, citizenship, or state residency of overseas online applicants, the SOS instructs clerks to register these online applicants as eligible overseas civilians or military voters on the state's official Qualified Voter File (QVF). The clerks are to issue the unverified voter a voter ID card, electronically transmit ballots to the online applicant, and process their returned ballots for every election in the calendar year." ([Manual](#), page 5)

Issuing Absent Voter Ballots

Any absent voter request received by a protected voter must be handled immediately and honored for every election in the calendar year it was received. If received after the November election in a calendar year, the application applies to the following calendar year. While military and overseas voters tend to use the FPCA/FWAB application, they may submit any application form normally accepted of an absent voter. By Federal law, for any request received more than 45 days prior to an election, a ballot **must** be sent at least 45 days prior to the election. **Important Note:** If the voter is not registered and does not submit an FPCA/FWAB, a registration form must be sent as well as an AV ballot.

[Military and Overseas Voters Manual for Election Administrators](#) (Manual), page 15.

On top of this, thanks to the passage of [Proposal 2022-2](#) absentee ballots of military and overseas voters are to be counted if received within six days after the election if the return envelope is postmarked on or before Election Day. Then Public Act 25 was enacted to allow ballot envelopes bearing no postmark to be accepted up to six days after Election Day.

Note: Michigan Fair Elections Institute is sponsoring a federal lawsuit in which 11 state legislators are contesting the usurpation of the state legislature's constitutional right to determine the times, places, and manner of elections.

How big is the issue?

In 2022, 90 percent of overseas non-military voters requested, received, and returned their electronic ballots by email. These individuals could have been overseas citizens, or just as easily been foreign operatives churning out ballots from a boiler room across the sea or across the hallway.

Fatal system failure #3: Defective signature verification process.

Michigan Compiled Law allows for the electronic transmission of signatures from military personnel, using the United States Department of Defense (Common Access Card, CAC).

§168.18a For electronic signatures of military, the members of the military must use "the United States Department of Defense verified electronic signature" means the code issued to qualified personnel by the United States Department of Defense (Common Access Card).

No provision exists to accept the electronic transmission of signatures of non-military overseas voters or military spouses, and for good reason: Non-military individuals have no access to secure CAC cards. Nor do they have no access to military IDs.

Fatal system failure #4: These are likely to become permanent absentee ballots.

The Michigan legislature enacted permanent absentee ballot laws, so one can expect the overseas applicant to make one request and receive absentee ballots for the next 10 years. Consider the impact of the Federal Postcard Application's question 5:

5. What are your preferences for future elections?

A. Do you want to register and request a ballot for all elections you are eligible to vote in? ☐ Yes ☐ No

Source: Federal Voting Assistance Program
<https://www.fvap.gov/r3/fpca/my-information>.

Fatal system failure #5: No residency checks.

No matter that overseas registrants may never have lived in Michigan. No matter that they have no plans to return to this country or live in our Great Lakes State. “A protected [overseas] voter may use an address that they no longer live at to register to vote in your jurisdiction **even if that address no longer exists.**” ([Manual](#), page 5) [emphasis added]

Regardless of whether the online registrants anchor their connection to Michigan in a park, in a vacant lot, or on a nonexistent street, the clerk is instructed to “send the voter identification card in an envelope to the mailing address provided.” These unverified voters’ mailing addresses could be in Canada, Iran, Russia, or the Peoples Republic of China.

Fatal system failure #6: Obsolete technology.

The current [Military and Overseas Voters Manual for Election Administrators](#) was published 38 years ago after UOCAVA’s passage in 1986. To put the technological changes since then into perspective, the manual was published five years after IBM released the first personal computer in 1981 and seven years before the World Wide Web became available to the public in 1993.



As if to alleviate reader concerns about the archaic technology and obsolete processes referenced in the manual, the header on each page proudly displays that the SOS’s Bureau of Elections updated the manual on March 7, 2018, six years ago.

*Military and Overseas Voter Manual
Provided by the Michigan Bureau of Elections
Updated as of 3.7.2018*

To verify the truth of this too-absurd-to-be-true situation, an MFEI investigator obtained a copy from a township clerk and verified: The 1986 manual is still in effect.

Fatal system failure #7: Receipt of unverified foreign-mailed ballot.

No state can legally implement a lesser standard, but many states have verification requirements far beyond the low minimum standard set by HAVA. Alaska requires overseas civilians to submit a photocopy of their passports with their mail-in absentee ballots, thereby discouraging foreigner, non-citizen voting in Alaska's local, state, and federal elections.

Unfortunately, Michigan's Department of State and Secretary Benson issued unlawful guidance and instructed election officials to violate HAVA and EAC guidance. As a result, the Michigan election system is at high risk of diluting legitimate votes by allowing ineligible individuals to cast absentee overseas ballots.

Fatal system flaw #8: False sense of security.

Michigan's manual tells the clerks to "process the ballot as usual." By "usual" it means to send the voter a signature certificate without checking the applicant's identity, citizenship, residency, or the authenticity of the application.

"Regular absentee ballots sent by postal mail to **protected** voters should be processed as usual. If the returned ballot is an electronic ballot that was either printed by the voter or the Clerk, the ballot must include the voter signature certificate. Election inspectors will need to verify that the voter signed the signature certificate and compare the signature to the application."

--[Military and Overseas Voters Manual for Election Administrators](#)

The image below shows an electronically returned ballot as featured in the manual. The so-called electronic signature on the emailed ballot consists of the header on the .pdf ballot.

"The ballot, voting instructions, and voter signature certificate are created into a single .pdf file," and emailed to the overseas voter. The signature certificate appears to consist of the header on the .pdf ballot. In this example, it reads "State Primary, Tuesday, August 07, 2012, Military and Overseas Voter Ballot, Van Buren County, Michigan."

Ballot.pdf - Adobe Acrobat

File Edit View Document Comments Forms Tools Advanced Window Help

Create Combine Secure Sign Forms Comment

1 / 6 100% Find

Please fill out the following form. If you are a form author, choose Distribute Form in the Forms menu to send it to your recipients.

MILITARY AND OVERSEAS VOTER BALLOT
State Primary Tuesday, August 07, 2012
Van Buren County, Michigan

PARTISAN

REPUBLICAN PARTY SECTION

CONGRESSIONAL
UNITED STATES SENATOR
Vote for not more than 1
Clark Burack Republican
Gary Glenn Republican
Randy Helman Republican
Pete Hoekstra Republican

LEGISLATIVE
REPRESENTATIVE IN STATE LEGISLATURE
6th DISTRICT
Vote for not more than 1
Aric Nesbitt Republican

COUNTY
PROSECUTING ATTORNEY
Vote for not more than 1
Michael J. Bedford Republican
Jana Hays Republican

SHERIFF
Vote for not more than 1
Dale R. Gribler Republican

CLERK
Vote for not more than 1

DEMOCRATIC PARTY SECTION

CONGRESSIONAL
UNITED STATES SENATOR
Vote for not more than 1
Debbie Stabenow Democratic
REPRESENTATIVE IN CONGRESS
8th DISTRICT
Vote for not more than 1
Mia O'Brien Democratic

LEGISLATIVE
REPRESENTATIVE IN STATE LEGISLATURE
6th DISTRICT
Vote for not more than 1
Richard Ryskind Democratic

COUNTY
PROSECUTING ATTORNEY
Vote for not more than 1

SHERIFF
Vote for not more than 1

CLERK
Vote for not more than 1

TREASURER
Vote for not more than 1

REGISTER OF DEEDS
Vote for not more than 1

DRAIN COMMISSIONER
Vote for not more than 1

In May 2020, the FBI, CISA, EAC, and the National Institute of Standards and Technology published a report on the risks associated with electronic voting. They wrote,

"Recognizing that some election officials are mandated by state law to employ this high-risk process, its use should be limited to voters who have no other means to return their ballot and have it counted."

--https://www.eac.gov/sites/default/files/document_library/files/2020_EA_VS_Report_Final_508c.pdf

Electronic ballot delivery and return creates the highest security risk to elections, does not allow verification that the ballot was delivered to a legal voter or that the returned ballot is unchanged. Despite the strong warnings from four federal agencies, most states continue to encourage voters to return ballots electronically.

--<https://epic.org/privacy/voting/Risk-Management-Electronic-Ballot-May2020.pdf>

The Cybersecurity & Infrastructure Security Agency (CISA) published the report with broad warnings about electronic voting.

Electronic ballot return faces significant security risks to the confidentiality, integrity, and availability of voted ballots. These risks can ultimately affect the tabulation and results and can occur at scale.

CISA further cautioned,

Policy makers and election officials should be aware of the risks and challenges associated with email. Email provides limited security protections and is generally not considered suitable for sensitive communications. Email may be viewed or tampered with at multiple places in the transmission process, and emails can also be forged to appear as if they were sent from a different address.

US Senate Select Committee on Intelligence released a report in 2019 urging states not to allow online voting for UOCAVA voter due to the risks identified in their investigation into foreign election interference.

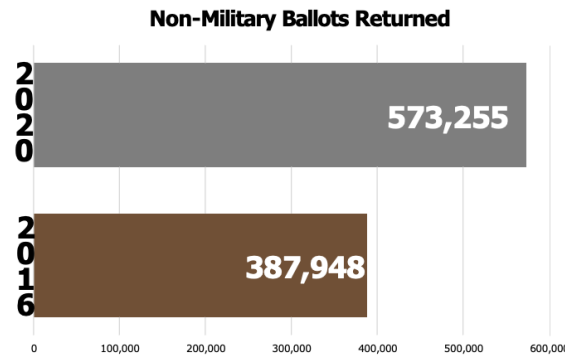
“States should resist pushes for online voting. One main argument for voting online is to allow members of the military easier access to their fundamental right to vote while deployed. While the Committee agrees states should take great pains to ensure members of the military get to vote for their elected officials, no system of online voting has yet established itself as secure.”

--https://www.intelligence.senate.gov/sites/default/files/documents/Report_Volume1.pdf

Remedy: Voting via UOCAVA ([Uniformed And Overseas Citizens Absentee Voting Act](#)) should be made more secure, not less secure. At the very least, election clerks who process online UOCAVA requests for absentee ballots should require copies of the overseas nonmilitary voters' passports to accompany an overseas non-military voter's ballot. Non-military ballots should be mailed via the United States Postal Service, as required by HAVA. Non-military overseas ballots should not be treated as having “protected status.”

7. The risk of foreign, overseas, non-citizen voters is large and growing.

The problem of unverified overseas voting is growing and surges during presidential election years. Nationwide non-military overseas ballots crossed well past the half-million mark in 2020 and increased 48 percent from the 2016 election.



Source: Election Administration and Voting Survey (EAVS), [2016](#) and [2020](#), Verity Vote.

Michigan ranks tenth in the nation for the percentage of ballots transmitted to overseas, non-military voters.

Everyone wishes our military service members to vote and have their votes counted. But the Uniformed and Overseas Citizens Absentee Voting Act of 1986 ([UOCAVA](#), PL 99-410) opens the door to nullifying eligible ballots under a flood of ineligible ballots. The process constitutes an existential threat to the republic.

Remedy: Overseas military registrations and non-military registrations should be treated differently. Only military registrations and ballots should be afforded protected status or the ability to apply and receive an online absentee ballot.

8. Permitting university students to register to vote and vote at their college campuses may be in violation of Michigan elector residency law.

§168.492 “Each individual who has the following qualifications of an elector is entitled to register as an elector in the township or city in which *he or she resides*. The individual must be a citizen of the United States, not less than 17½ years of age, a resident of this state, and a resident of the township or city.

§168.11 defines “residence” for Michigan Election Law as “resides the greater part of the time.”

A sound argument could be made that the Constitution, MCL §168.492, and MCL§168.11 preclude voter registration of college students living on or near campus only during the school year. Colleges have semesters of about 11 to 13 weeks per semester, and many college students return home on weekends. Therefore, college students live at or near their college for, at most, 26 weeks per year, not “the greater part of the time.”

In addition, if students change their residency to their college location: 1) their parents should no longer be able to claim the IRS tax deduction for a child under the age of 26 living at home, 2) the students' auto and medical insurance coverage should no longer be available on their parents' auto and medical insurance plans, and 3) colleges and universities should forfeit the ability to charge out-of-state tuition to out-of-state students who change their residency to their college location.

9. Are we certain that all registrants listed on the QVF are 17½ or older?

168.496a (7) At each election, the [qualified voter file](#) must include on the precinct voter registration lists, including those precinct voter registration lists used at early voting sites, the names of all registered individuals who will be 18 years of age on or before the date of the election. The [qualified voter file](#) must not include on a precinct voter registration list for an election the name of an individual who will not be 18 years of age on or before the date of the election.

(8) When an individual who is preregistered to vote becomes 17-1/2 years of age, the [qualified voter file](#) must generate a notification to the appropriate city or township clerk of the city or township where that individual is preregistered to vote directing the city or township clerk to send a voter identification card to that individual who is preregistered to vote. The city or township clerk who receives a notification under this subsection must send a voter identification card to the individual who is preregistered to vote and must add that individual to the master file.

10. People are voting from jail.

168.758b Voting by persons confined in jail or prison prohibited.

A person who, in a court of this or another state or in a federal court, has been legally convicted and sentenced for a crime for which the penalty imposed is confinement in jail or prison shall not vote, offer to vote, attempt to vote, or be permitted to vote at an election while confined.

Incarcerated felons remain active on the voter rolls

Incarcerated (imprisoned) persons convicted of a felony lose their rights to vote in Michigan. Once released, they are automatically registered to vote. However, MFEI's team of investigators observed that incarcerated felons remain on the QVF with active voter status.

This active status violates HAVA Section 303(a)(2) Computerized List Maintenance (A)(ii)(I) which states, "under section 8(a)(3)(B) of such Act (42 U.S.C. 1973gg-6(a)(3)(B)), the State shall coordinate the computerized list with State agency records on felony status."

Prisoners Who Voted in 2022: Wayne, Genesee, and Oakland Counties Incarcerated Felons and Prisoners Found Guilty of Misdemeanors

	Confirmed Prisoner	Probation	Parolee	Absconded from probation	No Information Available	Total Absentee Votes 2022
Genesee	9	1			3	13
Oakland	1				11	12
Wayne	55	8	5	2	60	130
Wayne Med	Not Available				119	119
Total	65	9	5	2	193	274

Figure 30: Livingston County Soles to Rolls Canvassing team.