



CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON

July 16, 2021

Representative James Holtzclaw
3720 N Heritage View Ave
Meridian, ID, 83646
JHoltzclaw@house.idaho.gov

Dear Public Records Custodian:

Under the Idaho Public Records Act § 74-101 et seq., Citizens for Responsibility and Ethics in Washington (“CREW”) is requesting an opportunity to inspect or obtain copies of public records of the Idaho House.

Specifically, CREW requests the following records relating to House Bill 290 (“HB 290”) created between November 3, 2020 through April 19, 2021:

1. All records discussing the potential effect of any provision of HB 290 on Black voters, Latino voters, other racial or ethnic minority voters, elderly voters, or voters with disabilities, including without limitation the following provisions of HB 290:
 - i. Signature Verification Standards (HB 290 Section 34-202)
 - ii. Retention of absentee ballot affidavit envelopes (HB 290 Section 34-217)
 - iii. Signature Verification Requirements for Absentee Ballots (HB 290 Section 34-1005)
 - iv. Signature Verification for Referendum Petitions (HB 290 Section 34-1803)
 - v. Signature Certification for Referendum Petitions, including void on electronic signatures (HB 290 Section 34-1807)
2. All records reflecting any analysis, consideration, or determination regarding how HB 290 would serve to prevent purported voter fraud or irregularities, including any evidence or data supporting such analyses.
3. All records relating to the legislative procedures by which HB 290 was passed, including without limitation records relating to:
 - i. Requirements or limitations regarding testimony from members of the public on the bill
 - ii. Requirements or limitations regarding legislative debate on the bill
 - iii. Efforts to expedite the legislative process for the bill

4. All records relating to the decision to make the bill effective “on and after its passage and approval” (HB 290 Section 6).
5. All records reflecting any communications, meetings, phone calls, or conversations regarding SB 90 or any predecessor version of that bill with representatives of any non-governmental or private organization, including without limitation the following organizations and individuals:
 - i. Heritage Action for America
 - ii. Heritage Foundation
 - iii. Susan B. Anthony List
 - iv. American Principles Project
 - v. Tea Party Patriots
 - vi. FreedomWorks
 - vii. American Legislative Exchange Council (ALEC)
 - viii. Family Research Council
 - ix. Honest Elections Project
 - x. State Policy Network
 - xi. Alliance Defending Freedom
 - xii. Federalist Society
 - xiii. Cleta Mitchell
 - xiv. Ken Cuccinelli
 - xv. Conservative Partnership Institute (CPI)
 - xvi. Opportunity Solutions Project
 - xvii. True the Vote or TTV
 - xviii. Public Interest Legal Foundation (PILF)
 - xix. FreedomWorks

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records, as well as emails to which the subjects of this request were cc’ed or bcc’ed. Where possible, please produce records in electronic format. Please send the requested records to me at either nsus@citizensforethics.org or Nikhel Sus, Citizens for Responsibility and Ethics in Washington, 1331 F St. NW, Suite 900, Washington, D.C. 20004.

If fees for searching or copying these records exceed \$100, please inform me first at (202) 408-5565 or nsus@citizensforethics.org. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public’s understanding of the decision-making processes of the Idaho House that factored into the passage of HB 290, which will likely affect a significant portion of the state’s voting populace. Further, this information is not being sought for commercial purposes. CREW is a representative of the news media and our request is related to news gathering purposes.

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The Idaho Public Records Act requires a response time within three business days. Idaho Code Section 74-103. If access to the records I am requesting will take longer than three days, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Please contact me if you have any questions about this request or foresee any problems in fully releasing the requested records.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Nikhel Sus". The signature is fluid and cursive, with a large loop at the end.

Nikhel Sus
Senior Counsel
nsus@citizensforethics.org
(202) 408-5565