

United States Senate

WASHINGTON, DC 20510

July 6, 2017

The Honorable Mike Pence
Chairman
Presidential Advisory Commission on Election Integrity
The White House
1600 Pennsylvania Avenue NW
Washington, DC

The Honorable Kris Kobach
Vice Chairman
Presidential Advisory Commission on Election Integrity
120 S.W. 10th Ave
Topeka, Kansas

Dear Chairman Pence and Vice-chairman Kobach:

We write with deep concerns regarding the June 28th request by Presidential Advisory Commission on Election Integrity ("the Commission") for state election officials to provide sensitive voter roll data and demand that the Commission rescind its request. If the Commission refuses to rescind the request, we ask that you provide information about how the Commission intends to use and protect the data.

In a letter, the Commission requests personal information of American voters that is generally unavailable to the public, including names, addresses, dates of birth, political parties, voter histories, and the last four digits of Americans' social security numbers. This request is unprecedented in scope and raises serious privacy concerns. The requested data is highly sensitive and after recent data breaches and cyber-attacks targeting our election infrastructure, we are deeply concerned about how the Commission will maintain the security and privacy of the data.

Election officials from forty-four states share our concern, including Republican officials from Mississippi, Tennessee, and Ohio.¹ Indiana Secretary of State Connie Lawson, a member of the Commission and the President of the National Association of Secretaries of State, noted that the Commission's request conflicts with state laws.²

¹ Fessler, Pam. "State Officials of Both Parties Reject Requests for Voters' Identification Details." *NPR*. NPR, 30 June 2017.

² Cook, Tony, and Kaitlin L. Lange. "Lawson withholds info from Trump's voter fraud commission, even though she's a member." *Indianapolis Star*. IndyStar, 30 June 2017.

We are also concerned about why the Commission is requesting sensitive voting data and how it will be used. Leaders of the Commission said they intend to compare state voter information with federal databases in order to prevent voter fraud.³ Experts have raised significant concern that false-positive results from such a cross-check will lead to the improper removal of eligible voters from voter registration lists. Improperly removing Americans from registration lists is a violation of the National Voter Registration Act and will hamper Americans' right to vote.⁴

Also troubling is the Commission's lack of focus on legitimate threats, such as foreign cyber-attacks on our election infrastructure. Therefore, we demand the Commission rescind its request for sensitive voter roll data and refrain from requesting such information in the future. If the Commission refuses to rescind its request, we ask that you provide the following information.

1. How do you intend to store and protect the data you receive from state election officials?
2. Which databases do you intend to use for cross-checking voter data and how will you work to ensure those databases are current?
3. What do you intend to do with the information obtained from cross-checking the data?
4. What communications have you had with the Department of Justice and the Department of Homeland Security regarding requests for voter information? Please provide records and details of any communication.
5. The Department of Homeland Security is charged with leading federal efforts to protect national critical infrastructure, including voter registration databases, against cyber threats. What communications have you had with the Department of Homeland Security regarding requests for voter information? Please provide records and details of any communication.
6. The Commission's letter requests election officials to send correspondence and data to ElectionIntegrityStaff@ovp.eop.gov. Who has access to this email account and what is being done to ensure it is secure? Please provide the names of all staff members who will have access to the data, including Administration officials and members of the Commission.
7. It was recently disclosed that more than 21 states were victims of attempted election hacks by Russia. As one of the major issues facing U.S. democracy today is the protection of our state election systems from cyber-attacks, why would the Commission think it prudent to collect state-by-state voter information? One of the best protections we have against foreign interference is the decentralized nature of our elections. Why does the Commission think centralizing this data is a good idea?

³ Wines, Michael. "Asked for Voters' Data, States Give Trump Panel a Bipartisan 'No'." *The New York Times*. The New York Times, 30 June 2017.

⁴ "America scrubs millions from the voter rolls. Is it fair?" *Center for Public Integrity*. N.p., 12 Apr. 2017.

8. Much of the data the Commission collects will not be aggregated in a format ready for data analysis. Does the Commission intend on hiring objective data professionals to manage and standardize the data?
9. Many states have laws that prevent them from disclosing sensitive data that the Commission is requesting. Some state elected officials are particularly concerned about providing social security information. For example, Vice-chair Kobach has indicated that Kansas will not provide social security information to the Commission. How does the Commission plan to proceed if states do not submit the information they have requested?

We should be working to make it easier for Americans to vote, not harder. Please provide your responses to these questions in writing by July 12th, 2017. Thank you for your attention to this matter.

Sincerely,



Amy Klobuchar
United States Senator



Jack Reed
United States Senator



Dianne Feinstein
United States Senator



Patrick Leahy
United States Senator



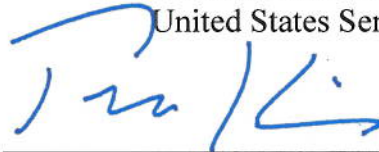
Richard J. Durbin
United States Senator



Sheldon Whitehouse
United States Senator



Richard Blumenthal
United States Senator



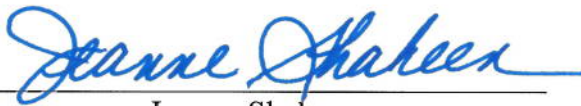
Tim Kaine
United States Senator



Al Franken
United States Senator



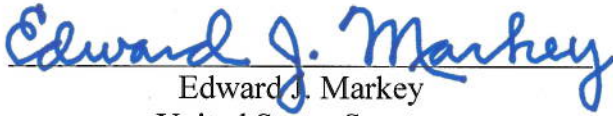
Kirsten Gillibrand
United States Senator



Jeanne Shaheen
United States Senator



Chris Coons
United States Senator



Edward J. Markey
United States Senator



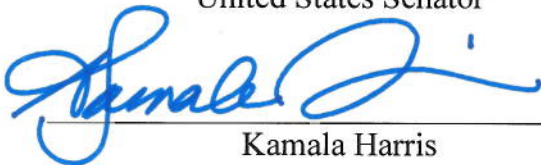
Tom Udall
United States Senator



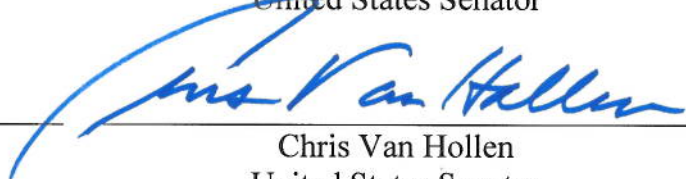
Tom Carper
United States Senator



Margaret Wood Hassan
United States Senator



Kamala Harris
United States Senator



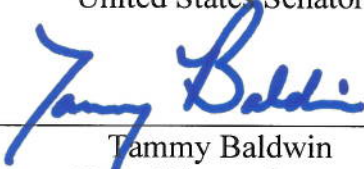
Chris Van Hollen
United States Senator



Mazie Hirono
United States Senator



Ron Wyden
United States Senator



Tammy Baldwin
United States Senator



Bernard Sanders
United States Senator



Martin Heinrich
United States Senator



Mark R. Warner
United States Senator



Tammy Duckworth
United States Senator