Members of the Presidential Advisory Commission on Election Integrity

Party of commission members

■ Democratic ■ Republican



Mike Pence Chair US Vice President



Kris Kobach Vice-Chair Kansas Secretary of State



Ken BlackwellFormer Ohio
Secretary of State



Connie Lawson Indiana Secretary of State



Matthew Dunlap Maine Secretary of State



Bill Gardner New Hampshire Secretary of State



Christy McCormick Commissioner EAC



Hans von Spakovsky Sr. Legal Fellow Heritage



David Dunn Former State Rep. Arkansas



Mark Rhodes County Clerk Wood County, WV

Sources: Christopher Ingraham, "Here are the first 10 members of Trump's voting commission," The Washington Post, July 6, 2017.

Heads of the Presidential Advisory Commission on Election Integrity



Mike Pence, *Chair*US Vice President

Sept.-Oct. 2016: supported an investigation by Indiana police and Secretary of State Connie Lawson into alleged voter registration fraud; no evidence of fraudulent ballots surfaced, but Pence awarded Lawson the state's highest civilian honor

Nov. 2016: supported a new voter restriction that allows additional, party-nominated election officers to demand voters provide proof of identification; this made Indiana one of 14 states to enact new restrictive voting laws in 2016



Kris Kobach, *Vice-Chair* Kansas, Secretary of State

2005-present: has promoted the Interstate Crosscheck System, an alleged anti-fraud program; however, independent studies suggest that over 99% of cases flagged by the system have nothing to do with voter fraud, and that the system would result in 200 deletions of legitimate voter registrations for each case of double-voting it prevented

2013: introduced a law requiring Kansans to provide proof of citizenship to register to vote

2017: involved in lawsuits against his 2011 proof-of-citizenship law; ordered by a judge to produce previously withheld documents pertaining to amendments of the National Voter Registration Act

Jul. 2017: Kobach stated in a TV interview that it is impossible to know whether Hillary Clinton won the popular vote

Sources: Christopher Ingraham, "Here are the first 10 members of Trump's voting commission," The Washington Post, July 6, 2017; Pema Levy, "Pence's Perch Atop Trump's Voter Fraud Commission Hints at Suppression Efforts," Mother Jones, May 12, 2017; "New Voting Restrictions in America," Brennan Center for Justice, Mar. 1, 2017; Ari Berman, "The Man Behind Trump's Voter-Fraud Obsession," NY Times Magazine, Jun. 13, 2017; Colleen Shalby, "Kris Kobach fined for misleading court and refusing to produce previously exposed Trump memo," Los Angeles Times, Jun. 23, 2017

Republican members of the Presidential Advisory Commission on Election Integrity



Ken Blackwell Former Ohio Secretary of State

2004: directed county boards to accept voter-registration forms on paper "not less than 80-pound text weight," causing confused election officials to disqualify forms that weren't thick enough; also directed county officials to issue provisional ballots only to voters in the correct polling location, despite federal law protecting the right to said ballots regardless of polling location

2017: claimed that the number of illegal voter registrations filed for the 2016 election "may well reach into the millions"



Connie Lawson Indiana, Secretary of State

2014: co-authored a strict Indiana state law requiring photo IDs from residents in order to vote

2016: accused "nefarious actors" in a voter registration organization of widespread voter fraud; the investigation shut down the registration drive and prevented the registration of an estimated 10,000 voters, but ultimately revealed no evidence of fraudulent ballots



Christy McCormick Commissioner, EAC

2016: Was involved in a lawsuit over the EAC's authority to add state proof-of-citizenship laws to the federal voter registration forms, which civil liberties' groups argued was illegal



Hans von Spakovsky Sr. Legal Fellow, Heritage

2005: published a law review article under the pseudonym "Publius" that endorsed voter photo I.D.s, prompting accusations of partisan bias in his 2002-2005 role at the Justice Department

2008: congressional Democrats blocked Spakovsky's nomination to the FEC, citing a history of voter rights suppression

1999-present: has gained national attention for claiming that voter fraud is widespread, citing a small number of reports dating as far back as 1982; these reports have been discredited

Sourcess: Christopher Tignapham, "Here are the first 10 members of Trump's Vietne commission," The Washington Post, July 6, 2017, Separed Woodmap. The GOP's Noted In a Traget: Get-out-line Law Separation, 1997, New Republic, 8, ppt. 30, 2016; Tignapham, "Here are the first 10 members of Trump's Vietne registration and field lartifies vietne registration and vietne

Democratic members of the Presidential Advisory Commission on Election Integrity



Matthew Dunlap Maine, Secretary of State

2016: challenged Governor LePage's (R) claims of rampant voting fraud among college students in Maine, calling such claims "a phantom menace" and unsubstantiated by evidence

Jun. 2017: defended his decision to join the commission, saying that joining would leave him "in a better posture to debunk [the voter fraud claims] than I would be if I refused to serve"

Aug. 2017: refused for the second time to provide the election fraud commission with Maine voters' personal information



David Dunn Former State Rep., Arkansas

Jun. 2017: reported that he didn't believe millions of people voted illegally in 2016; however, he also told interviewers that "[he doesn't] know why [being on the commission] has fallen on [his] shoulders"



Bill Gardner New Hampshire, Secretary of State

2014: supported an early version of Senate Bill 3 (see below)2017: disagreed with Trump's claim of widespread voting fraud

Mar. 2017: defended a controversial, Republican-led voting reform bill (SB 3), calling it a "balancing act of security versus ease"; the bill stipulates that if a voter doesn't provide proof of instate residence within 10 or 30 days of registering, he/she could be investigated by officials or fined up to \$5,000. Civil liberty groups claim the bill intimidates and effectively criminalizes legal voters



Mark Rhodes County Clerk, Wood County, WV

Feb. 2017: suggested he was open to an investigation into Trump's claims that thousands of out-of-state citizens voted in New Hampshire

Jun. 2017: reported that he doesn't believe that Trump's claim of widespread voter fraud is backed by evidence, but reported that Democrats also cry voter fraud after they lose elections

Sources: Christopher Ingraham, "Here are the first 10 members of Trump's voting commission," The Washington Post, July 6, 2017; Kype Plantz, "NH SOS Bill Gardner is a Democrat. His decision to join Trump's voting commission shocks his own party," Inside Sources: NH Journal, May 22, 2017; John DiStaso, "Republican voting law reform bill criticized, defended during NH Senate committee hearing," WMUR Manchester, Mar. 7, 2017; Scott Thistle, "Maine's secretary of state invited to join Trump commission on voter fraud," Portland Press Herald, May 12, 2017; Sam Levine, "Some of Trump's New Election Investigators Don't Seem to Have Much Election Experience," Huffington Post, Jun. 22, 2017

A federal judge has ruled in favor of the commission, but other lawsuits remain

- Nov. 20 O **Trump meets with Kobach in Bedminster, New Jersey**Kobach is photographed bringing a policy memo with him that suggests changes to the National Voter Registration Act
- Nov. 27 O **Trump tweets about massive voter fraud** "In addition to winning the Electoral College...I won the popular vote if you deduct the millions of people who voted illegally"
- May 11 O Trump signs executive order on election integrity

 The order creates the Presidential Advisory Commission on
 Election Integrity, naming the VP as its chair and Kobach as vice
 chair. Its goal is to examine policies that enhance and undermine
 Americans' confidence in elections
- June 23 O Federal magistrate fines Kobach \$1000

 In a court case attempting to reveal Kobach's memo to Trump, the magistrate ruled that Kobach and his legal team "made patently misleading representations to the court"
- June 28 Kobach requests voter data from all 50 states

 The letter requests "publicly available voter roll data" including full names, last four digit of social security numbers, party affiliation and voting history
- June 30 O 44 states reply that they cannot or will not give all data

 Most state cannot release the information due to privacy laws while some states have refused to cooperate with the commission
- July 10 Multiple civil rights groups sue the commission

 The ACLU filed a lawsuit arguing that the commission is not following the Federal Advisory Committee Act, while other groups argue that the commission infringes on privacy rights

July 10 \to Kobach orders a halt to the data gathering

He requested that states wait until a federal judge rules on the cases brought against the commission before sending any data

- July 19 First meeting of the election commission

 Trump spoke before the commission's first public hearing chaired by VP Pence, after which Kobach, in a TV interview, stated that it is impossible to know whether Hillary Clinton won the popular vote
- July 25 O A federal judge rules in favor of the commission

 A lawsuit filed by the Electronic Privacy Information Center attempted to halt the commission until it had conducted a privacy impact assessment. The judge ruled that this regulation only applies to federal agencies, which the commission is not
- August 1 Another federal judge denies a block on the commission
 In a second attempt by civil liberties groups to prevent the
 commission from collecting voter data, watchdog group Common
 Cause was denied their request by a U.S. district court judge

Analysis

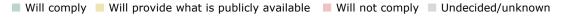
- Kobach has defended Trump's allegation that 3-4 million people voted illegally in the 2016 election
- Civil rights groups fear that data collected by the commission could be used to implement voter suppression strategies
- Kobach continues to challenge a state voter-ID case brought by the ACLU of Kansas, in which he might be ordered to publicly release his voting and immigration policy memo to Trump
- Overall, Democrats are wary of the commission's members: its six Republicans are well-known proponents of restrictive voting laws, and its four Democrats lack election expertise

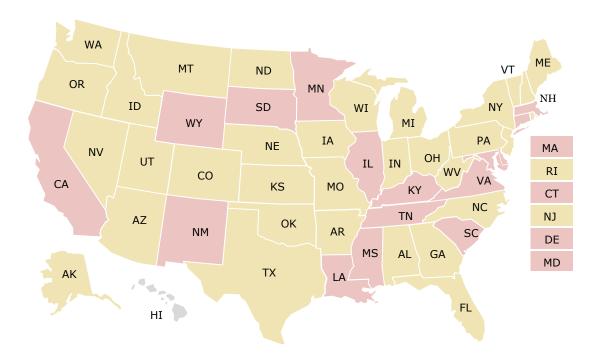
Sources: WhiteHouse.gov; Twitter.com; Scott Neuman, "ACLU Files Suit Against White House Election Fraud Commission," NPR, July 10, 2017. Matthew Haag, "Judge Clears Way for Trump's Voter Fraud Panel to Collect Data," NY Times, July 24, 2017; Meghan Keneally, "How your state responded to Trump's voter data request," ABC News, Jul. 7, 2017; Josh Gerstein, "Another judge denies block on Trump voter fraud commission," Politico, Aug. 1, 2017;

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No states will comply fully with commission's request for voter data, and 16 states refuse to comply at all

State responses to Trump's request for voter data





Trump's election fraud commission

- Since Trump claimed that massive voter fraud occurred during the 2016 election, his administration set up a commission to investigate improper voting
- The White House sent a letter to every state requesting data from voter rolls, including names, addresses, party affiliation and social security numbers
- As of August 2nd, 2017, all 50 states and Washington, D.C. have refused to comply fully – or cannot comply fully, based on state law – with the election fraud commission's request for voter data
- Voter information deemed publicly available varies from state to state, but usually includes a voter's name, congressional district, and voter status. Anyone can access this information with a public records request, but all 50 states have kept private at least some voter information requested by the commission, such as Social Security numbers, in accordance with each state's laws

Sources: Erica Hendry, "A Trump commission requested voter data. Here's what every state is saying," PBS, June 30, 2017; Maggie Koerth-Baler, "Trump's voter fraud commission is facing a tough data challenge," FiveThirtyEight, July 7, 2017; National Journal research.