

Jim Condos, Sec of State

H.624

- **This bill is a good first step – It doesn't address all issues around access to the checklist, but it certainly makes progress.**
- **Specifically, it does afford more solid and clear protection against requests for access to the checklist from the Federal government – like the one received this summer from the President's Commission on Election Integrity (PCEI).**
- **When the request from the PCEI was received, I chose not to provide VT's checklist**
- **This issue was not partisan – initially over 40 states (red & blue) denied access – and when the PEIC was disbanded still over 20 states refused**
- **And, Republican Delbert Hoseman (MS SoS) stated that the President could go jump in the Gulf of Mexico – and he could do so from MS.**
- **I did so for numerous reasons, including:**
 - **Doubts the data would be properly secured – and I was right!**
 - **Using unencrypted emails and unsecured databases servers**
 - **Had not responded to any questions I had submitted**
 - **Waiting for litigation (at least 8 lawsuits) to be resolved**
 - **No trust the motives of the Commission – specifically I believe their purpose was to produce a report, based on over-inclusive and simple data matching and comparison, which would overstate the number of duplicate records, non-citizens, dead persons, etc. on the voter rolls, which would:**
 - **Lead to lack of confidence in our elections among the public,**
 - **Provide the basis for further restrictions on access to voting (Voter I.D., etc.)**
 - **CoChair Kobach had already been sanctioned by the federal court for false positives**
 - **I heard from hundreds of Vermonters requesting I not provide their information.**
 - **On a positive note, I even provided a list of items that should be considered**

- I asked the AG's office for a legal opinion on whether I had a legal basis to deny the request.
- The AG pointed to Act 5 of 2017, which prohibits the state from providing personally identifiable information of Vermonters to the federal government for certain purposes.
- This bill seeks to amend Act 5 to make it even clearer that the information in our voter checklist is among the information that cannot be provided to the federal government for the purposes described in the bill.
- I do believe this bill could be strengthened by also amending the language in Act 5 regarding the purpose for which the information can be used, to include the specific kind of activities the PCEI was planning to engage in with the voter data – namely, comparing it to other state's lists AND federal databases. My Elections Director can speak to this in detail.
- I support this bill because it gives our office a clear mandate not to provide the voter checklist to the federal government for the purposes described.
- In my 8 years in office, there has been no single issue from which I have heard from more Vermonters than them expressing their desire for me not to provide this information to the PCEI.
- Vermonters will thank the legislature for taking this important step to further protect their sensitive personal information from this type of intrusion by the federal government.