

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ELECTRONIC PRIVACY INFORMATION
CENTER,

Plaintiff,

v.

PRESIDENTIAL ADVISORY
COMMISSION ON ELECTION
INTEGRITY, *et al.*,

Defendants.

Civil Action No. 1:17-cv-1320 (CKK)

SECOND DECLARATION OF KRIS W. KOBACH

I, Kris W. Kobach, declare as follows:

As described in my declaration of July 5, 2017, I am the Vice Chair of the Presidential Advisory Commission on Election Integrity. I submit this second declaration in response to the Court's order of July 5, 2017, requesting answers to five enumerated questions. I have addressed each question below. The answers are based on my personal knowledge and upon information provided to me in my official capacity as Vice Chair of the Commission.

1. Who are the current members of the Presidential Advisory Commission on Election Integrity, and what are their affiliations?

- Vice President Mike Pence, Vice President of the United States, *Chair* (R)
- Secretary Kris Kobach, Secretary of State for Kansas, *Vice Chair* (R)
- Secretary Connie Lawson, Secretary of State of Indiana (R)
- Secretary Bill Gardner, Secretary of State of New Hampshire (D)
- Secretary Matt Dunlap, Secretary of State of Maine (D)
- Ken Blackwell, former Secretary of State of Ohio (R)
- Commissioner Christy McCormick, Election Assistance Commission (R)
- David Dunn, former Arkansas State Representative (D)
- Mark Rhodes, Wood County, West Virginia Clerk (D)
- Hans von Spakovsky, Senior Legal Fellow, Heritage Foundation (R)

- 2. If there are no current members who are officials of a federal agency, what is the likelihood that an official of a federal agency will become a member of the Presidential Advisory Commission on Election Integrity in the near future? Identify any likely members who are currently officials of a federal agency.**

Christy McCormick is a member of the Election Assistance Commission (EAC).

However, Ms. McCormick is not serving in her official capacity as a member of the EAC; she was selected based upon her experience in election law and administration, including as an employee of the U.S. Department of Justice. The Commission has no legal relationship with the EAC. The President has discretion to appoint additional members to the Commission. To my knowledge, however, no other federal agency officials are currently under consideration for appointment to the Commission.

- 3. To what extent has or will the General Services Administration be involved in the collection and storage of data for the Presidential Advisory Commission on Election Integrity?**

At this time, there are no plans for the General Services Administration to collect or store any voter registration or other elections-related data for the Commission.

- 4. Who is the current operator of the website <https://safe.amrdec.army.mil/safe/Welcome.aspx?>**

The U.S. Army Aviation and Missile Research Development and Engineering Center operates that website, which the White House uses for data transfers. *See* <https://safe.amrdec.army.mil/safe/About.aspx>.

- 5. Who is responsible for collecting and storing data received via the website <https://safe.amrdec.army.mil/safe/Welcome.aspx?> Who will transfer that data to the Presidential Advisory Commission on Election Integrity?**

The Safe Access File Exchange (SAFE) is an application for securely exchanging files.

States will upload data to the SAFE website, and Commission staff will download the files from SAFE onto White House computers. As this is a Presidential advisory commission, the White House is responsible for collecting and storing data for the Commission. The Commission's Designated Federal Officer (an employee within the Office of the Vice President) will work with White House Information Technology staff to facilitate collection and storage.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 6th day of July 2017.

A handwritten signature in black ink that reads "Kris Kobach". The signature is written in a cursive style with a large, stylized initial "K".

Kris W. Kobach