

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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UNITED TO PROTECT DEMOCRACY et al.)	
)	
Plaintiffs,)	
v.)	Civil No. 17-02016 (RC)
)	
PRESIDENTIAL ADVISORY COMMISSION ON ELECTION INTEGRITY et al.)	
)	
)	
Defendants.)	
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DECLARATION OF IAN BASSIN

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DECLARATION OF IAN BASSIN

I, Ian Bassin, declare as follows:

1. I am the Executive Director of United to Protect Democracy and the Protect Democracy Project, Inc. (together, "Protect Democracy"). Protect Democracy's mission is to prevent our democracy from declining into a more authoritarian form of government. Consistent with that mission, Protect Democracy seeks to prevent those in power from depriving Americans of a free, fair, and fully-informed opportunity to participate in effective democratic governance.
2. United to Protect Democracy is a 501(c)(4) non-profit organization focusing on advocacy efforts to confront threats to our democracy. United to Protect Democracy is incorporated under the laws of the District of Columbia and located at 2020 Pennsylvania Avenue, NW, #163, Washington, D.C. 20006.
3. The Protect Democracy Project, Inc., is a 501(c)(3) non-profit organization that focuses on research and public education, as well as litigation, to confront threats to our democracy. The Protect Democracy Project is incorporated under the laws of the District of Columbia and located at 2020 Pennsylvania Avenue, NW, #163, Washington, D.C. 20006.
4. Protect Democracy was established in December 2016. It seeks to protect the longstanding institutional norms and procedures that reinforce democratic governance, particularly within the Executive Branch. Many of Protect Democracy's staff members have experience serving in the federal Executive Branch. We often draw on that experience to identify legal and institutional norms that act as "guardrails" against less democratic forms of governance and to monitor the operation of government to ensure

that those longstanding guardrails constrain unlawful or norm-violating actions. *See* Ex. A.

5. As part of its mission, Protect Democracy regularly participates in statutorily created processes that mandate government transparency. It does so in order to analyze and publish information received through those channels and, where appropriate, to incorporate that information into broader advocacy campaigns meant to advance its organizational mission. Since publicly launching in February 2017, the Protect Democracy Project has submitted over 300 requests under the Freedom of Information Act (“FOIA”) and has filed 11 lawsuits to enforce FOIA requests.
6. Protect Democracy has also sought to use legal tools to ensure that those participating in the electoral process do not face unlawful barriers. For example, in July 2017, United to Protect Democracy filed litigation in federal district court on behalf of individuals whose private, non-newsworthy emails were hacked and published in the lead-up to the 2016 election. *See* Ex. B.
7. To advance its mission, Protect Democracy has focused special attention on the President’s Advisory Commission on Election Integrity (“the Commission”) since its establishment by President Trump. Monitoring, commenting on, and advocating in response to the Commission represents a major priority for Protect Democracy, for two reasons. First, several commissioners have long records championing policies designed to suppress participation by eligible voters, and we want to ensure that the Commission does not become a vehicle for advancing those policies. Second, the Commission arose in the context of a false narrative offered by President Trump and some of his allies – including at least one member of the Commission – asserting that millions of ineligible

voters participated in the 2016 election. Intentional propagation of false information by the federal government distorts public discourse in a way that threatens democratic governance.

8. To effectively monitor and analyze the Commission's activities, the Protect Democracy Project has submitted three rounds of FOIA requests to various federal agencies. We submitted those requests in February 2017, May 2017, and July 2017. *See* Ex. C. The Protect Democracy Project is now engaged in litigation in federal district court to enforce some of those requests. *See Brennan Ctr. for Justice and Protect Democracy Project v. U.S. Dep't of Justice et. al.*, No. 17-cv-6335 (S.D.N.Y. filed Aug. 21, 2017).
9. Protect Democracy has also engaged in public education and advocacy related to the Commission's efforts to collect nationwide voter information. On July 3, 2015, Protect Democracy sent a letter to Office of Management and Budget ("OMB") Director Mick Mulvaney seeking OMB review of the Commission's June 28 request to state election officials seeking voter data. *See* Ex. D. Two days later, Protect Democracy sent letters to Attorneys General and Secretaries of State around the country alerting them to the legal deficiencies in the June 28 request. *See* Ex. E (providing examples of substantially identical letters sent to officials in all 50 states and District of Columbia). Additionally, Protect Democracy published an analysis on a prominent legal blog urging state officials to consider the Commission's violations of the Paperwork Reduction Act in determining whether to submit responsive data. *See* Ex. F. We also addressed the issue on our website and Twitter feed. *See* Ex. G.
10. Because the Commission issued its June 28 data request without observing the procedures mandated by the Paperwork Reduction Act, Protect Democracy did not have

the opportunity to review the information that the Commission would have been required to disclose under the statute, nor did Protect Democracy have an opportunity to submit comments in the manner contemplated by the statute. In the future, if the Commission engages in the process required by the statute, Protect Democracy will carefully review and analyze any information the Commission discloses through that process. We would also anticipate publicizing the information disclosed by the Commission, publishing our analysis of that information in an effort to educate the public, submitting comments to the Commission and OMB through the procedures prescribed by statute, and engaging in other advocacy as appropriate to advance Protect Democracy's mission in light of the information provided by the Commission.

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



Ian Bassin
Protect Democracy Executive Director
Executed this 4th day of October, 2017