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STATE OF ALASKA
Division of Elections
Office of the Lieutenant Governor

March 12, 2018

The Honorable Kevin Meyer, Chair
Senate State Affairs Committee
Alaska State Legislature
State Capitol, Room 103
Juneau, AK 99801

Dear Senator Meyer:

At the March 8, 2018, Senate State Affairs committee hearing on Senate Bill 186, there were several questions from the committee regarding the division's current management and administrative practices. I am providing some information and clarification to address all questions.

Opt-in vs. Opt-out – Could the opt-out provision in the bill be changed to an opt-in and still be considered a constitutionally valid amendment to an enacted initiative, as opposed to an unconstitutional repeal of an initiative under Article IX, section 6 of the Alaska Constitution? The short answer is no. While the constitution allows the legislature to make amendments, the amendments cannot undermine the intent of the initiative to the point of it effectuating a repeal. In this case, the intent of the initiative was for PFD applicants to be automatically registered to vote with an opt-out provision. Changing this to an opt-in would undermine the intent of the initiative as voter registration wouldn't be automatic.

MyAlaska – The Division of Elections (DOE) is in the process of reevaluating the costs that would be incurred in moving a portion of its online voter registration application behind the myAlaska portal. All portals carry a cost, and the state's myAlaska Portal is no different. MyAlaska has a maintenance fee that is distributed to the departments based on the number of users for the applications behind the portal. Furthermore, the DOE would be required to staff support for users accessing its application through the My Alaska portal. Finally there is the development cost associated with making the DOE's application compatible with the identity management engine that powers the myAlaska portal. The DOE supports the idea of being part of the "one stop" for Alaskan citizens, and should costs be so low as to not be a disruption to the division's budget, the division will undertake a project to join.

PFD Applicants and Registered Voters – How many PFD applicants are of voting age and how many people that apply for a PFD are already registered to vote. In 2017, the Permanent Fund Division received 672,243 total applications, and 490,840 of those were from adults (18 years or older). Currently, there are 531,335 registered voters in Alaska. Since PFD automatic voter registration implementation, the Division of Elections

has not received all PFD applicants for an entire filing period (January 1-March 31). Therefore, in review of 241,590 PFD adult applicant records received for January and February of 2018 against the voter registration database, approximately 212,616 applicants correlated with a current voter registration record, approximately 24,000 were not matched against a current voter registration record and would be new registrants and under 5,000 could not be completely correlated with a voter registration record and will need to be manually reviewed for a potential correlation.

Election Policy Work Group Roster – Senator Giessel requested a list of members of the Election Policy Work Group. A roster is attached.

Center for Election Innovation and Research (CEIR) – Additional information about Founder David Becker and how CEIR is funded was requested. CEIR has two primary funders, both non-partisan institutional foundations –The Democracy Fund and The Hewlett Foundation. Other than contracts CEIR has with a few states (Alaska, Nevada, and Connecticut) those sources are their sole sources of funding currently. A copy of David Becker's biography is attached. For more information about CEIR: www.electioninnovation.org.

Election Security –During the hearing, there was a lot of discussion with regard to election security. For clarification, there are many systems involved in the operation of an election in Alaska. Each system has multiple layers of security and is audited by both Division of Election's staff and independent monitors. Vote tabulation is tied to a paper ballot, giving the tabulation process a very narrow cyber footprint. The few internet-facing systems that the division operates also employ layered defenses and are actively monitored. This monitoring includes Elections staff, coordination with the State Office of Information Technology staff, and is based upon collaboration with many other agencies including US DHS, FBI INFRAGUARD, MS-ISAC, and other non-governmental cyber entities.

If you have further questions or need additional information, please let me know.

Sincerely,



Josie Bahnke
Director

Cc: Senate State Affairs Committee Members

Election Policy Work Group Roster

Name	Agency
Lt. Governor Byron Mallott	Office of the Lt. Governor
Craig Campbell	Former Lt. Governor
Fran Ulmer	Former Lt. Governor
Mead Treadwell	Former Lt. Governor
Liz Medicine Crow	First Alaskans Institute
David Becker	Center for Election Innovation & Research
Bruce Botelho	Self
Vicki Otte	Get out the Native Vote
John Shively	Self
Joyce Anderson	League of Women Voters
Johni Blankenship, Borough Clerk	Kenai Peninsula Borough
Barbara Jones, Municipal Clerk	Municipality of Anchorage
Lori Strickler, City Clerk	City of Bethel
Nanci Ashford-Bingham, Borough Clerk	Fairbanks North Star Borough
Cindy Allred	ANCSA Regional Association
Joelle Hall	AFL-CIO
Nicole Borromeo	Alaska Federation of Natives
Roy Mitchell	DCRA Language Preservation Council
Marna Sanford	Tanana Chiefs Conference
John Lindback	Electronic Registration Information Center
Laurie Sica, CBJ Clerk	City & Borough of Juneau
Kacie Paxton, Borough Clerk	Ketchikan Gateway Borough
Rep. Kreiss-Tomkins	Chair, House State Affairs (D)
Natalie Landreth	US Civil Rights Commission
Senator Gary Stevens	State Senator ®

Name

Agency

BIOGRAPHY FOR DAVID BECKER
EXECUTIVE DIRECTOR AND CO-FOUNDER
CENTER FOR ELECTION INNOVATION & RESEARCH

David Becker is the Executive Director and Co-Founder of the Center for Election Innovation & Research, leading this cutting-edge non-profit's work to improve election administration through research, data, and technology. David created CEIR to be the first effort of its kind, with a proven track record of working with election officials and experts from around the country and across the aisle. Through its efforts, CEIR seeks to reverse the historical decline in voter turnout, and give election officials the tools they need to ensure that all eligible voters can vote conveniently in a system with maximum integrity.

Prior to founding CEIR, David was Director of the elections program at The Pew Charitable Trusts, driving reforms in election administration, including using technology to provide voters with information they need to cast a ballot; assessing election performance through better data; and upgrading voter registration systems. As the lead for Pew's analysis and advocacy on elections issues, David spearheaded development of the innovative [Electronic Registration Information Center](#), or ERIC, which to date has helped a bipartisan group of nearly two dozen states correct almost 4 million out-of-date voter records, and led to these states registering almost a million new eligible voters. David led campaigns in dozens of states, red and blue and everything in between, and directed Pew's partnerships with state government agencies, and with private sector partners like Google, IBM, Facebook, and others.

Before joining Pew, David served for seven years as a senior trial attorney in the Voting Section of the Department of Justice's Civil Rights Division, where he led numerous investigations into violations of federal voting laws regarding redistricting, minority voting rights, voter intimidation, and vote dilution. During his time at the Justice Department, David worked in dozens of states enforcing federal election laws and observing elections in thousands of precincts, and served as lead trial counsel in many cases, including *Georgia v. Ashcroft*.

David's appearances in the media include *The New York Times*, *The Washington Post*, MSNBC, and NPR, and he has been published several times, including by the [Stanford Social Innovation Review](#), the [University of California, Berkeley](#), and [The Hill](#). David received both his undergraduate and law degrees from the University of California, Berkeley.