

PUBLIC INTEREST
— LEGAL FOUNDATION —

**Testimony of
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Before the Alaska Senate State Affairs Committee

On

Election Integrity

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Senator Shower and Members of the State Affairs Committee, thank you for the opportunity to testify. I have studied Alaska election administration for over a decade extending to my time at the United States Department of Justice Voting Section. For well over a decade, Alaska has had an ongoing problem with more individuals registered to vote than possible. Namely, statewide registration totals continually exceed 100 percent of possible registrants. The movement toward mail balloting turns this historic feature of Alaska election from a unique curiosity to a potential liability when the state starts to move toward vote by mail to a greater degree.

There are three likely causes of the registration imbalance. First, the Permanent Fund's automatic registration provisions. Second, not everyone registering through the Permanent Fund are actually residing in Alaska, especially during the Census. Third, the automatic registration system is permitting duplicate registrations which are not caught because of small differences in the registration names, birthdates and addresses.

Thankfully, the solutions to streamline elections in Alaska are simple and not controversial. Nor do they carry significant financial burdens.

Solutions

- **Do not allow participation in the Alaska Permanent Fund to create an *automatic voter registration record*.** Make voter registration an opt-in event. Even under Motor Voter, a law designed to make registration easier, the person getting a driver's license must specifically opt-in to voter registration. The same should be true in the Permanent Fund. The Permanent Fund process should only create a voter registration record if the recipient opts in to voter registration. This is essentially a printing and software adjustment.

- **Implement security procedures for mail balloting.** For example, require an identifying number for all mail ballots – either a social security number, driver’s license number, voter registration number or perhaps a number affiliated with the Permanent Fund. These numbers are the key to verify identity. They are also numbers in the possession of the voter.

- **Do not allow private parties to pay government officials or offices who run elections.** One of the worst things that happened in the 2020 election was the flood of private money into election offices for those offices to do what the funders of those offices wanted. This is a practice not far removed from bribery. Other states have enacted bans of the use of private funds to pay government offices to change their government policies.

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