

## **EXHIBIT 3**



STATE OF MAINE  
OFFICE  
OF THE  
SECRETARY OF STATE

1. July 2017  
The Honorable Kris Kobach  
Vice Chair, Presidential Advisory Commission  
On Election Integrity

Dear Secretary Kobach,


I am in receipt of yours of the 28<sup>th</sup> ultimo regarding the Commission's request for voter registration data from the State of Maine. As we do with any such request, we review the request to determine whether the requester is a qualified entity that meets the parameters of law as described in Title 21-A MRSA § 196-A. We have consulted with our own senior election staff and the Office of the Attorney General to make a determination on the request.

Upon review, the request is denied.

Your correspondence informs us of the following: "Please be aware that any documents that are submitted to the full Commission will also be made available to the public." As a matter of law, that conflicts with State statute, which states in 21-A MRSA § 196-A §§ 1 that "information contained electronically in the central voter registration system and any information or reports generated by the system are **confidential** and may be accessed only by municipal and state election officials for the purposes of election and voter registration administration..." (emphasis mine).

Because the statute on confidentiality is directory and the statute on access to the voter file is discretionary, it is not possible for any office to comply with the request and also comply with the law.

Please let me know if you have any questions about this determination, and I am and shall remain very humbly and sincerely yours,

  
Matthew Dunlap  
Maine Secretary of State