

VOTING SAFELY IN A PANDEMIC

HEARING
BEFORE THE
COMMITTEE ON HOUSE
ADMINISTRATION
HOUSE OF REPRESENTATIVES
ONE HUNDRED SIXTEENTH CONGRESS
SECOND SESSION

AUGUST 28, 2020

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FRIDAY, AUGUST 28, 2020

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, D.C.

The Committee met, pursuant to call, at 1:01 p.m., via Webex, Hon. Zoe Lofgren [chairperson of the Committee] presiding.

Present: Representatives Lofgren, Raskin, Davis of California, Butterfield, Fudge, Aguilar, and Davis of Illinois.

Staff Present: Jamie Fleet, Staff Director; Dan Taylor, General Counsel; Brandon Jacobs, Legislative Clerk; Stephen Spaulding, Senior Elections Counsel; Sarah Nasta, Elections Counsel; Kulani Jalata, Elections Counsel; Peter Whippy, Communications Director; David Tucker, Senior Counsel and Parliamentarian; Jen Daulby, Minority Staff Director; Tim Monahan, Minority Deputy Staff Director; and Cole Felder, Minority Chief Legal Counsel for Elections.

The CHAIRPERSON. We have a quorum, I have a gavel, and the Committee on House Administration will come to order.

I want to acknowledge the members who are with us today and welcome my colleagues here in California, and good afternoon for those of you out east.

I want to remind our members and participants of a few things that will help us navigate this virtual hearing.

We are holding this hearing in compliance with the regulations for remote committee proceedings pursuant to House Resolution 965.

Generally, the Committee will keep microphones muted to limit background noise. Members will need to unmute themselves when seeking recognition for their five minutes. Witnesses will need to unmute themselves when recognized for their five minutes or when answering a question.

Members and witnesses, please keep your camera on at all times, even if you need to step away for a moment during the proceedings. Do not leave the meeting.

As we begin, we should take a moment to honor an important anniversary in our Nation's history. Fifty-seven years ago today, hundreds of thousands of Americans came to our Nation's capital for the March on Washington for Jobs and Freedom.

Our beloved colleague and hero, the late Representative John Lewis, spoke from the steps of the Lincoln Memorial that day. He fearlessly challenged our country's denial of freedom and civil rights to Black Americans, including the right to vote—a right that the Supreme Court more than 70 years earlier called “preservative of all rights.”

Today, many people are gathering at the Lincoln Memorial to commemorate the march and continue demands for voting rights, racial equality, police accountability, and criminal justice reform.

Free and fair elections and unencumbered access to voting are the bedrock of our democracy. And yet, today, during a global pandemic the likes of which our country has not experienced in more than a century, voters are worried about how to safely vote and how to navigate potential disruptions this November. Nearly half of Americans expect difficulties voting this fall, according to recent polling by the Pew Research Center. It doesn't have to be that way. No one should be forced to choose between their right to vote or their health.

In June, Chairperson Fudge convened an important Subcommittee hearing to examine the impact of COVID-19 on voting rights and election administration. Tragically, since that hearing, an additional 3.6 million people have become infected in the United States and another 59,000 Americans have lost their lives to the disease.

This crisis has devastated many families and disrupted our way of life. The virus will continue to affect how we live for the foreseeable future, including how we vote. I look forward to hearing more today from our experts about how people can vote safely during this pandemic.

Americans have cast ballots during great strife and national emergencies before. Civil War soldiers voted by mail from the battlefields. Millions of men and women in uniform have voted by mail since then, including after Congress passed the 1942 Soldier Voting Act and the Federal Voting Assistance Act in 1955. References to civilian mail voting date back to the late 1800s.

This year, many States have changed their election procedures to make voting safer from a public health perspective. Although some voters in all 50 States can vote from home, the widest availability is for voters in 44 States and the District of Columbia who live in a no-excuse vote-by-mail State or where fear of COVID counts as a valid excuse this fall. Other Americans can choose to vote early, in person, in one of 42 States that provide it. Early, in-person voting helps keep polling places less crowded. Or voters can go to polling places on election day itself.

Offering various methods of voting is consistent with guidance from the Centers for Disease Control and Prevention, which recommends, "alternative voting methods that minimize direct contact and reduce crowd size at polling locations." Voters should have the option to vote by mail or to vote in person, and it should be safe and accessible.

The House passed reforms to make this possible 105 days ago in the HEROES Act, including \$3.6 billion in funding for nationwide implementation. Unfortunately, Senate Majority Leader McConnell has refused to take up the legislation, refusing instead to delay and do nothing for months. The virus, however, has not delayed, nor has it simply disappeared. And, sadly, neither has the President's disinformation campaign against voting, especially absentee voting.

The President's assault has now expanded to include even the United States Postal Service, a venerated and popular institution enshrined in our Constitution. Earlier this month, President

Trump, as he is prone to do, said the quiet part out loud: He explicitly stated he opposes funding the Postal Service because the Postal Service facilitates voting by mail.

Meanwhile, the Trump-appointed Postmaster General, Louis DeJoy, enacted disruptive operational policies that have caused days-long backlogs in mail delivery across the country—policies that impeded mail service to senior citizens, veterans, and the sick, who depend on Postal Service to deliver medications and other essentials, including ballots.

I heard from thousands of my own constituents whose mail had been delayed. They were outraged. After much public outcry, Postmaster General DeJoy announced some of the policy changes would be paused until after the election.

This reckless management of the Postal Service warrants close scrutiny and continued accountability. The House did its part on Saturday, passing the Delivering for America Act on a bipartisan basis, to prohibit the Postal Service from implementing any further changes that will delay mail and reduce delivery standards.

The bill would also require the Postal Service to treat all election mail as first-class mail, as has been its practice for years. And it will provide the \$25 billion in much-needed funding that its board of governors—each governor appointed by President Trump himself—has requested.

Still, the President continues to spread disinformation and falsehoods about the safety and security of voting. They do not bear repeating at a congressional hearing.

What does bear repeating is the best way voters can stand up to bullies at the ballot box: Make a plan to vote. Register to vote or confirm your registration and update it if necessary. Do that as soon as possible. Visit vote.gov for more information.

Decide if you plan to vote in person or by mail. Research your options. Follow those instructions carefully, including if you need to request a ballot. Request and cast your ballot early if you can.

And if you are healthy and able, consider signing up to work as a poll volunteer by going to HelpAmericaVote.gov. Many jurisdictions scrambled at the last minute to find poll workers this spring and summer. You can do your part by considering this public service.

Now, I look forward to the testimony today, and I want to recognize first the Ranking Member, Mr. Davis, for any opening statement he may wish to make. I understand he wishes also to show a video of less than two minutes as part of his opening statement.

So, Mr. Davis, you are now recognized.

[The statement of the chairperson follows:]

ZOE LOFGREN, CALIFORNIA
CHAIRPERSON

JAMIE RASKIN, MARYLAND
VICE CHAIRPERSON

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ONE HUNDRED SIXTEENTH CONGRESS

JEN DAULBY, MINORITY STAFF DIRECTOR

Chairperson Zoe Lofgren Voting Safely in a Pandemic August 28, 2020 Opening Statement

As we begin, we should take a moment to honor an important anniversary in our nation's history. Fifty-seven years ago today, hundreds of thousands of Americans came to our nation's capital for the March on Washington for Jobs and Freedom.

Our beloved colleague and hero, the late Representative John Lewis, spoke from the steps of the Lincoln Memorial that day. He fearlessly challenged our country's denial of freedom and civil rights to Black Americans—including the right to vote—a right that the Supreme Court more than 70 years earlier called “preservative of all rights.”

Today, many people are gathering at the Lincoln Memorial to commemorate the march and continue demands for voting rights, racial equality, police accountability and criminal justice reform. Free and fair elections and unencumbered access to voting are the bedrock of our democracy. And yet today—during a global pandemic the likes of which our country has not experienced in more than a century—voters are worried about how to safely vote and how to navigate potential disruptions this November. Nearly half of Americans expect difficulties voting this fall, according to recent polling by the Pew Research Center. It does not have to be that way. No one should be forced to choose between their right to vote or their health.

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Mr. DAVIS of Illinois. Thank you, Madam Chair. And thank you for recognizing our colleague John Lewis and the difference he made to our Nation not so long ago.

I want to do something a little different today and start off my testimony, as you mentioned, by playing a video that was brought to my attention a couple of days ago and that I was so haunted by the rhetoric that I can't unsee and I can't unhear it. Because it is this kind of unnecessary, over-the-top rhetoric that led to me and my Republican colleagues getting shot at on a baseball field just over 3 years ago. It is actually a video by the Democratic Association of Secretaries of State, whose chair is a witness today at this hearing.

Here is the video.

[Video shown.]

Mr. DAVIS of Illinois. Thank you, Madam Chair.

White supremacy doesn't have any place in our Nation, but it is over-the-top rhetoric like that that has led to many, many situations that I don't want to see happen to anyone in this country.

Recent analysis by NPR found that nearly half a million mail-in ballots were rejected in the 2020 primaries. The same analysis noted, "Studies also show that voters of color and young voters are more likely than others to have their ballots not count."

In California alone, 102,000 ballots were rejected; 84,000 in New York; 23,000 in Wisconsin. These are Democrat States.

In the last four elections, more than 28 million mail-in ballots went missing, according to the EAC. Yet Democrats on this Committee, in this House, and across the country continue to push implementing universal vote-by-mail before the November election, just over 60 days away.

Additionally, during the 2020 primaries, we saw the closure of polling places across the country force people to wait hours in line to vote. Washington, D.C., closed more than 120 polling places. In Atlanta, voters waited upwards of five hours to vote because of consolidated polling locations. Milwaukee went from 180 to 5 polling places. In Philadelphia, 77 percent of the polling locations were closed. In Houston, voters reported waiting close to 6 hours to vote. All of these cities are run by Democrats.

The Voting Rights Act of 1965 fought against discrimination to ensure every American could cast their vote. I am afraid the vote-by-mail policies being pushed by Democrats are unintentionally taking us backwards.

I have sent oversight letters to localities where we see these issues during their recent primaries because I am concerned that, unless changes are made, voters will be disenfranchised again this fall. Again, most of these are Democrat-controlled areas.

I am very concerned about fraud when a live ballot is mailed to every registered voter in States where their voter rolls are not up to date.

I want integrity in our election process, not because I want to suppress votes but because I want every vote to count. I want the American people to have the confidence that we all have in our election process. This doesn't make Republicans or anyone else who shares these concerns racist or White supremacist. And I am incredibly disappointed that the ad I played earlier insinuates that.

As I said at the beginning of my testimony, this is the kind of rhetoric that has led to violence that I personally witnessed and even violence last night in Washington, D.C. No one—no one—should stand for that. Instead, let's discuss our differences and find common ground to empower States and localities to help everyone safely and securely vote this fall.

With that, Madam Chair, I will yield back the balance of my time.

[The statement of Mr. Davis of Illinois follows:]

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Ranking Member Rodney Davis Voting Safely in a Pandemic August 28, 2020 Opening Statement

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[Video Plays]

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I've sent oversight letters to localities where we saw these issues during their recent primaries because I'm concerned unless changes are made, voters will be disenfranchised again this fall. Again, most of these are Democrat-controlled areas. I'm also concerned about fraud when a live ballot is mailed to every registered voter in states where their voter rolls are not up to date. I want integrity in our election process not because I want to suppress votes, but because I want every vote to count and I want the American people to have confidence in our election process.

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Instead, let's discuss our differences and find common ground to empower states and localities to help everyone safely and securely vote this fall.

The CHAIRPERSON. We have a distinguished group of witnesses, and I will introduce them in turn.

First, we have Secretary Alex Padilla, who is the California secretary of State. He is focused on modernizing the office, increasing voter registration and participation, and strengthening voting rights.

In 2018, he launched the California Motor Voter program, which automatically registers eligible Californians to vote when they obtain or renew their State ID or driver's license. The program registered one million new voters in its first year alone. In March 2019, California reached a record-high 20 million registered voters.

He also oversaw the 2018 election, in which 64.5 percent of registered voters cast a ballot, the highest turnout for a gubernatorial election since 1992. He sponsored legislation in 2015 to establish vote centers, expand early voting, and implement same-day conditional voter registration through the Voters Choice Act.

Previously, he served two terms in the California State Senate and represented the east San Fernando Valley on the Los Angeles City Council. He grew up in the San Fernando Valley, attended local schools, graduated from the Massachusetts Institute of Technology with a degree in mechanical engineering.

And I remember, when he was elected head of LULAC, he said he only had time for two things besides being in the State Senate, being a husband and a father, and that was being chair of the MIT alumni association.

So welcome to you.

We also have Julie Wise, who is the director of elections for King County, Washington, since November of 2015. King County is the 13th-largest county in the Nation and has approximately 1.3 million registered voters. She has served King County for more than 15 years, including, prior to her election, as the deputy director of elections, managing day-to-day operations of elections.

A Washington State-certified election administrator and nationally certified election registration administrator, Ms. Wise has been recognized at both the State and national level for her contributions to moving elections forward.

Ms. Wise has pursued significant reforms and innovative solutions to remove barriers and increase access while ensuring accuracy, security, and transparency. She has added two languages, allowing voters to access election services in five overall: English, Chinese, Korean, Spanish, and Vietnamese. In 2018, she worked with the King County Council and executive to prevail in providing prepaid postage for all registered voters in the county.

And we welcome you.

We also have Ms. Amber McReynolds. She is the CEO for the National Vote at Home Institute and Coalition, the coauthor of "When Women Vote," and the former director of elections for the city and county of Denver, Colorado.

She is an experienced election professional and is nationally recognized as an innovator and has proven that designing pro-voter policies, voter-centric processes, and implementing technical innovations will improve the voting experience.

With her leadership, Denver Elections earned national and international recognition from the U.S. Election Assistance Commission,

Election Center, and National Association of Counties, and the International Center for Parliamentary Studies for Ballot TRACE, a first-in-the-Nation ballot tracking, reporting, and communication engine, and eSign, a digital petition circulation application that makes the ballot access process more efficient.

She was recognized in 2018 as the top public official of the year by *Governing* magazine for her transformational work to improve the voting experience in Denver and across Colorado. And, recently, she was recognized as one of the top 25 most powerful women in business in Colorado.

She serves on the advisory board for the MIT Election Data and Science Lab and on other boards and organizations. She has a master of science from the London School of Economics in political science and a bachelor of arts from the University of Illinois at Champaign-Urbana.

Amber, thank you so much for being here.

We would also like to recognize Ms. Vanita Gupta, who is president and CEO of the Leadership Conference on Civil and Human Rights.

She has been working to advance civil rights her entire career. Before joining the Leadership Conference in June of 2017, Ms. Gupta served as Acting Assistant Attorney General and head of the U.S. Department of Justice's Civil Rights Division. Appointed in October 2014 by President Barack Obama as the chief civil rights prosecutor for the United States, she oversaw a wide range of criminal and civil enforcement efforts to ensure equal justice and protect equal opportunity for all during one of the most consequential periods for the division.

Under her leadership, the division did critical work in a number of areas, including advancing constitutional policing and criminal justice reform, prosecuting hate crimes and human trafficking, promoting disability rights, protecting the rights of LGBTQ individuals, ensuring voting rights for all, and combating discrimination in education, housing, employment, lending, and religious exercise.

Prior to joining the Justice Department, Ms. Gupta served as deputy legal director and director of the Center for Justice at the American Civil Liberties Union. She joined the ACLU in 2006 as a staff attorney. She began her legal career at the NAACP Legal Defense and Education Fund.

She graduated magna cum laude from Yale University and received her law degree from the New York University School of Law, where she later taught civil rights litigation at their clinic for several years.

And we welcome you.

And, finally but not least, Commissioner Donald Palmer was confirmed to the EAC in 2019. He is a former Bipartisan Policy Center fellow, where he provided testimony to State legislatures on election administration and voting reforms concerning election modernization.

Commissioner Palmer was appointed secretary of the Virginia Board of Elections by former Virginia Governor Bob McDonnell in 2011 and served as the Commonwealth's chief election officer until 2014. He formerly served as the Florida Department of State's director of elections.

Prior to his work in election administration, he served as a trial attorney with the Voting Rights Section of the Department of Justice's Civil Rights Division. He was a U.S. Navy intelligence officer and judge advocate general, and he was awarded the Navy Meritorious Service Medal, the Navy Commendation Medal, and the Joint Service Commendation Medal.

And we welcome you, Commissioner, and all of the witnesses.

And I would remind the witnesses that your full statements will be submitted to the record, and we would like you to address us for about five minutes, summarizing your testimony, and then we will go to members for questioning.

So, first, we will turn to you, Secretary Padilla. Thank you so much for being here with us.

STATEMENTS OF THE HONORABLE ALEX PADILLA, SECRETARY OF STATE, STATE OF CALIFORNIA; JULIE WISE, KING COUNTY DIRECTOR OF ELECTIONS, STATE OF WASHINGTON; AMBER MCREYNOLDS, CHIEF EXECUTIVE OFFICER, NATIONAL VOTE AT HOME INSTITUTE; VANITA GUPTA, PRESIDENT AND CHIEF EXECUTIVE OFFICER, LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS; AND THE HONORABLE DONALD L. PALMER, COMMISSIONER, U.S. ELECTION ASSISTANCE COMMISSION

STATEMENT OF THE HONORABLE ALEX PADILLA

Mr. PADILLA. Well, thank you, Chairperson Lofgren, Ranking Member Davis, and members of the Committee, for the opportunity to address you today.

I want to talk about the two greatest threats to a free, fair, and safe election this November: the COVID-19 pandemic and election disinformation.

California held its primary on March 3 of this year, and our first COVID-19 emergency declaration was issued the very next day. We soon began to hear from local officials that many of the polling places and poll workers that we were depending on for the November election were backing out. And as we listened to Federal and State health officials, it quickly became clear that we would need to modify how we administer the general election if we were to keep the election accessible, secure, and safe.

The California voters will not have to choose between exercising their right to vote and protecting their health, so we are expanding vote-by-mail while working to maintain safe, in-person voting options for voters who need it. California is well-positioned. Vote-by-mail has grown from 25 percent of ballots cast about 20 years ago to 72 percent in this year's primary.

So my office convened stakeholders to identify potential challenges and to develop solutions. Our recommended plan, adopted by the Governor and our State legislature, includes the following:

County elections officials will send every active registered voter a vote-by-mail ballot.

We are expanding our ballot tracking tool statewide, where voters can sign up to receive notifications by email, by text message, or a phone call on the status of their ballot through the Postal Service, both on its way to the voter and on its way back to the

county, including a final alert when their ballot has been received and when the ballot has been counted. More than 600,000 California voters have already signed up.

We are extending our postmark-plus-3 policy to postmark-plus-17.

And we have set alternative minimum in-person voting requirements for counties that are struggling to maintain the pre-pandemic number of in-person voting locations. So counties may consolidate polling places to one location for every 10,000 registered voters, but they must be open for a minimum of four days leading up to and including election day.

These counties must also provide a minimum of one ballot drop-off location for every 15,000 registered voters starting 28 days before election day.

And, of course, we are working with public health officials to craft the health and safety guidelines for in-person voting locations.

Now, these measures require resources. Thanks to the recent HAVA and CARES Act appropriations and significant State appropriations, California is in an okay position, but other States can't say the same. Many States have not received State funding, and many States that have held their primary elections during this pandemic have expended most, if not all, of their CARES Act funds. So I respectfully urge you to appropriate more funding for elections as soon as possible.

The other threat I mentioned is election disinformation. Baseless attacks on the integrity of our elections pose a serious danger to the health of our citizens and our democracy. Disinformation, amplified and often initiated by President Trump, about vote-by-mail, ballot drop boxes, and more undermines public confidence.

Numerous reports and court decisions have found that voter fraud is rare and isolated. To quote U.S. District Court Judge Julie Robinson of Kansas, "The rare known cases of voter fraud were not the tip of the iceberg. There is no iceberg, only an icicle, largely created by confusion and administrative error."

And, earlier this week, the FBI said they have no information or intelligence that any nation-state threat actor is engaging in activity to undermine any part of the mail-in vote or ballots.

I also have to say I am deeply concerned about the Postal Service. The ability of the USPS to effectively handle the surge of vote-by-mail will rely on close collaboration with State and local election officials, the approval of overtime and expansion of their workforce, and expanding mail-sorting capacity and the number of mailboxes. California is prepared, but we do not control the Postal Service. We need your help to ensure a healthy USPS.

Together, these threats pose unprecedented dangers to elections officials and to voters. To protect our democracy, State and local elections officials must act now. California provides a template, but we need Congress to provide the resources to ensure an accessible, secure, and safe election.

Thank you.

[The statement of Mr. Padilla follows:]

United States House of Representatives — Committee on House Administration
 “Voting Safely in a Pandemic”
 California Secretary of State Alex Padilla
 Friday August 28, 2020

TESTIMONY

Good morning and thank you Chairwoman Lofgren, ranking member Davis, and members of the committee for the opportunity to speak to you today.

Thank you for convening this hearing to discuss how our elections system is responding to the pandemic. There is no more important topic today than the health of our democracy.

Even before COVID-19, the 2020 election cycle was expected to be an enormous challenge. We were preparing to defend against cyber threats and misinformation, while serving a record number of voters, and even responding to the effects of climate change. In California, wildfire season has extended into late October and November and high wind events have led to regional, proactive power shutoffs.

In my testimony today I will describe the impact of the pandemic on our state's approach to administering the election. I will describe California's plan for a safe, secure and accessible election which focuses strengthening our laws, increasing public education efforts, combating misinformation, providing clear health and safety guidance, and building partnerships across sectors. Lastly, I will give my observations and recommendations about the institution whose well-being is directly tied to the well-being of our democracy – the United States Postal Service.

California held its primary on March 3rd and on March 4th our first statewide emergency declaration due to COVID-19 was issued. It quickly became clear that the pandemic would have a lasting impact. We began to hear from our county elections officials that polling place hosts and poll workers that were confirmed for November were backing out in droves.

In our March primary, schools comprised roughly one-third of voting locations. Nearly 200 polling places were in senior care facilities and another 440 were in private residences. Understandably, these types of locations will no longer meet public health guidelines. Polling places will need to be larger, to accommodate socially distanced voting booths. Most poll workers fall within the vulnerable age groups for COVID-19. A national survey of 2018 poll workers found 58% were over the age of 60. We are now in the midst of a statewide effort to recruit a whole new generation of poll workers.

I made a decision early on that to ensure voters would not have to choose between their health and exercising their right vote. California would not only expand vote-by-mail, but also maintain safe and healthy in-person voting options. In-person voting locations are important for voters to receive language assistance, use accessible voting machines, register to vote, or receive a replacement ballot.

For decades, California has been moving in the direction of more vote-by-mail. Since 1979, California has authorized “no excuse” vote-by-mail. In 2002 we allowed voters to sign up as

permanent vote-by-mail voters. In the 18 years since, vote-by-mail grew from 27% of all ballots cast to 72% in our March 2020 Presidential Primary. We knew California would be well positioned to expand vote-by-mail, but we also recognized there would still be challenges.

My office convened a working group of civil rights organizations, community groups, researchers, policymakers and local elections officials to identify challenges that required solutions. After a month of near daily meetings, we arrived at a set of policy recommendations. I am thankful for the partnership we have with our State Legislature and Governor Newsom who took swift action to issue two executive orders and two pieces of urgency legislation to implement the policy proposals developed by our working group.

As a result, California is making the following changes for the November 3, 2020 Presidential General Election that will apply to every county in California:

- Elections officials will send every active, registered voter a vote-by-mail ballot beginning no later than October 5th.
- Our “Where’s My Ballot” tracking program has expanded statewide. Voters can sign up to receive email, text or voicemail notifications in 10 languages. Voters are informed of when their ballot is on its way to them from the elections official, when the returned ballot is received by the elections official and if there is an issue requiring a resolution. The program also provides data in real time allowing us to immediately identify any slow downs in mail service.
- We authorized vote-by-mail ballots, postmarked on or before election day, to be processed if they arrive up to 17 days following election day. This is still well within the 30-day window counties have to finish their vote count and auditing duties.
- Vote-by-mail ballots are allowed to be processed, beginning on the 28th day before the election. This permits counties to verify voter eligibility earlier so that ballot results can be released sooner after the close of the polls at 8:00 p.m. on election day.

We also established an alternative model for in-person voting for counties that cannot maintain the same level of in-person voting locations they had in our March primary:

- Counties may consolidate polling locations up to one location for every 10,000 registered voters. In prior elections, the maximum consolidation was one location for every 6,000 registered voters.
- Consolidated polling locations must be open, at a minimum, for 8 hours per day beginning the Saturday before the Election and from 7:00 a.m. To 8:00 p.m. on election day.
- Counties must provide one ballot drop off location for every 15,000 registered voters starting the 28th day before the election.
- Require counties to solicit public comment for a period of 10 days on the proposed locations of consolidated polling locations and ballot drop off locations.
- Require each county to conduct a voter education and outreach campaign.

This alternative model is not new to California, in fact it is based on our Voter’s Choice Act which features a vote center election model. This law was inspired by our neighbors in Oregon,

Washington, Nevada, Utah and Colorado who were offering expanded vote-by-mail options or more early, in-person voting or both. The Voter's Choice Act has already been adopted by 15 of our counties, representing half of our registered voter population. Our experience with the Voter's Choice Act has prepared us to assist all of our counties as they adjust to the changes to election administration for November.

For the November 2020 election, even with our decades long experience with vote-by-mail and, more recently, vote centers, educating the public about the changes to our elections was a key recommendation from our working group. Our state legislature and Governor appropriated \$35 million for my office to conduct a statewide voter education campaign. We are also dedicating \$12 million of our CARES Act funds for counties to conduct their local public education efforts.

Our funded public education effort will build upon our Vote Safe campaign which we launched in July. Our Vote Safe campaign aims to:

- Encourage voters who can, to vote-by-mail or vote early in-person. This will help minimize crowds at polling places on election day.
- Educate first time vote-by-mail voters about each step of the vote-by-mail ballot process.
- Encourage all registered voters to sign up for our "Where's My Ballot?" ballot tracking tool.
- Ensure that all communications, outreach and advertising is culturally and linguistically competent and responsive to our diverse electorate. California offers elections materials in 27 languages as required by federal and state law.
- Ensure voters understand that voting-by-mail is safe, secure and that state and county election officials are taking the necessary steps to ensure in-person voting is also safe and available for those voters who need in-person services.

The state funding will significantly amplify our reach to voters through advertising, but we are also making direct contact to voters through email. Our voter registration database contains nearly 7 million emails which we are using to inform voters of the changes as well as the tools available to them. The emails have been highly successful, for example an email we sent in July reminding voters to check their voter registration information led to over 200,000 voters verifying their voter registration in the first 24 hours.

We are also leaning into our Democracy at Work program which partners with public and private entities to promote voter registration and voting to their employees and customers. This year we are expanding the partnership to include poll worker and voting location recruitment. Our partners range from healthcare providers to charities, to technology companies and sports teams. We have had a tremendous response from California's major and minor league sports teams who are stepping up and engaging their fans and employees. You may have recently seen that the Los Angeles Dodgers became the first Major League Baseball team in the nation to host a voting location. Go Dodgers!

We recognize that different voters may experience the changes to this election differently. For example, college students in California will be remotely learning and many no longer living on or near campus. This means they may have temporarily moved back with their parents or moved altogether since March. Several years ago, we established MOU's with each segment of higher education; the University of California, California State University, California Community Colleges, and private institutions. We partner with each system to communicate directly to

students via emails from the administration or information posted to student portals. We will continue to expand these types of partnerships with entities that serve voters who will most be affected by the changes to the election.

Public and private partnerships are important for elections officials to augment their capacity, but funding is critical for us to succeed. I want to thank you for the recent appropriations of election funding from the Help American Vote Act (HAVA) and the Coronavirus Aid, Relief, and Economic Security (CARES) Act. We will be using these funds to ensure our county elections officials will have the equipment, technology, materials, staffing, training, facilities, and personal protective equipment (PPE) to administer a safe and secure election.

Given the supply challenges we saw with PPE during the early days of the pandemic, my office took a more centralized approach to procurement. In July, we surveyed our 58 counties to understand their PPE needs. We coordinated with our State Department of General Services for bulk purchases. We are now utilizing our State Office of Emergency Services to deliver the PPE directly to each county. Federal funding is critical so that all states can have sufficient supplies to protect election workers and voters.

California has been fortunate to have the support of our state legislature and Governor. Prior to COVID-19 we secured \$450 million in state funding to modernize each of our county's voting systems. I am pleased to announce that this year every county in California is using new voting equipment that meets our state's latest and strictest standards for security and access. This investment in new equipment put us in a better position to implement the changes needed for the General Election.

Unfortunately, my colleagues in other states have not had this level of coordination and support. Many have not received additional state funding and states that held their primaries during the pandemic have expended most, if not all, of their CARES Act funds. Elections are already historically underfunded, and now is not the time to continue that trend. To ensure we have a free, fair, and safe election, states and local jurisdictions need funding now to address staffing, equipment, material, facility, and PPE needs. I urge you to appropriate more funding for elections as soon as possible.

We will be using a significant portions of our CARES Act funds to implement new health and safety guidelines for in-person voting. The guidelines were developed in partnership with our State Department of Public Health and using guidance issued by the US Center for Disease Control and the US Election Assistance Commission. I have submitted our full guidance along with my testimony, but I would like to highlight some top line recommendations for elections officials:

- Redesign of worksites so that all workstations, voting stations, check-in stations and other stopping points are separated by at least six feet.
- Adding partitions and visual cues—such as floor markings, colored tape, or signs—to remind workers and voters and guide them to maintain appropriate distancing.
- Where physical distancing cannot be maintained, consideration of acrylic, plexiglass or other physical barriers that separate airspace. This may be a viable strategy to ensure capacity of voting stations and check-in stations in voting locations with limited space.

- Sanitizing and deep cleaning of voting locations before, during and after the November 3, 2020 General Election.

In addition to recommendations, we are requiring counties to:

- Provide protective equipment to county elections employees and elections workers.
- Make disposable face coverings and hand sanitizer available to voters and observers who arrive without them.

Our guidance also address the how to respond to people who refuse or cannot wear a face covering. We advise that those voters should be asked to use a voting station with additional physical distancing to protect the safety of all voters and poll workers. We are concerned about the rise in violent incidents around facial covering requirements. We will not be requiring voters to wear facial coverings, but we are preparing more detailed guidance and training for elections officials to deescalate tense situations. Ample training of poll workers is critical to a smooth and successful election. We will continue to engage counties on this topic to ensure they have the resources and guidance they need.

Unfortunately, COVID-19 is not the only virus elections officials are up against. The increasing volume of misinformation about how, when and where to vote will have an enormously detrimental effect not only on our response to the pandemic but to the future of our democracy. I am proud to say that California is leading the way in combating these attacks. In 2018, my office launched the "Vote Sure" campaign to monitor and counter election misinformation. Specifically, misinformation related to the time, place, and manner of voting. The campaign was a success in the midterms and was recognized by the National Association of Secretaries of State with their 2020 IDEAS (Innovation, Dedication, Excellence and Achievement in Service) Award. This year election misinformation already appears much more widespread and focused on discrediting the very means elections officials are using to protect voters.

Widespread attacks, fueled by President Trump, on the integrity of vote-by-mail and ballot drop boxes seek to undermine public confidence in our elections. This misinformation is baseless and is easily disproved by numerous reports and studies that voter fraud and vote-by-mail fraud is rare and isolated. A recent study by MIT Professor Charles Stewart II and Amber McReynolds CEO of the National Vote at Home Institute and a one of your witnesses today, found that vote-by-mail fraud accounted for 0.00006% of all ballots cast over a 20 year period. In California's 2008 Presidential Elections, which still holds the modern record for turnout, 41% of eligible voters did not cast a ballot. Our democracy has a voter participation problem, not a voter fraud problem. Nonetheless, California is prepared to counter any and all misinformation and defend the integrity of tens of thousands of county employees and poll workers who administer our elections.

I am deeply concerned about recent changes to the US Postal Service. On August 10th I wrote Postmaster General DeJoy expressing my opposition to the sweeping policy changes he had announced, especially this close to an election. Here is why that is important: In less than 3 weeks, ballots will begin to be mailed out to military and overseas voters, the very people defending our democracy. We must be ramping up USPS resources, not eliminating them. While the Postmaster General stated that he would suspend those changes, he has so far refused to take any steps to undo the damage already done.

I urge the US Postal Service to put back online each mail sorting machine and to put back each mailbox that has been removed since the start of the pandemic. Instead of making hasty decisions that will hurt voters, I recommend that the USPS share the best practices that states like California have learned over the years working side by side with postal workers and letter carriers.

California elections officials have developed strong relationships and established coordinated procedures with Postal Service leaders to ensure every vote-by-mail ballot is mailed and returned in a timely manner. My office currently meets weekly with Postal Service representatives to identify, discuss and resolve issues. These dedicated Postal Service professionals understand the importance and urgency of election mail.

We rely on U.S. Postal Mailpiece Design Analysts to review and approve the design of vote-by-mail envelopes and other election materials in order to ensure machine comparability and seamless delivery. Our county elections officials use the postal service's Official Election Mail Logo, allowing postal workers and carriers to easily recognize vote-by-mail ballots as essential election mail. We work with the postal service to inform each mail plant of the vote-by-mail period and examples of what local vote-by-mail ballot envelopes look like to ensure they are given priority and processed in a timely manner.

We train our staff and county election officials to report problems through dedicated web portal to ensure the U.S. Postal Service has real-time, awareness of any problems. During the vote-by-mail period, postal workers conduct daily sweeps of processing areas and require staff to certify that no unprocessed ballot mail remains. And this fall, for the first time, every county in California will offer a ballot tracking service for voters, an effort that requires continued coordination with our postal representatives and election officials to implement the use of Intelligent Mail Barcodes. A focus on engaging states that are expanding access to vote-by-mail and assisting them to adopt these best practices will benefit citizens far more than the disastrous changes implemented by DeJoy that threaten voters' ability to participate in the November election.

California provides each vote-by-mail voter with postage prepaid return envelope using Business Reply Mail, which is first class mail. Additionally, the changes we made for November such as extending our law to allow ballots to be postmarked by Election Day and count if they arrive within 17 days as well as providing ample numbers of ballot drop off locations are important protections against USPS changes. However, election officials must remain vigilant. This is why on August 21, I toured the largest USPS mailing plant in the US. I would like to share with you my observations.

While important physical distancing and other health and safety measures have been implemented, COVID-19 has had a significant impact on the postal service workforce, forcing many employees to miss time. I was told this USPS facility is trying to quickly hire and train hundreds of new employees in an effort to meet mail processing needs.

I was also told there has been a significant decrease in letter volume and a significant increase in parcel volume since the beginning of the pandemic. While some of the adjustments made to accommodate the increase in parcel processing and delivery might make sense short term, the volume of letter mail will significantly increase in late September and October with the delivery of ballots (both to voters and from voters back to their county elections office), State and County Voter Information Guides, and political mail from candidates and campaigns.

Before the COVID-19 pandemic, this processing facility routinely handled approximately 5 million letters. During COVID, the figure is closer to 3 million. While not every voter in Los Angeles County receives their mail from this facility, it does serve more than half of Los Angeles County households. The addition of millions of ballots and elections materials in the course of just a couple of days represents a significant increase in volume for a short window of time.

The ability for the USPS to effectively respond to the surge of vote-by-mail in late September through early November will rely on:

- Working closely with state and local election officials to disseminate best practices
- Approval of overtime for current employees
- Expanding the workforce
- Expanding mail sorting capacity
- Increasing the number of mail boxes

California has done our best to adjust our laws and prepare elections officials for more vote-by-mail, but we do not control how that mail will be delivered. We need your help to ensure a healthy and strong USPS. Any reductions in postal service during a national public health crisis and an election year are unconscionable. It is hard to see the changes at the Postal Service as as cynical political strategy that attacks on a key pillar of American society.

The pandemic and the attacks on the integrity of our elections and our postal service by the current President of the United States pose unprecedented dangers to elections officials and voters. To protect our democracy from these threats, states and local elections officials must act now and California provides a template for action. This body can provide the necessary resources to ensure a safe and secure election. Lastly, Congress must hold President Trump and the Postmaster General to account for their deliberate and reckless assault on voting rights. We must protect our democracy and our elections at all costs – we cannot fail our fellow Americans.

Thank you.

The CHAIRPERSON. Thank you very much, Secretary Padilla.
And now I would like to ask Ms. Wise if you would give your testimony for about five minutes.

STATEMENT OF JULIE WISE

Ms. WISE. Good morning, Chairperson Lofgren, Ranking Member Davis, and members of the Committee. Thank you for the invitation to testify before you today.

My name is Julie Wise, and I am the director of elections for King County, Washington. King County is made up of 39 cities, ranging from Seattle to suburbs, small towns, and rural communities like where I live, on a farm at the base of Mount Rainier. We are home to the most diverse ZIP Code in the country as well as multibillion-dollar tech companies, farmers, artists, and small businesses. Most importantly, from my perspective, we are home to 1.4 million registered voters who care deeply about their community.

I have been working elections for 20 years. I have overseen polling places, the transition to all-mail, and now manage elections for one of the largest vote-by-mail counties in the country.

I would like to start this morning by addressing some misinformation about vote-by-mail that has been circulating of late.

First, voting by mail is secure. Before we moved to vote-by-mail, we managed 8,000 poll workers across as many as 700 polling locations. Now, we process every single ballot at one location, our secure headquarters. Not only does this limit risk, it means I can directly oversee the entire operation. It means we can track and reconcile every ballot. And it means the public and observers have complete transparency. All of our elections staff are highly trained paid employees who swear to uphold the sanctity of the election.

Second, voter fraud is almost nonexistent. While we have seen many claims, often fueled by speculation and little evidence, the reality is that we have many safeguards to prevent fraud. We ensure accurate voter rolls by working with other States, the Department of Licensing, USPS, and the Social Security Administration.

In King County and Washington State, cases of suspected fraud are incredibly low. In 2016, King County elections referred 17 cases of potential voter fraud to our prosecuting attorney, and that is out of a million ballots cast, compared across 30 States, for a rate of just 100,000th of a percent.

Third, the United States Postal Service is essential to democracy, and I have found recent reports of removing mailboxes and lagging delivery times incredibly troubling.

What I can tell you about our experience in Washington is that we benefit from a decades-old relationship with our Postal Service partners, whom we meet with regularly and daily during an election. The good news is that, in our August primary election, we saw normal delivery times for both our outgoing and inbound ballots.

However, let me be clear: I view any threat to the Postal Service as an attack on our community's right to vote. I will be closely monitoring changes and continuing to meet with USPS to make sure we stay in front of any issues ahead of November.

I also know there has been speculation that ballot drop boxes aren't secure. Constructed of half-inch-thick steel and weighing in

over 1,000 pounds, I can assure you that our 70-plus boxes are safe. We even had one hit by a school bus, and I can attest that the box and its contents were just fine. The school bus? Not so much.

Over half of our voters use a drop box to return their ballot. They are emptied daily during the voting period by trained staff in teams of two, complete with a comprehensive set of security procedures.

Finally, vote-by-mail removes barriers. I believe that my job is not only to conduct accurate elections but also to remove barriers to voting. From creating a first-in-the-Nation partnership to provide community grants for voter education, to adding service in new languages, to partnering with the Seattle Seahawks, we have found new ways to engage voters.

And we have seen the results: King County reached 76-percent turnout in the 2018 midterm election and nearly 60 this year for our primaries. In fact, this fall, we are projecting a 90-percent turnout.

Of course, we live in a different world now than we did just 6 months ago, and I am doing a number of things to make sure we are ready for the upcoming Presidential election in light of COVID-19.

I want to underscore how critical the grant dollars were that we received through the CARES Act. While King County may be well-positioned to handle an election during a pandemic, there has been a lot to do to make sure that our voters and staff are safe. We have set up drive-through vote centers, installed partitions and plexiglass, and implemented temperature checks. CARES dollars have ensured that our voters can make their voice heard safely and our staff don't have to risk their lives to help make democracy happen.

Over the last several months, my office has gotten inquiries from across the country about how to do vote-by-mail. The reality is that every jurisdiction already does some form of vote-by-mail. That is what absentee voting is.

The challenge for these jurisdictions is how to expand their ability to handle a whole lot more mail ballots. First, they need resources to expand their existing operations and to communicate with their voters.

Beyond that, my main piece of advice is that we all need to start resetting expectations about results on election night. We are not going to know final results, and that is okay. To process ballots accurately takes time. We need to make sure jurisdictions have the time and space without having the election's validity questioned.

Thank you again for inviting me here today.

[The statement of Ms. Wise follows:]



Testimony

Committee on House Administration Hearing on Voting Safety During a Pandemic

August 28, 2020

Good Morning Chairwoman Lofgren, Ranking Member Davis, and members of the committee. Thank you so much for the invitation to testify before you today.

My name is Julie Wise and I'm the Director of Elections for King County, Washington. King County is made up of 39 cities – ranging from our largest and the one you're probably most familiar with, Seattle, to suburbs, small towns, rural communities. I myself live on a small farm of about 10 acres, 10 miles outside of the nearest town of 12,000 and grew up in the small town of Enumclaw, about an hour southeast of Seattle in the shadow of Mount Rainier.

In King County, we have the most diverse zip code in the country and hear more than 170 languages spoken in our region. We are the home to tech companies, as well as farmers, artists and small businesses – and, most importantly from my perspective, nearly 1.4 million registered voters who care deeply about their community. I take the responsibility of ensuring that all their voices are heard very seriously – it's the duty that I've dedicated my life and my career to.

I've been an election administrator for twenty years and have worked on every single part of the process, both before and after we moved to vote-by-mail in 2009. That means I've worked polling places, worked the transition from predominantly in-person voting to vote-by-mail, and now manage elections for the largest vote-by-mail county in the country.

I'd like to start this morning by addressing some misinformation about vote-by-mail that's been circulating of late.

First, voting by mail is secure. Before we moved to vote-by-mail, we were often managing as many as 8,000 poll workers across as many as 600 polling places. Now, we process every single ballot at one location, our secure headquarters. Not only does this limit risk, it means I can directly oversee the entire operation. It means we can track and reconcile where every ballot is in the process. And it means the public and official party observers have complete transparency. All of our elections staff are highly trained, paid employees who swear an oath to uphold the sanctity of the election.



We protect our operation with multiple layers of both physical and cybersecurity. Our facility includes both keycard and biometric controls; we have more than 50 security cameras; and we live stream our operations whenever we are processing ballots.

Second, voter fraud is almost non-existent. While we've seen lots of claims, often fueled by speculation and with little evidence, the reality is that we have many safeguards to prevent fraud in vote-by-mail systems. We ensure accurate voter rolls by working with other states through ERIC – the Electronic Registration Information Center – as well as working closely with the Department of Licensing, USPS, and the Social Security Administration. Our team even regularly checks obituaries.

In King County and Washington State, cases of suspected fraud are incredibly low. In 2016, King County Elections referred 17 cases of potential voter fraud to our Prosecuting Attorney's Office. That's 17 cases out of over one million ballots cast comparing data with 30 other states. That's a fraud rate of 0.00001%. The numbers from 2018 are very similar – we are currently in the final stages of investigating 29 cases out of 980,000 returned ballots. All of those cases appear to be voters who cast a ballot in two states, none are instances of a ballot cast for a deceased voter.

Third, the United States Postal Service is absolutely essential to democracy in a vote-by-mail system and I've found recent reports of removing mailboxes and lagging delivery times incredibly troubling.

What I can tell you about our experience in Washington is that we benefit from a decade-old relationship with our postal service partners. We meet regularly with the region's USPS team and coordinate on everything from mail pick up schedules to envelope design, making sure that every step of the way our ballots will travel through the mail stream quickly and reach their destination safely.

The good news is that in our August 4th Primary election, we saw normal delivery times for both our outgoing and inbound ballots. However, we view any threat to the postal service as an attack on our community's right to vote. I will be closely monitoring changes, meeting with USPS and our print and mail vendor to make sure we stay ahead of any issues ahead of the November 3rd election.

I know there has been speculation that ballot drop boxes aren't secure. Specially constructed of half inch thick steel, and weighing in at over 1,000 pounds, I can assure you that our 70 plus boxes are a safe



and convenient way for voters to return their ballots. We even had one once hit by a school bus, and I can attest that the box, and its contents, were just fine. The school bus fared less well.

In King County, we have a drop box within a 3-mile radius of 96% of our registered voters. And in recent elections over half of our voters have used a drop box to return their ballot. They are emptied daily during the voting period, by trained staff in teams of two, complete with a comprehensive set of security procedures. Boxes are closed at 8 p.m. sharp on Election Day – not a minute later.

Finally, vote-by-mail removes barriers. I believe that my job is not only to conduct transparent and accurate elections, but also to remove barriers to voting. From creating a first-in-the-nation partnership with a local philanthropic organization to provide community grants for voter outreach and education to adding service in new languages to partnering with the Seattle Seahawks to provide in-person voting opportunities, we've found ways to increase engagement and leverage our vote-by-mail system.

And we've seen results. King County reached 76% turnout in the 2018 midterm, and we have regularly eclipsed 50% in recent primary and local elections. This fall we're projecting 90% turnout, which is something I believe we could only accomplish with vote-by-mail. We hear from voters in every election about how grateful they are to be able to vote in such an easy, convenient, safe, and secure manner. They might miss the community of the polls, but boy do they prefer sitting down with their coffee and voters' pamphlet to mark their ballot.

Of course, we live in a different world now than we did just six months ago. And I am doing a number of things to make sure we are ready for the upcoming Presidential Election in light of COVID-19.

First, I want to underscore how critical the grant dollars we received through the CARES Act were. While we may just be the best set-up jurisdiction in the country to handle an election during a pandemic, there has been a lot to do to make sure that our voters and staff can stay safe and healthy while exercising their right to vote. We have set-up curbside and drive-thru vote centers and even opened for in-person service at the Seahawks Century Link Field.

Ballots must also still be processed in-person, on-site. Our ballot processing floor looks very different today than it did six months ago. Stations have been spread out and moved around to ensure proper distancing, partitions installed when six feet just isn't possible, face masks and shields and other PPE have been provided for all staff, there's more hand sanitizer on-site than we could have dreamed about before. Our staff are temperature checked when they arrive for work and we have worked out contingency plans for in case there is an outbreak among ballot processing staff. We just had 200+



people in the building to process ballots from our August 4th Primary and I'm proud to report that we have not had a single reported case among our staff due to these precautions and a staff team who is taking their health and public health very seriously.

CARES dollars have allowed us to make all of these necessary changes to ensure that our voters can make their voice heard safely and our staff don't have to risk their lives to help make democracy happen.

Another change we're making, in light of concerns around USPS, is adding an Intelligent Mail Barcode to our return ballots so we can see where each and every ballot is in the mail stream. We already do that level of tracking for our outgoing ballots and now will be doing so for returned ballots as well. So when a voter calls and says "I stuck my ballot in the mail a week ago but I don't see it on the ballot tracker" – a key tool we make available for our voters to track their ballots through the process – we will be able to investigate and see when and if it was processed by USPS and when it is expected to be in our hands at Elections headquarters.

And we are pushing our voters more than ever to return their ballots early for this election. Early voting not only means that voters can avoid that last-minute rush on Election Day, it also helps with our workflow and helps us provide a clearer picture of results on Election Night and in the days following. The more ballots we have back early, the more will be included when we publish initial results after 8 p.m. on Election Day. It also means that our voters won't be in danger of missing the 8 p.m. deadline because they got caught at a red light or ended up having to work later than expected that Tuesday in November. Our message to them is 'rest easy on Election Day knowing that your vote is counted, and your voice heard.'

Over the last several months, my office has received dozens of calls and emails from other jurisdictions across the country about how to do vote-by-mail and do it well. The reality is that every jurisdiction already does some form of vote-by-mail – that's what absentee voting is. The challenge for these jurisdictions is how to expand their ability to handle a lot more mail ballots.

My first piece of advice is that everyone from voters to the media to campaigns need to be prepared that there will not be final results on Election Night and that's okay. To process mailed ballots in a secure way, it takes some time. In King County, it takes a day or two depending on volume for a ballot to move through the complete process from being marked as received to having the signature verified to being opened to being scanned for tabulation. Time is necessary for the checks, double checks, and



triple checks that make vote-by-mail secure. We need to make sure these jurisdictions have the time and space necessary to count those ballots, without having the election's validity being questioned.

If possible, jurisdictions should also consider expanding drop box or drop-off options for voters to return their ballots. This allows for more ballots to be back in the hands of election officials on Election Day or in the days before, relieving some pressure on those critical days following Election Day, as well as providing voters with options and can help clear up any confusion about WHEN to mail a ballot back as some jurisdictions require the on-time postmark and others require the ballot to be received by Election Day.

Finally, it is key to work with partners, stakeholders, community groups, and more to get the message out to voters about what the rules and deadline are, how to return their ballot, and to get their ballot returned early. Getting important information into the hands of voters is critical to ensuring that all eligible voters can exercise their right to vote.

Of course, all of these efforts require resources. And while I'm lucky to oversee elections in a jurisdiction that is already set-up for success, I hear regularly even from other Washington State counties that they need resources to make sure voting is safe and accessible. If I had additional resources available I would be channeling those into PSAs to help address some of the misconceptions and misinformation I noted above. Thank you again for inviting me here today to share my perspective and experience in vote-by-mail elections. I am happy to answer questions.

The CHAIRPERSON. Thank you very, very much.
We now will hear from Ms. McReynolds for about five minutes.

STATEMENT OF AMBER MCREYNOLDS

Ms. MCREYNOLDS. Good morning, Chairperson Lofgren and Ranking Member Davis and members of the Committee. Thank you for the opportunity to speak today.

First, I want to say congratulations to my dad really quickly. He was just sworn in to a higher court in Illinois a few days ago, and we couldn't make it. So if he is watching, congrats, Dad.

As mentioned, my experience not only is now, currently, running an organization that is supporting election officials across the country, but, formerly, I was an elections director and oversaw election processes for 13 years. And I am also an unaffiliated elector, which I will also like to highlight, in terms of my political affiliation.

The pandemic has upended all aspects of our lives, and the voting process is no different. Simply put, our democracy is essential, and we must do everything we can to be sure that our election system is ready, resilient, and secure. Election officials are working each and every day to make this happen, even in extremely challenging circumstances and often with one hand tied behind their backs due to outdated laws and a lack of funding resources.

What is clear to me during this pandemic and other challenges we have faced as a Nation is that Americans are resilient. And they deserve a voting process that is also resilient, not only from a pandemic, but from unfairness, barriers, burdens, from foreign adversaries, and from administrative deficiencies due to outdated policies that create long lines.

Voting by mail has proven to be resilient both during natural disasters and also now during the pandemic. Expanding vote-at-home options is nonpartisan and supported by leaders on both sides of the aisle.

I want to address a few key concerns that have come up recently.

As noted in a CISA report released on July 31, and I quote, "Disinformation risk to mail-in voting infrastructure processes is similar to that of in-person voting while utilizing different content. Threat actors may leverage limited understanding regarding mail-in voting to mislead and confuse the public."

Now, this report is critical at highlighting not only an issue within the security of our elections but particularly as it relates to vote-by-mail, and this includes casting doubt, without evidence, about the mail ballot process. Thus, combating disinformation and misinformation is a critical aspect of election officials' work right now.

The Postal Service operations are critical for our election processes regardless of voting method. Mail ballots are actually just one piece of how the Postal Service supports the election infrastructure. Federal and State laws have legal mandates with regards to sending voter registration information, ballot issue notices, election information, poll worker appointment letters, polling place notification cards, and other required mailings. All of these are legally required and are at risk if the Postal Service is unable to process mail effectively or experiences delays. And this is especially important during the critical time period around election day.

Some States, such as Michigan, Pennsylvania, Wisconsin, Maryland, and Minnesota, have also not updated certain election laws and processes to ensure adequate time to process mail ballots, which has caused recent delays with election results.

Local election officials and State officials have repeatedly highlighted this gap, and some State policymakers have refused to make the necessary adjustments even though they are simply operational, not partisan. States still have time to close those gaps and support election officials with their work.

Let me be clear: Election results have never been final on election night. There are specific post-election processes, including receiving and counting military ballots, processing provisional ballots, auditing the voting system, and canvassing the election results, that happen, and then certification occurs.

Additionally, many western voters are still casting ballots when the media starts to call winners in eastern States. This has been a problem for decades, and it is not new this year.

As with every part of our election system, we must be able to deter, detect, and hold bad actors accountable that try to interfere with the voting process. While voter fraud is exceedingly rare in elections regardless of method, it is still critical for election officials to detect malicious activity and for voters to report suspicious activity to appropriate authorities. Our democracy functions when every eligible voter is able to exercise their right to vote.

No system is perfect, and this is why it is critical to continually review and improve systems by enhancing security, access, and transparency. An example of a necessary improvement is ballot tracking systems or risk-limiting audits.

Democracy is the shared DNA of our communities and throughout our history. Election administration and policy must be about who votes and not who wins, and we must put voters first. Just like the Postal Service, election administration is a service and must be free from partisan politics.

[The statement of Ms. McReynolds follows:]

United States House of Representatives — Committee on House Administration
 “Voting Safely in a Pandemic”

August 28, 2020

Testimony of **Amber McReynolds**, CEO of the National Vote at Home Institute, Election Administration Expert, Author, and Former Denver, Colorado Elections Director.

Good morning Chairwoman Lofgren, ranking member Davis, and members of the committee for the Thank you for the opportunity to speak today and for convening this hearing to discuss the resiliency of our elections during this tremendously challenging period of time for all Americans.

The pandemic has upended all aspects of our lives and the voting process is no different. Simply put, our democracy is essential and we must do everything we can to ensure our election system is ready, resilient, and secure. Election officials are working each and every day to make this happen, even in extremely challenging circumstances and often with one hand tied behind their backs due to outdated laws and a lack of funding and resources. Extraordinarily long lines or other challenging circumstances that voters often face are usually the most visible symptoms of a policy or a resource issue. Election officials are on the front lines, guarding and delivering democracy for all voters in small towns and in metro areas, and it is only right that policymakers respond to their needs.

What is clear to me during this pandemic and other challenges we have faced as a nation is that Americans are resilient, and we need a voting process that is proven – resilient from a pandemic, from unfairness, from barriers, from foreign adversaries, from administrative deficiencies and from outdated policies that create challenges. We need a system that can withstand all.

The fact is the pandemic has exposed challenges in most states’ historical reliances on in-person voting on one single day that requires a large number of people and resources to manage. In too many primary states this year, the closure of polling places, poll worker shortages, long lines, and voters’ reluctance to enter crowded environments threaten the ability to vote in-person, and surges in absentee ballot requests have flooded election offices and increased administrative tasks to process, all of which, has stressed an already complicated system. It is our elected leaders’ responsibility to ensure our democracy functions and all voters have access to participate. Enabling voting at home options is one way to solve the challenges election officials and by extension, voters face during this pandemic. Voting by mail is proven, time-tested, and secure, and it dates back to the Civil War. Every single state has a vote by mail program but some are more efficient than others.

The mail ballot model puts voters first and has proven to be resilient during both natural disasters and the current pandemic. It is possible to improve the voting experience, streamline the administrative process, enhance security, all while conserving valuable resources, increasing turnout, and thus increasing trust in government. Voters have been voting this way at home safely and securely for decades in many states. From Utah, to Colorado, Washington, California, Oregon, Hawaii,, Vermont, Nevada, Montana, New Jersey, the District of Columbia, and other states, policymakers have acted to ensure voters have a clear range of options to vote safely and securely. ***No one should have to choose between voting and protecting their health.***

What does the vote by mail process look like?

1. **In 10 states plus DC (CA, CO, HI, MT, NJ, NV, OR, UT, VT, and WA, all as of August 2020)** voters will be mailed a ballot in advance of the election and have multiple options to return their ballot at a secure drop box, voting location, or by mailing the ballot back through the postal service. 33 million ballots were cast in 2016 nationwide and 69% of voters in western states cast their ballots by mail in 2018.

In the rest of the states, voters can request that a ballot be mailed to them. A small number of those states still require an excuse to be provided with the ballot request, and even fewer still limit options based on a voter's age.

Every state offers an option to vote from home. Whether you call it absentee, vote by mail, mail-in ballots - it means that a ballot is being sent to the voter by mail, the voter completes the ballot, and the ballot is returned. Denver Elections has an excellent web page with flowcharts and videos that demonstrates how the mail ballot process works:

<https://www.denvergov.org/content/denvergov/en/denver-elections-divison/voter-election-information/ballot-life-cycle.html>

2. **Voting at home is a safe and secure method of voting** and the process includes strong security measures that ensure the authenticity of ballots. In some states, the process includes tracking ballots from the day they are printed to the day they are processed by election officials. This is similar to tracking a package. There are also key elements built into the system that confirm validity and enable detection of interference.
3. **Accurate voter information is key**, which requires that election officials have the latest address information for each voter. Most states share information on voter movement across state lines, others directly contact voters based on mail forwarding designations, death records, motor vehicle registrations, and more to make sure voter information is accurate.
4. **Your ballot is as unique as you are:** Every voter gets a ballot with specific barcode(s) on the envelope that correspond to the individual voter and the voter's address. The ballot itself may have a removable stub with the information for the specific election, precinct style, and other variables depending on the state.
5. **Once ballots are dropped off, they go through a verification process:** During the process, election officials make sure that the voting record of each voter is marked and that the ballot envelope is verified before the ballot is counted, much like when a voter checks in at their polling location.
6. **The ballot is then extracted from the envelope.** The extraction process protects voter privacy, while maintaining the voter's identity in the barcoding process for security. Audits are

conducted at each step and these audits ensure that every eligible vote received in the designated time frame is counted.

7. **Then the ballots are transferred to the counting room** and at this point, state of the art scanning equipment counts each batch of ballots. Voter intent issues on ballots (such as stray marks) are flagged for review and resolved by election officials.
8. **Signature verification is a best practice security measure when combined with appropriate processes:** Voters sign their ballot the same way they sign other legal documents, and that signature is verified against other official signatures on record. When done according to best practices like demographically blind review, signature verification is an important security measure that leads to greater election confidence. Also voters with signature issues are given the opportunity to “cure” their ballots, meaning that they are able to directly verify the authenticity of their ballot.

Notable considerations:

1. As noted in the [CISA Report](#) released recently, “Disinformation risk to mail-in voting infrastructure and processes is similar to that of in-person voting while utilizing different content. Threat actors may leverage limited understanding regarding mail-in voting to mislead and confuse the public.”
 - a. This includes casting doubt without evidence about the mail ballot process. Thus, combatting disinformation and misinformation is a critical aspect of election officials’ work. Expanding vote-at-home options is nonpartisan and supported by leaders on both sides of the aisle.
2. Postal Service operations and modifications to processes and delivery timelines have a significant impact on our election process, regardless of voting method. Mail ballots are just one piece of how the Postal Service supports election infrastructure. Federal and state laws have legal mandates with regards to sending voter registration information, ballot issue notices, election information, poll worker appointment letters, polling place notification cards, signature cards, address update notifications, and other required mailings. All of these **legally required** mailings are at risk if the post office is not able to process mail effectively or experiences delays and this is especially important within the critical time period near election day.
3. Some states, such as MI, PA, WI, MN, MD, and AL, have not updated certain election laws and processes to ensure adequate time to process mail ballots, hence recent delays with election results. Local election officials have repeatedly highlighted this gap, and some state policymakers have not made these necessary adjustments even though they are simply operational, and not partisan. States still have time to close these holes and support election officials.
 - a. Election results have never been final on election night. There are specific post-election processes including receiving military ballots, processing provisional

ballots, auditing the voting system, and canvassing the election results that happen and then certification occurs.

4. As with every part of our election system, we must be able to detect, deter, and hold accountable any bad actor who tries to interfere with the election process or with an individual voter. While voter fraud is exceedingly rare in elections regardless of voting method, it is still critical for election officials to detect malicious activity and for voters to report suspicious activity to appropriate authorities.

Our democracy functions well when every eligible voter is able to exercise their right to vote.

Voters have already chosen to vote at home in record numbers this year. Recent data indicates that an extraordinary number of voters are choosing to vote from home this November as well. Voters — the customers of our democracy — are sending a very clear message about how they want to vote; policymakers must respond to the needs of election officials to ensure they have the resources to serve voters effectively.

No election system is perfect, and this is why it is critical to continually review and improve systems by enhancing security, access, and transparency, particularly in this unprecedented time. An example of a necessary improvement is the implementation of ballot tracking systems that provide accountability to voters about the status of their ballot and give election officials an ability to track ballots through the process. Another example is advanced auditing techniques such as risk-limiting audits. We cannot settle when the moment calls for us to do better.

Democracy is the shared DNA of our nation, to our people, to our communities. We must do everything we can to ensure that it works for all, even in this most trying time. In 2016, there was historic turnout, and yet only 60% of eligible Americans voted. Over 100 million eligible voters did not vote in 2016 and cited barriers, missing a deadline, long lines, and other conflicts as the reason. We know how to solve these challenges and we know what system changes work..

Election administration and policy must be about who votes, not who wins. And we must put voters first.

Resources:

[Vote at Home Scale Plan - March 2020](#)

[Cost Savings 2014 Pew Research Study](#)

[Research Center](#)

The CHAIRPERSON. Thank you very much.
 We will now turn to Ms. Gupta.
 And you are recognized for about five minutes.

STATEMENT OF VANITA GUPTA

Ms. GUPTA. Thank you, Chairperson Lofgren, Ranking Member Davis, and members of the Committee. Thank you for the opportunity to testify today for safe, fair, and accessible elections during the COVID-19 crisis.

The fight for American democracy requires a new urgency as the Nation grapples with a confluence of crises, from a global pandemic, to a looming economic recession that is hitting communities of color hardest, to widespread outrage about State violence against Black people. Taken together, these crises really expose how deeply racial inequality continues to permeate American life. We need strong democratic institutions and voting options free from unnecessary encumbrances now more than ever.

The Leadership Conference has been profoundly troubled by the recent operational changes within the U.S. Postal Service. Americans depend on the U.S. Postal Service for timely, affordable access to medication and daily necessities. It is also an essential service for voting amid a pandemic. Voters should not be forced to choose between their health and their fundamental right to vote, and sabotaging the U.S. Postal Service could do just that.

Our Nation has a long and troubling history of denying people of color the right to vote. Even as we commemorate the March on Washington and celebrate the 100th anniversary of women's suffrage, we remember that African-American women and women of color were not able to exercise the franchise for decades after the ratification of the 19th Amendment. And while the Voting Rights Act of 1965 offered new tools to fight blatant forms of discrimination, people of color have continued to face barriers to voting, especially after five Justices on the Supreme Court invalidated the VRA's key enforcement provisions in 2013.

Despite the best efforts of the Leadership Conference coalition to protect voting rights for vulnerable communities, voter suppression continues today to take its toll. What we have seen in this year's primary elections alone provides a dire warning of what we could expect in November without congressional action, from undelivered absentee ballots, to unreasonably long lines, to polling place closures, to undertrained staff, to disinformation campaigns that are specifically targeting voters of color.

That is why lawmakers must act now to ensure that the general election is fair, safe, and accessible and support State and local election officials that are trying to do just this.

First, it means taking immediate action to preserve the integrity of the Postal Service. The USPS is legally required to deliver mail to all postal addresses no matter how far it may have to travel or how profitable the work. The accessibility and affordability the USPS provides is crucial to seniors, people with disabilities, veterans, and rural and Tribal communities.

In response to the alarming problems at the USPS and disinformation efforts to undermine voters' confidence in voting by mail from officials in the highest offices of the land, a bipartisan

House majority passed the Delivering for America Act last weekend. This bill needs to be made into law. It would provide USPS with the \$25 billion in emergency funding and restore services. And we are really encouraged by this important step to protect the U.S. Postal Service.

However, our concerns on the upcoming election go well beyond the U.S. Postal Service. We are just over 2 months away from the 2020 general election, and States need funding to prevent a repeat of the disasters during the primaries this spring and summer. Congress must allocate the \$3.6 billion that was in the HEROES Act now for States to fully prepare for November and provide voters with a range of options to safely cast their ballot.

The Leadership Conference is pushing in States, as well, to expand online and same-day voter registration, to ensure access to no-excuse absentee ballots with prepaid postage, prohibit the requiring of notarization of witness signatures to cast an absentee ballot, automatically mail absentee ballots to all registered voters no later than 2 weeks before election day, require the counting of ballots postmarked on or before election day, and have widely available secure drop boxes.

They must expand in-person early voting and ensure that voters residing on Indian lands can vote by maintaining safe, in-person voting options and provide secure return drop boxes.

And, lastly, there is a huge urgency to provide funds to States to be able to educate voters about all of the rule changes and combat disinformation.

We are also encouraging voters to make sure they understand how to take direct action themselves by making sure they are registered, making a plan to vote early, and to sign up to be a poll worker.

For the past 70 years, the Leadership Conference coalition has fought to open the doors to our democracy. And for the next 70 days, we are going to do everything that we can in our power to push Congress to safeguard the right to vote in the critical November election.

Thank you.

[The statement of Ms. Gupta follows:]

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**STATEMENT OF VANITA GUPTA, PRESIDENT AND CEO
THE LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS**

**U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON HOUSE ADMINISTRATION
OVERSIGHT HEARING ON "VOTING SAFELY IN A PANDEMIC"**

AUGUST 28, 2020

Chairwoman Lofgren, Ranking Member Davis, and members of the Committee: Thank you for holding this timely and important oversight hearing today on voting safely during the COVID-19 crisis. My name is Vanita Gupta, and I am the president and CEO of The Leadership Conference on Civil and Human Rights.

The Leadership Conference is a coalition of more than 220 national organizations working to build an America as good as its ideals. Founded in 1950, The Leadership Conference has coordinated national advocacy efforts on behalf of every major civil rights law since 1957. As I testify here today, thousands of people are gathering to commemorate the 57th anniversary of the historic March on Washington for Jobs and Freedom, which The Leadership Conference played a key role in planning in 1963. Before joining The Leadership Conference, I served as Acting Assistant Attorney General of the Justice Department's Civil Rights Division — a division charged with enforcing our nation's federal voting laws.

In the midst of a global pandemic that has infected millions of people in this country; claimed more than 175,000 lives, disproportionately killing people of color who are especially likely to work on the frontlines; put tens of millions of people out of work; and led to the worst economic downturn that most of us have seen in our lives, one would think that right now is the worst possible time imaginable to undermine our nation's most treasured institutions and make it harder to vote. The Leadership Conference has been profoundly troubled¹ by the service and operational changes in recent months within the U.S. Postal Service (USPS), and their impact on the lives of all Americans who depend on this essential service for timely and affordable access to medications and daily necessities. We are particularly concerned about how these changes will affect the ability of the communities we represent to have their voices heard in the upcoming elections. Voters should not be forced to choose between their health and their fundamental right to vote.

The slew of recent service and operational changes at USPS threaten to have a devastating impact on communities of color that continue to bear the legacy of centuries of political and

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President & CEO
Vanita Gupta

¹ <https://civilrights.org/resource/congress-must-provide-robust-funding-for-the-united-states-postal-service/>



economic disenfranchisement. Further, President Trump's attacks on the integrity of both mail-in and in-person voting also pose grave danger to the administration of safe, fair, and accessible elections.

Our nation's troubled history of denying people of color the right to vote requires little elaboration. For nearly a century after the ratification of the 15th Amendment, African Americans were routinely denied the right to vote through Jim Crow policies, such as poll taxes and literacy tests, and extreme violence. Even as we celebrate the 100th anniversary of women's suffrage in this country, it is important to note that African-American women were not able to exercise the franchise for decades after the ratification of the 19th Amendment. While the enactment of the Voting Rights Act of 1965 offered new tools to fight the most blatant forms of discrimination, people of color have continued to face barriers to exercising their most important civil right, such as voter intimidation, felon disenfranchisement laws built on top of a system of mass incarceration, disinformation campaigns, burdensome and costly voter ID requirements, and purges from the voter rolls.

Despite the best efforts of The Leadership Conference and its many member organizations to protect voting rights and promote civic participation within communities of color, the impact of decades of overt and covert voter suppression tactics continue to take their toll. Since the U. S. Supreme Court invalidated the key enforcement provision of the Voting Rights Act in *Shelby County v. Holder* in 2013, voting discrimination has become harder to stop. In many states, counties, and cities across the country, legislators have pushed through laws designed to make it harder for people of color to vote. Over the last decade, 25 states have passed laws imposing new restrictions on voting, more than 17 million voters have been purged from the voter rolls nationwide, and more than 1,688 polling places were closed in former Section 5 jurisdictions, falling more harshly on minority communities.² In 2020, a year when communities of color have disproportionately suffered from the health and economic consequences of the COVID-19 pandemic, the outlook is even more disconcerting.

What we have seen to date in this year's primary elections provides a dire warning of what we could expect this November — unless election officials act now to ensure safe and accessible elections over the next 66 days. Machine breakdowns, unreasonably long lines, polling place closures, faulty vote-by-mail practices, and undertrained staff have persisted across the country for many years. While we acknowledge the unique circumstances posed by this pandemic, we also recognize that today's problems are a direct result of long-standing ills in election practices across the country, ills that we have never fully addressed or remedied and that were only exacerbated by the *Shelby County* decision.

All Voting is Local (AVL), a campaign of The Leadership Conference, found troubling racial disparities in voter participation as measured by provisional balloting, in-person and by-mail voting rates, and other metrics in key states:

- **Ohio:** In Ohio's April 28 primary election, there was a 33 percent provisional ballot rejection rate in Cuyahoga County, an increase from 19 percent in the 2016 general election.³ AVL's analysis

² <https://civilrights.org/democracy-diverted/>

³ https://boe.cuyahogacounty.us/pdf_boe/en-US/ElectionResults2020/amended/03172020OfficialCertificationReportAMENDED.pdf



found that areas with higher percentages of Black people had higher rates in the use of provisional ballots than areas with higher percentages of white people.

- **Wisconsin:** While overall statewide voter turnout was relatively high in the state's April elections, there were significant gaps in voter participation across racial groups in Milwaukee, with majority-white wards having an average of 49 percent voter turnout, and majority-Black and Hispanic wards having an average of about 18 percent turnout.⁴ Milwaukee voters reported hurdles and health risks while attempting to vote, including applying for absentee ballots but not receiving them, and waiting for hours to vote after officials decreased the number of polling locations to just five from 180.
- **Georgia:** An analysis of absentee ballot rejections in Chatham, Gwinnett, and Cobb Counties found that rejected ballots cast by Black voters made up a disproportionately larger share of total rejections, compared to their share of absentee ballot requests. There were similar, though usually less extreme, trends for Hispanic and Asian voters in the same counties.⁵

Nationwide, a new report by *The Washington Post* found that more than half a million mail-in ballots were rejected during primaries in 23 states this year, dwarfing the number of mail-in ballots rejected in the 2016 general election.⁶ One leading reason for ballot rejection was that many ballots were simply not returned in the mail in time. With an estimated 195 million Americans eligible to vote by mail in the general election this year, the number of rejected primary ballots — on top of the countless reports nationwide of delays in receiving other forms of mail — raises serious questions about the leadership of Postmaster General Louis DeJoy and the current Board of Governors to ready the U.S. Postal Service to handle a surge in the next two months.

The recent troubles within the U.S. Postal Service represent a shocking turn of events for what has long been the most popular federal agency in our nation. A survey last October found that 91 percent of people in our country have a favorable opinion of the agency.⁷ The USPS is legally required to deliver all mail at a flat rate to all postal addresses in all regions in our country, no matter how far it may have to travel, or how profitable the work. It has more than 31,600 retail locations and employs more than 650,000 people from diverse backgrounds that serve every rural, suburban, and urban community around the country.

Of particular interest to the communities we represent, the USPS has also been an important employer of people of color. It is one of the only federal agencies whose workforce reflects our nation's demographics. The agency is a leading employer of people of color and women, who each make up 40 percent of the workforce.⁸ Additionally, 21 percent of USPS employees are African-American, eight

⁴ <https://allvotingislocal.org/reports/covid-19-silenced-voters-in-wisconsin/>

⁵ Tierney Sneed, "A Look at the Racial Disparities In How Some Georgia Counties Are Rejecting Mail Ballots," Talking Points Memo, Aug. 24, 2020, at <https://talkingpointsmemo.com/news/georgia-absentee-ballot-rejection-disparities-gwinnett-cobb-chatham>.

⁶ Elise Viebeck, "More than 500,000 mail ballots were rejected in the primaries. That could make the difference in battleground states this fall," *Washington Post*, Aug. 23, 2020, at <https://wapo.st/32kkfP7>.

⁷ Pew Research Center, "Public Expresses Favorable Views of a Number of Federal Agencies," October 1, 2019, <https://www.people-press.org/2019/10/01/public-expresses-favorable-views-of-a-number-of-federal-agencies/>.

⁸ United States Postal Service, "Workforce Diversity and Inclusiveness," https://about.usps.com/strategic-planning/cs09/CSPO_09_087.htm



percent are Hispanic, eight percent are Asian American Pacific Islander, and .67 percent are American Indian or Alaska Native.⁹ The U.S. Postal Service is also one of the nation's largest employers of veterans, and currently employs nearly 100,000 Military members and veterans.^{10 11} U.S. Postal Service careers provide a steady stream of income and benefits to employees, serve as a vehicle for families trying to work their way out of poverty, and support the same communities that they serve.

The U.S. Postal Service's accessibility and affordability is also important to seniors, people with disabilities, and veterans who might not otherwise be able to afford the cost of a private business to deliver essential medications and daily necessities. More than half the people who have their medicine delivered at home are over the age of 65, and 54 percent of this group takes more than four different types of medication.¹² People with disabilities rely on the USPS to mail their prescriptions for similar reasons. Many of these individuals are unable to leave their homes, let alone travel to the closest pharmacy or city to pick up their prescriptions. A number of these people are veterans enrolled in the Veterans Affairs' "Meds by Mail" program, which relies on the USPS to deliver medications to their homes.¹³

Finally, the accessibility and affordability that USPS provides is vital for rural and tribal communities. Without the USPS's public service commitment to provide the "last mile" of delivery, rural and tribal communities would be excluded from mail services entirely by private companies that may not find it profitable to continue rural postal routes.

Against this backdrop, we have been deeply concerned about the financial insecurity facing the USPS, both prior to and during the COVID-19 crisis. The USPS does not receive appropriations and is dependent on the sale of postal services and products for revenue to carry out its public service mission of connecting our country. We are even more concerned by a recently leaked report confirming widespread delays in the mail, delays that were downplayed as "a dip" by Postmaster General DeJoy in a Senate Homeland Security and Governmental Affairs Committee hearing last week.¹⁴ Most of all, we are aghast that President Trump said the quiet part out loud, stating, "They need that money in order to have the post office work so it can take all of these millions and millions of ballots. If they don't get those two items, that means you can't have universal mail-in voting because they're not equipped to have it."¹⁵ The Trump administration's attacks on the USPS are designed to undermine voters' confidence in the validity of this year's election. In recent months, the USPS has cutback overtime for workers, decommissioned 671 mail

⁹ Ibid.

¹⁰ <https://about.usps.com/careers/career-opportunities/transitioning-military.htm>

¹¹ Jones, Sarah. "The U.S. Postal Service Needs Help Now: 'The Situation is Absolutely Dire.'" *New York Magazine*, April 17, 2020. <https://nymag.com/intelligencer/2020/04/will-republicans-help-the-coronavirus-kill-the-post-office.html>

¹² National Community Pharmacists Association. "Medication Adherence in America: A National Report Card." http://www.ncpa.co/adherence/AdherenceReportCard_Full.pdf

¹³ U.S. Department of Veterans Affairs. "Prescription medications delivered right to your door!" https://www.va.gov/COMMUNITYCARE/docs/pubfiles/brochures/MbM_brochure.pdf#

¹⁴ "Internal USPS Documents Show Proof of 'Steep Declines and Increasing Delays,' NY Rep Says," NBC New York, Aug. 22, 2020, at <https://www.nbcnewyork.com/news/local/internal-usps-documents-show-proof-of-steep-declines-and-increasing-delays-ny-rep-says/2580764/>.

¹⁵ Emily Cochrane and Hailey Fuchs, "Trump Makes Clear His Opposition to More Money to Support Mail Voting," *New York Times*, Aug. 13, 2020, at <https://nyti.ms/2CVl607>.



sorting machines across 49 states, and removed hundreds of mailboxes. Each mail sorting machine has the capacity to process more than 30,000 pieces of mail per hour. One of the safest ways to vote during the pandemic is by mail and 70 percent of Americans have indicated they support this method of voting. And yet, during hearings before the Senate Homeland Security and Governmental Affairs Committee last Friday and before the House Committee on Oversight and Reform, Postmaster General DeJoy refused multiple times to agree to reinstating machines. The U.S. Postal Service is essential to a functioning democracy, and it is critical that USPS is fully funded and mail sorting machines and mailboxes are replaced immediately.

We were encouraged that last weekend, in response to the ongoing problems at USPS and President Trump's blatant efforts to capitalize on them, a bipartisan House majority voted to pass the Delivering for America Act (H.R. 8015), a bill that would go a long way in addressing our concerns with the ongoing delays in mail service and the impact they could have on this November's election. H.R. 8015 would provide the USPS with \$25 billion in emergency funding and freeze a number of operational changes until Jan. 31, 2021, or the end of the COVID-19 public health emergency.

Our concerns with the upcoming election go well beyond the ongoing issues with the U.S. Postal Service, however. It is clear from the experiences of this year's primary elections that state and local election officials lack the necessary resources to operate elections fairly and safely during the COVID-19 crisis. The \$400 million allocated to states for election assistance under the CARES Act was helpful, but state and local governments need at least an additional \$3.6 billion in order to fully prepare for the upcoming election. We are just two months away the 2020 general election; states need funding now to prevent a repeat of the challenges we witnessed during the 2020 primaries. In addition, under its authority to regulate federal elections, Congress should require states to:

- Expand voter registration opportunities, including requiring that any eligible citizen can register to vote online and requiring that any voter be allowed to register to vote on the same day that they vote (same-day voter registration);
- Ensure that every voter can access no-excuse absentee ballots with prepaid postage in all federal elections, prohibit states from requiring notarization or witness signatures to cast an absentee ballot, and during emergencies such as COVID-19, require states to automatically mail absentee ballots to all registered voters no later than two weeks before Election Day, require the counting of ballots postmarked on or before Election Day, reform signature matching laws to provide notice to voters of any problems with their ballot and an opportunity to address any inconsistencies;
- Provide at least 15 consecutive days of in-person early voting, with such voting being available at least 10 hours per day and at locations that are within walking distance of public transportation;
- Defray the costs to states of undertaking public education campaigns to educate voters about new voting and registration options in the wake of COVID-19; and
- Ensure that voters residing on Indian lands can access the ballot by maintaining robust and safe in-person voting options and providing secure ballot return drop boxes.



In addition, the ongoing economic downturn caused by COVID-19 could, according to one estimate of cost-burdened households, result in 20 million evictions in the next several months.¹⁶ Mass evictions would obviously have severe and long-lasting consequences for the health, finances, and educational opportunities of displaced families and communities throughout our country. And they are also a voting issue, as suddenly displaced voters will face yet even more impediments to voting through a patchwork of complicated state requirements governing changes of address, voter ID, and other factors. Congress should reinstate the federal moratorium on evictions provided for under the CARES Act and should provide significant funding for rental assistance programs to aid families who were not protected by that law.

In short, Congress should pass the HEROES Act, which includes these provisions, as well as many others that would protect the public and our most vital institutions in the coming months. Of course, as of today's hearing, it has been 105 days since the House passed the HEROES Act, and the Senate has still refused to bring it — or any COVID-19 relief legislation, for that matter — up for a vote.

As the clock continues to tick, and as the COVID-19 crisis continues to take its toll, The Leadership Conference will continue doing everything in its power to push the Senate to act. At the same time, we are working closely with our coalition members and allies to defend the constitutional and statutory rights of all voters. And, finally, we are working to empower voters to safeguard their right to vote in these unprecedented times, with these six key steps:

- First, check your registration today and register or update your information if you need to. Voters can go to andstillivote.org/resources or contact their state election officials.
- Second, make your plan to vote. You can request your absentee ballot today and return it far in advance of election day.
- Third, if you prefer to vote in person, make every effort possible to cast your ballot during your jurisdiction's early voting period if it is available.
- Fourth, if you are able, sign up to be a poll worker, at powerthepolls.org, to ensure that every voter in your community can cast a ballot.
- Fifth, if you see misinformation on a social media platform, do not amplify it by responding; report it to the platform for removal.
- Finally, as in every election, contact the nonpartisan Election Protection hotline (866-OUR-VOTE or 866ourvote.org) with any questions about voting or to report any problems with the voting process.

Thank you for inviting me to testify today. I would be pleased to answer any questions you may have.

¹⁶ Katherine Lucas McKay, et al., "20 Million Renters Are at Risk of Eviction; Policymakers Must Act Now to Mitigate Widespread Hardship," The Aspen Institute, June 19, 2020, at <https://www.aspeninstitute.org/blog-posts/20-million-renters-are-at-risk-of-eviction/>.

The CHAIRPERSON. Thank you so very much for your testimony. And now we will turn to Commissioner Palmer. You are recognized for about five minutes.

STATEMENT OF THE HONORABLE DONALD L. PALMER

Mr. PALMER. Thank you. Good afternoon, Chairperson Lofgren, Ranking Member Davis, and members of the Committee. I appreciate the opportunity to testify today on the Election Assistance Commission's ongoing work to support election officials and the voters they serve.

Election officials are working tirelessly to ensure that elections are safe, accessible, secure, and accurate. I would like to thank Congress for funding to the States in response to the pandemic and to assist in the security of elections. The agency has distributed almost \$1.2 billion in grant funding since 2018, including \$400 million in recent CARES Act funds. These revenue sources have proven vital in preparing for November.

While funding of the Commission and its mission remains below its historic budget levels, we were able to pivot and prioritize our response to COVID by bolstering existing programs and developing new services.

The EAC held a series of virtual forums of lessons learned, discussing ways to improve election procedures for the benefit of voters. We hosted over 25 forums with officials to hear what went right and what went wrong. We discussed absentee and mail voting adjustments, in-person polling place safety, and assistance for voters with disabilities.

Americans should feel confident that in-person voting locations will be safe for voting. We work closely with the Centers for Disease Control to revise guidelines to ensure in-person voting is a safe option for voters. And, of course, CARES Act funds have been used to purchase PPE for election workers and sanitize polling places.

As we sit here today about 60 days prior to election day, the train is preparing to leave the station. The 45-day deadline for the sending of overseas and military ballots is September 19, only 3 weeks from now.

The men and women who serve as election administrators across the country are engaged in a Herculean effort, overcoming the challenges of a pandemic and addressing the concerns and needs of the American people. They deserve much credit and respect.

Right now, they are processing millions of voter registrations, recruiting and training poll workers, preparing ballots, testing the voting equipment, and focused singularly on making this election a success for Americans.

The EAC is helping States prepare for the anticipated increase in the use of absentee or mailed ballots. States are using CARES Act grants to fund additional materials, postage, and personnel associated with this shift. Some are using this funding to implement online portals to request absentee ballots and make the process for requesting mailed ballots a more efficient and secure process.

During the primary season, there were a number of ballots rejected due to the lack of signatures or that arrived past deadlines. In a recent EAC roundtable, a Postal Service representative rec-

commended that voters requested their absentee ballots no later than 15 days prior to election day and returned no later than seven days prior to election day. In my opinion, voters should start the process even earlier, 20 to 30 days prior to election day or ballot return deadlines.

Voter education at the State and local level is essential to reduce the chances of error, omission, or delay in return or counting of a ballot.

One critical item for in-person voting is to ensure——

[Audio interruption.]

The CHAIRPERSON. I think we have a glitch with Commissioner Palmer's WiFi perhaps.

Mr. DAVIS of Illinois. Madam Chair, while we are waiting for him to come back and finish his statement, can I raise a point of personal privilege real quick and get an answer?

The CHAIRPERSON. Sure.

Mr. DAVIS of Illinois. We had one of our members have to back out today, late notice. Will I get a chance to do a second round for the minority at some point?

The CHAIRPERSON. Yes. I am planning to do a second round of questions.

Mr. DAVIS of Illinois. Thank you, Madam Chair.

The commissioner is back.

The CHAIRPERSON. Mr. Palmer, I think your WiFi is going on and off.

Mr. PALMER [continuing]. Deadlines, issues have arisen in jurisdictions that use postmarks to ensure ballots received after election day were mailed on time. As more States have begun providing prepaid envelopes to voters, there have been problems with the uniform application of postmarks for this type of mail.

In New York and Wisconsin, local officials took the time to reach out to postal officials to ensure ballots would be postmarked, but thousands of ballots slipped through. The Postal Service has stated its policy is to postmark domestic election mail even when prepaid.

A clear directive from the Postal Service that ensures every ballot sent as election mail receives a clear, legible postmark would support uniformity and help avoid any confusion or controversy.

I would encourage city and county governing bodies to give election administrators whatever emergency support may be necessary to meet all deadlines and assure administrators that they have the support necessary to secure polling places and poll workers.

The efforts of election administrators on behalf of voters who are not only here in the U.S. but also for our overseas and military voters are crucial to our democracy. We look forward to our continued work together to support election officials and the voters they represent.

Thank you.

[The statement of Mr. Palmer follows:]

**U.S. Committee on House Administration
Voting Safely in a Pandemic**

**Donald Palmer, Vice Chairman
United States Election Assistance Commission (EAC)
August 28, 2020**

Good afternoon Chairperson Lofgren, Ranking Member Davis, and members of the committee. I appreciate the opportunity to testify before you today on the U.S. Election Assistance Commission's ongoing work to support election officials and the voters they serve. Election officials across the United States are working tirelessly to ensure elections are safe, accessible, secure, and accurate. Their efforts are compounded this year by new obstacles related to the COVID-19 pandemic.

I would like to thank Congress for your recent efforts to appropriate funding to the states during the pandemic and to strengthen the security of elections. The agency has distributed almost \$1.2 billion in grant funding to states since 2018, including \$400 million in recent CARES Act funds and additional election security funds authorized under the Help America Vote Act (HAVA). These revenue sources have proven vital to improving election administration and addressing COVID-19 issues.

The increase in the EAC Fiscal Year 2020 budget has allowed us to bolster existing programs and develop new services, such as a cybersecurity division and hiring of more than 20 experienced staff. It is important to note that the funding of the Commission and its mission remains well below its historic budget. Our funding level is approximately half of where it was a decade ago, yet the EAC operates with a full quorum of commissioners and faces increased demands associated with the designation of elections as part of the nation's critical infrastructure. Cybersecurity and foreign interference threats have continued to evolve, and election

infrastructure is rapidly changing in response to the COVID-19 crisis. As the 2021 Fiscal Year funding process moves forward it is imperative that the EAC receive additional resources. We will continue to be a good steward of any funds appropriated to this agency as an investment in our democracy.

Recently, our staff has been able to pivot quickly and prioritize COVID-19 grants and guidance response during the primary election season. In addition to distributing a significant amount of grants funds to the states, the EAC has hosted a series of virtual forums on “Lessons Learned” from the 2020 primary election season discussing ways to improve election administration and highlight best practices for state and local officials as they prepare for the general election.

I would like to highlight a few recent agency pandemic-related accomplishments. The EAC has developed extensive webpages for election-related COVID-19 resources. We have hosted over 25 forums for election officials including hearings, roundtables, and smaller recorded interviews with election officials and experts. Public hearings and video interviews have discussed considerations for absentee and mail voting, in-person polling place safety measures, and assistance for voters with disabilities.

We have collaborated with organizations to promote September 1 as National Poll Worker Recruitment Day. The EAC has also coordinated with the Cybersecurity and Infrastructure Security Agency (CISA) to form a Joint COVID Working Group within the Election Infrastructure Subsector (EIS) Government Coordinating Council. This group has produced resources on mail voting, electronic ballot delivery, cybersecurity-related challenges, and in-person polling place issues. In addition, we have worked closely with the Centers for Disease Control (CDC) to revise their guidelines, “Considerations for Election Polling Locations

and Voters,” to ensure in-person voting is a safe option for voters. In support of CDC recommendations, the EAC released a video demonstrating polling place setup and safety measures for in-person voting. In fact, the CARES Act funds from the Congress have been used by many jurisdictions to purchase PPE for election workers and sanitize polling places.

As we sit here today, about 60 days prior to Election Day, the train is preparing to leave the station. The 45-day deadline for the sending of overseas and military ballots is September 19 – only three weeks from now. Very soon, ballots will be sent by mail and electronically to thousands of Americans overseas and in the military and to millions of domestic voters who may vote by mail or absentee. In many states, people will also begin voting in person – first in election offices, later at early voting sites, and finally on Election Day.

As a former state election official, I know the pressure is immense during election seasons. This year, the pandemic has made election administration even more difficult. The men and women who serve as election administrators across the country are engaged in a herculean effort, overcoming the challenges of a pandemic and addressing the concerns and needs of the American people. Our election administrators deserve much credit and respect – right now they are processing millions of voter registrations, recruiting and training poll workers, preparing ballots and ballot packages, coordinating with vendors, testing voting equipment and poll books, and focused singularly on making this election a success for Americans.

During the primary season, there was an unprecedented increase in the number of absentee or mail ballots cast by voters. The EAC is working to help states prepare for the anticipated increase in the use of absentee or mail ballots in November. Many states are using the CARES Act grants to fund additional materials, postage, and personnel associated with absentee or mail voting. In addition, some states are using this funding to implement online

absentee mail ballot request portals to make the request process for mail ballots a more efficient and secure process and using the monies to ensure the physical and cybersecurity of our voting systems and election networks.

There are, however, significant challenges to be addressed. National Public Radio recently reported that more than 550,000 primary mail-in ballots have been rejected this year. That number surpasses absentee ballots rejected in the 2016 general election by more than 200,000. Over 80,000 of these rejections were due to ballots arriving after receipt deadlines designated by state law. Missing or mismatched voter signatures have also led to rejected ballots. Voter education at the state and local level is essential to reduce the chances of error, omission, or delay in the return or counting of a ballot. If a voter chooses to vote absentee or by mail, please rest assured that election officials are taking every step at their disposal to make sure this process is as efficient as possible in interacting with the post office and promptly processing the mail ballot requests of voters. Once an overseas absentee voter myself while deployed with the military, I know the challenges in voting absentee and mail, particularly in adjusting for time and distance and the need for attention of detail.

In a recent EAC roundtable, a United States Postal Service (USPS) representative recommended that voters request their absentee ballots no later than 15 days prior to Election Day and return them no later than seven days prior to Election Day. This message should be repeated continuously from now through November. Voters cannot procrastinate. They must give themselves enough time to submit the ballot through the postal service or have a different plan on returning the ballot in person or voting in person. Pay attention to detail, follow instructions, and plan ahead.

It is essential that voters have the option to safely vote in person or to drop off a mail or absentee ballot. Americans should feel confident that election administrators are doing their best to make in-person voting locations as safe as possible. Again, CARES Act funds have been used by many jurisdictions to purchase PPE for election workers and to train poll workers on measures to mitigate safety concerns. In collaboration with the CDC, the EAC has provided guidance on social distancing, sanitation, and mask-wearing at polling places. These measures have been indispensable to providing a safe in-person voting option.

One critical item for in-person voting is ensuring enough election workers to fully staff polling locations across the country. During the primaries, there was a steep drop-off in poll workers, many of whom are over the age of 60 and at an increased risk for COVID-19 complications. In response, the EAC has designated September 1st as National Poll Worker Recruitment Day. The EAC has partnered with state and local election officials to recruit new poll workers through the [HelpAmericaVote.gov](https://www.HelpAmericaVote.gov) platform. Hundreds of volunteers have used this platform to learn how to sign up to work at the polls. Countless more have used information from our social media campaign to reach out directly to their local election office.

Additionally, I have had several conversations with secretaries of state and leaders in the National Guard about the successful use of guardsmen as poll workers during the primary season. These National Guard members are not uniformed and serve as nonpartisan volunteers to assist election administrators and polling place officials. Governors need to plan now for the training and use of these service members if poll worker numbers reach emergency levels where polling places cannot be opened at appropriate levels. I would encourage officials to consider the National Guard to alleviate poll worker shortages.

On state-mandated ballot return deadlines, issues have arisen in jurisdictions that use postmarks to ensure ballots received after Election Day were mailed on time. As more states and localities have begun providing pre-paid envelopes to voters, there have been problems with the uniform application of postmarks to this type of mail as it normally does not receive one. In New York and Wisconsin, local officials took the time to reach out to postal officials to ensure ballots would be postmarked, but thousands of ballots slipped through. The USPS has stated its policy is to postmark domestic election mail even when pre-paid. Election officials are working to ensure effective implementation of this guidance. A clear directive from the USPS that ensures that every ballot sent as election mail in the custody of the USPS receive a clear, legible postmark would help avoid any confusion or controversy.

I would encourage city and county governing bodies to give election administrators whatever support is necessary to meet all deadlines and give voters the confidence in elections. Assure administrators that they have the full support of their local governing bodies to secure enough polling places and poll workers and obtain any additional local resources. These local election administrators have a lot of scrutiny, pressure, and responsibility on their shoulders. The American people have the right of high expectations because of the value of each and every vote but let these officials know that you are supporting them in their noble profession.

Every election official in the country wants to ensure that, if a person makes the effort to vote, his or her vote is counted. It is equally important that the November election be run securely and that the American people have confidence in the results. Again, I would like to acknowledge the hard work state and local election officials are doing right now. Their efforts on behalf of voters not only here in the U.S., but also overseas and in our military, are crucial to our democracy. We look forward to our continued work together to support election officials and the

voters they represent. I am pleased to answer any questions you may have following today's testimony.

The CHAIRPERSON. Thank you very much, Commissioner.

And now we have a time when each Member of the Committee may question the witnesses for five minutes. And I would like to turn to the Ranking Member first to begin with the questions.

Mr. Davis, you are recognized for five minutes.

You need to unmute.

Mr. DAVIS of Illinois. Yep. Not like we haven't been on this rodeo before. I apologize.

I do have some questions for Ms. Wise.

If you could, Ms. Wise, just—first off, thanks for being here. I appreciated your opening statement.

And, Ms. McReynolds, go Illini. Tell your dad I hope never to see him in the courtroom in Henry County, but congratulations.

But I want to ask Ms. Wise: Many are pushing for your counterparts in other States to jump headfirst into all-mail elections, even at this late date. I am really concerned any sort of switch at this point on the calendar is going to cause some election administration issues.

So I am going to give you a series of questions. Can I just get a "yes" or a "no" answer? Because I don't have a lot of time and I am the only one on our side.

Was the reason King County delayed its move to all-mail elections was because it needed time to procure the necessary equipment, adequate personnel, and working space, yes or no?

Ms. WISE. I don't know what delay you are speaking of.

Mr. DAVIS of Illinois. Okay. Yes or no, it took King County four or five years to transition to all-mail voting, right?

Ms. WISE. No.

Mr. DAVIS of Illinois. How long did it take?

Ms. WISE. We went a decade ago to vote-by-mail. And I am not sure of, like, the actual process. I mean, I think 86 percent of our voters were already permanent absentee voters at that point.

Mr. DAVIS of Illinois. Okay.

I understand the procurement process for high-speed sorting machines can take some time, not to mention staff training. If a State started today, it would be impossible for them to come up with the equipment, personnel, and space they needed by November, yes or no?

Ms. WISE. It depends on how many absentee voters they have. So we are already processing mail ballots right now, right? I mean, every jurisdiction has some amount of absentee voters, so it just depends on how big.

Mr. DAVIS of Illinois. I don't have a lot of time, and I don't want to be like some of my colleagues on other committees and have to reclaim my time.

I understand Washington State, like my home State of Illinois, is a member of the ERIC system, which helps 30 States and D.C. keep their voter rolls up to date by comparing information across States. I think being a member of ERIC has benefited King County by ensuring you are able to send ballots to voters at the correct address, right?

Ms. WISE. Correct. Yes.

Mr. DAVIS of Illinois. Thank you.

The Postal Service's operational issues aren't new. I mean, recently, FiveThirtyEight found that more than 30 States have mail ballot request and return deadlines that are incompatible with longstanding Postal Service deadlines.

More than 30 States have mail ballot request and return deadlines incompatible with longstanding Postal Service deadlines. With more Americans expected to vote by mail this fall, I am concerned these dual issues are pushing us toward major election administration issues in November.

So I appreciate your time, Ms. Wise, and I agree we have to be better at our election administration.

While I have a little more time, I would like to turn to you, Secretary Padilla.

Mr. PADILLA. Yes, sir.

Mr. DAVIS of Illinois. Thanks for being here today.

As you know, my office has sent you numerous letters requesting to meet with you and your staff, but we have heard nothing back. So it is good we are finally able to discuss the serious election administration issues that I see occurring in California. But, you know, unfortunately, we haven't been able to get this done beforehand. That is a little disappointing to me.

I am absolutely disgusted by the advertisement I showed earlier, which was released by your Association of Secretaries of State. You lead that group. The greatest threat to the integrity of our elections is partisanship, and I have seen no better example of destructive partisanship than that ad.

So I think it is important to focus on the current and serious election administration issues in your home State of California—rejected ballots, bungled registration lists, and rampant ballot harvesting. NPR says that over 100,000 California mail ballots were rejected this year alone. Studies tell us young voters, people of color, usually pay the price. No well-managed system should have so many ballots rejected.

In case you are not aware, the National Voter Registration Act requires you to maintain accurate voter registration lists. I say this because, considering how many times you have been sued or threatened to be sued for noncompliance with the NVRA, I am not sure this is getting through.

You even entered into a legal settlement recently that forces you to comply with the law. But, apparently, that wasn't enough, because, just this past April, you received a letter that indicated that California is still not in compliance with the NVRA, particularly those sections requiring deceased or ineligible registrants to be removed.

Are you aware of how many California registrants on your voter rolls are likely deceased or have moved out of State?

Mr. PADILLA. Multiple questions there, so if you afford me a few minutes, I will respond to each one of them.

First of all, I agree we haven't been able to set up a call or a meeting, but I do believe my office has been responsive to every question and request for information that your office has made of mine, number one.

Number two, I couldn't agree more that the fundamental right to vote, to making it easier for eligible citizens to register to vote

and to stay registered and to cast their ballot, should not be a partisan issue. But when you see different policies that are being implemented in different States that have the net effect of making it harder and, specifically, making it harder disproportionately on young people or communities of color, et cetera, lower-income families, to register, stay registered, and to vote, then it does have a discriminatory effect, and we absolutely stand up against that.

To your question about vote-by-mail ballots that were rejected in our primary, I will tell you that the lion's share of those were ballots that were either postmarked after the primary election or arrived very late, beyond our postmark-plus-3 law in California—all the more reason to extend our postmark-plus-3 to postmark-plus-17 for the November general election so more ballots can and will be counted.

You know, if we are worried about some of the effects of people—

The CHAIRPERSON. The gentleman's time has expired, so if you could very quickly wrap up—

Mr. PADILLA. Sure.

The CHAIRPERSON [continuing]. Mr. Secretary.

Mr. PADILLA. So if we are really concerned about, you know, the unfortunate disenfranchisement of so many eligible citizens, then we should fully fund the U.S. Postal Service and we should fully fund elections.

The CHAIRPERSON. Thank you very much.

Mr. Raskin, the gentleman from Maryland, is now recognized for five minutes.

Mr. RASKIN. Madam Chair, thank you very much.

And I am actually greatly reassured by the testimony from our secretaries of State and these election officials that we are ready to go and we should stop spreading anxiety and disinformation about the elections.

I confess that I am a little bit baffled by my friend, the Ranking Member's indignant complaint about the Democratic secretaries of State's completely unexceptional TV advertisement about White supremacy being both a political ideology and a strategy for maintaining power. One would think that the whole history of disenfranchisement in our country, with poll taxes, literacy tests, grandfather clauses, White primaries, and so on, would vindicate the accuracy and the passion of that ad.

And, indeed, when the gentleman repeatedly invokes "over-the-top rhetoric," I don't know what he is referring to. But it strikes me as over-the-top rhetoric to link this ad, presumably made over the last several months—I don't know; maybe the secretary from California could tell us—but linking that ad to the violent assault on our colleagues on June 4, 2017, something that took place 3 years ago, that strikes me as true over-the-top rhetoric.

In any event, we face two key obstacles today, as Secretary Padilla puts it. One is COVID-19; the other is the continuing disinformation about voting which is scaring people and confusing people. And there is this incessant stream of propaganda from the highest levels of government trying to scare people about different forms of voting.

Now, I want to focus on ballot drop boxes, because they are one of the ways that the States are working to address all of the problems caused by COVID-19, which, of course, has afflicted more than five million of our people and killed more than 180,000 of them.

At least 34 States and the District of Columbia have used or plan to use ballot drop boxes this year, including my home State of Maryland. The President recently attacked ballot drop boxes via Twitter, claiming that ballot drop boxes are a voter security disaster that will facilitate fraud.

So I wanted to come to Secretary of State Wise, if I could—or, I am sorry, you are not secretary of State, you are an election official. Ms. Wise, you say that in King County you have been using ballot drop boxes for years without any problems. Is that right? Can you explain how secure they are? What are the benefits of drop boxes? And then, also, how did a school bus hit a drop box, and how did the drop box survive and the school bus not make it?

Ms. WISE. We have had drop boxes since we moved to vote-by-mail about 10 years ago. So we went from—when I was first elected, we had 10; we now have 70. That means 96 percent of our voters in King County have a drop box within just a three-mile radius of their home. And we have seen studies out of the University of Washington that proximity to a drop box increases turnout.

So drop boxes are incredibly important. They served a really important service, especially when we didn't have prepaid postage, but now that I have secured prepaid postage, voters really have both options.

These are secure drop boxes. These drop boxes are, in fact, manufactured by a company called Vote Armor. And more than half of our voters use our drop boxes. And they come in really handy for our voters that maybe want to wait until election day, a little bit more of our procrastinators. And so, election day and the day before, in fact, we see 50 percent of voters turn out to those drop boxes. They are securely designed, 1,000-pound boxes.

We had the opportunity to host students at our facility. We have 99,000 square feet where we process our ballots. And so we hosted about 700 students, not at the same time. But that is why the school bus was on site, was to bring the students. And the driver just mistook the turn, crashed into the drop box. The drop box was completely fine, and the bus didn't look so great.

Mr. RASKIN. Well, I hope all the kids were okay, but that is a great advertisement for drop boxes and their sturdiness and their reliability.

You also testify, Ms. Wise, that Washington is one of the five States, I think it is, that have conducted universal vote-by-mail elections, which is another target of the President, who says that vote-by-mail promotes fraud, it is not trustworthy, et cetera, et cetera.

Has your State seen any significant increase in the incidence of voter fraud because they are doing universal vote-by-mail? And what do you think of the President's continuing attacks on States like yours?

Ms. WISE. There hasn't been cases of fraud. In my testimony, as I said, the percentage rate of fraud happening—and this is when

King County compared our data in ERIC to 30 other States in which those voters were registered. There is not fraud happening.

Mr. RASKIN. And you just said it was 1-100,000th of 1 percent.

Ms. WISE. That is correct. That is accurate.

Mr. RASKIN. So what do you make of this attack on universal vote-by-mail?

The CHAIRPERSON. The gentleman's time has expired, so if you could answer promptly, that would be wonderful.

Ms. WISE. In Washington State, we are all permanent absentee voters. If you want to call it universal mail-in or whatever you want to call it, it is same thing as permanent absentee voters. When a voter signs up in Washington State, they are signing up to be a permanent absentee voter.

Mr. RASKIN. Thank you very much.

I yield back, Madam Chair.

The CHAIRPERSON. Thank you so much.

The gentlelady from California, Mrs. Davis, is recognized for five minutes.

Mrs. DAVIS of California. Thank you very much, Madam Chair.

And thank you to all of our witnesses here today. I appreciate your joining us.

Now, one of the best but least known components of a good absentee ballot system is ballot tracking, which lets voters be able to tell online whether their ballots have been sent out, whether they have been received back, and whether their votes have counted.

And I put language into the defense bill some years ago to require ballot tracking for the military and overseas voters. And my hope is that elections officials would open up to that for all voters, as many of them have.

But I am concerned that most voters are unaware that they can track their ballots. Many registrars don't seem to do enough to let voters know about it, and it is buried on some of their websites. And so a lot of voters truly don't know about this service.

Mr. Padilla, Mr. Secretary, I know that you have been working on this. Can you tell us how you promote Where's My Ballot? And have you had secretaries of State look to you to help them to be able to do this as well? Is it too late for them to do that? You know, what is the—not in detail, the procedure, but how can they afford themselves again of providing this service to voters?

Mr. PADILLA. Right. No, I appreciate the question.

And so I should say, we, I don't believe, are the first State to expand statewide. Colorado might be the first State to have done it statewide. We have had ballot tracking prior in California. We had about 28 counties participate in the primary election. Voters in those counties had a great experience. But for purposes of November, we are expanding and mandating it statewide.

This will always be counties [inaudible] voter education campaign about ballot [inaudible]. So I think we are off to a great start. [Inaudible] colleagues across the country, organized by the National Association of Secretaries of State, where we exchange these best practices and good ideas. And I know many others are looking at it [inaudible] county, we chose to invest some of the funding from the CARES Act and HAVA to underwrite the ballot

tracking expansion statewide per county, so it didn't become a fiscal burden for individual counties.

And, last, I just want to say, it is not just a great tool for voters, right—the transparency of your ballot moving its way through the mail delivery process, confirmation when it has been received and counted. Great for transparency for the voters, but it provides a great diagnostic tool, a dashboard for us to identify any bottlenecks or delays in the postal delivery. And so we can then work with regional or local postal officials to make sure those ballots are delivered on a timely basis.

Mrs. DAVIS of California. Thank you.

I wonder if, Ms. Wise, Ms. McReynolds, if you would like to comment as well, particularly on that and really making it more prevalent and, again, giving voters the confidence that they can check this information.

Ms. McREYNOLDS. Yes, I am happy to weigh in for a second.

Actually, Denver was the first pioneering office for ballot tracking, now, back in 2009, so 11 years ago that we created that. And then there is a commercial provider, and there is also a nonprofit provider, and then some States have built tools in-house. So over 30 States actually offer tracking on their websites.

And there are actually still States right now that I have been working with to expand and implement ballot tracking like what California has done statewide for this election. So the window is closing, but there is absolutely time to do that. I have been working with various States to try to get that implemented and set up now. And, you know, a lot of States are in the process of trying to do that now.

And, certainly, voters knowing about it is critical. And there is lots of ways to do that, through a voter education campaign or even, in a lot of States, when you register to vote, you can actually select the option to get electronic information about voting from the election officials. And so you can basically opt in at that point in the registration process in various States as well.

Mrs. DAVIS of California. Thank you. I appreciate that. And yet it feels as if there are a lot more people who could be doing it than are. So we have to do a better job of that. I appreciate it.

Secretary Padilla, I want to just give you an opportunity very quickly to respond a little bit, because the fact that you are sending ballots to every voter in California somehow seems suspect, and I wonder if you could just respond to that, that, you know, it opens the door to more fraud, if you would like to do that.

Mr. PADILLA. Sure. No, I appreciate it, and I will try to be concise.

You know, vote-by-mail is nothing new in California and for many other States across the country. California is not the only one. No-excuse vote-by-mail, specifically, has been in place in California for a couple of decades.

So vote-by-mail is absolutely convenient for voters. It has proven to be secure as well. You know, among the security measures that we have in place, starting with the ballots themselves, it is not quite like currency, but think specific paper types, watermarks, other distinguishing features of ballots. So it would be pretty darn

hard to introduce fake ballots into the system. The alarm bells would go off almost immediately.

Second, vote-by-mail ballots must be returned in the official envelope provided to the voter, each with a unique barcode for tracking purposes not just through the mail but for maintaining the voter's record of when somebody has voted to help guard against double voting.

The all-important signature verification. When the voter returns their ballot, they must sign the back of the return envelope. And the first thing county officials do is check that signature against the signature on file as part of that voter's record to help confirm the identity of the voter. If the voter forgot to sign the envelope or the signatures do not match, California law requires counties to attempt to contact the voter to rectify any signature issues. Because we want to make sure a legitimate vote is counted. And if the voter says, hey, that wasn't me, well, then, obviously, we have something to look into. So——

Mrs. DAVIS of California. If I could interrupt, sometimes people are afraid that the voter is deceased and, somehow or other, someone is going to get that——

Mr. PADILLA. Sure. So, on list maintenance, you know, county officials work constantly to maintain the accuracy of their rolls. They cross-reference coroner's data, for example, to identify deceased individuals to remove them from the rolls. In California, they also check——

The CHAIRPERSON. The gentlelady's time expired, but I am going to go back to you when it is my turn, Secretary Padilla, to finish this.

Mr. PADILLA. Okay.

The CHAIRPERSON. I would like to recognize the gentleman from North Carolina, Mr. Butterfield, at this point for five minutes.

Mr. BUTTERFIELD. Thank you very much, Madam Chair, for convening this very important hearing this afternoon. It is Friday afternoon here on the East Coast. And I did not want to put on a necktie, but I did it, and I am reporting for duty. Thank you so very much.

To my friend, the Ranking Member, thank you for playing that video a few minutes ago. I want to associate myself totally not with your comments, but I wanted to associate myself with the content of the video. You touted the benefit of the Voting Rights Act in your remarks, but you must understand that the Voting Rights Act is not fully enforceable now. It has been wounded, and your party refuses to fix it. But I just wanted to set the record straight that I, for one, associate myself with the video.

Thank you, Madam Chair, for taking a moment to recognize this important day in American history. I recall this day 57 years ago; oh, do I recall it so very well. I was 16 years of age, and my dad rounded up my best friend and me and put us in the car and drove us to Washington, D.C., through the night. I remember it so well. And thank you for making reference to that.

Like many Americans, I have been watching the political conventions over the last 2 weeks, the Democratic convention last week and the Republican convention this week. And during each one of these conventions, many of the speakers said that this was the

most consequential election of our lifetime. And they are so right. This election will determine—it will determine whether we will have a democracy, and it will determine, quite frankly, whether we have a President that follows the rule of law.

I was very, very disappointed last evening to see President Trump use the precious real estate of the White House as a political backdrop for his reelection. Not only was it inappropriate to have this event at the White House, but it violated the Hatch Act and it violated CDC guidelines for protecting the public health.

And, you know, I was reading this morning, it was reported that some of the delegates at the Charlotte convention now have COVID. And let's pray that those attending last night will not find themselves or their neighbors affected by the virus.

But this hearing is important. It is incredibly important. As Ms. Gupta said early on in her opening remarks, we must have a safe, fair, and accessible election.

So let me just ask one or two questions of Ms. Gupta, and then I will yield back.

But, Ms. Gupta, I remember when you were at the Department of Justice, and thank you for your years of service, and wish you were back at the Department of Justice. And I will just leave it there. Thank you so very much.

Ms. Gupta, at the recent Senate and House hearings on operational changes at the Postal Service, the Postmaster noted several times that the sorting machines that were removed from the post offices were not needed, and he refused to agree to their reinstatement. He also refused to make the commitment that election mail will be treated as first-class mail, although this is an accepted practice.

Ms. Gupta, what is the potential impact of the Postal Service removing sorting and mailbox equipment and not treating election mail as first-class mail for voters during the upcoming election?

Ms. GUPTA. Thank you, sir, for the question.

Six-hundred-and-seventy-one mail sorting machines were removed from 49 States in the last few months under Postmaster General DeJoy's leadership. And every sorting machine actually has the ability to process about 30,000 pieces of mail per hour. And so the refusal to restore them really gets to some of the functionality of a system that Americans rely on and are going to rely on now more than ever amid a pandemic, where surges of Americans will be voting by mail to protect our public health.

And so there is a lot of concern that if the decommissioned machines and mailboxes are not restored that it could really undermine or slow down the system for voting by mail. It also has the potential to confuse voters, to add to disinformation.

And so this is why there has been such an urgency to get these post mailboxes restored. You know, voters need to have confidence in the vote. There is also—there are the policy changes, and then there is the confidence that voters need. And amid so much disinformation, voters need to feel like the U.S. Postal Service is going to be a reliable service to vote by mail.

On the first-class-mail piece of this, it is really critical that vote-by-mail ballots are treated as first-class mail and have expedited priority. First-class mail moves significantly faster than marketing

mail. And in the past years, it has been a courtesy that USPS has often treated election mail as first-class mail.

And so it is critical that Postmaster General DeJoy issue a formal policy. He gave some verbal commitment to treating some mail-in ballots this way, but there is a need to formalize this policy, which is why the bill that the House passed this past weekend really needs become law so that——

Mr. BUTTERFIELD. Thank you.

Ms. GUPTA [continuing]. Voters can have the confidence that this will be the case nationwide.

Mr. BUTTERFIELD. Thank you. Thank you very much.

I yield back.

The CHAIRPERSON. Thank you so much.

The gentleman yields back.

I would now like to recognize the gentlelady from Ohio, the chairperson of our Elections Subcommittee, Congresswoman Fudge.

Ms. FUDGE. Thank you very much, Madam Chair. I appreciate it.

I really don't have any questions, but I would just tell you, I listened to the Ranking Member, who was so typically misleading. The bill that we put in the HEROES Act does not require, does not request universal vote-by-mail. And he knows it. What it does is give people options so that they can be safe when they decide to go out and vote. He knows that. I don't know why he continues to say it.

We have a President that votes by mail and then tells the American people that they should not. It is no wonder to me that we have destroyed the confidence in every single institution in this country. People have lost faith in government. They don't believe in the President, the Senate, the House, nothing. Now we can't even believe in the Postal Service, a place where my uncle worked for 42 years. I have two postmasters in my family, and they are appalled by what they are seeing today.

The post office was a place where, when we came out of school, back when my uncle was coming out of college, you couldn't get a job anyplace else, so they carried the mail. He carried mail for 42 years. And it takes DeJoy and this group to destroy it.

It is just amazing to me that we talk about wanting to believe in the Constitution, that everybody has a right to vote, but day after day they put up roadblock after roadblock. It is just lip service. They really don't want everybody to vote, because if they did, they would try to make it easier and not harder.

He asked someone about their purging or their voter rolls. The last purge we had—and to the credit of my Republican Secretary of State, he reached out to places like the NAACP, the Urban League, churches, et cetera. He found 50,000 people in one week that should never have been purged—in one week. So we know that what they do is not perfect.

And today—and I hope Mr. Davis reads this—today, our Secretary of State published a list of 116,000 people who are going to be purged after the November election to make sure that they have an opportunity to save their registration. That is what we ought to be doing, instead of trying to tear down everything that is good in this country, which is what they want to do, because they figure,

if we make it difficult and we just let people stay at home, they won't vote and we will win.

You know, he keeps talking about bipartisanship. There is no bipartisanship with these people. You know, it just gets to be, you know, always talking about things like fraud. The only fraud is that they want people to believe that they care about our vote. They don't.

It is just disheartening to me that, at this time when people are dealing with so much, when they have lost their jobs, when they can't get their unemployment insurance, when their kids are hungry and they don't know if they can go to school, that we are playing these games instead of making it easy for people to go to the polls.

And now people are wondering, if they go to the polls, if they vote by mail, if their vote will even count. I mean, I don't know any handwriting experts that work at these boards of elections. My signature is different now than it was at 18 when I first registered to vote. It is not going to be an exact match.

And so they play all of these games.

So, Madam Chair, I really don't have any questions. I just want to say, let's stop the charade. Just admit you don't want people to vote, just admit that you don't care, and it will be better, because at least people will know how honest you are.

I yield back.

The CHAIRPERSON. The gentlelady yields back.

The gentleman from California, Mr. Aguilar, is now recognized for five minutes.

Mr. AGUILAR. Thank you, Chair Lofgren.

And I share the frustration that my colleague, Chair Fudge, had with some of the statements that we have heard.

Secretary Padilla, on election night, Americans are used to hearing about projected winners, especially on the night of the election. But what some voters may not know are that those projections are based off of unofficial results that often take time to line up with the eventual certified results. And certifying results takes time in each jurisdiction, and each State sets requirements for that.

Can you discuss the process for canvassing and certifying an election in California and why in some cases it takes more time to ensure that the official results are accurate?

Mr. PADILLA. Certainly. And I appreciate the question because it is important for us to set the expectations now, both with the press and with the public, of what election night may be like.

I think California has developed a reputation for taking a little while to finish counting ballots and certifying results, but it is all for a good reason. In California, we are unique, just the size of our electorate. You know, we are approaching 21 million voters on the rolls. So the sheer volume takes longer than in many other States with much smaller populations.

But some of the policies that we have in place, starting with vote-by-mail—you know, I mentioned in my testimony that we have extended now the postmark-plus-3 policy to postmark-plus-17 for purposes of this November. So, come election day, we won't even have all the ballots in hand to finish counting. It is going to take

days, if not weeks, depending on the health of the Postal Service, for ballots to arrive in county elections offices.

When the polls close at 8 o'clock in California, we start hearing some numbers. Those are votes that came in early enough to county elections offices so they can be prepared and processed and ready to be counted, and we start providing preliminary results.

The overall experience is that we have a decent sense of the outcome of most contests on election night, but for close contests and for final results, it does take weeks. Because in that canvass period that you reference, Congressman, we have the signature verification process that is happening.

California is one of the States that offers same-day registration opportunity, where we have to process the registration before we count the ballots. If there is a need for a voter to cast a provisional ballot because of some issue when they tried to vote in person that is a manual process that also takes a few minutes. We go through these lengths to preserve both the integrity of the election and the right to vote for every eligible citizen.

And let's not forget the required post-election audits that are required of every county after every election. In California, counties have a month after the election to certify their results, and then my office takes another week to certify statewide results.

The issue for this November is with so many other States ramping up vote-by-mail significantly, possibly for the first time. You know, think Michigan and Pennsylvania and Ohio, Arizona, and others. If the Presidential contest is too close to call on election night in enough key States, we may not know the final outcome for at least a few days.

And our worry, going back to the disinformation that I spoke of during my testimony, is we are going to be hearing, you know, a lot of conspiracy theories and lies during that timeframe that threaten to undermine confidence in our elections.

The public and the press need to understand this is simply the process at work. It is maintaining the integrity of the process. And it is better to be patient. We want to get the vote count right, not rush to get it fast.

Mr. AGUILAR. Yeah. And it is important to set those expectations now, and I appreciate it.

For the life of me, I just can't understand why the Ranking Member spends so much time devoted to California elections laws and spreading his own misinformation about our processes. Maybe he wants to move to California. You know, that is something that is available to him as a private citizen in the future.

On August 20—and this will go to Secretary of State Padilla and Director Wise—the President mentioned that he might send sheriffs, law enforcement, and attorneys general to in-person voting locations. Days later, the Acting Secretary of Homeland Security, Chad Wolf, stated that his department lacks the authority to police polling stations.

Can you explain how the use of law enforcement at in-person voting locations could affect turnout, as well as other issues and concerns you see with this possible course of action, Secretary of State Padilla and then Director Wise?

Mr. PADILLA. Sure. And I will try to be brief.

Look, even before I get to the law enforcement question, President Trump has been publicly honest about why he is trying to undermine the Postal Service and vote-by-mail: He is trying to stop vote-by-mail.

More recently, he has threatened to send law enforcement officials to monitor polling locations. By the way, both of those actions violate California law. So I want to make that absolutely clear.

But if you look at attacks on vote-by-mail, he is trying to make vote-by-mail harder, forcing people to vote in person; now the presence of law enforcement, which is against the law, would only serve to intimidate people trying to vote in person. Put those two together, it is nothing but a recipe to try to suppress the vote, plain and simple.

The CHAIRPERSON. The gentleman's time has expired, but, Ms. Wise, if you could very briefly respond. And then I will go to my five minutes.

Ms. WISE. You know, we have political party observers for both parties at our drop boxes as well as where we are processing ballots on hand. There is no need to have additional observation, if that is what is needed. We don't need any more people there at the drop boxes and vote centers. As we really try to service our voters, our voters in Washington State can also register all the way up to an election day.

So we have the security that we need on site, and we are prepared to handle our voters. And anything else to that would really cause intimidation, concern for election administrators as a civil servant and to our voters.

The CHAIRPERSON. Thank you very much.

I—

Mr. DAVIS of Illinois. Madam Chair? I didn't want to interrupt the witnesses, but I have a couple points of order to raise.

The CHAIRPERSON. I am sorry?

Mr. DAVIS of Illinois. I didn't want to interrupt the witnesses, but I have a couple points of order to raise.

First off, I notice that some of our colleagues are not following the rules you laid out to stay on video and keep their video open. So I would appreciate that reminder going out again. These are the videoconferencing rules that were passed and put into place.

The second point of order, I would go back to the partisan performance of my colleague, Ms. Fudge, who mentioned that I want to allow people not—clearly, my opening statement stated I want to stop disenfranchisement, the unfair attacks—

The CHAIRPERSON. Mr. Davis—

Mr. DAVIS of Illinois [continuing]. People of color—

The CHAIRPERSON. Mr. Davis, that is not a point of order. But you will have—

Mr. DAVIS of Illinois [continuing]. And the partisanship is coming from—

The CHAIRPERSON. You will have an opportunity to make an additional statement when it is your turn.

The chair now recognizes myself for my five minutes of questions, and you will be heard after that, Mr. Davis.

I promised, Mr. Padilla, to go back to you to let you finish the explanation of how sending ballots to every registered voter is se-

cure. If you could briefly finish addressing that issue, I would appreciate it.

Mr. PADILLA. Sure. I think I was in the middle of talking about some of the list maintenance that every county elections office does to maintain the accuracy of the rolls as best as possible—you know, cross-referencing with coroners records, for example, to remove deceased individuals from the voter rolls. In California, individuals in State prison or on parole for a felony conviction lose the ability to vote until their time served is done, and so they cross-reference with our Department of Corrections and Rehabilitation to search for names as well.

You know, here is a bright spot in automatic voter registration in California. Since the launch of the program, yes, more than two million previously eligible but unregistered Californians now added to the rolls. Another roughly five million individuals that have previously registered were able to update their registration, again, leading to more accurate rolls. And maybe close to five million individuals that were afforded the opportunity to update, confirm their record is accurate. And that is just the transactions through the DMV. So a great chunk of our current electorate that has recently updated or confirmed the accuracy of their information.

We talked about the ballot tracking tool earlier. We have another tool online for voters to verify their registration status. That is also a core element to our voter outreach campaign between now and election day, encouraging people to go online and verify their registration, including their address, so that, before county elections officials mail those ballots out, we know we are sending them to the current address.

And, in the interest of time, I will just acknowledge, prior in the conversation, I mentioned some of the various safeguards to confirm the integrity of those vote-by-mail ballots when they come in—signature verification, et cetera.

The CHAIRPERSON. Thank you very much.

Ms. Wise, would you address how Washington makes sure that there is security in these mailed-in ballots?

Ms. WISE. Washington State also does signature verification of each of our voters. I can attest, myself, I have been challenged twice for my signature changing over the years. And so, if a signature starts to change, we are proactive in reaching out to those voters. But in vote-by-mail, that is how you ensure that the voter voted their ballot and no one else did.

But as Secretary Padilla already said, we do a lot of list maintenance here in Washington State, between doing felony checks with courts or Social Security Administration or Public Health, we are constantly scrubbing those voter rolls to make sure that they are up to date and that they are accurate.

We are mailing ballots out in Washington State to all of our voters at least twice a year, which also keeps our voter rolls up to date and accurate.

These are secure elections that we have been doing, again, for over a decade in Washington State.

The CHAIRPERSON. Thank you very much.

I would just like to talk again about how long it takes. In 2018, Speaker Ryan was complaining about how long it took for the vote

to be counted in California. Now, obviously, if we are accepting ballots that were postmarked on election day or prior for 17 days after the election, we are not even going to have all the ballots in hand on election day.

What percentage do we think, Secretary Padilla, will be votes by mail?

And I have to note that both parties have observers at all of the registrar of voters' offices, and not a single complaint was filed in 2018. No complaint was filed, because there was no problem, even though people were complaining here in Washington.

Can you address that issue? What percentage of the votes will not even be in hand on election day?

Mr. PADILLA. So, I mean, it is tough to really ballpark, but it wouldn't be surprising if half the ballots or half the votes weren't in hand when the polls close on election night because of the volume that comes in by mail so close to election day.

You know, I mentioned one marker during my testimony, that, for the March primary, 72 percent of ballots cast were vote-by-mail ballots, the majority of those coming in by mail, a significant chunk also coming in through drop boxes, and a growing number of people who choose to receive their ballot by mail, filling it out at home at their leisure, and then dropping them off in person. So I wouldn't be surprised if that 72-percent mark goes up to 80 percent, closer to 90 percent.

The CHAIRPERSON. Okay.

My time has expired, and so I will turn now to the Ranking Member for his five minutes on the second round.

You are recognized, Mr. Davis.

Mr. DAVIS of Illinois. Thank you, Madam Chair.

I am glad the witnesses and the people watching on C-SPAN get to see why I always say at almost every hearing, the biggest threat to our election process and election security is partisanship. It is very disappointing. We had a couple of colleagues actually talk about being more partisan. I am the 13th most bipartisan Member of Congress, according to The Lugar Center. I will compare with almost all of my colleagues about how to work together.

It is disappointing, though, that we also see—it is a lot of talk about accuracy when it comes to the election process and inaccuracy on this hearing from some of my colleagues.

The HEROES Act clearly states that if there is an emergency declaration in order, that all voters on every registration roll would get a ballot mailed to them. That is the bill that was passed. That is what it says. I am not making things up.

I am very disappointed that some my colleagues today have decided to actually be encouraged by the hateful rhetoric that we see in our political environment today. That is the partisanship that I am talking about. That is the type of rhetoric that allowed my friends to get shot on a baseball field—it is wrong—by somebody who was screaming “healthcare” while they were firing.

And you talk about no fraud? We didn't seat an elected Member of Congress because of ballot-harvesting fraud in North Carolina's Ninth District.

I just—it is like Groundhog Day, and every single hearing is the same thing, and it gets frustrating.

And I am sorry to the witnesses, but, Mr. Palmer, I have a question for you. You know, we want to make sure that every lawful vote is counted this November and people can vote safely and securely.

The EAC has put out, on a bipartisan basis, the suggested timeline for when States can move to vote-by-mail. Can you briefly explain why it takes a long time to move to vote-by-mail? And very briefly, please, because I have some more questions.

Mr. PALMER. Sure. In our discussions, it is a significant transition, and most of the leaders [inaudible] universal vote-by-mail [inaudible] a significant absentee or permanent absentee, you know, category of individuals who are voting that way.

Most of the States in the country, a majority at least, have less than 10-percent absentee vote—voters that vote by absentee. It takes time for voters to get used to voting by mail and being accustomed to the Postal Service transmission. That is why often the lockboxes become important. But I think that we found that, after COVID discussions, that we needed to prepare for increased absentee and mail voting, not necessarily wholesale transitions to all-vote-by-mail systems.

Mr. DAVIS of Illinois. Thank you.

Mr. PALMER. That would be—

Mr. DAVIS of Illinois. I have to move on, Don. I apologize.

I want to get back to the question that I asked Secretary Padilla.

You know, the Election Integrity Project found over 450,000 California registrants on your voter rolls are likely deceased or have moved out of State.

Since you received this letter last April, can you tell us approximately how many of these 450,000-plus registrants you have removed that would get a ballot mailed to them if the provisions in the HEROES Act were implemented because we are in a national emergency?

Mr. PADILLA. So, again, I don't have precise numbers for you, but rest assured we are working with each and every county to perform the ongoing list maintenance.

Several counties, including Los Angeles County, which was a big focus of that effort, has recently, for example, sent mailers to every active registered voter in an attempt to identify those that may no longer be at their address and to verify the address of those who are.

And, ultimately, even if a ballot goes to somebody who might have moved, it doesn't mean that ballot is being cast. We have the security measures that I have articulated already that would prevent a fraudulent ballot from being cast by mail.

Voter fraud is exceedingly, exceedingly rare, so the current safeguards are working.

Mr. DAVIS of Illinois. Mr. Secretary, it was not rare enough to not seat a Member of Congress in one of our elections.

Mr. PADILLA. That was North Carolina, sir, not California.

Mr. DAVIS of Illinois. I agree, but it is the same harvesting process. And we have to make sure they are—

Mr. PADILLA. So let me address that, because you have brought it up a few times. So here—

Mr. DAVIS of Illinois. I have to move—

Mr. PADILLA [continuing]. Is the law in California—

Mr. DAVIS of Illinois [continuing]. Almost out of time.

And we just mentioned earlier, unfortunately, that the NVRA is not being followed. That is the law too, sir. That is why I question California so much, because there are too many questions about what laws you want to follow and what laws you actually do.

That is a process that we can—I certainly would have liked to have met with you during the NASS conferences we requested. We did not get a response from your team. I offer again, I would love to sit down with you on an extended basis to have a meeting and talk about these issues, because 10 minutes in a partisan hearing clearly is not enough for me to get the answers and for you to actually get the answers out of me that you would like.

So thank you, sir.

I appreciate everybody's time today. Disappointed in the rhetoric once again. But I look forward to working with our witnesses in the future.

The CHAIRPERSON. The gentleman's time has expired.

The gentleman from Maryland, Mr. Raskin, is now recognized for five minutes.

Mr. RASKIN. Chair, thank you very much.

Well, I suppose, then, the disappointment is mutual on our two sides about the rhetoric. My friend Mr. Davis says that the biggest threat to elections is partisanship. But, you know, I started to think about that, because, of course, partisanship is a reflection of a free society. Under the First Amendment, people can form political parties, and then we have partisan competition. That alternative to that is a one-party state, a dictatorship, an authoritarian state, you know, some kind of strongman, Putin in Russia or Orban in Hungary or any of the other friends of Donald Trump around the world. I guess a one-party state would get rid of the problem of partisanship.

The problem is partisanship invading the electoral system. So that is like, you know, Katherine Harris in Florida in 2000, when she was both the chair of the Bush campaign and also the head of the elections. That is certainly something we have to deal with through the system of federalism, where the States have moved away from partisan brawlers running elections and, instead, trying to move towards independent, nonpartisan administration of our elections.

But, of course, the leading partisan in this electoral process is Donald Trump, who calls ballot drop boxes a voter security disaster, who said he wants to get rid of all the ballot harvesting in a tweet, and then we learned that he gave his ballot to a third party to go and mail. And then his incessant attack on the post office, where he opposed what we passed in the HEROES Act, and he said, on national TV, "They want \$25 billion for the post office. Now they need that money in order to make the post office work so it can take all of these millions and millions of ballots." It could not be clearer that that is partisan sabotage of our ability to have a free and fair election in the United States of America in 2020.

I would like to ask some of our guests who have come from around the country: The partisanship is obvious, coming from Donald Trump and his sycophants, but isn't this also an attack on fed-

eralism? When he attacks what Washington State is doing in terms of its drop-off boxes or its direct mail-in voting, when they attack California or North Carolina or—any State where they think the people are going to vote against Donald Trump, they attack the electoral system. Isn't that a serious threat to federalism?

And I would like to ask Ms. Wise and Secretary Padilla about that.

Ms. WISE. I am a nonpartisan election official that has appreciated running elections in a nonpartisan way for our voters in Washington State and for King County. And I think that what I do know is that voters deeply appreciate the opportunity to vote by mail.

One of the things that worries me is, if we talk about rejection rates, how do you account for how many people stopped waiting in line after six hours? I believe it is people's fundamental right to have their ballot wherever they want it. If that is by mail or if that is at a vote center, we need to provide an opportunity for our voters.

So, as a nonpartisan election official who has dedicated half of my entire life to running elections, I am saddened to see us politicize administrative tasks like postal worker—my grandmother was also a postal worker—and election administration and to demonize election workers. We are civil servants, a lot of us nonpartisan, just trying to do the good work to make sure that our voters can have their voice heard.

We fundamentally believe that democracy at its finest is when all voices are heard. And how you do that is you remove barriers, therefore increasing access. But I question, how many people do we lose when we make them stand in line, when they have to go to the right place out of 700 places?

Mr. RASKIN. Yeah, I appreciate that very much.

And there are those who clearly want to blame the messenger if the election officials bring back a result that is untowards them. For the first time in American history, we have a President who is saying, I am not going to necessarily follow the results, and people are questioning whether he is actually going to leave office. I mean, this is a deranged situation that we are in.

Secretary Padilla, what about you? Do you interpret this as an offense against federalism, to be questioning all the State election officials, the secretaries of State, about balloting processes that have evolved over the decades towards greater inclusion?

Mr. PADILLA. Look, I think it is both offensive and insulting, not just to State elections officials but to local elections officials across the country, like Ms. Wise, and the untold number of volunteers, people who sign up to work as poll workers to help administer our elections in person.

In California, we believe in both election security and accessibility. It is not an either/or. And now we have to be worried about accessibility, security, and safety because of the COVID-19 pandemic.

Voter enfranchisement is not voter fraud. You know, it has come up a couple times, so I want to talk about the options for how these ballots come back in. In California, we—

The CHAIRPERSON. The gentleman's time has expired, so I will give you an opportunity to talk about that when it is my turn.

And the gentlelady from California is recognized for five minutes.

Mrs. DAVIS of California. Thank you, Madam Chair.

And, Madam Chair, before I ask a question, I just wanted to ask unanimous consent to enter into the record the Science Advances study dated August 26, 2020, by Michael Barber and John Holbein.

The CHAIRPERSON. Without objection.

[The information follows:]

SOCIAL SCIENCES

The participatory and partisan impacts of mandatory vote-by-mail

Michael Barber^{1*} and John B. Holbein^{2*}

Recently, mandatory vote-by-mail has received a great deal of attention as a means of administering elections in the United States. However, policy-makers disagree on the merits of this approach. Many of these debates hinge on whether mandatory vote-by-mail advantages one political party over the other. Using a unique pairing of historical county-level data that covers the past three decades and more than 40 million voting records from the two states that have conducted a staggered rollout of mandatory vote-by-mail (Washington and Utah), we use several methods for causal inference to show that mandatory vote-by-mail slightly increases voter turnout but has no effect on election outcomes at various levels of government. Our results find meaning given contemporary debates about the merits of mandatory vote-by-mail. Mandatory vote-by-mail ensures that citizens are given a safe means of casting their ballot while simultaneously not advantaging one political party over the other.

INTRODUCTION

With the recent coronavirus disease 2019 (COVID-19) outbreak, mandatory vote-by-mail (hereafter VBM) and its close variants (e.g., no-excuse absentee voting) have received a great deal of attention as a means of administering elections in the United States. Many experts have suggested that VBM would allow elections to proceed while simultaneously minimizing the spread of the highly contagious and deadly virus. As a result, some states (e.g., Hawaii, Illinois, Vermont, and Nevada) have recently passed standby legislation that would transition their elections to all-mail by mailing ballots to all of their citizens if the COVID outbreak continues or worsens, while other states have moved partially in this direction by opting to send absentee ballot applications to all registered voters (e.g., Arizona and Idaho), and others still have made decisions to loosen restrictions for obtaining mail-in ballots (e.g., Massachusetts, New Hampshire, and Texas). (For a thorough overview of these recent changes and their various iterations, see "State Voting Policy Changes to Deal with COVID-19," the National Vote at Home Institute.) Beyond these handful of states, many other local, state, and even federal policy-makers have publicly and prominently debated making changes to move toward all-mail voting: both nominees for president have spoken widely on the merits of mandatory VBM, too many legislators to mention have gone back and forth on the merits of all-mail elections, and numerous activist groups (e.g., the American Civil Liberties Union, Action Network, and FreedomWorks) have a move toward a universal VBM system. Many of these debates hinge crucially on whether mandatory VBM advantages one party over the other. For instance, President Trump and other Republicans have repeatedly railed against variants of VBM. Consequentially, the debate over the merits of this electoral reform has become contentious and highly polarized. Recent polls have found that while more than 8 in 10 Democrats supported all-mail elections, only 4 in 10 Republicans held the same position (1). Many assume, act as if, or even directly argue that VBM will substantially advantage Democrats at the ballot box.

What is the effect of mandatory VBM on electoral outcomes in the United States? Existing research has studied the effects of VBM (mandatory and voluntary) on overall levels of voter turnout (2–11) and on the turnout levels of demographic subgroups broken down by age, gender, and race (4, 12, 13). However, previous VBM studies have tended to only look at effects in individual states, not at scale nationwide. Moreover, no published work has looked at whether VBM affects partisan election results. As noted elections expert C. Stewart succinctly puts it, "[E]vidence so far on which party benefits [from VBM] has been inconclusive" (14, 15).

Here, we use a unique combination of historical nationwide county-level data from the past three decades (1992–2018) and more than 40 million individual-level voter records from two states (Washington and Utah) paired with various methods for causal inference to estimate the effect of mandatory VBM on voter turnout and election outcomes. We show that VBM has a modest positive effect on turnout, but it has no measurable effect on how well Democratic candidates perform at the ballot box. VBM could offer an opportunity to, at worst, maintain historical levels of turnout or, at best, even slightly increase low levels of turnout while simultaneously not substantively advantaging one political party over the other.

DATA

Here, our key treatment variable is an indicator for whether or not a county conducted a general election entirely (or overwhelmingly in some cases) via mail-in ballots. Several states and counties within states have adopted this method of election administration for federal elections—California (five counties, 2018), Oregon (all since 2000), Washington (staggered, 1996–2012), Utah (staggered, 2012–2020), Colorado (all since 2014), and Nebraska (four counties, 2018). Although these systems of VBM have differences of administration, they are all consistent in the core elements of mandatory VBM in that they (i) mail all constituents a ballot in the lead-up to Election Day and (ii) limit or omit in-person voting. Consistent with many other studies of the effect of election laws (which often have slight variations in administration), we estimate average treatment effects of the variants of how VBM is administered. This quantity is of direct relevance to states that are considering the typical experience of states that already implemented this reform. [To go one step further,

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however, in the Supplementary Materials, we explore whether subtle differences in the administration of VBM (e.g., the presence or absence of vote centers and the state-wide adoption or adoption only in a few counties) influence our estimates. They do not appear to do so; see figs. S7 and S8, and their surrounding discussion, in the Supplementary Materials. Because of the spatial and temporal variation in moving to VBM (see Fig. 1 for current levels and figs. S1 to S3 for change over time), we can leverage various statistical methods to estimate a causal effect of conducting an election via VBM.

Our key outcome measures are voter turnout and partisan vote margins. We use three data sources to calculate these values. We examine turnout given that previous work in this space has theorized (and provide evidence to support the fact) that VBM may increase the number of people who vote by informing them of their right to vote (through the mailed communication/ballot from the government) and making that process more convenient (8–10). The first is turnout numbers and party vote shares at the county level over the past three decades (1992–2018) from Dave Leip's Atlas of Elections, which is widely used in social science research. The Leip dataset provides a county-level measure of votes cast and how the two political parties perform in U.S. elections over time. The second source is the U.S. Census Bureau, which provides measures of total county population (1992–2018) and citizen voting age population (CVAP, 2004–2018). Together, the Leip and Census data produce turnout rates and partisan vote shares for each county in each election cycle. The resultant dataset is composed of just over 42,000 county-year observations. In this dataset, our two dependent variables are turnout rates in the county-year and two-party Democratic vote shares in races for the House, Senate, governorship, and presidency, as well as an average of these races in that county and year. We use an index measure as one of our outcomes to avoid idiosyncrasies of any particular election (i.e., candidate specific characteristics, issues specific to the race, local factors, etc.) and to reduce residual noise.

Figure 1 displays the current state of VBM as well as turnout levels and Democratic vote share in the most recent federal election (2018). In Fig. 1B, green indicates higher levels of turnout (purple is lower). In Fig. 1C, blue indicates areas where Democrats do better, whereas red indicates the opposite. Maps from 1994 to 2018 can be found in the Supplementary Materials (figs. S1 to S3). (North Dakota is omitted from the analysis as data on the timing of the rollout of VBM at the local level are not readily available and this state has a somewhat distinct set of election laws from other states.)

Our third data source comes from 40 million voting records from the states of Washington and Utah; these data have been collated by the data and analytics firm DT Client Services LLC. In the United States, whether a citizen vote (but not who they vote for) is public record, voter files contain voting and registration histories of

all registered voters in the state. Although registration records are publicly available in all states, states vary in how much information the file provides. Effectively all states provide registered citizens' vote history, age, gender, address, political party, and name (to list just a few). We have voting data in Utah spanning from 2012 to 2018 and voting data in Washington spanning from 2002 to 2016.

We focus on Washington and Utah as these are the only two states that have gone from little mandatory VBM to full implementation of mandatory VBM, with counties staggering their implementation, in recent years. (As noted earlier, a few counties in California and Nebraska implemented mandatory VBM in 2018. However, the recency of the change and the relatively small penetration of this reform do not allow us to use individual voter turnout records.) With Washington and Utah data, we can examine the effects of VBM on overall turnout and turnout by a voter's political party, which has direct implications for the partisan impacts/nonimpacts of VBM (given low rates of crossover voting). As we describe in the next section, using individual-level data from Utah and Washington has trade-offs, but drilling down into these states is very useful given that doing so allows us to improve the internal validity and precision of our estimates compared to those derived from aggregate-level data alone.

METHODS

Our empirical approach here is a difference-in-differences design. The main assumption of a difference-in-differences model is the parallel trends assumption, which asserts that, in the absence of treatment, the potential outcomes of the treated and the potential outcomes of the untreated observations run parallel over time (16).

The most common approach of implementing a difference-in-differences design in the study election laws (and in difference-in-differences designs more generally) is the two-way fixed effects model (17). As its name implies, this model includes unit (county or state) and time (year) fixed effects. This approach is outlined in Eq. 1, where V_{it} represents the treatment of interest [whether a county (c) has mandatory voting in a given year (t)], O_{it} represents the outcomes we explore (turnout and vote share), and α_i and γ_t represent year and county fixed effects, respectively. This model specification does not account for factors that vary across units over time.

$$O_{it} = \beta_0 + \beta_1 V_{it} + \alpha_i + \gamma_t + \epsilon_{it} \quad (1)$$

Although this is the most common approach to estimating a difference-in-differences model, there are econometric reasons why a two-way fixed effects design may be insufficient for identifying the causal effect of mandatory VBM. First, scholars have recently used proofs



Fig. 1. Mandatory VBM (A), voter turnout (B), and Democratic vote share (C) in 2018.

and simulations and applied examples to show that two-way fixed effects often struggle to obtain the causal effect of interest (18–20). Second, in the case of mandatory VBM, there are reasons to move beyond this specification. A standard check in the difference-in-differences literature involves looking for treatment effects on outcomes before treatment has occurred (20). When we run this specification (fig. S10), we find signs of imbalance in the lagged dependent variables. That is to say, a two-way fixed effects model would lead us to conclude that mandatory VBM increased voter turnout/Democratic vote share even before it was put into law. Since this is definitely not the case, this instead suggests that the two-way fixed effects model may be biased and that the model is violating the parallel trends assumption. If we rely on this modeling approach, any effects we observe may be driven by pretreatment imbalances in our outcomes. [We also note that the standard state (instead of county) and year fixed effects model shows similar signs of pretreatment imbalance.]

Given this concern, our preferred difference-in-differences models consist of an extension of Eq. 1 that includes county, state-by-year fixed effects, and individual time trends for each county. This is a standard recommendation in the difference-in-differences literature, especially when the two-way fixed effects models fail to produce desired levels of pretreatment balance (20, 21), as is the case with mandatory VBM. The models with linear county-specific time trends are displayed in Eq. 2. This model absorbs all observed and unobserved factors that remain constant within counties (e.g., political culture, social capital, and rigid political institutions) and that are shared within years and states (e.g., recessions, specific candidates on the ballot, and differential campaign investments) and trends that vary across counties (e.g., the natural trends of voter turnout, partisan vote shares, and other factors in counties). (Our results are robust to using a quadratic county-specific time trend; see fig. S11.)

$$O_{ct} = \beta_0 + \beta_1 V_{ct} + \alpha_{st} + \gamma_c + \sigma_c * t + \epsilon_{ct} \quad (2)$$

The virtue of the model estimated in Eq. 2 is that it allows for better causal identification. The inclusion of county-specific time trends ($\sigma_c * t$) allows us to relax the tenuous parallel trends assumption key to difference-in-differences specifications. Here, our identifying assumption is that our outcomes deviate from county-year effects by following the trend captured by the interaction of time with each county. Under this assumption, identification comes from sharp deviations from otherwise smooth county-specific trends. The assumptions behind this approach are considered to be less strict than those required in a model with only unit and time fixed effects (16, 22). This fact bears out in the mandatory VBM case. The same specification tests that we use with the two-way fixed effects model show balance on our lagged outcomes when we include county time trends (see fig. S10). In other words, once we take into account the temporal trends of our outcomes across counties, the treatment (VBM implementation) no longer predicts turnout before the implementation of the treatment. This suggests that this model is better situated to identify the causal effect of mandatory VBM. For this reason, in our county-level analyses, models with county fixed effects, state-by-year fixed effects, and county-specific time trends are our preferred estimates. Given the desirable properties of this model, we present results from models that take the form outlined in Eq. 2.

In addition to the approach that we outlined here, we also run a host of other robustness checks, which (for the sake of space) we include in the Supplementary Materials. These further tweak various aspects of the difference-in-differences design and include using different versions of fixed effects (see fig. S5), focusing on just those that implemented county-by-county staggered VBM versus states that adopted mandatory VBM statewide (see fig. S7), coding VBM as varying degrees of treatment that take into account slight differences in the types of VBM policies that states implement (see fig. S8), and omitting one treatment state at a time to ensure that our results are not driven by a single outlier state (see fig. S6). In all cases, these models yield similar results to those discussed here (i.e., slight increases in turnout with no advantage for Democrats at the ballot box). Last, we look at whether the presence of mandatory VBM in one's county is related to voter registration. If mandatory VBM is unrelated to registration patterns, we are unlikely to have an issue with differential registration bias. Figure S4 shows that VBM is unrelated to registration rates.

In addition to these robustness checks, we implement a second identification strategy that leverages individual-level voter registration data from two states: Utah and Washington. These are the only two states that have implemented VBM in a staggered fashion in recent years for which voter file data are available.

We implement this second identification strategy for two reasons. First, it allows us to improve our statistical precision. When presenting a series of null findings (as we do below regarding Democratic vote shares), we need to be sure that we are not treating any nonsignificant effects as evidence of no effect—a common mistake often made in empirical research that finds null effects (23). Instead, we want to pay attention to how wide our confidence intervals are, to give a sense of the types of effect sizes we can rule out. Individual-level data allow us to make very precise inferences using equivalence testing of what types of effects we can and cannot rule out (23, 24). Although our data consist of individuals nested in counties (which we adjust for by clustering SEs at the level of treatment), we still gain a great deal of statistical power and precision above and beyond analyses that only use aggregate data. [Clustered SEs inflate SEs proportional to the number of clusters and observations within clusters (25, 26). Given that the penalty clustered SEs apply is not as harsh as collapsing nested data to the level of the treatment, we would expect our estimates of individual-level, nested data to be more precise than estimates at the aggregated county level. However, our results are robust to collapsing the voter file to the county level and clustering at an even more conservative level; see fig. S12.]

The second, and perhaps more important, reason that we use individual-level voter file data is that it allows us to improve our ability to draw causal inferences even further than the aggregated data allow. Even with pretreatment balance, difference-in-differences models may be biased (19). Thus, the individual-level models provide additional robustness to our county-level analysis.

In short, the gains to internal validity and precision from using individual-level data are vitally important given the policy relevance of the effects of VBM and given that, to convincingly argue that VBM has no partisan impacts, one has to narrow their confidence intervals as much as possible to minimize the possibility of type 2 error. Given the current political terrain, getting the best causal identification and highest degree of precision is paramount.

Using individual-level data allows us to leverage individual-level changes in exposure to mandatory VBM. Our approach uses

individual-voter fixed effects. This identifies the effect of mandatory VBM based only on variation in the system that individual voters live in (either because they moved or because their county changed its voting system). That is to say, it estimates the effect of an individual seeing a change to whether the place that they live has mandatory VBM or not (above and beyond natural changes from one election cycle to the next, which are accounted for in the year fixed effects included in the model).

These models control for all observable and unobservable individual-level heterogeneity that remains constant within individuals over time (e.g., individual-level propensity to vote, family-level propensity to vote, genetics, childhood experiences, stable personality traits, political motivation, family background, political upbringing, etc.). This provides a very stringent robustness check in exploring the relationship between mandatory VBM in one's community and individual turnout. The approach is particularly strong and is, therefore, often used in contexts (such as ours) where randomization of the treatment is not readily available (27–29). With these models, we look for the effect of VBM on turnout of individuals of various political parties. This has direct relevance to the potential effects on party vote shares given historically low rates of crossover voting in the United States (30, 31).

While this modeling approach is especially powerful at purging bias, it does come with a drawback in that it is limited to the two states wherein we can conduct our analysis. However, pairing Utah and Washington together allows us to draw estimates from two meaningful contexts—one where (according to the Cooperative Congressional Election Study) a majority of voters identify or lean Republican (Utah, 52.6%) and one where a majority of voters identify or lean Democrat (Washington, 50.3%). While these two states do not mirror national averages on all dimensions and are unique in their own ways, we note that this is true of any analysis that leverages single states or subsets of states. Studies that dive into richer data within single/multiple states must grapple with the trade-off between the benefits to internal validity/precision that comes at the expense

of external validity. In our case, however, we argue that what we may lose in external validity by focusing on these two states alone (of necessity given our identification strategy), we gain in internal validity.

With this additional identification strategy, we are able to make our estimates as robust as possible using observational data. In addition, even though Utah and Washington are unique, our results from these states confirm the findings in the aggregate-level data that include all states. Doing so gives a more comprehensive picture of the effects of VBM than either analysis on its own would provide. We note that for this very reason, it is common in election law studies [for example, those exploring the effects of preregistration (32) and same-day registration (33)] to use nationwide data paired with analyses that then drill down to individual states.

Together, our analyses leverage data from several sources and multiple methods for causal inference. They provide rich insights by using both individual and aggregate level data. Given the many methods and datasets that we use, our paper provides the most thorough and comprehensive look at the causal effects of mandatory VBM on voter turnout and election outcomes to date. Its scope goes beyond that of previous papers that have focused only on overall turnout rates. In addition, our methods provide a clearer picture of VBM's effects than analyses based only on geographically aggregated data.

RESULTS

Figure 2 shows the results in two panels—first, the effect on overall turnout (using total county population in the left estimate and the CVAP in the right), and second, the effect on Democratic Party vote shares. All models are ordinary least squares with county and state-by-year fixed effects with individual county time trends (see Eq. 2). All in all, Fig. 2 provides evidence from seven different model specifications (two for turnout and five for party vote share). These results, combined with the additional robustness checks that we run in the Supplementary Materials, ensures that the effects we are estimating are robust.

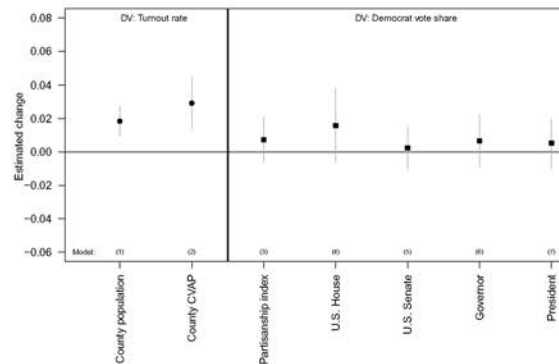


Fig. 2. Effects of VBM on voter turnout and election results in the United States. DV, dependent variable.

Looking at the left panel of Fig. 2, we see that across both model specifications, VBM has a modest effect on aggregate levels of voter turnout. This effect is robust. Depending on the specification, the effects range from 1.8 (model 1, $P < 0.001$) to 2.9 percentage points (model 2, $P < 0.001$). These estimates are consistent with previous research on the aggregate turnout effects of VBM, which have generally found small to modest effects of VBM (2–7). However, our results are important in that they show that VBM's turnout effects are present even at scale. This finding is important given that previous studies have tended only to examine individual states. It has a vital meaning given current policy debates, which focus on implementing mandatory VBM nationwide.

How large or small are the effects of VBM on turnout relative to other interventions designed to increase voter turnout? These estimated effects are roughly equivalent to somewhere between one nonpartisan get-out-the-vote solicitation over the phone and one social-pressure mailer (34). Moreover, when considering substantive significance, it is important to put these turnout effects into the current context. In the midst of a pandemic, we must shift our counterfactual. That VBM increases turnout moderately suggests that (at worst) it can be a viable stand-in for in-person voting during the COVID-19 pandemic. This possibility is important because many convenience voting reforms that move citizens away from in-person social interaction (such as early in-person voting) have been shown to actually decrease turnout (35). That mandatory VBM sees modestly higher levels of voter turnout than in-person voting even though it decreases in-person interaction is a testament to this policy's effectiveness (especially in the context of the COVID-19 outbreak).

Does VBM influence who wins elections? All of our models indicate that mandatory VBM has no meaningful effect on how well Democrats do in elections. Our most precise estimates (model 3) suggest that VBM increases Democratic vote shares by 0.7 percentage points; however, the 95% confidence interval extends from –0.7 percentage points to 2 percentage points. Despite having a great deal of statistical power, these effects are not close to statistically signifi-

cant ($P = 0.29$) and are substantively small. Even if we completely ignore the statistical uncertainty around our estimates (we think that it is unwise to do so), however, this suggests that VBM could only matter in the rarest of cases. For context, only 1.5% of our county observations in our dataset have an electoral margin this narrow. This is a small fraction of counties that influences even a smaller number of races at the state and federal level. Moreover, it is important to remember that despite having high statistical power, this effect is not statistically distinct from a zero (or even a small advantageous effect for Republicans) effect and it is very precisely estimated—we can confidently rule out effects as small as a 2.09 percentage point gains in favor of Democrats. In short, VBM does not have modest or even large effects on Democratic candidates' performance in elections.

Figure 3 displays results from individual-level voter file data in Utah and Washington with individual, county-year linear time trends, and year fixed effects (robustness checks for this dataset are shown in fig. S11). While the overall turnout effects (i.e., all groups pooled) are modest and statistically significant, none of the effects across Republicans, Democrats, or Independents are statistically significant at traditional levels. However, the main point of interest in Fig. 3 is the fact that VBM has consistent effects across subgroups; Republicans, Democrats, and Independents see similar, statistically indistinguishable effects. In all models in Fig. 3, the differences in effects among these groups is not statistically significant. For example, the P value for the difference between the coefficients estimated in model 6 (Republicans in the pooled sample) and model 9 (Democrats in the pooled sample) is 0.41: not statistically significant despite a higher degree of statistical power. This result suggests that even when we account for the many observed and unobserved factors that are constant within individuals themselves, mandatory VBM has precisely no effect on which political party will perform well in elections.

Some may wonder how VBM can increase voter turnout but not advantage one political party over the other, given the conventional wisdom that nonvoters skew toward the Democratic Party. In response

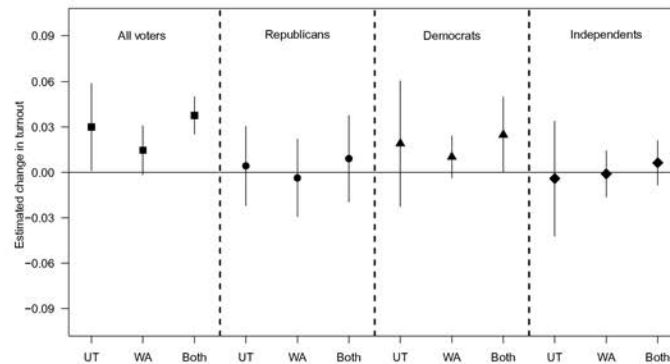


Fig. 3. Effects of VBM on voter turnout among partisan subgroups in Washington and Utah.

to this question, we think that it is important to note that our result is consistent with other election law studies that show that easing voting/registration restrictions increases turnout but has no effect on electoral outcomes (32, 36). This conclusion is also consistent with more general research that suggests that despite the fact that nonvoters tend to lean more democratic as a whole, this gap is smaller than you might expect and, as such, increasing voter turnout does not necessarily advantage one party over the other (37, 38). This may have something to do with the types of voters that VBM mobilizes. To us, it seems possible, perhaps even likely, that VBM is pulling in individuals who are on the fence about voting, of which there are plenty of individuals in both political parties. In making voting marginally easier, it does not cater to the pool of voters who fundamentally are not interested in politics or in voting. The fact that the turnout effects VBM produces are small to modest in size likely contributes to VBM not advantaging one party over the other.

In sum, across a myriad of model specifications provided here (plus 30 additional models in the Supplementary Materials), three different datasets that span the last three decades, and two different identification strategies, we provide the most precise and robust evidence to date that shows that, after accounting for factors that are unrelated to VBM itself, this reform modestly increases turnout but has no effect on who wins elections.

DISCUSSION

Mandatory VBM increases turnout modestly in general elections but does not substantively advantage either political party. These results are vitally important given contemporary debates at local, state, and federal levels over the merits of this mode of administering elections. They have special meaning given that many governments are currently considering how to proceed with the 2020 (and beyond) elections in the midst of the COVID-19 outbreak. They have direct relevance to states that have introduced legislation that would allow mandatory VBM (e.g., Illinois, Vermont, and Nevada) and also to the many other states that are currently debating the extent to which they should use mail-in voting to conduct elections moving forward.

We note that while VBM's effect on turnout is modest, the counterfactual one uses matters a great deal. In elections—like the present one—where citizens have to choose between minimizing the chances that they contract or spread COVID-19 and fulfilling their civic duty to vote, levels of voter participation could likely stagnate, decline, and/or become more unequal than they already are. Given this possibility, allowing citizens to cast their ballots from the safety of their own homes is a viable approach to ensuring that elections continue despite the deadly COVID-19 pandemic.

In short, mandatory VBM preserves public safety while also maintaining the current balance of power between the two dominant political parties. VBM preserves both public health and the integrity of elections.

SUPPLEMENTARY MATERIALS

Supplementary material for this article is available at <http://advances.sciencemag.org/cgi/content/full/6/35/eabc7685/DC1>

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The participatory and partisan impacts of mandatory vote-by-mail

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Mrs. DAVIS of California. Okay.

And I ask unanimous consent to enter into the record the article from Politico dated August 26, "Intel Officials Contradict Trump on Voting By Mail."

The CHAIRPERSON. Without objection.

[The information follows:]

POLITICO

2020 ELECTIONS

Intel officials contradict Trump on voting by mail

The officials said they had seen no signs that foreign countries were looking to undermine mail-in ballots, in a break with the president and attorney general.



Vote-by-mail ballots are shown in sorting trays at the King County Elections headquarters in Renton, Wash. | AP Photo/Ted S. Warren

By KYLE CHENEY and NATASHA BERTRAND
08/26/2020 04:00 PM EDT

The intelligence community has seen no evidence that foreign powers intend to manipulate mail-in voting in the 2020 election, senior Trump administration officials said Wednesday, undercutting a claim by President Donald Trump that such fraud “will be the scandal of our times.”

“We have no information or intelligence that any nation-state threat actor is engaging in any activity to undermine the mail-in vote or ballots,” said a top official with the Office of the Director of National Intelligence, who joined other senior intel community officials from the Department of Homeland Security and FBI to brief media on the

status of foreign election threats. They spoke with reporters on condition they not be named.

Trump has repeatedly and groundlessly asserted that mail-in ballots will be subject to widespread fraud, driving doubts about the security of the election as a slew of states have ramped up mail-in voting access amid the ongoing coronavirus pandemic.

Intelligence community leaders and lawmakers of both parties have pleaded with political leaders to refrain from casting doubt on the legitimacy of the election, which they've emphasized could be amplified by foreign adversaries like Russia who seek to cast doubts about the legitimacy of American institutions.

Trump has ignored those warnings, repeatedly blaring unsupported suggestions that widespread mail-in voting will result in a fraudulent election.

"RIGGED 2020 ELECTION: MILLIONS OF MAIL-IN BALLOTS WILL BE PRINTED BY FOREIGN COUNTRIES, AND OTHERS," Trump [tweeted](#) in June. "IT WILL BE THE SCANDAL OF OUR TIMES!"

He has echoed those warnings and reiterated them dozens of times in recent weeks, amid polls showing him trailing Democratic nominee Joe Biden.

But a senior FBI official on the same Wednesday call said any consequential election fraud is unlikely to materialize.

"We have not seen to date a coordinated national voter fraud effort during a major election," the official said. "It's extraordinarily difficult to change a federal election outcome through this type of fraud alone."



Attorney General William Barr talks to the media during a news conference. | Charlie Riedel/ AP Photo

The comments from intel community leaders also contrast with Attorney General William Barr, who said last month that the expectation of a foreign incursion on mail-in balloting procedures is “common sense.”

“If you have wholesale mail-in voting it substantially increases the risk of fraud,” Barr said.

When asked by Rep. Mary Gay Scanlon (D-Pa.) if he had evidence to back up the claim that foreign adversaries could print fraudulent mail-in ballots, Barr replied, “I don’t, but I have common sense.”

Scanlon called the claim “disinformation,” to which Barr shot back, “It’s not disinformation.” But when he sought to elaborate, Scanlon cut him off and changed the subject.

More broadly, the national security officials issued reassurances about the level of visibility and awareness they have into foreign election threats this time around — as opposed to in 2016, when intelligence officials were caught off guard by the ferocity and breadth of Russia’s interference campaign.

“We are way ahead of where we were in 2016,” said a senior official at DHS’ Cybersecurity and Infrastructure Security Agency. The landscape is more promising, too, the official said, with no obvious “ramp-up in activity targeting election infrastructure” that officials were seeing from the Russians around this time four years ago.

Still, the country’s top counterintelligence official Bill Evanina has issued two warnings in recent weeks about ongoing malign influence campaigns by Russia, China and Iran that could influence the election. The most recent statement detailed Russia’s attempts to undermine Democratic presidential nominee Joe Biden, while pointing to rhetoric by China and Iran that has been critical of the Trump administration and the U.S. more broadly.

Trump has since seized upon the assessment about China’s political activities to suggest that Beijing wants Biden “to win,” which the intelligence community has not stated publicly or offered evidence for. Director of National Intelligence John Rattcliffe released his own statement last week indicating that China poses the greatest threat to U.S. national security, including election security.

“China poses a greater national security threat to the U.S. than any other nation — economically, militarily and technologically. That includes threats of election influence and interference,” Rattcliffe has said in a statement, initially sent to conservative outlets Fox News and the Washington Examiner in the last week.

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Mrs. DAVIS of California. Thank you very much.

I wanted to ask Ms. McReynolds: Several excuse States—those who require any number of excuses, as we know, from people, including whether or not you are pregnant, by the way—have changed their rules to allow a one-time exemption, so the concern about COVID counts as an allowable reason to request an absentee ballot. And this, of course, is better than nothing but certainly no substitute for eliminating excuses entirely.

Do you think those voters in those States are aware that they can now vote by mail by virtue of the fact that COVID is a concern and a fear that they might have? Do you think that they are aware? And how can we best educate them and make sure the excuse situations run smoothly? Have you actually seen whether there is a big attempt to do that in these excuse communities, in excuse States and counties?

Ms. McREYNOLDS. I appreciate the question. And I actually do—we have significant concerns about voter confusion in some of these States because of these changes and, frankly, because the States lack money to communicate and do voter outreach efforts to actually let voters know about that.

Also, in, for instance, a State like Missouri, they have absentee voting, and there is one process for that, and that requires an excuse and some extra steps. And then they created a new process for what is called mail-in voting. And for mail-in voting, you cannot drop off your ballot in person, but if you apply for an absentee ballot, you can. And so the Secretary of State yesterday announced that they are actually not going to roll out the boxes that they have actually purchased. So they literally have ballot boxes in storage that Missouri is not going to roll out.

So, yes, I am very concerned about confusion, especially in the States with excuses and age limitations, like Texas. If you are over 65, it is one process; if you are under 65, it is another. And I think that that is extremely confusing to voters.

Mrs. DAVIS of California. And maybe I will ask all the participants on the panel here whether they think that no excuse is the better way to go or if they think that those States that continue to have people actually be intimidated, in many cases, and maybe even choose not to vote as a result, that that is okay as well. I just wonder if everybody would weigh in on that really quickly.

Mr. PADILLA. I do. There is no reason for no-excuse vote-by-mail to not be in effect nationally when the security measures show that it works. We maintain the integrity of the election, and we make it convenient and safe for voters.

Mrs. DAVIS of California. Thank you.

Ms. GUPTA. I would say, Congresswoman, that, especially amid the global pandemic, it is more imperative now than ever that no-excuse absentee voting be made available in every State.

And States that continue to erect barriers to this, it is hard to understand the rationale for it, given the experience without glitch in many other States that have been using this system for quite some time.

Mrs. DAVIS of California. Thank you.

Ms. McREYNOLDS. And I would add, yes, at the very least, no-excuse should be available in every State. I, for one, came from a

State where we had no-excuse and then we transitioned because of voters choosing this method of voting.

I think that is a really important point here, is that this isn't politicians or people pushing this down people's throats. Voters themselves are opting in to vote this way across this country, and it is their choice. It is not anybody else's choice; it is the voters' choice.

So I would take it a step further, based on my experience, that I think the models that, for instance, I was a part of creating in Colorado and then have happened elsewhere can take it to the next level. But, at least for right now, no-excuse is absolutely critical.

Mrs. DAVIS of California. Thank you.

Ms. WISE. Agreed, no-excuse across the country.

Mrs. DAVIS of California. Uh-huh.

And Mr. Palmer?

The CHAIRPERSON. It looks like—Mr. Palmer, has your WiFi gone out?

There you are.

Mr. PALMER. Congresswoman Davis, can you hear me?

Mrs. DAVIS of California. Yes I can. Thank you.

Mr. PALMER. I looked like I got frozen.

I think the majority of States are taking the no-excuse or excuse with COVID as the primary way to request a ballot. They see that as a secure method that they are comfortable with. And so you are going to see a lot of that in November.

Mrs. DAVIS of California. Would you like to see no-excuse voting be more universal in our country?

Mr. PALMER. I think I am very comfortable with no-excuse absentee or no-excuse mail. I think the primary reason, at least in the experience I had, was that that ability to request from the voter to an election official confirms the identity and address of the individual, and it gives a comfort level that a lot of legislatures and election officials are comfortable with across the country.

Mrs. DAVIS of California. Thank you.

The CHAIRPERSON. The gentlelady's time has expired.

I would like to recognize the gentleman from North Carolina, Mr. Butterfield, for five minutes at this point.

Mr. BUTTERFIELD. Thank you again to the chair for convening this hearing today. This is a very healthy discussion. I hope we have a lot of listeners and viewers, because this is a conversation that we must have.

The Ranking Member was very vocal a few moments ago in talking about North Carolina, talking about the 2018 election in North Carolina Nine, and I am somewhat of an expert on that subject. The record should be clear, Madam Chair, the record should be absolutely clear that Congress didn't seat the so-called winner in that election. Why? Because the board of elections didn't certify the election.

The board found substantial election fraud by Republican operatives. Republican operatives not only harvested ballots in that election but they destroyed the ballots. I remember it so very well. Investigators found that the Republican operatives had overseen a network of people who collected absentee ballots, which is a violation of our law, and then completed those ballots while they were

working for Mark Harris, who was the Republican nominee in that district.

And so I just want the record to be perfectly clear.

To Secretary Padilla, thank you for your testimony today, and thank you for your patience with us.

Nearly half of all registered uniformed and overseas voters hold their legal voting residence in California, Florida, and the State of Washington. Uniformed servicemembers continue to rely primarily on postal mail for their ballots, and the most common reason for ballot rejection in 2018 was that the completed ballot was received after the State's receipt deadline.

The goal should be that every eligible voter has access to the ballot. That is what I think it should be. Every voter should have access to the ballot.

How are you working to ensure uniformed and overseas voters have access to that ballot during the pandemic? What are your recommendations to uniformed and overseas voters on how best to vote in this election?

Mr. PADILLA. No, I appreciate the question.

As you know, Federal law requires ballots for military and overseas voters to go out well in advance of even the rest of individuals who vote by mail domestically. So we are coming up on that deadline of what we call E-45, 45 days prior to the election, to provide ample time for the ballots to get to the voter who is overseas.

I mentioned earlier that we are extending the postmark-plus-3 policy in California to postmark-plus-17, probably the most generous policy in the Nation, allowing ample time for the ballots to be returned. That may be something else to consider for an improved national standard, because members of our military come from every State in the Nation.

Mr. BUTTERFIELD. Sure.

Let me ask you this. If uniformed voters rely heavily on the postal mail to return their ballots, what impact does a delayed Postal Service have on the ability of men and women in uniform and their family members to return their ballots on time?

Mr. PADILLA. We are certainly hoping to properly support and fund the U.S. Postal Service so that members of the military, who are serving to defend our democracy and willing to pay the ultimate price for our democracy, can participate in our democracy and not be disenfranchised.

An added tool: I have talked about our ballot tracking system, Where's my Ballot, in California. Of course, every member of the military registered to vote in California can and should subscribe to that to receive those alerts and confirmation messages when their ballot has been received and counted.

Mr. BUTTERFIELD. Thank you very much.

Madam Chair, I yield back.

The CHAIRPERSON. The gentleman yields back.

At this point, I would recognize for five minutes the gentlelady from Ohio, the chair of the Elections Subcommittee, Ms. Fudge.

Ms. FUDGE. Thank you very much again, Madam Chair.

Let me just say that I think it is important that people vote the way that they are comfortable voting. If they feel comfortable voting from home, they should be allowed to do it. And they should

be allowed to do it without having to have a notary or two adult witnesses or some other foolishness that we have in these States.

Voting is sacred. You talked about John Lewis when you first started. It is sacred. It is constitutional. And I think that we need to treat it that way. And so those who want to vote from home should be able to; those who want to vote in person should be able to.

What we have done in our legislation is to say that, if things are so dangerous and you cannot vote in person, we want to give you this alternative, and we don't want to make it difficult for you. We don't want to put any more impediments in your way than we need to.

Let me just ask each of you, since you all have fortunately dealt with this for some time, and, you know, people, like my secretary of State, are hoping for more resources. Because they are saying, well, we could make this easier if we could put postage-paid envelopes, because people will send them back, but we don't have the money to do that. Some of the smaller States are saying, we need resources for new equipment, because we cannot physically put all of these pieces of papers into a machine at the kind of speed we need to do it.

So tell me, what do you think that it would take to really get all of our States up to speed resource-wise? You may not have an exact number, but for those who have not been doing this for a long time, what do you think it is they will need to be able to do this well?

And anyone that wants to answer, please feel free to.

Mr. PADILLA. Well, I will go first, if that is okay.

First of all, the House of Representatives has already taken a significant step in passing the HEROES Act, right? It was about \$3.6 billion for election modernization and administration. I reference in my testimony the recent modest appropriations through the CARES Act and the remaining HAVA funds. Those are helpful but nowhere near enough.

And to really put it in context, the last significant Federal investment in election modernization and security was after the Florida 2000 election debacle. Congress did more in response to butterfly ballots and hanging chads than we have done in funding or policy in response to documented Russian interference in the 2016 election or in preparation for the November 2020 election in the era of COVID.

So additional funding and consistent support for elections.

Ms. FUDGE. Thank you.

Anyone else?

Ms. MCREYNOLDS. Yes, I would add a couple of things.

And our organization is working with States on this very topic. We have, for instance, an operational toolkit that helps them figure out what quantity of mail ballots they are going have and then the staff they need.

So there is still a limited window to implement things like ballot tracking and also, for instance, drive-up ballot drop-off and things like that, and then certainly to plan adequate staffing. So, you know, we want folks to utilize the tools that have been created by nonprofit organizations like mine to help support election offices.

And there are other experts and officials that are also working this very topic.

So those things are all happening. Those are going to continue to happen. And, at this point, it is really late to order significant equipment, because there is just not a way to get that in. What we do want to make sure is that the applications get processed, the ballots get processed, and that States can process things and have timely results.

The one flag I would finally say is that, in States like Michigan, Pennsylvania, Wisconsin, Minnesota, Maryland, they all have policy problems on the books in our State laws that prevent election officials from processing ballots prior to election day. And that is what creates delays.

And so those State legislative bodies need to act—and they can still do so now—to enable election officials the ability and the time they need to actually process ballots.

Ms. FUDGE. Thank you. That is something we can do before this election, even if we can't get the equipment.

Ms. GUPTA. Congresswoman, if I could also add to that? Can you hear me?

Ms. FUDGE. Yes. Please.

Ms. GUPTA. Okay. Just, there still is time for States to spend on prepaid postage, to your point that you were making earlier.

And there is also a necessity, as folks have recognized, to increase in having younger poll workers. Poll workers typically are retirees. We need to make sure that there are enough poll workers. And we are doing a lot of poll-worker recruitment at the moment, but they need training, they need PPE, and all of that costs money.

Those are resources that, if Congress can support, we can make sure that there are—and the NGO community and others are working to do this—that there are adequate numbers of poll workers that will reduce the need to shut down polling places so that we can avoid the kinds of images that we saw in Wisconsin. But all of this costs money.

But this is still—there still is very much a window to get this done with additional resources around the country.

Ms. FUDGE. Thank you.

The CHAIRPERSON. Thank you very much.

The gentlelady's time has expired.

And, unfortunately, Mr. Aguilar had to leave, so I will recognize myself for my five minutes of questions.

I am going return to you, Mr. Padilla, because I cut you off. The five minutes was up. And you were going to explain the California procedures where voters get to decide who to give their ballot to if they don't want to put it in the mail. Can you talk about that?

Mr. PADILLA. So I think the more appropriate term here is, you know, what the policy may or may not be on ballot collection.

And so let's put this in context. So California voters were—every active registered voter will receive a ballot in the mail, by the California schedule, early October, 29 days prior to the election. That is the last day for counties to send ballots out.

Voters then have options for how to return the ballot. The easiest is by mail. California is one of the States that covers the return

postage so voters don't have to look for stamps in their drawer in the kitchen.

If people don't feel comfortable with the Postal Service because of what has been in the news, they can deliver their ballot to any secure ballot drop box that is convenient to them in the several weeks leading up to the election.

Voters also have the option of dropping the ballot off in person, if that is their choice, at any voting location in their county over the course of the several days that in-person voting is being offered.

And after all that, if—you know, life happens. If you have a sick child or some sort of emergency and you can't get your ballot back personally, California law empowers voters to decide for themselves who they trust to return their ballot for them. It used to be limited to immediate family members in the same household, but I don't know about you, but I trust my neighbor. You know, if we were tied up, I would confidently hand my ballot to my neighbor to return for me, if that is what I felt comfortable doing.

So that is really what the California law is: multiple options, and voters decide how they choose to return their ballot or who they trust to return their ballot for them if that is their choice.

The CHAIRPERSON. So I think it is important, all of us who are watching the North Carolina debacle—and that was, North Carolina does not permit voters to decide that they want their neighbor to take the ballot in. But there was a conspiracy, really, by political operatives who violated the law. They put in false applications for absentee ballots. They destroyed ballots. I mean—and they committed crimes, and they were prosecuted and convicted of those crimes.

I would like to ask this. In California, have there been any convictions or arrests for misconduct relative to ballots being handed to somebody other than the postman?

Mr. PADILLA. Well, we have no documented cases from a March 2020 primary, but I would also suggest that it is one of the tremendous values added of our ballot tracking system. Voters will have those alerts, including confirmation of when their ballot is received and counted. So more transparency and more spotlight on the process is good for election integrity and public confidence.

The CHAIRPERSON. So, again, I would like to say that, in the 2018 election, both parties had observers, and they were there election day, and they were there after election day, looking at everything. And there were no complaints filed. You know, there were complaints in North Carolina because a crime was committed. But not a single election was subject to the very partisan people who were there cheering on their side—there was no misconduct. So I just think it is important to clear the record on that point.

I would just like to ask this of the election officials here. It is possible to have your vote disqualified if your signature is off or you don't sign. What steps and what education efforts should we make so that all the voters who are using a vote-by-mail system have a better chance of their vote actually being counted?

Mr. PADILLA, you want to start?

Mr. PADILLA. Sure.

Well, for purposes of this upcoming election, California voters should know that if they are voting by mail, that signature on the envelope is required. California law requires counties to contact the voter if there is any issue with that signature—if there is a missing signature or there is a signature mismatch—affording that voter an opportunity to correct whatever the issue may be so that their ballot can be counted and their voice heard in the process. Of course, if it wasn't that voter returning that ballot, then there is another issue, maybe, to look into.

In preparation for November, to try to avoid these issues, a public information campaign reminding people to sign the back of the envelope; a public information campaign to sign up for the ballot tracking tools; public education campaign to verify the status of their voter registration.

And, by the way, when a California voter checks their voter registration status part of the information on that record is the determination of their votes in prior elections. If they voted provisionally or they voted by mail, confirmation that those ballots were received and counted, and if not, why not. So there would be a flag if there was a signature issue from a prior election.

So a lot of wraparound assurances that the ballot will be counted, but opportunities for voters to address any issues that they have.

The CHAIRPERSON. My time has expired, and I am going to call time for me to be fair. And, really, we have each had a chance to ask two sets of questions.

So I would like to ask unanimous consent that all members have five legislative days to revise and extend their remarks and that written statements be made part of the record and, also, that additional questions may be sent to each of the witnesses. And if that occurs, we would ask, if possible, for you to promptly answer those questions.

[The information follows:]



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December 4, 2020

Chairperson Lofgren
Ranking Member Davis
U.S. Committee on House Administration
1309 Longfellow House Office Building
Washington, D.C. 20515-6157

Dear Chairperson Lofgren, Ranking Member Davis, and Members of the Committee:

Thank you for your questions for the record from the August 28, 2020 Hearing titled "Voting Safely in a Pandemic." Based on these questions, we have provided a description of several of our election programs in order to answer you and your member's questions. These programs enabled California to conduct a safe, secure election with a historic voter turnout despite the pandemic.

Vote Safe California

The Vote Safe California public education campaign's goal was to ensure that the 2020 election was safe, free, fair, accessible, and secure for all California voters. Given the scope of the challenge, large-scale preparation was needed immediately to ensure that registered voters in California were aware of the many changes to the General Election ahead of November.

To achieve this we executed and developed creative public education strategies around Vote Safe California: to ensure registered voters in California were aware of safety procedures at in-person voting locations; that they would receive a vote-by-mail ballot; how to verify their voter information and update their registration ahead of the general election; security of vote-by-mail ballots; the need for volunteer poll workers and voting locations; how to vote-by-mail; how to track their ballot; early voting options; as well as reminding Californians how to register to vote.

Our mandate for our statewide messaging and branding efforts was to develop an inclusive campaign that reached out to all California voters while providing culturally and regionally adaptable communications for effective education for various audiences. Our outreach campaign was multilingual and provided messaging across 10 languages. Our statewide messaging reached all 58 counties in California, effectively utilizing various media markets.

As part of our Vote Safe California campaign a General Election Social Media Toolkit was provided in English, Chinese, Tagalog, Vietnamese and Spanish. All of our toolkits are still available on our Community Partner and County Resources page, available at vote.ca.gov.

In addition, we ran television and radio public service advertisements in Spanish, Mandarin, Cantonese, Tagalog, Vietnamese, Hindi, Punjabi, Hmong, Korean and Japanese. Our television public service messages ran across seven media markets on Spanish language channels as well as on Asian Pacific Islander television channels, specifically Crossings and Skylink. All of these

advertisements remain available on our California Secretary of State YouTube Channel:
<https://www.youtube.com/hashtag/votesafeca>.

In-language digital advertisements also ran statewide in the above referenced languages. Our outreach also targeted African-Americans as well as Native American communities.

Our in-language communications strategy was informed in part by the Secretary of State's County Communications Survey Results, which 49 California counties responded to. We were specifically interested in assessing where there were communications and education gaps especially as it related to in-language needs. We looked at the covered languages and cross-referenced our list (<https://elections.cdn.sos.ca.gov/ccrov/pdf/2020/may/200961a.pdf>) with what the counties were doing or had plans to do in terms of outreach and advertising and found the "gaps" noted below.

To fill the gap for several languages we are able to create additional digital targeting in-language for those counties.

Additional digital targeting included the following:

Spanish – Butte, Humboldt, Lassen, Modoc, Mono, Santa Cruz, Shasta, Siskiyou
 Chinese – El Dorado, Santa Barbara
 Bengali – LA
 Vietnamese – Monterey
 Korean – Monterey, Santa Barbara

- Arabic – San Diego

Due to various digital platform limitations, we were unable to provide digital targeting for within specific counties, including the following:

Cambodian – Alameda, San Joaquin, Santa Clara, Sonoma, Stanislaus
 Hmong – Butte
 Tagalog – Monterey, San Luis Obispo, Santa Barbara

- Syriac – Stanislaus

For those languages/counties we engaged our grassroots outreach team which worked with several community partners to develop local validator videos in-language. Those digital videos are available on our YouTube Channel as well and can be found here:
<https://www.youtube.com/hashtag/votesafeca>.

For the counties where Cambodian and Tagalog was a language that we were not able to reach with digital ad buys we developed an in-language direct mailer to target those communities.

We also produced in-language print ads in Spanish, Tagalog, Korean, Chinese, and Japanese as well as billboards ads in Spanish, Chinese, Korean, Hmong, Armenian, Korean running in specific targeted counties.

Finally, videos were produced and included on our resource page for individuals with disabilities. Specifically, we offered American Sign Language translations of the California Propositions as well as a video from our Disability Rights California partner, which were shared with our disability rights partners and American Sign Language partners throughout the state. All of our resources can be found here: <https://www.sos.ca.gov/elections/election-2020/covid-19-election-resources>.

USPS and Vote by Mail Efforts

We were troubled by information and reports that USPS Postmaster General Louis DeJoy was making sweeping changes to USPS delivery and processing protocols, including removal of vote sorting equipment that threatened to disrupt the Presidential election. In response California passed legislation (Assembly Bill 860) that extended the time to seventeen days after the election for a timely postmarked vote by mail ballot to be received by an election official.

California's efforts helped to ensure that any significant USPS delivery delays would have a blunted impact on vote by mail ballots being timely received and counted. This action stood in marked contrast to other states or campaigns that actively sought to limit state's or election officials' efforts to ensure that timely cast ballots would still be counted.

In California, ballots were mailed out no later than 29 days before the election. In addition to returning a vote-by-mail ballot via the USPS, we provided voters with other options for returning their ballot—dropping it off at their county elections office or at any polling place or ballot drop-off location or drop box in the state. These drop boxes are securely locked and monitored, with daily pickups by trusted county election workers.

In California, all vote-by-mail ballot return envelopes are postage paid through Business Reply Mail, which is First Class mail with an estimated delivery standard of 2-5 days. Our Election Mail pieces are reviewed by USPS Mailpiece Design Analysts (MDAs) to ensure the seamless delivery and return of ballots. We use the USPS' Official Election Mail logo that allows postal workers and carriers to recognize it as essential mail. Our USPS partners communicate with each mail plant throughout the state about the vote-by-mail period and examples of what local vote-by-mail envelopes look like to ensure they are given priority and processed timely. During election cycles, USPS also conducts daily sweeps of processing areas and require staff to certify no unprocessed ballot mail remains.

My office also implemented weekly meetings with USPS representatives, the Secretary of State staff, county election officials, and stakeholders for direct communication and sharing of information to ensure the timely delivery and return of vote-by-mail ballots for the November election. In addition, the Secretary of State and county election officials conducted several tours of USPS mail facilities during the first week of October when ballots were being delivered to the USPS. The USPS tours provided the Secretary of State and county election officials with firsthand visibility into the USPS processing and provided an opportunity to communicate our observations to the public about what was actually happening on the ground at USPS facilities in California.

Our efforts appeared successful as we received no widespread reports of late or delayed election mail.

Ballot tracking

The SOS has contracted with BallotTrax to provide ballot tracking for California voters to provide additional transparency for voters on the status of their vote-by-mail (VBM) ballot.

In March 2020, the California Secretary of State's office launched the new "Where's My Ballot?" tool, powered by BallotTrax. In March, 25 California counties participated in offering the "Where's My Ballot?" tool to their voters. In the March Primary election, the Secretary of State had 65,000 California voters that tracked their vote-by-mail ballots.

In November, all 58 counties offered the "Where's My Ballot?" tool to their voters. And, for the November 3, 2020 General Election the number of enrollees increased dramatically -- the Secretary of State had 5,065,000 California voters that tracked their vote-by-mail ballots.

Voters signed up at WheresMyBallot.sos.ca.gov to receive automated notifications about their vote-by-mail ballots by email, text (SMS), or voice call. We provided a simple, straight forward onboarding process -- voters provided their first name, last name, date of birth and zip code. Voters who signed up for "Where's My Ballot?" received automatic updates when:

- The county elections office mailed the voter's ballot
- The county has received the voter's ballot
- The county has counted the voter's ballot
- If there were any issues with the voter's ballot.

Voters who signed up for "Where's My Ballot?" also received communications from their county elections office about important election deadlines and critical updates such as polling place changes.

List Maintenance Procedures

All new registrations and updates to existing registrations, are checked by the statewide voter registration database against a number of data points including death records from the California Department of Public Health, Department of Motor Vehicles, and the Department of Corrections and Rehabilitation. Each record is checked against:

- Death records from the California Department of Public Health (CDPH), local obituaries and other local county sources like coroner's reports.
- Felons currently incarcerated against the California Department of Corrections and Rehabilitation (CDCR) as well as district and superior courts.
- Change of address records from the California Department of Motor Vehicles (DMV) and National Change of Address records provided by the California Employment Development Department (EDD).

Additionally, the statewide database uses the voters' name, DOB, CADL and/or SSN4 among other data fields to automatically determine if incoming registrations are for voters that were previously registered to vote in California. If a match is confirmed using the voter registration data, then voter records are merged to avoid duplicates.

California's Ballot Return Laws

The California legislature, in 2019, enacted legislation that permits a voter to designate another individual to return their ballot to election officials.

As provided in Elections Code sections 3011 and 3017, California law provides voters with an addition method to return their vote by mail ballot and provides various related requirements. State law requires that the voter authorize an individual to return their vote by mail ballot and to return that ballot in specific manner, within three days of receipt or before the close of the polls on Election Day, whichever is earlier.

Section 3011, also amended by Assembly Bill 306 requires the person designated by the voter to provide their name, signature, and relationship to the voter on the vote by mail envelope. (See

These requirements provide important protections for voters on the one hand and on the other hand, obligations of the person to whom the voter entrusted their ballot. Notwithstanding these requirements, state law does not penalize the voter for the failure of a person to whom a voter entrusted their ballot to return, to comply with the name, relationship, and signature requirements.

The availability of this option was an important tool for voters during the recent election. The persistence of the COVID-19 pandemic and the inability of the federal government to take steps necessary to flatten the curve or to encourage compliance with recommendations issued by the Center for Disease Control, resulted in a marked worsening of conditions across the country, including during the voting period for the November 3, 2020 California Presidential General Election – and a corresponding need for numerous options for voters to exercise their right to vote. In particular, those that were determined to be at high risk for contracting COVID-19, including the elderly and persons with certain underlying medical conditions, could weigh and assess the risks and make the choice appropriate for their situation.

In California, part of our response to the pandemic was to provide information to voters about all of their options for voting and returning their ballot, including:

- Voting in-person at:
 - Polling places on Election Day
 - Vote centers on Election Day
 - Early voting locations (including vote centers and election offices) up to 11 days before Election Day
- Voting by Mail (USPS)
- Returning a vote by mail ballot to an official, authorized county drop box.
- Designating a trusted individual to return their voted vote by mail ballot directly to elections officials, or via USPS or to an official drop box or in person voting location.

For any method a voter chose to utilize to return their ballot, they each had the opportunity to sign up for ballot tracking services that provided text message, phone call, or email notifications when their ballot was mailed to them, received by the United States Postal Service, received by the county election officials, counted, or that an issue requiring further action was required of the voter. This service provided additional assurances that voters' ballots were received and counted.

Ballot Drop Boxes

As mentioned above Californians had an opportunity to return their vote by mail ballot at an official authorized drop box. State law and regulations established detailed notification, construction, security, and retrieval requirements to provide voters with confidence that their ballots would be secure and retrieved according to pre-established protocols. These included, clear language that the establishment of drop boxes and their locations were established only by city and county elections officials. (See Cal. Elections Code section 3025(a)(1)-(2). Additionally, in accordance with the statutory directive in Elections Code section 3025(b), the Secretary of State promulgated "regulations establishing guidelines based on best practices for security measures and procedures, including, but not limited to, chain of custody, pick-up times, proper labeling, and security of vote by mail ballot drop boxes, that a county elections official may use if the county elections official establishes one or more vote by mail ballot drop-off locations."

The regulations promulgated include detailed design, security, notice to voters and ballot retrieval requirements – designed to “establish guidelines for security measures and procedures if a county elections official establishes one or more vote-by-mail ballot drop-off locations or vote-by-mail ballot drop boxes.” Regulation requirements included:

- Construction and design requirements to prevent physical damage and unauthorized entry, and for unstaffed drop boxes located outdoors, constructed to withstand vandalism, removal, and inclement weather.)
- Design requirements to prevent tampering.
- Inclusion of unique identifying numbers identifiable to officially designated ballot retrievers and the public.
- Clear and visible markings identifying the drop box as an “Official Ballot Drop Box.”
- Public notification requirements in languages required by the federal Voting Rights Act (52 U.S.C. § 10503) complying with language assistance and as identified pursuant to California Elections Code.
- Design requirements to ensure they are accessible for persons with disabilities, including access pathways.
- Design requirements so that “the public will perceive them to be official and secure” including use of similar schemes and design within a county to facilitate identification by the public.
- Clear language that confirms that drop off locations are determined by the county elections official.
- Surveillance monitoring requirements.
- Public notification requirements for ballot drop off locations

- Ballot collection procedures and chain of custody requirements, including retrieval by two person teams, sworn oaths by ballot retrieval personnel, information logging requirements, and tampering inspections.

Drop boxes also served as an important option for voters to return their ballots in the manner they deemed safest to them. That confidence was shaken however, in the weeks preceding the November 3, 2020 election, as a growing number of reports surfaced identifying “fake ballot drop boxes” -- sometimes mere unsecured cardboard banker’s boxes, were being used to collect and store ballots. Upon further investigation, we determined that these boxes were being used by the California Republican Party and distributed to local county Republican parties and other locations including churches, and smog check shops.

Our office and the Los Angeles County Counsel’s office took immediate action and issued cease and desist letters to the above entities demanding that they cease using unauthorized, unofficial drop boxes that were causing confusion for California voters and to further demand that they comply with the ballot collection name, signature, and relationship reporting requirements set forth in Elections Code section 3011. In short order, those entities removed the unofficial ballot boxes and agreed to comply with statutorily required ballot collection requirements. Our office provided public information and education messages to voters to ensure that when they chose to return their vote by mail ballots to a drop box that they ensured it was an official, authorized drop box.

Thank you again for the opportunity to respond to your questions and to share information about our successful election strategies.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Padilla". The signature is fluid and cursive, with the first name "Alex" and last name "Padilla" clearly distinguishable.

Alex Padilla
Secretary of State

**HEARING
COMMITTEE ON HOUSE ADMINISTRATION
“VOTING SAFELY IN A PANDEMIC
AUGUST 28, 2020
MAJORITY QUESTIONS FOR THE RECORD
FOR
THE HONORABLE ALEX PADILLA
SECRETARY OF STATE**

1. Election disinformation is a form of voter suppression, whether it’s deceptive practices about the time, place, or manner of voting, or efforts on social media to sow division and chaos. Disinformation ultimately undermines voter participation. In response, the National Association of Secretaries of State has launched an initiative called *Trusted Info 2020* and you have also established the “Vote Sure” campaign in California to combat misinformation.
 - a) Can you tell us about how these initiatives work? What should election officials across the nation be doing to encourage voters to seek out reliable information about voting information?
 - b) What recommendations do you have for voters to ensure that they are accessing accurate voting information?
2. The U.S. Postal Service has undergone disruptive operational changes that have led to mail delays across the country. Voters are understandably concerned about the potential implications of these disruptions on absentee voting this November.
 - a) Have you heard concerns from voters in California about how recent Postal Service slowdowns will impact absentee voting? How is California handling such concerns?
 - b) What advice do you want to share for voters and election administrators about how to mitigate potential Postal Service disruptions for the general election?
3. California is a state with immense diversity and a sizable immigrant population. And for the first time this November, California will be mailing an absentee ballot to every active registered voter. What steps is California taking to ensure access to the ballot for limited English proficiency voters this November? How about for voters with disabilities?

4. How does your office communicate with voters about the variety of options they have to return their absentee ballots?
5. Is there anything else discussed during the August 28 virtual hearing to which you would like to respond? If so, please provide your responses here.

MINORITY QUESTIONS FOR THE RECORD

1. As we have seen recently in North Carolina, there are serious and inherent risks associated with in-person ballot collection, which is commonly called ballot harvesting. I understand that you support universal vote-by-mail due to the pandemic. With the greater number of mail ballots that will now be sent this fall, the risk of bad actors disenfranchising voters through ballot harvesting has also increased dramatically. Why did you not support Senate Bill 1163 that seeks to temporarily suspend unlimited third-party ballot harvesting?
2. A May 2020 Stanford University Law School report, *Signature Verification and Mail Ballots: Guaranteeing Access While Preserving Integrity* stated that “[s]mall variations in these [signature verification] practices can decide close races,” yet it concluded that California “has limited statewide uniform criteria or standards for signature verification, and what ‘counts’ as a matching signature varies enormously from county to county.” In light of expanded voting by mail due to the pandemic, what steps is your office taking to develop clear and consistent signature verification standards for mail ballots and to train county workers on these standards prior to the November 2020 election?
3. Data from the U.S. Election Assistance Commission for the November 2018 election show that 4,935,856 vote-by-mail ballots mailed to Californians in that election were unaccounted for (e.g., not returned undeliverable, not surrendered at the polls, not voted and returned). This was 36% of all domestic mail ballots sent to voters in California for that election. What steps is your office taking to ensure that millions of mail ballots do not go unaccounted for in the November 2020 election?

4. California is providing postage-prepaid vote-by-mail ballot return envelopes for the November 2020 election. However, postage-prepaid mail is usually not postmarked by the Postal Service because there is no stamp that needs to be canceled. Elections Code Section 3020(d)(2) allows a ballot envelope without any legible postmark to be deemed timely cast if it is received by the 17th day after Election Day and the voter's signature is dated on or before Election Day. However, Section 3020(d)(2) applies only if there is no other information is available from the United States Postal Service or the *bona fide* private mail delivery company to indicate the date on which the ballot was mailed. As you testified, ballot tracking software will be used for this election.
 - a) If the ballot tracking software indicates that the ballot return envelope was first processed by the Postal Service after Election Day, will all such ballots be discarded as untimely?
 - b) What training is being provided to county officials to make full use of this ballot tracking software?
 - c) What other steps are you taking to ensure that ballots cast after Election Day are not included in the final tabulation?
5. Did California election officials send pre-election residency confirmation postcards to all registrants prior to the March 2, 2020, primary election, pursuant to Election Code § 2220? If so, how many registrants were removed from the state voter list as a result of this mailing because they had moved out of state or died?
 - a) If not, why not?
6. How many NVRA Section 8(d)(2) cards have California election officials mailed to registered voters since the November 2018 election?
 - a) How many registrants were removed from the state voter list as a result of this mailing because they had moved out of state or died?
7. You said in testimony that several counties, including Los Angeles County, recently mailed cards to all active registered voters. Which counties mailed these cards and on what date(s)?
 - a) What are the results of these counties' mailings in terms of inactivation or cancellation of previously active registrants who were found to be no longer eligible (moved, died, etc.)?
 - b) Please provide copies of both sides of the mailer sent to active voters in all counties that participated.

8. What data sources does California use to identify registered voters who have died outside of California?
9. What data sources does California use to verify the claimed eligibility (name, address, age, citizenship) of persons when they register to vote?
 - a) During routine voter list maintenance?
10. California's Department of Motor Vehicles (DMV) has driver license records for non-citizens, both legally and illegally present. Does California use the DMV driver license records to verify people's claimed US citizenship when they register to vote?
11. In the August 18, 2020 state VoteCal database, Election Integrity Project California ("EIPCa") found 2,991 registrants who have two or more votes in the March 3, 2020 election, using different voting methods. For example, one Registration ID number with one poll vote and one vote-by-mail vote in that election.
 - a) What procedures does the state use to prevent a registrant from voting twice in an election?
 - b) How many investigations and or prosecutions are underway against persons who apparently have voted twice?
12. California allows a person to vote same day. For the March 3, 2020, election, VoteCal shows 188 registrants who voted twice: once in person using same-day registration (CVR, NCVR) and once by mail. What procedures are used to prevent persons from mailing in their ballot and then re-registering and voting again on Election Day?
13. Until amended in late 2016, Elections Code Section 3017 specifically prohibited a paid or volunteer partisan operative from returning a mail ballot on behalf of a voter. Currently, the only restriction on a non-family member returning a mail ballot on behalf of a voter ("Ballot Harvester") is the prohibition at Section 3017(e) on per-ballot compensation. Do you or the county registrars track and tally who returns ballots on behalf of voters? How many investigations and convictions have occurred to determine whether any persons returning a ballot on behalf of a voter has received unlawful, per-ballot compensation?
14. Although the Ballot Harvester is required to place their name, signature, and relation to the voter on the envelope of the delivered mail ballot, Elections Code Sec. 3011(c) was amended in 2018 to allow the ballot to be counted even if that information is missing. How many investigations have occurred to identify Ballot Harvesters who return ballots without this identifying information, particularly if that person delivers large numbers of ballots?

- a) Moreover, what would prevent an unscrupulous Ballot Harvester from declining to include their identifying information on the ballot envelope, dropping it in the mail, and completely escaping detection or scrutiny?
15. Because these recent amendments to Elections Code 3011(c) and 3017, which offer unprecedented permission for ballot harvesting, were not in effect for the most recent presidential election in 2016, what facts support your testimony that the upcoming presidential election will be secure? Please explain how California voters will not be disenfranchised by unscrupulous ballot harvesters?
 16. Your testimony described several public education campaigns concerning confirming a voter's registration and signing the ballot envelope carefully. You described the effect of recent amendments that give unprecedented permission for ballot harvesting as allowing voters to give their ballot to whomever they trust. Accordingly, will there a public information campaign to inform voters that, in order to ensure their vote will be counted, they should be very cautious in giving their ballot to anyone they do not already know, particularly a partisan activist?
 17. Will the public information campaign include equal emphasis on options for voting in person as for voting by mail?
 18. Although your testimony describes signature verification as all-important, California Elections Code 354.5(a)(1) allows the identification envelope for the mail ballot to be signed instead with a mark, on the basis that the voter is illiterate, then witnessed by the scribbled signature of an unidentified person. How many ballots signed by a mark were received in the November 2016 election or the March 2020 election? How many investigations have occurred to identify whether the voter who purportedly signed with a mark is genuinely illiterate, for example by checking for prior or subsequent signatures on ballot envelopes or State documents? Moreover, what would prevent an unscrupulous Ballot Harvester from marking an X where the voter is supposed to sign, scribbling a "witness" signature, declining to provide their identifying information, placing the ballot in the mail, and completely escaping detection or scrutiny?
 19. In your testimony, you stated that ballot return envelopes are marked with a barcode to identify the voter. California Elections Code Section 3011(b) provides: "Except at a primary election for partisan office, and notwithstanding any other provision of law, the vote by mail voter's party preference may not be stamped or printed on the identification envelope." This legislation is critical to prevent partisan triage of ballots by a Ballot Harvester, postal worker, or anyone else handling ballots. Can you confirm that for the November 3, 2020 election, there will be no

alphanumeric code, such as a “D” or “R” or a number coded to party preference, printed anywhere on the ballot delivery and the ballot return envelope, that would facilitate discarding of ballots by an unscrupulous Ballot Harvester or postal worker?

20. Federal and California law require retention of paper ballots and other voting records for 22 months after a Federal election. But some voting machines, including Dominion Voting Systems, print on the in-person ballot a Quick Recognition (QR) Code that contains the voter’s choices. That QR Code is then scanned in the programmed tabulator. How do county officials preserve the ability for scanning the original ballots, to verify and audit the vote totals, throughout the 22- month retention period?
21. On November 21, 2019, the Committee on House Administration Republicans sent a letter to every California registrar asking oversight questions specifically related to the state’s policies and regulations surrounding ballot harvesting. You responded to this letter on November 8, 2019, but you did not respond to any of the oversight questions directed at the county registrars. In your response to the questions for the record, please also respond to the below questions included with the oversight letters:
 - a) What personal qualifications must ballot harvesters meet in order to turn in vote-by-mail ballots (e.g., they must be a U.S. Citizen, California resident, etc.)?
 - b) What information are individuals that collect and return vote-by-mail ballots (“ballot harvesters”) required to provide to your office at the time they drop off the ballots?
 - c) Does your office, or any county registrar, maintain a list, either public or internal, of ballot harvesters or organizations that employ ballot harvesters for a given election?
 - d) Are ballot harvesters required to disclose to the voter who or what organization they work for before collecting a vote-by-mail ballot?
 - e) Does your office, or any county registrar, require ballot harvesters to document the ballot’s chain of custody as a precondition to turning in the ballots?
 - f) Is there any limit to the number of vote-by-mail ballots a ballot harvester could turn in?
 - g) Is there a deadline for a ballot harvester to submit a vote-by-mail ballot to your office once received from a voter?

- h) How does your office, or any county registrar, ensure that a vote-by-mail ballot has not been altered or tampered with in any way before receipt?
- i) Can a voter verify that their vote-by-mail ballot was returned and officially counted after it was harvested?
- j) If a voter discovers that his or her ballot was not turned in after it was collected, what recourse does the voter have to ensure that his or her vote is counted?
- k) Does your office, or any county registrar, maintain a record of how many ballots received in a given election were collected and deposited by means of ballot harvesting?

HEARING
COMMITTEE ON HOUSE ADMINISTRATION
“VOTING SAFELY IN A PANDEMIC”
AUGUST 28, 2020
MAJORITY QUESTIONS FOR THE RECORD
FOR
MS. JULIE WISE
DIRECTOR OF ELECTIONS
KING COUNTY ELECTIONS

1. As the 2020 general election approaches and exposure to COVID-19 remains a threat, a lot of voters across the nation are preparing to cast absentee ballots by mail for the first time. What best practices do you recommend for voters across the country who are voting by mail for the first time this year, including recommendations for voters that are concerned about their ballot getting rejected or about potential disruptions such as a mail delivery slowdown?

My first recommendation to voters is to make sure you know the rules for your jurisdiction and, if you're unsure of the rules, ask your local elections office. Each state has their own set of laws, rules, procedures to follow for elections and, as we know, many of those rules have shifted over the past several months. It's critically important that voters understand what the process is and what the deadlines are in their state and county.

Once voters have the necessary information in hand, they should craft a vote plan to ensure that they're ready to cast their ballot as early as possible. Whether voting in person or by mail, a vote plan can help each voter think through the steps they need to take to make their voice heard. From picking a day and time to vote, to identifying their voting location or ballot drop off location, or even just putting in their calendar the day they want to make sure their ballot is back out in the mail by, a vote plan can help make sure that voting does not get lost or forgotten in the busy day-to-day of normal life.

Next, it is more important than ever to vote early, whether that's by mail or at the polls. One of the most common reasons for ballot rejections here in King County and Washington State is that voters submit their ballot after the deadline – meaning they either do not receive a postmark by Election Day if mailing their ballot or not having their ballot in a drop box by 8 p.m. sharp on Election Day. Voting early in a vote-by-mail environment prevents any question over whether your ballot was received on time and provides the voter with additional time to fix any issues that may arise that would prevent us from counting their ballot, such as a mismatching signature. If voting in person is their only option, taking advantage of the early voting period will cut down on

crowds and wait times, and generally prevent that voter from spending hours in line on Election Day.

Finally, if a voter is voting by mail or absentee, it is a good idea to familiarize themselves with their options for return. Here in King County, we offer over 72 secure drop box locations throughout the county in addition to receiving ballots by mail or at one of our Vote Center locations. While not every county across the country will have drop boxes, many may have established other drop off options and it is generally always an option to drop off a ballot at the local elections office. Dropping their ballot off in person can give that voter the piece of mind in knowing that postal delays will not impact whether their ballot was received and received on time.

2. Washington has run universal vote-by-mail elections for years with little to no issues regarding fraud. You noted in your testimony that King County saw an impressive 76% turnout during the 2018 midterm. You also noted that King County is a linguistically diverse county in which over 170 languages are spoken. How does King County ensure that voters with language assistance or disability needs successfully access the ballot?

Here in King County, we are proud to offer ballots, voting materials, and all other official correspondence in four non-English languages – Chinese, Korean, Spanish, and Vietnamese. Chinese and Vietnamese are required of our jurisdiction under the 1965 Voting Rights Act and Korean and Spanish were added through County Charter by the King County Council in 2016. For these languages, we have staff who provide all translation services in-house, as well as customer service over the phone and at our Vote Centers. It is an investment but one that we feel provides great value to our diverse and varied community.

In addition to those four languages, we have also produced a limited library of materials in a variety of other languages as well, including our ‘Guide to Voting’ that includes basic information on how to get registered, who is eligible to vote, and how to cast a ballot. We also utilize a translation service line for approximately 175 languages so that we can provide over-the-phone customer service to voters seeking help in their preferred language.

For those with disabilities, we utilize a number of resources to help those with disabilities access and cast a private, secure ballot. Our website and our online ballot marking program, where voters can go to access and print their ballot from the comfort of their home, are specifically designed for those who are blind or have low vision. In addition, at all Vote Center locations we provide assistive devices and have staff on hand ready to assist voters as needed. Finally, we heartily encourage our voters to reach out to us if they are experiencing difficulty

in casting a ballot. We will do anything we can – within the law, of course – to make voting easy and accessible for our voters.

3. Is there anything else discussed during the August 28 virtual hearing to which you would like to respond? If so, please provide your responses here.

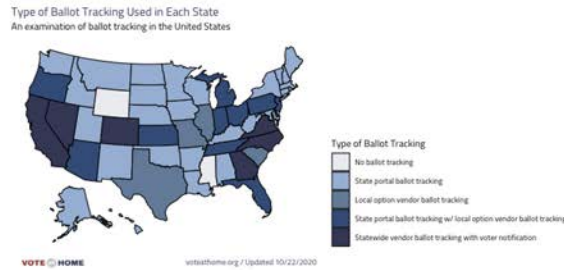
I would just like to reiterate again that vote-by-mail is both secure and accessible. Despite claims the contrary or those claiming that 'by logic' it cannot be a safe and secure method of voting, instances of attempted voter fraud are very few and far between. Vote-by-mail allows for layer upon layer of both physical and cybersecurity, it allows for more direct oversight of the centralized processing of ballots, and it allows for increased transparency as votes are not tabulated on individual machines spread across hundreds of polling locations.

Vote-by-mail is a tried and true method of voting. Here in Washington, it's the method we've been using for a decade now. Vote-by-mail works. It works for voters, it works for election administrators, and it works for our country. Any attempt to undermine vote-by-mail is an attempt to undermine this election and our democracy as whole. I hope that as we all look toward November, that we do so with the understanding that our fellow Americans take their right to vote just as seriously as we each take our own and that we all deserve to make our voices heard – no matter where we stand, who we support, or where we live.

HEARING
COMMITTEE ON HOUSE ADMINISTRATION
“VOTING SAFELY IN A PANDEMIC
AUGUST 28, 2020
MAJORITY QUESTIONS FOR THE RECORD
FOR
MS. AMBER McREYNOLDS
CEO
VOTE AT HOME INSTITUTE

1. You work closely with election administrators across the country who benefit from the experience you bring as a nationally recognized election administrator yourself. What are some of the commendable practices or initiatives that you've seen jurisdictions implement this year to ensure Americans can vote safely during this pandemic?
 - a. Mail ballot tracking solutions were expanded. Tracking a ballot can reaffirm trust in the election system. By following a ballot throughout the entire process, not only is the voting process streamlined, but a voter can guarantee that their ballot is accepted and their vote is processed for counting. Through ballot tracking, voters can quickly be notified if their ballot has been rejected, giving them ample time to fix the problem prior to ballots being counted. The process is completely confidential, so while voters and election officials will know where the ballot is, the vote itself is kept entirely secret. The process is also inclusive, offering messages and notifications in multiple languages and through various mediums for deaf or blind voters. There are various levels of ballot tracking systems including the baseline offering of simply an online look-up on the secretary of state's website to a more extensive system that includes full intelligent mail barcode tracking with messaging automatically to voters. States that had a full tracking system include: California, Nevada, North Carolina, Georgia, Virginia, and Colorado. Ballot tracking was also expanded in various states like Michigan and Ohio.

i. Ballot Tracking Map as of 10/23/2020:



ii. Our white paper on this topic is here:

<https://voteathome.medium.com/its-election-day-do-you-know-where-your-ballot-is-a4a7d784372>

iii. A relevant news article covering this topic is here:

<https://www.fastcompany.com/90501588/track-your-ballot-like-a-package-how-technology-will-smooth-the-way-for-novembers-mail-in-ballot-surge>

- b. Many states expanded the timeframe for local election officials to process mail ballots before election day. States that do pre-processing of ballots will generally have quicker results after the election. In fact, in states with pre-processing, mail-in ballots are often counted and reported first. States that expanded the timeline include: Delaware, California, Georgia, Florida, Idaho, Iowa, Kentucky, Louisiana, Maine, Maryland, Michigan (only for counties over 25k and only to allow processing on Monday before election day), Minnesota, Nebraska, Nevada, New Hampshire (NH jurisdictions could only preprocess if they gave "sufficient public notice" weeks before the election), New Jersey, New Mexico, North Dakota, Oklahoma (OK only expanded preprocessing if the locality sought and got permission), South Carolina, and Vermont. Some state legislatures did not make this technical adjustment even though this change was made by bi-partisan local and state officials repeatedly. These states include Michigan (did not expand enough), Pennsylvania, New York, Wisconsin, and Alabama.

i. This white paper discusses this issue and the variance in timelines across the United States:

<https://voteathome.medium.com/why-some-states-election-results-will-take-longer-than-others-3c8462147e1d>

2. In your testimony, you noted that many voters are making the choice to opt-in to voting by mail this November. We are only a couple of months away from Election Day, and many voters, including first time voters, will soon start or have already started requesting their absentee ballots. What specific steps should such voters take when completing their absentee ballot to best ensure that their ballot will be counted this November?
 - a. Verify your voter registration address and update it as soon as possible and before making the mail ballot request.
 - b. File the absentee/mail ballot request early and online if your state offers it.
 - c. Sign-up for ballot tracking if your state offers it. This allows the voter to track their mail ballot just like you would track a package.
 - d. When your ballot arrives, read the instructions carefully. Follow the instructions for completing the ballot and selecting your choices.
 - e. Research candidates and issues that may appear on your ballot. One of the many benefits to voting at home is that the voter has time to research issues and candidates before completing their ballot. This helps them be more informed and not rush through the process in-person.
 - f. Once you have voted, complete the affidavit and envelope correctly and sign your name where it is required.
 - g. Return your ballot to your local election official as soon as possible.
 - i. If you mail your ballot, check to ensure you affix the appropriate postage and mail it at least 8 days prior to the deadline for it to be received.
 - ii. If you drop-off your ballot in person, be sure to submit it at only an authorized and official ballot drop-off location managed by your local election official.
 - h. Verify receipt using the state's ballot tracking process or online look up tool. This gives voters confidence that their ballot was received and processed on time.

3. In your testimony, you noted that some states such as MI, PA, WI, MN, MD and AL have not updated their election laws to ensure there is sufficient time to process absentee ballots, leading to delays in election results. You also indicated that such states still have time to fix this problem before November. What specific changes do you recommend that such states implement now to rectify this issue?
 - a. Our recommendation is that states expand the window to process mail ballots prior to election day. The best practice is to accept mail ballots as they arrive (phase 1 of ballot pre-processing) and formulate a set time period to extract validated mail ballots from their envelopes and scan them for counting. (phase 2) This is not tallying as that should only occur once polls close. But this does allow for scanning of paper

ballots so that the equipment can capture the information on each ballot but it does not summarize or tally the data. Many states have done this for a long period of time and have secure procedures and processes in place to ensure no results are released ahead of time. Additionally, this also increases transparency and security as this allows states to validate ballots and mark voters as having voted. This information - simply whether or not the voter has returned a valid ballot - can be provided to campaigns and the public so that everyone can see who has already voted, thus enabling campaigns the ability to follow-up with voters who have not yet voted. Additionally, by allowing local officials to process and scan ballots in advance, they have more time to ensure a secure chain of custody, they utilize less equipment over more days rather than all on one day in a time crunch at the end, and this takes some stress off of election day itself. Finally, when mail ballots are processed in advance (like in Florida and various other states), those results are immediately posted on election night so often the majority of mail ballots are actually in the first files posted even before in-person voting.

4. Is there anything else discussed during the August 28 virtual hearing to which you would like to respond? If so, please provide your responses here.
 - a. NVAHI issued a number of recommendations for how best to expand and improve vote by mail systems, operations, and access across the United States:
 - i. [Vote at Home Scale Plan](#) which includes the following key recommendations:
 1. Anticipate and plan for infrastructure and equipment needs (Refer to next section for a plan to coordinate a centralized or regionalized process);
 2. Utilize clear ballot and envelope design;
 3. Review and adjust timelines for mailing ballots to provide consistency statewide;
 4. Coordinate with USPS as soon as possible and utilize resources for election officials;
 5. Implement ballot tracking utilizing intelligent mail barcodes;
 6. Leverage best practices for replacement ballots;
 7. Streamline signature verification processes and ensure that bi-partisan teams make the final decisions. Assess signature image quality in advance for the entire voter file;
 8. Develop and expand signature cure processes and ensure adequate post-election timelines for a voter to cure;

9. Improve voter registration address change processes while maintaining accountability and oversight;
10. Increase availability for electronic delivery options for voters with accessible needs and inform voters of their options appropriately.
- ii. NVAHI produced a set of [policy recommendations](#) and analyzed all 50 states' vote by mail programs.
- iii. NVAHI provided a 2020 summary document that is attached.
- iv. NVAHI has a [research](#) center that includes field studies and research about vote by mail.
- v. NVAHI provided [implementation support](#) to state and local election officials on how to implement best practices, plan resources to accommodate a higher number of absentee ballots through the use of our operational planning tools, and provided toolkits to election officials for communications and operational planning.
- vi. NVAHI produced a [guide](#) for election officials on how to improve transparency in the election process and for ballot processing operations.

1. TOP TIPS FOR TRANSPARENCY:

- a. **COMMIT TO TRANSPARENT OPERATIONS.**
Recognize that building trust through transparency requires commitment, resources, and time.
- b. **CREATE AND SHARE CONTENT ON SOCIAL MEDIA AND YOUR WEBSITE.** Use videos, infographics, and clear, simple messages about how to vote and what happens behind the scenes when ballots are printed, processed, and counted. *See Weber County, Utah, & Orange County, California*
- c. **PROACTIVELY ENGAGE THE MEDIA.** Issue frequent press releases and invite the media to view different stages of the process, establishing your office as an accessible, trusted source of information. *See Pasco County, Florida, & Orange County, California*
- d. **INVITE PEOPLE IN TO SEE FOR THEMSELVES – THIS YEAR, VIRTUALLY.**
Host tours of ballot printing and processing facilities for the public and community groups, the media, and candidates and campaigns. Broadcast tours on your website and allow for both remote and physically distanced public observation of Election Day processes. *See Boulder County, Colorado, & Pasco County, Florida*

- e. ***BE TRANSPARENT, EVEN WHEN THERE ARE ISSUES.*** Be accessible to the media and the public, and keep everyone informed. What happened? Who is impacted? How is your office responding, and when will the issue be resolved?
See Pasco County, Florida, & Orange County, California
- f. ***FACILITATE PARTICIPATION OF AUTHORIZED POLL WATCHERS AND MONITORS.*** Authorized engagement by representatives of competing parties and nonpartisan civic groups increases access to how elections are conducted and further builds trust.
See Boulder County, Colorado; Orange County, California; Pasco County, Florida; & Weber County, Utah



Tips for Transparency:

How Local Election Officials Can Strengthen Voter Trust in Elections

Public trust in the electoral process is critical to increasing voter participation and confidence in election outcomes. One way to bolster trust is by promoting transparency throughout the election process, while ensuring election operations run smoothly and efficiently. Voter education and outreach can increase understanding of how elections work and, as a result, build trust and confidence in the entire process.

The National Vote at Home Institute and The Carter Center are supporting election officials across the country as they work to prepare successful, high-confidence elections despite the challenges of the 2020 election. This how-to paper draws on best practices across the United States, offering simple steps election officials can take to enhance transparency and voter trust as they prepare for November, followed by case studies of four counties across the country implementing some of these practices.

TOP TIPS FOR TRANSPARENCY

1. COMMIT TO TRANSPARENT OPERATIONS.

Recognize that building trust through transparency requires commitment, resources, and time.

2. CREATE AND SHARE CONTENT ON SOCIAL MEDIA AND YOUR WEBSITE.

Use videos, infographics, and clear, simple messages about how to vote and what happens behind the scenes when ballots are printed, processed, and counted.

See [Weber County, Utah](#), & [Orange County, California](#)

3. PROACTIVELY ENGAGE THE MEDIA.

Issue frequent press releases and invite the media to view different stages of the process, establishing your office as an accessible, trusted source of information.

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Be accessible to the media and the public, and keep everyone informed. What happened? Who is impacted? How is your office responding, and when will the issue be resolved?

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6. FACILITATE PARTICIPATION OF AUTHORIZED POLL WATCHERS AND MONITORS.

Authorized engagement by representatives of competing parties and nonpartisan civic groups increases access to how elections are conducted and further builds trust.

See [Boulder County, Colorado](#); [Orange County, California](#); [Pasco County, Florida](#); & [Weber County, Utah](#)

Using these Tips Throughout the Election Process

While often not outlined or required by law, the actions summarized above can be implemented throughout the election period by resource-constrained election officials and clerks hoping to increase transparency into the election process for their constituents. For example:

PRE-ELECTION: INFORM VOTERS ABOUT THE PROCESS

Steps leading up to Election Day allow voters to stay completely informed and help hold election officials accountable. By educating voters, sharing information, and establishing expectations early, jurisdictions set themselves up for success.

- Offer tours of voting facilities and create videos that walk the voter through the life cycle of a ballot.
- Publicly test all ballots and equipment prior to Election Day to ensure that everything is working properly.
- Consider implementing ballot-tracking methods that notify voters about the status of their ballot throughout the process.

ELECTION DAY: ALLOW VOTERS AND MEDIA TO OBSERVE BALLOT COUNTING

Allowing the media and public to observe Election Day ballot processing and counting helps keep voters and the public informed and reinforces trust in the integrity of the election system.

- Given the need for social distancing this year, this can be done via a live stream through a state or county website or even through a Facebook or Instagram live event.
- Some election offices also are making plans to allow for physically distanced, in-person public observation by moving operations to larger spaces and projecting video footage of processes on large screens.

POST-ELECTION: COMMUNICATE PROGRESS TOWARD OFFICIAL RESULTS AND CONDUCT PUBLIC POST-ELECTION AUDITS

Transparency surrounding the official certification of results and publicly accessible post-election audits of outcomes keep voters informed and reduce concerns about possible misconduct or disorder.

- Provide a clear timeline of when results will be available and how the media and the public can access updates.
- Conduct post-election audits – a risk-limiting audit is best-in-class – and make the audit process and results open and accessible to the public.
- Offer live streaming or physically distanced in-person viewing of the post-election audit, similar to viewings of ballot counting.

Case Studies in Election Transparency

Election offices in the following counties, of varied size and resource levels, implement some of the best practices outlined above. These counties are examples of what transparency looks like in action and can be used as models for election officials planning to introduce similar practices in the coming weeks.

- **BOULDER COUNTY, COLORADO**
- **WEBER COUNTY, UTAH**
- **PASCO COUNTY, FLORIDA**
- **ORANGE COUNTY, CALIFORNIA**

BOULDER COUNTY, COLORADO

Boulder County voter communication and media relations practices help set the tone before Election Day on expectations for ballot processing, counting, and results reporting. The clerk's office hosts a **pre-election press briefing outlining technical details of tabulation and reporting** so reporters know what to expect, building trust and limiting misunderstandings and potential misinformation late on election night. **Public facilities tours and community presentations** also build trust in the process, allowing all Boulder residents to see the process for themselves and better understand how voting by mail works. The office conducts **public testing of ballots and equipment** in advance of Election Day and has **clear media observer guidelines for witnessing all election activities**, although with capacity limits and additional safety requirements given COVID-19 precautions. While tours and presentations may not be well-attended, especially as social-distancing guidelines force these events online, **simply offering these access points to the public can help build trust and confidence in the integrity of the process.**

Simple videos of **ballot facilities**, **ballot security** measures, and **signature guidelines** help shine a light on the process and make the local election office more accessible to voters. The county also offers **detailed information and graphics on its website and social media** and uses **Ballot Track** to send notifications by text, phone, or email regarding the status of voters' ballots. In addition, in advance of Election Day, the clerk's office leverages **email communication tools** to maintain accurate voter lists and remind voters to update addresses and voter registration.

After Election Day, **Boulder invites the public and media to observe its risk-limiting audit (RLA) and other post-election certification activities.** The clerk's office plans to set up **several camera angles for remote viewing** of the process this year. The RLA helps ensure accuracy of election results, and according to the clerk's **press release** in advance of the June 2020 primary, "provides the public with evidence that election outcomes reflect the votes cast by voters on their ballots."

WEBER COUNTY, UTAH

In Weber County, Utah, a state that proactively mails a ballot to every active voter, the election office leverages an **active social media presence** to engage voters and educate them about voting deadlines and processes. **Short videos and graphics** are primarily produced in-house and highlight the ease and convenience of vote by mail, using a light, accessible tone. A **video explainer** with footage of ballot processing and a **cartoon video** both detail what happens to ballots after they are returned. These videos offer clear explanations and tours showing how ballots are processed, verified, and counted – while emphasizing security, privacy, and accuracy.

The **local election website** answers **frequently asked questions** about voting by mail and directs voters to the statewide **ballot-tracking** service. **Tours of the office are available upon request for community groups and the press** seeking to understand the process and controls in place, along with occasional **webinars and presentations** on how to conduct voter registration drives.

Weber County also builds **clear lines of communication about election results**, promoting statewide social media and digital content and underscoring the importance of getting information from official sources. **Infographics** discuss **when to expect election results** and outline how a potential **recount process** would work, creating more transparency and helping **set realistic expectations for ballot counting**. Following Election Day, updated results are posted on the **state election results** website periodically each day, with frequent social media updates on the counting progress. **Post-election audits are open for public observation**.

PASCO COUNTY, FLORIDA

Pasco County, Florida, provides **print and video explainers of the vote-by-mail process**, focusing on simplifying the steps and dispelling misinformation. **Monthly email newsletters** share answers to **frequently asked questions** about voting by mail, directly address **concerns and misconceptions**, and discuss **new options and precautions given the pandemic**. Messaging emphasizes that voting by mail is secure, easy, and fast, framing it as a safe option for voters. **Media relations strategy is both proactive and reactive**. The supervisor of elections will often follow up with local reporters to correct stories and educate them on more accurate ways to describe the process.

Pasco County was the **first county in Florida to implement Ballot Scout**, which allows voters to **track their ballots online and receive text or email notifications**. When voters can track their ballots like a package, they can follow the process more closely and feel confident that their votes are being counted.

Prior to the processing of mailed ballots and Election Day, the **county publicly tests tabulation equipment**. On Election Day and the days following, **ballot canvassing is overseen by the county canvassing board, volunteers of opposing parties, and any public observers** interested in the process. The post-election certification and audit are also open to candidates, press, and the public. This year, the county plans to **project video footage of the canvassing and audits on a large screen** to allow for social distancing while observing these processes.

ORANGE COUNTY, CALIFORNIA

The Orange County Registrar of Voters employs extensive voter education and media relations efforts prior to Election Day through **engaging digital and social content, virtual voting system demonstrations, community outreach, and virtual speaking engagements and events** discussing changes to voting and other election information. The Vote Center Lab, opened in July 2020, is a fully functional, permanent replica of an in-person voting location, used to **publicly test processes and procedures, train election staff, and provide general voter education and tours**. The registrar sends a **weekly newsletter** to voters, and the website includes **ballot tracking, clear instructions for voting by mail, and detailed information about every step** and possible pain point in the process. **Social media** features clear, bright **infographics** and **videos** providing information to voters about **vote by mail**, deadlines, locations of vote centers and ballot dropboxes, and other voting tips. Messaging emphasizes choices, options, and convenience, as well as health and safety precautions given COVID-19.

The office **regularly issues press releases, video content, and social media content for media partners**, highlighting accessibility options, ways to request and return an absentee ballot, and other election information and updates. In addition, Registrar of Voters Neal Kelley frequently appears on local and national media as an elections expert, providing an accessible public face for the office. Contacts for media inquiries are clearly listed on the website, along with press kits and backgrounders on operations and processes.

As outlined in the county's **COVID-19 Election Response Report**, Orange County is planning many **changes in November to ensure health and safety throughout the voting process, while ensuring transparency and public observation**. On Election Day, it will **livestream different parts of canvassing and tabulation**, and plans are in progress to livestream other processes and purchase additional cameras. **Large-screen monitors will allow for in-person, physically distanced public observation**. The **post-election risk-limiting audit will also be livestreamed**, and changes will be implemented to allow for physical distancing, including room set-up adjustments and computer monitors so members of the public can safely observe the audit.

About Us



National Vote at Home Institute (NVAHI) is dedicated to making sure every American can vote in secure, safe, accessible, and equitable elections by expanding vote-at-home systems in all 50 states. NVAHI works with election officials in optimizing their administration processes and governing laws for both mail ballot and in-person voting methods. NVAHI works to remove legislative and administrative barriers to vote-at-home systems and educate the public on the benefits of voting at home while still preserving the ability to vote in person for those who may want or need it.

THE
CARTER CENTER



The Carter Center is a not-for-profit, nongovernmental organization that has helped to improve life for people in over 80 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; and improving mental health care. The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and former First Lady Rosalynn Carter, in partnership with Emory University, to advance peace and health worldwide.

HEARING
 COMMITTEE ON HOUSE ADMINISTRATION
 “VOTING SAFELY IN A PANDEMIC”
 AUGUST 28, 2020
 MAJORITY QUESTIONS FOR THE RECORD
 FOR
 MS. VANITA GUPTA
 PRESIDENT AND CEO
 THE LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS

1. **The COVID-19 pandemic is disproportionately impacting Black, Indigenous and Latino communities. These communities also continue to face a barrage of voter suppression tactics, as you describe in your testimony. Legislative voting reforms are needed at the state and federal level to improve access to the ballot for these communities, but the upcoming general election is just a couple of months away. What recommendations do you have for voters in such communities to help mitigate such barriers to vote in the upcoming general election?**

Response: As I discussed in my hearing testimony, we worked to empower voters to safeguard their right to vote in these unprecedented times, with six key steps: First, we urged voters to check and confirm their registration as long as possible before Election Day and update their information when needed. The Leadership Conference created a website, andstillvote.org, for voters to use to check and update registration status. Second, we urged voters to make a plan to vote. We recommended that voters request absentee ballots as soon as possible and return them far in advance of Election Day either via drop box, in person, or by mail. Many states require that such ballots be received on or before Election Day. Third, for voters who prefer to vote in person, we urged them to make every effort possible to cast their ballot during their jurisdiction’s early voting period where available, as it is in 43 states and the District of Columbia. Fourth, we encouraged voters to sign up to be poll workers, since there was such an acute need during the pandemic to recruit new poll workers to ensure sufficient staffing and safe and accessible in-person voting opportunities. We encouraged voters to sign up through powerthepolls.org. Fifth, if voters saw misinformation on a social media platform, we encouraged them to not amplify it by responding. Rather, we recommended that voters report misinformation to the platform for removal. Finally, as in every election, we urged voters to contact the nonpartisan Election Protection hotline (866-OURVOTE or 866ourvote.org) with any questions about voting or to report any problems with the voting process on or before Election Day.

2. **We are witnessing a surge in voting rights litigation to expand access to absentee voting across the nation. Plaintiffs in many of these lawsuits argue that some state law requirements for absentee ballots, such as an excuse-requirement, witness signatures, notarization or Election Day receipt deadlines, will burden voters and create health risks.**

- a. **In your view, why are some states resisting expanding access to unencumbered no-excuse absentee voting during an ongoing pandemic?**

Response: Sadly, some states are led by public officials who have bought into the nefarious voter fraud myth that has been perpetuated by people on the right to make it more difficult for certain categories of voters to cast a ballot. Efforts to restrict no-excuse absentee voting have a disparate impact against voters of color, seniors, students, and voters with disabilities. Such efforts have been stoked by President Trump, who has been relentless in his shameful and destructive attacks on voting rights and democratic norms.

- b. **What can voters living in states that are restricting access to absentee voting do to mitigate these challenges and still vote safely this November?**

Response: Please see response to Question 1.

3. **Millions of Americans are used to voting in-person or prefer to do so. What can be done to ensure voters still have safe in-person voting options in November?**

Response: If the Senate passed and the President signed into law the HEROES Act – which the House of Representatives thankfully passed several months ago – states would be far more equipped to expand voting options, including in-person voting, during this extremely challenging time for our nation. That critical piece of legislation would allocate \$3.6 billion for state and local governments to enhance both in-person and mail-in voting options. The bill would, among other things: (1) expand voter registration opportunities, including requiring that any eligible citizen can register to vote online and requiring that any voter be allowed to register to vote on the same day that they vote (same-day voter registration); (2) ensure that every voter can access no-excuse absentee ballots with prepaid postage in all federal elections, prohibit states from requiring notarization or witness signatures to

cast an absentee ballot, and during emergencies such as COVID-19, require states to automatically mail absentee ballots to all registered voters no later than two weeks before Election Day, require the counting of ballots postmarked on or before Election Day, reform signature matching laws to provide notice to voters of any problems with their ballot and an opportunity to address any inconsistencies; (3) provide at least 15 consecutive days of in-person early voting, with such voting being available at least 10 hours per day and at locations that are within walking distance of public transportation; (4) defray the costs to states of undertaking public education campaigns to educate voters about new voting and registration options in the wake of COVID-19; and (5) ensure that voters residing on Indian lands can access the ballot by maintaining robust and safe in-person voting options and providing secure ballot return drop boxes.

I commend the Ranking Member of this committee, Rep. Rodney Davis, for proposing recent legislation to authorize federal funding for state and local governments to safeguard in-person voting. Although we oppose certain provisions of Rep. Davis's bill, we support the effort to authorize additional federal funding to recruit new poll workers and provide personal protective equipment for poll workers and voters at polling places. This would help alleviate the potential for voter disenfranchisement that could occur amidst the COVID-19 pandemic.

4. **Is there anything else discussed during the August 28 virtual hearing to which you would like to respond? If so, please provide your responses here.**

Response: Regarding ballot collection, politically motivated operatives are falsely claiming that ballot collection is illegal and leads to ballot manipulation. Here's the truth: ballot collection is a safe and secure way to ensure every eligible voter can participate in our democracy. In many states, community organizations, family members, and/or friends are allowed to collect and deliver sealed ballots on behalf of others by request. Ballot collection helps rural voters, low-income voters, people with disabilities, older voters, and Native Americans who do not have easy access to reliable outgoing mail or who need extra help getting their ballots delivered. This is especially important during the pandemic when vulnerable people have been asked to stay home for their health. Ballot collection programs have checks and balances built into them to ensure they are secure, and restricting ballot collection is undemocratic.



U.S. ELECTION ASSISTANCE COMMISSION
1335 EAST-WEST HIGHWAY, SUITE 4300
SILVER SPRING, MD 20910

September 22, 2020

The Honorable Zoe Lofgren
Committee on House Administration
1309 Longworth House Office Building
Washington, DC 20515

Dear Chairwoman Lofgren:

Thank you for inviting the U.S. Election Assistance Commission to appear before members of the Committee on House Administration for your hearing on August 28, 2020 entitled "Voting Safely in a Pandemic."

I appreciate the opportunity to address how the EAC is fulfilling its mission to assist election administrators and the voters they serve during the COVID-19 crisis. The pandemic has led to unprecedented challenges in the administration of elections. State and local election officials have spared no effort to address these changes and extraordinary progress has been made to help America vote safely.

I respectfully submit for the record the following responses to the Committee's follow-up questions. This letter addresses each of the questions posed by the Committee's majority and minority members. Unless otherwise noted, I am solely responding to the questions as Vice Chair of the Commission. The responses do not reflect the views of my fellow Commissioners.

The EAC looks forward to our continued work together as we support election officials and voters across America during the COVID-19 crisis.

Sincerely,

A handwritten signature in blue ink, appearing to read "DP", with a long horizontal line extending to the right.

Donald Palmer, Vice Chairman

HEARING
COMMITTEE ON HOUSE ADMINISTRATION
“VOTING SAFELY IN A PANDEMIC”
AUGUST 28, 2020
MAJORITY QUESTIONS FOR THE RECORD
FOR
THE HONORABLE DONALD L. PALMER
US ELECTION ASSISTANCE COMMISSION

1. You noted in your testimony that a majority of states allow for no-excuse absentee voting or permit fear of COVID-19 to be a valid excuse to qualify for an absentee ballot. As of today, six states (IN, LA, MS, SC, TN, TX) still do not permit no-excuse absentee voting or do not permit fear of contracting COVID-19 to be a valid excuse to qualify for an absentee ballot for the upcoming general election. Given that the COVID-19 pandemic continues to threaten and claim American lives, shouldn't voters in these six states have the same opportunity as voters in the rest of the country to have no-excuse absentee voting, or at very least have fear of COVID-19 be a valid excuse to obtain an absentee ballot? Please share your perspective on what the consequences could be for voters in these six states that must have an excuse to acquire an absentee ballot during the ongoing pandemic.

We appreciate your attention to this issue. These decisions on whether to authorize excuse or no-excuse absentee or mail voting are made by state legislatures. Given the availability of multiple voting options, voters in the six identified states should see minimal impact on their ability to cast a ballot in the November election. All six states allow voters of advanced age to request an absentee ballot. This permits many voters at higher risk of serious complications due to COVID-19 to avoid Election Day crowds. South Carolina also recently adopted a provision allowing all voters to request an absentee ballot due to the State of Emergency.

Five out of six of these states allow voters to cast a ballot early in-person if they wish to avoid Election Day crowds. Texas offers voters about two weeks of early voting and Indiana offers nearly one month of early voting. With less than six weeks until Election Day, any additional changes would need to happen quickly in order to provide election officials with enough time to establish procedure and communicate new options to the public.

Even with alternatives available, many voters will exercise the right to vote in person on Election Day. Recent studies indicate voting in person during the pandemic can be safe when proper precautions are taken. Election officials are meeting this responsibility by providing personal protective equipment, expanding curbside voting options, adapting social distancing procedures, and enhancing polling place safety in accordance with Centers for Disease Control (CDC) recommendations. Our grants staff is supporting their efforts by helping states navigate new funding streams created by the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Several states and localities are utilizing these funds to implement additional safety precautions and to enhance mail and absentee services for the general election.

As we stay abreast of new developments and monitor the general election, we will continue to provide public forums and best practices to support state and local officials' efforts. Neither election officials nor voters should have to risk their lives to exercise the right to vote.

2. The U.S. Postal Service has undergone disruptive operational changes that have led to mail delays across the country. Voters are understandably concerned about the implications of these disruptions on absentee voting this November. What outreach has the Election Assistance Commission conducted with the Postal Service on these issues?

We consider the United States Postal Service a valued partner in every federal election. The USPS ensures millions of voters receive vital election information and are able to cast their ballots confidently. Elderly voters, voters with a disability, military and overseas voters, and any voter that intends to vote absentee or by mail rely on the Postal Service for the timely receipt and return of their ballot to election authorities. The USPS plays a critical role in our nation's elections and that role will be even more essential in this election as officials see significant increases in mail and absentee voting.

Since early March, the EAC has worked closely with election officials to share ways they can maximize efficiencies in the postal delivery process and utilize mail ballot tracking technologies available through the USPS. We have hosted public forums with election officials and USPS representatives to encourage collaboration. The EAC also has created a comprehensive COVID-19 [website](#) dedicated to election administration, outreach, and security issues associated with absentee and mail voting. EAC videos such as the recent [interview series](#) for election officials covers pre-election planning for increased absentee and vote by mail capacity in 2020. CARES Act funds, provided by Congress, are supporting many states in accommodating voter choice.

We have also hosted public forums to discuss these important matters. On August 19, EAC conducted a [virtual roundtable discussion](#) on voting accessibility with representatives from the USPS, Federal Voting Assistance Program, and others. In building the record on postal service efforts, the EAC conducted a virtual hearing on July 8, "[Lessons Learned from the 2020 Primary Elections](#)." This was our second hearing focusing on the pandemic, and mail considerations and USPS issues were a central topic. Election officials shared the challenges they faced, successes achieved, and lessons learned during the primary election season. We also discussed the increased use of mail and absentee voting and its impact at the local level, insight on working with the USPS, and lessons learned about providing general election voters with timely and accurate postal information. We have plans to host two additional forums leading up to Election Day.

All of the EAC Commissioners are committed to working with USPS toward ensuring American elections are safe, secure, accessible, accurate, and conducted with the highest degree of public trust.

MINORITY QUESTIONS FOR THE RECORD

1. What is the Commission's suggested timeframe for a state to fully implement a successful vote-by-mail system, including consideration of time, equipment, physical space, and training?

The EAC and The Cybersecurity and Infrastructure Security Agency (CISA) Elections Infrastructure Government Coordinating Council (GCC) and Sector Coordinating Council's (SCC) Joint COVID-19 Working Group produced a [Vote By-Mail/Absentee Voting Timeline](#) which is hosted on the EAC website along with other COVID-19 preparation materials. This document outlines the wide variety of considerations that need to be taken into account when preparing for expanded vote by mail. According to this timeline, preparations for any vote by mail election should begin at least 210 days prior to Election day.

This recommendation on how to quickly implement a program was drafted in response to the COVID-19 pandemic. In an ideal world, more preparation is always better. Many chief election officials have expressed that the full transition to vote by mail could take between 5-10 years, depending on the size of the permanent absentee ballot list. Voter education is a critical aspect of this preparation. Even a perfect system cannot function if voters do not know how to participate. Asking voters to shift to a new system of voting should be preceded by as much planning, notice, and education as possible.

2. If a non-vote-by-mail state began work today, could it successfully implement a total vote-by-mail system in time for the general election?

Quite simply, no. With less than 60 days until Election Day, overhauling election procedures is not advisable. Making major changes to a logistically complex ballot processing system without adequate planning and preparation would likely result in the disenfranchisement of voters and could create new vulnerabilities in election security.

3. What are the risks involved with a less-than-satisfactory implementation of a total vote-by-mail system?

According to a recent survey by National Public Radio, more than 550,000 mail ballots were rejected during the primary season. Approximately 80,000 ballots were rejected for failure to meet return deadlines. Security requirements and deadlines are important, but this still means that hundreds of thousands of Americans who tried to vote did not have their ballots counted. A less-than-satisfactory implementation of a total vote-by-mail system could result in a substantial level of disenfranchisement if voters are not sufficiently educated on deadlines and other requirements. This can also occur through no fault of the voter if there is insufficient coordination on the return of ballots, as seen with the prepaid postmark issue in the New York primary. Additionally, a less-than-satisfactory implementation of a total vote-by-mail system presents genuine election security concerns.

4. Many states are struggling to identify polling places that have sufficient space to provide adequate social distance for in-person voters. How should states resolve these issues? How is the Election Assistance Commission addressing these concerns?

This is an important issue. Several states have established new in-person voting locations such as large public arenas to alleviate crowding. This is a viable option for some communities, but many local jurisdictions will rely on implementing innovative changes at existing or new polling places. The EAC stands ready to assist and is providing extensive support in this endeavor through a variety of methods.

Recent CARES Act funds and other federal HAVA grants are being used to ensure the safety of these facilities and the welfare of our voters and election workers. During the past year, the EAC has distributed more than \$805 million in funds. Our grants staff is currently reviewing how funds have been used, but initial reports indicate that purchasing personal protective equipment for election workers is a top expenditure. States are also hiring temporary workers and acquiring cleaning supplies to decontaminate voting equipment and polling locations. These actions will help bolster confidence in the safety of both poll workers and voters.

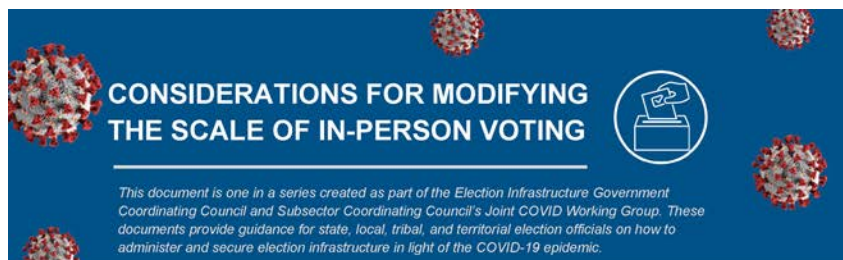
In June, the Centers for Disease Control (CDC) consulted EAC leadership regarding the resource "[Considerations for Election Polling Locations and Voters](#)." The EAC reviewed the content, which emphasizes social distancing, and provided feedback, particularly addressing the concerns of election officials. Now co-branded with the EAC, this resource provides guidance to election officials and voters to prevent the spread of COVID-19 at polling places. The EAC produced a [video](#) in partnership with the District of Columbia Board of Elections demonstrating how this updated guidance should be implemented in an actual polling place.

On September 1, the EAC led in the launch of National Poll Worker Recruitment Day. This initiative, conducted in partnership with other organizations, focused on building the pool of poll workers in order to address anticipated election worker attrition during the upcoming election. By harnessing the EAC-sponsored [HelpAmericaVote.gov](#) platform, hundreds of volunteers learned how to sign up to work at the polls. Countless more have used information from our social media campaign to reach out directly to their local election office. An ample number of well-trained poll workers will support efficient voting procedure and social distancing policies.

As the general election rapidly approaches, the EAC is tirelessly working to meet the wide-ranging needs of both election officials and voters during this crisis. Through developing guidance, conducting public forums, and collaborating with federal partners, the EAC continues to assist state and local officials in ensuring the safety of both voters and election workers on the front line of democracy. We are closely monitoring innovative state preparations and actively expanding all available resources. These activities, along with critical federal and stakeholder partnerships, provide a wealth of guidance on best practices and general recommendations for the 2020 elections amidst the COVID-19 pandemic. We look forward to our continued work together helping election officials across America as we enter the homestretch of this challenging election season.

The CHAIRPERSON. I also ask unanimous consent to enter into the record the following materials: "Considerations for Modifying the Scale of In-Person Voting" by the Election Infrastructure Government Coordinating Council, as provided on the Election Assistance Commission's website; "Considerations for Election Polling Locations and Voters" by the Centers for Disease Control; "Guidelines for Healthy In-Person Voting" by the Brennan Center; "Ballot Drop Box Guidance" created by the Cybersecurity and Infrastructure Security Agency.

And, without objection, those items are made part of the record.
[The information follows:]



Increasing mail voting or expanding early voting may allow election officials to reduce the number of voting locations and poll workers required on Election Day. This could help mitigate the impacts of COVID-19 on the availability of poll workers or voting locations. However, reducing the number of locations can have dramatic effects on voter access, lines and congestion and should be done with caution and in view of considerations in this document. Election officials should assess any changes they are contemplating in comparison to the pre-COVID-19 voting model. The possible changes to the ratios of mail voting and in-person voting (Election Day and early voting) can be a starting point. The necessary policy decisions should be made as early as possible so that election officials have time to administer the change(s).

Any changes to locations and personnel come with corresponding changes to risks impacting election infrastructure. Addressing any increased risk early, as well as effectively communicating changes to stakeholders and to voters, can increase public access and participation, bolster trust, and support election infrastructure security by providing voters with clear information about the election process. It is important to communicate how security and integrity of the voting process will be maintained for mail voting processes, to increase public awareness of the security processes and to combat possible disinformation campaigns. See [Election Education and Outreach for Increased Absentee or Mail Voting](#) on the CISA [COVID-19 & Elections](#) webpage for additional information.

Officials should review this document in conjunction with the other [Government Coordinating Council \(GCC\) and Sector Coordinating Council \(SCC\) Joint COVID Working Group](#) documents.

HOW CAN YOU MAINTAIN A FOOTPRINT SIMILAR TO THAT USED ON PAST ELECTION DAYS?

The decision whether to maintain your current Election Day in-person voting footprint or modify the number of voting locations and workers will be based on the magnitude of change you expect from your jurisdiction's normal ratio of absentee/mail and early voting to in-person Election Day voting. Adjusting the in-person Election Day voting model may not be realistic unless other voting options are significantly expanded. Without extensive efforts, such as direct mail of absentee applications or a mail ballot, or changes to laws or policies permitting expanded use of absentee or mail voting, jurisdictions with historically low percentages of absentee voting may not reasonably be able to significantly reduce their Election Day footprint. Even in normal circumstances, presidential elections are high turnout elections that strain the capabilities of voting locations.

Jurisdictions that decide to conduct the election without changing the number of voting locations will need to plan to meet the same service expectations as in years past while providing the physical infrastructure and staffing levels to facilitate social distancing. Finding the same

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number of locations used in the past will take additional effort and may require help from other levels of government. Consider:

- ☐ Voting generally occurs in small facilities, many of which may not accommodate social distancing. Start working now to secure larger locations that can accommodate a redesigned polling place for voting in the COVID-19 environment.
- ☐ Work to significantly increase the use of publicly owned facilities, such as schools, that may be closed to other purposes for the day.
- ☐ Increased financial inducements for locations willing to serve.

Finding the same number of poll workers for your jurisdiction will also take additional effort. You may need a largely new workforce, requiring increased training efforts.

Line management is challenging under normal circumstances and will be even more so with polling locations modified to accommodate social distancing. Election officials will need to assess their jurisdiction's tolerance for lines and for voter perception of lines (and associated perceived wait time); however, for any given location, there are some additional considerations, such as:

- ☐ With precinct polling locations, the number of assigned voters is fixed by location, and therefore the maximum number of voters should be more predictable. While absentee/mail voting likely will increase, the level of increase will be hard to predict until closer to the election, and that increase may be distributed unevenly across the jurisdiction. Therefore, the expectations for in-person voting should likely be based on the number of voters that have historically come through a given polling place in prior presidential elections.
- ☐ Social distancing is still a factor. Wait times will likely be longer, and lines will also appear longer. Lines may also stretch outside the building, limiting poll workers' ability to control social distancing.
- ☐ Longer wait times and longer lines have been the subject of mis- and disinformation. Educating voters and media by driving them to trusted information can build resiliency and minimize the risk.

Please see *Finding Voting Locations and Poll Workers* on the CISA [COVID-19 & Elections](#) webpage for more details.

HOW CAN YOU COMBINE PRECINCT VOTING LOCATIONS IN A LARGER FACILITY TO MINIMIZE THE NUMBER OF FACILITIES?

If the expected demand for in-person voting is significantly decreased from prior presidential elections because of expanded absentee and mail voting or expanded early voting, there may be opportunities to combine locations using new or existing sites. Even with only marginal changes to demand, it may be possible to combine locations into larger facilities. In this model, the organizational scheme of Election Day in the jurisdiction remains fundamentally consistent, with voters assigned to precincts, precincts assigned to locations, and the voting equipment assigned either to precincts or locations. This consistency may be a virtue given other changes occurring simultaneously, such as changes to early voting or absentee and mail voting.

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Modifying the number of locations has unique consequences to consider, particularly if you do not expect a reduction in the number of in-person voters. Finding polling locations large enough to accommodate conjoined precincts—with the footprint needed for social distancing—may be a challenge. However, there are some administrative advantages, including:

- ☐ Moving precincts into voting locations serving neighboring precincts is a practice that election officials often employ already.
- ☐ To reduce the number of poll workers, if needed, consider programming voting technology to include all precincts in the voting location instead of programming voting equipment for individual precincts. This can functionally create one larger precinct allowing efficiencies such as one check-in operation rather than multiple check-in operations for each precinct, and full use of the space to lay out voting booths and voting machines. For example, if the polling place had four precincts, each with four physical work areas and five workers each, 20 workers in total, programming the voting technology to include in all precincts could allow the site to be operated with fewer than 20 workers, perhaps as few as 12–15.
- ☐ Alternatively, some minor reengineering of the polling place lay out, such as using non-precinct specific check-in stations for voters, but using distinct voting machines still programmed by precinct, could achieve some slight reduction in the need for poll workers.
- ☐ At the same time, larger, combined voting locations may benefit from enough workers to support new rules for social distancing—you may need workers to remind people to maintain 6 feet of distance, point them to hand sanitizing stations, or help them understand the new flow of their voting location. Therefore, combining two precincts, for example, into one location, and changing the voting technology programming to functionally create one large precinct, should not reduce the number of poll workers serving by half.

Line management will remain challenging with consolidation because:

- ☐ More people will be assigned to a given location.
- ☐ Specific absentee or mail voting data will not be available in time to combine locations with numeric precision, which can make predicting demand at specific locations difficult.

Depending on the percentage of people already voting either early, absentee or by mail in your jurisdictions, some locations will be affected by disproportionately longer lines. It will be difficult to predict which sites because voters' use of the other options across the jurisdiction generally does not distribute normally. Within counties and cities some communities have historical cultural preferences for methods and those must be accounted for.

Voter education will be important and similar to existing planning. However:

- ☐ Assignment of voters to new voting locations likely comes with legal notice requirements.
- ☐ A significant increase in new reassignments should include a strong outreach campaign and additional mailings, pursuant to applicable state and federal law.

Stakeholder engagement is a critical component of selecting or combining locations. These decisions have potential implications for different stakeholder groups. You should address this

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issue as soon as possible to encourage community acceptance and avoid impacting certain communities disproportionately.

HOW CAN YOU SHIFT TO VOTE CENTERS OR OTHER ALTERNATIVE LOCATIONS?

Shifting from precinct-based voting to vote centers requires detailed advance planning and has significant administrative and back office impacts. However, it may also address location and poll worker shortages.

Some significant challenges accompanying this model are described below. The [Other Resources](#) section includes reference documents that may be valuable, as well.

A move to vote centers may require changes in voting technology and pollbook infrastructure. For example, if voting equipment is used to tabulate ballots in the voting location, it will need to be programmed to accept all ballot styles for the entire jurisdiction. Also, electronic pollbooks will need to be networked and have a direct connection to the voter registration database in order to allow voters to vote anywhere and ensure no one votes twice.

Legacy voting equipment may have limitations in a vote center model, particularly for equipment that has limitations on the type or number of different ballot styles it is able to accept simultaneously. One workaround would be assigning voters to regional vote centers and managing voting equipment limitations by using multiple precinct scanners, each handling a range of precincts or ballot styles. For example, Scanner 1 can accept ballots from Precincts A–D, while Scanner 2 accepts ballots from Precinct X–Z. This could create additional logistical issues directing voters inside the vote center after they receive their ballots because they would need to be directed to the appropriate voting equipment.

In addition, assigning voters to these regional locations, as well as the public messaging informing voters of their new location assignment, can create travel and communication issues for administrators and voters.

Jurisdictions also may not have enough of the equipment they need for the transition to vote centers. For example, while ballot marking devices (BMDs) can contain many ballot styles and are used often in these environments to avoid pre-printing significant quantities of all ballot styles, many precinct-based locations keep only one such device in each voting location to meet Help America Vote Act (HAVA) accessibility requirements. Scaling up to a vote center model may require jurisdictions to procure more of these devices to meet capacity.

For jurisdictions that choose to use hand-marked paper ballots in this environment, the challenge will be keeping an adequate supply of pre-printed ballots (including provisional ballots) for every ballot style, in every location. Ballot on Demand (BOD) technology is a potential solution. If the jurisdiction is not already using the technology, however, the acquisition and installation of this technology between now and the 2020 general election may introduce new hurdles.

In a vote center model, electronic pollbooks are necessary to manage the voter list and ensure that voter history is updated in real time. Connectivity introduces new operational and security risks, including:

- ☐ Finding locations that have Internet connectivity may be challenging.

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- ☐ Having reliable, consistent, and constant connectivity, with both a primary and redundant solution, has associated challenges and risks.
- ☐ Acquiring and implementing new hardware, software, and election technology may add cyber risk and create operational risk, especially under tight timelines.
- ☐ Regardless of whether new hardware is needed, there may be a need to make design and configuration modifications for existing software or voter registration database systems, which introduce cybersecurity and operational risks.

Finding locations to accommodate the potential size of the voting population may be difficult. The constraints noted above and in the document *Finding Voting Locations and Poll Workers* on the CISA [COVID-19 & Elections](#) webpage apply. In addition, consider the following:

- ☐ Locations will need to be large enough to meet demand. They will need to have electricity and connectivity bandwidth to meet demands of polling place technology (e.g., voting equipment, electronic pollbooks ballot-on-demand printers, etc.).
- ☐ Acquiring these locations could be difficult because similar large sites may have already been repurposed for temporary healthcare or other COVID-19 community needs (e.g., school lunch distribution).
- ☐ Larger locations will come with increased demand for parking and accessibility.

Reducing the number of poll workers needed is likely among the biggest advantages of moving to a vote center model. Requiring fewer poll workers may also provide opportunities for new, more effective training methods.

Ensuring adequate capacity at each site is always a challenge, and with the "vote anywhere" model, it is difficult to know who will vote where and when during the day. Finding a way to encourage voters to use particular locations can help load balancing during voting. Some jurisdictions have found actively pushing voters to particular sites through direct mail, for example, can generate a reasonably high level of compliance. Similarly, the use of social media on Election Day alerting voters to line length information available on your website may work to highlight specific voting locations that have less traffic than others. Such efforts mitigate the effects of capacity constraints that affect some locations more than others and may help with line management. These measures require good mapping, modeling, and most importantly, direct mail nudging voters to the preferred/closest location for voting. Locations in heavily trafficked "downtown" business and transit centers present the greatest capacity issues and are least predictable.

Line management concerns will be similar to those described in *Finding Voting Locations and Poll Workers* on the CISA [COVID-19 & Elections](#) webpage. However, the vote center environment may allow for creative line management techniques. Instituting new technology or practices, such as allowing voters to take a ticket and be notified in some manner of their turn, may be possible. More information on these options is available in *Extraordinary Measures and New Solutions* on the CISA [COVID-19 & Elections](#) webpage. Consider the following:

- ☐ Implementing extraordinary measures and new solutions will take investments of time and potentially money and could require a high level of effort in what may be a short period of time.

This document is one in a series created as part of the Election Infrastructure Government Coordinating Council and Subsector Coordinating Council's Joint COVID Working Group. These documents provide guidance for state, local, tribal, and territorial election officials on how to administer and secure election infrastructure in light of the COVID-19 epidemic.

- ☐ While changes such as these can be difficult and risky without an adequate opportunity to be piloted, they may offer the safest alternative to managing lines.

Voter education will be important with any changes to the voting model, especially introduction of a completely new model. A brand-new voting experience necessitates a strong campaign and significant additional mailings and advertising.

Stakeholder engagement is a critical component of location selection and combination. These decisions have potential implications for different stakeholder groups. Addressing this issue should be done as soon as possible to encourage community acceptance and avoid claims that your chosen changes might have an electoral impact.

HOW CAN YOU INSTITUTE OR EXPAND EARLY IN-PERSON VOTING?

Early or advance in-person voting can be valuable because it offers voters a choice of when they engage. When presented with choices, voters are empowered to protect themselves using the best option for their risk tolerance. Not all states currently offer early in-person voting opportunities, and those that do offer it have different requirements. Offering or expanding early in-person voting can allow poll workers and voters to socially distance more effectively by spreading people across days. Additionally, it can significantly reduce the demand for in-person voting on Election Day itself, further allowing election officials to reduce their footprint on that day.

Most considerations for instituting or expanding in-person early voting are the same as those of utilizing vote centers on Election Day, but the following are some specific impacts on site selection and availability:

- ☐ Availability may be affected depending on the length of time requested for the early voting period.
- ☐ Locations may be unwilling to commit to exclusive use for voting because of the longer time commitment. This is true for both public and private facilities.

Whatever the offering for early and advance voting periods, it is important to consider persistent public messaging on voting hours and locations. Uniformity of voting hours across a jurisdiction is easier for voters, but you must keep it in mind as you negotiate with locations because your desired hours may be outside their normal operating hours.

SECURITY RESOURCES

General

- ☐ Sign up for CISA services, such as vulnerability scans remote penetration testing (RPT), phishing campaign assessment, etc. All CISA services can be located in the [CISA Election Infrastructure Security Resource Guide](#). All services can be requested at EISSA@cisa.dhs.gov.
- ☐ Invite your regional Cybersecurity and Infrastructure Security Agency (CISA) Physical Security Advisor (PSA) for an [Assist Visit](#).

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- ❑ Work with your PSA after the visit to fill out the [Infrastructure Survey Tool \(IST\)](#) to identify and document the overall security and resilience of the facility.
- ❑ To gain situational awareness of the threats to the election infrastructure, become an EI-ISAC Member by visiting <https://www.cisecurity.org/ei-isac/>.

Vote Center Resources

- ❑ [California Civic Engagement Project Vote Center Sitting Tool](#)
- ❑ [National Conference of State Legislatures \(NCSL\) Report on Vote Centers](#)
- ❑ [Indiana Report on Vote Centers](#)
- ❑ [Runbeck Vote Center Report at NASS 2018](#)
- ❑ [Ball State University Report on Vote Centers](#)
- ❑ [VR System Report on Vote Centers in California](#)

OTHER RESOURCES

Center for Disease Control and Prevention (CDC)

- ❑ [CDC Situation Summary webpage](#)—This page provides updated information and guidance on the novel coronavirus and COVID-19.
- ❑ [CDC Coronavirus index webpage](#)—This page provides links to all CDC resources on the novel coronavirus and COVID-19.
- ❑ [CDC List of State and Territorial Health Department Websites](#)—This page provides links to all websites of state and territory health departments, which the CDC recommends consulting for state-specific information on the novel coronavirus and COVID-19.
- ❑ [CDC Recommended Precautions for Preventing Spread of COVID-19 in Election Polling Locations, including Cleaning and Disinfection](#)—This guidance provides recommendations on the routine cleaning and disinfection of polling location areas and associated electronic equipment. It suggests actions poll workers can take to reduce the risk of exposure to COVID-19 by limiting the survival of the virus in the environment. According to the CDC, this guidance will be updated if additional information becomes available.
 - ❑ There is a section on recommendations for processing mail-in ballots. The CDC states that workers handling mail-in ballots should practice hand hygiene frequently and no additional precautions are recommended for storage of ballots.
- ❑ [CDC Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 \(COVID-19\), February 2020](#)—This interim guidance for

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businesses may be relevant to election offices. It seeks to help prevent workplace exposures to acute respiratory illnesses, including COVID-19, in non-healthcare settings. The guidance also provides planning considerations if there are more widespread, community outbreaks of COVID-19.

CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY (CISA)

- ❑ [CISA Coronavirus webpage](#)—This page provides information on CISA's efforts with federal partners concerning coronavirus and COVID-19 and links to other federal resources.
- ❑ [CISA Insights: Risk Management for Novel Coronavirus \(COVID-19\)](#)—This brief provides recommendations on how to address physical supply chain and cybersecurity issues that may arise from the spread of the novel coronavirus. This resource is helpful for election officials to prepare for possible impacts of the novel coronavirus.

ELECTION ASSISTANCE COMMISSION (EAC)

- ❑ [EAC Disaster Preparedness and Recovery webpage](#)—This page features presentations from election administrators about how they conducted elections in the face of a variety of natural disasters. Their examples of preparedness and recovery could be helpful for election officials as they address the novel coronavirus and COVID-19.
- ❑ [EAC Contingency Plans webpage](#)—In preparation for the 2016 elections, the EAC collected continuity of operations plans (COOPs) and resources from election officials at the state and local levels. This includes state-specific examples for H1N1 flu preparedness.
- ❑ [EAC Election Management Guidelines Chapter 11: Contingency Planning and Change Management](#)—This 2009 resource was created to assist state and local election officials in effectively managing and administering elections. Each chapter explores a different aspect of election administration and provides examples and recommendations.

This document was finalized on May 28, 2020. The situation and resultant guidance are subject to change. For current public health guidance relating to COVID-19, see [coronavirus.gov](https://www.cdc.gov/coronavirus). Election officials should also consult their state and local laws, including any applicable executive orders, regarding social distancing and other required or recommended public health practices (such as the wearing of masks by non-medical personnel).

Coronavirus Disease 2019 (COVID-19)

[MENU >](#)

Considerations for Election Polling Locations and Voters

Interim guidance to prevent spread of coronavirus disease 2019 (COVID-19)

Updated June 22, 2020

[Print](#)

Summary of changes:

- Expanded guidance on changes to operations, procedures, and facilities for polling locations
- Added reminders to maintain accessibility
- Added recommendations for voters

Guiding Principles to Keep in Mind

The more an individual interacts with others, and the longer that interaction, the higher the risk of COVID-19 spread. Elections with only in-person voting on a single day are higher risk for COVID-19 spread because there will be larger crowds and longer wait times. Lower risk election polling settings include those with:





- a wide variety of voting options
- longer voting periods (more days and/or more hours)
- any other feasible options for reducing the number of voters who congregate indoors in polling locations at the same time

The virus that causes COVID-19, is mostly spread by respiratory droplets released when people talk, cough, or sneeze. It may be possible that a person can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose, or possibly their eyes. Personal prevention practices (such as [handwashing](#), [staying home when sick](#)) and environmental [cleaning and disinfection](#) are important actions election officials, poll workers, and voters can take to help lower the risk of COVID-19 spread.

Recommendations for Election Officials and Poll Workers

Promoting Behaviors that Reduce Spread

- **Stay home when sick or after recent close contact with a person with COVID-19**
 - Educate poll workers about when they should [stay home](#) and when they can return to work.
 - Poll workers who are sick, have tested positive for COVID-19, or have recently had a [close contact](#) with a person with COVID-19 should stay home. Ensure that poll locations are adequately staffed to cover any sick workers who need to stay home.
 - CDC's criteria can help inform when poll workers may return to work:
 - [If they have been sick with COVID-19](#)
 - [If they have recently had a close contact with a person with COVID-19](#)

- If they have tested positive for COVID-19
- **Hand Hygiene and Respiratory Etiquette**
 - Provide an alcohol-based hand sanitizer with at least 60% alcohol for use at each step in the voting process where voters interact with poll workers, after using the voting machine, and as the final step in the voting process. Place alcohol-based hand sanitizer in visible, frequently used locations such as registration desks, where "I Voted" stickers are dispensed, and exits. Alcohol-based hand sanitizers may not be compatible with electronic voting equipment and may damage paper ballots. Poll workers and voters should ensure their hands are completely dry before handling these items.
 - Encourage poll workers to [wash their hands](#) frequently (e.g., before entering the polling location, before and after breaks or shifts, after touching or handling masks or PPE, after using the restroom, after touching shared surfaces or objects) with soap and water for at least 20 seconds.
 - Encourage workers and voters to [cover coughs and sneezes](#) with a tissue or use the inside of their elbow. Used tissues should be thrown in the trash and hands washed immediately with soap and water for at least 20 seconds.
 - If soap and water are not readily available, use hand sanitizer that contains at least 60% alcohol.
- **Masks**
 - Recommend and reinforce the use of [masks](#) among all workers. Masks are most essential in times when physical distancing is difficult. Information should be provided to workers on [proper use, removal, and washing of masks](#).
 - Encourage voters to use [masks](#) while in the polling location. In jurisdictions where voters' masks may need to be removed to support identification procedures, alcohol-based hand sanitizer containing at least 60% alcohol should be provided at the station so voters can sanitize their hands after removing their masks. A plastic barrier between the voter and the poll worker can provide additional protection. Post signs providing instruction on [proper removal and handling](#)  of masks.
 - Note: [masks](#) should **not** be placed on:
 - Babies and children younger than 2 years old
 - Anyone who has trouble breathing or is unconscious
 - Anyone who is incapacitated or otherwise unable to remove the mask without assistance
 - [Masks](#) are meant to protect other people in case the wearer is unknowingly infected but does not have symptoms. [Masks](#) are not meant to be a substitute for personal protective equipment such as surgical masks, respirators, or other medical personal protective equipment.
 - Masks can make it more difficult for people who are deaf or hard-of-hearing to lip-read, hear, or understand what people are saying. Communication can be supported with written communication, posting information/instructions, and decreasing background noise. Lip reading can be supported with clear masks, face shields, or plexiglass barriers. Consistent with applicable law, election officials should consider having supplies, such as clear face coverings available, to ensure that voting is accessible to people with disabilities.
- **Adequate Supplies**
 - Ensure adequate supplies to support [healthy hygiene](#) behaviors. Supplies include soap, hand sanitizer containing at least 60% alcohol (placed at every station, if supplies allow), paper towels, tissues, disinfectant wipes, and no-touch trash cans.
- **Signs and Messages**
 - Post [signs](#) in highly visible locations (e.g., at entrances, in restrooms) that [promote everyday protective measures](#)  and describe how to [stop the spread](#)  of germs such as by [properly washing hands](#) and [properly wearing a mask](#) .
 - Include messages about behaviors that prevent the spread of COVID-19 when communicating with voters (such as on websites, in videos, in emails, and on [social media accounts](#)).

- To the extent consistent with applicable law, ensure that any signage and messages are accessible to voters with disabilities, for example by providing large print or braille versions or having audible messages with the same information.
- Find free CDC print and digital resources at the [communications resources main page](#).
- **Social Distancing**
 - Remind voters upon arrival to leave space between themselves and others. Encourage voters to stay at least 6 feet apart. Polling places may provide [signs](#), or other visual cues such as floor markings, decals, or chalk marks to help voters and workers remember this.
 - Have plans to manage lines to ensure social distancing can be maintained.
 - Clearly mark points of entry and exit to avoid bottlenecks.
 - Discourage voters and workers from greeting others with physical contact (e.g., handshakes). Include this reminder on [signs](#) about social distancing.

Maintaining Healthy Environments

- **Disinfect surfaces**
 - Surfaces that are frequently touched by multiple people, for example door handles, registration tables, pens, and clipboards, should be disinfected frequently using products with [EPA-approved emerging viral pathogens claims](#) [🔗](#).
 - Follow the manufacturer's instructions for all cleaning and disinfection products (e.g., concentration, application method and contact time, use of personal protective equipment, storage).
 - If the surface is dirty, it should be [cleaned](#) before disinfecting.
 - If public restrooms are available in the polling location, they should be cleaned and disinfected routinely.
 - After the polling location closes, clean and [disinfect](#) all facility areas and items, including all tables, chairs, door handles, and restrooms, used by poll workers or voters. The facility can be returned to normal use immediately with no additional precautions.
- **Clean and disinfect voting-associated equipment**
 - Voting machines, laptops, tablets, keyboards, ballot activation cards, and other reusable items should be disinfected routinely.
 - Follow the [equipment manufacturer's instructions](#) [🔗](#) for appropriate cleaning and disinfection procedures for voting machines and associated electronics.
 - To prevent damage to the equipment, post signs near voting equipment discouraging voters from disinfecting the equipment with their own wipes or touching the equipment with hands that are still wet with hand sanitizer.
 - Consider use of wipeable covers for electronics.
 - If no manufacturer guidance is available, consider the use of alcohol-based wipes or spray containing at least 70% alcohol to clean voting machine buttons and touch screens. Dry surfaces thoroughly to avoid pooling of liquids.
 - After the polling location closes, all equipment and transport cases should be cleaned and disinfected following the manufacturer's instructions prior to returning it to the election office.
- **Shared objects**
 - Where possible, replace shared objects, like pens or ballot activation cards, with single-use objects.
 - Shared objects, like pens or ballot activation cards, should be [disinfected](#) between users.
 - Headphones for voters with disabilities should be single-use or [disinfected](#) between users.

- Minimize handling of shared objects. For example, reusable ballot activation cards or ballot secrecy sleeves can be deposited into a container instead of handing them to a poll worker.

- **Ventilation**

- Ensure that ventilation systems operate properly and increase circulation of outdoor air as much as possible, for example by opening windows and doors. Do not open windows and doors if doing so poses a safety or health risk to poll workers, voters, or children accompanying voters (e.g., risk of falling or triggering asthma symptoms).

- **Crowd and line management**

- Consider increasing the number of polling locations available for early voting and extending the hours of operation.
- Maintain or increase the total number of polling places available to the public on Election Day to improve the ability to social distance.
- Unless there is no other option, do not increase the number of potential registered voters assigned to each polling place.
- Minimize lines as much as possible, especially tightly spaced queues in small indoor spaces. Use floor markings or decals and signs to remind voters to maintain social distancing while in line.
- Limit the number of voters in the facility by moving lines outdoors if weather permits or using a ticket system for access to the facility.

- **Modified layouts and procedures**

- Increase distance between voting booths to ensure that voters remain 6 feet apart.
- To ensure sufficient space for social distancing and other measures, identify larger facilities for use as future polling places.
- Modify the polling location layout to ensure voters move in one direction while in voting locations and to avoid bottlenecks, such as single doors for entry and exit.
- Items to be reviewed, such as poll books or identification, should be placed on a table for examination to minimize handling.
- Notify voters of changes to polling operations, including the availability of alternative voting options that minimize contact, as allowed in the local jurisdiction.
- Ensure that any changes to operations do not limit accessibility to voters with disabilities.


- **Physical barriers and guides**

- Physical barriers, such as plexiglass shields, can be used to protect workers and voters when physical distance cannot be maintained, for example at registration desks or between voting stations.
- Consider placing markings or decal on the floor to remind voters to maintain at least 6 feet of space from other voters and workers.

Maintaining Healthy Operations

- **Where available in your jurisdiction, offer alternative voting methods that minimize direct contact and reduce crowd size at polling locations**

- Consider offering alternatives to in-person voting if allowed in the jurisdiction.
- Offer early voting or extended hours, where voter crowds may be smaller throughout the day.
- Consider drive-up voting for eligible voters if allowed in the jurisdiction.
- Encourage voters planning to vote in-person on election day to arrive at off-peak times. For example, if voter crowds are lighter mid-morning, advertise that in advance to the community.

- **Protect people at increased risk for severe illness**
 - Relocate polling locations from nursing homes, long-term care facilities, and senior living residences, to help protect older adults and those with underlying medical conditions from potential COVID-19 exposure.
 - Polling locations (e.g., libraries, schools) should ensure that voters can be separated from other facility users. For example, poll workers and voters can use designated entrances, exits, and restrooms that are separate from other facility users.
 - Limit nonessential visitors. Poll workers and voters should be discouraged from bringing accompanying persons (e.g., family members, friends) to the polling location.
 - Poll workers at higher risk for severe illness from COVID-19 should be assigned tasks that minimize direct contact with voters and other poll workers. These workers should be encouraged to practice [preventive actions](#), such as social distancing and handwashing.
- **Consider alternative voting options for voters with symptoms**
 - Where possible in your jurisdiction, offer alternative voting options for voters with symptoms, those who are sick or known COVID-19 positive. Alternative voting options should minimize exposure between poll workers and voters, such as a designated polling site or curbside voting for sick voters. Poll workers assisting voters with symptoms should be provided with [personal protective equipment](#) (PPE), including respiratory protection, face shields, gowns, and gloves, and trained in the appropriate use of this equipment.
 - Post [signs](#) to discourage anyone with symptoms from entering the polling location buildings and provide voting options for those with symptoms. Ensure that any signage is accessible to voters with disabilities, for example by providing large print or braille versions or having audible messages with the same information.
- **Scheduled or staggered voting**
 - Consider offering scheduled voting or staggered entry to the polling location.
- **Mail-in ballots**
 - Workers handling mail-in ballots should practice hand hygiene frequently.
 - Mail-in ballots submitted directly to polling locations can be held for three hours prior to processing to further reduce risk.
 - Machines used to process mail in ballots should be cleaned and disinfected routinely. Follow the [equipment manufacturer's instructions](#)  for appropriate cleaning and disinfection procedures for voting machines and associated electronics.
 - Ballots can be stored as usual without additional precautions.
 - Mail-in voting can make it more difficult for voters with disabilities to exercise their right to vote. Election officials should ensure that accessible voting options are available and that these options are consistent with the recommendations for slowing the spread of COVID-19.

Recommendations for Voters

- **Practice [healthy behaviors to protect yourself](#) and slow the spread of COVID-19**
 - [Wash your hands](#) before entering and after leaving the polling location.
 - While in the polling location, use alcohol-based hand sanitizer containing at least 60% alcohol frequently, especially after touching surfaces frequently touched by multiple people, such as door handles or voting machines.
 - Cover coughs and sneezes with a tissue or the inside of your elbow. Throw used tissues in lined trash cans. [Wash your hands](#) or use an alcohol-based hand sanitizer containing at least 60% alcohol.
 - Wear a [mask](#). Children under 2 and anyone who has trouble breathing, is incapacitated or otherwise unable to remove the mask without assistance should not wear a mask.

- Maintain at least 6 feet (about 2 arms' length) of distance from others. It is important to continue [social distancing](#) even when you and others are wearing masks.
- **Consider voting alternatives available in your jurisdiction that minimize contact.** Voting alternatives that limit the number of people you come in contact with or the amount of time you are in contact with others can help reduce the spread of COVID-19. Check your [local election office website](#) [\[link\]](#) for more information on voting alternatives available in your jurisdiction.
- **Do not disinfect or wipe down the voting equipment yourself.** Electronic voting equipment can be damaged by cleaners and disinfectants. If you use hand sanitizer before touching the voting equipment, ensure your hands are completely dry to avoid damaging the equipment. Wash your hands or use alcohol-based hand sanitizer **after** using the voting equipment.
- **Avoid crowds**
 - Use early voting, if available in your jurisdiction.
 - Vote at off-peak times, such as mid-morning.
 - If driving to the polls and your schedule allows, monitor the voter line from your car and join it when it's shorter.
- **Be prepared**
 - Check your voting location and requirements in advance because they may have changed due to COVID-19.
 - Verify your voter registration information is correct in advance of reporting to the polling location.
 - Contact your [local or state election office](#) [\[link\]](#) for additional information for voters with disabilities.
 - Make sure you have all necessary documents to avoid delays at the polling location.
 - If possible, complete any registration forms prior to arriving at the polling location.
 - Where possible, review or complete a sample ballot at home to speed the process of casting your ballot at the polling location.
 - Bring your own black ink pen.
 - Bring a stylus or similar object for use with touchscreen voting machines. Check with poll workers before using.



Resources

[Vendor and Manufacturer Guidance on Cleaning Voting Machines and Other Election Technology](#) [\[link\]](#)

[Cybersecurity Infrastructure and Security Agency Election Security Resources](#) [\[link\]](#)

[Finding Voting Locations and Poll Workers](#) [\[link\]](#)

[Considerations for Modifying the Scale of In-Person Voting](#) [\[link\]](#)

Health and Safety at the Polling Place 

Safeguarding Staff and Working Environment from COVID-19 

Last Updated June 22, 2020

Content source: National Center for Immunization and Respiratory Diseases (NCIRD), Division of Viral Diseases

Guidelines for Healthy In-Person Voting

The Brennan Center and the Infectious Diseases Society of America have issued joint guidelines to minimize the risk of transmitting Covid-19 at the polls this November.

By the **Brennan Center for Justice** and the **Infectious Diseases Society of America** PUBLISHED AUGUST 12, 2020

Introduction

The coronavirus pandemic is not going away before Election Day. While voting by mail is the safest option to avoid Covid-19 transmission, some individuals will be unable or unwilling to vote in this manner. Clear, evidence-based information about how to safely conduct in-person voting at polling places in November is more critical than ever. Accordingly, the Brennan Center has partnered with the [Infectious Diseases Society of America](#) (IDSA) to release *Guidelines for Healthy In-Person Voting*.

The document provides common-sense information on a range of topics, including voting location siting and configuration, supplies to prevent Covid-19 transmission, and poll worker precautions to protect voters and workers alike. Our guidelines draw from the independent, interdisciplinary knowledge of the more than 12,000 infectious diseases physicians, public health officials, epidemiologists, and researchers that make IDSA one of the nation's preeminent medical organizations, as well as from the Brennan Center's expertise in election adminis-

tration. The Centers for Disease Control and Prevention (CDC) has also [issued recommendations](#) for election polling locations, which we suggest reviewing.

No voter should have to choose between their safety and their fundamental right to vote in November. And with the right policies, planning, and practices in place, they will not have to.

General Guidance

- In-person voting can be conducted safely if jurisdictions take the necessary steps to minimize the risk of transmission of Covid-19 to voters and election workers. To the extent permissible under public health mandates, jurisdictions that offer polling place voting must continue to do so.
- Jurisdictions should meet regularly with health experts and their local health departments to ensure health practices are responsive to the current state of the

Covid-19 pandemic in their jurisdiction.

- In addition, election officials should review the latest Centers for Disease Control and Prevention (CDC) guidance for preventing transmission of Covid-19 at in-person voting locations.

Polling Place Siting

- Preparations should be made now to modify polling place siting decisions to account for Covid-19. Wherever possible, jurisdictions should avoid decreasing the overall number of voting locations and should consider expanding the number of voting locations for November, in order to avoid overcrowding at voting sites.
- Polling places sited in buildings that primarily serve communities identified as high risk for serious Covid-19 illness, such as senior care facilities, must be relocated.
- Wherever possible, voting locations should be relocated to spaces that are well-ventilated and can accommodate social distancing measures, including adequate space between voting privacy booths. Some examples of these spaces include
 - » school gymnasiums;
 - » community recreation centers;
 - » convention centers; and
 - » large parking lots (where weather permits).
- Wherever possible, voting locations should have separate points of entry and exit to optimize infection control practices and to minimize crowds forming in the space.
- In the event of a location change
 - » voters should immediately be given individualized notice of the change, with a second notice to be given within weeks of the November election; and
 - » if polling places are moved out of senior care facilities or other residential sites, plans should be implemented to ensure that the residents of those facilities are able to cast a ballot.
- In determining modifications to polling location plans, election administration officials must assess the impact of voting changes on vulnerable communities and

ensure that polling place location changes increase, not limit, accessibility for racial and language minority voters, students, voters with disabilities, and individuals displaced as a result of the Covid-19 pandemic.

Healthy Polling Places

- Voters should take proactive steps to keep voting locations safe and healthy, including
 - » wearing a mask to the voting location, but polling places should provide free masks to all voters in the event a voter does not arrive with a mask and should strongly encourage voters to wear a mask while casting a ballot;
 - » maintaining social distancing of at least six feet from other voters and poll workers; and
 - » avoiding bringing any unnecessary persons, such as children or other non-voting eligible family members, to the voting location.
- To comply with social distancing policies, polling places will require reconfiguration to allow substantial space between voting privacy booths, distance between poll workers, etc. This means
 - » where possible, polling place check-in stations should be set up in a designated area separated from the voting space, with a plexiglass barrier between the voter and the poll worker;
 - » workers should use tape or other semi-permanent markers to mark six-foot distances in lines and at polling place tables; and
 - » tape should also be used to hang signs in polling places and to mark designated areas at the pollbook table where voters will be required to show identification.
- To facilitate increased air flow and avoid recirculation of contaminated air, HVAC capacity of voting locations should be maximized and, where possible, air filtration systems should be used.
- Polling places will need to be sanitized to prevent transmission of the virus. This means poll workers should
 - » regularly clean frequently touched surfaces, such as door handles, voting booths, and bathrooms (approximately every four hours);

- » use alcohol-based hand sanitizer or wash hands with soap and water for 20 seconds, per CDC guidelines;
- » clean and disinfect voting machines and other equipment;
- » sanitize voting booth surface after each use;
- » have hand sanitizer available before people enter the voting area (and can even offer to spray voters' hands); and
- » have disinfectant wipes to clean down voting area.
- Polling places should be equipped with necessary sanitation products, including:
 - » alcohol-based hand sanitizer;
 - » hand sanitizing stations, available upon entry and exit;
 - » mobile handwashing stations with soap, water, and disposable drying materials; and
 - » disinfection wipes.
- Procedures should be established to ensure that hand sanitizer use does not jam ballot scanners.
- Ballot-marking procedures should be established to minimize viral transmission. For instance
 - » voters should be provided with disposable pens or pencils to mark paper ballots; or
 - » Q-tips, finger covers, or other disposable devices should be used to mark votes, instead of voters using their fingers.
- Curbside voting options should be made available, especially for voters with disabilities or illnesses who may not be able to leave their vehicles.
 - » Voters who arrive at the polling place and are feeling unwell or exhibiting Covid-19 symptoms should be encouraged to use curbside voting to minimize exposure inside the voting location.
 - » Voters using curbside options should have assistance provided to them in a manner that preserves independence, autonomy, and ballot secrecy.

Healthy Poll Workers

- Jurisdictions should increase efforts to recruit poll workers and recruit a surplus of poll workers for elections, especially from segments of the population who are not at high risk from Covid-19.
- Administrators should consult with a stakeholder working group, and particularly community representatives, to recruit both monolingual and bilingual poll workers.
- Jurisdictions should recruit more monolingual and bilingual poll workers than needed for Election Day to account for potential absences due to sickness or fear of Covid-19.
- All voting and public health materials should be offered in multiple languages.
- All poll workers should be provided with personal protective equipment (PPE), including surgical face masks and gloves.
- Additional PPE should be provided to poll workers who are serving as the curbside voting assistant. These workers should be provided with
 - » face shields;
 - » surgical face masks; and
 - » gloves.
- Jurisdictions should work with public health departments to develop a system for poll workers to check for any symptoms before their shifts, and to ensure that the public is being monitored for spread. This might include
 - » personal health surveys to ensure workers are not exhibiting symptoms of Covid-19;
 - » free Covid-19 testing for poll workers prior to their shifts and/or following their shifts; and
 - » expanded testing opportunities for voters who voted in person.
- Resource plans should also account for online or webinar-based trainings of poll workers.
- Jurisdictions should work with local public health departments to provide a comprehensive poll worker

safety manual and training program. Poll workers should receive training on relevant topics, such as

- » proper procedures for removing used gloves and masks;
- » proper procedures for hand washing;
- » proper procedures for sanitizing various frequently-used surfaces in the polling place; and
- » proper procedures for interacting with voters or poll workers who appear symptomatic or feel unwell.

This document is one in a series created as part of the Cybersecurity and Infrastructure Security Agency (CISA) Elections Infrastructure Government Coordinating Council and Sector Coordinating Council's Joint COVID Working Group. These documents provide guidance for state, local, tribal, and territorial election officials on how to administer and secure election infrastructure in light of the COVID-19 epidemic.

Ballot Drop Box

Overview

A ballot drop box provides a secure and convenient means for voters to return their mail ballot. A drop box is a secure, locked structure operated by election officials where voters may deliver their ballots from the time they receive them in the mail up to the time polls close on Election Day. Ballot drop boxes can be staffed or unstaffed, temporary or permanent.

Unstaffed drop boxes are typically available 24 hours a day and permanently anchored in place. Staffed drop boxes are typically available during regular business hours and monitored by trained workers during those hours.

Whether you are standing up a temporary vote-by-mail program statewide or locally, or you plan to develop a permanent program of voting primarily by mail, there are a few things to know and consider when planning for the use of ballot drop boxes.

General Considerations

Why do you need ballot drop-off locations when you are paying for return postage?

Some voters prefer to deliver their mail ballots to a drop box rather than sending them back through the mail. These voters may be motivated by lack of trust in the postal process, fear that their ballot could be tampered with, or concern that their signature will be exposed. Voters may also be concerned about meeting the postmark deadline and ensuring that their ballot is returned in time to be counted.

Ballot drop boxes and drop-off locations allow voters to deliver their ballots in person. More importantly, the availability of ballot drop boxes and drop-off locations ensures that even voters who wait until the last minute to vote or who receive their requested ballot in the mail at the last minute will be able to return their ballots in time to be counted.

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Version 1.0 – Submit comments to EISSA@CISA.DHS.GOV and it will be updated as necessary.

Many of these last-minute voters drop their ballot off at a voting location (which may not be allowed by state law). Setting up ballot drop boxes and educating voters to use them mitigates a number of COVID-19-related risks associated with in-person voting. It also minimizes the number of people that will need to access voting locations, thereby providing more space for those who are engaged in in-person voting.

How many ballot drop boxes will you need?

At a minimum, you should have a drop box at your main county or city office building. Voters generally know the locations of these buildings and are already accustomed to voting or doing business there. Some other best practices include:

- ☐ Have one drop box for every 15,000–20,000 registered voters.
- ☐ Consider adding more drop boxes to areas where there may be communities with historically low vote by mail usage.
- ☐ Use demographic data and analysis to determine whether there should be a different formula for rural and urban locations (i.e., 1 for every 15,000 residents may be every mile in an urban area, but every 50 miles in a rural area).

To get a better idea of how many voters use ballot drop boxes when voting by mail is the primary method of voting, look at the [Ballot Drop Box Usage](#) chart put together by the Washington Secretary of State. It shows ballot drop box use as a percentage of total ballots returned for Washington state, where voting by mail has been the primary method of voting for over a decade.

Timeline: The number of drop boxes and their locations should be finalized in time to be included in the instructions with your mail ballot packet—typically 80 days before the election.

Where should ballot drop boxes be located?

Ballot drop boxes should be placed in convenient, accessible locations, including places close to public transportation routes, near or on college campuses, and public buildings, such as libraries and community centers familiar to voters and easy to find. If there is time, getting input from citizens and community groups is recommended.

All drop box locations should be evaluated for:

- ☐ Security
- ☐ Lighting (well-lit 24 hours a day)
- ☐ High visibility
- ☐ Security cameras (more on cameras in the *Security Considerations* section below)
- ☐ Accessibility
- ☐ Voter convenience
- ☐ Parking or drive-through options

There are tools that can help you evaluate locations for drop boxes. The [U.S. Census Bureau Interactive Workforce Map](#) is a tool that can help you visualize where residents of your jurisdiction work or live to help you see where drop boxes might be particularly useful. Also, the Federal Emergency Management Agency (FEMA) is offering free enterprise-level access to [ESRI geospatial mapping software](#) for all state, local, territorial, and tribal governments for 6 months.

In a COVID-19 environment, creative solutions may be required. Consider:

- ☐ Collocating a ballot drop box with drop boxes set up for taxes and public utilities.
- ☐ Partnering with businesses or locations that have already implemented social distancing practices, such as grocery stores and banks.

A great example of using existing spaces comes from [Madison, Wisconsin](#). The city's libraries were shut down owing to COVID-19. The City Clerk's office decided to capitalize on locations that were already secure and located in places familiar to city residents. Working in partnership with the library, they used the book drops from three of the city's public libraries and turned them into temporary ballot drop boxes. If you choose to do something similar, be sure to ask questions about the library's security to ensure ballots dropped off at library locations remain secure at all times.

Timeline: The locations of drop boxes should be finalized in time to be included in the instructions with your mail ballot packet—typically 80 days before the election.

Who can collect and drop off a mailed ballot on behalf of a voter?

Voters who are unable to return a ballot in person or get it to a postal facility in time for it to be counted may, depending on state law, may be able to entrust the voted ballot to someone else to help them deliver it—an agent or designee. Note that, as of March 30, 2020:

- Twenty-seven states permit an absentee ballot to be returned by a designated agent, which can be a family member, attorney, or care provider.
- Nine states permit an absentee ballot to be returned by the voter's family member.
- One state specifies that an absentee ballot can only be returned in person or by mail.
- Thirteen states do not expressly address this issue.

Some states that allow a designated agent to return a voted ballot on behalf of the voter restrict the number of ballots that can be deposited by that person at one time in a drop box.

If you are considering the use of ballot drop boxes, you should review your existing laws and requirements and determine whether emergency changes may be necessary. A full list of state practices can be found at the National Conference of State Legislators (NCSL) website listed in the *Additional Resources* section.

What equipment and supplies are needed for ballot drop boxes?

Whether you are collecting ballots just from a USPS facility, ballot drop boxes, or both, you will need ballot drop box collection teams. Ideally, these are bipartisan teams (poll workers or temporary workers) hired to drive a collection route and pick up ballots on a regular basis. Each of these teams will need:

- ☐ Vehicle such as a van or SUV where the seats can be laid flat (county owned or rented)
- ☐ Radio or cell phone
- ☐ Secure ballot collection bag/box
- ☐ Security seals
- ☐ Chain of custody procedures/forms
- ☐ Personal protective equipment (e.g. disposable, sterile gloves), as appropriate and in accordance to current CDC guidance

Timeline: Reservations should be made as soon as possible if you plan to rent vehicles, radios, or cell phones—no later than 35 days before the election.

Outlined below is a list of the typical items you will need to rent or buy, depending on the type of drop box or drop-off location you are installing.

STAFFED – INDOOR TEMPORARY BALLOT DROP BOX

When demand for a ballot drop box is low, a temporary ballot box located inside is a good solution. These boxes should be constructed of durable material and include a key or combination lock as well as a way to securely fasten the box to prevent it from being moved or tampered with. This type of box looks similar to the example pictured here. In addition to purchasing or renting the **ballot box**, you will need:

- ☐ Padlock and keys (if not included)
- ☐ Bike chain or some other way to fasten the box to prevent it from being removed (if not staffed)
- ☐ Security seals

Timeline: Depending on the lead time required by the manufacturer, boxes may need to be ordered 3 months in advance—90 days before the election.



OUTDOOR, TEMPORARY DRIVE-THROUGH DROP OFF

A drive-through drop-off location is an easy way to keep traffic flowing when demand for a ballot drop box is at its peak, especially on Election Day. This drive-through is typically set up in a parking lot or a street depending on the location.

The team staffing the site accepts ballots from voters as they pull through, depositing them directly into a ballot box. For voters who prefer placing the ballot directly into the box

themselves, the portable ballot box is brought to the car window. In addition to the supplies listed below, you will need a bipartisan team of at least two to three to support the drop-off site.

- ☐ Pop-up tent
- ☐ Table
- ☐ Chairs
- ☐ Ballot box
- ☐ Road signs
- ☐ Orange cones
- ☐ Flashlights
- ☐ High-visibility vests for workers
- ☐ Weather appropriate support—propane heater, rain gear, lanterns
- ☐ Personal protective equipment such as gloves, masks, and hand sanitizer, as appropriate and in accordance with current CDC guidance



Timeline: Most of these items can be purchased or rented locally. You will need some lead time to arrange for traffic signs and cones if they will be borrowed from law enforcement.

UNSTAFFED, 24-HOUR BALLOT DROP BOX

In high-demand areas where votes are or will be cast primarily by mail, installing a permanent ballot drop box—one that can be accessed by voters 24/7—is a good solution. These boxes should be constructed of durable material such as steel and be permanently cemented into the ground. This type of **ballot drop box** typically costs about \$6,000 each. In addition to purchasing the 24-hour box you will need:

- ☐ Video surveillance camera
- ☐ Media storage device (for recorded video)
- ☐ Decal (branding and information)
- ☐ Extra keys for opening slot and access door
- ☐ Security seals

A good example of the security considerations associated with this type of box, pictured on the right, can be found in the [California Code of Regulations](#).



Timeline: Depending on the lead time required by the manufacturer, boxes may need to be ordered 4–6 months in advance—about 150 days before the election.

Election Night and Closing Boxes

You need to give special consideration to returning temporary ballot drop boxes and locking permanent drop boxes on election night. Organizing teams from other county or city departments is one way to accomplish this. Essentially, you need bipartisan teams to be at every ballot drop-off location precisely when polls close. Their responsibilities include:

- ☐ Identifying the voter or car in line at the time polls close and ensuring they have the opportunity to deposit their ballots.
- ☐ Retrieving the temporary indoor boxes and returning them to the counting facility.
- ☐ Locking the drop slot on the 24-hour boxes and transferring ballots to a ballot transfer bag or box and returning them to the counting facility.
- ☐ Completing chain of custody forms.

Security Considerations

Ballot drop boxes must be secured and locked at all times. Only an election official or a designated ballot drop box collection team should have access to the keys and/or combination of the lock. In addition to locks, all drop boxes should be sealed with one or more tamper evident seals.

Ideally, unstaffed 24-hour drop boxes should be located in areas with good lighting and be monitored by video surveillance cameras. When this is not feasible, positioning the box close to a nearby camera is a good option. Also consider placing it in a high traffic area and inviting local law enforcement to make regular observations.

Try to place indoor drop boxes in locations where they can be monitored by a live person. When ballot boxes are unstaffed and not being monitored, the box should be securely fastened to a stationary surface or immovable object in a way that prevents moving or tampering.

Chain of Custody

- ☐ Chain of custody logs must be completed every time ballots are collected.
- ☐ All ballot collection boxes/bags should be numbered to ensure all boxes are returned at the end of the shift, day, and on election night.
- ☐ Team members should sign the log and record the date and time, security seal number at opening, and security seal number when the box is locked and sealed again.

Safety

- ☐ For drive-through locations, coordinate a traffic plan with public safety officials.
- ☐ Consider colored vests for ballot collection teams.
- ☐ Provide a radio or cell phone so you can stay in contact with collection teams at all times.

Other Considerations

Start thinking about a ballot collection plan. This should include:

- ☐ Arranging with the USPS to designate a daily collection point for returned ballots and undelivered ballots.
- ☐ Hiring bipartisan teams with clean driving records (review your jurisdiction's requirements for driving as an employee).
- ☐ Determining the frequency of collection prior to Election Day.
- ☐ Determining the frequency of collection on Election Day.
- ☐ Ensuring you have collection teams assigned to be at each location when polls close on Election Day.
- ☐ Establishing best practices for transferring ballots back to the counting facility.
- ☐ Preparing driving routes and accompanying maps or directions.
- ☐ Determining how to keep collection teams and other staff safe in a COVID-19 environment.
- ☐ Reviewing your state laws regarding electioneering, campaigning, petition signature gathering, etc. at or near a ballot drop-off site.
- ☐ Developing a plan for helping voters find ballot drop-off locations. This can include a list of locations in the mail ballot packet as well as an online lookup tool with maps and directions. Two examples are [Lewis County, WA](#) (rural county) and [King County, WA](#) (large urban county).

Additional Resources

- ☐ [Ballot Drop Box Retrieval Training Presentation](#)—A good overview of the ballot collection process from the Orange County (California) Registrar of Voters
- ☐ [Open Mic Session| Ballot Drop Boxes](#)—video that reviews best practices for ballot drop boxes in Washington State
- ☐ [Voting Outside the Polling Place: Absentee, All-Mail and other Voting at Home Options](#)—NCSL website dedicated to absentee voting and all-mail voting

Mr. DAVIS of Illinois. Madam Chair, I forgot to ask, may I ask unanimous consent to submit a letter from Louisiana Secretary of State Kyle Ardoin for the record?

The CHAIRPERSON. Of course. Without objection, that is part of the record.

[The information follows:]

SECRETARY OF STATE
STATE OF LOUISIANAR. KYLE ARDOIN
SECRETARY OF STATEP.O. Box 94125
BATON ROUGE, LA 70804-9125

August 10, 2020

VIA ELECTRONIC MAIL

Tammy Whitcomb
Inspector General, United States Postal Service
1735 N. Lynn Street
Arlington, VA 22209

Dear Ms. Whitcomb:

On Saturday, July 11, Louisiana completed its twice rescheduled Presidential Preference Primary and municipal elections. Due to the COVID-19 pandemic, I crafted an emergency election plan which allowed for certain COVID-19 related absentee ballot excuses, as well as sent letters to the thousands of voters aged sixty-five and older to inform them of a program that allows them to request an absentee ballot be sent to them for future elections. Together, these efforts resulted in the largest number of absentee ballots ever cast in our state's history-nearly 100,000.

The week prior to the election, however, I was appalled to learn that thousands of absentee ballot requests, some postmarked weeks earlier, were being held in a postal facility in New Orleans. The Orleans Parish Registrar of Voters, Dr. Sandra Wilson, was told that "short paid postage" was the cause of the hold, but in multiple past statements on its election mail policy, the USPS has said that election mail would be delivered regardless of postage. Furthermore, several requests were not sent because the post office changed the address of the registrar's office on some of the request envelopes to another address on file, causing a delay in their delivery.

Due to these issues, my staff had to work around the clock to supplement the work being done by the registrar to process these thousands of requests in a timely manner, just days before the deadline to return ballots. I also learned that several ballot requests had been held in Ascension, Lafourche, Tangipahoa and Ouachita Parishes.

This occurrence is completely unacceptable, but also not unique to Louisiana. Stories of ballots being held in Wisconsin, not postmarked properly in New York, and being delivered to the incorrect counties in Indiana fly in the face of statements made by the USPS and the President of the American Postal Workers Union, Mark Dimondstein concerning the readiness of the Postal Service ahead of November's election. During a June 11, 2020 U.S. House Subcommittee on Elections hearing, Mr. Dimondstein said: "We've been handling [vote-by-

mail] well for generations.” With stories from across the nation and now in Louisiana about the holding and delay of delivery of absentee ballots and ballot requests, I’m not confident in the ability of the USPS to handle what will be a massive increase in absentee ballots across the country in November. In his testimony, Mr. Dimondstein also praised the idea of universal vote-by-mail; however, if the USPS had such serious issues in a summer election in a handful of parishes, how can we expect them to be ready for the 2020 federal election, much less one that will see an increased reliance on mail ballots?

I am calling on you to investigate the problems that occurred in Louisiana, and I will be calling on Congress to begin an inquiry into the multiple absentee ballot delivery issues across the country before November’s election. My staff is willing and prepared to work with the USPS on solutions going forward, but the USPS must take responsibility for and fix the issues stemming from its failures in election mail delivery this year.

Sincerely,



Eric Ardo

Cc: Postmaster General Louis DeJoy
 Senator Bill Cassidy
 Senator John Kennedy
 Congressman Ralph Abraham
 Congressman Garret Graves
 Congressman Clay Higgins
 Congressman Mike Johnson
 Congressman Cedric Richmond
 Congressman Steve Scalise, House Minority Whip
 Congressman Rodney Davis, Ranking Member, Committee on House Administration
 Senator Roy Blunt, Chairman, Senate Committee on Rules and Administration

Attached: Statement from Dr. Sandra Wilson, Orleans Parish Registrar of Voters

Statement from Dr. Sandra L. Wilson, Orleans Parish Registrar of Voters:

“On July 1, 2020 at approximately 1:30 pm, Mr. Mark Gilbert and Mr. Nick Shambra delivered approximately seven trays of *Requests for Absentee Mail Ballots* that he explained had been inadvertently held at the post office. Mr. Gilbert apologized that his employees held the requests due to insufficient postage, although he previously notified employees that election mail would not be held for that reason. Our BRM (Permit Mail) account had been exhausted for mailings other than permit mail thus overdrawing our account. Permit funds are normally used for address confirmation cards and undeliverable voter information cards. The trays amounted to nearly 5,000 *Requests for Absentee Mail Ballots*. Mr. Gilbert assured our office that this would not be repeated as he was notifying employees to deliver mail regardless of insufficient postage.”

Mr. DAVIS of Illinois. Thank you, Madam Chair.

The CHAIRPERSON. Seeing no further business before us, let me thank each of the witnesses for taking the time to be with us today. Your testimony was enlightening, and it is very much appreciated.

And if there is nothing further, without objection we will adjourn this hearing, with many thanks to all of you and all of the Members.

[Whereupon, at 3:07 p.m., the Committee was adjourned.]

