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Testimony of Secretary of State Ross Miller (NV)
U.S. House of Representatives
Committee on House Administration
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Chairman Miller, members of the committee, thank you for the opportunity to be here today to discuss military and overseas voting procedures and issues, and in particular how they are addressed in my home state of Nevada.

We have a significant military presence in Nevada, most notably at the Fallon Naval Air Station in the Northern part of the state, and at Nellis Air Force Base in the South. Many of the troops and their families are, of course, from other states and are now making their home in Nevada, and we value their service and consider it a priority to serve them in return by ensuring that they have every opportunity to participate in the democratic process that they protect around the world.

I had the opportunity in September of last year to visit the Middle East with some of my fellow Secretaries of State. In Kuwait we met with U.S. Ambassador Matthew Tueller and had extensive discussions of voter outreach efforts for U.S. troops and citizens living abroad. Military leadership briefed the secretaries on the U.S. Army Central voting assistance program. As you know, that program is in place to ensure successful absentee voting during the election year.

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The Secretaries of State also met with assigned officers at military installations to resolve any outstanding issues, given that we were entering the final two months prior to the 2012 elections. The stop in Kuwait also included a tour and an extensive presentation at the U.S. Army Post Office to learn how military ballots are processed and transported. At Al Udeid Air Force Base in Qatar, we were briefed regarding the Combined Air Operations Center voting assistance program. We also met with the Qatar Embassy regarding voter outreach and toured the military postal facilities.

Upon conclusion of this eye-opening visit, the other Secretaries of State and I prepared a report addressing our concerns and the problems we saw. The report also provides recommendations for improving access to elections information and processes for military and overseas voters – the keys being the availability and use of technology, as well as the leadership of both civilian and military election officials in developing and implementing procedures that will facilitate military and overseas voting. A copy of the report was submitted with my written testimony.

I have been and continue to be a strong advocate of changes to Nevada's military and overseas voting laws to ensure all ballots are received on time and counted in elections. I have worked with the Nevada Department of Veteran Services and local elections officials to support and pass legislation which allows Nevada voters overseas to register to vote and to request and submit absentee ballots

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electronically. I have also worked to adopt into state law language that was closely aligned with the provisions from the federal Military and Overseas Voter Empowerment (MOVE) Act.

In the 2012 election, 6,449 ballots were transmitted to covered voters and of the 6,110 absentee ballots and federal write in ballots that were returned to our counties and my office, 5,871 of them were counted - 265 of the ballots returned were not counted. 152 of those ballots were not received on time. 17 ballots were rejected because of issues with the voter's signature. The remaining 96 uncounted ballots were a result of various administrative errors made by the UOCAVA voters, which reflect on the various issues that UOCAVA voters still encounter. In sum, more than 15% of Nevada's military-overseas paper ballots were either not returned, returned as undeliverable, or spoiled. As with the rejected ballots, this number could have been significantly lower if UOCAVA voters were more aware of the resources available, or had better access to those resources and the requisite technology.

It is notable that 42% of Nevada's military and overseas ballots were requested after the 45 day MOVE Act deadline. I believe that number is higher than it should be, because it represents voters that were not registered to vote; voters that had not indicated their UOCAVA eligibility prior to the 45-day deadline; AND voters that had not requested a military or overseas ballot for the primary election.

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Of course, the intention of the military and overseas voters legislation is to make it easier to access and participate in the electoral process while absent from one's residence. This is exactly what our Middle East Delegation reported in their observations and recommendations. The number one recommendation in the 2012 Report suggests using the military's Common Access Card to make it easier to access a military voter's registration, absentee ballot request, and balloting materials. Nevada is currently working to streamline the resources available to military and overseas citizens as recommended in the Report. In addition to expanding access to a voter's ballot, systems like the one Nevada is currently developing will allow military and overseas citizens the ability to simultaneously incorporate voter registration and absentee ballot request documents.

My office is taking advantage of enabling legislation that allows our military and overseas voters to use electronic and digital signatures on election documents by developing a convenient, streamlined online ballot delivery system, which will allow our covered voters to request, mark and deliver a ballot to their county without the need of a printer or scanner.

Doing so will significantly reduce the number of ballots not counted by providing local election officials with everything they need upfront. As online ballot preparation evolves, the systems have been streamlining the process into a few steps that take minutes to complete as opposed to making multiple communications over several days with a voter's local election office.

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Spearheaded by the Federal Voting Assistance Program in 2010, these systems not only provide benefits to the voter but the local election offices, which translates into more ballots returned and fewer ballots rejected. States with online ballot marking systems continue to demonstrate higher participation rates than those of the general public.

We are very excited about this development and are looking forward to significantly improved numbers for our military and overseas voters in future elections in Nevada. The project will take advantage of existing technology and increase access and availability for our military voters as recommended in the Middle East Report.

Thank you for the opportunity to testify on this important issue today. I would be happy to answer any further questions the committee may have.