

Madame Chairwoman and Members of the Committee:

Good afternoon. I'm Michael Adams, Kentucky Secretary of State. It's an honor to be with you today.

I understand the topic of discussion is the Elections Clause of our Constitution. Any day that Congress spends considering the text and intent of our Constitution is a good day, and I wish you every success. My purpose here is to address policy concerns with Congress increasing Congress's role in elections for Congress.

First, some background. I took office last year, and the elections I've supervised as my state's chief election official all took place amid the pandemic. I asked our legislature for, and received, emergency powers, to be shared with our Democratic Governor, to permit us to implement temporary changes to our election system to ensure public safety, voter access and election security. We expanded absentee voting, and we established early voting for the first time in Kentucky history.

In the days before our June 2020 primary election, Kentucky was singled out in a national campaign of harassment and hate, with false accusations of voter suppression. Our phones were clogged with angry callers from Washington, D.C., California and New York, cursing at us, sometimes threatening violence. This was directed at us by celebrities on Twitter, including a certain member of Congress who now chairs the Senate committee analogous to yours.¹

When the dust settled, however, Kentucky had conducted the most successful election in America at that point in the pandemic – safe, orderly, and with high turnout.² Kentuckians knew better how to run an election in Kentucky than did the national media or national politicians.

The expanded voting reforms and enhanced security measures we implemented proved so successful and so popular that our legislature just made most of them permanent, with the votes in both chambers bipartisan and nearly unanimous. Kentucky is the national leader this year in election reform, but we are not alone; bipartisan legislation expanding voting opportunities has passed in Louisiana and Vermont, too.

Why was Kentucky able to pass a bipartisan election reform measure – the most significant modernization of our system since 1891 – that made it both easier to vote and harder to cheat, that had widespread support across the political divide? Why did Louisiana and Vermont follow suit? Well, because you did not stop us. You allowed democracy to work.

There are two lessons here. One, Kentucky knows best what's best for Kentucky, and I would urge you to let Kentucky be Kentucky, let Louisiana be Louisiana and Vermont be Vermont, and respect the laboratories of democracy that lead to innovation in a decentralized election system. Vermont passed mail-in voting; that reflects their political culture. In Kentucky, even with

¹ <https://twitter.com/amyklobuchar/status/1274856741784748033>.

² https://www.washingtonpost.com/politics/primaries-voting-kentucky-new-york/2020/06/22/a14ec922-b4ab-11ea-a8da-693df3d7674a_story.html

expanded absentee voting and even in a pandemic, most voters last year, including most Democrats, voted in-person. That reflects our political culture.

The second lesson is that election policy should be made not by a caucus, not by a think tank, but by election administrators who work in a bipartisan fashion. Bipartisanship not only leads to a better product, with concerns on both sides accommodated; it also shows voters on both sides that the rules are not being rigged to favor one party over another. I understand the concern many of you have with state legislatures acting in a partisan fashion in passing election legislation, and I would encourage you to avoid doing the same thing yourselves.

Do not be victims of a false narrative. I don't agree with every election bill that has been offered by a Republican state legislator, but the reality on the ground is more complicated, and far better, than what you're hearing here in this echo chamber. The desire to accuse red states, especially southern ones, of voter suppression is so strong that media outlets covering Kentucky's achievement are rewriting their own coverage to fit the narrative.

On April 8th, CNN reported "Kentucky Gov. Beshear signs into law bipartisan elections bill expanding voting access";³ on June 30th, CNN reported "Seventeen states have enacted 28 laws making it harder to vote,"⁴ and included Kentucky in their count. On April 8th, the *Washington Post* reported "Democratic Governor in deep-red Kentucky signs bill to expand voting";⁵ on June 21st, the *Washington Post* included Kentucky in their list of 17 states that allegedly were undermining democracy.⁶ The cognitive dissonance is so strong that these outlets don't even accept facts from their own reporting when it contradicts the narrative.

Our politics has grown increasingly harsh, even dangerous, the more our big decisions are federalized rather than resolved at the state and local levels. I urge you to respect the diversity of our country and the majesty of our 50 different but well-functioning election systems. Thank you.

³ <https://www.cnn.com/2021/04/07/politics/kentucky-voting-bill-signed-beshear/index.html>

⁴ <https://www.cnn.com/2021/06/30/politics/voter-suppression-restrictive-voting-laws/index.html>

⁵ <https://www.washingtonpost.com/nation/2021/04/08/democratic-governor-deep-red-kentucky-signs-bipartisan-bill-expand-voting-bucking-national-trend/>

⁶ https://www.washingtonpost.com/opinions/republicans-are-gnawing-at-the-foundations-of-americas-free-and-fair-elections/2021/06/13/3f40ffa0-cacd-11eb-a11b-6c6191ccd599_story.html