



STATE OF NEW MEXICO  
**MAGGIE TOULOUSE OLIVER**  
SECRETARY OF STATE

**Hon. Maggie Toulouse Oliver, New Mexico Secretary of State**  
**Statement Before the U.S. House of Representatives**  
**Committee on House Administration, Subcommittee on Elections**  
**“Voting in America: Access to the Ballot in New Mexico.”**  
**April 11, 2022 | Santa Fe, NM**

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Members of the Subcommittee,

My name is Maggie Toulouse Oliver and I serve as New Mexico Secretary of State, the state’s chief elections officer. I am a member of the National Association of Secretaries of State, having served that organization as Treasurer and as the immediate past-President, and I am also a founding member of the Election Infrastructure Subsector Government Coordinating Council.

Thank you for organizing this hearing on ballot access in New Mexico and for asking me to appear before you today.

The current national discourse about voting and elections has been infected with a disturbing amount of misinformation about how elections are run and about the measures in place that secure our vote. Hearings like this one today are a great opportunity to educate the public on the complex, difficult, and vitally important work that election administrators engage in everyday to keep the gears turning on our democracy.

As New Mexico’s Secretary of State since 2016 I have been dedicated to the dual tasks of increasing access to the ballot while maintaining and expanding the high levels of election security we employ before, during, and between every election. Ballot access and ballot security do not come at the expense of one another and we in New Mexico prove that point during every election.

Ballot access begins with making voting as easy as possible for all eligible voters and the first step in that process is voter registration. In New Mexico, we provide easy online voter registration, same-day voter registration, and automatic voter registration – best practices in election administration that allow for more people to register, while also creating efficiencies for



STATE OF NEW MEXICO

**MAGGIE TOULOUSE OLIVER**

SECRETARY OF STATE

the election administrators responsible for processing those registrations. And though policies like same-day registration are sometimes presented as giving an unfair advantage to Democrats, I should note that more Republican voters utilized same-day registration in 2020 than any other party. We also provide those 16 and 17 years of age the opportunity to register if they will be 18 by the next election, which is an innovative policy designed to get young people participating in democracy earlier in their lives.

These different voter registration options were particularly useful for voters during the pandemic, as COVID-19 complicated many aspects of election administration. During 2020, my Office worked alongside our state's county clerks, the Governor, and members of the legislature to provide voters with multiple options to register and to vote during the pandemic. Many of those pandemic policies have been subsequently made permanent, like those that were enacted to protect Native voters and give pueblo and tribal governing bodies in our state more options to control how voting takes place on their land.

Other election best practices we employ, like multiple weeks of early voting, secure video-monitored ballot drop boxes, no-excuse vote-by-mail, and online vote-by-mail ballot requests, are also vital components of making it as easy as possible for eligible voters to participate in our democracy.

New Mexico's commitment to ballot access does not come at the expense of election security, however, as we are nationally known as a leader in protecting the integrity of every vote. As I mentioned earlier, it is a fallacy to assume that ballot access must come at the expense of election security.

Our work to strengthen our cybersecurity and election security in New Mexico has been an ongoing process over many years that has involved a strong coalition of local, state, and federal partners. We protect our elections in New Mexico through an array of low- and high-tech solutions that have proven to be formidable tools in the modern threat landscape election administrators face every day.

My Office has a dedicated Election Security team that works with our county clerks to test our information security defenses on a regular basis and provide ongoing support to county election administrators. Additionally, our Election Security team works with government and private partners who validate and test our information security defenses. Such assessments include



STATE OF NEW MEXICO  
**MAGGIE TOULOUSE OLIVER**  
SECRETARY OF STATE

reviews of documentation and process, as well as varying degrees of computer and network hacking. Any identified issues are rapidly mitigated and corrected.

During elections, we also partner with the Air National Guard as they assist us with passive threat analysis.

Having a dedicated Election Security team is an essential component of our overall election security strategy, but the processes and procedures we have in place before, during, and between elections are essential as well.

Every election in New Mexico uses one-hundred percent paper ballots. All paper ballots allow for auditing and verification of automated vote counting systems because there is always a paper trail.

New Mexico also utilizes air-gapped counting systems, which means that our vote tabulators are prevented by law and process from being joined to a computer network or the Internet.

Prior to every election, we test that our tabulators accurately count actual paper ballots with a known outcome and, furthermore, we confirm that the tabulators properly handle over-vote and under-vote conditions.

Following an election, the results are reconciled by the bi-partisan election board members. Then a canvass, or audit of the results, occurs at the county and state by experienced staff. Finally, the results are audited by an independent contractor before being certified by the State Canvassing Board.

New Mexico also conducts a risk-limiting audit following every general election. This process involves the random selection of races and precincts throughout the state by the independent auditing firm and then a hand recount of those ballots is completed and compared to the machine tabulated results. If any discrepancy is found additional hand counts would be required.

As you can see, there is no simple way to increase ballot access and provide high levels of election security. These goals require layers of complementary policies and procedures, along with the foresight and dedication of the public servants who run our elections. Unfortunately, New Mexico is not immune to the increasing threats to election officials who are working tirelessly to ensure the integrity of our elections at every level.



STATE OF NEW MEXICO

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I hope this overview of how we balance ballot access with election security in New Mexico is helpful for the Committee and your future work. I thank you again for giving me this opportunity to testify on these important matters on behalf of New Mexico and our state's election administrators.

I look forward to answering any questions you may have for me.