

For the People: Our American Democracy Hearing  
Thursday, February 14, 2019  
House Administration Committee  
10:00 a.m. Room 1310 of the Longworth House Office Building

Secretary of State Kim Wyman Testimony on HR1

I want to thank Chairman Lofgren, Ranking Member Davis and the committee for inviting me to testify today on the Election Access, Integrity and Security sections of HR 1 (Division A, Titles I, II and III). For the record, I am Washington Secretary of State Kim Wyman, and I am proud to serve as the chief elections officer for a state which currently meets most of the election requirements proposed in HR 1. Washington state:

- Conducts all elections by mail with an 18-day voting period
- Allows voters to cast a provisional ballot anywhere in the state
- Convenes an independent Redistricting Commission
- Passed a state Motor Voter law three years before the National Voter Registration Act (NVRA) was signed by President Clinton
- Is the second state in the country to provide online voter registration
- Uses voter-verified, permanent paper ballots in all elections
- Has mandatory pre and post-election audits and recounts
- Is implementing risk-limiting audits, automatic voter registration, the Future Voter pre-registration program, and election day registration for the 2019 elections.

Based on 26 years of experience leading the implementation of some of the most innovative policies in election administration in the country, I am testifying with strong concerns on the election sections of HR1.

The greatest strength of the American election system is its decentralized structure. There are over 9,000 independently elected or appointed election officers, like me, who take an oath to uphold the U.S. Constitution and the Constitution and laws of their states to administer elections. We are accountable to the people who live in our states.

While Democratic, Republican, and nonpartisan election officials across the country share the goal of making elections more accessible and secure, HR 1 could hinder the progress that Washington and other states have achieved, now and for decades to come.

HR 1 would enact prescriptive and specific federal regulations on election administration by mandating and essentially freezing these 2019 policies and procedures in place. It will dramatically increase the cost of conducting elections, and simply repeat history.

Passage of the NVRA in 1993 and the Help America Vote Act (HAVA) in 2002 marked a tectonic shift in the administration of voter registration and elections. Congress narrowly and specifically defined how election officers at the state and local levels could manage elections.

The inherent problem was both Acts defined processes that could not contemplate the evolution and application of technology. Here are two examples:

First, in 1993, the NVRA intended to increase access to voter registration and defined how registration lists could be maintained. The Act specified paper-based methods for adding or removing voters using an innovative tool of the time: the U.S. Postal Service National Change of Address system. NVRA could not anticipate the impact of the Internet or smart phones on voter access to information, as neither had yet arrived.

Second, following the 2000 Presidential Election, testimony in Congressional hearings demonstrated that problems occurred with lever machine and punch card voting equipment. HAVA eliminated their use in U.S. elections, and Congress provided federal grants to purchase new equipment.

While many election officials chose to update voting equipment with paper ballot systems, other jurisdictions opted for the newest solution at the time: touch screen voting machines.

Now, nineteen years later, state and local election officials have aging equipment – with no federal replacement funds. Election officials must rely on state and local legislative bodies to provide funding for their equipment and operational costs. We are facing the greatest security threat in history from cyber-criminals, and HR 1 adds new, costly requirements with no identified funds to implement.

Ultimately, our job is to instill public confidence that every eligible person has the opportunity to register and vote, and that those votes are counted in an accurate, fair and secure manner. As you move HR 1 forward, I encourage you not to limit states' authority, rather empower them to improve election administration.

The greatest threat to our elections system is partisanship. The lasting solutions to removing barriers in elections have come from bipartisan efforts that balance access and security in our processes. HR 1 is a good place to start. My state and local election colleagues and I want to work with you to make HR 1 bipartisan legislation that improves elections for everyone.

Thank you.