

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

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United States Election Assistance Commission (EAC)
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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.