

Chairman, Members, & Staff,

Thank you for inviting me to testify about WV's very successful Primary Election.

We were so successful because we learned from other states that poll worker recruitment was critical, uniformity is helpful, and absentee mailed ballots are necessary but challenging.

We had constant communication:

- nationally with DHS, DOJ, Congress, & NASS;
- at the state level with fellow secretaries, our Governor, WV Attorney General, Fusion Center, & National Guard;
- at the county level with clerks who stressed the need for flexibility; and
- with Harvard's Belfer Center that helped prepare election officials for most any disruption.

And, WV provided options -- we offer more ways to vote than any other state.

We offer the "Gold Standard" of in-person of voting at a local precinct, with trained poll workers, both during early voting and on election day; we provide absentee voting using the mail; and we lead the nation with e-voting. In 2018 we enabled military & overseas voters to vote electronically; West Virginians in 30 countries used mobile devices to vote in the General Election. One voter in West Africa cited a 3-day drive to the US Embassy for mail; she noted mail was neither practical nor guaranteed. She loved her e-voting experience.

This year, our legislature unanimously extended e-voting to people with certain disabilities. 175 voters from 19 countries, & 20 voters with disabilities cast e-votes in our Primary.

In WV, it is "Easier to vote & harder to cheat" than ever before, but providing options does raise challenges.

Let Me Now Address Those Challenges.

COVID-19 is the "elephant in the room" for the upcoming election. Due to the virus, our Governor issued a "stay at home order" that overlapped our Primary; accordingly, everyone had a "medical reason" to vote absentee. For uniformity, we sent applications to every registered voter, and ½ of the ballots cast were absentee.

The stay-at-home order is now lifted, and county clerks have asked that we return to voters initiating requests to vote absentee. We must now educate voters to changes based on an unpredictable virus.

Another challenge is poll worker recruitment. At the state level during the Primary, we recruited nearly 400 volunteers, and we have started a fresh campaign for the General. America needs to unite around the duty to work the polls in November.

As to funding, we appreciate the Federal HAVA & CARES support. WV used all its 2018 HAVA funds and we will allocate all 2020 HAVA funds by next week. We used \$1.6 million of our CARES money in our Primary, leaving \$2.1 million for the General. The CARES allocation was about right for our state. Every dollar has gone directly to local election officials. While funding is not an immediate concern, a number of counties do face equipment upgrade issues.

Now, to lessons learned.

People like having voting options as they do not know how the virus will play out. Even during the pandemic, more than 225,000 people voted in person. As to e-voting, nearly every overseas voter would have been disenfranchised due to postal disruptions; they loved being able to vote electronically. Today I renew my call to Congressional leadership as well as DOD to provide e-voting to all deployed military and overseas voters.

Using the mail is one pandemic option, but it is problematic; issues include lack of postmarks, lost items, delayed delivery, and increased opportunities for fraud such as forgeries, intimidation, and ballot harvesting.

A significant absentee ballot issue is overvoting; one county had 1017 overvotes, resulting in those votes not counting. That would not have been possible with electronic marking devices and in-person voting.

Next, initiate an Anti-Fraud Task Force as soon as possible. When issues arose, our Task Force with the US Attorney, FBI, State Police, and WV Attorney General was extremely effective.

Finally, flexibility.

County clerks recommended, and our Governor issued Executive Orders that provided much needed flexibility. The most useful were: not requiring voters to request absentee ballot applications; and giving clerks more than 24 hours to mail absentee ballots.

I provided flexibility by allowing: COVID-19 as a reason to vote absentee; early poll worker training; early processing of absentee ballots; reduced number of poll workers; and clerks to change polling locations.

Flexibility enabled clerks to use common sense based on manpower, equipment, and timing restrictions.

In conclusion, WV showed that we, as a nation, can hold a safe and accessible election during the pandemic. Extensive voter education is necessary as people must be informed of deadlines, process, and to correctly mark ballots. They must also understand absentee ballots delay results reporting.

In WV, we had our bases covered. We had numerous voting options, officials had flexibility to operate within the law, and polls were accessible. We got it right, and we did it safely. WV did not have a single reported case of COVID-19 due to in-person voting.

This concludes my briefing, and WV stands ready to further share our story and answer questions at the appropriate time.