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National Association
of Secretaries of State

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TESTIMONY FOR THE JOINT
OVERSIGHT HEARING ON
*FEDERAL, STATE AND LOCAL EFFORTS
TO PREPARE FOR THE
2008 GENERAL ELECTION*

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**Testimony of Hon. Pedro A. Cortés, Pennsylvania Secretary of State, and
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Before the Subcommittee on Elections of the Committee on House Administration and the
Subcommittee on the Constitution, Civil Rights and Civil Liberties of the Committee on the
Judiciary - Joint Oversight Hearing on *Federal, State and Local Efforts to Prepare for the
2008 General Election***

Good morning, Chairwoman Lofgren (D-CA), Ranking Member McCarthy (R-CA), Chairman Nadler (D-NY) and Ranking Member Franks (R-AZ). I am honored to be here today to testify in two capacities: as Pennsylvania Secretary of State and chief election official; and as President of the National Association of Secretaries of State (NASS). I would like to discuss states' readiness for the November 2008 election, including our specific efforts in Pennsylvania. I will begin by discussing national efforts.

The nation's chief state election officials, 39 of whom are represented by NASS, have been working hard to ensure eligible voters will have a positive voting experience and an election that is fair, accurate, accessible and secure. To achieve this in a presidential election year is a challenge given our decentralized electoral system that includes an estimated 7,800 local election jurisdictions, 200,000 polling sites, 2 million poll workers and, for this year, somewhere between 125 and 200 million voters.

Dramatic increases in registration figures and predictions of high turnout are driving state preparations this year. Nearly 58 million Americans voted in the 2008 presidential primaries. Based on the successful outcome, there is every indication that states will be fully prepared for a potential record turnout in November.

Recognizing the widespread interest in what states are doing to prepare for the general election, and the tendency for reports and news stories to focus on what *could* go wrong, NASS conducted a survey of all the chief state election officials. Our objective was to gain insight into the states'

efforts to inform and prepare voters, increase and facilitate voter participation, ensure that polling places run smoothly on Election Day and communicate election results to the public. The NASS report, which is being released today, is titled, *Engaging the Energized Electorate: NASS Survey on State Preparations for the 2008 Presidential Election*.

Here is what the state survey responses demonstrate:

During the last several years, states have overhauled their election systems under the Help America Vote Act of 2002 (HAVA) and successfully introduced major election-administration reforms (with literally thousands of legislative and regulatory changes in some states) on everything from voting systems to statewide voter registration databases, provisional voting, poll worker recruitment and training, and more. As part of these efforts, they have introduced innovative election practices that build upon HAVA's requirements while at the same time addressing the unique history, tradition and legal structure in each state.

This year, the states have concentrated preparations in three major areas:

First, since the 2006 midterm elections and the passage of HAVA's deadlines, states have made progress in providing resources and coordinated-messaging designed to enhance voter participation. States are conducting vigorous, statewide public outreach campaigns to inform voters about everything from registration deadlines to identification requirements and absentee or early voting options. A growing number of states are using the Internet and social networking sites to share their message with voters. For example, the Missouri Secretary of State's office has a *3 Minute Guide to Voting in Missouri* that they first featured on their state website, and then also posted to *YouTube* and *MySpace*. Similarly, Arizona plans to address questions on ballot measures and the voting process through statewide town hall meetings.

Due to the use of statewide voter registration databases, states are offering online tools such as polling place locators (in 40 states), voter registration lookups (in 29 states) and provisional ballot trackers (in 18 states). In a number of states, including Delaware, Washington and my

home state of Pennsylvania, voters can use online tools such as polling place locators to get maps, driving directions and parking details.

Many states have further introduced targeted outreach efforts to mobilize young voters, senior voters, voters with disabilities, military and overseas civilian voters and alternative language voters, among others.

For individuals unable to wait in line on Election Day, or for those who do not wish to wait, many states have adopted early or absentee voting. Thirty-one states allow in-person, absentee voting before the election and twenty-eight states allow absentee voting by mail, without the prerequisite of demonstrating a legal excuse. Where available, these options will reduce lines on Election Day.

Second, although polling place management and operations are largely a function of local government, states are helping cities and counties prepare to handle the rush of voters at the polls. The goal is to ensure a positive experience on Election Day. This collaboration is aimed at broadening the pool of potential poll workers by seeking students, bilingual citizens, private sector and state employees. It also promotes uniformity in training volunteers through online instruction, video refresher resources and extensive statewide conferences.

For 2008, consistency is the hallmark of state poll worker training efforts. California has established a Task Force on Uniform Poll Worker Training Standards to provide recommendations and to ensure that all of the state's poll workers are properly equipped to administer voting, handle emergencies and use election systems. Minnesota has a detailed procedures guide and training video for all counties. Iowa has a three-day poll worker certification program which is held in each jurisdiction across the state. A number of states also provide online poll worker training.

Increased polling place efficiency measures, such as the adoption of electronic poll books, are also enabling states to improve administration and enhance customer service. These initiatives

complement states' intensive contingency planning, expanding the scope of their efforts beyond natural disaster and security threats to include strategies for dealing with equipment breakdowns, ballot shortages, long lines, poll worker shortages and other election-related scenarios.

In many states, election officials are either increasing the number of ballots they order or encouraging localities to do so in anticipation of high voter turnout in November. For example, precincts in Ohio that use Direct Recording Electronic (DRE) systems must provide backup paper ballots in an amount equal to 25% of the precinct turnout in 2004. Voters waiting in line must also be informed that they can choose to vote using the paper ballot if they do not want to wait for a DRE machine.

Finally, states are offering enhanced election result reporting features for 2008 and shoring up post-election auditing and reporting procedures to maintain transparency and boost confidence in election outcomes. While states like Minnesota and Kentucky have been providing this information for some time, Missouri recently employed new mapping and graphics features on its Election Night Reporting Web site, which aids the media and campaign officials when analyzing the information and results provided. Twenty-three states have existing laws for post-election audits, and other states are seeking to establish or improve audit procedures.

NASS also created www.canivote.org, the association's nonpartisan Web site that serves as a portal to state and local election sites. In addition to the voter registration lookups and polling place locators, voters can use the site to find state-specific information on polling place hours, voter registration deadlines, identification requirements and how to become a poll worker.

In addressing the preparations specific to my home state of Pennsylvania, I can assure you that we remain committed to eliminating barriers to voting and to conducting fair, accurate, accessible and secure elections.

The Department of State, working closely with the Commonwealth's 67 counties, is building upon the lessons of the primary to prepare for November 4th.

One way is through the use of technology. For example, Pennsylvania has benefited from the Statewide Uniform Registry of Electors, more commonly referred to as SURE. SURE is the centralized voter registration and election management system used by the counties and the Department to ensure the accuracy and integrity of the Commonwealth's voter registration records. All 67 counties have used SURE since 2006.

Over the last two years the Department has worked diligently to increase the system's capacity to process records. During the primary, the SURE system performed well and enhancements continue to be implemented. A public portal allows voters to find their own registration and polling place information on the Department's Web site. A separate county portal enables elections staff to view and certify voter registration statistics, enter and track provisional ballots and enter election night returns. The innovative use of technology gives counties increased flexibility for more employees to enter voter registration data. This additional data entry capability is helping counties complete the task of entering new voter applications.

With less than two weeks until the October 6th registration deadline, more than 8.4 million Pennsylvanians are registered to vote in the election and thousands more are submitting their applications. SURE technology has streamlined the registration process and has improved the ability to provide timely confirmation.

Pennsylvania also values voter education. The Department is proud of *Ready.Set.Vote*, an interactive voter education campaign that features television, radio, print, online and out-of-home advertising. *Ready.Set.Vote* has empowered us to communicate with a diverse audience, including military members, college students and persons with disabilities. Specific advertisements were created in Chinese, Korean and Spanish. The campaign's goal is to ensure that Pennsylvania voters are familiar with voting processes, rights and technology.

An important component of this campaign is VotesPA.com, the Commonwealth's online voting information and resource center. Through VotesPA.com, Pennsylvanians can find information about voting rights and procedures, locate directions to their polling place and may even sign up for election-related reminders sent directly to their mobile devices. With ten different voting systems being used throughout the Commonwealth, understanding how to use the specific voting system provided at one's polling place is essential for a voter to efficiently and successfully cast his or her ballot. One of the key features of VotesPA.com is the availability of demonstration videos for each voting system, specific to any given voter's county upon request.

In August, Pennsylvania reviewed an innovative, secure online tool offered by the Federal Voting Assistance Program at the Department of Defense that provides military as well as overseas civilian voters the option of requesting and/or receiving absentee ballots electronically through the federal program's Web site. Pennsylvania counties are encouraged to participate in this initiative, which helps simplify military and overseas voting. As of today 34 counties, including Philadelphia and Allegheny, have availed themselves of this program.

The large volume of voters also magnifies the importance of poll worker training. Historically, issues that have arisen during Election Day have been primarily due to human error. As referenced earlier, adequate poll worker training can minimize this possibility and ensure that the elections are administered smoothly.

This year, the Department of State produced a new DVD titled, *Election Officials Training Program*. This video was made available to all counties to supplement their training efforts and is also available to view online by visiting the Department's Web site, www.dos.state.pa.us, and selecting *Elections*. A second video was produced in September with emphasis on training election officials to assist voters with disabilities.

Building upon best practices that were implemented in the Pennsylvania primary, the Department continues to communicate to the counties recommendations for handling high voter

turnout. Sufficient staffing throughout the entire process is key, as well as ordering ample supplies of absentee ballots and optical scan ballots in the counties that require them.

Pennsylvania encourages its counties to have sufficient provisional ballots and emergency backup paper ballots on hand each election. In addition, counties are customarily reminded to be prepared to handle unexpected polling place emergencies such as power outages, inclement weather, fires, water damage and flooding.

The Department also continues to improve its reporting of unofficial election results after the close of the polls. For the April primary, a direct interface for electronic reporting using the SURE county portal was employed by 20 counties. More than 50 counties will participate in November.

These are but a few examples of the many initiatives underway in Pennsylvania and throughout the United States. Based on these preparations, I am confident that the nation, including Pennsylvania, will be well prepared for the General Election and that we will have a well-informed electorate. On behalf of my colleagues at NASS, thank you for your support in safeguarding our most fundamental right of citizenship.

I appreciate your invitation to testify today and welcome your questions at this time.