



July 24, 2017

Sent via electronic mail to:

ElectionIntegrityStaff@ovp.eop.gov

Presidential Advisory Commission on Election Integrity
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Members of the Presidential Advisory Commission on Election Integrity,

I am providing the publicly available information requested in Commission Vice Chair Kris Kobach's June 28, 2017, letter sent on behalf of the Commission. We are unable to provide the last four digits of Social Security numbers and driver's license numbers, as they are not public information under Ohio law.¹

The relevant portions of Ohio's voter file that are public records under state law are available at <https://www6.sos.state.oh.us/ords/f?p=111:1> to the Commission, media, political parties, or any person.

I trust that in responding to the Commission, the information we are providing will assist you in sharing the facts about the system of elections that are carried out by each of the 50 states. It is my belief that should the other states cooperate, you will be able to provide a clear and honest assessment of our elections. When your work is completed, I believe that you will conclude as I have that voter fraud exists, it is rare and we should take reasonable measures to prevent it and hold violators accountable.

After each of the last three federal elections in Ohio, I instructed our state's bipartisan county boards of elections to review any credible accusations of election fraud or suppression.² No

¹ See R.C. 149.43(A)(1)(dd); see also R.C. 149.45(A)(1).

² Further, Ohio has engaged in careful maintenance and modernization of its voter registration rolls. We have removed 568,000 deceased voters and resolved 1.67 million duplicates from the voter file; improved the accuracy of the statewide voter registration database (SWVRD) by increasing the number of records with complete information to 90%, up from 20% in 2011; contacted 1.5 million Ohioans who needed to update their voter registration and another 1.67 million who were eligible but unregistered to vote; advocated for and won legislative approval for online voter registration (launched January 1, 2017); created an online change of address system through which 470,000 Ohioans have updated their address; brought Ohio into compliance with NVRA's Section 5(d) for the first time; and reduced the rate of provisional voting and increased the percentage of provisional ballots counted in 2016 compared to 2012 and 2008.

allegations of suppression were reported by the bipartisan boards; the results of their review of credible allegations of fraud were as follows:

- 153 irregularities were identified following the 2016 election cycle,³ from which 52 were referred for further investigation and prosecution, including 22 individuals identified through Crosscheck who voted in more than one state;
- 42 irregularities were identified following the 2014 election cycle,⁴ from which 14 were referred for further investigation and prosecution, including 2 individuals identified through Crosscheck who voted in more than one state; and
- 625 irregularities were identified following the 2012 election cycle,⁵ of which 270 were referred for further investigation and prosecution, including 20 individuals identified through Crosscheck who voted in more than one state.

In addition, my office has used what data-matching resources are available to us to identify non-citizens on Ohio's voter rolls. To date my office has identified 821 individuals on the voter rolls who were non-citizens, of whom 126 have cast ballots and have been referred for prosecution.⁶

Identifying and addressing any instance of voter fraud, no matter how limited, is important because every vote matters. Over the last four years, Ohio has had 112 elections decided by one vote or tied.⁷ While none of these elections were impacted by the cases of voter fraud we have uncovered, it serves as an example why we as election officials must remain diligent in our efforts to preserve the integrity of our elections. The federal government can help states in this effort by ensuring we have access to adequate resources and support.

This leads me to my first recommendation for consideration by the Commission. The federal government maintains a database of legally present non-citizens. However, access to this resource is limited, and searching it is difficult unless the individual's Alien Identification Number is a part of the state records. Since the federal government issues Social Security numbers to non-citizens and requires states to register a voter using the last four digits of that person's Social Security number, the federal government should give states better and more efficient access to federal databases to enable them to verify eligibility. Otherwise there is no way to know if a person using this information to register to vote is a citizen or not. I testified on

³ <https://www.sos.state.oh.us/sos/mediaCenter/2017/2017-05-19-a.aspx>

⁴ <https://www.sos.state.oh.us/sos/mediaCenter/2015/2015-06-25.aspx>

⁵ <https://www.sos.state.oh.us/sos/mediaCenter/2013/2013-05-23.aspx>

⁶ <https://www.sos.state.oh.us/sos/mediaCenter/2017/2017-02-27.aspx>. It should be noted that at least some of these individuals may have registered to vote as a result of the National Voter Registration Act's Section 5 requirement for the state registrar of motor vehicles to solicit voter registration from every driver license applicant, even if the registrar has information that the person would not otherwise be eligible to register to vote.

⁷ <https://www.sos.state.oh.us/sos/mediaCenter/2016/2016-12-16.aspx>

this topic before the U.S. House of Representatives Subcommittees on National Security & Healthcare, Benefits & Administrative Rules,⁸ and brought this issue to the attention of the Obama Administration,⁹ without reply.

My second recommendation for the Commission's consideration is the question of election security. While the Commission and other federal entities investigate concerns around elections-related cybersecurity, one thing the federal government can do immediately is provide adequate and ongoing funding for updated voting equipment. Outdated technology can be more vulnerable than modern, more sophisticated systems. More practically, current technology builds greater confidence. Most of the voting technology used in the country, as has been noted by others, was purchased before Apple launched its first-generation iPhone. Congress created new requirements for the voting systems used by states and only partially funded the purchase of voting systems that met those requirements in 2002. If Congress is not going to relax the functional requirements of those systems, it should continue to fund its mandate.

On behalf of the State of Ohio, I hope you will strongly consider our recommendations, which are the same recommendations we provided to the Presidential Commission on Election Administration under the Obama Administration.¹⁰ I encourage you to use the opportunity this Commission presents to assist us in building a more secure system of elections that will build more trust and confidence among voters.

Sincerely,


Jon Husted

⁸ <https://www.sos.state.oh.us/sos/mediaCenter/2015/2015-02-12.aspx>

⁹ <https://www.sos.state.oh.us/sos/mediaCenter/2015/2015-02-04.aspx> and

<https://www.sos.state.oh.us/sos/mediaCenter/2015/2015-07-08.aspx>

¹⁰ <https://www.sos.state.oh.us/sos/mediaCenter/2013/2013-09-20a.aspx>