



From the Office of Secretary of State John A. Gale

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Gale sends formal response to election integrity commission

LINCOLN – Secretary of State John Gale has sent a letter to the Presidential Advisory Commission on Election Integrity, asking for clarification on a number of issues and making recommendations as to how to improve various processes relating to elections, at the state and local levels. Gale emphasized that no information is being sent to the commission at this time and that certain assurances would need to be provided going forward, before any data was sent.

Gale went on to say that, “Based on a brief, written communication from the commission, states are being asked not to send any data until legal challenges to the request have been resolved. So at this point, we are waiting to see what those developments may bring, as well as whatever response we may receive to our request from the commission. All states are now waiting for the decision of the court.”

Gale pointed out that by Nebraska law, the voter registration register is a public record.

“At most, the only information that would be provided is that which is publically available in the voter registration register,” explained Gale. “The social security number would not be shared, as state law allows it to be withheld. As far as voter history goes, we can only provide the dates for the elections someone voted in, nothing about which candidates or which issues someone voted for. There is no way to tie a marked ballot to the person who cast it.”

Gale said there were several other pieces of information that would not be shared with the commission including felony convictions, voter cancellation status, registration in another state, overseas voting status and military affiliation, because that information is not required by someone in order to register.

"I've asked the commission to answer three crucial questions -- how will the requested voter roll data be used, how will it be kept secure and how will the data be made public or shared by the commission?"

In addition, Gale stipulated that a representative of the commission would be required to sign the oath attesting that any information would only be utilized in a manner prescribed by state law. Without that assurance, Gale said he is unwilling to provide any voter data.

Gale encouraged voters who might consider canceling their voter registrations, to take a wait and see approach, as it would take some time to resolve all issues before anything was sent to the commission.

"Obviously, voters can choose to remain actively registered or not. That is their prerogative. However, I caution anyone who cancels their voter registration that you will need to remember to re-register, by the required deadline, if you choose to take part in any future statewide or local elections. Otherwise, you will not receive a ballot."

Among the recommendations that Gale enumerated in the letter to the commission: better access by states to federal databases that would promote improved voter registration roll maintenance, regular and timely notices from federal agencies about potential threats to state voter registration systems, and federal funding that might help states to fund new election equipment, as well as current technology and security needs.

"In all, I made eight recommendations to the commissions, based on considerations and concerns that I believe are confronted by many, if not all states," noted Gale. "It is my hope that the commission will give those suggestions serious consideration as it moves forward."

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