



**Edward A. Buchanan**  
**Wyoming Secretary of State**

Opening Remarks  
October 20, 2021

**SUBCOMMITTEE ON THE CONSTITUTION**

Sen. Richard Blumenthal (CT) - Chair  
Sen. Diane Feinstein (CA)  
Sen. Sheldon Whitehouse (RI)  
Sen. Jon Ossof (GA)

Sen. Ted Cruz (TX) - Ranking Member  
Sen. John Cornyn (TX)  
Sen. Mike Lee (UT)  
Sen. Ben Sasse (NE)

Opening Statement:

Good afternoon Mr. Chairman, Sen. Blumenthal, Ranking Member Sen. Cruz and distinguished members. I am Wyoming Secretary of State Edward Buchanan. Thank you for the opportunity to speak to you today on the proposed bill - “Restoring the Voting Rights Act: Protecting the Native American and Alaska Native Vote.” The Wind River Indian Reservation contains over 2.2 million acres and is located in the central part of Wyoming, primarily in Fremont County. It is home to the Eastern Shoshone and Northern Arapaho tribes.

Speaking to the proposed legislation before this committee, it is important to recognize that Wyoming is a rural state with a population of roughly 580,000 with great geographical distances between towns. Many of the challenges enumerated in Section 2, subsection 8 of the bill, apply to our entire state -- lack of broadband connectivity, unpaved roads and considerable distance to the nearest polling place. Despite these conditions, we conduct elections correctly and with integrity, thanks to the dedication of our 23 county clerks.

At the local level, in Fremont County, home of the Wind River Reservation, the county clerk’s office enlists and coordinates with tribe leadership to recruit and utilize Native American election judges and poll workers. They provide materials and guidance for the tribes to conduct voter registration programs. And, they established vote centers in four locations, including schools, which are primary population centers for Native Americans on the reservation, per the recommendation of tribal leaders. This allows voting in any

location irrespective of precinct. Native Americans serve as vote center managers in some locations.

At the state level, my office worked directly with Native American legislators and Tribal Leaders to implement the use of tribal identification cards for voter registration and voting. I personally traveled to the reservation and met with tribal leaders to learn about the importance of tribal ID cards to tribal members and, together, we crafted legislation to accomplish our collective goals.

As is becoming apparent, we take our jobs very seriously and with the utmost respect for the voting rights of all Wyoming citizens.

I do have several concerns with this legislation. First, it requires participants to utilize ballot drop boxes and ballot harvesting. Ballot drop boxes are not authorized under Wyoming law and recently proposed legislation limits who may deliver your ballot on your behalf. Allowing what amounts to unfettered ballot harvesting is a recipe for fraud.

My next concern is how the legislation would affect Wyoming's status under the National Voter Registration Act. Wyoming is exempt from NVRA also known as "Motor Voter" along with five other states because we offer same day voter registration. This exemption means Wyoming is not required to utilize state and local DMV agencies, or any other state or local agency to register voters. This bill, in Section 5 would require Federal agencies to register voters which completely usurps the states' role in voter registration and conflicts with our current exemption. Ironically, this now provides an opportunity where voters across Wyoming, and other states could be treated unequally.

Perhaps most concerning is that the establishment of a Native American Voting Task Force creates the real potential for disparate treatment among the voting public in general and among minority voters themselves. Potential constitutional challenges could result and be used as a catalyst to expand these mandated election practices to the entire state.

This is not an exaggeration. On page 11, lines 14-22, the legislation allows for any one of the three listed entities to individually apply to create the task force, without the agreement of the others. This is particularly problematic for the Secretary of State and county clerks who are also elected and administer our elections at the local level. Imagine the chief election officer and other election officials having no say in whether these methods are implemented yet having all of the responsibilities for ensuring they work. And if that weren't enough, this bill allows for non-profit organizations (that may only work "in part" on voting issues) to apply. You know as well as I, that many nonprofits in this area have political motives. Even when they say they are non-partisan, they are anything but.

And, this legislation is a one-way street. No aspect of it involves a program to enhance election integrity along with accessibility. Instead, what we have before us is legislation that will be weaponized by politically-motivated groups to advance the same heavy-handed



federal takeover of elections that cannot currently be accomplished in HR1, S1 and now S2747. The Department of Justice, Civil Rights Division, already has the tools to investigate and remediate any true voting rights violations. Federalism brings strength and liberty to the people. I believe this bill is unnecessary and will only serve to further erode that fundamental concept. Thank you.

