

JADE K. FOUNTAIN-TANIGAWA
County Clerk

Telephone: (808) 241-4800
TTY: (808) 241-5116



LYNDON M. YOSHIOKA
Deputy County Clerk

Facsimile: (808) 241-6207
E-mail: elections@kauai.gov

ELECTIONS DIVISION
OFFICE OF THE COUNTY CLERK
4386 RICE STREET, SUITE 101
LĪHUE, KAUAI, HAWAII 96766-1819

LATE

January 29, 2024

TESTIMONY OF JADE K. FOUNTAIN-TANIGAWA
COUNTY CLERK, COUNTY OF KAUAI
TO THE HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
ON HOUSE BILL NO. 1609
RELATING TO ELECTIONS

Dear Chair Tarnas and Committee Members:

Thank you for the opportunity to submit comments on House Bill No. 1609. This Bill would require the Office of Elections to apply to join the Electronic Registration Information Center, Inc. (ERIC) by January 1, 2025, and once accepted as a member, provide Hawai'i voter registration data to ERIC, and use the information and services provided in return to verify Hawai'i voter registration rolls.

Our Office has no position on the Bill but notes that the security of voter data is of paramount importance to us. We hope that the network security measures utilized by ERIC meet or exceed industry standards for protecting personally identifiable information.

We also note that ERIC membership will require a staffing commitment from the Office of Elections, as such, we recommend that additional funding be included in the Bill to ensure that sufficient resources are made available to take on this added responsibility.

Thank you for this opportunity to comment on House Bill No. 1609.

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line.

JADE K. FOUNTAIN-TANIGAWA
County Clerk

TESTIMONY

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

HB1609 RELATING TO ELECTIONS (SB2240)

Tuesday, January 30, 2024, at 2:00 pm

State Capitol Conference Room 325 via Videoconference

Submitted in OPPOSITION by Mrs. Jamie Detwiler, President, Hawai'i Federation of Republican Women

Honorable Chair Tarnas, Vice-Chair Takayama, and Committee Members,

INTRODUCTION: Electronic Registration Information Center (ERIC), Incorporated is a private, non-profit, non-partisan organization.

I oppose HB1609 for the following reasons:

1. Privacy issues: Violation of federal statutes such as the Help America Vote Act, National Voter Registration Act, and Driver's Privacy Protection Act. The first statute provides states the authority and obligation to create and maintain electronic voter registration files but includes no provision that authorizes any state to outsource these obligations to a third party like ERIC. The outsourcing of voter registration list maintenance to ERIC may also violate the National Voter Registration Act, which protects from disclosure the identities of individuals who decline to register to vote. Finally, the Driver's Privacy Protection Act specifically shields from disclosure the kind of data provided to ERIC by member states to conduct list maintenance. Additionally, personal identifiers such as name, birth date, and last 4 of SSN are shared with this private third party organization.
2. Funding: the burden to fund the program is on the taxpayers. Per ERIC website, it is funded and governed by states that choose to join.
3. Does not prevent illegal voting: Per ERIC's website, it is a tool available to help election officials maintain more accurate voter rolls and detect possible illegal voting. There are no public records showing ERIC detected illegal voting. Furthermore, there is currently no citizen verification check. According to the City Clerk, individuals registering to vote sign a self-attestation statement that they are eligible voters even though it is not verified by an official election employee.

Please do not pass HB1609. Please vote NO.

Thank you for the opportunity to testify.

Respectfully Submitted,
Jamie Detwiler

HB-1609

Submitted on: 1/27/2024 9:28:08 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Andrew Crossland | Individual | Oppose | Written Testimony Only |

Comments:

I **oppose** this Bill.

HB-1609

Submitted on: 1/28/2024 8:00:14 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| TERI SAVAIINAEA | Individual | Oppose | Written Testimony Only |

Comments:

I oppose HB1609.

HB-1609

Submitted on: 1/28/2024 8:45:35 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Makana | Individual | Oppose | Written Testimony Only |

Comments:

I oppode HB 1609.

HB-1609

Submitted on: 1/28/2024 10:15:44 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| THOMAS KENT | Individual | Oppose | Written Testimony Only |

Comments:

I OPPOSE THIS BILL

HB-1609

Submitted on: 1/28/2024 10:33:00 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| kamakani de dely | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill

HB-1609

Submitted on: 1/28/2024 10:34:45 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Mallory De Dely | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bs bill

HB-1609

Submitted on: 1/28/2024 10:45:33 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Sharron VanDeusen | Individual | Oppose | Written Testimony Only |

Comments:

I strongly oppose this Bill.

HB-1609

Submitted on: 1/28/2024 10:54:33 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Sierra Palpallatoc | Individual | Oppose | Written Testimony Only |

Comments:

I OPPOSE THIS BILL

HB-1609

Submitted on: 1/28/2024 11:03:43 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Jadine L Brown | Individual | Oppose | Written Testimony Only |

Comments:

I am against all forms of electronic data sharing of my vote.

HB-1609

Submitted on: 1/28/2024 11:14:18 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| tania victorine | Individual | Oppose | Written Testimony Only |

Comments:

I do not want my information shared. This is dangerous.

HB-1609

Submitted on: 1/28/2024 12:32:02 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Teresa Parmenter | Individual | Oppose | Written Testimony Only |

Comments:

I oppose HB1609

HB-1609

Submitted on: 1/28/2024 1:39:16 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Candace Vizcarra | Individual | Oppose | Written Testimony Only |

Comments:

I strongly oppose this bill because it interferes with election integrity! I rebuke anything or anyone that goes against GOD Almighty!

Concerned Resident

HB-1609

Submitted on: 1/28/2024 1:41:36 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Lora Santiago | Individual | Oppose | Written Testimony Only |

Comments:

I strongly oppose HB1609.

HB-1609

Submitted on: 1/28/2024 1:48:30 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Cari Sasaki | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this measure

HB-1609

Submitted on: 1/28/2024 2:00:40 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Terri Yoshinaga | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bad bill.

HB-1609

Submitted on: 1/28/2024 2:17:27 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Ryan Willis | Individual | Oppose | Written Testimony Only |

Comments:

I strongly oppose

HB-1609

Submitted on: 1/28/2024 2:19:26 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kanoë Willis | Individual | Oppose | Written Testimony Only |

Comments:

I strongly oppose

HB-1609

Submitted on: 1/28/2024 4:53:34 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Wendy | Individual | Oppose | Written Testimony Only |

Comments:

I am against this!

HB-1609

Submitted on: 1/28/2024 5:06:56 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------|--------------|--------------------|------------------------|
| Corinne Solomon | Individual | Oppose | Written Testimony Only |

Comments:

Testimony for HB1609

I oppose HB1609

The Electronic Registration Info Center (ERIC) is very problematic, so much so that in recent years nine states have terminated their ERIC contracts. That should be a red flag for Hawai'i!

Here are some issues identified with ERIC.

Voter Registration Duplications:

In a voter registration comparative analysis of ERIC-member states to nonmember states, data analysis in 27 states revealed nearly 700,000 duplicate registrations.

Jeffrey Young, Certified Analytics Professional (CAP®) with a master's degree in business analytics, assessed the permanent address changes in the National Change of Address database, (NCOA) against 27 states' voter registration databases over a four-month period prior to the 2022 General Election.

Using the NCOA database, Young flagged all the voters who filed permanent mailing

address changes between September 2022 and December 2022, which uncovered a staggering number of duplications.

Specifically, 693,686 duplications were discovered among voter registrations across 27 states analyzed, which represents only approximately 28% of the total possible combinations of the states.

An in-depth comparison of ERIC member states and non-member states showed that the **ERIC member states had approximately 50% higher rate per capita of duplicate registrants**. In other words, states that pay to belong to the ERIC system, which promises to help state election officials maintain clean voter rolls by cross-checking duplicate registrations, have more duplications than states that are not ERIC members. (Data analysis study available upon request).

Privacy Concerns:

Hawai'i residents' data, including name, address, DOB, drivers license number, last 4 digits of SSN, phone and email address when available, will be shared across state lines.

ERIC provides each member state a targeted list of people that are not registered to vote. The membership bylaws require the state to contact at least 95% of these people within 90 days, soliciting them to register.

ERIC uses advanced technology including Artificial Intelligence from Senzing. This data matching AI compares information collected by member states with USPS address data and Social Security death records. No one knows how else this data collected from the states is being used. In an interview, J. Christian Adams, attorney for the Public Interest Legal Foundation stated, "That's part of the smoke screen. ERIC learns who gets registered from their program, so they're able to micro target with whoever is partnered with ERIC. We don't know who they are interfacing all this data with. It could be Catalist, the massive Democrat database organization. We just don't know. I've talked to some ERIC Board Members who are Secretary of States. They don't even know what ERIC is doing. They've asked questions and can't get answers..."

The Missouri Secretary of State cites the following concerns in his [ERIC contract termination letter](#):

- ERIC refuses to require member states to participate in addressing multi-state voter fraud.
- ERIC focuses on adding names to voter rolls by requiring a solicitation to individuals who already had an opportunity to register to vote and made the conscious decision to not be registered.
- ERIC allows for a hyper-partisan individual to be an ex-officio non-voting member on its governance board.
- ERIC unnecessarily restricts how Missouri utilizes data reports.
- ERIC's benefits to Missouri are limited as only three of the eight states that border Missouri are members.

Hawai'i makes it very easy for people to register to vote and to vote. We have preregistration for teenagers, automatic voter registration through the DMV, same day registration, and universal mailing of ballots.

We do not have a voter registration problem.

ERIC is essentially a partisan voter registration drive disguised as voter roll clean up.

Hawai'i needs to steer clear of ERIC.

HB-1609

Submitted on: 1/28/2024 6:38:09 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Heather R Lauro | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill! Sensitive info is not protected and needs to be maintained at county level. Voter rolls need scrapped and anyone wishing to vote need to re-register with a valid HAWAII GOVT ID.

HB-1609

Submitted on: 1/28/2024 7:04:02 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| J. Chun | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill.

HB-1609

Submitted on: 1/28/2024 8:09:25 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Dalene McCormick | Individual | Oppose | Written Testimony Only |

Comments:

I oppose any bill that results in Hawaii using the ERIC voter registration system. As other states are terminating thier relationships with ERIC, this bill creates a new relationship with ERIC for Hawaii, not a good move, ERIC has many flaws.

HB-1609

Submitted on: 1/28/2024 8:52:19 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Jessica Penner | Individual | Oppose | Written Testimony Only |

Comments:

I do not want my personal information (name, address, birthdate) shared with any national organization or database. Voter rolls should be maintained **LOCALLY**. Our voting processes have become complex and lack transparency. We need to simplify at the **LOCAL** level. I oppose this bill.

HB-1609

Submitted on: 1/28/2024 8:53:50 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|----------------|--------------|--------------------|------------------------|
| Lynne Bautista | Individual | Oppose | Written Testimony Only |

Comments:

I oppose SB2240

The Electronic Registration Info Center (ERIC) is very problematic, so much so that in recent years nine states have terminated their ERIC contracts. That should be a red flag for Hawai'i!

An in-depth comparison of ERIC member states and non-member states showed that the **ERIC member states had approximately 50% higher rate per capita of duplicate registrants**. In other words, states that pay to belong to the ERIC system, which promises to help state election officials maintain clean voter rolls by cross-checking duplicate registrations, have more duplications than states that are not ERIC members.

The idea that our state's voter rolls can be shared with multiple other states is in itself concerning. We don't even clean our own voter rolls hardly at all. Do not do ERIC in the State of Hawaii! Thank you!

HB-1609

Submitted on: 1/28/2024 8:56:10 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|------------------|--------------|--------------------|------------------------|
| Allison Nickolai | Individual | Oppose | Written Testimony Only |

Comments:

Submitted my testimony just now:

I, Allison Nickolai wish to submit the following written testimony in opposition of HB 1609. It is NOT in the best interest of the Hawaii electorate to support the codification of the ERIC (Electronic Registration and Information Center). I am a resident of Ohio which terminated the ERIC agreement in March, 2023- but the data harvesting continued until June, 2023.

I wish to share the following 4 items for careful consideration before passing this into law:

1) Per the ERIC bylaws contained in the agreement, the State agrees to share its databases with ERIC including but not limited to voter registration database and the Bureau of Motor Vehicles entity that qualifies under the AAMVA. It is NOT limited to just voter registration information, and as a result elector's PII unrelated to voter registration is now in the hands of a partisan NGO- and OUT of the protections of the government agencies. This is against personal privacy laws and as a resident of Ohio, I never consented for my BMV information or voter registration data to be sold. Do NOT sign this agreement with this NGO- you cannot guarantee the personally identifiable information of the residents of Hawaii will remain secure.

2) This out of state agency appears to be in direct violation of HAVA tile 3 sections governing electronic voter files. It clearly states that information sharing agreements can be made WITHIN the state and with the BMV and SSA. ERIC is a 501c3 NGO- and is NOT registered and operating WITHIN the confines of the State of Hawaii. It serves to PROMOTE registration of EBU (eligible but un registered) voters, as it is an ANNUAL requirement for the member state to solicit 95% of their identified EBU's to register to vote. There are consequences and \$\$ penalties (increased annual fees) if the state does not comply. In 2020, ERIC identified 700,000 EBU's and in 43 days managed to "find and register" 321k (46%) of them. Ohio fared worse: identifying 110k EBU's but registered a whopping 202k (183%) of them in 45 days.

3) Where are these EBU lists coming from? In 10/2022, the CO SoS received its EBU list from ERIC (102k), did their "due diligence", reducing the list to about 52k EBU's. They DID NOT catch that 31k of the EBU's were non-citizens AND sent them a postcard solicitation to register

to vote. The deputy SoS Chris Beall was required to report this, and additional supporting details can be found in an article located here: <https://www.cpr.org/2022/10/07/colorado-voter-registration-notices-non-citizens>

4) Lastly, when you gauge the accuracy of ERIC states vs NON-ERIC states with respect to the accuracy of the voter rolls, the NON-ERIC states had fewer anomalies than the ERIC states. *anomalies defined as inaccurate addresses, duplicate records, voters double registered in other states, deceased voters remaining on the rolls, etc.

Please do not allow any outside NGO interference in your voter rolls- ESPECIALLY ERIC. There is ZERO transparency or reports available by public records requests for the actual results of their voter registration maintenance. HAWAII- you have legitimate access to all the data bases you need to maintain your own voter rolls. NCOA for moves within the state and out of the state, health department records for death certificates, and BMV ID's and updates as well as the BMV being the LARGEST source of all voter registrations and photo ID's in accordance with NVRA and HAVA. (per EAC bi-annual Election Administrator Voting Survey released in late 2023 and covering 2020-2022 data). Learn from Ohio, CO, and Michigan. The resulting voter roll cleanup is NOT worth the price of your admission.

HB-1609

Submitted on: 1/28/2024 9:22:34 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Vivek Pathela | Individual | Oppose | Written Testimony Only |

Comments:

OPPOSE.

HB-1609

Submitted on: 1/28/2024 9:27:46 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Keith A. Smith | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill. It is dangerous. The potential for data mining and being used for nefarious purposes is too great.

HB-1609

Submitted on: 1/28/2024 9:51:52 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| AnnMarie Hamilton | Individual | Oppose | Written Testimony Only |

Comments:

ERIC issues can fill an entire article, or a series of articles. ERIC is a Soros created and funded nightmare that corrupts voter rolls. In the interest of time here are some testimony talking points:

ERIC is essentially a left wing voter registration drive disguised as voter roll cleanup. ERIC is supposed to help states keep clean voter rolls, but studies have shown that it makes them worse. Nine states have recently terminated their contract with ERIC due to several issues, including privacy concerns with ERIC sharing ALL state databases, even those not related to voter registration, partisan board membership, and solicitation of nonregistered people who have already had the opportunity to register but have declined.

Why is Hawaii eager to hand over our personal data to an organization from which other states are leaving?

HB-1609

Submitted on: 1/28/2024 9:54:49 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|-----------------------------|---------------------------|---------------------------|
| Jacob Wiencek | Hawaii Young Republicans | Support | Written Testimony Only |

Comments:

Aloha Representatives,

On behalf of Hawaii Young Republicans, we support this bill. We provided supportive testimony for the Senate companion of this bill (SB2240). Joining ERIC would help restore confidence in our elections and ensure a clean process.

HB-1609

Submitted on: 1/28/2024 10:00:16 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Jeffrey F Mizuno | Individual | Oppose | Written Testimony Only |

Comments:

Oppose

HB-1609

Submitted on: 1/28/2024 10:26:02 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| CHESTER LUM | Individual | Oppose | Written Testimony Only |

Comments:

Thank you for allowing me to submit testimony opposing this bill.

The Office of Elections or State/County agency responsible for the task of updating voter registration rolls should already be doing this work. If the State agency responsible for this task has not done so, then funding for that agency should be reduced for this budget cycle by \$25,000 for every year voter registration rolls were not updated and every future budget cycle thereafter until voter registration rolls are updated.

If funding of this task is appropriated to the different counties, then that funding should be reduced proportionally by the number of voters in the county over the total number of voters in the State.

HB1609 should be tabled.

Once again, thank you for allowing me to submit testimony opposing this bill.

Chester Lum

HB-1609

Submitted on: 1/28/2024 10:40:36 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Marlies Lee | Individual | Oppose | Written Testimony Only |

Comments:

Keep all elections local, paper ballots for 90% of the voters.

HB-1609

Submitted on: 1/28/2024 11:11:41 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|-------------------|
| Mary Healy | Individual | Oppose | Remotely Via Zoom |

Comments:

I oppose HB 1609

SECTION 1. The legislature finds that the participation of eligible voters in elections is vital to American democracy. An integral part of voter participation is the maintenance of accurate and current voter registration rolls. The Electronic Registration Information Center, Inc., or ERIC, is a nonprofit organization that was formed in 2012 to help states improve the accuracy of voter registration rolls by using secure data-matching tools.

ERIC has been decreasing in state membership nationwide due concerns relation to privacy, sharing of confidential voter information and partisan leadership.

"Virginia's commissioner of elections, Susan Beals, said a slew of concerns caused her to rethink the state's membership. She cited the recent exit of nearby states, "increasing concerns regarding stewardship, maintenance, privacy, and confidentiality of voter information" and "controversy surrounding the historical sharing of data with outside organizations leveraged for political purposes." <https://www.npr.org/2023/05/11/1175662382/virginia-eric-withdrawal>

This year a member state of ERIC, Connecticut, held a redo election regardless of voter roll system ERIC. Opponent John Gomes released surveillance video of a incumbent supporter of Ganim dropping stacks of absentee ballots into a drop box.

This bill will only put voter information at risk of abuse without addressing issues in the current voting system of Hawaii.

HB-1609

Submitted on: 1/28/2024 11:39:20 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Catherine Thyne | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this Bill!

HB-1609

Submitted on: 1/29/2024 12:10:53 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Jennifer Cabjuan | Individual | Oppose | Written Testimony Only |

Comments:

Oppose this bill. No ERIC system involvement for Hawaii please!

HB-1609

Submitted on: 1/29/2024 12:29:52 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Scott Shedko | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill.

ERIC has been shown NOT to be secure for the private information of citizens.

We should be maintaining our own voter rolls and not paying for or relying on sources outside of Hawai'i.

At least nine states have already canceled their contracts with ERIC.

I oppose HB1609.

HB-1609

Submitted on: 1/29/2024 12:40:57 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| David Nichols | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill.

HB-1609

Submitted on: 1/29/2024 4:52:09 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| julie schaus | Individual | Oppose | Written Testimony Only |

Comments:

I oppose hb1609

its against our constitution

HB-1609

Submitted on: 1/29/2024 5:01:17 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Greg schaus | Individual | Oppose | Written Testimony Only |

Comments:

I oppose hb1609

HB-1609

Submitted on: 1/29/2024 5:09:52 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Sam schaus | Individual | Oppose | Written Testimony Only |

Comments:

I oppose hb1609

HB-1609

Submitted on: 1/29/2024 5:37:52 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Robin Gusich-Batara | Individual | Oppose | Written Testimony Only |

Comments:

I oppose HB1609. Voter rolls must be maintained at the county level. Voter's personal information should not be accessible outside our state at risk of being compromised and manipulated. Doing so will surrender our control over our own state's voter rolls. A large behemoth database makes it easier to exploit and harder to correct. Hawaii must maintain our state's individual sovereignty. Please do not surrender the control of our voter rolls.

Thank you

HB-1609

Submitted on: 1/29/2024 6:00:05 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kathy Jenkins | Individual | Oppose | Written Testimony Only |

Comments:

I oppose HB1609. I oppose the use of ERIC. I want transparency voting. I want a fair system so I oppose this bill.

HB-1609

Submitted on: 1/29/2024 7:47:44 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Anne Kamau | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill. Mahalo.

HB-1609

Submitted on: 1/29/2024 8:25:29 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| noela von | Individual | Oppose | Written Testimony Only |

Comments:

Aloha,

I oppose this bill!

Many States have removed their States form the ERIC system because it's data mining of the Citizens of the State they reside in, Hawaii should be No Exception to this dangerous practice of putting out Our personal information out there into cyber world.

Thank you very much.

Noela von Wiegandt

HB-1609

Submitted on: 1/29/2024 8:47:33 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Alice Abellanida | Individual | Oppose | Written Testimony Only |

Comments:

I strongly oppose this bill.

HB-1609

Submitted on: 1/29/2024 9:04:29 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Maria | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill and its intent to violate the handling of sensitive personal information

HB-1609

Submitted on: 1/29/2024 9:04:49 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Laura Cushnie | Individual | Oppose | Written Testimony Only |

Comments:

NO! The State of Hawaii should never enroll in the ERIC system (or any other electronic registration based system) for our voter rolls. Voter rolls need to be maintained at the County level and never centralized or electronic. NO!



**STATE OF HAWAII
OFFICE OF ELECTIONS**

802 LEHUA AVENUE
PEARL CITY, HAWAII 96782
elections.hawaii.gov

SCOTT T. NAGO
CHIEF ELECTION OFFICER

TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
ON HOUSE BILL NO. 1609
RELATING TO ELECTIONS

January 30, 2024

Chair Tarnas and members of the House Committee on Judiciary and Hawaiian Affairs, thank you for the opportunity to testify in support of House Bill No. 1609. This bill requires the Office of Elections to file an application with Electronic Registration Information Center, Inc. (ERIC), by January 1, 2025, for the State to be admitted as a member of the organization; requires the Office of Elections to share with each county the information and services made available by ERIC pursuant to the State's membership agreement with the organization; requires the Office of Elections and each county office that administers elections to use information and services made available by ERIC to verify their respective voter registration rolls; and makes an appropriation.

Joining ERIC would provide yet another tool for election officials to maintain the accuracy of the voter registration rolls by allowing us to compare our voter registration file and driver license/identification card file with other member states. This will permit election officials to determine if voters have moved to other jurisdictions, as they register to vote or obtain a driver license in another jurisdiction. Additionally, ERIC membership requires all driver license/identification card holders who are eligible to register to vote, but are not currently registered, to be sent a mailer encouraging them to register.

For the appropriation, we estimate that it will cost \$25,000 to join ERIC and approximately \$100,000 to conduct the initial mailing to driver license and state identification card holders who are not registered to vote as required for membership in ERIC. Our total request for FY 2024-25 would be \$125,000.

We also estimate the annual membership fee would be \$23,000. This estimate is based on voter registration, and we would ask for this funding as an ongoing budget request starting with Fiscal Year 2025-26.

Finally, in an abundance of caution, given any administrative issues related to the submittal of the required application, we would propose that Section 2 of the bill be amended to provide that the application be submitted no later than June 30, 2025, as opposed to January 1, 2025, to address any administrative issues related to the submittal of the required application.

Thank you for the opportunity to testify in support of House Bill No. 1609.

HB-1609

Submitted on: 1/29/2024 9:29:55 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|----------------------|---------------------|---------------------------|---------------------------|
| Leolani Mahuka iwaki | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill!

HB-1609

Submitted on: 1/29/2024 9:43:55 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Mark Au | Individual | Oppose | Written Testimony Only |

Comments:

Chair Tarnas, Vice Chair Takayama, and JHA Committee members, I oppose this bill because the centralizing of private and personal voter informaton is subject to misuse and violation of of our personal rights and confidentiality as a citizen voting in a free elections. All data and information should remain private and kept at the respective Counties to ensure confidentiality and security.

For these reasons, I strongly oppose this legislation as written.

Thank you for the oppportunity to submit written testimony

Mark Au

Kailua, HI

HB-1609

Submitted on: 1/29/2024 11:48:16 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Marcelle Liana | Individual | Oppose | Written Testimony Only |

Comments:

I strongly Oppose

HB-1609

Submitted on: 1/29/2024 12:27:01 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| L.C | Individual | Oppose | Written Testimony Only |

Comments:

We should not have to depend on a third party contractor to determine that our voter rolls are accurate. Is the introduction of this bill an acknowledgement that our voter rolls have been inaccurate?

HB-1609

Submitted on: 1/29/2024 12:50:22 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kim Cordery | Individual | Oppose | Written Testimony Only |

Comments:

I am appose to this bill because it allows Hawaii to use the Soros funded ERIC system that violates the personal rights of privacy and shares information from the State-such as names, addresses, phone #, SS etc... This is a very clear way cheating has been done in prior elections!

HB-1609

Submitted on: 1/29/2024 1:17:17 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Adriel Lam | Individual | Oppose | Written Testimony Only |

Comments:

This is poor legislation. The ERIC database has proven to be unreliable and utter failure in cleaning up voter rolls. Many states have already left ERIC after dismal results of their utility.

HB-1609

Submitted on: 1/29/2024 1:38:34 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Elethia | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill.

HB-1609

Submitted on: 1/29/2024 1:49:33 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Laura Nakanelua | Individual | Oppose | Written Testimony Only |

Comments:

Aloha,

HB 1609 Requires the Office of Elections to file an application with Electronic Registration Information Center, Inc. (ERIC)

This bill is most concerning. Many, MANY states that have previously filed an application with ERIC have cancelled their contracts.

Studies have shown that it makes state voter rolls worse. The reason for this is because ERIC vaccums in data from all across the country from databases like DMVs, and in states where you do not need to show ID in order to vote, this can "pollute" or "bloat" voter rolls.

Case in point:Nine states have recently terminated their contract with ERIC due to several issues, including privacy concerns with ERIC sharing ALL state databases, even those not related to voter registration, and solicitation of nonregistered people who have already had the opportunity to register but have declined.

A few points to consider:

The large amount of sensitive data provided to ERIC by its member states and the role of the organization in maintaining voter rolls may violate a number of federal statutes," a study notes. While the Help America Vote Act secures electronic voter registration, there is "no provision in the statute that authorizes any state to outsource these obligations to a third-party entity."

The outsourcing by the states of voter registration list maintenance to ERIC may also violate the National Voter Registration Act, which protects from disclosure the identities of individuals who decline to register to vote.

And the Driver's Privacy Protection Act specifically shields from disclosure the kind of data provided to ERIC by member states to conduct list maintenance.

I strongly believe that if each member of this committee read what is actually in the ERIC contract, they would vote against it.

If Chief Elections Office is present in the committee meeting, please ask him about the benefit of filing an application with ERIC.

In 2021, Mr. Nago admitted that our voter rolls were bloated by 100,000 voters who are ineligible to vote. How exactly will ERIC help clean these "bad" voters off of Hawaii voter rolls. This is the intent and purpose of ERIC but I according to other states' experience, this is NOT what ERIC actually does.

According to an independent analysis cited in a white paper, "states that do not participate in ERIC had a higher rate of identifying and removing from voter registration rolls individuals who relocated out of a jurisdiction than ERIC member states." It's worth noting as well that powerhouse states California and New York—hardly bastions of right-wing reaction—have never been members of ERIC.

I would be very interested in hearing how this will improve our elections process.

Respectfully,

Laura Nakanelua

Lauranakanelua@gmail.com

808-561-2325

HB-1609

Submitted on: 1/29/2024 1:49:56 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Tracy Gillard | Individual | Oppose | Written Testimony Only |

Comments:

No state or county should be giving voters private and sensitive information to a NON-PROFIT company. This should stay at the County level.

LATE

HB-1609

Submitted on: 1/30/2024 8:35:31 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Emily Kekuewa | Individual | Oppose | Written Testimony Only |

Comments:

We need More transparency!!

LATE

HB-1609

Submitted on: 1/30/2024 12:37:16 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Yvonne Alvarado | Individual | Oppose | Written Testimony Only |

Comments:

I, Yvonne L Alvarado Oppose Bill HB1609