

MAKE ELECTION REFORM A REALITY

FULLY FUND THE “HELP AMERICA VOTE ACT”

September 14, 2004

Senator Ted Stevens (R-AK)
Chairman
Senate Appropriations Committee
United States Senate
Washington, DC 20510

Senator Robert Byrd (D-WV)
Ranking Member
Senate Appropriations Committee
United States Senate
Washington, DC 20510

Dear Senators:

The Help America Vote Act, which passed with overwhelming bipartisan support, includes a laundry list of reforms that states must implement for federal elections. State and local governments are working on reforms such as improving disability access to the polling place, implementing new provisional balloting procedures, designing, developing and implementing a new statewide voter registration system, training poll workers, and educating voters on new procedures and new equipment.

To help state and local governments pay for these reforms, HAVA authorizes \$3.9 billion over three fiscal years, including over \$600 million for FY05. To date, Congress has generously appropriated \$3 billion between FY03 and FY04. However, the FY 05 appropriations bills currently under consideration contain no funding for the states.

State election officials have acted on a commitment that HAVA would not be an unfunded mandate and proceeded with state planning activities to meet the looming HAVA deadlines. It is now time to honor this commitment to the states and to the American public at large, especially to those citizens historically disenfranchised. Without the full federal funding, states and local governments simply cannot afford to complete implementation of the important reforms that they are now required to make.

In addition, the Election Assistance Commission (EAC), established by HAVA to provide guidance and function as a clearinghouse of information for the states, must receive sufficient federal funding to cover administrative costs for their operational functions and programming. Their FY 05 funding request to Congress was \$20 million. According to their request, \$10 million would be allocated to salaries, administrative expenses and other expenses associated with running a federal agency. The other \$10 million would be allocated to developing updated voting equipment standards, new voting equipment certification processes and a myriad of studies and reports on election administration-related topics as mandated by HAVA.

The EAC has struggled through their first months of existence with very little money. For FY 04, this new agency was only appropriated \$1.2 million. They have been unable to hire staff, and unable to generate the kinds of reports needed by election officials and required by HAVA because they can't afford to begin the process. Additionally, their work with NIST to develop new voting equipment standards has been slow and public statements made about the standards delivery date are always qualified with statements related to adequate funding.

Finally, reports in the media and discussions with congressional staff often reference the likelihood that the federal government will be operating under a continuing resolution (CR) for several months at the close of FY 04. Based on the FY04 appropriation for the EAC, the figure they receive to operate under a CR, estimated at \$500,000, would be too low to accomplish their statutory obligations under HAVA.

We thank you for your support of funding for the "Help America Vote Act," and we look forward to working with you on this critical issue. Should you have any questions, please contact Leslie Reynolds of the National Association of Secretaries of State at (202)624-3525 or Jim Dickson of the American Association of People with Disabilities at (202)457-0046 or any of the individual organizations listed below.

Sincerely,

Organizations Representing State and Local Election Officials

Council of State Governments (CSG)

Election Center

International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT)

National Association of Counties (NACo)

National Association of County Recorders, Election Officials and Clerks (NACRC)

National Association of Secretaries of State (NASS)

National Association of State Election Directors (NASED)

National Conference of State Legislatures (NCSL)

Civil and Disability Rights Organizations

American Association of People with Disabilities

American Council of the Blind

American Dance Therapy Association

American Foundation for the Blind

American Occupational Therapy Association

APSE: The Network on Employment

Bazelon Center for Mental Health Law

Consortium for Citizens with Disabilities

Easter Seals

Enable America

Epilepsy Foundation

Goodwill Industries

Leadership Conference on Civil Rights

League of Women Voters of the United States

National Association for the Advancement of

Colored People

National Association of Protection and Advocacy
Systems

National Association of Councils on
Developmental Disabilities

American Association of Mental Retardation

National Rehabilitation Association

NISH

Paralyzed Veterans of America

People for the American Way

Rehabilitation Engineering and Assistive

Technology Society of North America

Spina Bifida Association of America

Telecommunications for the Deaf

The Arc of the United States

United Cerebral Palsy

United Spinal Association

Western Law Center for Disability Rights