



**NASS**  
National Association  
of Secretaries of State

For Immediate Release  
Meredith B. Imwalle  
Director of Communications  
202.624.3525 office  
mimwalle@sso.org  
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## **Open Letter to Members of Congress**

New Election Reform Legislation Would Undermine Progress and Interfere with States' Rights

Dear Members of Congress:

Soon, you will be asked to consider legislation that would dictate national standards for administering elections. The passage of any such law would undercut the states' ability to effectively administer elections and interfere with the progress they have made in implementing election reforms. Perhaps most importantly, it would discount our country's unique political philosophy -- the belief in the division of authority between state and federal governments.

State governments enjoy a close connection to the people. When it comes to the way elections are run, that connection means that state governments are best prepared to decide what is right for their residents. What works in New York City, for example, may not be the right solution for a small town in rural Idaho. In this case, uniformity does not equal success. Each state government, on behalf of the residents of that state, should have the right to decide what election administration policies work best within its borders.

The states have already made significant election reform progress: virtually every state met the 2004 deadlines imposed by the Help America Vote Act (HAVA), and some states have completed reforms they could have postponed until 2006. The states are working now to meet HAVA's deadlines, despite the fact that the federal agencies charged with supporting them are significantly behind schedule, in part because Congress did not fully fund the law. The federal agency responsible for developing updated voting equipment guidelines has yet to produce anything, and has said publicly that it doesn't know when the overdue final draft will be finished. But the new equipment must be in place in less than a year, with or without the promised guidelines. The states are moving forward in spite of the fact that the federal government has not met its deadlines, and they should be allowed to continue without interference.

States can play a crucial and even pioneering role in this country's governance. U.S. Supreme Court Justice Louis D. Brandeis recognized that in a 1932 dissenting opinion for the Court: "It is one of the happy incidents of the federal system that a single courageous state may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country." Legislation that would introduce national standards for elections would remove the opportunity for states to continually improve their systems. Such federal legislation would shackle the country to a single bureaucratic system that could quickly become obsolete and would make change cumbersome.

The secretaries of state, the nation's chief state election officials, appeal to you to boldly recognize that the federal government should limit its scope in this case, and leave election administration decisions up to the states. Give the states time and promised resources to finish implementing HAVA's mandates.

Sincerely,

The National Association of Secretaries of State

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