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April 25, 2019

Hon. Nita Lowey, Chair

Hon. Kay Granger, Ranking Member

U.S. House of Representatives Committee on Appropriations

H-307, The Capitol

Washington, D.C. 20515

Dear Chair Lowey and Ranking Member Granger:

Thank you for your continued leadership in the U.S. House of Representatives and for your willingness to work with Secretaries of State, election directors and local election officials as Congress discusses possible future federal funding to support our nation's elections—a state and local responsibility.

Due to the ongoing funding discussions, the National Association of Secretaries of State (NASS) recently passed a [resolution](#) in support of federal funding and resources to supplement state-funded and state-led election cybersecurity efforts. Forty members of NASS serve as their state's designated chief election official, overseeing the conduct of elections according to law.

Importantly, the resolution says if new federal funding is allocated, federal law must make it clear that Help America Vote Act (HAVA) Section 209 applies to all aspects of such appropriations and cannot be circumvented with the imposition of rules, regulations, or requirements by federal agencies.

The purpose is to ensure states have the flexibility essential to making effective use of these funds. The states' diverse election systems require diverse cybersecurity strategies. NASS and its members call on Congress to apply these principles as it considers stable federal funding that allows states to plan and implement election security enhancements to counter emerging cybersecurity threats.

We know some in Congress are concerned about the pace of spending by state and local officials of the \$380 million in HAVA funds appropriated in late-March 2018. I must also remind you that Congress provided states a five-year window to expend this money.

The U.S. Election Assistance Commission (EAC) was able to quickly distribute these funds beginning in May 2018. As of September 30, 2018,



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8 percent of these funds were spent by the states for a variety of significant efforts including, but not limited to: cybersecurity best practices, training to local election officials, implementing post-election audits, and increasing cybersecurity and information technology staff. **States were able to accomplish the planning and, in some cases, spending within four months of receiving these funds, at the same time they were preparing for the 2018 mid-term elections.**

The state processes to spend federal funds does take time. Many must consult their state legislatures, abide by procurement rules and procedures, while gathering input from cybersecurity experts and community advocates.

States understand the importance of spending federal dollars wisely and will continue to take steps to ensure the utmost security of election systems as we approach the 2020 election.

In order to continue our critical work ensuring the cybersecurity of state election systems, NASS urges Congress to provide the adequate funds needed to sustainably address the ongoing threat of foreign interference in elections.

There is no indication the cyber threat to our democracy is going away. As stated in the resolution, election security is equated with national security.

Nationwide threats justify federal assistance in funding individual state efforts to prevent and defend against cyber threats. Even with the recent \$380 HAVA funds appropriated, there will be ongoing needs in states to do the necessary work to effectively address this threat sustainably into the future, and we ask Congress to plan for that need.

Again, NASS and its members appreciate our continued positive working relationship with your committee and Congress as a whole. In the interim, if you or your staff have any questions please feel free to contact Leslie Reynolds, NASS Executive Director at 202-624-3525, or reynolds@ssso.org.

Sincerely,

Hon. Jim Condos
NASS President and Vermont Secretary of State

Attachment: NASS Resolution on Principles for Federal Assistance in Funding of Elections