

February 11, 2004

Dear Member of Congress:

We, the undersigned organizations, strongly urge you to support the implementation priorities and programs of the "Help America Vote Act" (P.L. 107-252) (HAVA), through the new Federal agency established for that purpose under the Act, the Election Assistance Commission (EAC). Specifically, we are asking for your support and assistance in getting this new federal agency up and running.

The EAC was designed to address national election issues that need immediate attention, such as the current debate regarding the security risks of Direct Recording Electronic (DRE) voting systems. The security concerns raised over DREs are neither new nor unanticipated by HAVA. Congress intended for all voting systems to receive a careful security review, with public input from all stakeholders, including state and local election officials, civil rights organizations, vendors, academics, and the scientific community.

To ensure that the necessary people, processes and technologies are engaged in developing standards for addressing these security issues, HAVA creates a Technical Guidelines Development Committee, chaired by the Director of the National Institute of Standards and Technology (NIST), under the auspices of the EAC. Working with NIST, the Committee is tasked with developing voting systems guidelines, including standards that provide for the security of computers, computer data storage, and networks used in voting systems.

The security of voting technology is a non-partisan issue and must remain so. The most appropriate forum for reviewing such security issues and developing security standards for voting systems is the EAC, as required under HAVA. To comply with HAVA and meet the election needs of the Nation, the EAC must be able to act immediately by forming the technical guidelines committee that will work with NIST to develop updated security standards for DREs and all voting systems. We ask that you support HAVA as enacted and urge the EAC to expeditiously issue these security standards as required by the Act.

In addition, the EAC must receive sufficient Federal funding to cover administrative costs for operational start-up functions and programming. While we are grateful to Congress for living up to its promise of providing \$1.5 billion in FY 04 payments to the States, we remain concerned that the \$1.2 million appropriations amount for the EAC is insufficient. This amount is not enough to cover salaries, administrative expenses *and* the costs associated with carrying out the agency's numerous statutory responsibilities. At this time, they are unable to begin work on the two most critical responsibilities they have--security standards for DREs and all voting systems, and the distribution of HAVA funding to the States.

The new EAC Chairman, DeForest Soaries, has publicly expressed concern about the lack of adequate funding, and has said that it may stymie the agency's best efforts to aid States and perform the Commission's duties. We ask that you support adequate funding and flexibility for the EAC and NIST to promptly and successfully carry out their statutory responsibilities under HAVA.

We thank you for your support for the implementation and funding of the "Help America Vote Act," and we look forward to working with you on these critical issues. Should you have any questions, please contact Rob Randhava of the Leadership Conference on Civil Rights at (202) 466-6058, Leslie Reynolds of the National Association of Secretaries of State at (202) 624-3525, or any of the organizations listed below.

Sincerely,

Organizations Representing State & Local Officials

Council of State Governments
International Association of Clerks, Recorders, Election Officials and Treasurers
National Association of Counties
National Association of County Recorders, Election Officials and Clerks
National Association of Latino Elected and Appointed Officials Educational Fund
National Association of Secretaries of State
National Association of State Election Directors
National Conference of State Legislatures

Civil Rights Organizations

American Association of People with Disabilities
American Civil Liberties Union
American Federation of Labor – Congress of Industrial Organizations
Americans for Democratic Action
Association of Community Organizations for Reform Now
Center for Constitutional Rights
Common Cause
DemocracyWorks
Dēmos: A Network for Ideas & Action
Easter Seals
Fellowship of Reconciliation
Jewish Council for Public Affairs
Lawyers' Committee for Civil Rights Under Law
Leadership Conference on Civil Rights
League of Women Voters of the United States
Mexican American Legal Defense and Educational Fund
National Asian Pacific American Legal Consortium
National Association for the Advancement of Colored People
National Association of Postal and Federal Employees
National Association of Protection and Advocacy Systems
National Council of La Raza
Organization of Chinese Americans
People For the American Way
Project Vote
Public Citizen
Union for Reform Judaism
United Auto Workers
United States Public Interest Research Group
United States Student Association

Other Election Reform Stakeholders

The Election Center
U.S. Public Policy Committee, Association for Computing Machinery