

February 6, 2017

Committee on House Administration
1309 Longworth House Office Building
Washington, DC 20515

Dear Chairman Harper, Ranking Member Brady, and Members of the Committee on House Administration:

The Ranked Choice Voting Resource Center and FairVote write in strong opposition to HR 634, the “Election Assistance Commission Termination Act.” This bill would profoundly impact the way we administer local, state, and national elections in the United States, undermining the important standardizing and modernizing roles the EAC plays in election administration and harming the infrastructure of our democracy.

The Ranked Choice Voting Resource Center was developed by former election administrators from North Carolina and Kansas with over 100 years of elections experience who are highly regarded for their knowledge and expertise in the field of election administration. They know that the administration of elections is ever evolving and often in the center of a very bright spotlight of public, political, and media attention. The Election Assistance Commission (EAC) helps election administrators work efficiently even under such intense public scrutiny, ensuring that our elections are fair, efficient, and accessible to all.

Congress, in the wake of the widespread election administration failures in the 2000 election and with the advice of a diverse, bipartisan group representing the Election Center, created the EAC to address serious problems with our voting system, including long lines at polling stations and outdated voter registration procedures, caused by a lack of best practices for election officials and that can suppress voter participation and turnout. The Election Center’s committee, made up of election officials from around the nation, ultimately reached a consensus that the creation of an Election Assistance Commission with a primary focus on voting systems technology and election administration was the most promising course to addressing these problems head on.

The EAC now serves election administrators across the country, providing best practices, serving as a clearinghouse of resources for election administrators, and guiding the development of voting equipment for American elections. The EAC serves a critical function in strengthening our democracy by bringing together the best ideas from all parties involved in elections administration: local and state election officials, vendors, security specialists, disability advocates, elected officials, and other parties vital to developing a well-functioning democracy. H.R. 634 either proposes moving many of those responsibilities to agencies without the bandwidth or expertise needed to juggle those new tasks and convene those many stakeholders, or neglects to mention where those responsibilities would now lie.

Throughout the 1990s local administrators had little to no guidance or support in identifying and selecting voting systems for their jurisdictions. With the advent of the EAC and the Voluntary Voting System Guidelines (VVSG), state and local administrators had, for the first time, formal standards and guidelines to rely upon in making the multi-million dollar decisions involved in voting system purchases.

The EAC lacked a quorum of commissioners from 2010 to 2014, a time when Americans needed it most. The EAC could not hold public meetings, adopt new policies, or issue advisory opinions. It adopted its most recent voting system guidelines in 2005 – several lifetimes ago when it comes to technology. For this reason, many local jurisdictions ran the 2012 and 2016 elections with aging, outdated voting machines and many voters waited in line for hours to cast their ballots. To attempt the 2020 election without updated standards and equipment would be courting disaster.

The bipartisan Presidential Commission on Election Administration, co-chaired by the general counsels of the Obama and Romney 2012 campaigns, wrote in their report last year that “the standard-setting process for new voting machines has broken down . . . due to a lack of [EAC] commissioners. . . . Without a fully functioning EAC to adopt new standards, many new technologies that might better serve local election administrators are not being brought to the marketplace.”¹

Now that it has a quorum, the Commission has gotten back to work evaluating and endorsing standards and guidelines that reflect the newest and best methods of election administration. These updated standards and guidelines will greatly enhance the security and accessibility of a new generation of voting systems, and will do so in a way that encourages both innovation and competition in the specialized election machine market. We have seen first hand how the EAC can help voting system vendors innovate by clarifying ranked choice voting standards, which is central to the work both our organizations do. Without that coordination, vendors must make ad hoc changes to their systems to accommodate ranked choice voting, which raises costs and increases barriers to entry. Elimination of the EAC risks losing that progress and coordination, and risks the integrity and efficiency of America’s elections by forcing jurisdictions and voting system vendors to continue to rely on inadequate standards set more than a decade ago.

The EAC has had barely ten years of functional life. As this agency begins to mature in its role, it is poised to truly realize the promise hoped for before its inception. This is a time to reaffirm our commitment to fair elections and effective election administration by strengthening the EAC and providing it with the staff it requires to function effectively. H.R. 634 would eliminate an important tool for improving a voting system fraught with problems and should be rejected.

Instead of eliminating this important democracy reform tool, members of this Committee and both parties in Congress need to work together to provide the Election Assistance Commission with the resources it needs to perform its duties. The problems facing our electoral system demand such an effort to improve the integrity and effectiveness of our election administration.

¹ PRESIDENTIAL COMMISSION ON ELECTION ADMINISTRATION, THE AMERICAN VOTING EXPERIENCE: REPORT AND RECOMMENDATIONS OF THE PRESIDENTIAL COMMISSION ON ELECTION ADMINISTRATION, p. 11-12 (2014), *available at* <https://www.supportthevoter.gov/files/2014/01/Amer-Voting-Exper-final-draft-01-09-14-508.pdf>.



Sincerely,

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