

“Thank you for inviting me to testify today on the important work of the Election Assistance Commission—and why we must make sure that work continues.

“The work of the EAC matters to voters, who deserve assurance that their votes will count on Election Day, and to poll workers, who, across the country, are being asked to do more with less and still ensure that polling places operate smoothly. Abolishing the EAC would be an invitation to repeat mistakes that blemished our democracy in 2000.

“The debacle of the 2000 presidential election embarrassed the United States and showed just how flawed election systems were throughout the United States. Regardless of their feelings about the controversial outcome of that election, Republicans and Democrats alike agreed that the Federal government had a duty to step in and improve election systems and procedures so that every qualified citizen’s vote is counted: to provide states the financial and informational resources to upgrade their voting and registration systems, train their poll workers, and improve access for disabled voters.

“The result was the bipartisan Help America Vote Act, which I was proud to help write when I was this Committee’s ranking member. HAVA which established the EAC, overwhelmingly passed the House by 357 votes to 48, and it passed the Senate with only two votes against.

“Before HAVA, the federal government worked to guarantee voting rights—but it had no serious involvement in the ‘nuts and bolts’ of elections, the conditions in our polling places and voter registration offices that ensure that our precious voting rights are translated into a vote that counts. Before HAVA, the federal government had never contributed any resources to the administration of elections, even though federal candidates appear on ballots every two years. For over 200 years, the Federal government got a free ride from states when it came to elections.

“Congress passed HAVA because it recognized that the federal government had to step up to the plate with the resources to help ensure that every vote is counted. HAVA authorized \$3.8 billion in grants to states to buy new voting machines, improve voter registration procedures, and train poll workers.

“HAVA also created the Election Assistance Commission, a four-member bipartisan commission whose job is to administer grants to states and provide states with ongoing guidance and best practices in the area of voting and voter registration. Just as important, it provides expert advice on how polling places and voting machines can be made fully accessible to disabled voters.

“The EAC has created a comprehensive program to test state voting systems for accuracy—and use of this program has been shown to save our states millions of dollars and up to

twelve months of testing time. The EAC is dedicated to transparency: it makes its methods and test reports public, so that the public can hold both the EAC and voting machine manufacturers accountable. In addition, the EAC develops best practices for our armed forces, to ensure that the votes of our troops are counted fairly.

“Prior to the EAC, a narrow range of voting-related activities was conducted by the Federal Election Commission. Unfortunately, the FEC was not equipped to carry out these activities well. The FEC’s mission is to ensure that campaign finance laws are obeyed. HAVA’s lead sponsors quickly learned that voting-related issues are not the same as campaign finance issues and agreed that an agency exclusively devoted to voting issues would relieve the FEC of a duty it was not, and is not, suited to perform. Transferring most of the EAC’s functions to the FEC is not a solution.

“The EAC has not been a perfect agency, and I am more than willing to work to reform it. But to abolish the agency would be to demonstrate that Congress has failed to learn from the past—and we would, I fear, be condemned to repeat it. Especially now, with partisan polarization at historic highs and closely contested elections always a possibility, the last thing this nation needs are voting systems and procedures whose reliability causes the losing camp to question the integrity of the outcome. Americans need to know that whoever wins on election day won as a result of reliable voting systems and a fair vote.”