

**Congress of the United States**  
**Washington, DC 20515**

March 6, 2018

The Honorable Rodney P. Frelinghuysen  
Chairman  
Committee on Appropriations  
United States House of Representatives  
Washington, D.C. 20515

The Honorable Nita M. Lowey  
Ranking Member  
Committee on Appropriations  
United States House of Representatives  
Washington, D.C. 20515

The Honorable Tom Graves  
Chairman  
Subcommittee on Financial Services and  
General Government  
Committee on Appropriations  
United States House of Representatives  
Washington, D.C. 20515

The Honorable Mike Quigley  
Ranking Member  
Subcommittee on Financial Services and  
General Government  
Committee on Appropriations  
United States House of Representatives  
Washington, D.C. 20515

Dear Chairman Frelinghuysen, Chairman Graves, Ranking Member Lowey, and Ranking Member Quigley:

We write to express strong support for the Election Assistance Commission (EAC), and to respectfully request that the EAC receive \$14 million so it can continue to assist states in their urgent efforts to secure voting systems in advance of the 2018 midterm elections. In addition, we request that you appropriate \$400 million under the Help America Vote Act of 2002 (HAVA) for states to use to replace aging and vulnerable voting machines and to provide cybersecurity training.<sup>1</sup> Intelligence officials continue to warn that our state-based electoral system is a target for foreign meddling and cyber-attacking, and we believe this money is necessary to protect American elections against the possibility of imminent attack.<sup>2</sup>

The EAC is the only federal agency charged with making American elections more secure, accessible, accurate, and transparent. It has built strong relationships with state and local election officials as well as cybersecurity experts, and has been vital to helping states understand and respond to the threats confronting their election infrastructure. The EAC has worked diligently, with a bare-bones budget, over the past few years to provide guidance on cybersecurity and election technology. But at this critical time, the Commission needs additional resources to fully respond to the needs of the states.

Providing the EAC with additional funds would enable them to hire two additional staffers whose exclusive responsibilities would be to work directly with state and local election officials, as well as cybersecurity experts, on improving cybersecurity. In addition, the agency could hire two additional researchers to develop best practices on cybersecurity and risk-limiting audits, and to create materials to train election officials and poll workers on security issues. The EAC would also be able to hold a summit to bring together computer scientists, “white hat” hackers, and academics to examine election technologies and expose any vulnerabilities before the equipment is put to use. Finally, the EAC could increase the amount of funds it transfers to the National Institute of Standards and Technology (NIST) to \$2.5 million which would enable NIST to provide further technical expertise on voting machine standards.

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<sup>1</sup> Pub. L. 107-252 (Oct. 29, 2002).

<sup>2</sup> Ellen Nakashima and Shane Harris, “The Nation’s Top Spies Said Russia is Continuing to Target the U.S. Political System,” *Washington Post* (Feb. 13, 2018) available at [https://www.washingtonpost.com/world/national-security/fbi-director-to-face-questions-on-security-clearances-and-agents-independence/2018/02/13/f3e4c706-105f-11e8-9570-29c9830535e5\\_story.html?utm\\_term=.9f97e032916c](https://www.washingtonpost.com/world/national-security/fbi-director-to-face-questions-on-security-clearances-and-agents-independence/2018/02/13/f3e4c706-105f-11e8-9570-29c9830535e5_story.html?utm_term=.9f97e032916c)

Furthermore, states need an additional \$400 million in grants under HAVA to be appropriated so they can safeguard their voting infrastructure. The single most urgent need is for states using paperless machines to replace their outdated equipment with paper ballot voting systems. The Brennan Center estimates that the cost to replace paperless voting machines is between \$130 and \$400 million, and states do not have the money to do it themselves.<sup>3</sup> Moreover, state and local officials have expressed a desire for Congress to step in. In December 2017, the National Association of Secretaries of States (NASS) called upon Congress to provide the states with the remaining HAVA funds. President of NASS and Indiana Secretary of State Connie Lawson said, “The challenges faced by state and local election officials in 2017 are quite different from those we faced in 2002.”<sup>4</sup>

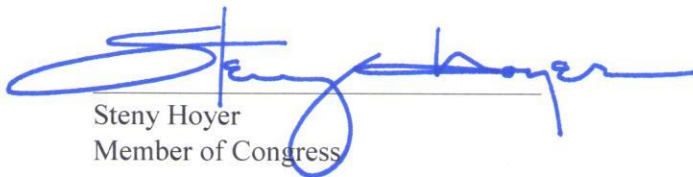
Appropriating a new round of HAVA grants would not address all security concerns. As you may know, the Congressional Task Force on Election Security found that states need funding to hire IT staff, upgrade and maintain IT infrastructure, implement risk limiting audits, develop more secure election technology, and for cybersecurity training. Toward that end, its legislative proposal requests a total of \$1.8 billion – half of the amount initially authorized to fight hanging chads in HAVA – over ten years to replace all non-secure voting machines, maintain and upgrade elections systems, provide ongoing cyber security training, help states implement risk limiting audits, and invest in innovative election technology. But the \$400 million already authorized would allow states to address their biggest vulnerability by replacing paperless voting machines and would represent an important down payment on tackling this long-term national security challenge.

We cannot leave states to their own devices in defending against the sophisticated cyber tactics of foreign governments. An attack on the electoral infrastructure in one state is an attack on all of democracy in America. Michael Chertoff, former Secretary of Homeland Security, and Grover Norquist wrote in *The Washington Post*, “It’s not practical to expect local election administrators in rural Missouri or small-town Maine to go toe-to-toe with the premier government-backed cyber-mercenaries in China or North Korea. Just as federal agencies prudently provide support for state law enforcement in dealing with terrorism, federal officials should give guidance and support in dealing with the election cybersecurity threat.”

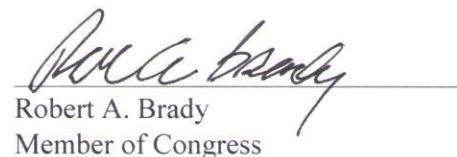
We urge you to fully fund HAVA and provide the EAC with the support it needs so that the federal government can meaningfully assist states in securing our election systems.

Thank you for your attention to this important matter.

Very truly yours,



Steny Hoyer  
Member of Congress



Robert A. Brady  
Member of Congress

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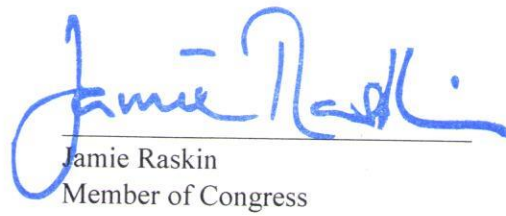
<sup>3</sup> Lawrence Norden and Ian Vandewalker, “Securing Elections From Foreign Interference,” *Brennan Center* (June 29, 2017), available at <https://www.brennancenter.org/publication/securing-elections-foreign-interference>

<sup>4</sup> National Association of Secretaries of States. (December 15, 2017). *NASS Calls on Congress to Provide the Remaining \$396 Million in Outstanding HAVA Funds*. [Press release].



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Zoe Lofgren  
Member of Congress



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Jamie Raskin  
Member of Congress



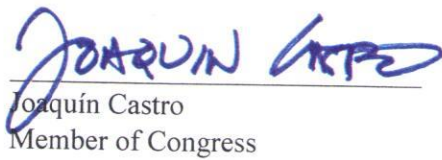
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Bennie G. Thompson  
Member of Congress



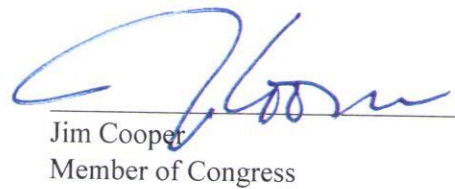
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Lisa Blunt Rochester  
Member of Congress



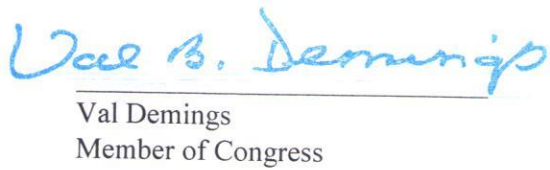
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Joaquín Castro  
Member of Congress



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Jim Cooper  
Member of Congress



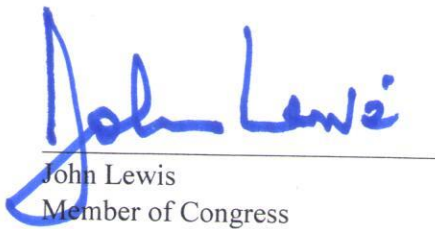
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Val Demings  
Member of Congress



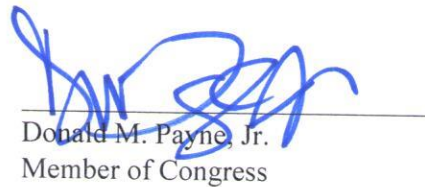
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James R. Langevin  
Member of Congress



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John Lewis  
Member of Congress



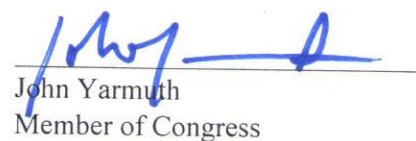
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Donald M. Payne, Jr.  
Member of Congress



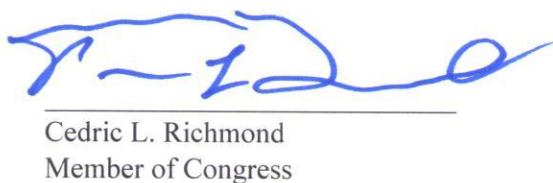
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Brad Schneider  
Member of Congress



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John Yarmuth  
Member of Congress



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Cedric L. Richmond  
Member of Congress