

U.S. Election Assistance Commission
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Chairman Soaries' Statement Concerning the Status of the November Presidential Election

July 13, 2004

There are no circumstances that could justify the postponement or cancellation of a presidential election in the United States. Our nation has enjoyed the distinction of having had a continuous exercise of the governed providing their consent to be governed by casting ballots for the candidates of their choice since its founding. Through wars and other challenging occurrences, America has persisted in protecting the cornerstone principle upon which this nation was founded – that the people enjoy the freedom to express our will and that the government would be a reflection of that expression.

Therefore, there is no threat nor is there any occurrence that could cause me to conclude or recommend that the November 2nd federal election be postponed, delayed, cancelled or redefined in any manner. In fact, the most effective answer to any threat that may be aimed at our election is for Americans to vote in greater numbers this November than we have ever voted before. Our commitment to democracy and our resolve to promote freedom can best be demonstrated by our willingness to participate in our democratic process by voting this year.

The U.S. Election Assistance Commission which I have the honor to chair was established to insure that the federal government has a more significant role in assisting States manage our federal elections than it ever has before. The EAC has begun the distribution of 2.3 billion dollars to the States to fund efforts that improve their administration of federal elections. We have also worked tirelessly to begin a process that will result in establishing new standards that will serve as guidelines to the States as they contemplate testing, certifying and using new voting equipment.

We have also invested tremendous effort in helping the nation prepare for this year's federal election. Pursuant to our role as the national clearinghouse for information that pertains to federal elections, we have created a "Tool Kit" that will assist election officials as they seek approaches to more effective election management. We are currently preparing to launch our plans to recruit thousands of new volunteers and college students to assist local election officials on Election Day. We are working with other federal agencies to insure that the Help America Vote Act of 2002 is being implemented properly.

Because we are the national elections clearinghouse, we have been receiving numerous questions since March from election officials, public officials and media organizations about plans that could be executed in the event of the type of election disruption in November 2004 that occurred in New York in September 2001. There has been growing interest in the process that ensued in New York after the horrific attack by terrorists on the same day that happened to have been a

primary election day in that State. Careful review of the developments in New York suggests that every State in the country should at least review their State's ability and plans to address the kinds of issues that New York had to address.

What complicates this matter is that New York was able to resolve its issues on September 11, 2001 without having an impact on the electoral process in any other State. In November 2004 the entire country will be engaged in the exercise of voting for the same office at the same time. There is insufficient analysis to offer insight into how an Election Day catastrophe in any State could impact the national election.

I believe that as we prepare for the election in November, the EAC must be capable of communicating with State and local election officials using clear and concise language that is informed by every relevant legal and governmental authority. We must continue to seek information from federal and State agencies and participate in a process that helps the country be prepared even for the unthinkable and unimaginable. Our goals must be to prepare so effectively that we are confident that no occurrence in any part of our country – be it natural disaster or an act or terror – can undermine our resolve to conduct a complete, free and fair election.

I am pleased to report that representatives of the Executive Branch and Congress have begun scheduling meetings with the EAC to begin the process of concrete dialogue and cooperative planning. State and local election officials from across America have offered to assist in any way possible. Election officials from New York have offered to share any information about their experience that can be helpful to a national process. We are well on our way to being able to assure the American people that no incident will be capable of destabilizing our practice of democracy on November 2nd.

I came to Washington in January to work on this historic Commission with three of the finest people I have ever met. Soon after our arrival, we realized that we were facing significant institutional and personal challenges. We have been asked to work with almost no budget. We have been asked to plan with little staff. We have been required to function under very difficult conditions.

Through it all, we have maintained and displayed an enthusiastic, bi-partisan spirit and a willingness to serve our country with integrity. Although I am willing to work hard, I am completely unwilling to serve without thinking. Leadership requires thoughtful, proactive engagement and creative solutions to problems before they occur. Those who seek to dismiss the legitimacy of my concerns by ascribing to my initiative partisan, political motives are those who are willing to wait for a crisis to do something about the crisis. There is no distraction capable of thwarting my efforts to lead this Commission as we insist that America appropriately prepares for the unthinkable but the very possible.

I would like to thank my colleagues on the Commission for their courageous leadership and collegial support.

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*The U.S. Election Assistance Commission was created by the Help America Vote Act of 2002 (HAVA). The Commission is charged with administering voluntary guidelines for election requirements under HAVA, maintaining a clearinghouse of information regarding election administration procedures including testing and certification of election equipment, and administering the Election Assistance and Help America Vote Programs. The EAC commissioners are DeForest B. Soaries, Jr., Chairman; Gracia M. Hillman, Vice Chair, Paul DeGregorio and

Ray Martinez III.