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This is something that this Congress designated as a national memorial. This is of great significance to our community, for sure—I think very appropriately so—and also for the issue of AIDS. So, when you go West, you have to go to the AIDS memorial and see it as a spirit of renewal—a garden, a grove—always with that fresh, new growth. We have it as a remembrance, too, of those who have been lost and as a comfort to their families.

With that, again, Mr. Speaker, I join others in calling to our colleagues' attention and to those who follow Congress the importance of fighting HIV/AIDS as well as its importance to people, to communities, to our country, and to the world for our good health, for our economy, for the success of individuals.

OUR MAGGIE

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute.)

Mr. QUIGLEY. Mr. Speaker, Maya Angelou wrote: "If you find it in your heart to care for somebody else, you will have succeeded."

On Thanksgiving night, Chicago lost a matriarch who, by Ms. Angelou's measure, was a magnificent success. We, sadly, lost Margaret Corbett Daley, or as she was better known, "our Maggie."

Maggie Daley embodied the heart of our city and grace under fire even when her own health was failing. Her contribution to the arts and our children, most notably through the After School Matters program, changed countless lives; and it will continue to do so for generations.

When Maggie was laid to rest this week, it wasn't just dignitaries who came to pay respects. Thousands of regular Chicagoans lined up for blocks in the rain to say goodbye. That's because Maggie transcended politics and reminded us that nothing is more important than family and each other.

She is, of course, survived by her best friend and husband, former Mayor Richard M. Daley, as well as by her loving children, grandchildren, and friends.

May she rest in peace and never be forgotten.

WORLD AIDS DAY

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. I rise today in commemoration, Mr. Speaker, of World AIDS Day; and I thank our minority leader for her eloquent recounting of how far we have come.

In our best days, we can look to my dear friend Magic Johnson, who has been a living example of the improvements and the courage of those who are living with the HIV infection; but we

recognize that, of the 15 million people medically recommended for antiretroviral medication worldwide, only half of them have access to drug treatment.

In the United States, nearly one in five people with HIV, or 240,000 people, don't even know that they are infected. Communities of color and young gay and bisexual men face the most severe burden of HIV in the United States—Magic Johnson, on one hand, and my dying friend on another hand being at the bedside of a person dying with AIDS, who, one, lived with the stigma and didn't have a way out.

Today, I will join others and be tested for the HIV virus, and I encourage others to do so.

I congratulate my constituents, the Harris County Hospital District and the Thomas Street Clinic, for their 12th annual World AIDS Day.

Thank you, Mr. President, for recognizing that 6 million more people need to have access to AIDS prevention drugs.

To those who have lost their lives, may I say to you on this day that your life that was lost should not be in vain. We still look for a cure, and we work for a better Nation and an opportunity to provide resources to those around the world and in the United States who still suffer. It is our challenge. We accept that challenge, and I believe someday we will be victorious.

To those who commemorate this day because they mourn, I commemorate it with you in your mourning. For those who celebrate life, I, likewise, celebrate life.

TERMINATING PRESIDENTIAL ELECTION CAMPAIGN FUND AND ELECTION ASSISTANCE COMMISSION

Mr. HARPER. Mr. Speaker, pursuant to House Resolution 477, I call up the bill (H.R. 3463) to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns and party conventions and by terminating the Election Assistance Commission, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 477, the bill is considered read.

The text of the bill is as follows:

H.R. 3463

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—TERMINATION OF TAXPAYER FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS

SECTION 101. TERMINATION OF TAXPAYER FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS.

(a) TERMINATION OF DESIGNATION OF INCOME TAX PAYMENTS.—Section 6096 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) TERMINATION.—This section shall not apply to taxable years beginning after December 31, 2010.”.

(b) TERMINATION OF FUND AND ACCOUNT.—

(1) TERMINATION OF PRESIDENTIAL ELECTION CAMPAIGN FUND.—

(A) IN GENERAL.—Chapter 95 of subtitle H of such Code is amended by adding at the end the following new section:

“SEC. 9014. TERMINATION.

“The provisions of this chapter shall not apply with respect to any presidential election (or any presidential nominating convention) after the date of the enactment of this section, or to any candidate in such an election.”.

(B) TRANSFER OF EXCESS FUNDS TO GENERAL FUND.—Section 9006 of such Code is amended by adding at the end the following new subsection:

“(d) TRANSFER OF FUNDS REMAINING AFTER TERMINATION.—The Secretary shall transfer all amounts in the fund after the date of the enactment of this section to the general fund of the Treasury, to be used only for reducing the deficit.”.

(2) TERMINATION OF ACCOUNT.—Chapter 96 of subtitle H of such Code is amended by adding at the end the following new section:

“SEC. 9043. TERMINATION.

“The provisions of this chapter shall not apply to any candidate with respect to any presidential election after the date of the enactment of this section.”.

(c) CLERICAL AMENDMENTS.—

(1) The table of sections for chapter 95 of subtitle H of such Code is amended by adding at the end the following new item:

“Sec. 9014. Termination.”.

(2) The table of sections for chapter 96 of subtitle H of such Code is amended by adding at the end the following new item:

“Sec. 9043. Termination.”.

TITLE II—TERMINATION OF ELECTION ASSISTANCE COMMISSION

SEC. 201. TERMINATION OF ELECTION ASSISTANCE COMMISSION.

(a) TERMINATION.—The Help America Vote Act of 2002 (42 U.S.C. 15301 et seq.) is amended by adding at the end the following new title:

“TITLE X—TERMINATION OF COMMISSION “Subtitle A—Termination

“SEC. 1001. TERMINATION.

“Effective on the Commission termination date, the Commission (including the Election Assistance Commission Standards Board and the Election Assistance Commission Board of Advisors under part 2 of subtitle A of title II) is terminated and may not carry out any programs or activities.

“SEC. 1002. TRANSFER OF OPERATIONS TO OFFICE OF MANAGEMENT AND BUDGET DURING TRANSITION.

“(a) IN GENERAL.—The Director of the Office of Management and Budget shall, effective upon the Commission termination date—

“(1) perform the functions of the Commission with respect to contracts and agreements described in subsection 1003(a) until the expiration of such contracts and agreements, but shall not renew any such contract or agreement; and

“(2) shall take the necessary steps to wind up the affairs of the Commission.

“(b) EXCEPTION FOR FUNCTIONS TRANSFERRED TO OTHER AGENCIES.—Subsection (a) does not apply with respect to any functions of the Commission that are transferred under subtitle B.

“SEC. 1003. SAVINGS PROVISIONS.

“(a) PRIOR CONTRACTS.—The termination of the Commission under this subtitle shall not affect any contract that has been entered into by the Commission before the Commission termination date. All such contracts shall continue in effect until modified,

superseded, terminated, set aside, or revoked in accordance with law by an authorized Federal official, a court of competent jurisdiction, or operation of law.

“(b) OBLIGATIONS OF RECIPIENTS OF PAYMENTS.—

“(1) IN GENERAL.—The termination of the Commission under this subtitle shall not affect the authority of any recipient of a payment made by the Commission under this Act prior to the Commission termination date to use any portion of the payment that remains unobligated as of the Commission termination date, and the terms and conditions that applied to the use of the payment at the time the payment was made shall continue to apply.

“(2) SPECIAL RULE FOR STATES RECEIVING REQUIREMENTS PAYMENTS.—In the case of a requirements payment made to a State under part 1 of subtitle D of title II, the terms and conditions applicable to the use of the payment for purposes of the State’s obligations under this subsection (as well as any obligations in effect prior to the termination of the Commission under this subtitle), and for purposes of any applicable requirements imposed by regulations promulgated by the Director of the Office of Management and Budget, shall be the general terms and conditions applicable under Federal law, rules, and regulations to payments made by the Federal government to a State, except that to the extent that such general terms and conditions are inconsistent with the terms and conditions that are specified under part 1 of subtitle D of title II or section 902, the terms and conditions specified under such part and such section shall apply.

“(c) PENDING PROCEEDINGS.—

“(1) NO EFFECT ON PENDING PROCEEDINGS.—The termination of the Commission under this subtitle shall not affect any proceeding to which the Commission is a party that is pending on such date, including any suit to which the Commission is a party that is commenced prior to such date, and the applicable official shall be substituted or added as a party to the proceeding.

“(2) TREATMENT OF ORDERS.—In the case of a proceeding described in paragraph (1), an order may be issued, an appeal may be taken, judgments may be rendered, and payments may be made as if the Commission had not been terminated. Any such order shall continue in effect until modified, terminated, superseded, or revoked by an authorized Federal official, a court of competent jurisdiction, or operation of law.

“(3) CONSTRUCTION RELATING TO DISCONTINUANCE OR MODIFICATION.—Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any proceeding described in paragraph (1) under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if the Commission had not been terminated.

“(4) REGULATIONS FOR TRANSFER OF PROCEEDINGS.—The Director of the Office of Management and Budget may issue regulations providing for the orderly transfer of proceedings described in paragraph (1).

“(d) JUDICIAL REVIEW.—Orders and actions of the applicable official in the exercise of functions of the Commission shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been issued or taken by the Commission. Any requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function of the Commission shall apply to the exercise of such function by the applicable official.

“(e) APPLICABLE OFFICIAL DEFINED.—In this section, the ‘applicable official’ means,

with respect to any proceeding, order, or action—

“(1) the Director of the Office of Management and Budget, to the extent that the proceeding, order, or action relates to functions performed by the Director of the Office of Management and Budget under section 1002; or

“(2) the Federal Election Commission, to the extent that the proceeding, order, or action relates to a function transferred under subtitle B.

“SEC. 1004. COMMISSION TERMINATION DATE.

“The ‘Commission termination date’ is the first date following the expiration of the 60-day period that begins on the date of the enactment of this subtitle.

“Subtitle B—Transfer of Certain Authorities

“SEC. 1011. TRANSFER OF ELECTION ADMINISTRATION FUNCTIONS TO FEDERAL ELECTION COMMISSION.

“There are transferred to the Federal Election Commission (hereafter in this section referred to as the ‘FEC’) the following functions of the Commission:

“(1) The adoption of voluntary voting system guidelines, in accordance with part 3 of subtitle A of title II.

“(2) The testing, certification, decertification, and recertification of voting system hardware and software by accredited laboratories, in accordance with subtitle B of title II.

“(3) The maintenance of a clearinghouse of information on the experiences of State and local governments in implementing voluntary voting system guidelines and in operating voting systems in general.

“(4) The development of a standardized format for reports submitted by States under section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act, and the making of such format available to States and units of local government submitting such reports, in accordance with section 703(b).

“(5) Any functions transferred to the Commission under section 801 (relating to functions of the former Office of Election Administration of the FEC).

“(6) Any functions transferred to the Commission under section 802 (relating to functions described in section 9(a) of the National Voter Registration Act of 1993).

“(7) Any functions of the Commission under section 1604(a) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1277; 42 U.S.C. 1977ff note) (relating to establishing guidelines and providing technical assistance with respect to electronic voting demonstration projects of the Secretary of Defense).

“(8) Any functions of the Commission under section 589(e)(1) of the Military and Overseas Voter Empowerment Act (42 U.S.C. 1973ff–7(e)(1)) (relating to providing technical assistance with respect to technology pilot programs for the benefit of absent uniformed services voters and overseas voters).

“SEC. 1012. EFFECTIVE DATE.

“The transfers under this subtitle shall take effect on the Commission termination date described in section 1004.”.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end the following:

“TITLE X—TERMINATION OF COMMISSION

“Subtitle A—Termination

“Sec. 1001. Termination.

“Sec. 1002. Transfer of operations to Office of Management and Budget during transition.

“Sec. 1003. Savings provisions.

“Sec. 1004. Commission termination date.

“Subtitle B—Transfer of Certain Authorities

“Sec. 1011. Transfer of election administration functions to Federal Election Commission.

“Sec. 1012. Effective date.”.

SEC. 202. REPLACEMENT OF STANDARDS BOARD AND BOARD OF ADVISORS WITH GUIDELINES REVIEW BOARD.

(a) REPLACEMENT.—Part 2 of subtitle A of title II of the Help America Vote Act of 2002 (42 U.S.C. 15341 et seq.) is amended to read as follows:

“PART 2—GUIDELINES REVIEW BOARD

“SEC. 211. ESTABLISHMENT.

“There is established the Guidelines Review Board (hereafter in this part referred to as the ‘Board’).

“SEC. 212. DUTIES.

“The Board shall, in accordance with the procedures described in part 3, review the voluntary voting system guidelines under such part.

“SEC. 213. MEMBERSHIP.

“(a) IN GENERAL.—The Board shall be composed of 82 members appointed as follows:

“(1) One State or local election official from each State, to be selected by the chief State election official of the State, who shall take into account the needs of both State and local election officials in making the selection.

“(2) 2 members appointed by the National Conference of State Legislatures.

“(3) 2 members appointed by the National Association of Secretaries of State.

“(4) 2 members appointed by the National Association of State Election Directors.

“(5) 2 members appointed by the National Association of County Recorders, Election Administrators, and Clerks.

“(6) 2 members appointed by the Election Center.

“(7) 2 members appointed by the International Association of County Recorders, Election Officials, and Treasurers.

“(8) 2 members appointed by the United States Commission on Civil Rights.

“(9) 2 members appointed by the Architectural and Transportation Barrier Compliance Board under section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792).

“(10) The chief of the Voting Section of the Civil Rights Division of the Department of Justice or the chief’s designee.

“(11) The director of the Federal Voting Assistance Program of the Department of Defense.

“(12) The Director of the National Institute of Standards and Technology or the Director’s designee.

“(13) 4 members representing professionals in the field of science and technology, of whom—

“(A) one each shall be appointed by the Speaker and the minority leader of the House of Representatives; and

“(B) one each shall be appointed by the majority leader and the minority leader of the Senate.

“(14) 4 members representing voter interests, of whom—

“(A) one each shall be appointed by the chair and ranking minority member of the Committee on House Administration of the House of Representatives; and

“(B) one each shall be appointed by the chair and ranking minority member of the Committee on Rules and Administration of the Senate.

“(b) MANNER OF APPOINTMENTS.—

“(1) IN GENERAL.—Appointments shall be made to the Board under subsection (a) in a manner which ensures that the Board will be bipartisan in nature and will reflect the various geographic regions of the United States.

“(2) SPECIAL RULE FOR CERTAIN APPOINTMENTS.—The 2 individuals who are appointed

as members of the Board under each of the paragraphs (2) through (9) of subsection (a) may not be members of the same political party.

“(c) **TERM OF SERVICE; VACANCY.**—Members of the Board shall serve for a term of 2 years, and may be reappointed. Any vacancy in the Board shall be filled in the manner in which the original appointment was made.

“(d) **EXECUTIVE BOARD.**—

“(1) **IN GENERAL.**—Not later than 60 days after the day on which the appointment of its members is completed, the Board shall select 9 of its members to serve as the Executive Board of the Guidelines Review Board, of whom—

“(A) not more than 5 may be State election officials;

“(B) not more than 5 may be local election officials; and

“(C) not more than 5 may be members of the same political party.

“(2) **TERMS.**—Except as provided in paragraph (3), members of the Executive Board of the Board shall serve for a term of 2 years and may not serve for more than 3 consecutive terms.

“(3) **STAGGERING OF INITIAL TERMS.**—Of the members first selected to serve on the Executive Board of the Board—

“(A) 3 shall serve for 1 term;

“(B) 3 shall serve for 2 consecutive terms; and

“(C) 3 shall serve for 3 consecutive terms, as determined by lot at the time the members are first appointed.

“(4) **DUTIES.**—The Executive Board of the Board shall carry out such duties of the Board as the Board may delegate.

“(e) **BYLAWS; DELEGATION OF AUTHORITY.**—The Board may promulgate such bylaws as it considers appropriate to provide for the operation of the Board, including bylaws that permit the Executive Board to grant to any of its members the authority to act on behalf of the Executive Board.

“SEC. 214. POWERS; NO COMPENSATION FOR SERVICE.

“(a) **HEARINGS AND SESSIONS.**—

“(1) **IN GENERAL.**—To the extent that funds are made available by the Federal Election Commission, the Board may hold such hearings for the purpose of carrying out this Act, sit and act at such times and places, take such testimony, and receive such evidence as the Board considers advisable to carry out this title, except that the Board may not issue subpoenas requiring the attendance and testimony of witnesses or the production of any evidence.

“(2) **MEETINGS.**—The Board shall hold a meeting of its members—

“(A) not less frequently than once every 2 years for purposes selecting the Executive Board and voting on the voluntary voting system guidelines referred to it under section 222; and

“(B) at such other times as it considers appropriate for purposes of conducting such other business as it considers appropriate consistent with this title.

“(b) **INFORMATION FROM FEDERAL AGENCIES.**—The Board may secure directly from any Federal department or agency such information as the Board considers necessary to carry out this Act. Upon request of the Executive Board, the head of such department or agency shall furnish such information to the Board.

“(c) **POSTAL SERVICES.**—The Board may use the United States mails in the same manner and under the same conditions as a department or agency of the Federal Government.

“(d) **ADMINISTRATIVE SUPPORT SERVICES.**—Upon the request of the Executive Board, the Administrator of the General Services Administration shall provide to the Board, on a reimbursable basis, the administrative sup-

port services that are necessary to enable the Board to carry out its duties under this title.

“(e) **NO COMPENSATION FOR SERVICE.**—Members of the Board shall not receive any compensation for their service, but shall be paid travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Board.

“SEC. 215. STATUS OF BOARD AND MEMBERS FOR PURPOSES OF CLAIMS AGAINST BOARD.

“(a) **IN GENERAL.**—The provisions of chapters 161 and 171 of title 28, United States Code, shall apply with respect to the liability of the Board and its members for acts or omissions performed pursuant to and in the course of the duties and responsibilities of the Board.

“(b) **EXCEPTION FOR CRIMINAL ACTS AND OTHER WILLFUL CONDUCT.**—Subsection (a) may not be construed to limit personal liability for criminal acts or omissions, willful or malicious misconduct, acts or omissions for private gain, or any other act or omission outside the scope of the service of a member of the Board.”

“(b) **CONFORMING AMENDMENTS.**—

(1) **MEMBERSHIP ON TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE.**—Section 221(c)(1) of such Act (42 U.S.C. 15361(c)(1)) is amended—

(A) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

“(i) Members of the Guidelines Review Board.”;

(B) by redesignating clause (iii) of subparagraph (A) as clause (ii); and

(C) in subparagraph (D), by striking “Standards Board or Board of Advisors” and inserting “Guidelines Review Board”.

(2) **CONSIDERATION OF PROPOSED GUIDELINES.**—Section 222(b) of such Act (42 U.S.C. 15362(b)) is amended—

(A) in the heading, by striking “BOARD OF ADVISORS AND STANDARDS BOARD” and inserting “GUIDELINES REVIEW BOARD”; and

(B) by striking paragraphs (2) and (3) and inserting the following:

“(2) **GUIDELINES REVIEW BOARD.**—The Executive Director of the Commission shall submit the guidelines proposed to be adopted under this part (or any modifications to such guidelines) to the Guidelines Review Board.”.

(3) **REVIEW OF PROPOSED GUIDELINES.**—Section 222(c) of such Act (42 U.S.C. 15362(c)) is amended by striking “the Board of Advisors and the Standards Board shall each review” and inserting “the Guidelines Review Board shall review”.

(4) **FINAL ADOPTION OF PROPOSED GUIDELINES.**—Section 222(d) of such Act (42 U.S.C. 15362(d)) is amended by striking “the Board of Advisors and the Standards Board” each place it appears in paragraphs (1) and (2) and inserting “the Guidelines Review Board”.

(5) **ASSISTANCE WITH NIST REVIEW OF TESTING LABORATORIES.**—Section 231(c)(1) of such Act (42 U.S.C. 15371(c)(1)) is amended by striking “the Standards Board and the Board of Advisors” and inserting “the Guidelines Review Board”.

(6) **ASSISTING FEC WITH DEVELOPMENT OF STANDARDIZED FORMAT FOR REPORTS ON ABSENTEE BALLOTS OF ABSENT UNIFORMED SERVICES AND OVERSEAS VOTERS.**—Section 703(b) of such Act (42 U.S.C. 1973ff-1 note) is amended by striking “the Election Assistance Commission Board of Advisors and the Election Assistance Commission Standards Board” and inserting “the Guidelines Review Board”.

(c) **CLERICAL AMENDMENT.**—The table of contents of such Act is amended by amending the item relating to part 2 of subtitle A of title II to read as follows:

“PART 2—GUIDELINES REVIEW BOARD

“Sec. 211. Establishment.

“Sec. 212. Duties.

“Sec. 213. Membership.

“Sec. 214. Powers; no compensation for service.

“Sec. 215. Status of Board and members for purposes of claims against Board.”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the Commission termination date described in section 1004 of the Help America Vote Act of 2002 (as added by section 201(a)).

SEC. 203. SPECIAL REQUIREMENTS RELATING TO TRANSFER OF CERTAIN AUTHORITIES TO FEDERAL ELECTION COMMISSION.

(a) **DEVELOPMENT AND ADOPTION OF VOLUNTARY VOTING SYSTEM GUIDELINES.**—

(1) **IN GENERAL.**—Part 3 of subtitle A of title II of the Help America Vote Act of 2002 (42 U.S.C. 15361 et seq.) is amended by adding at the end the following new section:

“SEC. 223. TRANSFER OF AUTHORITY TO FEDERAL ELECTION COMMISSION.

“(a) **TRANSFER.**—Effective on the Commission termination date described in section 1004, the Federal Election Commission (hereafter in this section referred to as the ‘FEC’) shall be responsible for carrying out the duties and functions of the Commission under this part.

“(b) **ROLE OF STAFF DIRECTOR.**—The FEC shall carry out the operation and management of its duties and functions under this part through the Office of the Staff Director of the FEC.”.

(2) **CLERICAL AMENDMENT.**—The table of contents of such Act is amended by adding at the end of the item relating to part 3 of subtitle A of title II the following:

“Sec. 223. Transfer of authority to Federal Election Commission.”.

(b) **TESTING, CERTIFICATION, DECERTIFICATION, AND RECERTIFICATION OF VOTING SYSTEM HARDWARE AND SOFTWARE.**—

(1) **IN GENERAL.**—Subtitle B of title II of such Act (42 U.S.C. 15371 et seq.) is amended by adding at the end the following new section:

“SEC. 232. TRANSFER OF AUTHORITY TO FEDERAL ELECTION COMMISSION.

“(a) **TRANSFER.**—

“(1) **IN GENERAL.**—Effective on the Commission termination date described in section 1004, the Federal Election Commission (hereafter in this section referred to as the ‘FEC’) shall be responsible for carrying out the duties and functions of the Commission under this subtitle.

“(2) **ROLE OF STAFF DIRECTOR.**—The FEC shall carry out the operation and management of its duties and functions under this subtitle through the Office of the Staff Director of the FEC.

“(b) **TRANSFER OF OFFICE OF VOTING SYSTEM TESTING AND CERTIFICATION.**—

“(1) **IN GENERAL.**—There are transferred to the FEC all functions that the Office of Voting System Testing and Certification of the Commission (hereafter in this section referred to as the ‘Office’) exercised under this subtitle before the Commission termination date.

“(2) **TRANSFER OF PROPERTY, RECORDS, AND PERSONNEL.**—

“(A) **PROPERTY AND RECORDS.**—The contracts, liabilities, records, property, appropriations, and other assets and interests of the Office, together with the unexpended balances of any appropriations or other funds

available to the Office, are transferred and made available to the FEC.

“(B) PERSONNEL.—

“(i) IN GENERAL.—The personnel of the Office are transferred to the FEC, except that the number of full-time equivalent personnel so transferred may not exceed the number of full-time equivalent personnel of the Office as of January 1, 2011.

“(ii) TREATMENT OF EMPLOYEES AT TIME OF TRANSFER.—An individual who is an employee of the Office who is transferred under this section shall not be separated or reduced in grade or compensation because of the transfer during the 1-year period that begins on the date of the transfer.”.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the items relating to subtitle B of title II the following:

“Sec. 232. Transfer of authority to Federal Election Commission.”.

(c) DEVELOPMENT OF STANDARDIZED FORMAT FOR REPORTS ON ABSENTEE BALLOTING BY ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS.—Section 703(b) of such Act (42 U.S.C. 1973ff-1 note) is amended by adding at the end the following: “Effective on the Commission termination date described in section 1004, the Federal Election Commission shall be responsible for carrying out the duties and functions of the Commission under this subsection.”.

SEC. 204. CONFORMING AMENDMENTS TO OTHER LAWS.

(a) FEDERAL ELECTION CAMPAIGN ACT OF 1971.—

(1) DUTIES OF FEC.—Section 311(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 438(a)) is amended—

(A) by striking “and” at the end of paragraph (8);

(B) by striking the period at the end of paragraph (9) and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

“(10) provide for the adoption of voluntary voting system guidelines, in accordance with part 3 of subtitle A of title II of the Help America Vote Act of 2002 (42 U.S.C. 15361 et seq.);

“(11) provide for the testing, certification, decertification, and recertification of voting system hardware and software by accredited laboratories, in accordance with subtitle B of title II of the Help America Vote Act of 2002 (42 U.S.C. 15371 et seq.);

“(12) maintain a clearinghouse of information on the experiences of State and local governments in implementing voluntary voting system guidelines and in operating voting systems in general;

“(13) carry out the duties described in section 9(a) of the National Voter Registration Act of 1993;

“(14) develop a standardized format for reports submitted by States under section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act, make such format available to States and units of local government submitting such reports, and receive such reports in accordance with section 102(c) of such Act, in accordance with section 703(b) of the Help America Vote Act of 2002;

“(15) carry out the duties described in section 1604(a)(2) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1277; 42 U.S.C. 1977ff note); and

“(16) carry out the duties described in section 589(e)(1) of the Military and Overseas Voter Empowerment Act (42 U.S.C. 1973ff-7(e)(1)).”.

(2) AUTHORIZATION TO ENTER INTO PRIVATE CONTRACTS TO CARRY OUT FUNCTIONS.—Section 311 of such Act (2 U.S.C. 438) is amended by adding at the end the following new subsection:

“(g) Subject to applicable laws, the Commission may enter into contracts with private entities to carry out any of the authorities that are the responsibility of the Commission under paragraphs (10) through (16) of subsection (a).”.

(3) LIMITATION ON AUTHORITY TO IMPOSE REQUIREMENTS ON STATES AND UNITS OF LOCAL GOVERNMENT.—Section 311 of such Act (2 U.S.C. 438), as amended by paragraph (2), is further amended by adding at the end the following new subsection:

“(h) Nothing in paragraphs (10) through (16) of subsection (a) or any other provision of this Act shall be construed to grant the Commission the authority to issue any rule, promulgate any regulation, or take any other actions that imposes any requirement on any State or unit of local government, except to the extent that the Commission had such authority prior to the enactment of this subsection or to the extent permitted under section 9(a) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-7(a)).”.

(b) NATIONAL VOTER REGISTRATION ACT OF 1993.—Section 9(a) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-7(a)) is amended by striking “Election Assistance Commission” and inserting “Federal Election Commission”.

(c) UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT.—

(1) DEVELOPMENT OF STANDARDS FOR STATE REPORTS.—Section 101(b)(11) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff(b)(11)) is amended by striking “the Election Assistance Commission” and inserting “the Federal Election Commission”.

(2) RECEIPT OF REPORTS ON NUMBER OF ABSENTEE BALLOTS TRANSMITTED AND RECEIVED.—Section 102(c) of such Act (42 U.S.C. 1973ff-1(c)) is amended by striking “the Election Assistance Commission (established under the Help America Vote Act of 2002)” and inserting “the Federal Election Commission”.

(d) ELECTRONIC VOTING DEMONSTRATION PROJECTS FOR SECRETARY OF DEFENSE.—Section 1604(a)(2) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1277; 42 U.S.C. 1977ff note) is amended by striking “the Election Assistance Commission” and inserting “the Federal Election Commission”.

(e) TECHNOLOGY PILOT PROGRAM FOR ABSENT MILITARY AND OVERSEAS VOTERS.—Section 589(e)(1) of the Military and Overseas Voter Empowerment Act (42 U.S.C. 1973ff-7(e)(1)) is amended by striking “Election Assistance Commission” and inserting “Federal Election Commission”.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on the Commission termination date described in section 1004 of the Help America Vote Act of 2002 (as added by section 201(a)).

SEC. 205. OTHER CONFORMING AMENDMENTS RELATING TO TERMINATION.

(a) HATCH ACT.—Section 7323(b)(2)(B)(i)(I) of title 5, United States Code, is amended by striking “or the Election Assistance Commission”.

(b) SENIOR EXECUTIVE SERVICE.—Section 3132(a)(1)(C) of title 5, United States Code, is amended by striking “or the Election Assistance Commission”.

(c) INSPECTOR GENERAL ACT OF 1978.—Section 8G(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking “the Election Assistance Commission.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the Commission termination date described in section 1004 of the Help America Vote Act of 2002 (as added by section 201(a)).

SEC. 206. STUDIES.

(a) PROCEDURES FOR ADOPTION AND MODIFICATION OF VOLUNTARY VOTING SYSTEM GUIDELINES.—

(1) STUDY.—The Comptroller General shall conduct a study of the procedures used to adopt and modify the voluntary voting system guidelines applicable to the administration of elections for Federal office, and shall develop recommendations on methods to improve such procedures, taking into account the needs of persons affected by such guidelines, including State and local election officials, voters with disabilities, absent military and overseas voters, and the manufacturers of voting systems.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit a report to Congress on the study conducted under paragraph (1), and shall include in the report the recommendations developed under such paragraph.

(b) PROCEDURES FOR VOTING SYSTEM TESTING AND CERTIFICATION.—

(1) STUDY.—The Federal Election Commission shall conduct a study of the procedures for the testing, certification, decertification, and recertification of voting system hardware and software used in elections for Federal office, and shall develop a recommendation on the entity that is best suited to oversee and carry out such procedures, taking into consideration the needs of persons affected by such procedures, including State and local election officials, voters with disabilities, absent military and overseas voters, and the manufacturers of voting systems.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Federal Election Commission shall submit a report to Congress on the study conducted under paragraph (1), and shall include in the report the recommendation developed under such paragraph.

The SPEAKER pro tempore. The gentleman from Mississippi (Mr. HARPER) and the gentleman from Pennsylvania (Mr. BRADY) each will control 30 minutes.

The Chair recognizes the gentleman from Mississippi.

GENERAL LEAVE

Mr. HARPER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include materials on H.R. 3463.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HARPER. Mr. Speaker, I yield myself such time as I may consume.

To begin, I would like to thank the chairman of the Committee on Science, Space, and Technology, the gentleman from Texas (Mr. HALL), for his continued assistance in ensuring these important matters are considered by the House. He has been a helpful partner.

Mr. Speaker, we live in uncertain times—with job creation stifled by crushing debt. But there are two things I am certain of: the necessity of cutting unnecessary spending and the fact that H.R. 3463 is a simple and straightforward way to do just that. H.R. 3463 cuts unnecessary spending in two ways:

First, it ends the taxpayer financing of Presidential election campaigns and party conventions, a program growing

less and less popular for both taxpayers and candidates. Second, H.R. 3463 terminates the Election Assistance Commission, an obsolete government agency originally intended to sunset in 2005.

Every Federal program, including these, is there because someone thinks it is a good idea; but if we do not eliminate some programs, then a \$15 trillion debt will just be the starting point of our decline into a European-style fiscal crisis. Everyone talks about tough choices, and we have to make them. Frankly, these choices aren't even very tough. They are about as easy as we're going to find.

Since 1976 American taxpayers have spent \$1.5 billion in funding Presidential primary campaigns, Presidential election campaigns, and national party conventions. My colleague from Oklahoma (Mr. COLE) has been a leader in trying to end those campaign subsidies, and I am pleased to work with him today to continue that effort.

When the taxpayer financing of political campaigns and conventions was adopted, proponents said it would improve the public's trust in their government, clean up our politics, and increase the competitiveness of political campaigns. Sadly, it has failed on all counts. Now we find that more and more candidates are opting out of the system altogether. The Federal Election Commission has just this week confirmed that no Presidential candidate to date has opted to participate for the 2012 election.

Mr. Speaker, we are talking about eliminating a program that literally no candidate is currently using or preparing to use at this point. That includes President Obama, who in 2008 famously became the first Presidential candidate ever to decline to participate in both the primary and general election phases of the program.

It's not just the candidates who don't like it. As this chart indicates, support from Americans overall is dramatically low for this program. Since peaking in 1980, the percentage of taxpayers opting to participate has declined from a high of 28.7 percent to 7 percent.

It's obviously something that needs to be done away with. That means that 93 percent of American taxpayers choose not to participate. They refuse to subsidize political campaigns. Who can blame them? It's bad enough that they have to watch campaign commercials, but they shouldn't have to pay for them with taxpayer dollars as well. The money designated by a check-off on tax returns is diverted from those taxpayers' payments into this program so that every other taxpayer has to make up the difference in revenue to the Treasury. The 93 percent of taxpayers who do not participate have to make up for the money spent by the current 7 percent who do.

Mr. Speaker, eliminating this system will save taxpayers an estimated \$447 million over 5 years and will immediately return nearly \$200 million to the Treasury. This is sensible and long overdue.

□ 1250

Also long overdue is the elimination of the Election Assistance Commission. The EAC, created in 2002, as this chart indicates, was expected to sunset in 2005. Instead, as you see on the chart, despite its dwindling services, Mr. Speaker, this agency has more than doubled its employee size in 3 years. This is clearly an abuse of what should have taken place.

The EAC was established for a noble purpose: to allocate Federal grants for State voting systems upgrades, to conduct research, and to test and certify voting equipment. Aside from the certification services, which can be carried out by another agency, the EAC has fulfilled its purpose.

Over \$3 billion has been sent to States over the years to help them modernize their voting equipment. Now, the EAC has allocated all of its remaining election grants and even zeroed out its request for additional grant funds in its last three annual budget requests.

The National Association of Secretaries of State, a bipartisan group, the direct beneficiary of the EAC's dwindling services, has passed not one but two resolutions calling for the EAC's dissolution. As this chart indicates, the EAC's FY12 budget request devotes 51.7 percent of its budget to management and overhead costs—more than half. Under this plan, the agency would use \$5.4 million to manage programs totaling \$3.5 million.

This bill would transfer the EAC's remaining valuable service, its voting system testing and certification program, to an existing agency instead of paying the overhead costs of a complete agency just to operate that program. Like its predecessor bill, H.R. 672, this bill maintains an advisory system to give State and local election officials input into the testing and certification program.

Mr. Speaker, since December of 2010, the Election Assistance Commission has not had a quorum. That means it has not been able to make policy decisions requiring approval by the Commissioners. Has anyone even noticed? Compared to the real crises facing our country, has there been harm caused to justify keeping an obsolete agency?

The EAC is not merely obsolete, it's also wasteful. I have spoken to this House before about the two hiring discrimination lawsuits against the EAC. Unfortunately, the more time that passes, the more problems come to light. Just recently we learned that a former EAC Commissioner, who continued serving for a year after the end of the term and then resigned, has been collecting unemployment benefits. Neither the Commissioner's resignation letter nor any facts that we know of indicate the departure was anything other than voluntary.

When we have millions of people in this country struggling to make ends meet, how can a senior government official who leaves a job voluntarily col-

lect unemployment benefits? When we have an agency that is not needed and produces scandal after scandal, misperformance after misperformance, it is time for this agency to go.

According to the CBO, dissolving the EAC will save taxpayers \$33 million over the next 5 years.

Mr. Speaker, we have a \$15 trillion debt. We have to start somewhere. We now have annual deficits over a trillion dollars. H.R. 3463 eliminates one government program that virtually no one uses and shuts down an agency that has completed the task that it was assigned. Amazingly, we've had proposals not to shrink these programs but to expand them. Only in Washington is the answer to dysfunction expansion.

This bill will not cure all of the problems that we have on its own, but it is one of many steps we are going to have to take; otherwise, we will sink deeper and deeper into debt and trap our children and our grandchildren down into a downward spiral. Today is the time to act, and this agency and this program are the place to start.

I urge my colleagues to support H.R. 3463, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, November 30, 2011.

Hon. DANIEL E. LUNGREN,
Chairman, Committee on House Administration,
Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN LUNGREN: I am writing to you concerning the jurisdictional interest of the Committee on Science, Space, and Technology in H.R. 3463 (to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns and party conventions and by terminating the Election Assistance Commission) introduced on November 17, 2011.

I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, I will waive further consideration of this bill in Committee, notwithstanding any provisions that fall within the jurisdiction of the Committee on Science, Space, and Technology. This waiver, of course, is conditional upon our mutual understanding that agreeing to waive consideration of this bill should not be construed as waiving, reducing, or affecting the jurisdiction of the Committee on Science, Space, and Technology. Additionally, the Committee on Science, Space, and Technology expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this, or any similar legislation. I ask for your commitment to support any request by the Committee for conferees on H.R. 3463 as well as any similar or related legislation.

I ask that a copy of this letter and your response be placed in the Congressional Record during consideration of H.R. 3463 on the House floor.

I look forward to working with you on matters of mutual concern.

Sincerely,

RALPH M. HALL,
Chairman, Committee on Science, Space,
and Technology.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, December 1, 2010.

Hon. RALPH HALL,
Chairman, Committee on Science, Space, and
Technology, Rayburn House Office Build-
ing, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding your Committee's jurisdictional interest in H.R. 3463, to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns and party conventions and by terminating the Election Assistance Commission.

I appreciate your willingness to support expediting floor consideration of this important legislation, notwithstanding the inclusion of any provisions under the jurisdiction of the Committee on Science, Space, and Technology. I understand and agree that your willingness to waive further consideration of the bill is without prejudice to your Committee's jurisdictional interests in this or similar legislation in the future. In the event a House-Senate conference on this or similar legislation is convened, I would support a request from your Committee for an appropriate number of conferees.

I will include a copy of our exchange in the Congressional Record during consideration of H.R. 3463 on the House floor.

Thank you for your cooperation as we work towards enactment of this legislation. Sincerely,

DANIEL E. LUNGREN,
Chairman,
Committee on House Administration.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

I rise in opposition to H.R. 3463.

This is not new territory for this Congress. This proposal to eliminate the Presidential Election Campaign Fund and the Election Assistance Commission has already been dealt with in this Congress. The legislation before us proposes to combine these two really bad ideas.

In an era of rapidly changing election law, both in terms of campaign finance regulation and voting rights, these two programs are more important now than ever. The electoral landscape is much different today than it was even 4 short years ago. The Supreme Court allows unlimited contributions from special interests, and Super PACs are raising vast amounts of funds with no government oversight or regulation. Corporations and special interests are donating massive sums of money, and some may expect a return on their investment. Unfortunately, this return often comes at the expense of the American people and sometimes at the expense of the integrity of this body.

We cannot expect the trust of the electorate if they feel they do not have a voice. We should provide transparency and accountability, not secrecy and irresponsibility.

Just last Congress, my colleagues and I passed the DISCLOSE Act, which called for more transparency in how our elections are financed, and that bill was killed by Senate Republicans. Members of the House, such as Mr. VAN HOLLEN of Maryland and Mr. LARSON of Connecticut, have authorized bills that would strengthen public financing of

elections, not weaken it, as this bill does.

When sources of funds are intentionally concealed, what kind of message does this send to the country? It sends the message that we do not care where we get our contributions as long as they are substantial and they are secret, and that is wrong.

We can reform the Presidential Election Campaign Fund without repealing it. This is the best course of action.

Across the country, States are making it harder for voters to cast their ballots. New laws requiring voter identifications, strict and arbitrary voting registration regulations, and eliminating the days designed for early voting are all part of an effort to limit voter participation and turnout. Voters have noticed and have already started to push back.

This was the case in Maine last month when they used the "People's Veto" to throw out a law passed by the Republican legislature and Governor to eliminate the State's successful same-day voter registration program which has been in place for 40 years. In other States, restrictive new laws may be forced onto the ballot for a possible repeal in referendums in 2012.

If that wasn't bad enough, overworked and underpaid local election officials and volunteers are expected to keep track of election law changes while still administering large, complex, and often unpredictable elections. The Election Assistance Commission does much of the heavy lifting for them, establishing and maintaining an information database for all local election officials to utilize.

The EAC also produces instructional videos and materials, which cash-strapped election officials claim save them thousands of dollars annually. And the letters of support for the EAC, which have been also sent to my colleagues across the aisle, are still rolling in.

The EAC's essential services do not stop there. The Commission is charged with the testing of certification of voting machines, the only agency in the Federal Government tasked to do this. Who will ensure that all of our votes are counted? Who will ensure that everyone has an opportunity to cast a ballot for their intended candidate? Who will ensure that we do not repeat the historical debacle of Florida in the year 2000?

It is important to remember that events led to the establishment of the Presidential Election Campaign Fund and the EAC—the Watergate scandal of the early 1970s and Florida in 2000, respectively. These historical controversies eroded the public's faith in our political system. These measures were meant to restore their faith, to restore accountability to Washington and, most importantly, to ensure that the people were heard. All this bill will do is weaken further what little faith the American electorate has left.

Today I stand with every letter writer that has pleaded with us not to ter-

minate the EAC. I stand with those who cannot afford to make huge contributions and would rather speak with their votes than their wallets. I, along with Democratic colleagues, stand with the principles that voter inclusion, not voter exclusion, is what we should strive for, and the attempted disenfranchisement of any eligible voters is despicable and is beyond words and cannot be tolerated.

On this bill I urge a "no" vote.

LEAGUE OF WOMEN VOTERS
OF THE UNITED STATES,
Washington, DC, May 24, 2011.

To: Members of the Committee on House Administration

From: Elisabeth MacNamara, President

Re H.R. 672, To Terminate the Election Assistance Commission

The League of Women Voters urges you to oppose H.R. 672, which would terminate the Election Assistance Commission and transfer some of its functions to the Federal Election Commission. Instead of eliminating the EAC, we believe that Congress should strengthen the commission and expand its responsibilities. Moreover, the FEC is dysfunctional; expanding its role would be a mistake.

The League believes that elections are fundamental to a functioning democracy and that every effort should be made to elevate their administration to the highest importance. Congress should not turn its back on federal efforts to ensure election integrity, improve voter access to the polls, and improve election systems. The value of the EAC far outweighs its monetary costs; in fact, the costs of poorly run elections are intolerable. It is time for election administration to move into the 21st Century, not back toward the 19th.

Unfortunately, elections in our country are still not well-administered, and we are concerned that many states and localities are not doing a good job ensuring federally-protected voting rights. For example, a GAO report on the 2008 election said that there are significant problems for persons with disabilities in gaining access to the polls. Physical barriers remain in far too many cases. In fact, 31 states reported that ensuring polling place accessibility was "challenging."

There many other areas of election administration that cause concern, including statewide voter registration lists, provisional balloting, list cleaning, voting machines and tabulating, access to registration, and meeting voter information needs. In addition, there are critical questions that must be addressed about the application of new technologies like the Internet to the voting and registration processes. Each of these areas would benefit from additional study, data gathering and information sharing among election officials at every level, the public, and concerned organizations.

With these continuing problems, now is certainly not the time to abolish the only federal agency that devotes its full resources and attention to improving our elections. Let us not go back to the 2000 election but go forward, improving each election over the last. We know what needs to be done; now let us devote the resources to what should be done.

THE LEADERSHIP CONFERENCE ON
CIVIL AND HUMAN RIGHTS,
Washington, DC, May 24, 2011.

DEAR REPRESENTATIVE: On behalf of the Voting Rights Task Force of The Leadership Conference on Civil and Human Rights, we urge you to oppose H.R. 672, which would terminate the Election Assistance Commission ("EAC" or "Commission"). As organizations

that are committed to supporting and expanding the civil and voting rights of all Americans, we have devoted substantial resources to the passage of both the National Voter Registration Act and the Help America Vote Act. Terminating the EAC puts our work at jeopardy and risks reducing the voting and civil rights of our citizens—rights for which many have given their lives.

The EAC does valuable work to ensure the reliability and trustworthiness of our nation's election systems. The Commission plays a major role in collecting accurate and comparable election data. With our nation's complex and diversified election administration system, central data collection is essential if we are going to improve our citizens' trust and confidence in election results. The Commission develops and fosters the training and organization of our nation's more than 8,000 election administrators. Through its many working committees and the work it does to foster robust dialogue among advocates, manufacturers and administrators, the Commission is improving the administration of elections. The EAC's award-winning web page has become the "go to" site for election administrators, advocates, and academics.

The Commission is charged with developing standards for voting systems, and this precedent-setting work has been recognized by nations around the world. Several countries are so impressed with our system that they have signed agreements with the EAC for technical assistance as they develop their own voting system standards and certification procedures. The EAC's certification program uses its oversight role to coordinate with manufacturers and local election officials to ensure that existing voting equipment meets durability and longevity standards. This saves state and local governments from the unnecessary expense of new voting equipment.

The EAC has also played a central role in improving the accessibility of voting for the country's more than 37 million voters with disabilities. We still have a long way to go to achieve the Help America Vote Act's mandate to make voting accessible. The EAC's leadership is essential to continuing the effort to offer all Americans the right to vote "privately and independently."

As we approach the 2012 elections, the EAC must continue to do its important work. Rather than abolishing the agency just before the 2012 elections, we believe Congress should strengthen the Commission by broadening its data collection responsibilities and by giving it regulatory authority to ensure that persons with disabilities have full access to the polls.

Thank you for your consideration of our position. If you have any questions about this letter, please contact Leadership Conference Senior Counsel Lisa Bornstein, at (202) 263-2856 or Bornstein@civilrights.org.

Sincerely,

WADE HENDERSON,
President & CEO.
NANCY ZIRKIN,
Executive Vice President.

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
Washington, DC, June 2, 2011.

MEMBERS,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the NAACP, our nation's oldest, largest and most widely-recognized grassroots-based civil rights organization, I strongly urge you to do all you can to support the Election Assistance Commission and to oppose and vote against efforts to terminate this crucial tool

in our arsenal to strengthen our democracy. The right to vote is a cornerstone of our democracy and we as a Nation should do all we can to ensure that every eligible American can cast an unfettered vote of their own free will and that their vote is counted.

As established by the 2002 Help America Vote Act, the Election Assistance Commission provides research and data, guidance and grants to states and local governments so they can employ the best practices and the most up-to-date methods of registering and voting. The Election Assistance Commission has provided crucial help to many localities in the efforts to identify and reach groups which had heretofore been disenfranchised, including racial and ethnic minorities, members of the Armed Services (especially those serving overseas), disabled Americans and senior citizens.

We should be supporting and enhancing groups like the Election Assistance Commission, whose mission is to engage more Americans in the democratic process so that their voices may be heard. I therefore must again strongly urge you to oppose and work against bills such as H.R. 672, which would terminate the Election Assistance Commission within 60 days of enactment. Sadly, this shortsighted legislation which is, in fact, a direct attack on one of the most fundamental components of our form of government, the right to vote and have that vote count, was passed out of the House Administration Committee and may come before you on the House floor in the very near future.

Thank you in advance for your attention to the NAACP position: I look forward to working with you to see that we work toward a more inclusive democracy and to protect the integrity of our Nation and our government. Should you have any questions or comments, please do not hesitate to contact me at my office at (202) 463-2940.

Sincerely,

HILARY O. SHELTON,
Director, NAACP
Washington Bureau
& Senior Vice President
for Advocacy
and Policy.

DÉMOS,
New York, NY, May 24, 2011.

Committee on House Administration, Subcommittee on Elections, U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE: Démos respectfully urges the members of the Subcommittee on Elections to oppose H.R. 672, legislation that would terminate the Elections Assistance Commission (EAC). Without the EAC there would be no federal agency focused on improving the quality of elections—a vital function in ensuring the success of our democratic institutions.

Démos is a non-partisan public policy research and advocacy organization committed to building an America which achieves its highest democratic ideals—a nation where democracy is robust and inclusive, with high levels of electoral participation and civic engagement; an economy where prosperity and opportunity are broadly shared and disparity is reduced; and a strong and effective government with the capacity to plan for the future.

The EAC does valuable work to ensure the efficacy, reliability, and trustworthiness of our nation's election systems. For example, the Commission plays a major role in collecting accurate and comparable election data. With our nation's complex and diversified election administration system, central data collection is essential to accurately assess its state and therefore to improve our citizens' trust and confidence in election results. The Commission also develops and fos-

ters the training and organization of our nation's more than 8,000 election administrators. The EAC's award-winning web page has become the "go to" site for election administrators, advocates, and academics.

Moreover, the Commission is charged with developing standards for voting systems, and this precedent-setting work has been recognized by nations around the world. Several countries are so impressed with our system that they have signed agreements with the EAC for technical assistance as they developed their own voting system standards and certification procedures. The EAC's certification program is helping state and local governments to save money by using its oversight role to coordinate with manufacturers and local election officials to ensure that the existing equipment meets its durability and longevity potential. This saves state and local governments from the unnecessary expense of new voting equipment.

Importantly, the EAC has played a central role in improving the accessibility of voting for the country's more than 37 million voters with disabilities. Although we still have a way to go to achieve the Help America Vote Act's mandate to make voting accessible, the EAC's leadership is essential to continuing the effort to offer all Americans the right to vote "privately and independently."

We recognize that H.R. 672 would transfer many of the EAC's functions to the FEC but this would not be wise. The FEC is dysfunctional. It is overwhelmed by its current responsibilities, as evidenced by repeated court orders to correct its regulations to bring them in line with the laws of the United States. The FEC is starkly divided on partisan lines, making it particularly inappropriate for election administration responsibilities. And the FEC is increasingly unable to make decisions or even to agree on staff-negotiated recommendations.

Rather than abolishing the EAC, Congress should provide the EAC with resources and a renewed commitment to sponsoring and encouraging information sharing among state and local officials, EAC committees, the non-partisan voting rights community, technical experts and others.

Elections are the life blood of a democracy. We strongly urge the committee to strengthen the Election Assistance Commission instead of terminating it.

Sincerely,

MILES RAPOPORT,
President.

LAWYERS' COMMITTEE FOR
CIVIL RIGHTS UNDER LAW,
Washington, DC, June 21, 2011.

Hon. NANCY PELOSI,
Minority Leader, U.S. House of Representatives,
Washington, DC.

DEAR MADAM LEADER: The Lawyers' Committee for Civil Rights Under Law ("Lawyers' Committee") writes to express our opposition to the "To Terminate the Election Assistance Commission, and For Other Purposes Act" (H.R. 672). In the 2000 presidential election, many voters in Florida were wrongfully denied access to the ballot based on faulty voting equipment and a lack of discernible standards for vote counting. This bill would roll back the progress being made to bring more uniformity and equity to the election process across the states.

The Lawyers' Committee is a nonpartisan, nonprofit organization, established in 1963 at the request of President John F. Kennedy to involve the private bar in providing legal services to protect the rights of individuals affected by racial discrimination. The defense of voting rights has been a core part of the Lawyers' Committee's work since our founding nearly 50 years ago. We believe that

abolishing the Election Assistance Commission (EAC) fails to further voting transparency and reliability that was at the heart of the Help America Vote Act (HAVA). Predictably, those who would be most frequently disenfranchised are also those least able to advocate for their right to vote, whether poor, uneducated, infirm or elderly.

Faced with a challenge to our democratic system, Congress immediately rushed to action to take bold steps to bring our elections into the 21st century by passing HAVA which established the EAC. The EAC tests and certifies voting machines for use in elections to avoid a repeat of the 2000 election debacle in Florida; administers electronic voting for our brave men and women in uniform fighting overseas so that they are able to vote abroad; and creates voluntary voting guidelines for states, instilling confidence in the democratic process of this country for all voters. Since its inception, the Lawyers' Committee has been intimately acquainted with the work of the EAC, especially as Barbara Arnwine our Executive Director has served on the EAC advisory board. Our work and experience with the EAC leads us to believe that its establishment was the right course of action, and that its existence has helped bring some clarity to our multifaceted election process.

The work of the EAC to improve and modernize our election system is far from over. Moving the functionality of the EAC to the FEC would not only be ineffective, but costly. The Federal Election Committee (FEC), institutionally partisan and consistently ineffective in achieving even its current mandate, is not the organization we need to test and certify voting machines, or safeguard the votes of our service men and women.

With the presidential election on the horizon, it is more important than ever that we ensure the voice of the people is heard through a reliable, transparent democratic system. Termination of the EAC will take us backwards when we are trying to move forward.

Sincerely,

BARBARA R. ARNWINE,
Executive Director.

TANYA CLAY HOUSE,
Director of Public Policy.

NATIONAL DISABILITY RIGHTS

NETWORK,

Washington, DC, June 21, 2011.

Re Opposition to H.R. 672, the Election Support Consolidation and Efficiency Act.

As the Executive Director of the National Disability Rights Network (NDRN), I write to express the opposition of NDRN and the 57 Protection and Advocacy systems it represents to H.R. 672, the Election Support Consolidation and Efficiency Act (ESCEA). Voting is a fundamental right, and the Election Assistance Commission has played an important role since its creation to ensuring that polling places and the voting process are accessible to people with disabilities. The ESCEA would hinder progress toward accessibility of polling places and the voting process by abolishing the Election Assistance Commission (EAC).

NDRN is the national membership association for the 57 Protection & Advocacy (P&A) agencies that advocate on behalf of persons with disabilities in every state, the District of Columbia, and U.S. territories. For over 30 years, the P&A agencies have been mandated by Congress to protect and enhance the civil rights of individuals with disabilities of any age and in any setting. One area of focus for the P&As is voting through the Protection and Advocacy for Voting Access Act (PAVA) which charges P&As with helping to ensure

the full participation of individuals with disabilities in the entire electoral process, including registering to vote, casting a ballot, and accessing polling places.

The EAC has played a central role in improving the accessibility of voting for voters with disabilities. A Government Accountability Office report from 2009 <http://www.gao.gov/newitems/d09685.pdf> found that 72 percent of polling places surveyed on Election Day 2008 had impediments that hinder physical access or limit the opportunities for private and independent voting for people with disabilities. This is an improvement over the results of a similar study done during the 2000 election, in which 84 percent of polling places had impediments. The EAC, established following the 2000 election, has helped improve these results by acting as a national clearinghouse of information on accessible voting and providing technical assistance and guidance for election commissioners and how to make polling places, and the voting process as a whole, more accessible.

There remains much work to be done not only relating to physical accessibility, but also relating to other barriers to voting, such as a lack of voting and registration materials in accessible formats for people with sensory disabilities. In some instances, there have been outright denials of the right to register and vote based on false assumptions about a person's legal capacity to vote. Abolishing the EAC at this point in time would be a step back for people with disabilities and the goal of full accessibility to the voting process, and prevent people with disabilities from partaking of this most fundamental civil right.

As we rapidly approach the 2012 elections, the EAC must continue to do its important work. Rather than abolishing the agency just before the 2012 elections, Congress should strengthen the EAC to ensure that persons with disabilities fully enjoy the right to vote privately and independently. Therefore, on behalf of the NDRN and the 57 P&A agencies it represents, I ask that you oppose H.R. 672 when it is considered by the full House of Representatives today.

Sincerely,

CURTIS L. DECKER, JD,
Executive Director.

Mr. Speaker, I reserve the balance of my time.

□ 1300

Mr. HARPER. Mr. Speaker, I yield myself such time as I may consume.

It is clear that what has happened here is that there has been no response to many of the allegations of mismanagement that we've heard so far. It is clear from the things that have happened that the EAC, in particular, it is time for this to come to a conclusion. It is an agency whose average salary for its employees—and the employee size has more than doubled since 2007—the average salary is \$106,000 for this agency. Ronald Reagan said that the closest thing on earth to eternal life is a temporary government program. This was supposed to last for a period of 3 years.

The National Association of Secretaries of State in 2005 did a resolution, a bipartisan group, they did a resolution saying bring this to an end. They renewed that resolution again in 2010, and yet it remains. If we cannot get rid of an agency like the EAC, then we're never going to be able to get rid of anything up here.

With that, I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentlelady from California (Ms. LOFGREN).

Ms. ZOE LOFGREN of California. I thank the gentleman for yielding.

I rise in opposition to the bill.

Instead of focusing on jobs and helping middle class families, the Republican leadership is hard at work today creating additional ways in which corporations and special interests can dominate our elections process. Ending the Presidential Election Campaign Fund opens the door for large political spenders to enjoy an even greater role in the funding of political campaigns.

The voluntary public finance system for Presidential campaigns was created in the early seventies as a direct result of the corruption of Watergate, the largest political scandal of our generation. Stopping corruption and the appearance of corruption is as important today as it was during the Nixon years. The level of spending by corporations and special interests since the Supreme Court's decision in Citizens United should give every American reason for concern. Do my Republican colleagues really believe that more corporate and special interest money in politics is going to benefit in any way the 99 percent of Americans who don't have lobbyists?

The current public finance system for Presidential elections has problems. Most notably, it has not kept pace with the cost of modern campaigns, so we should fix it instead of eliminating it. And I would note that the Republican National Committee recently received \$18 million from the fund, so if the Republicans think it's such a bad idea, perhaps they should ask the RNC to return the money.

As for the Election Assistance Commission, the EAC is the only Federal agency focused on improving Federal elections. This was an outgrowth of the disastrous process of the 2000 election. Remember, 100 million votes were cast, but it took a decision of the Supreme Court before a winner was declared. The experience left a black eye on our elections process. It's not something America should go through again.

As State and local budgets are cut, the value of this commission is going to grow.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. BRADY of Pennsylvania. I yield the gentlelady an additional 30 seconds.

Ms. ZOE LOFGREN of California. Have there been problems at the EAC? Yes, there have been problems. What should we do about it? We need oversight and reform. We shouldn't just abolish this commission because we are going backwards to the bad old days of inconsistency among voters. I urge my colleagues to focus on the economy, focus on jobs, and don't pass bills that give corporations and special interests even greater influence in our elections.

Mr. HARPER. Mr. Speaker, I yield myself such time as I may consume.

It is amazing that there is a reference to the need that we need to focus on jobs instead of doing something like this. If that's the case, we've passed about 25 bills this year out of the Republican-led House that dealt with jobs and dealt with the economy. We have done our job on that, and now they're sitting over in the Senate who knows where or why awaiting action. So we have been doing those things, the tough decisions, the things that will create jobs if the Senate and the White House would join with us on those things. So that is simply not accurate to say that we haven't been focusing on jobs because we have done that since we started this year, and we will continue to do so and encourage and urge our colleagues over in the Senate to bring these matters up. They include things that will help on overburdensome EPA regs, with things that will deal with permitting and drilling in the Gulf of Mexico and things that will have a direct impact on our economy and jobs.

You know, it is clear, particularly on the EAC, which was created in 2002 after HAVA, the Help America Vote Act, after the Bush-Gore recount so that we wouldn't have another hanging chad or butterfly ballot situation, and this agency administered over \$3 billion worth of grants to the States for machines. When it was passed, it was designed to be a 3-year agency and program. We're 9 years into this. And instead of trying to say, okay, and we showed the chart a minute ago with \$5.4 million worth of management costs, and yet only a little over \$3 million in program costs. And the grants for the machines, Mr. Speaker, are now gone and they are not there.

We have the letter from the National Association of Secretaries of State which restates their position on the resolution to eliminate the EAC done in 2005, and again in 2010. Again on the EAC, we have reports from different agencies. We have an IG report criticizing the management practices of the EAC. This report was done in March of 2010.

We have a report from the EAC's financial records back in November of 2008 which I dealt with when I first got on the Committee on House Administration in early 2009. This report is an audit of the Election Assistance Commission fiscal year 2008 financial statements. The records were so mismanaged, this agency that the other side wants to keep instead of trying to make us more efficient, it was so bad that the agency couldn't be audited. The records were too bad to tell them how bad it was. So that lengthy report is available to anyone who cares to read it.

Then we have a report from the Office of Special Counsel that was done in 2009. The Office of Special Counsel talks about having to settle a political discrimination case. An agency that is

supposed to talk about fairness and helping in elections themselves get sued for political discrimination. And one of those that created that problem is the one that voluntarily resigned and received unemployment benefits for a voluntary resignation.

We have the organizational chart that shows that the EAC included a special assistant to a vacant position. I can go on and on, Mr. Speaker, on the mismanagement of the EAC. It is clearly time to say—and I understand that there are some things that we need to keep. We are saying that the essential functions of this group, send them over to the FEC, and we can take care of those situations on testing and certification, make the process more efficient, and we'll save money for the taxpayers.

With that, I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 3 minutes to the gentlelady from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, I rise in opposition to H.R. 3463.

It might sound surprising, but right behind jobs, one of the top concerns my constituents contact me about is campaign reform. You'd think that campaign rules would be the very last thing people would think about when they're worried about their livelihoods, their mortgages, and their family's health care. But they know that the electoral process is at the heart of everything their government can do for them.

The American people are frustrated. They are frustrated by what I call super-sized campaigns. It's all too much. It's too slanderous. It's too hard to tell who's paying for what and who's saying what. They feel that big donors, big corporations, and ideological groups are running the show, and they're being left out. But the American people care, and they believe in "we the people."

Public financing gives the voice back to the middle class. The Election Assistance Commission can help election officials better the process for voters. Neither of these is perfect right now. We acknowledge that, but we should be improving rather than eliminating them. Throwing away what public financing we have, what financing worked for every President from 1976 to 2004 and making it harder to bring election improvements together is a step in the wrong direction.

□ 1310

Rather than making it even harder for the average voter to make a difference, Congress should be improving access to democracy by expanding public financing, assisting election officials, and increasing voting opportunities for all Americans.

Our people are our strength, and we have no business shutting them out. The supporters of this bill say it will save us money. But in fact, Mr. Speaker, it will mean our democracy is up for sale.

Mr. HARPER. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. I thank the gentleman from Mississippi for yielding.

One of the arguments that's been made about the EAC, Mr. Speaker, is that it's the Federal Election Commission that ensures every American citizen's right to vote. If only that were true, Mr. Speaker.

The National Association of Secretaries of State, which is the organization in each State that oversees the elections, has called for the dissolution of the EAC. The committee has heard firsthand testimony from Secretaries of State all across the country. Both in 2005 and again in 2010, the National Association of Secretaries of State has called for the dissolution of the EAC.

If the organizations that are actually responsible in each State for holding the elections, Mr. Speaker, are asking that the Federal agency that's supposed to help them should be dissolved, I think it would behoove the Congress to listen to the States and in this case dissolve this commission.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. I thank the gentleman from Pennsylvania for yielding.

Mr. Speaker, there are ongoing attempts to suppress the valid legal vote of some communities in this country. Earlier efforts to stop selected Americans from voting, such as literacy tests and poll taxes, were overturned by this Congress. But while the tactics of these people have changed, their strategy remains the same—intimidate, discourage, or otherwise prevent certain groups of American citizens from voting.

Current tactics include burdensome voter ID laws, outrageous registration requirements, dishonest "inactive voter lists," and unlawful disenfranchisement of ex-offenders. To these flagrant tactics proponents of voter suppression have added more subtle approaches, including disinformation campaigns and behind-the-scenes, quiet—and unfair—purging of voter rolls.

Now we are presented with their latest plan to deny certain Americans their right to vote—the elimination of two programs whose sole aim is to ensure that every American's voice is heard in our election. The Presidential Election Campaign Fund and the Election Assistance Commission are in need of strengthening, not elimination. They help make sure that all voices can be heard and that all votes will be counted. I support improving these programs.

But the only reason to want to eliminate them is to further suppress votes. The votes are the same groups who were targeted by Jim Crow laws decades ago. The votes are the same groups who are now targeted by "inactive voter lists" and voter ID laws and

all of the other new tactics designed for a single goal—voter suppression.

I urge my colleagues to defeat this bill and defeat yet another attempt to stop American citizens from voting.

Mr. HARPER. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Speaker, I can't believe what I just heard from my friend from Missouri. Doing away with the Presidential Election Campaign Fund is not a Jim Crow law. And I'll put my record alongside his on ensuring voting rights to minorities as the author of the latest extension of the Voting Rights Act and one who got the 1982 compromise passed and signed into law by President Reagan.

The Presidential Election Campaign Fund was destroyed 3 years ago by President and then-Candidate Barack Obama. He refused to be bound by its restrictions. Senator JOHN MCCAIN was. And he was put at a significant disadvantage in the general election campaign by running against Candidate Obama, who rejected the Election Campaign Fund's funds and raised huge and unlimited amounts of money.

Mr. CLAY. Will the gentleman yield?

Mr. SENSENBRENNER. I have a limited amount of time. If I have time left, I will be happy to yield.

This year, so as not to disadvantage themselves, none—that means none—of the Republican primary candidates have signed up for Presidential Election Campaign Fund money. The Obama moneymaking machine is running all around the country. We see this in the newspapers. We hear it on television. And because the campaign fund would limit the amount of money that whoever the Republican nominee, if they took these funds, could use in order to spread his message on why Obama ought to be replaced by the voters, we ought to just get rid of this fund altogether. It was destroyed 3 years ago by then-Candidate Obama. We might as well not spend any more taxpayers' funds on it. May it rest in peace.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank the gentleman.

Mr. Speaker, we already know that in 38 States there is introduced legislation that would suppress the participation and the votes of young, minority, and elderly voters. Now we see their allies here in Congress who are trying to eliminate the only Federal agency charged with improving the conduct of elections and making sure that every vote counts. If you like the direction of the State legislatures, you're going to be thrilled by the legislation before us today to close the Election Assistance Commission.

The voter's vote should be behind a curtain of secrecy, but the process by which registration and elections are conducted should be transparent. If not, voters will cease to believe that the process is fair and that their vote counts.

Let me remind my colleagues there is nothing more crucial to democracy than guaranteeing the integrity, the fairness, the accountability, the accuracy of elections. Democracy works only if the citizens believe it does. The system must work, and the people must believe in it; but voting shouldn't be an act of blind faith. It should be an act of record.

The EAC helps maintain the integrity of the American electoral process. Too many people across the country have lost confidence in the legitimacy of the election results. Dismantling the EAC would further erode that necessary faith in the process.

We've discussed several times—and others have talked about it—if manipulating the outcome of elections occurs, how much easier will it be once the EAC is eliminated. Millions of Americans are casting their votes now on unauditably voting machines and the results of most elections are not audited.

□ 1320

Eliminating the EAC would increase the risks that our electoral process would be compromised by vote manipulation, by targeted voter ID laws, by voter system irregularities. Can we afford to take that risk? Certainly not. Do we want problems to go undetected? I would hope not.

Less oversight, lesser standards, less transparency in reporting, less testing, fewer audience weakens our democracy. Abolishing the EAC is the wrong way to go.

Mr. HARPER. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma (Mr. COLE), a distinguished member of the Appropriations and Budget Committees, who also has been heavily involved in this matter as a cosponsor and also has done great work on trying to eliminate and bring to an end the Presidential Election Fund.

Mr. COLE. I thank the gentleman for yielding.

The legislation before us actually does three important things: First, it eliminates an antiquated, outdated system of public financing; second, it terminates an obsolete commission; and then finally, and not incidentally, it actually saves money, something that we talk a lot about around here but we very seldom actually do.

When the Presidential Election Campaign Fund was actually created in 1973, it was during the time before things like Facebook, YouTube, and Twitter. The widespread use of the Internet did not exist. That's no longer the case today. Today, it's pretty easy to actually contribute money to a Presidential candidate if you want to do it. I would advise anybody, regardless of their political persuasion, to simply type the name of the candidate that they like into the Internet and wait and see what pops up, and they're going to have an immediate opportunity to donate to that individual.

There is no need to take public money at a time that we're running

\$1.5 trillion deficits and divert it to what's essentially political warfare for Presidential candidates—absolute waste of money. It's so much a waste that our President, who defends the system but chose not to participate in the system—in 2008, he did not participate, did not raise money this way, did not do it during the public campaign, actually broke precedent and, frankly, the commitment he had made earlier in the campaign and just chose not to do it. And that's fine. That was his right. He was certainly more than adequately funded. His opponent, Senator Clinton, now Secretary Clinton, was also adequately funded. She did not use the public financing system. The one person who did, JOHN MCCAIN, was heavily outspent, although I don't think that had much to do with his defeat.

I think, honestly, Americans know how to contribute to Presidential candidates. They don't need the Federal Government letting them check off a portion of their taxes and divert it for that purpose.

In addition, public participation in this system has declined radically. It's never reached even one-third of American taxpayers that are willing to do this—peaked at 28 percent, and in 2009 was down to 7 percent of American taxpayers who chose to do it.

So we're not denying anybody the ability to participate. We are giving very expensive welfare to Presidential candidates and to political parties at a cost to the taxpayer when that cost can't be afforded.

Two weeks ago, we had something that occurred that honestly ought to concern everybody on this floor. And I don't fault either party for it, but the Democratic Party and the Republican Party both received \$17 million for their conventions from the Federal Treasury of the United States; \$17 million for two political parties—actually, 34 in total—to actually run their conventions from the American taxpayer. Who really believes that's a needed expenditure? Each one of those parties—and I can tell you because I used to be the chief of staff of one of them—will spend over \$100 million on its convention. They don't require additional Federal help. It's simply a waste of time and a waste of money.

As for the Election Assistance Commission—and I say this as a former secretary of State—this is a commission whose time has come and gone. Whatever good it did, it currently spends over 50 percent of its budget on administration, not on direct assistance to the States. And the idea that State governments and States who have been running elections for 200 years suddenly need the Federal Government to tell them how to do it and spend this kind of money I think is just absurd.

Frankly, the National Association of Secretaries of State, which is the oldest public association of elected officials and appointed officials in the United States, has twice called for the

elimination of this. They don't feel the need for it. They certainly don't see that they're getting any assistance from it.

So whatever good it played in the immediate aftermath of the 2000 election I think is now concluded.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HARPER. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. COLE. I appreciate the gentleman for yielding.

Without putting too fine a point on it, this is a system and this is a commission that simply exists to solve problems that aren't problems. We have no problem funding Presidential campaigns in the United States. There's plenty of money—probably too much money—around. There doesn't need to be taxpayer money. Nor do political parties have a problem funding their conventions. They can do it themselves. Nor do we need a commission whose purpose has now passed into history and whose entities it's supposed to serve, the Secretaries of State around the country, have actually asked us to abolish it.

So let's just finally prove we can get rid of outmoded programs, end the expenditures, and actually save the taxpayers some money. And in doing so, I can assure everybody on the floor that our democracy will remain healthy, our elections will be fair, and the American people, in their wisdom, will figure out which candidate to contribute to if they choose to contribute to any candidate at all.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 4 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I rise for the third time this year to oppose a measure that would summarily repeal our system of public funding for Presidential elections.

Once again, the House majority seems intent on dismantling the few remaining safeguards we have left against the influence of special interests in politics following the Supreme Court's Citizens United ruling. The fact that they are ostensibly bringing this bill forward as a deficit reduction measure in order to pay for a bill to undermine workers' rights is the height of cynicism.

This bill before us today would destroy one of the most successful examples of reform that followed the Watergate scandal. Dare we forget what that scandal was about? The Committee to Reelect the President, fueled by huge quantities of corporate cash, paying for criminal acts and otherwise subverting the American electoral system.

The hallmark of the Federal Election Campaign Act of 1974, enacted at a time when public confidence in government was dangerously low, was our voluntary program of public financing for Presidential elections. To this day, this innovative reform stands as one of the greatest steps we have taken to

bring transparency and accountability to our electoral system. And it has worked remarkably well, being utilized in the general election by every Republican and Democratic Presidential nominee from 1976 through 2004 and by JOHN MCCAIN in 2008, although in recent years the need for modernization has become evident.

Perhaps the best example of this program's success is President Ronald Reagan, who participated in Presidential public financing in all three of his Presidential campaigns—in 1976, 1980, and 1984. The Reagan case illustrates the positive effects public financing has had in both parties at both the primary and the general election stages. It illuminates the way in which the system benefits candidates who challenge the party's establishment. It also highlights the system's focus on small donations rather than big bucks from the large contributors. Note that this is no free ride, no willy-nilly spending program. Candidates must seek the support of thousands of small donors during the primary to prove their viability, and only then do they receive matching funds.

Today one could wish, in light of the positive history of this program and prior Republican support, for a bipartisan effort to repair the system and restore its effectiveness. I don't know of any policy that exemplifies the maxim "mend it, don't end it" better than this one.

Earlier this year, Congressman VAN HOLLEN and I reintroduced a bill that would do just that. It would modernize the Presidential public financing system and again make it an attractive and viable option for Presidential candidates. Our bill would bring available funds into line with the increased cost of campaigns, adjust the program to the front-loaded primary calendar, and enhance the role of small donors. The bill has been carefully designed and deserves deliberation and debate.

□ 1330

Instead, we're faced with yet another Republican attempt to open the floodgates for corporate cash and special interest influence to pour into our political system.

With confidence in government at rock bottom, and the perception of government corruption through the roof, why is the majority trying to return us to the dark days of Watergate? Let's instead restore and improve our public financing system and move on to real solutions to put our Nation's fiscal house in order.

Let's not use valuable floor time to pass a bill that has no chance of becoming law. The American people want us to get to work on important measures to revive the struggling economy and put people back to work. So I urge the majority to heed that call. Get to work on passing appropriations bills, fixing the Medicare physician reimbursement, extending the payroll tax cut and unemployment benefits,

patching the AMT, and reauthorizing the FAA in time for families' holiday travel.

I'm afraid such pleas are falling on deaf ears in this Chamber these days. But we need to get to work on the people's business, not on this flawed bill that threatens to allow big money to play an even larger role in our politics.

Mr. HARPER. I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GONZALEZ), a valued member of the House Administration Committee.

Mr. GONZALEZ. Mr. Speaker, I rise in opposition to this bill in its entirety but especially to that provision which attempts to eliminate the Election Assistance Commission.

I need to address a few points that have been made by the proponents of this bill because I was there when this original bill came up for consideration years ago, and I've been there for the subsequent hearings in the committee of jurisdiction.

First of all, when it comes to the secretaries of state, they've been opposed to the creation of the Election Assistance Commission from its very beginning. This is nothing new. Their renewal of opposition basically used a form letter that didn't even change the 2006 date. The 2010 opposition letter actually referred and still used the same letter of previous years.

But the most important thing to point out is that secretaries of state have multifaceted responsibilities and obligations. One of them is to conduct elections. But each one of us in this body knows who really runs an election, and it's going to be your local election administrators.

You and I and anybody involved in the electoral process knows that on Election Day you're not going to find secretary of state personnel at the polling places. When the ballots are mailed for absentee voting, you're not going to find anyone from the Secretary of State's Office. They're not going to count the ballots. They're not going to be there. It is a local effort, and that's what the Election Assistance Commission is doing.

It was never meant to have a life span of 3 years. If you read the bill carefully, and Mr. HOYER, who will be taking the floor later, will remind us of the legislative history of that particular bill that created this commission.

If we are to criticize them for an inordinate amount of their budget being applied to personnel, then we must look in the mirror as Members of Congress, because I assure you, because I also sit on a committee, obviously the same committee, that entertains the budget requests of the different committees. Each one of those committees and individual Members of Congress will tell you that they spend a greater proportion of their budget on personnel than the Election Assistance Commission. And there's good reason for it.

It was never really intended to fully fund every effort at the local level. It's to give advice. That's why I have received in the past, from local election officials in Maryland, Texas, Florida, and Ohio—the local experience in Texas, in my county there, was that we saved \$100,000 by the suggestions and recommendations that were issued by the commission.

Lastly, you criticize the commission for not functioning because it doesn't have a full body of commissioners. But whose fault is that? It's the individuals on the other side of the aisle that have blocked consideration.

That reminds me. When I was a lawyer, we used to have an old joke about the individual defendant who was there charged with murdering his parents, and at the end of the trial goes before the jury and asks for mercy because he's an orphan. It is a self-fulfilling prophecy.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BRADY of Pennsylvania. I yield the gentleman an additional 10 seconds.

Mr. GONZALEZ. If you want to help your local election officials, vote “no” on this bad bill.

Mr. HARPER. Mr. Speaker, I yield 2½ minutes to the gentleman from Indiana (Mr. ROKITA), who is a distinguished member of the Committee on House Administration, a former secretary of state for the State of Indiana, and he has served as president of the National Association of Secretaries of State.

Mr. ROKITA. I thank the gentleman for yielding time.

Mr. Speaker, listening to the prior comments, I can't help but wonder if certain Members of this body can't help but not do more than one thing at a time. But certainly, your secretaries of state and your local election officials can multitask, and they do an excellent job of executing the States' elections.

I want to focus on the portion of the bill that eliminates the Election Assistance Commission, Mr. Speaker. As has been said, I have a unique perspective on this. In 2005, as Indiana's secretary of state, and serving as the president of the National Association of Secretaries of State, I coauthored the successful resolution that was talked about earlier to dissolve the EAC after the 2006 election. As the oldest organization of bipartisan elected officials in the Nation, we at NASS renewed the call to dissolve the commission in 2010.

And, no, Mr. Speaker, I can assure you, from the debates that we had in that organization, it was not a form letter. It was not a form renewal.

Furthermore, the vote for the renewal was 24-2, with 13 Republicans and 11 Democrats calling for its dissolution. This is not a partisan issue. We recognized, on a bipartisan basis, that the Election Assistance Commission cannot be justified on the grounds

of fairness, justice, opportunity, or necessity.

EAC bureaucrats do not make elections fair. In fact, EAC makes them less fair by producing biased, inaccurate reports on the state of elections in our Nation and offering recommendations based on these junk studies. EAC bureaucrats do not enfranchise voters. States and individuals do that, as our Federal Constitution dictates.

Giving unelected, unaccountable bureaucrats in Washington more power over elections does not lead to more just election outcomes. If anything, it interferes with a just outcome because these bureaucrats, many with an ideological axe to grind, face little or no accountability for their actions, and they know it.

Voting is fundamental to our system and the legitimacy of our government. Ensuring qualified American citizens have an opportunity to vote is essential. The Constitution tasks the States with execution and maintenance of elections, not Federal bureaucrats.

Like I said, Mr. Speaker, I believe States do an excellent job. And by managing elections closest to the voters at the State and local level, we stand the best chance of ensuring opportunity for all and correcting injustice if the opportunity to vote is denied or interfered with.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

(Mr. LANGEVIN asked and was given permission to revise and extend his remarks.)

Mr. LANGEVIN. As a former secretary of state for the State of Rhode Island, and now a Member of the United States Congress, I have serious concerns about this bill.

Mr. Speaker, voter participation is the cornerstone of our democracy and a fundamental civic duty that empowers every citizen to effect change within our society. Unfortunately, many individuals with disabilities have been historically shut out of the voting process due to lack of accessibility. That's among my particular concerns with this bill.

We have made impressive strides in recent years to close that gap, and the Election Assistance Commission, established under the Help America Vote Act, was an important part of that effort. As a Member of Congress who lives with a disability, cofounded the bipartisan Disabilities Caucus, and has worked at both the State and Federal levels to modernize and make accessible our voting systems, I find it unconscionable that the Republican leadership is considering this bill to abolish the Election Assistance Commission, an agency whose fundamental mission is to promote security, accessibility, and trust in our electoral process.

Could the EAC use some reforms? Yes. But the Republican solution of eliminating an agency with such an

important mission is unnecessary. Everyone, Mr. Speaker, should have full faith in our system of elections including seniors, military members, minorities, and people with disabilities, and that's exactly what the Election Assistance Commission seeks to provide.

Mr. Speaker, we have precious little time left before the end of this Congressional session. Instead of considering a bill that will only serve to erode America's faith in our democracy, our time would be far better spent rebuilding it by focusing on job creation, getting this economy back on track.

I urge my colleagues to oppose this bill and turn our attention to legislation that will extend tax relief for families and small businesses, reduce unemployment, and create greater economic stability. That is exactly what my constituents expect from me, and that's exactly what the American people expect from this Congress.

□ 1340

Mr. HARPER. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN), the distinguished chairman of the House Administration Committee.

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

Mr. Speaker, H.R. 3463 will eliminate the Presidential Election Campaign Fund and the Election Assistance Commission. That's good news. The American people have been asking this Congress to get serious about spending, begging us to take a critical look at government operations and get rid of the dead weight. Mr. Speaker, if there ever was a government program or a government agency that is ripe for the cutting, it is the Presidential Election Campaign Fund and Election Assistance Commission.

The Election Campaign Fund is an unused government program only supported by a meager 7 percent of the American people. In other words, 93 percent of the American taxpayers have opted out of participating in this program. Candidates and nominees have routinely opted out of the system altogether.

In 2008 we know then-Candidate Barack Obama declined public financing in the general election. In 2012, it's expected that neither general election candidate will participate in the program, and no candidate has requested eligibility thus far in the election cycle.

According to CBO, elimination of this program would save the American taxpayers \$447 million over the next 5 years and return nearly \$200 million to the public Treasury for deficit reduction immediately.

I know some people think \$500 million isn't much. Where I come from, that's a lot. We can eliminate something that the American people have rejected by a vote of 93-7. It seems to me to make sense.

Mr. Speaker, in the last Congress, the Committee on House Administration held hearings on the issue of taxpayer financing of campaigns. And one of our witnesses asked this question. He said, if the voters are not willing to pay for the program, then why should it continue?

As for the Election Assistance Commission, this agency has been the subject of two hiring discrimination lawsuits, spends over 50 percent of its budget on administrative costs, and is asking this Congress for \$5.4 million to manage programs totaling \$3.5 million.

In short, Mr. Speaker, this bill before us eliminates an unused government program, shuts down an obsolete government agency, saves the taxpayers \$480 million over 5 years, and returns almost \$200 million to the Treasury. How could we not vote for it?

Mr. BRADY of Pennsylvania. Mr. Speaker, may I inquire how much time we have.

The SPEAKER pro tempore. The gentleman from Pennsylvania has 7 minutes. The gentleman from Mississippi has 2½ minutes.

Mr. BRADY of Pennsylvania. Thank you, Mr. Speaker.

I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank the gentleman.

After \$5.3 billion was spent in the 2008 Federal elections, I never heard anyone utter a word that said the problem we face today in Washington is that we need more private money in politics. Never has anyone said to me, I wish the super-rich had more influence over our government and elected officials, especially in campaigns for President and Congress.

I never received a letter from a constituent that expressed a desire to get further away from one person-one vote and move closer to one corporation-one vote. What I have heard from my constituents is a deafening demand to get money out of politics. This bill takes us in the opposite direction.

We should be chasing the money-changers out of the people's temple, not turning our government into an auction house. This legislation is upside down.

Private financing of elections corrodes our democracy. Private contributions of Federal elections must end. Private financing equals government in the private interest. Public financing—the hope of government in the public interest.

We need to restore our democracy and end private contributions. We shouldn't have any contributions from special interests. We need government of the people, by the people, and for the people returned to this government.

Mr. HARPER. I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Let me just take this from 30,000 feet for a minute and

reiterate what the gentleman from Ohio said.

We have too much private money in the people's House. We can't get anything done now because it somehow may affect what Wall Street is doing.

We had a China currency bill on the floor last year, 350 votes, 99 Republicans. We can't even get it up for a vote now in the House because Wall Street doesn't want it. We're in dire straits with trying to balance our budget.

We need to ask people making more than a million dollars a year to help us close this gap so we can reinvest back in our country. Nothing is happening because Wall Street doesn't want it.

We've got oil and gas still getting benefits when profits are going through the roof. We can't close that loophole because the oil and gas industry doesn't want it closed.

There is too much private money in the people's House. We need public funding of elections. Let every citizen kick in fifty or a hundred bucks, and we run elections by letting people on the airwaves making these debates, making these discussions having a little bit of money to do it.

We've got to reform this country and set us on a path to prosperity. No wonder we can't invest in public education, public health, public infrastructure, because the private interests are running the whole show here.

Mr. HARPER. Mr. Speaker, I yield 1 minute to the gentleman from Georgia, Dr. GINGREY, chairman of the Subcommittee on Oversight of the House Administration Committee.

Mr. GINGREY of Georgia. Mr. Speaker, maybe the President will listen to the advice of the gentleman from Ohio and sign up for public financing of his re-election effort.

But mainly I rise today in strong support of the combined efforts of my good friends, Mr. HARPER of Mississippi and Mr. COLE of Oklahoma, to reduce Federal spending by ending the public financing of campaigns and conventions and to terminate this Election Assistance Commission.

As Presidential campaigns in this day and age are becoming increasingly expensive to the tune of billions of dollars, the idea of having taxpayers contribute matching funds to them has become ludicrous.

The end of this practice would save \$617 million over 10 years, and I commend the gentleman from Oklahoma for his work to reduce spending.

As far as the gentleman from Mississippi's efforts regarding the Election System Commission, as a member of the committee of jurisdiction over EAC, the House Administration Committee, I've learned firsthand that this agency has outlived its usefulness, it's mismanaged its resources, all the while costing taxpayers, we the taxpayers, millions of dollars a year.

Mr. Speaker, the Election Assistance Commission budget request for 2012 devoted 51.7 percent of its budget to man-

agement overhead costs. Let's eliminate this commission and support this bill.

Mr. Speaker, following is my statement in its entirety:

I rise today in strong support of the combined effort of my good friends, Mr. HARPER of Mississippi and Mr. COLE of Oklahoma, to reduce federal spending by ending the public financing of campaigns and conventions, and to terminate the Election Assistance Commission.

As Presidential campaigns in this day and age have become increasingly expensive to the tune of hundreds of millions of dollars, the idea of having taxpayers contribute matching funds to them has become ludicrous. Ending this practice would save \$617 million over 10 years and I commend Mr. COLE for his work to reduce spending.

As far as Mr. HARPER's efforts regarding the Election Assistance Commission, as a member of the committee of jurisdiction over the EAC—the House Administration Committee—I have learned first-hand that this agency that has outlived its usefulness and mismanaged its resources—all while costing taxpayers millions of dollars a year.

In the midst of our record levels of debt, we must scrutinize where every dollar of taxpayer money is being spent to ensure we are allocating these funds responsibly and delivering the best possible value to our citizens.

Mr. Speaker, the Election Assistance Commission's budget request for 2012 devoted 51.7 percent of its budget to management and overhead costs. It should be hard for anyone to argue that an agency that spends \$5.5 million dollars managing programs totaling \$3.5 million dollars is a responsible use of taxpayer funds.

The EAC has more than doubled in size—without an increase in its responsibilities—since it was originally supposed to sunset in 2005. It is long past time, Mr. Speaker, that we allow government programs that have outlived their usefulness to be shut down, rather than maintain unnecessary and redundant layers of bureaucracy.

Eliminating this red tape would save American taxpayers \$33 million dollars over five years, while at the same time preserving the EAC's necessary functions—voting system testing and certification—at the Federal Election Commission, which can more efficiently handle these responsibilities.

Mr. Speaker, the National Association of Secretaries of State—who are the direct beneficiaries of the EAC's services—have themselves called for the EAC's dissolution. This body should follow suit today. I urge all of my colleagues to support this bill.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 3 minutes to the distinguished Democratic whip, the gentleman from Maryland (Mr. HOYER).

(Mr. HOYER asked and was given permission to revise and extend his remarks.)

Mr. HOYER. First of all, we ought to be talking about jobs. The contention that this bill funds bills that are about jobs is spurious, in my opinion; and no economist, in my opinion, will assert that that is the fact. We ought to be dealing with jobs.

But what are we dealing with?

Now, I know of what I speak, I tell the gentleman from Georgia. I understand. I was a Member of the House Administration Committee for, I think, some 15 years. I, along with Bob Ney, was the sponsor of the Help America Vote Act, which created the Election Assistance Commission. So I know something about the Election Assistance Commission.

It was created because in the year 2000 we had a disastrous election which was resolved finally but not very acceptably by most people, whether your candidate won or lost. So the Election Assistance Commission was created for the purpose, for the first time in history, of having some Federal presence in the oversight of Federal elections. Not mandatory, but advisory.

Now, what we see, frankly, throughout America in Republican-controlled legislatures in many, many States is an effort to make voting more difficult to, in my opinion, suppress the vote, to require more and more documentation of people who have already registered to vote and claiming problems that exist that do not exist.

□ 1350

Now, if you want to obfuscate the election process, if you want to suppress the vote, if you want to make it more difficult, what is one of the things you want to do?

Eliminate the Election Assistance Commission, whose responsibility it is to advise and counsel on best practices to assure that every American not only has the right to vote but is facilitated in casting that vote and in making sure that that vote is counted. That's what the Election Assistance Commission does.

And what do they want to do with the Election Assistance Commission's responsibility? Transfer it to the Federal Election Commission, whose sole responsibility is to oversee the flow of money into elections. They neither have the expertise nor, frankly, do they have the time. They hardly have the time to do what they're supposed to do right now.

Now, the Bush administration did not fund the Election Assistance Commission very robustly. Like every agency, it requires and should have proper oversight, and should, in my view, be more vigorous in the carrying out of its responsibilities. That is not, however, a reason for eliminating it. The only reason for eliminating it is to make voting more obscure, with less oversight and less assurance to our citizens that they not only have the right to vote but that a vote will be cast and counted correctly.

Mr. HARPER. Mr. Speaker, may I inquire as to the time remaining on both sides.

The SPEAKER pro tempore. The gentleman from Mississippi has 1½ minutes remaining, and the gentleman from Pennsylvania has 2½ minutes remaining.

Mr. HARPER. Mr. Speaker, I yield 1 minute to a distinguished member of

the Judiciary Committee and a former judge, the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Let's cut to the chase. This is a tax credit for people who want to contribute to the President's campaign fund. They're told you can check this box and it doesn't cost you anything. No, but it takes \$40 million-plus a year away from the fund that could be used for other things, including for Social Security, and it gives it to the President's campaign fund.

I stand with our President, Barack Obama, on this issue, who found that that fund is worthless and that it's an impediment to getting elected. So I stand with President Obama in saying let's get rid of the fund and not use it anymore, and let the \$200 million in that fund go to something helpful instead of being an impediment to being elected President.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself the balance of my time.

The Presidential campaign fund currently has over \$190 million. Tens of thousands of Americans put that money there. They wanted their money to go for this purpose. We would be fooling and deceiving our very own citizens if we were to pass this bill. They put that money there to be able to have the small say that they can—with their \$1 or \$3 or whatever it may—and be able to say who they would want to support and put it towards campaigns. We would be giving it back to the Treasury. They already put their money in the Treasury. This would be wrong, and we would be fooling the American people.

We would be telling them, We told you to check off a box and give us X number of dollars for a campaign. Now we're going to take \$100 million of the money we told you to check off to use for that purpose, and we're no longer going to use it for that purpose.

That's wrong. It's not right. It's deceptive, which is why I urge a "no" vote on this bill.

OHIO ASSOCIATION OF
ELECTION OFFICIALS,
OCTOBER 12, 2011.

Hon. ROB PORTMAN,
Russell Senate Office Building,

DEAR SENATOR PORTMAN: We are writing today regarding the possible elimination of the US Election Assistance Commission (EAC) as part of the Super Committee's recommendations for budget reductions. The EAC is an independent federal agency created in the wake of the 2000 election to help solve election related problems. The EAC provides assistance to election officials in the form of best practices, guidance, and the testing and certification of voting systems. Basically, the EAC provides an outlet and open forum for election officials to share their experiences, consider alternatives, deliberate their outcomes, and establish continuity of process, thus strengthening our democracy by helping election officials to do their job well. However, if Congress has its way, the EAC may not provide these services much longer. There has been movement in the House to eliminate the agency since last year, labeling it "wasteful" and "unnecessary."

However, election administrators on the local level feel differently.

Although it has been argued that the EAC has outlived its usefulness because the Help America Vote Act funding it oversees has been exhausted, the EAC has become far more than a distributor and auditor of money; the EAC is a repository and resource of election management procedures, performance measures, election materials, and administrative knowledge. Effective designs of polling place signage, webinars on topics such as contingency planning, minority language glossaries of election terminology, Quick Start Guide publications regarding Developing an Audit Trail, Conducting a Recount, and Acceptance Testing are all pertinent reminders for veteran election officials as well as critical learning tools for those officials newly elected, appointed, or hired.

The EAC is not without its issues. The agency's Voting System Testing and Certification program was slow to develop and continues to struggle to certify systems in a timely manner. As with many federal agencies greater efficiencies of operation should be considered in order to more effectively produce election materials at less cost to the public. Also, as the EAC has grown so has its overhead costs and management size. These areas should all be addressed through greater Congressional oversight, not through eliminating the agency.

Ironically, proponents of the elimination of the EAC would simply reassign the various function of the Commission to other more bureaucratic federal agencies such as the Federal Election Commission (FEC). Claims that any savings would be realized by its elimination are specious at best. We see no need to eliminate or dismantle the only federal resource available to local election officials.

The EAC has never been needed more than now. Election officials across Ohio and the United States are doing more with less and it's only going to get worse. As budgets tighten and voting equipment ages, the chances of another election disaster increase. Without the EAC's help, another Florida 2000 election may be inevitable, and Congress will have no one to blame but itself. With a total operating budget of just under 18 million dollars the EAC would make up approximately half a percent of the total federal operating budget: a small price to pay for helping protect our democracy. If you think a good election costs a lot, you should see how much a bad election costs.

We urge you to reject these efforts as part of the Super Committee review of federal spending.

Respectfully submitted,
DALE FELLOWS,
President, Ohio Association of Election Officials.
LLYN MCCOY,
First Vice President, Ohio Association of Election Officials.

STATE BOARD OF ELECTIONS,
Raleigh, NC, March 27, 2011.

Chairman GREGG HARPER,
Committee on House Administration, Subcommittee on Elections, Washington, DC.
Ranking Member ROBERT BRADY,
Committee on House Administration, Washington, DC.
Re H.R. 672.

GENTLEMEN: As with any governmental agency, commission, department or other entity, methods of improving efficiency, streamlining procedures, and modernizing responsiveness should all be considered to maintain viability for constituents. These

studies would be beneficial for the Election Assistance Commission. However, I strongly oppose H.R. 672. Termination of this Commission is not in the best interests of the elections process. The EAC serves a vital role in the conduct of Federal elections as well as the smallest municipal election. During an election, information sharing is vital—from clerical administration to public communication. The EAC can serve as a clearinghouse of information so that local jurisdictions receive real-time, necessary data during the conduct of a Federal election.

North Carolina adopted uniform procedures and forms for Elections Administration while still allowing for local input and decision-making that fits individual jurisdictions. Many of the problems Federal elections in the United States face can be traced to a lack of consistency and efficiency. The Election Assistance Commission (EAC) is the Agency that can provide that needed consistency and broad guidance. In fact, in its short history, the EAC already has adopted standards for voting systems that can allow for nationwide uniformity. Elections jurisdictions may use those standards as a baseline when choosing voting systems and vendors.

One of the most disturbing trends occurring in the field of elections is the rapid turnover of commission officials, board members and elections staff. Although elections comprise a mere fraction of a percent of total budgets, the elections budgets are continually cut and reduced. Already understaffed, we are reaching a point of compromising our ability to adequately perform necessary duties. The EAC is essential, filling a vital role when a local jurisdiction does not have the personnel or equipment to conduct an election without assistance.

Even more important is the status of voting systems and equipment. By transferring the certification of voting systems to the National Institute of Standards and Technology (NIST) and the Voluntary Voting System Standards to the Federal Election Commission (FEC), the very real possibility emerges that there will be no communication or compatibility between the two efforts. This could lead to an impasse. Much progress has been made in the struggle to uplift voting equipment standards. The significant work done by the EAC will be lost amongst the myriad other NIST responsibilities.

Additionally, the FEC is already overburdened, understaffed, and currently does not handle any aspect of election administration. How can the FEC effectively advise state and local officials or provide the necessary support and guidelines needed for full voter confidence in the elections process? Piling more responsibility on an already encumbered agency will only lessen its efficacy and will do a disservice to taxpayers.

Perhaps a focus of this legislation should be to address keeping both the EAC and the FEC fully staffed with Commissioners so that each Agency has the ability to function at full capacity, providing much-needed guidance to election administrators while also judiciously stewarding taxpayer dollars. As H.R. 672 is written, there is no provision for the election community to provide input to either NIST or the FEC. This participation and dialogue is critical to make sure that all future voting systems truly meet the needs of the voter as well as the requirements and limitations of poll workers.

The EAC has amassed the most comprehensive public elections library in the country. Their website is a wonderful tool for both elections officials and the general public. Similarly, North Carolina's award-winning website has been heralded as an invaluable resource for our citizens. These

communications tools are an integral facet of the way election administrators must interface with the American public in this rapidly changing technological world. Without dedicated resources for the public broadcasting of election information and news, the elections process will become less transparent and voters will become less aware of processes, procedures and laws.

Another facet of the elections process in North Carolina is the concept of the "Wellness Check." Wellness Checks are audits of our county boards of elections, serving as preventative maintenance to keep things on the right track and identify problems before they manifest. Results are available for public inspection, with the goal of further increasing voter confidence in elections. This concept could become a function of the EAC, be carried into other aspects of elections, and could further strengthen the integrity of and faith in the national elections process.

Although elections are the responsibility of the States and of local jurisdictions, they are mandated by Federal law. Congress needs to do its part to ensure the Federal government adequately and appropriately contributes to local responsibilities. The EAC is an excellent way in which Congress may manifest its support. Reassigning these responsibilities to other, already strained entities will diminish the modernization progress accomplished during the first decade of the twenty-first century.

One of the greatest gifts Congress could give to the nation is its continued support and investment into the elections modernization process. By stewarding and tending the process begun in the earlier years of this decade, Congress can guarantee that all jurisdictions; large, small and somewhere in-between, are equally equipped to handle the future of elections; that each has modern and certified equipment; and that the resources are available so that every qualified voter in America has the same access to and confidence in the elections process.

Respectfully, I ask that you reconsider the submission of H.R. 672. My opposition to this legislation has been articulated herein. Please do not hesitate to contact me should you have any questions or require further commentary.

Yours sincerely,

GARY O. BARTLETT,
Executive Director.

—
ELECTION OFFICIALS OF ARIZONA,
October 14, 2011.

The Next 2000 Election May be Just Around the Corner

Honorable Members of Congress
Representing the Great State of Arizona.

Is another 2000 election disaster lurking? At this point it may not be a question of when, but rather a question of where. While pundits, newspapers and politicians debate issues like voter ID and early voting, election administrators across the country are worrying about the issues that will directly impact an election. The number one issue facing election officials today is limited and ever-shrinking budgets combined with aging equipment, technology, and workers.

Direction on how to address these concerns exists . . . for now. The Election Assistance Commission (EAC) is an independent federal agency created in the wake of the 2000 election to help solve these problems. The EAC provides assistance to election officials in the form of best practices, guidance, and the testing and certification of voting systems. Basically, the EAC provides an outlet and open forum for election officials to share their experiences, consider alternatives, deliberate their outcomes, and establish con-

tinuity of process thus strengthening our democracy by helping election officials to do their job well. However, if some members of Congress have their way, the EAC may not provide these services much longer. There has been movement in the House to eliminate the agency since last year, labeling it "wasteful" and "unnecessary." However, election administrators on the local level feel differently.

Although it has been argued that the EAC has outlived its usefulness because the Help America Vote Act funding it oversees has been exhausted, the EAC has become far more than a distributor and auditor of money; the EAC is a repository and resource of election management procedures, performance measures, election materials, and administrative knowledge. Effective designs of polling place signage, webinars on topics such as contingency planning, minority language glossaries of election terminology, Quick Start Guide publications regarding Developing an Audit Trail, Conducting a Re-count, Acceptance Testing are all pertinent reminders for veteran election officials as well as critical learning tools for those officials newly elected, appointed, or hired.

The EAC has never been needed more than now. Election officials across the United States are doing more with less and it's only going to get worse. As budgets tighten and voting equipment ages, the chances of another disaster increase. Without the EAC's help, another Florida 2000 election may be inevitable, and Congress will have no one to blame but itself. With a total operating budget of just under 18 million dollars the EAC would make up approximately half a percent of the total federal operating budget: a small price to pay for helping protect our democracy. If you think a good election costs a lot, you should see how much a bad election costs.

We speak out in opposition to the dissolution of the EAC and the distribution of the remaining functions to the Federal Election Commission.

Respectfully submitted for your consideration by the Election Officials of Arizona.

I yield back the balance of my time.

Mr. HARPER. Mr. Speaker, it has been said that we haven't done anything about jobs. Here we have a card that lists 25 different bills that we've passed which help manufacturing, the economy, energy—bills that are going to be great job creators. Yet the complaint has been that the EAC is not dealing with those issues.

Members on the other side of the aisle who said that this is not appropriate and that it's going to disenfranchise voters should remember they all voted for this in 2002 when it had its 3-year provision to sunset after that. So I think that argument will not fail. In addition, the EAC has no regulatory or enforcement authority.

Mr. Speaker, I urge my colleagues to support this important legislation, and I yield back the balance of my time.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong opposition to H.R. 3463, which simply combines two bills, H.R. 672 and H.R. 359, previously considered during this Congress. I opposed those bills then and I oppose them now. Terminating the Election Assistance Commission and the Presidential Election Campaign Fund, is a worse idea and a greater waste of precious legislative time today than they were when the Republican majority first brought these bills to the floor earlier this year.

Mr. Speaker, since its creation, the Federal Election Commission has served the valuable purpose of preserving the voting and civil rights of our citizens which was born out of the scandal known as Watergate. The Presidential Election Campaign Fund succeeds in its purpose of leveling the playing field when it comes to corporate versus public funding of campaigns. By terminating taxpayer financing of presidential election campaigns and party conventions, the Republican majority seeks to permanently tilt the playing field in favor of special interest groups and corporate money at the expense of the public interest.

Presidential campaigns are currently funded through the voluntary \$3 check-off on income tax returns. Given the size of the deficit and the national debt, the amount of money saving by terminating taxpayer financing is de minimis—less than \$1 billion—but will achieve a goal long sought by conservatives who have never believed that public financing of campaigns is a permissible use of federal revenues.

The Election Assistance Commission is charged with developing standards for voting systems, advising and counseling on best voting practices, assuring that every American has the right to vote, as well as to facilitate such vote, and to make sure that every single vote is counted. The precedent-setting work of the Election Assistance Commission has been recognized by nations around the world. The Election Assistance Commission has also played a central role in improving the accessibility of voting for the country's more than 37 million voters with disabilities.

Let us not forget that the Election Assistance Commission was borne out of the 2000 presidential election fiasco with its unforgettable contributions to the political lexicon: "hanging" chads, "pregnant" chads, "dimpled" chads; "butterfly ballots"; and "voter intent."

In response to the 2000 debacle, the Election Assistance Commission has performed valuable work to ensure the reliability and trustworthiness of our nation's election systems. It has played a central role in collecting accurate and comparable election data. With our nation's complex and diversified election administration system, central data collection is essential if we are going to improve our citizens' trust and confidence in election results. The Election Assistance Commission develops and fosters the training and organization of our nation's more than 8,000 election administrators.

Mr. Speaker, every vote counts—and every vote should be counted—and that is why we must preserve the Election Assistance Commission and oppose this legislation.

It is also important to note that abolishing the Election Assistance Commission will not save taxpayers money, but rather simply shift costs to the Federal Election Commission, FEC, and local governments. The FEC is not an agency that can make decisions in a timely and responsive fashion due to its partisan divisions. Consequently, transferring the functions performed by the Election Assistance Commission to the FEC is inconsistent with the national interest in ensuring election integrity, improving voter access to the polls, and enhancing the quality of election systems.

Mr. Speaker, the American people elected us to work on their priorities and real problems, like the lack of jobs. They do not want us to waste time on inconsequential matters of

interest only to the Tea Party. H.R. 3463 is unnecessary and a diversion from addressing the real challenge facing our country. Therefore, I strongly oppose H.R. 3463 and I would urge my colleagues to join me in defeating this misguided and reckless legislation that puts the integrity of our election systems, and public confidence in campaign financing at risk.

Mr. WAXMAN. Mr. Speaker, the last thing we need to do in this House as this legislative year draws to a close is to further the corrupting influence of special interest money in presidential campaigns. But this is what the Republican leadership is determined to do.

Last January, the House Republicans stampeded one part of this bill through the House—provisions that terminate the system of public funding of presidential campaigns that was established in the wake of the infamous Watergate scandals, under Richard Nixon's presidency, nearly 40 years ago. It's not enough to pass this bill once—the Republicans insist we pass it again today. It is not enough that virtually unlimited amounts of private money can now slosh through our political system—over \$280 million last year alone, thanks to the Citizens United decision by the Supreme Court last year—we have to pass a bill that asphyxiates the supply of public money in our presidential campaigns.

The Republicans are also practicing gross hypocrisy. While this bill ends public financing of presidential campaigns, the Republican Party is seeking \$18 million in public funding to support their nominating convention next year.

Everyone knows that this bill is dead on arrival in the Senate and would be vetoed by the President—because it is a corruption of good government. But that does not impede the Republican leadership in the House today. Rather than work with us on real legislation that would deliver real jobs, real investment and real growth to the American economy, the House Republicans would rather waste our time and continue to deliver nothing to the American people.

To treat our democracy so cavalierly is disgraceful; to persist in policies that, should they ever become law, will result in the complete privatization of the political process by monied special interests, is shameful.

The other part of this bill would eliminate the Election Assistance Commission, which was established in the wake of the 2000 election debacle in Florida. Its mission is to ensure that elections are conducted properly, with assistance that promotes voter registration, trained poll workers, and access to the polls by disabled Americans. There is no justification for terminating this small agency, which helps ensure our democracy works as intended.

The American people, and our democratic processes, deserve far better than this legislation in the House today.

Mr. CONNOLLY of Virginia. Mr. Speaker, once again, this House is taking up a proposal that represents a direct attack on the will of the American people.

Public financing for Presidential elections, which began in the 1970s, is one of the few opportunities where Americans are allowed to specify how they want their tax dollars spent.

As Members of Congress, we are charged with representing the interests of our constituents. In this particular instance, however, we know precisely what the American people want. By voluntarily checking this box on their

tax forms, more than 10 million of our fellow Americans have made their intentions explicitly clear. The Presidential Election Campaign Fund exists because individual Americans expressly opted to dedicate a portion of their taxes to that purpose.

In January, House Republicans voted to ignore the explicit intentions of the American people and eliminate the Presidential Election Campaign Fund. Thankfully, the Senate heard Americans' call and killed the bill. And this year, millions of Americans again checked the box on their tax forms for calendar year 2010, once again, explicitly telling the government how they wanted their taxes spent.

Ironically, our Republican colleagues cite their own YouCut website as a representative site, with at most, a few hundred thousand followers. They disdain 10 million citizens but revere the few. This is selective representation in its most rawest and worst form.

The bill before us today, H.R. 3463, will break faith with the American people by ignoring their direction. Mr. Speaker, I urge my colleagues to join me in defending the will of American taxpayers by opposing this bill.

Mr. HOYER. Mr. Speaker, while the Republican sponsors of the two bills before us contend they will create jobs, their claim is spurious. Economists have told us again and again that easing regulations has a negligible effect on job creation. The only thing these bills will do is make it harder for federal agencies to protect Americans through safety standards and environmental protections.

One of the bills adds 35 pages to what is currently a 45 page law, and is likely to add 21 to 39 months to the rulemaking process. Agencies will be tied in knots and leave businesses without the certainty they need.

To pay for this expansion of the federal regulatory process, Republicans would have us eliminate the Election Assistance Commission.

I was proud to be one of the authors of the Help America Vote Act, which established the EAC in order to fix the flawed system that led to the electoral debacle of 2000. It passed with a strong bipartisan vote of 357–48. The Commission's sole purpose is to provide states with the resources they need to ensure everyone eligible to vote can cast their ballots and have them counted. We cannot risk having our elections determined by "hanging chads."

Instead of trying to erode our ability to protect voters, and instead of promoting regulatory bills that will not put Americans back to work, Republicans should join with Democrats to pass real jobs legislation. Democrats have two plans on the table to create jobs and grow our economy—the President's American Jobs Act and our Make It In America plan. We should be debating and voting on those.

I strongly urge the defeat of these bills and hope Republicans will finally set partisanship aside and work with us to help businesses hire workers and to invest in our economy's future.

Ms. PELOSI. Mr. Speaker, I come to the House floor today to reaffirm a fundamental value of our democracy: elections must be decided by the American people, not the special interests. I come to the floor to defend the right of American citizens to vote in every election. I come to the floor on behalf of clean campaigns.

Republicans, instead, have brought to the floor legislation that would both diminish the

voting rights of Americans and shift control of our elections into the hands of secret corporate donors. Once again, Republicans refuse to focus on creating jobs and strengthening the economy for middle-class Americans, the 99 percent, but are instead pursuing a narrow agenda to benefit special interests, the 1 percent.

Last year, the Supreme Court overturned decades of precedent in a court case called the Citizens United case. Their decision has undermined our democracy and empowered the powerful by opening the floodgates to big, secret money, resulting in a corporate takeover of our elections.

As a result, the Democratic majority in the Congress, working with President Obama, created the DISCLOSE Act. It would restore transparency and accountability to federal campaigns, and ensure that Americans know who is behind political advertisements.

Democrats in the House passed the DISCLOSE Act, but Senate Republicans blocked its progress.

As a result, secret dollars are flowing into campaigns that represent the interests of the 1 percent—not the urgent national interest—to create jobs. Indeed, special-interest groups spent tens of millions of dollars more in 2010 than any previous election cycle.

Today, Republicans want to take it another step further. The anti-reform legislation we debate today strengthens the role of foreign-owned entities and large corporations in funding political campaigns by eliminating the Presidential Election Fund. For nearly 30 years, the Fund has promoted small campaign donations and disclosure. It should be strengthened and reformed, not eliminated.

Likewise, the legislation also eliminates the Election Assistance Commission, which was created in the aftermath of 2000 elections. The EAC should also be strengthened, especially as states across the nation are taking active efforts to enact partisan measures to disenfranchise the rights of American voters.

According to the Brennan Center for Justice at NYU: since the 2010 elections, almost 34 states have introduced voting legislation in 2011 that significantly impacts access to voting. These laws have the potential of eliminating or making voting harder for more than 5 million Americans—harming millions of minorities, and hindering the rights of seniors, students, and low income voters.

This legislation is opposed by a broad range of good government organizations, from the League of Women Voters, to Americans for Campaign Reform, to Democracy 21, and U.S. PIRG. In a letter, they have warned against a 2012 presidential campaign “being dominated by bundlers, big donors, Super PACs, candidate-specific Super PACs, secret contributions and the like.”

Further, polls have found that more than 70 percent of the American people support the continuation of the presidential public financing system.

In our democracy, voters determine the outcome of our elections—not special interests.

I urge my colleagues to oppose this effort to further empower the special interests—the 1 percent—in American elections—and to protect the right to vote for all Americans.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 477, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 3463 is postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 1 o'clock and 56 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1405

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DENHAM) at 2 o'clock and 5 minutes p.m.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the bill (H.R. 3463) to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns and party conventions and by terminating the Election Assistance Commission, will now resume.

The Clerk read the title of the bill.

MOTION TO RECOMMIT

Mr. BISHOP of Georgia. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BISHOP of Georgia. I am in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bishop of Georgia moves to recommit the bill H.R. 3463 to the Committee on House Administration with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following new section:
SEC. 207. PROTECTIONS FOR ELDERLY, DISABLED, AND MILITARY VOTERS.

Notwithstanding any provision of this Act or any amendment made by this Act, to the extent that the Election Assistance Commission is responsible for the administration or enforcement of any of the following provisions of law as of the Commission termination date described in section 1004(a) of the Help America Vote Act of 2002 (as added by section 201(a)), any successor to the Commission shall remain responsible for the administration or enforcement of such provisions after such date:

(1) Any provision of law relating to the rights of the elderly to vote and cast ballots in elections for Federal office.

(2) Any provision of law relating to the rights of the elderly and other individuals who are registered to vote in elections for Federal office to obtain absentee ballots in such elections.

(3) Any provision of law relating to the access of the elderly, the disabled, and other individuals to polling places in elections for Federal office, including the Americans with Disabilities Act of 1990.

(4) Any provision of law relating to the protection of the rights of members of the uniformed services and overseas citizens to

vote and cast ballots in elections for Federal office, including the Uniformed and Overseas Citizens Absentee Voting Act.

(5) Any other provision of law relating to the protection of the right of citizens of the United States to vote in elections for Federal office, including the Voting Rights Act of 1965.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia is recognized for 5 minutes in support of his motion.

Mr. BISHOP of Georgia. Mr. Speaker and my colleagues, I offer the final amendment of the bill which, if adopted, will not kill the bill or send it back to committee. Instead, the bill will proceed to final passage, as amended. The purpose of my amendment is simple. It deals with one of my most valuable rights as an American citizen.

It is a right which many Americans throughout the course of our history have shared blood, sweat, and tears to protect, including our colleague and my dear friend, Representative JOHN LEWIS of Georgia. He marched from Selma to Montgomery and endured billy clubs, horses, and tear gas to preserve this sacred right.

The right to which I'm referring is the right to vote, as enshrined in the 14th Amendment to the Constitution and further protected in the landmark Voting Rights Act of 1965 and the Help America Vote Act of 2002 and various other measures.

Today, nearly five decades after the Voting Rights Act was signed into law and nearly 10 years since the Help America Vote Act, there is still an unprecedented attack on voting rights in States across this country.

Yet, the underlying legislation before the House today would abolish one of the key provisions of the Help America Vote Act, the Election Assistance Commission, which was designed to avoid a repeat of the turmoil surrounding the 2000 Presidential election in Florida, where problems with absentee and military ballots played a large role and led to many of these ballots not being counted.

If the commission is abolished, it will undermine America's faith in the integrity of our elections. According to the Brennan Center for Justice, more than 5 million Americans in 2012 could be adversely impacted by laws that tighten or restrict voting that were put into effect just this year. The number is larger than the margin of victory in two of the last Presidential elections.

Seniors, the disabled, and our Nation's veterans are now being turned away from the polls for not having the photo identification. Popular reforms like early voting and same-day voter registration are being rolled back.

□ 1410

Mr. Speaker, this situation should not be happening in the United States of America today.

My final amendment, therefore, is simple. It states that any successor to the Election Assistance Commission

shall remain responsible for the administration or enforcement of laws relating to the rights of the elderly, the disabled, members of the uniformed services, and overseas citizens to vote and cast ballots in elections for Federal office.

In signing the Voting Rights Act of 1965, President Lyndon Johnson said that “the vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible walls which imprison men because they are different from other men.”

If this final amendment is approved, we can continue to tear down the walls of injustice and ensure that our democracy is open for all Americans to deliberate, to participate, and to engage with each other.

I urge my colleagues to vote “yes,” and I yield the balance of my time to my colleague, Representative MARCIA FUDGE of Ohio.

Ms. FUDGE. I thank the gentleman for yielding.

Mr. Speaker and my colleagues, there is no doubt that a concerted voter suppression effort is under way in this Nation. Abolishing the Election Assistance Commission, an agency charged with ensuring that the vote of every American counts, is just another step in the voter suppression effort and would completely remove oversight of the most important process in our democracy.

Does it make sense to remove oversight at a time when Republican-led legislatures across this Nation are passing laws to obstruct voting? No, it absolutely does not.

In the first three quarters of 2011, 19 new State laws and two executive actions were enacted to limit the ability of American citizens to vote. They would make it significantly harder for more than 5 million eligible voters to cast ballots in 2012.

Many of the bills, including one signed into law in my home State of Ohio, include the most drastic voter restrictions since before the Voting Rights Act of 1965.

Seniors will be denied their right to the franchise, and the disabled will find it more difficult to vote. Minorities and students will face more challenges than ever before. Soldiers honorably serving our country will be left with their absentee ballots uncounted. And let's not forget the people who died for our right to vote. People were slain to create the rights we enjoy today.

This determined effort is really about targeting a specific population of eligible voters to change the outcome of the 2012 elections. Plain and simple, H.R. 3463 is yet another voter suppression tactic.

Join me today in supporting this final amendment to guarantee the right of every American citizen to cast their vote.

Mr. HARPER. Mr. Speaker, I rise in opposition to this motion.

The SPEAKER pro tempore. The gentleman from Mississippi is recognized for 5 minutes.

Mr. HARPER. Mr. Speaker, I am amazed that an argument could be made that in any way the elimination of the EAC would result in disenfranchising any voter. We all believe that every person who should vote, that needs to vote, that's allowed to vote, that wants to vote should be allowed to do so.

I would like to point out that all of those that are speaking in opposition that were here in 2002 when HAVA passed voted for HAVA. And in HAVA, it contained the provision that created the EAC, which was only supposed to last for 3 years. This is not a complicated lift to do away with this. Does that mean when they voted for this in 2002 that they were trying to disenfranchise voters? Obviously not. In no way is this intended to do anything but clean up an agency that has an average employee salary of \$106,000 a year, has been sued for political discrimination, problems with the military, an agency that cannot be corrected but needs to be eliminated.

I urge my colleagues to vote against this motion to recommit and to support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. BISHOP of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 190, nays 236, not voting 7, as follows:

[Roll No. 872]

YEAS—190

Ackerman	Clarke (NY)	Farr
Altmiere	Clay	Fattah
Andrews	Cleaver	Filner
Baca	Clyburn	Frank (MA)
Baldwin	Cohen	Fudge
Barrow	Connolly (VA)	Garamendi
Bass (CA)	Conyers	Gonzalez
Becerra	Cooper	Green, Al
Berkley	Costa	Green, Gene
Berman	Costello	Grijalva
Bishop (GA)	Courtney	Gutierrez
Bishop (NY)	Critz	Hahn
Blumenauer	Crowley	Hanabusa
Boren	Cuellar	Hastings (FL)
Boswell	Cummings	Heinrich
Brady (PA)	Davis (CA)	Higgins
Braley (IA)	Davis (IL)	Himes
Brown (FL)	DeFazio	Hinchey
Butterfield	DeGette	Hinojosa
Capps	DeLauro	Hirono
Capuano	Deutch	Hochul
Cardoza	Dicks	Holden
Carnahan	Dingell	Holt
Carney	Doggett	Honda
Carson (IN)	Donnelly (IN)	Hoyer
Castor (FL)	Doyle	Inslie
Chandler	Edwards	Israel
Chu	Ellison	Jackson (IL)
Cicilline	Engel	Jackson Lee
Clarke (MI)	Eshoo	(TX)

Johnson (GA)	Moore	Schakowsky
Johnson, E. B.	Moran	Schiff
Jones	Murphy (CT)	Schrader
Kaptur	Nadler	Schwartz
Keating	Napolitano	Scott (VA)
Kildee	Neal	Scott, David
Kind	Olver	Serrano
Kissell	Owens	Sewell
Kucinich	Pallone	Sherman
Langevin	Pascarell	Shuler
Larsen (WA)	Pastor (AZ)	Sires
Larson (CT)	Payne	Slaughter
Lee (CA)	Pelosi	Smith (WA)
Levin	Perlmutter	Speier
Lewis (GA)	Peters	Stark
Lipinski	Peterson	Sutton
Loeback	Pingree (ME)	Thompson (CA)
Lofgren, Zoe	Polis	Thompson (MS)
Lowey	Price (NC)	Tierney
Lujan	Quigley	Tonko
Lynch	Rahall	Towns
Maloney	Rangel	Tsongas
Markey	Reyes	Van Hollen
Matheson	Richardson	Velázquez
Matsui	Richmond	Visclosky
McCarthy (NY)	Ross (AR)	Walz (MN)
McCollum	Rothman (NJ)	Wasserman
McDermott	Roybal-Allard	Schultz
McGovern	Ruppersberger	Waters
McIntyre	Rush	Watt
McNerney	Ryan (OH)	Welch
Meeks	Sánchez, Linda	Wilson (FL)
Michaud	T.	Yarmuth
Miller (NC)	Sanchez, Loretta	
Miller, George	Sarbanes	

NAYS—236

Adams	Fincher	Latham
Aderholt	Fitzpatrick	LaTourette
Akin	Flake	Latta
Alexander	Fleischmann	Lewis (CA)
Amash	Fleming	LoBiondo
Amodei	Flores	Long
Austria	Forbes	Lucas
Bachus	Fortenberry	Luetkemeyer
Barletta	Fox	Lummis
Bartlett	Franks (AZ)	Lungren, Daniel
Barton (TX)	Frelinghuysen	E.
Bass (NH)	Gallely	Mack
Benishek	Gardner	Manzullo
Berg	Garrett	Marchant
Biggart	Gerlach	Marino
Billbray	Gibbs	McCarthy (CA)
Bilirakis	Gibson	McCaul
Bishop (UT)	Gingrey (GA)	McClintock
Black	Gohmert	McCotter
Blackburn	Goodlatte	McHenry
Bonner	Gosar	McKeon
Bono Mack	Gowdy	McKinley
Boustany	Granger	McMorris
Brady (TX)	Graves (GA)	Rodgers
Brooks	Graves (MO)	Meehan
Broun (GA)	Griffin (AR)	Mica
Buchanan	Griffith (VA)	Miller (FL)
Bucshon	Grimm	Miller (MI)
Buerkle	Guinta	Miller, Gary
Burgess	Guthrie	Mulvaney
Burton (IN)	Hall	Murphy (PA)
Calvert	Hanna	Myrick
Camp	Harper	Neugebauer
Campbell	Harris	Noem
Canseco	Hastings (WA)	Nugent
Cantor	Hayworth	Nunes
Capito	Heck	Nunnelee
Carter	Hensarling	Olson
Cassidy	Herger	Palazzo
Chabot	Herrera Beutler	Paulsen
Chaffetz	Huelskamp	Pearce
Coble	Huizenga (MI)	Pence
Coffman (CO)	Hultgren	Petri
Cole	Hunter	Pitts
Conaway	Hurt	Platts
Cravaack	Issa	Poe (TX)
Crawford	Jenkins	Pompeo
Crenshaw	Johnson (IL)	Posey
Culberson	Johnson (OH)	Price (GA)
Davis (KY)	Johnson, Sam	Quayle
Denham	Jordan	Reed
Dent	Kelly	Rehberg
DesJarlais	King (IA)	Reichert
Diaz-Balart	King (NY)	Renacci
Dold	Kingston	Ribble
Dreier	Kinzinger (IL)	Rigell
Duffy	Kline	Rivera
Duncan (SC)	Labrador	Roby
Duncan (TN)	Lamborn	Roe (TN)
Ellmers	Lance	Rogers (AL)
Emerson	Landry	Rogers (KY)
Farenthold	Lankford	Rogers (MI)

Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus

Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton

Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—7

Bachmann
Giffords
Hartzler

Paul
Schmidt
Waxman

Woolsey

□ 1442

Mrs. BLACKBURN and Mr. HALL changed their vote from “yea” to “nay.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. WOOLSEY. Mr. Speaker, on December 1, 2011, I was unavoidably detained and was unable to record my vote for rollcall No. 872. Had I been present I would have voted “yea”—On Motion to Recommit with Instructions.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BRADY of Pennsylvania. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 190, not voting 8, as follows:

[Roll No. 873]

AYES—235

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Billirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buertke
Burgess
Burton (IN)
Calvert
Camp
Campbell

Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culbertson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores

Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp

Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers

Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce

Runyan
Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—190

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks

Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin

Lewis (GA)
Lipinski
Loebbeck
Loftgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascarella
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)

Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman

Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas

Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—8

Bachmann
Giffords
Gohmert

Hartzler
McNerney
Paul

Schmidt
Waxman

□ 1449

Mr. RUSH changed his vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REGULATORY FLEXIBILITY
IMPROVEMENTS ACT OF 2011

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 527.

The SPEAKER pro tempore (Mr. WEBSTER). Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 477 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 527.

□ 1450

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 527) to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes, with Mr. DENHAM in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 1 hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary, and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Small Business.

The gentleman from Texas (Mr. SMITH) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes. The gentleman from Missouri (Mr. GRAVES) and the gentleman from New York (Ms. VELÁZQUEZ) each will control 10 minutes.

The Chair recognizes the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.