

Preserving the Election Assistance Commission (EAC) to Protect Overseas Voters and Ensure Legitimate American Elections

Non-partisan organizations like the League of Women Voters and the Brennan Center have joined Democrats Abroad for years in recognizing that the EAC is indispensable to the integrity of American elections. The EAC's certification program for voting systems sets standards for America's voting machines. The EAC improves accessibility at the polls for voters with disabilities and provides best practices on voting and election administration for local election officials. **Beyond these key roles, the EAC protects the right to vote for U.S. citizens living abroad.**

Democrats Abroad's core mission is to increase the turnout of American voters living overseas. We serve hundreds of thousands of US citizens living abroad every election year with information and tools to request their ballots using the FPCA ("postcard application") and the FWAB ("backup ballot"). The EAC is indispensable for our mission. For this reason, **Democrats Abroad favors the full funding of the EAC and fully complementing the commissioners by filling all positions.**

Our franchise relies on enforcement of the 2002 Help America Vote Act (HAVA). HAVA mandates that overseas absentee ballots be tabulated separately from domestic absentee ballots, and created the EAC, whose mandate includes overseeing that process.

The EAC publishes the only national statistics on overseas absentee voting on a district-by-district basis, collected from state election authorities as part of the Election Administration and Voting Survey. This separate tabulation is important for several reasons. One is the impact on individual Americans living abroad: some do not vote because they believe that their vote is not counted and does not count. They feel disenfranchised. In our experience, ensuring that they can see that their votes are counted and included in the total vote count serves an important role in encouraging overseas Americans to feel included and engage in their country's political process.

Secondly, the EAC's tabulation of overseas absentee ballots provides elected officials and candidates with a clearer picture of their overseas American constituents. Having full data enables elected

officials to understand this component of their constituency. There is no other agency that verifies that all US overseas ballots count.

Finally, the research conducted by the EAC provides a great benefit to Americans living overseas, especially through recommendations regarding overseas voting. This responsibility of the EAC is too costly or simply impossible to accomplish on less than a national scale, and would be repetitive and wasteful, at best, to devolve to each jurisdiction. Furthermore, proposals to eliminate or phase out the EAC include no plan to devolve this responsibility to each jurisdiction, leaving U.S. citizens living overseas with no way to verify that overseas ballots count.

Democrats Abroad expresses grave concerns about the drive to eliminate functions affecting overseas U.S. citizens and the sustained campaign to obstruct and starve the EAC of funding and personnel. Since 2011, Republican Representatives have worked to eliminate the EAC and often starved it of funds and personnel. New Hampshire Secretary of State William Gardner led an annual effort to legally challenge the EAC's authority to award grants and require compliance with Federal law; he is now a member of the Presidential Advisory Commission on Election Integrity. In this January and in past years, Republicans introduced irresponsibly blunt bills to not just terminate the EAC but also abandon many of its crucial functions. We do not know what form the next threat to the EAC will take, but we know that many Republican legislators are committed to its elimination.

Democrats Abroad asks Congress:

- to finally meet its commitment to adequately fund the operations of the EAC
- to support the EAC's authority to compel the States to comply with the legal requirements of HAVA and the 2009 MOVE Act, particularly those affecting UOCAVA voters; and
- to reject any bill or rider that would eliminate or hinder the EAC or its functions; and
- to encourage the States to send full and complete data on overseas absentee ballots to the EAC and also make that data publicly available to U.S. citizens, candidates, and political parties.