

Council of State Governments
National Association of Counties
National Association of Secretaries of State
National Conference of State Legislatures

March 16, 2007

Dear Member of Congress:

Our coalition, representing thousands of state and county government officials, is writing to reiterate our shared principles regarding federal legislation and to request a place at the table as Congress discusses election reform and other matters of interest to our members and the citizens they serve.

We have a long history of working together. The National Conference of State Legislatures (NCSL) is a bipartisan organization created to serve legislators in the nation's 50 states, as well as the U.S. territories and the District of Columbia. The National Association of Secretaries of State (NASS) represents secretaries of state (and several lieutenant governors), a majority of whom also serve as chief state election officials. The Council of State Governments (CSG) serves members in the executive, judicial and legislative branches of state government, while the National Association of Counties (NACo) represents the voice of county governments in the United States.

Although each of our organizations has its own approach to working with Members of Congress and dealing with federal legislation on issues like election reform, our members are united in the belief that federal, state and local governments must work in partnership to effectively serve our constituents.

As such, we respectfully request that you and your colleagues in Congress consider the following guidelines when developing laws and regulations that impact state and local governments:

Avoid preemptions of state authority. Members of Congress should respect our country's legal and historical distinctions in federal and state sovereignty and avoid preemptions of state authority and local jurisdiction when drafting federal legislation.

Provide reasonable timeframes for implementation. Federal legislation should include reasonable and realistic timeframes for implementing state and local requirements or programs. State and local governments should not be making changes to their election systems and processes for 2008. We are still working to improve and sustain changes mandated by the Help America Vote Act (HAVA).

Gather essential input from state and local officials impacted by legislation. Federal legislation that affects the duties of state and local officials should be drafted with substantial input from a broad cross-section of the lawmakers and administrators that would be responsible for implementing federal law. State and local officials have valuable input regarding innovative approaches to complex challenges like election administration. That experience should be seen as a resource when Congress is considering changes to our system.

Guarantee full funding for mandates. Unfunded federal mandates passed on to state and local governments are a great burden to taxpayers. Federal legislation that mandates changes to state laws or regulations should include full funding to support those changes. For example, Congress has still not appropriated the remaining \$800 million promised to states for the implementation of HAVA.

Allow for maximum flexibility. Federal legislation should not curtail state innovation and authority solely for the sake of creating uniform methods among the states; all legislation should grant states maximum flexibility in determining how to properly and effectively carry out the law and satisfy federally-dictated outcomes.

In short, we urge you to respect the important contributions that state and local governments make to an effective legislative partnership. We look forward to working with you and your staff to achieve this goal.

If there is anything that we can do to assist you with your efforts, please do not hesitate to contact our staff:

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