

October 6, 2023

The Honorable Patty Murray
Chair, U.S. Senate Committee on Appropriations
154 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Susan Collins
Vice Chair, U.S. Senate Committee on
Appropriations
413 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Chris Van Hollen
Chair, U.S. Senate Appropriations
Subcommittee on Financial Services and General
Government
730 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Bill Hagerty
Ranking Member, U.S. Senate Appropriations
Subcommittee on Financial Services and General
Government
251 Russell Senate Office Building
Washington, D.C. 20002

The Honorable Kay Granger
Chair, U.S. House Committee on Appropriations
1026 Longworth House Office Building
Washington, D.C. 20515

The Honorable Rosa DeLauro
Ranking Member, U.S. House Committee on
Appropriations
2413 Rayburn House Office Building
Washington, DC 20515

The Honorable Steve Womack
Chair, U.S. House Committee on Appropriations
Subcommittee on Financial Services and General
Government
2412 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Steny Hoyer
Ranking Member, U.S. House Committee on
Appropriations Subcommittee on Financial
Services and General Government
705 Longworth House Office Building
Washington, DC 20515

Dear Chair Murray, Vice Chair Collins, Chair Granger, Ranking Member DeLauro, Chair Van Hollen, Ranking Member Hagerty, Chair Womack, and Ranking Member Hoyer,

On behalf of the Southern Poverty Law Center Action Fund (SPLC Action Fund), we write to strongly urge you to preserve the Senate Appropriation Committee's \$75 million appropriation for Election Security Grants in the final budget for Fiscal Year 2024. While this funding is a significant departure from the robust, bipartisan funding appropriated ahead of the last presidential election—\$825 million—and well below the level needed,¹ it represents part of a critical investment in our elections and our democracy, at a time that both are under threat. Especially heading into a Presidential election year, State and local election administrators desperately need resources to ensure they can conduct safe, secure, accessible elections.

SPLC Action Fund is a public interest advocacy organization working in the Deep South to eliminate structural racism and build a multi-racial, inclusive democracy. Our policy, legal, and program staff in Alabama, Florida, Georgia, Louisiana, and Mississippi work day-in and day-out alongside communities

¹ A recent study by MIT's Election Lab found that ensuring the integrity and accessibility of our elections requires an investment of \$50 billion over 10 years. "The Cost of Conducting Elections," Charles Stewart III, MIT Election Data & Science Lab, <https://electionlab.mit.edu/sites/default/files/2022-05/TheCostofConductingElections-2022.pdf>.

that have had trouble exercising their fundamental right to vote – communities that are disproportionately living in poverty and made up of people of color, people with disabilities, and other marginalized people. As such, we know first-hand the dangers to our democracy presented by the absence of adequate, consistent funding for election administration, especially at the local level, where our elections take place.

Election infrastructure in the U.S. is aging—in some places crumbling²—while demands on and threats to election officials and administrators have increased dramatically.³ Some of these threats have taken the form of violence and intimidation and are most often targeted at local election administrators and workers who are the lifeblood of democracy.⁴ Further, cybersecurity threats—and the damage they can cause to confidence in our elections and democracy—loom ever larger, as cyber criminals become more sophisticated while decades-old election infrastructure becomes less ready to defend against their attacks.⁵

No where is this truer than in the Deep South. Lawmakers in the Deep South are refusing to adequately finance local election administration even as they pass new laws that increase the demands on the local officials in charge of elections and prohibit these local leaders from accessing private funding to fill the gap. Confusing and onerous new state laws are well-known for making it harder for voters to participate in elections. Less well-understood, however, are the ways laws like this make it even harder for local election authorities to conduct safe, secure, and accessible elections.

As just one example, Georgia’s SB202 created a complex array of new requirements for county election administrators, without allocating any new funding for them to carry those mandates out. The law shortened the period during which voters can apply for absentee ballots by more than half and condensed the window that election workers can send out mail ballots to voters that have requested them, meaning election workers have less time to process applications and mail ballots and are doing more of those tasks in the critical period just before an election begins.⁶ Further, SB202 encouraged mass challenges to the eligibility of voters on the registration rolls; the practice has skyrocketed in the wake of the law’s passage,⁷ adding tremendous additional burden to election workers at the very time they should be focused on the election ahead. SB202 also cut the runoff period from nine weeks to only four weeks, meaning local election administrators have to prepare for new elections at the same time they are certifying the general election results.⁸ Yet the bill did not provide any additional funding for county election administrators to secure the additional staffing or other resources necessary to manage these

² “50 States of Need,” Election Infrastructure Initiative, <https://static1.squarespace.com/static/6083502fc0f6531f14d6e929/t/61f836e405feca3722d63b9d/1643656990641/50-States-Of-Need.pdf>.

³ “Election workers brace for a torrent of threats: ‘I Know Where You Sleep’,” Washington Post, November 8, 2022,

<https://www.washingtonpost.com/technology/2022/11/08/election-workers-online-threats/><https://www.washingtonpost.com/technology/2022/11/08/election-workers-online-threats/>.

⁴ “Poll of Election Officials Shows High Turnover Amid Safety Threats and Political Interference,” Brennan Center for Justice, April 25, 2023, <https://www.brennancenter.org/our-work/analysis-opinion/poll-election-officials-shows-high-turnover-amid-safety-threats-and>.

⁵ “States and localities are on the front lines of fighting cyber-crimes in elections,” Brookings, August 15, 2019, <https://www.brookings.edu/articles/states-and-localities-are-on-the-front-lines-of-election-security/>.

⁶ Georgia Senate Bill 202, effective March 25, 2023, <https://www.legis.ga.gov/legislation/59827>. See also “How Georgia’s voting law works,” Atlanta Journal Constitution, May 6, 2021, <https://www.ajc.com/politics/how-georgias-new-voting-law-works/GF6PLR44PNESPKR5FXCBE7VEOY/>.

⁷ *Id.* “Close to 100,000 Voter Registrations Were Challenged in Georgia – Almost All by Just Six Right-Wing Activists,” ProPublica, July 13, 2023, <https://www.propublica.org/article/right-wing-activists-georgia-voter-challenges>.

⁸ *Supra* note 6, “How Georgia’s voting law works.”

increased demands, much less to invest in the critical infrastructure updates so many counties—especially rural ones—desperately need. In fact, on top of instituting burdensome unfunded mandates, SB202 also banned private grants to local election boards and administrators to run elections.⁹

Unfortunately, Georgia is not unique in this trend of over-taxing and under-resourcing local election administration. Election workers across the Deep South face similar challenges, as legislatures pass increasingly burdensome election laws and laws that ban and criminalize private funding, all while election infrastructure continues to age.

There is a strong, bipartisan precedent for robust federal funding to support state and local election infrastructure. In the midst of extraordinarily challenging circumstances in 2020, Congress invested \$825 million in state and local elections, a critical investment that helped local election administrators conduct safe, secure, accessible elections under unprecedented circumstances.¹⁰ Since then, the Election Infrastructure Initiative has found that more than two-thirds of localities still face significant—in some cases crisis-level—gaps in election infrastructure funding.¹¹ Further, with new bans on private funding in place and stringent state funding allocations in many states, significant, consistent funding from the federal government is all the more urgent.

To be clear, states and the localities in charge of our elections need far more than \$75 million. The 2020 runoff elections in Georgia alone cost that full sum.¹² While we are writing today to emphasize the extreme urgency of funding for state and local election administration in the FY24 budget, we also know the Senate allocation is woefully inadequate and future budgets *must* include significantly more funding for election administration and security. Further, given the hyper-local nature of election administration, we urge you also to institute a pass-through requirement such that two-thirds of the allocated funding is sent directly to local election officials responsible for administering elections. Local election infrastructure in the Deep South in particular needs significant upfront investment to replace and repair aging systems and ongoing funding to conduct maintenance and upgrades, so we do not again fall behind.

There are few government responsibilities more vital in a democracy than protection of the fundamental right to vote. Just as each level of government in our federated system bears responsibility for protecting that right, so, too, must each level of government contribute to financing the election infrastructure that makes that right real. As the House and the Senate negotiate next year's government funding bill, we strongly urge you to allocate at least \$75 million for Election Security Grants to state and localities. Anything less would be catastrophic. For additional information, please contact Laura Williamson, Senior Policy Advisor for Voting Rights, at laura.williamson@splcenter.org.

Sincerely,



Margaret Huang, President
Southern Poverty Law Center Action Fund

⁹ *Id.*

¹⁰ Congress appropriated \$425 million in Election Security Grants for FY20 and an additional \$400 million in emergency funding via the CARES Act in 2020.

¹¹ *Supra* note 2.

¹² Kennesaw State researchers say new election system may better serve Georgians, Oct 31, 2022, <https://www.kennesaw.edu/news/stories/2022/kennesaw-state-researchers-say-new-election-system-may-better-serve-georgians.php>.



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A handwritten signature in blue ink that reads "LaShawn Y. Warren".

LaShawn Y Warren, Chief Policy Advisor
Southern Poverty Law Center Action Fund

A handwritten signature in black ink that reads "Laura Williamson".

Laura Williamson, Senior Policy Advisor for Voting Rights
Southern Poverty Law Center Action Fund