

Congress of the United States
House of Representatives
Washington, D.C. 20515

October 14, 2004

The Honorable John D. Ashcroft
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Attorney General:

We are writing to bring to your attention the findings of a new Government Accountability Office (GAO) report conducted at our request. The report, *DOJ Activities to Address Past Voting Irregularities*, finds several problems with the Justice Department's procedures tracking and responding to allegations of voting irregularities on Election Day.¹

The GAO findings reveal that the Justice Department's ability to respond to voting irregularities is limited by a number of procedural shortcomings. With less than one month until Election Day, it appears that the Justice Department is not prepared to investigate reports of voter intimidation and disenfranchisement in the 2004 elections.

In December 2002, we asked GAO to review the capacity of the Justice Department to address allegations of voting irregularities. GAO's review identified several problems. GAO found that a "lack of specifics about allegations and actions limit the Justice Department's ability to have accurate and clear information to share with the public or Congress about the types of allegations received and actions taken."

Specifically, the report highlighted the following problems with the Justice Department's current procedures to track and address reports of voting irregularities:

- (1) The Voting Section does not have a reliable method to consistently record and document telephone calls received alleging voting irregularities and has no written instructions for contractors that might be hired to assist in handling telephone calls on Election Day.
- (2) The Voting Section does not routinely track its election monitoring activities through the Interactive Case Management (ICM) system, the Justice Department's formal process for tracking and managing work activities.

¹ General Accounting Office, *DOJ Activities to Address Past Voting Irregularities* (GAO-04-1041R).

- (3) The Justice Department, due to its lack of specific information about allegations of voting irregularities, and Justice Department actions taken to address them, is unable to provide the public and Congress with clear information concerning election procedures and processes.

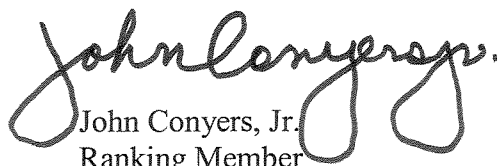
These findings raise questions about what the Justice Department has been doing for the last four years. Given the widespread reports of voting irregularities in the contentious 2000 presidential elections, preparations for the 2004 elections should have been a top priority for the Justice Department. Yet GAO found that your Department was unable to provide clear, detailed plans for how the Justice Department will fully document reports of unfair or discriminatory voting procedures and Justice Department actions to address them.


GAO made a number of specific recommendations to improve the Justice Department's ability to respond to reports of voting irregularities. They include (1) the development and implementation of new procedures for the November 2004 election to help ensure that the Voting Section has a reliable method of tracking and documenting allegations of voting irregularities and action taken to address them; (2) the development and implementation of a method to track and report election-monitoring activities in the ICM system.

The Justice Department was given a copy of the draft GAO report months ago, but it is unclear when and how these recommendations will be implemented. We therefore request a full and immediate briefing on the progress the Justice Department has made in implementing the GAO recommendations and its preparedness for responding to reports of voting irregularities in the 2004 elections.

Our staff contacts are Michone Johnson of the House Judiciary Committee staff at (202) 225-6504, and Brian Cohen of the House Government Reform Committee staff at (202) 225-5051.

Sincerely,


John Conyers, Jr.
Ranking Member
Committee on the Judiciary


Henry A. Waxman
Ranking Member
Committee on Government Reform