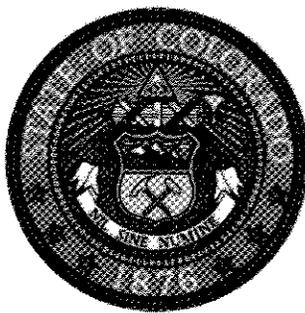


STATE OF COLORADO
Department of State

1700 Broadway
Suite 270
Denver, CO 80290



Mike Coffman
Secretary of State

Holly Z. Lowder
Director, Elections Division

August 19, 2008

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Demos, A Network for Ideas & Action
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Mr. Mellor and Ms. Danetz:

The Colorado Secretary of State's office is in receipt of your letter dated May 14, 2008, in which you notify this office, pursuant to 43 U.S.C. § 1973gg-9(b) of the National Voter Registration Act (NVRA), of Colorado Department of Human Services' alleged violation of section 7 of the NVRA. Thank you for providing notice and for commending our staff "for its recent exemplary efforts to bring state public assistance agencies into compliance with Section 7 of the NVRA."

As you are aware, this office has seriously considered the mandates of the NVRA and has taken affirmative steps in an attempt to guide and direct state public assistance agencies in their efforts to comply with the NVRA. To begin, the Secretary of State's office met with Project Vote and ACORN in December of 2007 to discuss the two groups' concerns with agency compliance and to initiate strategic planning in order to bring the agencies within full compliance. As a result of that meeting, this office developed and released a reporting tool that enables agencies to report registration statistics online rather than by the outdated postcard method. As you know, this office supplies the results of the online reporting to Project Vote and to the agencies themselves twice monthly so that the data may be analyzed and improvements may be made. Also after the December 2007 meeting, this office developed a PowerPoint training presentation that was distributed to all public assistance agencies via email; this presentation was posted on the Secretary of State's website.

Although the training presentation was distributed directly to the public assistance agencies, staff members from this office have taken the initiative to provide in-person trainings on three separate occasions (two in Denver and one in Keystone, the latter of which was given as part of the Department of Human Services directors' conference). In concert with those trainings, the Secretary of State's office created and distributed directly to the Department of Human Services (DHS) promotional display posters in an effort to encourage voter registration. Finally, our office has taken a memorandum, originally provided by Project Vote, and modified it to reflect Colorado law and procedure. This memo was sent to DHS for distribution to the agency's local offices.

While this office has gone to such lengths to increase training for agency employees and notification to those that require or request agency services, the effort has not stopped there; the Secretary of State has also implemented certain procedural changes designed to aid public assistance agencies and county clerks in the ordering of forms and tracking of submitted applications, respectively. Specifically, we have developed a mechanism that allows agencies to order blank forms online. These forms have been color-coded so that they are easily identifiable and traceable after they have been submitted to the county clerks. In addition, this office has actively engaged and worked with county clerks to ensure that agency applications are appropriately coded in the statewide voter registration database. Such coding allows Project Vote and other entities to compare the data reported by the agencies against the amount of forms actually received by the counties.

Lastly, please note that we desire to continue the productive communication between this office, Project Vote, and the relevant state agencies. To this end, we have set up monthly conference calls between these three parties to facilitate communication and to discuss any concerns that may arise. Finally, we are currently in the process of developing an NVRA agency compliance website that will be operational within the coming weeks.

In sum, though many agencies have been receptive to our efforts and have succeeded under such guidance and procedures, others have struggled to meet the terms of their obligations under the NVRA. As such, the Colorado Secretary of State's office intends to continue the programs identified above. Additionally, this office will continue to explore new ideas and endeavor to assist state public assistance agencies in their efforts to comply with section 7 of the NVRA.

Thank you again for providing the Colorado Secretary of State's office with notice of DHS' alleged violation of the NVRA. As mentioned above, we will continue to work with the agencies to ensure that the requirements of the NVRA are being met. Please feel free to contact the Elections Division if you have any additional concerns.

Sincerely,

J. Wayne Munster
Deputy Director of Elections

cc: Karen L. Beye, Executive Director, Colorado Department of Human Services
Maurice G. Knaizer, Deputy Attorney General, Colorado Department of Law
Trey Rogers, Chief Legal Counsel, Governor Bill Ritter, Jr.