

Texas Workforce Commission

A Member of Texas Workforce Solutions

Andres Alcantar, Chairman
Commissioner Representing
the Public

Ruth R. Hughs
Commissioner Representing
Employers

Julian Alvarez
Commissioner Representing
Labor

Larry E. Temple
Executive Director

February 21, 2018

Ms. Beth Stevens, Voting Rights Director
Mr. Hani Mirza, Staff Attorney
Ms. Emma Hilbert, Staff Attorney
Texas Civil Rights Project

Ms. Lia S. Davis, Attorney
Mr. Brian East, Senior Attorney
Ms. Molly Broadway, Training and Technical Specialist for Voting Rights

Mr. Adam T. Schramek, Partner
Mr. Ryan E. Meltzer, Associate
Norton Rose Fulbright

Michael Tigar Human Rights Center
1405 Montopolis Drive
Austin, Texas 78741
Email: beth@texascivilrightsproject.org

Dear Ms. Stevens, Ms. Davis, Mr. Schramek and Mr. Meltzer:

Thank you for your correspondence of February 12, 2018. Please note that the State of Texas, through the Texas Secretary of State's office ("SOS") and the Texas Workforce Commission ("TWC") is committed to making sure that all eligible Texans have the opportunity to register to vote, including Texans with disabilities.

Just as SOS has worked to increase efficiencies and provide resources to assist high school principals in fulfilling their duties as high school deputy registrars to ensure Texas's high school students are provided with an opportunity to register, SOS is committed to providing resources to other state agencies to ensure that the populations they serve are provided with the opportunity to register to vote where appropriate.

February 21, 2018

Page 2 of 3

In addition, the TWC is committed to helping individuals, including, through specific programs, Texans with disabilities, address barriers to employment and achieve their employment goals. Accordingly, TWC has worked with SOS to determine how TWC can provide voter registration services to its customers who utilize the program into which certain DARS functions were transferred from HHSC, the Vocational Rehabilitation program. Effective today, February 21, 2018, TWC will begin the process of implementing voter registration services to those served by its Vocational Rehabilitation program.

As you recognize in your letter, DARS has been specifically designated as a voter registration agency under Section 20.001 of the Texas Election Code since 2005. The Texas Legislature amended and transferred three DARS programs, including the vocational rehabilitation program for individuals with visual impairments (including the Criss Cole Rehabilitation Center), the vocational rehabilitation program for individuals with other disabilities, and the Business Enterprises of Texas Program, to TWC, effective September 1, 2016.¹ TWC then consolidated the client-facing portions of these three programs into its current Vocational Rehabilitation program.² However, while this legislation transferred a portion of services provided by DARS and relevant staff to TWC, the agency did not obtain all programs or personnel administering disability services previously affiliated with DARS, and in fact, the Legislature did not remove the statutory designation for DARS as a voter registration agency, nor did it add these specific programs as explicitly designated voter registration agencies.³ In addition, other programs of DARS and two other public assistance agencies named were ultimately consolidated into HHSC, which has also been explicitly designated as a voter registration agency since 2005 under Section 20.001 of the Texas Election Code.⁴

Despite these clarifications to assumptions made in your letter, as stated, working collectively with the SOS, TWC's Vocational Rehabilitation program will begin the process of implementing voter registration services to its customers due to a designation provided by the Texas Secretary of State effective today, February 21, 2018. Attached to this letter is a copy of the letter from SOS to TWC designating the Vocational Rehabilitation program as a voter registration agency under Section 20.001 of the Texas Election Code.

¹ S.B. 208, 84th Leg., R.S. (2015).

² Only their administrative, non-client facing functions were absorbed into TWC generally.

³ Tex. Election Code § 20.001(a) (1) – (4). The designation of DARS as a voter registration agency is based in statute, not a “recognition” by SOS, as is contended in your February 12, 2018 letter.

⁴ The programs not transferred to TWC which were a part of DARS, and which remain at HHSC, a voter registration agency, include: (1) Children's Autism; (2) Blind Children's Vocational Discovery & Development (BCVDD); (3) Blindness Education, Screening and Treatment (BEST), (4) Independent Living Programs (IL); (5) Comprehensive Rehabilitation Services Program (CRS); (6) Board for Evaluation of Interpreters (BEI); (7) Office for Deaf and Hard of Hearing Services (DHHS); (8) Early Childhood Intervention (ECI); and (9) Disability Determination Services (DDS).

February 21, 2018
Page 2 of 3

Both TWC and SOS share your commitment to ensuring that disabled individuals and all eligible Texans have all the resources they need to exercise their rights to vote at the polls.



Larry E. Temple
Executive Director, Texas Workforce Commission



Rolando B. Pablos
Texas Secretary of State

Enclosure

The State of Texas



Executive Division
Capitol Building, 1E.8
P.O. Box 12697
Austin, Texas 78711-2697

Phone: 512-463-5770
Fax: 512-475-2761
Dial 7-1-1 For Relay Services
www.sos.state.tx.us

Rolando B. Pablos
Secretary of State

February 21, 2018

Mr. Larry Temple
Executive Director
Texas Workforce Commission
101 E. 15th Street
Austin, Texas 78701

Dear Mr. Temple:

This letter is sent to inform you that the Vocational Rehabilitation program of the Texas Workforce Commission is designated as a voter registration agency, pursuant to section 20.001 of the Texas Election Code. TEX. ELEC. CODE § 20.001.

A voter registration agency must designate one or more individuals to coordinate the agency's voter registration program and must notify the office of the secretary of state of the name of each coordinator as soon as those individuals have been designated. TEX. ELEC. CODE § 20.004(a).

The registration coordinator is tasked with conducting training for agency employees in voter registration procedures. TEX. ELEC. CODE § 20.004(b). The agency also is required to file an implementation plan with our office that details the agency's methodology for distribution of mail voter registration application forms, assistance to applicants in completing voter registration application forms, and acceptance of completed voter registration application forms for transmittal to the appropriate county election official. TEX. ELEC. CODE § 20.004(c).

The Office of the Texas Secretary of State will be happy to assist your agency by further explaining the responsibilities of a voter registration agency, providing sample or draft training materials, and reviewing your implementation plan.

If you have any further questions, please do not hesitate to contact the Elections Division toll-free at 1-800-252-(VOTE) 8683.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Pablos".

Rolando B. Pablos
Secretary of State