Chairman Lott, Ranking Member Dodd, Members of the Committee:

Thank you for allowing me to appear before the committee to discuss voter-verified paper trails in federal elections. The use of this technology is very important to preserve voter confidence; to reduce errors during the voting process; and to ensure the fairness and integrity of America's elections.

A voter-verified paper trail is produced by an electronic voting machine. The paper record can be reviewed by the voter prior to leaving the voting booth to ensure that it reflects their intent. Voters who vote on these machines are assured that their vote was cast and will be counted properly. No other voting machine can provide such an assurance.

My home state of Nevada was the only state in the 2004 election cycle that used this technology statewide. Despite what critics of these machines might tell you, Nevada's elections were a success. The machines worked well and were well received by voters. During a post-election audit, Nevada compared 60,000 electronic ballots with their corresponding voter-verified paper record and found that they matched with **100% consistency**.

When Congress passed the Help America Vote Act in 2002, we expressed our commitment to the principle of one person, one vote. One important component of HAVA provided states with funds to replace aging voting machines with a tendency to malfunction. A voting machine that fails to record a vote properly affects voters in the same way as if the voters were denied access to the voting booth. Either way their vote is not counted.

Despite these gains, HAVA falls short in one critical area. It does not require that touch-screen voting machines produce a paper trail of each ballot.

This technology is important because it increases voter confidence. With the close elections America has seen recently, it is important that each American trust the outcome of our elections. Machines that allow voters to review a separate paper record of their ballots give voters confidence that their votes have been cast and will be counted accurately.

This technology gives state election officials a necessary backup to verify results. Nevada's post-election audit ensures that each machine operated properly. This type of audit guarantees accuracy in a way that cannot be guaranteed otherwise. This technology also ensures hardware and software integrity in a manner that is unequaled.

It is not only possible, I would say it is a probable, that an individual or group could implant a computer worm, virus or some other program that would be undetectable until it launched. What if this happened in a state like Florida in 2000 or Ohio in 2004? It could be difficult if not impossible to know something happened without a paper back up.

However, with a paper trail a random test of 1% of the ballots would trigger a recount.

Electronic versus paper ballots that the voters had inspected could be compared to see where the problem exists. Once the search was made and the software problem detected, the paper could ensure an accurate and fair election.

With all of the problems credit card companies and banks have had securing data, can we trust the voting machine manufacturers who tell is there is no way to break into their computers?

I introduced the Voting Integrity and Verification Act in the 109th Congress and previously in the 108th Congress to provide voters with assurances that they do not currently have. My bill would amend the Help America Vote Act to require machines purchased with HAVA funds to produce a paper trail.

I am pleased that Nevada leads the nation in this area. It is no coincidence that my colleague from Nevada, Senator Harry Reid, is the lead Democratic sponsor of my bill.

Senator Reid and I understand better than most the importance of the integrity of the ballot box and how voting machines can affect the outcome of an election.

During the 1998 election cycle, Senator Reid and I ran against each other for the United States Senate. When the votes were tallied there was a difference of only a few hundred votes.

I asked for a recount in Clark County, Nevada's most populated county, which used touch-screen machines without the paper trail. The result of the recount was identical to the first count but only because there was nothing to recount. Election officials simply reran a computer program which predictably produced the exact same tally. I conceded that race and was elected to Nevada's other Senate seat in 2000.

That experience helped me realize that voters deserve assurances that their votes will be counted accurately.

This principle is absolutely fundamental to our democracy. I would hope that members of the Senate could learn from my experience in 1998 without having to go through it themselves.

Technology has transformed the way we do many things—including voting. But we cannot simply assume that our democracy will withstand such changes. We recently witnessed the birth of democracy in Afghanistan and Iraq. We watched as Iraqis risked their lives to vote. We must ensure that each vote counts.

We must always be vigilant in protecting democracy—whether it is brand new or more than 200 years old. My bill, the Voting Integrity and Verification Act, protects our democracy by protecting the sanctity of each vote.