



February 28, 2005

VerifiedVoting.org's Statement on the "Count Every Vote Act of 2005"

On February 17, Senator Hillary Clinton (D-NY) introduced the "Count Every Vote Act of 2005" (S. 450) in the Senate, and Rep. Stephanie Tubbs Jones (D-OH) introduced a companion bill (H.R. 939) in the House. These bills propose a large number of electoral reforms, such as establishing uniform standards for counting provisional ballots, requiring all States to provide early voting and election day registration, and making Election Day a Federal holiday.

More relevant to our mission, S. 450 also has several highly-desirable provisions similar to those in Rep. Holt's bill (H.R. 550), including requirements that:

- 1) all voting systems provide a voter-verified paper ballot (VVPB),
- 2) the VVPB is the official ballot of record for use in all recounts or audits, and
- 3) mandatory, manual recounts of the VVPBs be performed in a randomly-selected set of 2% of all precincts nationwide.

S. 450 also creates new requirements for audio and pictorial-based methods for verifying the VVPBs. Those requirements will be difficult to meet by the specified deadlines and they have unintended consequences for the continued use of precinct-count optical scan systems and ballot marking devices (those devices make optical scan ballots accessible to voters with disabilities). As a result, these new requirements would limit the options available for meeting the needs of voters with disabilities. One of our priorities is that optical scan voting systems and ballot marking devices remain viable options, since they provide a more verifiable solution than direct recording electronic (DRE) voting machines with VVPB printers attached.

S. 450 represents a good start and a very sincere and authentic movement forward. We appreciate and applaud the support this bill gives to VVPB and to mandatory manual audits. These provisions provide a significant improvement over the current gap in federal voting standards. The technology for audio and pictorial-based methods for verifying the VVPB is rapidly evolving, and the new and emerging legislative language that deals with these mechanisms would benefit from additional attention and clarification. We look forward to further national discussion and enhancement of those provisions of the bill during committee and floor consideration.