

*VerifiedVoting.org Statement in Support of  
HR5036: “Emergency Assistance for Secure Elections Act”*

As 2008 begins, over 30 million voters face the prospect of depending upon unverifiable and insecure electronic voting equipment in the November elections. Millions more will vote on paper ballot systems without the reassurance of a routine hand counted audit of the vote tallies. Already we have seen voters turned away from the polls in South Carolina as a result of machine malfunction and insufficient emergency paper ballots.

There is an excellent way that Congress can **improve confidence in the 2008 elections**: by quickly passing HR 5036, the [Emergency Assistance for Secure Elections Act](#). HR 5036 would reimburse counties, states, and other jurisdictions for the cost of replacing paperless voting equipment with paper ballot systems purchased in time for the November elections, the cost of emergency paper ballots in locations that use electronic machines, the cost of hand counted audits of the 2008 federal elections, and even for the cost of hand-counting the ballots on election night if a jurisdiction chooses to do so.

Responding to reports from a series of voting system reviews undertaken in undertaken over the past year, many states and counties are ready to make a change in their voting systems. **The question for many jurisdictions across the country is not whether to purchase voting equipment that secures both voter confidence and electoral integrity, but how to pay for it.**

HR 5036 would enable these jurisdictions to move away from equipment that has been demonstrated to be unacceptably insecure and manifestly unverifiable by a large body of governmental, academic, and private sector studies: the 2003 Security Application International report,<sup>1</sup> Government Accountability Office report of 2005,<sup>2</sup> the 2006 report of the Task Force on Voting System Security at the Brennan Center for Justice,<sup>3</sup> and most recently, the reviews of voting systems commissioned by a number of states, including California,<sup>4</sup> Ohio,<sup>5</sup> and Kentucky.<sup>6</sup>

Many local and state governments have recognized the advantages of a well-established and cost-effective voting system that offers security, accessibility, and reliability: a system of voter-marked paper ballots together with ballot-marking devices to serve voters with disabilities. HR 5036 would provide a strong incentive to purchase precinct count optical scanners and ballot-marking device systems.

Paper ballot optical scan systems together with ballot marking devices offer all voters the same individual paper ballot, protect the secrecy of the vote, and, unlike continuous paper rolls, offer a dependable, reliable record of the intent of the voter. They are also less expensive and burdensome for county election officials. The solution has been praised by voters with disabilities,<sup>7</sup> and by some of the most respected professionals in the field of accessible technology.<sup>8</sup> Like New Mexico did in 2006, most states that are now considering voting system changes, including Florida, Maryland, and Colorado, have expressed a preference for voter-marked paper ballots read by optical scanners, with ballot-marking devices.

No less important than paper ballots are random **manual audits** of electronic vote tallies. All computer systems are vulnerable to malfunction and tampering. Hand counted audits are a powerful way to identify systemic problems and mitigate many of security concerns, reassuring voters of the integrity of the election process. Routine manual audits will be done in approximately one fourth of the states this year. HR 5036 would make such audits possible in still more areas.

**Emergency paper ballots** are an often-neglected component of electoral integrity. This is unfortunate. In South Carolina's Republican Presidential primary on January 19 of this year, a number of voters were turned away from the polls when electronic voting machines failed to activate.<sup>9</sup> Still others were forced to vote on crudely improvised slips of whatever paper was available. HR 5036 would provide counties and states the funding to supply all polling places with emergency paper ballots for use in case of equipment failure, provided that such ballots are counted as a regular ballot, rather than a provisional ballot. No voter should be disenfranchised by failing equipment.

**HR 5036 is timely, important, and practical legislation. Verified Voting urges its speedy passage.**

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- 1 “State of Maryland Voting Machine Risk Assessment.” Security Application International Corporation, 2003, [http://www.md-eic.org/Documents/SAIC\\_risk\\_assessment.pdf](http://www.md-eic.org/Documents/SAIC_risk_assessment.pdf)
  - 2 “Elections: Federal Efforts to Improve Security and Reliability of Electronic Voting Systems are Under Way, but Key Activities Need to be Completed.” Report of U.S. Government Accountability Office, 2005, <http://www.gao.gov/new.items/d05956.pdf>
  - 3 “The Machinery of Democracy: Protecting Elections in an Electronic World.” Report of the Task Force on Voting System Security of the Brennan Center for Justice, 2006. [http://www.brennancenter.org/dynamic/subpages/download\\_file\\_39288.pdf](http://www.brennancenter.org/dynamic/subpages/download_file_39288.pdf)
  - 4 [http://www.eac.gov/extlnk/lnkframehead.htm?http%3A//www.sos.ca.gov/elections/elections\\_vsr.htm](http://www.eac.gov/extlnk/lnkframehead.htm?http%3A//www.sos.ca.gov/elections/elections_vsr.htm)
  - 5 EVEREST Voting System Review. Report of the Secretary of State of Ohio, 2007, <http://www.sos.state.oh.us/sos/info/everest.aspx>
  - 6 “Ensuring Your Vote Counts: Kentucky's Electronic Voting Systems.” Report of the Attorney General of Kentucky, 2007, [http://www.eac.gov/voting%20systems/docs/report-kentucky-voting-systems-certification-process2.pdf/attachment\\_download/file](http://www.eac.gov/voting%20systems/docs/report-kentucky-voting-systems-certification-process2.pdf/attachment_download/file)
  - 7 “Ballot Marking Best for Accessible and Verifiable Voting.” Verified Voting Foundation Media Release. August 3, 2005. <http://www.verifiedvotingfoundation.org/article.php?id=6254>
  - 8 “Improving Access to Voting: A Report on the Technology for Accessible Voting Systems.” by Noel Runyan. 2007, p. 37. [http://demos.org/pubs/improving\\_access.pdf](http://demos.org/pubs/improving_access.pdf)
  - 9 “South Carolina Voting Machine Failure Underscores for Swift Federal Action for Voting Security.” Statement by Common Cause, January 22, 2008. [http://votetrustusa.org/index2.php?option=com\\_content&do\\_pdf=1&id=2721](http://votetrustusa.org/index2.php?option=com_content&do_pdf=1&id=2721)