

The Honorable Jo Bonner
2236 Rayburn House Office Building
Washington, D.C. 20515

May 19, 2009

Dear Representative Bonner,

I write regarding the need to ensure the verifiability of federal elections in 2010 and 2012. Federal legislation will be essential to delivering a verifiable vote in the 2010 Congressional elections and in the 2012 Presidential election. To achieve the goal of a accessible, auditable, and accurate elections, VerifiedVoting.org strongly supports Representative Rush Holt's Voter Confidence and Increased Accessibility Act (VCIAA), now pending introduction. We respectfully urge you to cosponsor this legislation.

The Voter Confidence and Increased Accessibility Act would make a sensible, cost-effective, and long-overdue step: the bill would require that paper ballot voting systems, now used by a decisive majority of American voters, become the national standard for voting in federal elections. Nationwide verifiability in elections, with most voters not having to experience any change at the polling place.

Under the bill, jurisdictions using direct-recording electronic systems would be required to replace by either 2010 or 2014 their voting machines with paper ballot voting systems, with accessible ballot markers to serve voters with disabilities. In the last several years, paper ballots marked by the voter have become the favored method of providing verifiable voting. "Paper trail" printers are not a solution: since 2006, no states have refitted electronic machines with the kind of cash-register receipt printers that are available for most of our voting machines. The paper is flimsy, the printers can jam, and have lost votes. Too many voters do not check the paper record. In contrast, paper ballots receive the voters' focused attention, and offer a durable record of voter intent.

The bill authorizes funding for states to make equipment changes, and also authorizes reimbursements for states that have used non-Federal funds to purchase paper ballot systems since the passage of the Help America Vote Act. The VCIAA would also require equally essential hand-counted tabulation audits of federal elections.

For years you have heard the warnings of eminent computer scientists, and the stories of real election failures. A statewide race left in doubt in North Carolina in 2004 because thousands of votes were lost and not retrievable. Voters shaken by "vote-flipping" on the screens of electronic voting machines, and left uncertain that their votes are recorded and counted accurately because the machines they use do not offer a voter-verifiable paper record. Just earlier this year in Fairfax County, Virginia, a county Board of Supervisors election was called into question because of still-unexplained discrepancies in the tallies produced by paperless electronic voting machines. A Fairfax Registrar put the problem all too well in an interview with local press:

"Nothing like this has ever occurred before. We don't know if the machine malfunctioned or if we did something wrong."¹

1 "Big Questions About Voting Machines." By Julia O'Donoghue. Reston Connection, March 18, 2009, <http://www.connectionnewspapers.com/article.asp?article=326929&paper=71&cat=104>

Elections for federal office should not be the subject of similar statements in 2010, but if Congress does not act, such an outcome is all too possible. To be clear, as 2009 begins, there have been significant improvements to America's voting systems. The number of voters forced to depend upon insecure and unverifiable paperless electronic voting systems has decreased. In November 2008, almost 60% of the nation's voters cast their votes by marking a paper ballot that was read by a scanning device. 27 states have some provision in law or regulation that requires tabulation audits, or permits the state's election officials to order them.

Yet nearly 25% of the nation's voters live in jurisdictions in which the only method of voting on election day is to use a paperless electronic voting machine. Delaware, Georgia, Louisiana, New Jersey, and South Carolina use paperless e-voting at all polling places statewide. A majority of ballots in Indiana, Kansas, Kentucky, Pennsylvania, Texas, and Virginia will be paperless in 2010 and likely 2012 unless Congress acts.

The need for the Voter Confidence and Increased Accessibility Act is manifest. We hope you will join Representative Holt at delivering on a long-overdue promise of verifiable elections in the United States.

Sincerely,

Warren Stewart
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