



Senator Feinstein Seeks to Ensure Accuracy of Federal Elections

- *Bill Would Require Paper Voting Records and Audits* -

October 11, 2006

Washington, DC – U.S. Senator Dianne Feinstein (D-Calif.) today announced plans to introduce legislation to help ensure the accuracy of future federal elections by requiring that electronic voting machines print a paper record which can be verified by the voter and is subject to an independent audit to help ensure that the machines are secure from error.

“Serious questions have arisen about the accuracy and reliability of new electronic voting machines, including concerns that they can be susceptible to fraud and computer hacking attacks unless proper security measures are taken,” Senator Feinstein said. **“It is imperative that Congress does everything it can to help ensure that votes cast by American citizens are recorded accurately.”**

Senator Feinstein, a senior member of the Senate Rules Committee, said she planned to introduce the bill – *the Ballot Integrity Act of 2006* – as soon as Congress returns from the pre-election recess. And if no action is taken on the legislation, it will be reintroduced on the first legislative day of the new Congress in January.

The provisions of the legislation relating to paper records, audits and voting system integrity are similar to the bipartisan Voter Confidence and Increased Accessibility Act introduced by Rep. Rush Holt (D-N.J.) and cosponsored by 219 other House Members. But this bill also has several additional provisions, including a prohibition on a state’s chief election officer from participating on a political campaign committee on behalf of any federal candidate and measures to make it easier for military and overseas voters to send in absentee ballots.

“Representative Holt and 219 other House Members realize the threat posed to our democracy by voting machines that may be unreliable, can be easily manipulated, and provide no paper trail,” Senator Feinstein said. **“Today, I join them in this effort to ensure the validity of the votes cast by each and every American.”**

Senator Feinstein said she will seek Rules Committee hearings in the coming year on the reliability of electronic voting machines, the importance of paper records and audits and other issues that undermine with fair and accurate elections.

The Commission on Electoral Reform, also known as the Carter-Baker Commission, has also endorsed voter-verified paper audit records for electronic voting machines, citing four reasons for its recommendation:

- To increase citizens' confidence that their votes will be counted accurately.
- To allow for a recount.
- To provide a back-up in cases of loss of votes due to computer malfunction.
- To test – through random recount – whether the paper result is the same as the electronic result.

The Brennan Center Task Force on Voting System Security published a comprehensive study of electronic voting machine vulnerabilities last summer, including a survey of hundreds of election officials around the country and categorized over 120 security threats to voting machines.

“As electronic voting machines become the norm on Election Day, voters are more and more concerned that these machines are susceptible to fraud,” said Lawrence Norden, chair of the Brennan Center Task Force, urging the House Administration Committee last month to pass legislation providing for audits of voter verified paper records and increased voting machine security. **“These machines are vulnerable to attack. That’s the bad news. The good news is that we know how to reduce the risks and the solutions are within reach.”**

“A number of recent elections have been determined by a very small difference in votes, and a failure to have paper records that can be audited could ultimately call into question the validity of that election,” Senator Feinstein said. **“Congress needs to act to help restore confidence in the outcomes of elections.”**

A summary of the Ballot Integrity Act of 2006 follows:

- **Paper Records, Voter Verification and Audit:** Requires that voting machines produce a paper record that voters can verify, and correct if necessary, after casting their vote. Also requires that the paper record be preserved and used in a mandatory, random audit.
- **Electronic Voting System Security:** Takes measures to prevent technological manipulation of electronic voting systems and requires that all voting system software be disclosed by the manufacturers, and certified by the Election Assistance Commission (EAC).
- **Campaign Activities by Election Officials:** Prohibits a chief state election official from serving on any political campaign committee of a candidate for Federal office, making any public comments in support of a candidate, or soliciting political contributions on behalf of any candidate for Federal office.
- **Military and Overseas Voting:** Makes it easier for overseas and military voters to send in absentee ballot requests, absentee ballots and voter registration forms

by prohibiting states from refusing to accept ballots and registration forms due to non-essential requirements (such as size and stock of paper, and whether or not it is notarized).

- **Official Election Observers:** Grants all official, legitimate domestic and international elections observers unrestricted access to the election process, provided that they accept election rules, do not interfere with the election process, and respect the secrecy of the ballot.
- **Enforcement of HAVA Provisions:** Clarifies that individuals can pursue legal resolution of violations of the Help America Vote Act. Permanently extends the authorization of the Election Assistance Committee. Requires that contractors hired by the Commission (such as machine manufacturers) go through a public bidding process.

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