

Village Independent Democrats
Resolution for Amendment before Passage of HR 811
Passed by unanimous vote of the membership
March 8, 2007

WHEREAS, The federal "Voter Confidence and Increased Accessibility Act of 2007," HR 811, submitted by Rep. Rush Holt (D NJ) contains both useful and dangerous provisions; and

WHEREAS, HR 811 should be amended to ban Direct Recording Electronic voting machines ("DREs") because in the last few years, we have learned that DREs, even with a paper trail, cannot be relied upon to record and tally votes because

- Vendors have sold shoddy printers that fail often;
- Most voters cannot verify the paper trail accurately even when they try to do so and are allowed enough time;
- Boards of Elections do not want to hand-count the votes on the paper trail of sufficient DREs to ensure statistical confidence that the machines have worked properly;
- Even with a paper trail, the legal votes are inside the computer electronic circuits, and concealed from the voter him/herself. Election observers cannot understand, witness, and attest to the proper and honest handling, storage, and counting of these invisible electronic ballots; and

WHEREAS, International standards for election legitimacy are based on observation, and HR 811 should mandate election equipment that enables average citizens who vote, work at the polls, and observe elections to participate fully and observe appropriately, rather than forcing us to "trust" computer experts; and

WHEREAS, Minorities are especially vulnerable when using DREs -- when voters request their ballot to be displayed in a non-English language, they open themselves to "ethnic profiling" and targeted disenfranchisement; and

WHEREAS, We believe that all votes must be cast on voter-marked paper ballots, but HR 811 has responded to the growing demand for paper ballots by defining the term "paper ballot" to refer to DRE printouts, and this is sleight-of-hand unworthy of America; and

Whereas HR 811 needs the following amendments:

1. HR 811 must ban DREs, and not define the term "paper ballot" to include DRE printouts which are more typically called a "voter-verified paper trail" or "VVPAT." The term "paper ballot" should retain its historical definition as a ballot marked by the voter's hand or by a non-tabulating ballot-marking device.

2. HR 811 must allow accessibility and verifiability by voters with disabilities to be accomplished through low-tech innovations such as the Vote-PAD, and not mandate use of only computerized equipment.

3. HR 811 must require all recounts to be conducted by hand-counting the paper ballots. This should include recounts mandated by State laws for races with narrow margins. All computerized counting methods including optical scanners are vulnerable to error. For this reason, statistically significant audits, conducted by hand counting the paper ballots, are essential for all elections counted by software.

HR 811 contains a loophole that allows hand-counts to be bypassed: Section 327 provides an exemption from HR 811's audit requirements for elections in which a recount is triggered by State law due to a narrow margin. Thus, if the state requires only a machine recount, the election would be exempted from all hand counting of that narrow race.

4. HR 811 must ban all Internet connections for all components of voting systems, and must ban Internet transmission of voted overseas ballots. As written, HR811 allows the central Election Management System (EMS) of a computerized voting system to be connected to the Internet, yet this component is most vulnerable to easily-concealed tampering.

5. HR 811 must extend authorization of the EAC through 2008 only, with provisions that enable and encourage the proactive oversight of the EAC by Congress and the public.

6. HR 811 must require selection of audit boards to be done by "the state election oversight body independent of election administration, or where none exists, the chief auditor."

7. HR 811 must state when the audits of precinct ballots should begin, as it does for absentee and provisional ballots.

THEREFORE BE IT RESOLVED that the Village Independent Democrats strongly urges every Senator and Congressperson from New York to take leadership roles to work to accomplish these revisions to insure voter confidence in our elections; and

BE IT ALSO RESOLVED that the Village Independent Democrats will send this resolution to Senators Charles Schumer and Hillary Rodham Clinton, and to Representatives Gary Ackerman, Gregory Meeks, Joseph Crowley, Jerrold Nadler, Anthony Weiner, Edolphus Towns, Yvette Clarke, Nydia Velazquez, Carolyn Maloney, Charles Rangel, Jose Serrano, and Eliot Engel.