

December 14, 2006

## **Open Letter to all Members of the U.S. Senate and House of Representatives:**

We, the undersigned non-partisan election integrity organizations, strongly urge you, as a first order of business in the 110th Congress, to enact new federal legislation to protect the integrity of our elections. While there are many areas of concern for any such legislation, none is more essential to the accuracy of our elections and the confidence among our electorate than for there to be a paper *ballot* for every vote cast. Not a paper "trail" or a paper "record," but a paper *ballot*.

In light of lessons learned during the 2006 primary and general elections -- with myriad contests resulting in uncertainty and thousands of voters in state after state turned away from the polls unable to cast a vote on DRE systems which failed throughout the day -- we now hold that a paper *ballot*, whether counted by optical-scan system or hand, is the minimum requirement for any Election Reform legislation in which voters may have confidence. Such a requirement is needed to help ensure Americans that every legally registered voter can vote, that every vote is recorded precisely as the voter intends, and that every vote is counted and, if necessary, re-counted accurately.

This year's elections have made crystal clear that electronic voting machines -- both those *without* paper ballots, such as Direct Recording Electronic (DRE) touch-screen systems, and even those with so-called "Voter Verified Paper Audit Trails" -- caused massive disruptions, undermined the results of crucial elections, and forced thousands of voters to leave the polls without being able to exercise their franchise.

Paper **trails** and paper **records** are not sufficient to safeguard elections and restore confidence among the electorate. Unless there is a paper **ballot** for every vote cast, three fundamental principles of democratic elections are violated:

- 1) **Observable tallies.** It is impossible for citizens to observe the counting of electronic ballots and audit the results.
- 2) **Equal access.** Requiring voters to cast votes on computers discriminates against those who are not familiar with the technology.
- 3) **Accurate results.** It is impossible to ensure that the reported results are accurate. In fact, a voter-verifiable paper audit **trail** cannot be depended on to provide the certainty lacking in electronic tallies. Clear evidence from several recent elections reveals instances in which:
  - The electronic screen record did not reflect the voter's intent.
  - The electronic count did not match the paper trail produced by the e-voting machine.
  - The summary review screen did not match the paper trail produced by the e-voting machine.
  - Voters did not know to verify the paper trail or were prevented from doing so by improper design, incorrect setup, or malfunction of the printer.
  - Computer systems introduced unnecessary complexity into the entire election process and therefore increased the likelihood of errors by voters, poll workers, and election officials.
  - Computerized voting relinquished control of the final outcome to the technical skills of those who programmed the software.

While it is not easy to reconcile the money already spent on new DRE systems, it would be worse to continue using election equipment that is not accomplishing its critical task. If this were a public safety matter, no one would question the ban on the continued use of a dangerous product, even if it had been funded by billions of public dollars. Why should we act any differently when it comes to protecting the safety of our electoral process?

Ultimately, the *true* price of free, fair, reliable, accurate, and transparent elections in America cannot be judged by dollars alone.

We therefore urge you to immediately enact legislation that requires a **paper ballot** for every vote cast. Now is the moment for action, in time to take effect for the 2008 primaries and general election.

Respectfully yours,

*The Undersigned*

VoterAction.org  
VotersUnite.org  
VelvetRevolution.us  
National Voting Rights Institute  
Demos  
TrueMajorityAction  
Dolores Huerta Foundation

Broward Election Reform Coalition  
California Election Protection Network  
Citizens for Election Integrity Minnesota  
Coalition for Voting Integrity – Pennsylvania  
Coloradoans For Voting Integrity  
Commonweal Institute  
Dolores Huerta Foundation  
Election Defense Alliance  
Florida Fair Elections Coalition  
Gathering To Save Our Democracy - Tennessee  
Georgians for Verified Voting  
Iowans for Voting Integrity  
Mainstreet Moms (theMMOB.org)  
N.C. Coalition for Verified Voting  
Network of Citizens

New Yorkers for Verified Voting  
Oregon Voter Rights Coalition  
Palm Beach Coalition for Election Reform  
Sarasota Alliance for Fair Elections – Florida  
SAVEOurVotes.org – Maryland  
Texas Safe Voting  
TrueVoteMD  
Verifiable Voting Coalition of Virginia  
Verify The Vote Indiana  
Virginia Verified Voting  
VoteAllegheny  
VotePA  
Vote Rescue of Texas  
Voting Integrity Alliance of Tampa Bay