

## Ensuring every vote counts in elections

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The 2006 vote count in Sarasota County, Fla., exposed major weaknesses in our nation's voting system. Nearly 240,000 voters cast ballots on Nov. 7. But when their votes were tallied, things didn't square up: There were 18,000 fewer votes in the 13th Congressional District than were recorded in other contests on the same ballot.

So-called undervotes occur in every election. But the rate of undervotes on Sarasota County's touch-screen machines was five times the rate seen on absentee ballots in the same contest.

Clearly, something went wrong. Was it a software glitch? Did poor ballot design lead voters mistakenly to overlook the congressional race? Was there tampering? We don't know. After an investigation, Florida election officials say software was not to blame. But other experts say machine failure cannot be ruled out.

In the end, Republican Vern Buchanan was declared the winner over Democrat Christine Jennings, by only 369 votes. Thousands of votes were never recorded. And since the machines were not equipped to provide a paper trail that could be verified by the voters, we may never know what the true count was.

This sort of uncertainty is unacceptable. That's why I am introducing legislation to reform our nation's voting systems. The Ballot Integrity Act would:

- \* Require that all voting systems used in federal elections have a voter-verified paper trail, and ban the purchase of new voting systems that do not provide a paper trail.
- \* Establish a \$600 million grant program to help states purchase voting systems equipped to produce a voter-verified paper trail.
- \* Create a \$3 million competitive grant program to develop a voting system with a voter-verified paper trail, with full accessibility for the disabled.
- \* Require random public audits of electronic voting tallies, and open voting system software to inspection by independent computer analysts.
- \* Require that all voting places offer emergency paper ballots in case of system failures or delays.

These changes are critical to ensuring that every vote counts. To leave things as they stand today is to invite trouble.

The danger is real. In last year's midterm elections, one-third of voters -- 55 million Americans -- cast ballots on electronic voting systems. Some jurisdictions have machines that leave a voter-verified paper trail; others do not.

In Sarasota County's 13th Congressional District, recounts were conducted, but they were essentially pointless. That's because the recount there simply entailed tallying the same electronic record again. And so the same flawed result was produced, with no way to find out why 18,000 votes went missing.

Inaccurate election tallies are an urgent problem, but so far they have not been addressed adequately. It has been more than four years since the Help America Vote Act, to reform federal elections, was passed by Congress and signed into law. But experts have identified several serious issues:

- \* The nonpartisan Election Reform Information Project found that new electronic voting machines may lack necessary security safeguards, and that statewide voter registration databases may not be accurate.

- \* In two studies in 2006, the Brennan Center for Justice, at the New York University School of Law, found more than 120 security threats to voting machines. The Brennan Center also found a notable lack of scientific study of voting system cost, security and accessibility -- especially for disabled voters.

The problems in Sarasota County are a warning that must be heeded. If similar problems had occurred in the last election in Montana or Virginia -- states with tight U.S. Senate contests -- control of the Congress might have been unclear.

The good news is that some states are beginning to act. Florida Gov. Charlie Crist has announced plans to replace touch-screen voting systems with paper ballots counted by scanning machines. Other states are considering similar plans.

These are moves in the right direction. But they are not enough. We must have uniform national voting standards.

The stakes are high. Inaccurate vote counts erode voter confidence. And if voters lose faith, they may give up on voting altogether.

Voting is fundamental to our democracy and is guaranteed by the Constitution. But the right to vote is diminished if we don't count the vote accurately. It is imperative that Congress ensures that voter choices are recorded accurately, free from error or mischief.

Dianne Feinstein is a U.S. senator from California.