

109TH CONGRESS
2^D SESSION

S. RES.

To express the sense of the Senate that States should have in place backup systems to deal with any failure of electronic voting equipment during the November 7, 2006, general election.

IN THE SENATE OF THE UNITED STATES

Mr. FEINGOLD (for himself and Mr. KERRY) submitted the following resolution; which was referred to the Committee on _____

RESOLUTION

To express the sense of the Senate that States should have in place backup systems to deal with any failure of electronic voting equipment during the November 7, 2006, general election.

Whereas widespread problems with new voting technology have been reported this year in primaries in Ohio, Arkansas, Illinois, Maryland, and elsewhere;

Whereas States such as Texas, Arkansas, and others have had to unexpectedly administer provisional ballots after electronic voting machines failed;

Whereas equipment malfunctions in the Arkansas district 16 State Senate primary race precipitated a recount that, in turn, produced a new winner;

Whereas computer problems in 4 southern Indiana counties required workers to manually enter the number of votes for each candidate in each precinct;

Whereas a deadline to test electronic voting machines in West Virginia was pushed back to the day before the May 9 primary election due to problems and delays with the new machines;

Whereas glitches in the electronic voter check-in system in Montgomery County, Maryland, resulted in polls remaining open for additional hours and required a recount of thousands of paper provisional ballots;

Whereas 40 percent of registered voters nationally are expected to cast ballots on new machines in the November 7 midterm elections;

Whereas the larger number of voters participating in the November 7 midterm elections may result in even more equipment failures than occurred in the primary elections;

Whereas millions of voters could be disenfranchised in the November 7 midterm elections, as thousands have already been in 2006 primary elections, due to the failure of electronic voting machines; and

Whereas former Attorney General Richard Thornburgh and former Ohio Governor Richard Celeste, co-chairs of the Committee to Study a Framework for Understanding Electronic Voting of the National Academies' National Research Council wrote recently: "If major problems arise with unproven technology and new election procedures, the political heat will be high indeed. . . . Jurisdictions need to come up with contingency plans for such November problems, if they haven't done so already. One

possible example: Make preparations to fall back to paper ballots if necessary.”: Now, therefore, be it

1 *Resolved*, That it is the sense of the Senate that each
2 State and jurisdiction that uses electronic voting equip-
3 ment should have in place for use in the November 7,
4 2006, general election a backup system, such as the use
5 of paper ballots, in the case of any failure of the electronic
6 voting equipment.