

COMMENTS FOR THE HOUSE COMMITTEE
ON ADMINISTRATION

Subcommittee on Elections Hearing on Election Reform: Machines and Software H.R. 811

Delivered by:

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My name is Harold Snider and I am President of Access for the Handicapped, Inc., 4921 Bel Pre Road, Rockville, MD 20853, telephone 301-460-4142, Email hlsnider@earthlink.net. Beginning in 1978, this consulting company has provided services to the Government and Private Sector on a wide variety of disability issues. We have represented a number of disability organizations in testimony before Congressional Committees.

I also serve as Executive Director of Services for the Visually Impaired, Inc. (SVI), 8720 Georgia Avenue, Suite 210, Silver Spring, MD 20910, Telephone 301-589-0894, Email hsnider@servicesvi.org. Since 1958 this non-profit agency has been one of the two major providers of services to blind and visually impaired people in the Metropolitan Washington, D.C. area. For purposes of this testimony, SVI sells a variety of high-tech devices, and also provides training on computers and other high-tech devices to blind and visually impaired people. I have invented several high-tech products for blind and visually impaired people, such as a menu driven totally electronic newspaper delivery service, which delivers its product to more than 60,000 readers over the telephone using synthetic speech.

The purpose of this testimony is to speak in opposition to H.R. 811, introduced by Congressman Holt and Co-Sponsored by Congressman Petrie. From 1988 to 1990, I served as Director of Outreach for People with Disabilities at the Republican National Committee (RNC) where I served on the personal staff of the Late Chairman, Lee Atwater. Subsequent to his retirement because of a fatal illness, I was offered and accepted a political appointment as Deputy Executive Director of the National Council on Disability (NCD) from 1990 to 1992, in the first Bush Administration. One of my primary tasks while employed at the RNC was to encourage disenfranchised people with disabilities to vote. I also assisted in the drafting of sections of the Americans with Disabilities Act of 1990 at the behest of members of Congress and in cooperation with the Domestic Policy Council in the White House.

H.R. 811 unnecessarily slows down the process of enfranchisement of people with disabilities into the voting process by requiring that DRE (touch screen) voting machines also generate a verifiable paper trail. Having grown up in a politically active family in Jacksonville, Florida, I am acutely aware of the need to count every vote. As a blind person, I have been the victim of discrimination at the polling place because of illiterate

and ignorant Election Judges and party workers. I found this discrimination to be intolerable and unnecessary. I could recite horror stories forever, but they would quickly become tedious and boring to the members of the subcommittee.

While working at the RNC, I discovered that people with disabilities were totally apathetic about the election process. This apathy was caused by the facts that the election process itself, and polling places in particular, were substantially inaccessible. People with disabilities were experiencing discrimination by poll workers in the voting process and were unable to vote privately and independently, thus being disenfranchised. The Help America Vote Act (HAVA) substantially changed the playing field for people with disabilities. For the first time, I was able to vote privately and independently in Montgomery County, Maryland using the accessibility features found on the Diebold touch screen voting machines. Not only was I enabled to vote, but I was able to confirm my ballot, and I have sufficient confidence in the technology to believe that my vote was counted.

I am very proud of the fact that I was able to complete a Doctorate at Oxford University in 1974, where I studied 19th Century British History. I learned that in early 19th –Century England, a group of people called Luddites attempted to destroy early industrial production machinery because they perceived it as a threat, and had no confidence in it. I believe that the same is true with those who favor H.R. 811. In the 21st Century there are still people who have no faith in modern technology and in its ability to deliver a secure electronic voting process.

The current Diebold machines have the potential of producing a verifiable paper trail, but at what cost? An add-on box and firmware are now available which will enable people with disabilities who cannot use their hands to manipulate the functions of this machine for less than \$500 per unit. In contrast, the major ballot marking machine is not functional for people without the ability to use their hands because such people cannot independently insert or remove the ballot from the machine. Therefore, these people with disabilities cannot vote privately and independently.

I would like to point out to the Subcommittee that people who are blind or visually impaired are substantially unable to read or verify a paper ballot generated by a voting machine, therefore their ability to vote privately and independently is compromised and their votes are far from secure. After all, to a blind person, one piece of paper feels exactly like another. To take this example to its extremes, a device exists which will put Braille characters and ink print characters on the same page. It is manufactured by Nippon TeleSoft in Japan and costs approximately \$35,000.00. Only 10 percent of blind people read Braille and it seems to me that such an expenditure is not justifiable to achieve a verifiable paper trail. I believe it is doubtful that inexpensive technology can be developed in the near future which will enable people with disabilities to read a paper trail in an accessible manner.

H.R. 811 helps those Americans who believe it is necessary to have a verifiable paper trail in order to achieve a secure voting process. I believe that the costs of doing so are not

justifiable. H.R. 811 hurts people with disabilities because it substantially delays the day when private and independent voting will become available throughout this country. A mandated study which should be completed in 2010 substantially delays this process. H.R. 811 therefore delays private and independent voting for people with disabilities well into the next decade. Such a delay is unconscionable. H.R. 811 contains an underfunded mandate for accessibility which many jurisdictions will find difficult to overcome. I believe that it is vital for the Congress to keep its promise to the disability community that voting should be accessible, private and independent. The requirement for verifiable paper trails only diverts and delays this promise.

It seems to me that a perfect election is impossible. We know that it is impossible to get an accurate hand count of paper ballots. There are those who believe that without a paper trail, electronic voting cannot possibly be accurate. People with disabilities are unfortunately caught in the middle of this argument, now when our enfranchisement as voters is really viable for the first time. I believe that DRE machines provide people with disabilities, and all voters, the ability to vote privately, independently and securely. I urge members of the Subcommittee, the Committee itself, and the Congress to reject H.R. 811.