

SUSAN T. ERTMER
Winnebago County Clerk415 JACKSON STREET, P.O. BOX 2808
OSHKOSH, WI 54903-2808MARRIAGE LICENSE
INFORMATION (920) 236-4893

E-MAIL: countyclerk@co.winnebago.wi.us

Winnebago County

County Clerk

The Wave of the Future

TO: Rep. Juanita Millender-McDonald, Chairwoman, Committee on House
Administration
Rep. Vernon Ehlers
Rep. Tom Petri

FROM: Sue Ertmer, Winnebago County Clerk

DATE: March 28, 2007

RE: H.R. 811

It is with great concern that I'm writing to you about H.R. 811 and the impact that it would have on our election process.

The requirement to replace--by the 2008 Presidential Election--our current touch screen voting equipment (which, in Wisconsin does have a voter-verified paper trail) with voting equipment that does not exist yet would be disastrous.

I understand H.R. 811 requires a scanner to convert a paper ballot into an audio ballot to assist a blind voter. However, if that piece of equipment has not been developed yet, how could it possibly be tested, certified, purchased, installed and clerks/poll workers trained in time for the 2008 election? Complying with the requirements of HAVA has taken years and cost millions of dollars. Why are you pushing through costly procedures in such a short period of time that make the election process more cumbersome, but no more secure than it already is?

Who will pay for the cost of this new equipment and the election result audit requirements that are included in H.R. 811? Are these unfunded mandates that states and counties will have to pay for or will there be federal money to pay for them?

The requirement that state audit boards audit up to 10% of all ballots cast before election results can be certified will cause tremendous problems between primaries and general elections. That window of time is already very short in Wisconsin. Requiring an audit will make it almost impossible to get ballots printed and machines programmed in time for the general election.

PLEASE reconsider the provisions of H.R. 811. Talk to state and local election officials about these issues. We're on the "front lines" of elections and are just as concerned as you are that elections are handled fairly and legally. H.R. 811, as written, isn't the answer.

Thank you.



RANDALL COUNTY TEXAS

CANYON

SUE WICKER BARTOLINO
COUNTY CLERK
(806) 468-5505
Fax (806) 468-5509

P. O. Box 660
Canyon, Texas 79015
E-mail:
countyclerk@randallcounty.org

March 28, 2007

Chairwoman Juanita Millender-McDonald and Ranking Member Vernon Ehlers:

Please oppose H.R. 811 and S. 559. Give us time to make the Federal Voting Rights Act and the Help America Vote Act work before you start changing the rules and calling for cost-prohibitive, unrealistic mandates.

Randall County has greatly increased the costs of elections to implement HAVA and simply does not have the money for any further changes. We had a road district election last fall that cost \$18.90 per vote cast and there were only 44 registered voters. Before HAVA and those mandates we could have had an election for around \$200. instead of \$831.60 for those same voters.

Any changes made in requirements for equipment need a minimum of 5 years to be developed and tested and then should be implemented on a limited basis to allow any problems to be worked out before we hold a national election with that equipment. The citizens are losing faith in government and elections and these ridiculous proposed changes will further destroy any voter confidence left.

We are losing election workers and election professionals because of the public perception of us and if you require more costly, unnecessary, burdensome mandates we will have no one left to conduct the elections we will have. I cannot tell you the number of times our election personnel were screamed at in the exact words that had been used to belittle the election process the night before on national news.

Maybe the Nightly News Teams can change "The Disenfranchisement of America" used in 2006 to "The Election Fiasco in America." in 2008.

Please vote against H.R. 811 and S. 599.

Sincerely,

Sue Wicker Bartolino

PAULDING COUNTY BOARD OF ELECTIONS

105 East Perry Street • Paulding, Ohio 45879
Phone (419) 399-8230 • Fax (419) 399-8250

Ellen R. Schlegel, Chairman
Ronald L. Farnsworth
Stanley D. Harmon
Karl A. (Tony) Langham

Janet L. Commers, Director
Brenda J. Crawford, Deputy Director

March 28, 2007

The Honorable Paul E. Gillmor
United States House of Representatives
Washington, DC

Dear Paul,

We are writing to encourage you to vote "no" on H.R. 811.

The Act, in its current state, would do more to undermine the integrity of the 2008 presidential election than increase voter confidence in the system.

In an environment which has most election officials and poll workers still struggling with the massive changes imposed by HAVA and subsequent State legislation, the timelines mandated for the implementation of HR 811 can at best be considered onerous, burdensome and frankly unrealistic.

Election Officials share the concerns of Congress when it comes to elections. We want fair, honest and reliable systems. We dare say election officials have more of a vested interest in seeing that these elections run in a fair and impartial manner and that every legitimate vote is counted. Our professional reputations are at stake with every ballot cast. H.R. 811 was written without the input of election professionals. We ask that the bill be reconsidered with our input so that we can achieve these goals in a way that will serve both of our constituents-the voters of this great nation-best.

Sincerely,

Jan & Brenda

Janet L. Commers, Director
Brenda J. Crawford, Deputy

Cc: Members of the Committee on House Administration

Betty Riffe, Clerk
Raleigh County Commission
215 Main Street
Beckley, West Virginia 25801
Ph (304) 255-9126



Chairwoman Juanita Millender-McDonald
Ranking Member Vernon Ehlers

Subject: H.R.811

Please consider this fax an opposing vote, in regard to the H.B.811. This would cause extreme hardship and well as enormous expense to the Countys that have already purchased DRE's in order to comply with the HELP AMERICA VOTE ACT., NOT TO MENTION THE TIME FACTOR THAT WE WOULD HAVE TO DEAL WITH.

Betty Riffe
Clerk

Holmes County Board of Elections

Clinton Street Office Building 75 E. Clinton St., Suite 108 Millersburg, OH 44654
Phone (330) 674-5921 Fax (330) 674-5978

Georgianna Cool, Chairman Ann E. Stotler, Member
Lucille L. Hastings, Member Wesley J. Schmucker, Member

March 28, 2007

Chairwoman Juanita Millender-McDonald & Ranking Member Vernon Ehlers:

This letter is in response to H.R. 811. I feel that it is my responsibility to share my concerns with you.

My office like many Boards of Elections in Ohio consists of a very limited staff. The staff in our office consists of two full-time staff members, the director and the deputy director. We have just recently hired two additional staff members on a part time basis. The need for additional staff was necessitated by the implementation of HAVA in 2002. That additional cost was not funded by HAVA. The cost is funded by our local county budget.

Additional laws or changes in the law always take time to implement. HAVA was passed in 2002. Holmes County Board of Elections first used the Diebold TSx DRE equipment in November 2005. The May 8, 2007 Special Election is the first election that our staff will be conducting without support. Technology changes require time to implement. Boards of Elections staff have a better learning curve than poll workers. The staffs have year-round access to the equipment. Poll workers are lucky to work with the equipment at one or two training sessions and one or two elections each year. Please also remember most poll workers are retired, over the age of 65 and not hip to new technology.

Requiring new equipment or procedures this soon after HAVA implementation will cause confusion and mistakes on Election Day. To implement HR 811 by the 2008 Presidential Election cycle is unimaginable. (I would say impossible, but I try not to use the word loosely.) First, the equipment does not exist. Therefore, it would need to be developed, tested and manufactured this year! I would have to also train my poll workers this year. (It is less than one year to the Presidential Primary in Ohio!) Everyone who works in elections knows that Presidential Elections (both the primary and general) have the most voter turnout, the most media scrutiny, and are the most harrowing for elections workers. Add new equipment and procedures to the normal stress, and the entire country will have poll worker retention problems.

The additional costs associated with this bill are not clearly visible at this time. The equipment costs, of course, will be covered by federal funding. So will the voter education and poll worker training. But the costs of equipment use and maintenance will probably be overlooked and fall to the local jurisdictions. Most election offices will need to reorganize. New equipment will need storage. We already have limited storage space available. By the way, what will we do with the HAVA equipment that we now have? Chuck it in the dumpster, since it will become obsolete within two years of first use?

Holmes County Board of Elections

Clinton Street Office Building 75 E. Clinton St., Suite 108 Millersburg, OH 44654
Phone (330) 674-5921 Fax (330) 674-5978

Georgianna Cool, Chairman Ann E. Stotler, Member
 Lucille L. Hastings, Member Wesley J. Schmucker, Member

The costs of the emergency paper ballots alone will tax my county. Holmes County Board of Elections chose the Diebold TSx DRE to avoid printing thousands of optical scan paper ballots. Those ballots can cost upwards of one dollar each, or more for two-part ballots. Holmes County has numerous TSx machines in each polling location. If one machine fails, there is always another available to use. Another machine can be in place at that location within one hour. If the power fails, the machines are equipped with battery backup and generators are on standby for emergencies. The cost of the ballots would be an additional expense to Holmes County.

Storage of both used and unused emergency ballots would increase costs. Holmes County Board of Elections does not have the secured storage space available to maintain the additional ballots for 22 months. Additional secured space would need to be acquired. (By the way, are anything but the official certification and recount official? Why do I need to store this stuff for 22 months? The Representatives' terms are almost up when the ballots can be disposed of, at that time are we going to do another recount?)

The paper ballot representing the vote shall serve as the vote of record in all recounts and audits. Paper jams happen, printers go on the fritz, paper rolls run out and archival paper is not permanent. Do the ballots that jam in the printer not get counted? Do the ballots that are only partially printed not get counted? Can we really expect all voters to find these problems and remedy the situations?

I have not had time to read all that is proposed in HR 811. I have only addressed issues that I am currently aware of. Please take time to consider the effects of this proposed legislation. Once passed, there is no easy way to undo the problems that occur.

Issues of concern to my staff include finding sufficient poll workers and polling locations. Our local schools are perfect for polling locations. They fit the bill in size and accessibility. However, most schools are unavailable due to security issues. My recommendation is to standardize election days across the country (including the Presidential Primary), set Election Day as a holiday or teacher in-service day, and allow use of the facility as a polling location. Students are not in the facilities, making security less of an issue. Help us where we need help, do not make administering an election more difficult. More change means responsibilities, more burdens, more potential for mistakes, and less trust in the elections system.

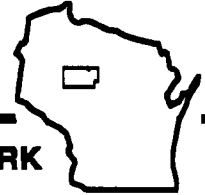
Respectfully,



Lisa Welch
 Director



Taylor County Clerk



BRUCE P. STRAMA, COUNTY CLERK
715-748-1460

Carol Ziemer, Deputy Clerk
Jacky Peterson, 748-1461
Payroll/Benefits Administrator

Larry Brandl, Accountant 748-1462
Amy Peterson, Accounting Assistant

March 28, 2007

To Whom It May Concern:

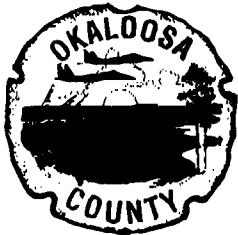
I am responding to the proposed passage of HR 811. Passage of this bill would only jeopardize the voter confidence further with the additional change required. We have just purchased new equipment with the required paper trail which allows each voter to view their ballot and verify that their vote was recorded correctly on paper. We have had audits that verify the results as 100% accurate and have gained some confidence from voters who are becoming more willing to use and trust the new ADA compliant equipment that we were mandated to purchase. The error rate is much greater on either paper or central-count scan systems as the opportunity to vote incorrectly is available with no second chance vote. The DRE equipment alerts the voter to the fact that there is an under-vote in a race and assures that over-votes are not cast and in the Wisconsin Partisan Primary assures there is no cross-over voting. These are features that are absent when voting a paper ballot and could increase voter error.

Another issue with HR 811 is the 10% required audit. In Wisconsin the time between the Primary and General Elections is not sufficient to allow these audits, which would delay generation of ballots for the General Election. Getting those ballots out in time for Absentee Voting in the General Election without delay is an issue that exists at this time and would only be enhanced with delayed Certification of the Primary due to the audit.

Voter confidence can only be earned through extended use of the proven product we now have, not by changes made on a whim with each passing election.

Sincerely,

Bruce P. Strama, Taylor County Clerk



Board of County Commissioners

State of Florida

March 28, 2007

Associate Legislative Director for
Finance and Intergovernmental Affairs
Ms. Alysoun McLaughlin
Washington, D.C.

Dear Ms. McLaughlin:

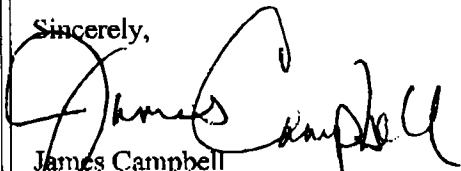
On behalf of the Board of County Commissioners and the taxpayers of Okaloosa County, Florida, I am writing to you to register our opposition to HR 811, which we feel is an inappropriate and unnecessary intrusion on the rights of states to legislate on and administer elections. As you well know, all elections—federal, state, and local—are conducted and paid for on the local level, notwithstanding infrequent and insufficient funding from the federal or state governments. In fact, such funding seldom if ever came from the state or federal government prior to 2002.

Beyond the money issue, federal micromanagement of the electoral process from afar seldom results in the intended consequences, because "one size does not fit all." Rather than proscribe in detail the voting equipment, provisional voting, and the like, it would better serve everyone for Congress to simply adopt **objectives** to achieve and let the states implement the procedures themselves. Whatever money was spent from HAVA will be almost totally wasted if states have to follow the voting system requirements in HR 811.

Time lines for implementation of 811's requirements are also unrealistic. The auditing process, which most will willingly accept with better standards than are contained in the bill, will result in longer delays in producing official results and certifying elections. Very few jurisdictions, some still struggling to comply with HAVA, will be successful in proper implementation, training staff and poll workers, and educating voters on all new equipment and many new procedures by 2008.

We strongly urge Congress and all its members to pursue a more reasoned approach on these crucial election issues in HR 811 and work with the National Association of Counties, the National Conference of State Legislatures, and local officials in their jurisdictions.

Sincerely,



James Campbell
Vice-Chairman



HABERSHAM COUNTY

Office of County Commissioners

555 Monroe Street, Unit 20, Clarkesville, GA 30523

706-754-6270 Fax: 706-754-1014

www.habershamga.com

March 28, 2007

The Honorable Juanita Millender-McDonald,
Chair, House Administration Committee
2233 Rayburn HOB
Washington, D.C. 20515
Fax: 202-225-7664

Sent via facsimile

The Honorable Vernon Ehlers,
Ranking Member, House Administration Committee
2182 Rayburn HOB
Washington, D.C. 20515
Fax: 202-225-9957

Sent via facsimile

Dear Congresswoman Millender-McDonald and Congressman Ehlers:

On behalf of the County Commission, I want to express our strong opposition to H.R. 811. Its requirements are impractical, and the deadlines are unrealistic. It would do more harm to the electoral process than good. Its impact on the 2008 presidential election could be disastrous.

It's bad legislation. It should be defeated.

Cordially,

Edward L. Scalover
County Manager



COUNTY OF LOS ANGELES

Washington, D.C. Legislative Office

25 Massachusetts Avenue, N.W., Suite 560 • Washington, D.C. 20001
(202) 393-2404 • Fax (202) 393-2666
<http://lacounty.info>

DAVID E. JANSSEN
Chief Administrative Officer

REGINALD N. TODD
Chief Legislative Representative

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

March 28, 2007

The Honorable Juanita Millender-McDonald
Chair, Committee on House Administration
U.S. House of Representatives
1309 Longworth House Office Building
Washington, DC 20515

Dear Madam Chair:

On behalf of the Los Angeles County Board of Supervisors, I am writing to communicate the County's opposition to H.R. 811, the Voter Confidence and Increased Accessibility Act and S. 559, the Vote Integrity and Verification Act.

In contrast to the speed at which these bills appear to be moving, one of the strengths of the Help America Vote Act of 2002 (HAVA) was that its complex provisions were painstakingly developed and thoroughly assessed - in collaboration with numerous local election officials - in order to consider the consequences of major new requirements. Additionally, a key component of HAVA was the 2006 implementation date, which allowed a 3-year lead time that was instrumental in its successful implementation because there was time to make adjustments based on lessons learned from elections held in 2002, 2004, and 2006.

Consensus has already emerged among election officials across the country that many of the far-reaching provisions in H.R. 811 and S. 559 are simply unworkable. Examples include instituting new, complex voting equipment requirements in time for the imminent 2008 Federal election cycle, prescribing how and when to deliver voting equipment in advance of elections, providing for a private right of action, making voting system software source code available as public information, and establishing various types and processes of election audits.

While election officials currently conduct auditing processes in a manner that is open to public observation prior to certification of official election results, the provision in H.R.811 and S. 559 that would transfer authority and security of voted ballots from local election officials to a state board, prior to certifying election results, is ill-conceived. Such a process would break the chain of custody of ballots during ongoing vote tabulation and could delay the release of final election results.

The County is also concerned about prescriptive language in H.R. 811 and S. 559 that would require major modifications to the County's touch-screen voting equipment which makes early voting possible prior to the election day of major elections. Because these modifications cannot

