Testimony BEVRA

Delivered by

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Chairman Feinstein, Ranking Member Bennett, and Rules Committee members, I want to thank you on behalf of the members of the American Association of People with Disabilities for inviting me to testify before you today on S.3212 the Bipartisan Electronic Voting Reform Act of 2008 (BEVRA). I am Jim Dickson, the Vice President of Government Affairs for the American Association of People with Disabilities (AAPD). With 100,000 members, AAPD is the largest membership organization of people with disabilities in the country. In a variety of capacities, I have 24 years experience with non-partisan voter registration and education issues and serve on the Board of Advisors to the U.S. Election Assistance Commission.

AAPD is the largest national nonprofit cross-disability member organization in the United States, dedicated to ensuring economic self-sufficiency and political empowerment for more than 50 million Americans with disabilities. AAPD works in coalition with other disability organizations for the full implementation and enforcement of disability nondiscrimination laws, particularly the Help America Vote Act, the National Voter Registration Act, the Americans with Disabilities Act (ADA) of 1990, and the Rehabilitation Act of 1973.

AAPD supports the Bipartisan Electronic Voting Reform Act of 2008 (S.3212 BEVRA). Senators Feinstein and Bennett have done a real service to this country with this legislation. The legislation allows for innovation and experimentation. The legislation sets objectives but does not dictate how the objective is to be achieved. In fact, the legislation recognizes a variety of possible voting media.

The Help America Vote Act levels the playing field for tens of millions of Americans with disabilities because it guarantees the right to vote privately and independently. This is accomplished by using the accessible interfaces that are available on computers. HAVA's accessibility guarantee enables more than 10 million Americans who are blind or visually impaired to vote a secret ballot. The same guarantee assists more than 23 million Americans

with learning disabilities because it allows them to both hear and see the ballot. Similarly, Americans with hand and arm limitations are able to vote privately and independently. AAPD supports a voter's right to review and verify their choices on the ballot. Verification and accessibility are not mutually exclusive and this legislation recognizes that fact. It provides $15 million for research and development of accessible and verifiable voting systems by offering a variety of voting mediums (a paper record; an electronic record; an audio record; a video record; a pictorial record; or another independently produced record). This legislation will stimulate research while guaranteeing accessibility. Some of our nation's universities and research institutions have already begun to research this problem and this legislation will accelerate and broaden this process. Chairwoman Feinstein and Ranking Member Bennett, on behalf of Americans with disabilities, I am thankful for the thoughtful, creative, and innovative legislation you have drafted.

The timeline for the creation manufacture and deployment of new voter equipment is a step in the right direction. The deadline of 2012 with a two year extension to 2014, recognizes one of the major lessons of the Help America Vote Act, that it takes a great deal of time to test, develop, and deploy new voting systems. However, these dates would require that everything in this complex process moves quickly. It is very likely that the standard setting process alone would take several years, therefore, AAPD urges that you consider extending the time period.

AUDIT PROVISIONS

The Audit Provisions are an important step forward. It's important that election results be audited and that the election process also is audited. As drafted, the legislation is respectful of existing state and auditing processes and procedures. The Bill structures a good state and federal partnership for auditing elections relying on the election assistance commission to finalize the audit rules.

Another strong point of the legislation is that it begins to address the all-important topic of ballot design. Human factors, research, and Congressional investigations have highlighted the need to apply science to the design of balance.

Lastly, careful study of Election Day problems tells us that many and perhaps the overwhelming majority of difficulties that voters face can be traced back to inadequate poll worker training. We should all be grateful to the millions of Americans who volunteer their time to be poll workers, but Election Day is a long day and many poll workers make mistakes due to fatigue and inadequate training. This is particularly true because the average age of a poll worker is 72 years. AAPD would encourage the Committee to consider addressing the problem of poll worker recruitment and training. One solution that would stimulate individuals to volunteer their services as poll workers would be to treat poll worker service in the same way we treat jury duty. Perhaps the federal government could require those businesses and non-profits that receive

federal funds to allow their employees to serve two days, one for poll worker training and one for Election Day, without the loss of salary or requiring the use of a vacation day. In other words, those employees who chose to volunteer will not have to sacrifice vacation or income in order to serve our nation.

In conclusion the American Association of People with Disabilities commends the staff and Committee for this thoughtful and effective legislation.

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Jim Dickson is Vice President for Government Affairs of the American Association of People with Disabilities (AAPD). He leads AAPD's nonpartisan Disability Vote Project, a broad coalition of 36 national disability-related organizations whose mission is to close the political participation gap for people with disabilities. The project focuses on voter registration and education, Get-Out-The-Vote drives, election reform and polling place access.

Jim played a central role with the Leadership Conference on Civil Rights (LCCR) effort to pass the Help America Vote Act (HAVA).

Prior to joining AAPD, Jim organized the campaign to place a statue of President Roosevelt in his wheelchair at the Franklin Delano Roosevelt Memorial on the National Mall in Washington, DC. Jim has organized grassroots, multi-issue organizations in Rhode Island, Connecticut and California. With the support of the Sierra Club, he organized the first grassroots congressional mobilization for the environmental movement, which resulted in the passage of the first Clean Air Act.

In 1987, Jim became the first blind person to sail a boat alone from Rhode Island to Bermuda. His objectives were to have a good time and to stimulate public discussion on the abilities of people with disabilities.

Jim is a graduate of Brown University and he resides in Washington, DC with his wife and daughter.

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