Many Floridas Loom In November Elections

by Edward Spannaus

What many activists and observers, including *EIR* have warned—that the November 2004 Presidential elections could be far more chaotic and disastrous than those of 2000—was officially acknowledged in a Congressional hearing on July 20.

"My concern is that the election is going to be a fiasco," admitted Rep. Adam Putnam, (R-Fla), the chairman of the Technology Subcommittee of the House Government Reform Committee. "Anyone could be another Florida in November 2004. We have not passed any legislation that could prevent another Florida."

This is despite—or perhaps because of—Congress's passage of the Help America Vote Act (HAVA) in 2002, which, it was acknowledged, has not done anything to improve the situation for the 2004 Presidential elections. It has, in fact, made things worse. As a committee staffer told *EIR:* "Nothing is in place for November."

Faith-Based Voting

The July 20 hearing was the long-delayed hearing on electronic voting, which had been originally scheduled for May 12, but was unnecessarily cancelled by the GOP leadership, despite a packed hearing room and witnesses sitting waiting to testify.

Rep. William Lacy Clay, (D-Mo), the senior Democrat on the subcommittee who, sources say, had pressed hard for the hearing for many months, said at the outset that the public must be provided with "the most transparent voting system possible," and, he pointed out, "computerized voting does not accomplish that."

Rep. Clay said that the issue is simple: "I want to vote, and I want to know my vote is counted as I intended. With a paper ballot, my vote is there in front of me, and I place it in the ballot box." Clay said the same is true of punch cards and optical scanning devices, "although both of these are subject to mechanical error."

"With lever machines and computerized voting, you have to take it on faith that your vote is counted as you intended," Clay continued, while noting that a problem or tampering with a lever machine affects only that machine, while a problem with computer software affects all machines running that program.

Clay expressed his support for the paper-trail bill sponsored by Rep. Rush Holt (D-NJ), who was participating in the hearing by special arrangement. However, it has been clear for some time, that the Holt bill has no chance of passing the GOP-dominated Congress; and, even if it did, it is too late to have a significant effect on this November's elections.

Dr. Avi Rubin, an expert in computer security from Johns Hopkins University, declared that although vendors and some state officials continue to insist that touch-screen machines are perfectly secure, "I cannot fathom the basis for their claims." He said that those who defend touch-screen machines "do not account for the ease with which a malicious programmer could rig an election," adding, "It is much easier to hide malicious code in software than it is to detect it."

But other witnesses attacked the idea of going back to paper ballots, or to what are called "voter-verified paper trails," as the equivalent to early 20th-Century demands to ban the automobile and to return to horse-and-buggy technology. Two witnesses offered even more complex technological solutions (which are still prone to error and malfunction).

One of the witnesses, the acting Director of the National Institute of Standards and Technology (NIST), Hratch Semerjian, was asked by Rep. Clay about states which have already purchased electronic voting machines using HAVA money. "What should they do?" Clay asked. "I really feel for them," Semerjian responded, while acknowledging that certification standards "won't be developed in time for the 2004 election."

Clay also asked Semerjian whether NIST had stopped work on HAVA; his answer was that their work "was slowed down"—not stopped. But, in fact, NIST had announced in February that it had "terminated all its activities under the Help America Vote Act for lack of funding." Taken together with the Bush Administration's long delays in nominating members of the Election Assistance Commission, this has created a situation in which state and local officials were using Federal HAVA funds to purchase touch-screen voting machines, while nothing was done to establish standards for these devices, as was required by the HAVA statute.

This prompted Rep. Marcy Kaptur (D-Ohio), also specially participating in the July 20 hearing, to ask where state and local officials should go, with their questions about electronic voting systems. When the panelists acknowledged that there is *nowhere* to go, because there is no agency that has developed standards for testing and certifying this equipment, Kaptur pointed out that when Congress voted for HAVA, "that's what we were voting for"—but nothing yet exists.

This acknowledgment of the potential for chaos in November, confirms the wisdom of the call issued earlier this year by Democratic Presidential candidate and *EIR* Founding Editor Lyndon LaRouche, who called for the states and Congress to ban all computerized voting systems in November. LaRouche said that only a return to a 100% paper-ballot system could guarantee fair and honest elections. *EIR*'s testimony, incorporating LaRouche's proposal, was published in the May 21 issue of *EIR*.