

AVANTE International Technology's testimony by Kevin Chung in front of "Voting Systems and Procedures Panel Meeting" Chaired by Mr. Mark Kyle for the Secretary of State of California Kevin Shelley on April 21-22, 2004

Good Afternoon Chairman Kyle and the Board:

My name is Kevin Chung. I am CEO of AVANTE International Technology.

There are three points I would like to make.

Firstly, I like to assure the California voters that there are DRE voting systems with **proven "accessible voter verified paper audit trail"** that are available for this November election in the State of California.

AVANTE and its teaming partners DELL Computer, ARROW Electronics, and MICROSOFT E-Government System are more than capable and will be more than happy to provide ALL OF THE 10,000 ACCESSIBLE VOTING UNITS for this November's election.

Contrary to the "belief" of those that oppose the use of "voter verified paper audit trail", **AVANTE VOTE-TRAKKER™ is not only proven but also had been successfully used in FIVE different elections.**

In four of the elections in the State of Connecticut during the 2003 election, the system produced paper record in accordance to what the Secretary of State Kevin Shelley and this panel will call "accessible voter verified paper audit trail". Blind voters like the sighted voters were able to verify their ballots by having the paper audit trail read back to them.

I have here an endorsement letter from the President of American Council of the Blind, Mr. Chris Gray. "As a professional that is familiar with computers and programming, I can understand that many find the option of printing a voter-verified paper audit trail (for the) sighted voters to be significant improvements in voter's confidence. **The ability to read back the paper audit trail via spoken word for the blind and visually impaired community also adds to my confidence that our votes are counted correctly.** If, in fact, paper audit trails are required in voting systems, the AVANTE VOTE-TRAKKER™ is the finest implementation to accommodate the visually impaired in the use of the paper audit trail I have experienced. It demonstrates a "best of breed" mind set and commitment by the designers and manufacturers of this equipment." [1]

Mr. Jim Dickson of AAPD even agreed that he considers the system accessible if it is certified by NASED. In fact, Mr. Dickson praised the accessible voter verified paper audit trail of VOTE-TRAKKER™ to be an **"elegant way"** to do it if it must be done.

One of the elections held using the AVANTE VOTE-TRAKKER with voter verified paper audit trail was in Sacramento County back in the 2002 General Election. I should add it was the first time in California and US election history that 0% residual vote was

achieved. In contrast, when folks in the election business tell you that their election is 100% accurate, they never mention to you that **there were as many 12.3% of these electronic ballots never voted for US Senator race in the year 2000 General Election in Los Angeles**. Talking about accessibility for voters many of those 12.3% votes were from the Asian Pacific voters **like myself or may be my relatives in LA**. [2]

The more important matter for the future is that there is at least **one voting system made by AVANTE** that could be used in California election in this November. The VOTE-TRAKKER™ system including both EVC308-SPR DRE and OPTICAL MODULE has been assigned **NASED # N-1-12-22-11-001. YES. WE ACTUALLY HAVE AN NASED # TO GO WITH OUR APPLICATION!**

For those counties like **San Francisco**, just for the record, AVANTE VOTE-TRAKKER™ has the **RANKED VOTING OPTION in both the DRE and OPTICAL modules**. In fact, the ranked voting feature was in our machine since the first NASED certification back in 2002. **By the way, the 2002 testing requires that an OPTICAL voting unit to make less than ONE ERROR IN 1.5 MILLION ballots. Most of your current 1990 standard optical system will make error in an average of ONE in a ten THOUSAND to one in one THOUSAND.** [3] **(I am quoting Professor Doug Jones results in his certification effort in IOWA.)** [4]

For those counties that worry about the expenses of using OPTICAL voting for this November election, we hereby pledge to the Golden State that AVANTE will charge no more than \$1 for preparing, printing and counting of each of the OPTICAL ballots. That is, it will cost the State less than \$10 million for the technical portion of the election.

AVANTE has renewed its request for California certification since April 5. As we mentioned to the board in our application, we need the **FULL, UNCONDITIONAL CERTIFICATION** by May 17 from this panel in order to bid on the current and soon due SACRAMENTO RFP.

We have included all of the documentations and the California procedures. We hope this board will not be totally be tied down by the CURRENT PROBLEMS and quickly give the Golden State a certified VOTE-TRAKKER™ voting system with accessible voter verified paper audit trail. **I know the State does not yet have its standard ratified, may be we can just call it accessible “voter confirmation paper audit trail” or something for the certification purpose at this time!**

The second point I would like to bring out is: a lot of vendor folks keep using the lack of Federal standard on “voter verified paper audit trail” to be their reason that they are not able to comply with this common sense in assuring the voters that their votes are cast and counted correctly.

I like to quote the 1990 FEC voting system on the “VOTER CONFIRMATION IN DRE SYSTEM” [5]

“Some jurisdictions may find the incorporation of a voter confirmation capabilities in DRE systems is advantageous. Voter confirmation provides voters with a further indication of a physical record. That record may also be used in recounts in the same manner that paper ballots in P&M system are used.”

“If a printed ballot is produced, it should be a machine readable format and a ballot box must be provided for the deposit of the record after the voter views it. The user jurisdiction must adhere to administrative procedures necessary to ensure that no voter leaves the polls with the printed record, lest it be used for illegal purposes”.

I don't know how and why or WHO, this “standard” on VOTER CONFIRMATION CAPABILITIES disappeared on the 2002 FEC standard.

The third point I want to make is: there are features that must be included in a good paper audit trail. I want to make this point because I saw some of systems being proposed that may **subvert** this good idea of VVPAT. **We certainly do not wish to see the voters in California to be told one day. “See, we told you so. Voter verified paper audit trail is a bad idea!”**

1. The paper record must maintain voter's privacy. [6]
2. The paper record and of course the electronic record must not be easily tampered with.
3. The paper record must not be defeated by forgery.
4. The paper record must allow for authentication and traceable to the electronic record.

That is, VOTE-TRAKKER™ has since beginning in 2000, incorporated both the now fashionable idea of “ELECTRONIC VERIFICATION” as well as “VOTER VERIFIED PAPER AUDIT TRAIL”.

VOTE-TRAKKER™ has all of these features since early 2001. All of these suggestions have been made public in our website for a long time. We hope no one can use the lack of standard or know-how as an excuse to fail the voters of the Country.

One thing that should be added is that what is printed on the paper audit trail in the alternate languages. Here is the paper record in Chinese. Even though AVANTE VOTE-TRAKKER™ can provide such print out in any languages, we do not think it is a good

idea in the sense that **it can potentially affect the privacy of an individual or a group of minority.**

Thank you Chairman Kyle and the board for the opportunity to tell our story.

Submitted by Kevin Chung on April 21-22, "Voting Systems and Procedures Panel Meeting" of the Secretary of State, Kevin Shelley of the State of California

- [1] Please refer to white paper: *"Summary of experience on Nov. 3, 2003 Election"* by Registrars of Voters of Southington, Connecticut, available at www.vote-trakker.com (*"Accolades section"*)
- [2] Please refer to white paper: *"A Manufacturer's View Point On the Voter Verifiable Paper record and Audit Trail"* available at www.vote-trakker.com (*"White paper section"*)
- [3] Please refer to white paper: *"Optical VOTE-TRAKKER™ A "Mark-sense" absentee & Precinct-Based Voting System that Minimizes both Voter and System Errors"* available at www.vote-trakker.com (*"White paper section"*)
- [4] Please refer to white paper: *"Problem with Voting Systems and the Applicable Standards" Testimony before US House of Representatives* available at <http://www.cs.uiowa.edu/~jones/>
- [5] Please refer to white paper: *"Is there a "standard" for voter verified (or verifiable) paper audit trail?"* available at www.vote-trakker.com Please also refers to 1990 FEC voting system standard. (*"White paper section"*)
- [6] Please refer to white paper: *"A Manufacturer's View Point On the Voter Verifiable Paper record and Audit Trail"* available at www.vote-trakker.com (*"White paper section"*)