

The following resolution was adopted by the Democratic National Committee at its meeting on September 11, 2009, in Austin, Texas.

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 Rep. Debbie Wasserman Schultz, DNC Vice Chair/Florida
 Rep. Mike Honda, DNC Vice Chair/California
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 Steven K. Alari, California
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 Ramona Martinez, At-Large/Colorado
 Minyon Moore, At-Large/District of Columbia
 Christine Pelosi, California
 Mame Reiley, Virginia
 Virgie Rollins, National Federation of Democratic Women
 Rick Stafford, Minnesota
 James Zogby, At-Large/District of Columbia

Resolution in Support of Accurate, Open and Transparent Elections in the United States of America

WHEREAS, the Democratic National Committee (DNC) is committed to meaningful and comprehensive election reform that will guarantee every eligible American – regardless of race, ethnicity, geography, disability, language, political party, gender, economic status, or education – the constitutional right to equal participation in the political process; and

WHEREAS, eligible voters living abroad and America’s military forces, who risk their lives to protect our democracy and to establish new democracies throughout the world, are at substantial risk of being disenfranchised at home by numerous election administration deficiencies; and

WHEREAS, by preventing eligible voters from exercising their fundamental right to vote, thereby undermining the public’s confidence in election results, the American electoral system is in a state of disrepair and, unless adequately reformed, the very foundations of our own democracy could crumble; and

WHEREAS, in 1993 Congress passed the National Voter Registration Act (“NVRA”), which mandated that all state social service agencies provide an opportunity for their clients to register to vote, yet across the country, states are not complying with that mandate, and are disproportionately denying low income and disabled eligible voters important opportunities to register; and

WHEREAS, although in 2002 Congress passed the Help America Vote Act (“HAVA”), aiming to improve states’ administrations of elections and mandating that states’ voter registration lists include all voters who are duly registered in the jurisdiction, some states nonetheless have enacted “no match, no vote” policies that remove from the voter registration lists those names that do not match other state databases – in up to 30% of cases due to clerical or other minor errors – threatening to cause millions of eligible voters to be improperly purged from the rolls; and

WHEREAS, as many as one-third of eligible Americans are still not registered to vote, and only 61% of those registered cast ballots in the historic 2008 general election, an increase of just 1% from 2004; and

WHEREAS, in the 2008 general election 50,000 provisional ballots were rejected for being cast in the incorrect precinct, and an estimated 12.5 million eligible voters were excluded from voting by administrative deficiencies, including ballots lost through the absentee voting process and clerical errors in registration; and

WHEREAS, on June 22, 2009, the United States Supreme Court issued its decision in *Northwest Austin Municipal Utility District Number One v. Holder*, expressing doubt about the constitutionality and continued necessity of the Voting Rights Act, as amended, (“VRA”) and expanding the jurisdictions eligible to seek a bailout, which would exempt them from the preclearance requirements of Section 5 of the VRA; and

WHEREAS, over the past four federal election cycles eligible Americans have been unnecessarily and unconstitutionally disenfranchised by the failure of the U.S. Department of Justice to aggressively enforce the VRA; by laws disenfranchising former felons, which disproportionately affect minority communities; and by partisan manipulations by Secretaries of State; and

WHEREAS, the DNC will work with Governors, Secretaries of State and lawmakers at every level of government to fight the adoption of state or federal discriminatory voter I.D. legislation which acts as a 21st century poll tax, effectively disenfranchising countless poor, minority, elderly and student voters; and

WHEREAS, during the 2008 presidential election cycle, efforts were taken to disenfranchise voters, including “vote caging,” wherein election officials attempted to cancel or reject voters’ registrations using lists of foreclosed homeowners or based upon mail returned or marked undeliverable by the U.S. Postal Service; and

WHEREAS, in the weeks preceding the November 2008 election, online social networking sites, popular among young voters, were used to deliver deliberately false and misleading information about registration and polling locations, and flyers appeared in low income and minority communities publicizing fictitious information about “special voting days” for Democrats and threatening adverse consequences against voters who had unpaid parking tickets; and

WHEREAS, in the 2008 general election, voter protection observers received nearly 2,000 reports of malfunctioning voting equipment and twenty-eight states either lacked the paper records necessary to conduct post-election audits or did not require manual audits even where a paper record was available; and

WHEREAS, the DNC continues to urge lawmakers to adopt regulations that mandate transparent election administration, including audit protocols and manual recounts in a randomly selected and statistically significant number of precincts; and

WHEREAS, the DNC continues to urge lawmakers to adopt regulations and procedures which ensure that ballots and voting equipment are easy to understand and use, and that all eligible voters are able to cast their votes without impediment, regardless of physical or language limitation; and

WHEREAS, the DNC will continue to work to ensure that no citizen’s right to vote and have that vote counted will be abridged and, toward that end, will put in place programs to protect the ballot in future elections;

THEREFORE, BE IT RESOLVED that in addition to the foregoing recommendations, the DNC calls on the U.S. Congress to pass federal legislation for immediate implementation that provides adequate funding for states to effectively and equitably administer federal elections; and

BE IT FURTHER RESOLVED, that the DNC, along with state and local parties, will continue to urge state and local Democratic leaders to monitor the implementation of HAVA across the country in 2009 and beyond, and to fight for vigorous enforcement of the NVRA and the VRA; and

BE IT FURTHER RESOLVED, that the DNC calls on the U.S. Congress to pass the Voter Registration Modernization Act of 2009 to promote the use of the internet and other technologies to open additional channels for the registration of eligible voters, and to further simplify and expand the voter registration process by requiring states to automatically register citizens to vote using existing information in state databases; and

BE IT FURTHER RESOLVED, that the DNC calls on the U.S. Congress to pass the Military and Overseas Voter Empowerment Act, amending the Uniformed and Overseas Citizens Absentee Voting Act, to ensure that ballots timely cast by eligible U.S. voters living abroad, military and civilian, will be counted; and to support legislation allowing college students full and equivalent access to the polls in the places where they live or reside; and

BE IT FURTHER RESOLVED, that the DNC calls on the U.S. Congress to pass federal legislation for immediate implementation that makes voter purging, suppression and intimidation, including the use of deceptive disenfranchising practices, explicit criminal offenses and prohibits Secretaries of State and other election officials from otherwise engaging in partisan conduct during federal elections; and

BE IT FURTHER RESOLVED, that the DNC calls for legislation that requires the equitable distribution of voting equipment and supplies to all polling places, and that ensures brief and reasonably equivalent wait times for all voters, regardless of where they live, or their race or socioeconomic status; and

BE IT FURTHER RESOLVED, that the DNC calls on the U.S. Congress to pass federal legislation for immediate implementation that reinforces the entitlement of voters to cast provisional ballots in federal elections and to have those votes counted in an equitable and inclusive manner, with a presumption in favor of validity and a clear mandate that provisional ballots shall be counted in the most generous possible manner in every state; and

BE IT FURTHER RESOLVED, that the DNC will continue to work with Members of Congress as well as state and local officials and lawmakers, to enact legislation that will ensure fair, non-discriminatory and responsible redistricting laws, regulations and practices; and

BE IT FURTHER RESOLVED, that the DNC will continue its resolve to work with Members of Congress, Governors and lawmakers in all 50 States, the District of Columbia, and all U.S. Territories, local election officials, and community leaders to update and reform our election laws to ensure that voter confidence in our election system is restored and maintained.