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VotersUnite!  
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U.S. Election Assistance Commission  
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To the Members of the Election Assistance Commission:

With the increased use of computerized election equipment, election officials (most of them computer novices) are finding themselves over their heads and yet forced to defend themselves and their staffs. They need your help.

For more than a year, both of us have been focused almost exclusively on the issues surrounding electronic voting equipment and how it is used in elections. We are convinced that the elections community is in great need of central source of information – a clearinghouse where election officials could post their own problems and solutions and could read about others' problems and solutions. They could learn from their colleagues in a confidential environment and thus improve the administration of elections, which is what we believe they fervently want.

Unfortunately, no such cooperative clearinghouse presently exists, and we have been filling the void as best we can – which, unfortunately, is very minimal. For example, on May 13, 2004 a news article (<http://www.law.com/jsp/article.jsp?id=1084316008117>) announced that a “serious bug” had been found in the ES&S iVotronic voting machines in Miami-Dade County, Florida. According to this article, ES&S had known about this “bug” for over a year and had ignored its existence.

That week we called the elections offices in Bexar County, Texas and in Marion County, Indiana. We chose these two counties because we knew they had had previous problems with ES&S and that Marion County was still in the midst of settling those problems. We also knew that both counties used exactly the same voting system as was being used in Florida. We asked officials in both counties if they had been notified of any problems with the software on their voting systems. Neither knew of any problems, either from ES&S or from any other source. We then informed them both that there was a problem in Florida and what the problem was.

We were told by the Bexar and Marion county officials that ES&S had a terrible reputation with customer support and neither election official we talked to was surprised that they were not contacted about a problem.

We also contacted your staff at the EAC and discovered that they were not aware of the ES&S bugs either. At that point, your staff asked to be placed on our list of people who receive a daily email summarizing the day's voting news.

This incident points to the issue we are addressing in this letter — the need for an information clearinghouse. Here is a summary of our reasoning:

- The voting machine vendors are resistant to admitting when there are problems, and they do not want those problems advertised.
- Communication about election equipment problems is extremely limited. News articles about one county's problems may never be read by officials in another county.
- Knowledge of problems and solutions found in one county could be invaluable in helping officials in other counties administer elections more smoothly. What better way to find out how to solve a voting problem than to talk to someone who has already had the same problem and found a solution?
- Neither the National Association of State Elections Directors nor the Election Center (both logical choices on the surface) could sponsor such a clearinghouse since both receive, or have received, funding from the voting machine industry.

We believe the Election Assistance Commission is the ideal agency to set up what we propose, which is this:

- A situation much like “The Consumer Union” needs to be instituted to provide a central point for voting machine problems, election procedure discussions, and other issue-sharing. A web site or email list must be set-up so elections people in one county can get reliable information on their voting system and, conversely, post information about their problems.
- The organization providing the central point must have absolutely no relationship with the voting machine industry and no motivation other than to facilitate mutually-beneficial communications among election officials. Officials must be confident that the information they receive is untainted.
- Election officials must also feel secure that the information they share and questions they ask will be kept confidential so that their participation cannot be used against them politically.
- Evidence points to the fact that counties are making decisions not from knowledge but from salesman pressure; this clearinghouse could reverse that situation. When being inundated with the information from the voting machine vendors, prior to making a decision, any election official could use this clearinghouse to learn from other officials. (How was your contract structured? Were future technology changes added into the contract? How about service, software changes, paper ballots, etc.? When the machines are outdated will the vendor accept them back for recycling or does that cost fall on the customer?)

- At the same time, the sponsoring agency could use its position in the elections community to provide valuable information to the public, such as the voting systems in use by certain counties and other data for researchers.

We have given the idea of an information clearinghouse a great deal of thought, and we would be very interested in participating in establishing and maintaining it. However, whether or not we are involved, we would be happy to share more of our thoughts with you.

We look forward to hearing from you about this proposal.



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