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[www.VotersUnite.org](http://www.VotersUnite.org)

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VotersUnite!

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U.S. Election Assistance Commission  
1225 New York Ave. NW - Suite 1100  
Washington, DC 20005

To the Members of the Election Assistance Commission:

We are very pleased that you are holding a hearing on the 2008 Election Day Survey and voting system performance. We also appreciate that you are inviting public testimony. Ours is provided herein and in the referenced documents.

Voting system performance over the past four years has been abysmal. Local election officials struggle to administer elections using computerized equipment that is poorly designed, inadequately documented, and difficult to operate. Adding to their struggle is the fact that every system in use today is beset with malfunctions. New malfunctions occur in some elections, but often the same malfunctions occur in election after election.

The enormous changes in election administration initiated by HAVA have left election administrators with new and unfamiliar challenges with which they need help. Information-sharing is essential, and we believe - as does the GAO - that the Election Assistance Commission was tasked with facilitating that information sharing. Currently, only VotersUnite and other citizen groups track and disseminate vital information about equipment problems. Vendors promise to inform their customers about equipment flaws, but they rarely do so.

Election administrators need to know about equipment problems occurring elsewhere, in order to prepare their own solutions in advance of their own elections. For example, when the New Mexico clerks communicated with each other and realized that a high percentage of memory cards were failing in all their counties, they were able to purchase additional cards to manage the problem. But jurisdictions in other states were unprepared because they were not aware of the severity of the failures until their own cards failed.

As you may remember, we have been very vocal to the Commission and others regarding the Commission's responsibility to provide the information-sharing resources mandated by HAVA and urgently needed by the local election administrators.

- ◆ In October of 2004, we wrote a letter to the Commission, expressing our concern and offering our assistance. ([http://www.votersunite.org/info/EACLetter10\\_17\\_04.pdf](http://www.votersunite.org/info/EACLetter10_17_04.pdf)).

- ◆ In May of 2007, after many futile attempts to convince the Commission to distribute essential information about equipment defects, we submitted testimony expressing our concerns to a subcommittee of the U.S. House of Representatives. (<http://www.votersunite.org/info/GideonTestimonyMay-7-2007.pdf>).
- ◆ In February of 2008, we submitted similar testimony to another subcommittee of the House. (<http://www.votersunite.org/info/HearingTestimonyGideon-02-25-08-1.pdf>).
- ◆ In May of 2008, we submitted testimony on the subject to the House Administration Committee. (<http://www.votersunite.org/info/TestimonyToHouseOnEAC-1.pdf>)
- ◆ In May of 2008, in support of the EAC Board of Advisors' Resolution 2007 - D14, we submitted a detailed proposal to the EAC describing – complete with screen mockups and cost estimates – a tracking and reporting mechanism that could be used to implement the Board's recommendation that the Commission “create on its website an effective compilation of voting system incident reports that have been reported by local or State officials, keyed to different voting system vendors and models.” (<http://www.votersunite.org/info/EACInfoClearinghouseProposal.pdf>)
- ◆ Also in May of 2008, we submitted comments to the EAC regarding the 2008 Election Day Survey, urging the Commission to include some questions regarding the operation of voting systems on election day and providing a detailed list of the questions we believe are essential. (<http://www.votersunite.org/info/CommentsOn2008EACSurvey.pdf>)

Our position has not changed. This letter, along with our comments and recommendations set forth in the documents referenced above, is our testimony.



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