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June 3, 2007

Allegheny County Board of Elections

The Honorable David B. Fawcett III, member, Board of Elections

The Honorable Kathryn M. Hens-Greco, interim member, Board of Elections

The Honorable David N. Wecht, interim member, Board of Elections

and Mr. Timothy H. Johnson, Director, Administration Division

and Mr. Mark Wolosik, Division Manager, Elections Division

County of Allegheny

County Office Building, Room 604

542 Forbes Avenue

Pittsburgh, Pennsylvania 15219

Re: **New Information Requested**

Ladies and Gentlemen:

As we study and develop our reports on the May 15th Primary Election, we have questions for the honorable Board and County administration.

Election integrity reports

1. We understand that the Vigilant Minds consulting firm was asked to prepare a network security assessment for the May primary similar to that prepared for the November general election. We are requesting a copy of this report and a copy of the statement of work under which they were hired.
2. We also understand that parallel testing was conducted on the day of the primary election and we request any written report on that as well.

Security of iVotronic voting terminals

Prior to the election, Dr. David Eckhardt and Mr. Collin Lynch communicated with Elections Director Mark Wolosik and the Board of Elections concerns regarding the security of the iVotronic voting terminals. Mr. Wolosik then forwarded those concerns to the state for clarification. It is our understanding that a letter from the state and information from the vendor were forwarded to Mr. Wolosik.

3. We request a copy of the correspondence from the state and a statement from the Elections Division of what steps, if any, will be taken between now and the November general election to mitigate any issues related to iVotronic passwords and/or Factory Test PEBs.

Certification status of M650 optical scanners

During the scanner tabulation Mr. Lynch observed that two of the M650 central-count optical scanners were employing different hardware and software than the other four. The scanners in question employed visible red light and Mark-

Sense version 2.0 versus visible green light and Mark-Sense version 3.0. It is our understanding that these scanners were borrowed from Youngstown, Ohio for the purposes of the election. Mr. Lynch observed this hardware difference and the fact that one of the scanners lacked a serial number and NASED certification sticker.

4. VoteAllegheny is naturally hopeful that the equipment used to scan our ballots has undergone certification by the Secretary of the Commonwealth. We have been informed that the office of the Secretary has issued a written opinion authorizing the use of these machines and are requesting a copy of all correspondence between ES&S, the County, and the Commonwealth on this matter.

5. We are also interested in knowing whether the County plans to borrow equipment from non-Pennsylvania jurisdictions for the November election.

Equipment failures

On election night problems were reported with the iVotronic systems located in Pittsburgh Ward 5 District 8. It is our understanding that the iVotronic terminals were transported downtown, and that one or more machines were inoperative to the point of requiring disassembly in order to extract vote data from an internal memory store.

6. We request a report on the incident, including trouble-log information, an indication of how many machines were inoperative for how long at the polling place, a description of any delays encountered by voters, an indication of when vote data recovery was performed, a copy of the vote data extracted from the machine(s), and an indication of how the information extracted from the machines was validated.

7. It is our understanding that on election night several PEB's and iVotronics were found to be inoperable, unreadable, or otherwise unusable. We request a summary of hardware failures broken down by equipment type and failure type. In addition, we request a list of the polling places which reported voting-machine problems on the day of the election.

Missing vote data

It is our understanding that on the night of the election a polling place in Verona did not return any PEBs or iVotronic flash memory cards and that as of the subsequent morning some or all of the vote data from the polling place were still unaccounted for.

8. We request a summary of what was missing, how and when the Elections Division received the missing vote data and missing equipment, and what the chain of custody was in the interim.

Security of tabulation system

9. Is the "Autorun" feature of Microsoft Windows, which is generally regarded as a potential entry vector for malicious software, enabled or disabled on the tabulation machines?

10. Are any of the tabulation machines running software not certified by the Secretary of the Commonwealth? For example, is laptop number eight running Google search software, and is that software certified?

Autonomy of election operations

On the night of the election employees of ES&S were observed operating and/or repairing equipment, and during the November general election ES&S employees were observed to use special procedures to extract vote data from iVotronic terminals. We endorse the county's stated intention to operate elections using County staff and hope this will be possible soon.

11. We request an inventory of how many ES&S employees or contractors served as staff during the May primary and in what capacities. We also request a similar inventory for the November general election and an indication of the County's expectation of ES&S staffing for the upcoming general election.

