



**c/o 3548 Beechwood Boulevard
Pittsburgh, Pennsylvania 15217-2767
412-421-0178**

Lynden Armstrong, Chief Clerk, U.S. Senate Rules Committee;

Mr. Armstrong, I have enclosed a comment from VoteAllegheny regarding Senate Bill 3212 the "Bipartisan Election Reform Act of 2008". I formally request that it be included in the record for the forthcoming hearing to take place this Wednesday July 30th 2008 at 10am.

Sincerely,
Collin Lynch, President VoteAllegheny.



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Members of the Senate Rules Committee:

We are writing to you today as representatives of Vote Allegheny, to urge you not to send senate bill S3212, the "Bipartisan Electronic Voting Reform Act of 2008", to the floor or to pass it in its present form without fundamental revisions.

Vote Allegheny is a nonpartisan advocacy organization based in Allegheny County Pennsylvania. Our membership includes computer scientists based at the University of Pittsburgh and Carnegie Mellon University, business owners, engineers, and professional activists. We are a party-neutral organization with members drawn from across the political spectrum.

We have three primary objections to the bill in its present form. First and foremost, it does nothing to address the immediate crisis in our electoral system. This November roughly half of all Americans will vote on insecure, unauditable, and often inaccessible elections systems. These systems provide no means to reliably and independently audit the vote to ensure fairness and accuracy at the polls. Many also contain well-known and as-yet uncorrected security holes that place every election at risk. These voters cannot afford to wait for the development of as yet unspecified voting technologies nor should this issue be seen as one for future election cycles.

The federal government should act to encourage the purchase of secure, auditable, recountable, and accessible systems that employ a voter-verified paper ballot along the lines of house bill H.R. 5036. These systems exist now, can be purchased now, and can be readily deployed for this presidential election.

Secondly, the bill would add new duties to the Election Assistance Commission (EAC) while enshrining a role for the vendors in the authoring and endorsement of new standards. The EAC has been lax in carrying out its present enforcement and oversight portfolio notably in addressing existing accessibility complaints. It should not be given new duties until the present mandates are achieved fairly and reasonably. The existing NIST-driven standards process is already open to all stakeholders for public comment and peer review. System vendors already drive much of the process.

Finally the bill endorses new voting technologies without defining them or adequate standards for their use. This is unnecessary and potentially damaging. The existing system standards encourage the development of new auditing technologies and research is already underway both at public universities and private corporations. This research has been supported by preexisting lines of funding from the NSF for open peer-reviewed research in this area and that will continue. The ongoing adoption of systems employing voter-verified paper ballots has not closed the door for ongoing research nor will it.

The purpose of elections law is to guarantee that each and every voter can cast their vote privately and have it counted securely. For roughly half of American voters this promise is not being met. The crisis now is to ensure that their votes can be cast and counted on systems that are secure, accurate, recountable and accessible. This bill does not address that problem.

Sincerely,

Collin Lynch, President VoteAllegheny.

Dr. Richard King.

David M. Brown.