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March 26, 2007

The Honorable Debra Bowen
California Secretary of State
Attn: Voting Systems Review
1500 11th Street, 6h Floor
Sacramento, CA 95814

RE: Draft of the Top-To-Bottom Review of Electronic Voting Systems

Dear Secretary Bowen,

The following represents my concerns with the Secretary of State Deborah Bowen's proposed Top-to-Bottom Voting Machine Review. A review of all voting systems should be a review of the tests each system was required to perform when certified by the Secretary of State. No new equipment or requirements should be made. New requirements for voting systems should be noticed to vendors and to election officials prior to certification tests unless it's only a change in procedures of use.

The manner in which the draft standards are being presented to the voting public appears to be a ramrod effort targeting specific voting systems by allowing only a six-working-day comment period. The draft standards in the proposal are not comprehensive and deserve extensive additional comment and refinement. There are no set standards for assessment of accuracy, which are common to any report. Reliability testing should include analysis of durability and redundancy in use at polling places which is a volume test. The draft standards contain no comparison for relative security risks and standards are aimed exclusively at DREs rather than all voting systems.

A 30-day comment period is the standard review time normally allowed for public input. The standard timeframe would allow for a more thorough review of the hasty ideas referenced, in Secretary of State Bowen's proposed draft review.

Any review should not be held before a Presidential election. With counties preparing for a Presidential Election cycle, decertification and recertification of current elections systems during this already tight timeframe may not allow for the administration of each county to prepare and change to a new election system. There would likely not be enough time to sufficiently test new systems for the basic theories commonly accepted by elections professionals. Current systems have already passed stringent reviews and standardized testing criteria of the basic theories commonly accepted by elections professionals including accuracy, reliability, security, privacy, accessibility for voters with specific needs, and the speed of counting and reporting results.

The proposed *Red Team* concept disregards "real world" election environment and security of current certified systems that have performed accurately in elections across the United States. In addition, the *Red Team* attack compromises the elections system with access to source code, which could be dangerous if not flagrantly misrepresented and published, which would allow hackers to attack the integrity of the voting systems. Similar to the military tactics Secretary of State Bowen proposes with the *Red Team* concept, the military does not give up its secrets in these types of attacks that would give away their strategies to potential terrorists.

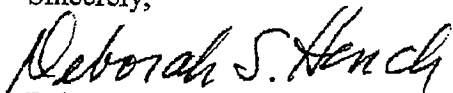
Regarding proposed disability access testing, the Sip-n-Puff would be new requirements that do not take into consideration the head stick or mouth stick commonly available to quadriplegic voters. The review criteria make no mention of reliability of accessible voting devices, which has varied widely among systems currently in use.

The US election assistance commission and its predecessor agencies have the job of developing voting system standards, to ensure that the voting systems meet the requirements intended by Congress.

If decertification is eminent then the Secretary of State should decertify all DRE's so that counties may prepare for a paper election. As proposed in the current draft there are new requirements that were not required in prior reviews and testing.

The Registrar of Voters of California are committed to promote accuracy, reliability, privacy, security, accessibility to all voters and the speed of counting and reporting results is a must in today's society. Any top to bottom review should adequately assess all of the basics aforementioned in this letter in clear and equitable measurable objectives. We would appreciate the opportunity to assist with improving the draft procedures of the Top-To-Bottom Review of all voting systems. To implement the original draft of the review would be a disservice to all California voters. I do not agree and, therefore, must reject the draft proposal as written and proposed by the secretary of state.

Sincerely,



Deborah S. Hench
Registrar of Voters