

Honorable Pedro A. Cortes, Secretary of the Commonwealth  
Department of State  
Bureau of Commissions, Elections and Legislation  
210 North Office Building  
Harrisburg, PA. 17120

Re: Electronic Voting Machines purchased by Northampton County

Secretary Cortes:

Pursuant to 25 PS. § 3031.5, on behalf of the undersigned electors of the Commonwealth of Pennsylvania, we hereby request a re-examination of the electronic voting machine system that has been purchased by Northampton County (WINvote from Advance Voting Solutions).

We enclose at least ten (10) certifications of duly registered electors in the Commonwealth of Pennsylvania who seek this re-examination. We have enclosed a check for \$450 payable to the Treasurer of the Commonwealth of Pennsylvania.

It would seem to me that a rejection of a reasonable request from the voting citizens of this Commonwealth would represent a victory of narrow interests over the interests of the general public, whom you were appointed to serve.

We request the following:

Northampton County must provide information about this equipment, including it's name and model numbers, the names of the manufacturers of all hardware and software that are used for the system, the names of the software designers, how security of the vote is maintained through the steps of data collection and maintenance, and NASED Number. We request as well the specific steps that were taken in the certification process by the Commonwealth, and since this was a "certification with restrictions", what steps have been taken to insure that these restrictions have been addressed and remediated.

We also request independent testing that is free of manufacturer or government influence. This may include testing by computer experts to see if the system can be "hacked".

Respectfully,

/signed/  
Alan Brau, MD  
483 Sugar Maple Court  
Bethlehem, PA 18017  
abrau@aol.com

cc: Northampton County Council



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
302 North Office Building  
Harrisburg, PA 17120

PEDRO A. CORTÉS  
Secretary of the Commonwealth

Telephone: (717) 787-8727  
Fax: (717) 787-1734  
Website: www.dos.state.pa.us

March 27, 2006

Alan Brau, MD  
483 Sugar Maple Court  
Bethlehem, PA 18017

Re: Request for Voting System Re-examination

Dear Dr. Brau:

The Department of State has reviewed your letter of March 7, 2006, requesting that the Secretary of the Commonwealth re-examine the Advanced Voting Solutions WINvote electronic voting system that was examined in Harrisburg on September 19, 2005 and properly certified on February 16, 2006.

Your request seeking re-examination is insufficient to require a re-examination of the WINvote electronic voting system. Therefore, the Secretary declines to conduct the examination requested and returns herewith the \$450 check that accompanied your request.

Certification of electronic voting systems in Pennsylvania must meet two testing requirements. Section 1105-A(a) of the Election Code, 25 P.S. § 3031.5(a), requires testing by a federally recognized independent testing authority (ITA). Section 1107-A of the Election Code, 25 P.S. § 3031.7, lists seventeen separate points that must be examined by Pennsylvania before certification may occur. As stated in the Secretary's certification report issued on February 16, 2006, the WINvote system fully met both the federal and state requirements. Since that date, no credible information has been provided to the Secretary or come to his attention that any change or modification has been made to this system.

The Department takes requests for re-examination very seriously and acted favorably on two such requests last year. However, if no new facts are brought to light concerning potential irregularities or deficiencies in a system, there is no reasonable basis to subject a system to a re-examination, pursuant to 25 P.S. § 3031.5(d). In the case of the WINvote system, there is no genuine prospect that a re-examination would reveal anything that was not revealed in the examination conducted on September 19, 2005.

Alan Brau, MD  
March 27, 2006  
Page 2

With regard to the specific requests in your letter, the Secretary would like to direct you to his February 17, 2006 Certification Report of the WINvote system, which can be found on the Department of State's website under the Bureau of Commissions, Elections and Legislation.

For these reasons, the Secretary declines to conduct the request re-examination.

Sincerely,



Pedro A. Cortés

Enclosure



of the Commonwealth of Pennsylvania in the amount of four hundred and fifty dollars (\$450.00).

5. We respectfully request that pursuant to 25 P.S. Sec. 3031.5 (b) the Secretary of State examine the electronic voting system and issue a report relating to the functionality of the system.
6. We respectfully request that the Secretary follow all the applicable requirements of the Pennsylvania election Code and common law.

#### VERIFICATION

We, the undersigned, state that the facts set forth in this document are true and correct to the best of our knowledge, information, and belief. We acknowledge that this verification is made subject to the penalties of 18 Pa. C.S. Sec. 4909, relating to unsworn falsification to authorities.

Dated:      March 25, 2006

Re: Examination/Reexamination of Electronic Voting System (Page 1 of 2)

Re: Examination/Reexamination of Electronic Voting System (Page 2 of 2)

Cathy Reed  
Signature of Registered Voter  
Cathy Reed  
Printed Name of Registered Voter  
619 Greenleaf St  
Address  
Allentown Pa 18102  
Address

Janita Swanojfsky  
Signature of Registered Voter  
Janita Swanojfsky  
Printed Name of Registered Voter  
5015 N. Coplay Rd.  
Address  
Whitehall PA 18052  
Address

Deborah Dougherty  
Signature of Registered Voter  
Deborah Dougherty  
Printed Name of Registered Voter  
592 Catasaugus Ave.  
Address  
Whitehall, PA 18052  
Address

Donna S. Petrus  
Signature of Registered Voter  
Donna S. Petrus  
Printed Name of Registered Voter  
6013 Beverly Hill Rd  
Address  
Coopersburg, PA 18036  
Address

Winifred Crossman  
Signature of Registered Voter  
Winifred Crossman  
Printed Name of Registered Voter  
920 Evergreen St  
Address  
EMMAUS PA 18049  
Address

Alfredo Vega  
Signature of Registered Voter  
Alfredo Vega  
Printed Name of Registered Voter  
561 Liberty St  
Address  
Allentown Pa,  
Address

Dorothy Heist  
Signature of Registered Voter  
DOROTHY HEIST  
Printed Name of Registered Voter  
2071 LAWRENCE AVE  
Address  
ALLENTOWN 18104  
Address

Jose Ortiz  
Signature of Registered Voter  
Jose Ortiz  
Printed Name of Registered Voter  
Pg 126x 907  
Address  
Allentown PA 18102  
Address

Joseph Boushak  
Signature of Registered Voter  
JOSEPH BOUSHAK  
Printed Name of Registered Voter  
125 JORDAN BLVD  
Address  
WHITEHALL, PA, 18052  
Address

Mark J. Cerciello  
Signature of Registered Voter  
Mark J. Cerciello  
Printed Name of Registered Voter  
451 Chew St.  
Address  
Allentown, Pa. 18102  
Address

Re: Examination/Reexamination of Electronic Voting System (Page 2 of 2)

Elizabeth Gladfelter  
Signature of Registered Voter  
ELIZABETH GLADFELTER  
Printed Name of Registered Voter  
4234 Dorsey Blvd Rd.  
Address  
Allentown, Pa. 18104  
Address

Ramon Rodriguez  
Signature of Registered Voter  
Ramon I. Rodriguez  
Printed Name of Registered Voter  
94 N 11 St Allentown PA  
Address  
Allentown PA  
Address

John K Hardy Jr.  
Signature of Registered Voter  
John K Hardy Jr  
Printed Name of Registered Voter  
919 Hamilton St  
Address  
Allentown, PA 18101  
Address

Darbara R. Bacht  
Signature of Registered Voter  
DARBARA R BACHT  
Printed Name of Registered Voter  
756 N 10TH ST  
Address  
ALLENTOWN PA 18102  
Address

Jeanette Williams  
Signature of Registered Voter  
JEANNETTE WILLIAMS  
Printed Name of Registered Voter  
117 South 4th Street  
Address  
Allentown, Pa. 18102  
Address



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
302 North Office Building  
Harrisburg, PA 17120

PEDRO A. CORTÉS  
Secretary of the Commonwealth

Telephone: (717) 787-8727  
Fax: (717) 787-1734  
Website: www.dos.state.pa.us

April 18, 2006

Cathy L. Reed  
619 Greenleaf Street  
Allentown, PA 18102-1658

RE: Request for Voting System Re-examination

Dear Ms. Reed:

The Department of State has reviewed your letter of March 25, 2006, requesting the re-examination the Diebold AV-OS voting system. As you know, that system was examined in Harrisburg on November 22, 2005 and properly certified on January 17, 2006.

Your request seeking re-examination is insufficient to require a re-examination of the Diebold AV-OS voting system. Therefore, I must decline to conduct the examination requested and return herewith the \$450 check that accompanied your request.

Certification of electronic voting systems in Pennsylvania must meet two testing requirements. Section 1105-A(a) of the Election Code, 25 P.S. § 3031.5(a), requires testing by a federally recognized independent testing authority (ITA). Section 1107-A of the Election Code, 25 P.S. § 3031.7, lists seventeen separate points that must be examined by Pennsylvania before certification may occur. As stated in the certification report issued on January 7, 2006, the Diebold system fully met both the federal and state requirements. Since that date, no credible information has been provided to the Department or come to our attention that any change or modification has been made to this system.

The Department takes requests for re-examination very seriously and acted favorably on two such requests last year. However, if no new facts are brought to light concerning potential irregularities or deficiencies in a system, there is no reasonable basis to subject a system to a re-examination, pursuant to 25 P.S. § 3031.5(d). In the case of the Diebold system, there is no genuine prospect that a re-examination would reveal anything that was not revealed in the examination conducted on November 22, 2005 and subsequent information received by the Department prior to the certification of the system on January 17, 2006.

Cathy L. Reed  
RE: Diebold AV-OS Re-examination Request  
April 18, 2006  
Page 2

With regard to the specific concerns in your letter, please permit me to direct you to the January 17, 2006 Certification Report of the Diebold AV-OS voting system, which can be found on the Department's website under the Bureau of Commissions, Elections and Legislation.

For these reasons, I decline to conduct the requested re-examination.

Sincerely yours,



Pedro A. Cortés

PAC/AHM/mab

Enclosure

Exhibit E

To: Honorable Pedro A. Cortés  
Secretary of State  
Commonwealth of Pennsylvania  
Bureau of Commissions, Elections, and Legislation  
210 North Office Building  
Harrisburg PA 17120

Re: Examination/Reexamination of Electronic Voting System in  
[Name of County] County Pennsylvania pursuant to  
25 P.S. Sec. 3031.5 (a) and (b)

Dear Sir:

1. We, the undersigned, are qualified registered electors of the Commonwealth of Pennsylvania.
2. We, the undersigned, are qualified, registered electors who exceed ten (10) in number.
3. We respectfully request that the Secretary of State for the Commonwealth of Pennsylvania examine/reexamine the electronic voting system used in [Name of County] County Pennsylvania pursuant to 25 P.S. Sec 3031 (a) of the Pennsylvania Election Code.

3a. In denying certification to the Diebold AV-OS voting system, the Pennsylvania Secretary of State relied upon investigator, Harri Hursti's, successful demonstration in Florida of a results-altering, undetectable "hack" via a security vulnerability in the memory cards used in Diebold voting systems. At the end of his report on the Florida investigation, Harri Hursti stated:

"The architecture of other manufacturers should be examined for similar vulnerabilities."

The full report on Hursti's study is available at <http://www.blackboxvoting.org/BBVreport.pdf>.

The only reasonable reading of Mr. Hursti's recommendation is as a call for a broad examination of the overall hardware, firmware and software architecture of each voting system for vulnerabilities to tampering, rather than as a narrow recommendation for examination of memory cards. Another voting system may not place as many major functions in the memory card or employ interpreted code there, but may nonetheless have major vulnerabilities in other parts of its architecture. Anything less than a full review of the overall architecture by an independent expert assigned the task of trying to falsify results by exploiting any vulnerable points discovered could very well fail to identify such vulnerabilities. The model for such a thorough examination is the 2004 RABA Technologies, LLC "red team attack" on the Diebold AV-TS touchscreen voting system that was commissioned by the Maryland Department of Legislative Services. The report on that examination is available at [www.raba.com/press/TA\\_Report\\_AccuVote.pdf](http://www.raba.com/press/TA_Report_AccuVote.pdf).

We hereby request that the re-examination of the Danaher model voting machine include examination by qualified independent computer security experts of, and attempts to exploit vulnerabilities in, the entire system's architecture. The re-examination should be modeled upon, and be at least as comprehensive and rigorous as, the Harri Hursti and RABA Technologies examination.

4. We have enclosed a check payable to the Treasurer of the Commonwealth of Pennsylvania in the amount of four hundred and fifty dollars (\$450.00).
5. We respectfully request that pursuant to 25 P.S. Sec. 3031.5 (b) the Secretary of State examine the electronic voting system and issue a report relating to the functionality of the system.
6. We respectfully request that the Secretary follow all the applicable requirements of the Pennsylvania election Code and common law.

#### VERIFICATION

We, the undersigned, state that the facts set forth in this document are true and correct to the best of our knowledge, information, and belief. We acknowledge that this verification is made subject to the penalties of 18 Pa. C.S. Sec. 4909, relating to unsworn falsification to authorities.

Dated:      March 24, 2006

Re: Examination/Reexamination of Electronic Voting System (Page 1 of 2)

Re: Examination/Reexamination of Electronic Voting System (Page 2 of 2)

Bert Johnson  
 Signature of Registered Voter  
Bert Johnson  
 Printed Name of Registered Voter  
Alden 3  
 Address  
New Hope, PA 18938

Gretchen Castle  
 Signature of Registered Voter  
Gretchen Castle  
 Printed Name of Registered Voter  
3298 Bristol Rd.  
 Address  
Chalfont, PA 18914

Gregory Munson  
 Signature of Registered Voter  
Gregory MUNSON  
 Printed Name of Registered Voter  
795A N. Lincolnton Pike  
 Address  
Chalfont, PA 18914

John Mihalich  
 Signature of Registered Voter  
John Mihalich  
 Printed Name of Registered Voter  
215 E Farwood Drive  
 Address  
Chalfont, PA 18914

Michael J. Doyle  
 Signature of Registered Voter  
MICHAEL J DOYLE  
 Printed Name of Registered Voter  
1408 River Rd, Pottsville  
 Address  
Pottsville, PA 17872

Maria B. Gardner  
 Signature of Registered Voter  
Maria B. Gardner  
 Printed Name of Registered Voter  
701 Shadyside Dr  
 Address  
Pottsville, PA 17874

Elizabeth van Allen  
 Signature of Registered Voter  
Elizabeth van Allen  
 Printed Name of Registered Voter  
23 Fox Hill Rd  
 Address  
Doylestown, PA 19041

Thomas C. Ulrich  
 Signature of Registered Voter  
Thomas C. Ulrich  
 Printed Name of Registered Voter  
807 Mews Drive  
 Address  
Sellersville, PA 18960

Ruth Matheny  
 Signature of Registered Voter  
RUTH MATHENY  
 Printed Name of Registered Voter  
10 Peach Drive  
 Address  
Doylestown, PA 19041

\_\_\_\_\_  
 Signature of Registered Voter  
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 Printed Name of Registered Voter  
 \_\_\_\_\_  
 Address  
 \_\_\_\_\_

Re: Examination/Reexamination of Electronic Voting System (Page 2 of 2)

Madelaine A. Ranley  
Signature of Registered Voter  
MADÉLINE A. RANLEY  
Printed Name of Registered Voter  
361 BIRDSONG WAY  
Address  
DOYLESTOWN, PA 18901

Alexander Sichert  
Signature of Registered Voter  
Alexander Sichert  
Printed Name of Registered Voter  
10 HAIL DR  
Address  
Doylestown Pa 18901

C. Fewkes  
Signature of Registered Voter  
C. Fewkes  
Printed Name of Registered Voter  
2543 Brownsvl. Rd.  
Address  
Lancaster, Pa. 19053

\_\_\_\_\_  
Signature of Registered Voter  
\_\_\_\_\_  
Printed Name of Registered Voter  
\_\_\_\_\_  
Address

Marta Steele  
Signature of Registered Voter  
Marta Steele  
Printed Name of Registered Voter  
1475 Delaware Ave.  
Address #5  
Yardley, PA 19067

\_\_\_\_\_  
Signature of Registered Voter  
\_\_\_\_\_  
Printed Name of Registered Voter  
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Address

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Signature of Registered Voter  
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Printed Name of Registered Voter  
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Signature of Registered Voter  
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Signature of Registered Voter  
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Printed Name of Registered Voter  
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Signature of Registered Voter  
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Printed Name of Registered Voter  
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Address

Re: Examination/Reexamination of Electronic Voting System (Page 2 of 2)

Sean Heck  
 Signature of Registered Voter  
SEAN HECK  
 Printed Name of Registered Voter  
98 COLONIAL HERITAGE  
 Address  
DOYLESTOWN

Robin Steilly  
 Signature of Registered Voter  
Robin Steilly  
 Printed Name of Registered Voter  
7 PENNSBURY CT  
 Address  
Lower Makefield 19067

Rose A. Stronitz  
 Signature of Registered Voter  
ROSE A. STRONITZ  
 Printed Name of Registered Voter  
3849 Hunter Rd  
 Address  
Kittanningville Pa 18930

Melissa S Halter  
 Signature of Registered Voter  
MELISSA S HALTER  
 Printed Name of Registered Voter  
37 ASPEN WAY  
 Address  
DOYLESTOWN, PA  
18901

Lizabeth Merrell Lamm  
 Signature of Registered Voter  
5017 ARBUTHNOT MURRELL LAMM  
 Printed Name of Registered Voter  
5th Valley Green  
 Address  
DOYLESTOWN 18901

Jean K.B. Graham  
 Signature of Registered Voter  
JEAN K.B. GRAHAM  
 Printed Name of Registered Voter  
5016 GAYMAN RD  
 Address  
DOYLESTOWN PA 18901

SARAYA E. Schiff  
 Signature of Registered Voter  
SARAYA E. Schiff  
 Printed Name of Registered Voter  
856 FERRY RD  
 Address  
DOYLESTOWN, PA 18901

DET MARIAN  
 Signature of Registered Voter  
DET MARIAN  
 Printed Name of Registered Voter  
432 Belmont Ave  
 Address  
DOYLESTOWN, PA 18901

GARY SCHIFF  
 Signature of Registered Voter  
GARY SCHIFF  
 Printed Name of Registered Voter  
850 FERRY RD  
 Address  
DOYLESTOWN, PA 18901

MARY E. SPRUSS  
 Signature of Registered Voter  
MARY E. SPRUSS  
 Printed Name of Registered Voter  
1243 MARK DR  
 Address  
LANSDALE, PA 19446



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
302 North Office Building  
Harrisburg, PA 17120

PEDRO A. CORTÉS  
Secretary of the Commonwealth

Telephone: (717) 787-6767  
Fax: (717) 787-1794  
Website: [www.dos.state.pa.us](http://www.dos.state.pa.us)

April 7, 2006

Ruth E. Matheny  
10 Pearl Drive  
Doylestown, PA 18901

RE: Request for Voting System Re-examination

Dear Ms. Matheny:

The Department of State has reviewed your letter of March 24, 2006, requesting the re-examination the Danaher ELECTronic voting system. As you know, that system was examined in Harrisburg on June 8, 2005 with a subsequent demonstration on November 2, 2005 and properly certified on November 15, 2005.

Your request seeking re-examination is insufficient to require a re-examination of the Danaher ELECTronic voting system. Therefore, I must decline to conduct the examination requested and return herewith the \$450 check that accompanied your request.

Certification of electronic voting systems in Pennsylvania must meet two testing requirements. Section 1105-A(a) of the Election Code, 25 P.S. § 3031.5(a), requires testing by a federally recognized independent testing authority (ITA). Section 1107-A of the Election Code, 25 P.S. § 3031.7, lists seventeen separate points that must be examined by Pennsylvania before certification may occur. As stated in the certification report issued on November 15, 2005, the Danaher system fully met both the federal and state requirements. Since that date, no credible information has been provided to the Department or come to our attention that any change or modification has been made to this system.

The Department takes requests for re-examination very seriously and acted favorably on two such requests last year. However, if no new facts are brought to light concerning potential irregularities or deficiencies in a system, there is no reasonable basis to subject a system to a re-examination, pursuant to 25 P.S. § 3031.5(d). In the case of the Danaher system, there is no genuine prospect that a re-examination would reveal anything that was not revealed in the examination conducted on June 8, 2005.

Ruth E. Matheny  
RE: Danaher Re-examination Request  
April 7, 2006  
Page 2

With regard to the specific concerns in your letter, the let me direct you to the November 15, 2005 Certification Report of the Danaher ELECTronic voting system, which can be found on the Department's website under the Bureau of Commissions, Elections and Legislation.

For these reasons, I decline to conduct the request re-examination.

Sincerely yours,



Pedro A. Cortés

PAC/AHM/mab

Enclosure

Chester County/Coalition for Voting Integrity  
c/o Marian K. Schneider  
Attorney-at-Law  
10 Main Avenue, First Floor  
Berwyn, PA. 19312

January 20, 2006

***Via Certified Mail,  
Return Receipt Requested***

Honorable Pedro A. Cortes, Secretary of the Commonwealth  
Department of State  
Bureau of Commissions, Elections and Legislation  
210 North Office Building  
Harrisburg, PA. 17120

Re: Re-examination of the ES&S iVotronic

Secretary Cortes:

Pursuant to 25 PS. § 3031.5, on behalf of the undersigned electors of the Commonwealth of Pennsylvania, we hereby request a re-examination of the ES&S iVotronic voting machine system. We enclose at least ten (10) certifications of duly registered electors in the Commonwealth of Pennsylvania who seek this re-examination. We have enclosed a check for \$450 payable to the Treasurer of the Commonwealth of Pennsylvania.

We seek re-examination of the iVotronic system on two grounds: First, several jurisdictions that have used the system and some voting integrity organizations have identified serious questions about the accuracy, reliability, security and integrity of the iVotronic voting system. Second, a review of the testing procedures used by the Department of State reveals that some voting systems were subjected to more rigorous standards including security tests for hacking. Such tests must be conducted upon every electronic voting system certified in Pennsylvania. We believe that if the Department performed a "hacking" test on the iVotronic, the iVotronic would fail.

**History of Problems with the iVotronic system**

Votersunite.org is a national non-partisan organization dedicated to fair and accurate elections. It focuses on distributing well-researched information to elections officials, elected officials, the media, and the public. As part of its mission, Votersunite has compiled reports of system failures of many electronic voting systems on the market today. We enclose a 39-page document that lists the instances of iVotronic failures in other jurisdictions which would call into question the ability of the iVotronic to perform as required in Pennsylvania elections.

In addition to system failures, the Votersunite document references a newspaper article indicating that a top executive at ES&S, Tom Eschberger, was given immunity from prosecution in 2002 in return for his testimony against then Arkansas Secretary of State, Bill McCuen. Mr. McCuen was charged with taking bribes and kickbacks, and eventually pled guilty to those

charges. If this is true, then ES&S has demonstrated a lack of integrity which should disqualify it from any contract in Pennsylvania.

Along the same lines, Dr. Harri Hursti, a computer expert, was employed by Leon County, Florida, to test the security of the Diebold AccuVote OS system. When serious flaws were found, Leon County then entered into negotiations with ES&S to supply the county's voting machines. Interestingly, ES&S withdrew from those negotiations at the eleventh hour. It is not clear whether Leon County planned to subject the iVotronic to security testing before ES&S withdrew. Pennsylvania must do business with companies whose systems can withstand the most rigorous testing.

Under Pennsylvania law, the machine report must reflect an accurate count of the votes. 25 P.S. § 3031.7. Ellen Brodsky from Broward County, Florida has provided a poll tape (a copy of which is enclosed) from the ES&S iVotronic in the August, 2004 primary election in Plantation, Florida. The beginning of the tape shows "Public count " as zero, but the bottom of the tape shows more than 2 million votes! This is strong indication of problems in the software. Should the same situation occur in Pennsylvania at the opening of the polls, this machine would be unusable. Machine errors like this could result in long lines at the polls and discourage citizens from voting.

The original patent documents for the iVotronic's predecessor, the nearly identical Votronic, are enlightening. Patent No. 05583329, figure #3, shows each component of the Personal Electronic Ballot ("PEB") uniquely numbered. These components include a memory, battery, signal isolator and a processor. "Processor 31 [the PEB contained processor] updates display 25 [the voting machine display screen] accordingly as the voter makes selections. When the selections are finalized and the ballot is cast, the processor updates a running tally of ballots cast stored in memory 22 [the PEB contained memory] in random fashion assuring voter confidentiality." Processor 31 and memory 22 are in the PEB. Processor 31 executes software that provides an integral function of the voting process. Whether the iVotronic uses a processor or dedicated logic circuitry, it may contain executable code that runs on the PEB. Alternately, depending on the system design, the software code could be transmitted to, and executed on the voting machine processor and the supervisor machine processor. Security assessments are needed to examine the protocols used to communicate with the PEB and iVotronic. A re-evaluation of the iVotronic should, at a minimum, determine what executable code exists in, or executes on the PEB, whether that code was tested and certified by the testing ITA, SysTest, and whether it is properly controlled by applicable software development standards.

#### **Lack of Uniformity in Testing Standards.**

The Diebold AccuVote OS voting system was recently denied certification in the Commonwealth on the basis of a security report by Dr. Harri Hursti. Neither the iVotronic, nor any other system certified to date has been subjected to such external "red team" testing. The citizens of Pennsylvania deserve to have their voting machines subjected to the most rigorous challenges available. Therefore, all voting systems in Pennsylvania should be subject to such

testing, particularly the iVotronic. Other states have subjected their systems to such challenge; we should do no less for Pennsylvania citizens.

HAVA may provide minimum standards for voting machine technology, but according to section 304 of that act, states are free to strengthen those standards, and Pennsylvania should do so. Dr. Shamos, Pennsylvania's consulting expert on electronic voting systems, at the recent Voting Systems Testing Summit, expressed serious reservations about the adequacy of the testing performed in Pennsylvania for voting machine certification. If Pennsylvanians are to have any confidence in future election outcomes, the certification testing must be much more rigorous, and must include "red team" testing.

Similar standards of testing and performance should be employed for all vendors in the Commonwealth. Because Dr. Hursti's report was an integral part of the Diebold AccuVote OS decertification, it is appropriate to subject the ES&S iVotronic to a similar challenge by Dr. Hursti. We therefore suggest that Dr. Hursti and Dr. David Dill be engaged to re-examine the iVotronic because they are experts in computer security and hacking.

Pursuant to 25 Pa. § 3031.7, voting systems in Pennsylvania must "preclude every person from tampering with the tabulating element." It is impossible to comply with this requirement if the source code and applications for the voting system are not made public and available for inspection by state officials and outside computer experts. Failure or refusal to reveal source codes or software which could be altered or manipulated to affect the election outcome is unacceptable and should result in summary decertification.

We request that this re-examination be conducted expeditiously because several counties in the Commonwealth have chosen or are considering the iVotronic. Time is of the essence, and so is our democracy.

Should you have any questions or require anything further, you may contact Marian Schneider at 610-644-1925 or Jana Nestlerode at 610-436-2647.

Respectfully submitted,

Prof. Jana Nestlerode

Marian K. Schneider, Esq.

Chester County/Coalition for Voting Integrity

**CERTIFICATION IN SUPPORT OF REQUEST FOR  
RE-EVALUATION OF THE ES&S iVOTRONIC VOTING SYSTEM**

1. We, the undersigned, are qualified registered electors of the Commonwealth of Pennsylvania.
2. We, the undersigned, are qualified, registered electors who exceed the number ten (10).
3. Pursuant to 25 P.S. § 3031 (a) of the Pennsylvania Election Code, we respectfully request the Secretary of State for the Commonwealth of Pennsylvania to examine/reexamine the electronic voting system manufactured by ES&S, and called the iVotronic system.
4. We have enclosed a check payable to the Treasurer of the Commonwealth of Pennsylvania in the amount of four hundred and fifty dollars (\$450.00).
5. We respectfully request that pursuant to 25 P.S. § 3031.5 (b) the Secretary of State examine the electronic voting system and issue a report relating to the functionality of the system.
6. We respectfully request that the Secretary follow all the applicable requirements of the Pennsylvania election Code and common law.
7. We aver that the facts set forth in this certification are true and correct to the best of our knowledge, information and belief. We understand that this verification is made subject to the penalties of 18 P.S. § 4909 relating to unsworn falsification to authorities.
8. The signatures of the electors may be executed in counterpart originals.

Scott K. Johnson  
1. Signature of Registered Voter

Scott K. Johnson  
Printed Name of Registered Voter

523 Midland Avenue

Berwyn, PA 19312  
Address

Linda E Leighbody  
3. Signature of Registered Voter

Linda E Leighbody  
Printed Name of Registered Voter

496 School House Lane

Devon, PA 19333  
Address

Vanessa Johnson  
2. Signature of Registered Voter

Vanessa Johnson  
Printed Name of Registered Voter

523 MIDLAND AVENUE

BERWYN, PA 19312  
Address

Thomas E. Sennett  
4. Signature of Registered Voter

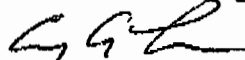
Thomas E. Sennett  
Printed Name of Registered Voter


219 Swinburn Rd

West Chester, PA 19382  
Address

**CERTIFICATION IN SUPPORT OF REQUEST FOR  
RE-EVALUATION OF THE ES&S iVOTRONIC VOTING SYSTEM**

1. We, the undersigned, are qualified registered electors of the Commonwealth of Pennsylvania.
2. We, the undersigned, are qualified, registered electors who exceed the number ten (10).
3. Pursuant to 25 P.S. Sec 3031 (a) of the Pennsylvania Election Code, we respectfully request the Secretary of State for the Commonwealth of Pennsylvania to examine/reexamine the electronic voting system manufactured by E S & S, and called the iVOtronic system.
4. We have enclosed a check payable to the Treasurer of the Commonwealth of Pennsylvania in the amount of four hundred and fifty dollars (\$450.00).
5. We respectfully request that pursuant to 25 P.S. Sec.3031.5 (b) the Secretary of State examine the electronic voting system and issue a report relating to the functionality of the system.
6. We respectfully request that the Secretary follow all the applicable requirements of the Pennsylvania election Code and common law.
7. We aver that the facts set forth in this certification are true and correct to the best of our knowledge, information and belief. We understand that this verification is made subject to the penalties of 18 P.S. Section 4909 relating to unsworn falsification to authorities.
8. The signatures of the electors may be executed in counterpart originals.

  
\_\_\_\_\_  
1. Signature of Registered Voter  
CRAIG A. LEWIS  
\_\_\_\_\_  
Printed Name of Registered Voter  
469 GREEN HILL LA  
\_\_\_\_\_  
BERWYN, PA 19312  
\_\_\_\_\_  
Address

  
\_\_\_\_\_  
3. Signature of Registered Voter  
KATHRYN E LEWIS  
\_\_\_\_\_  
Printed Name of Registered Voter  
469 GREENHILL LA  
\_\_\_\_\_  
BERWYN PA 19312  
\_\_\_\_\_  
Address

\_\_\_\_\_  
2. Signature of Registered Voter  
\_\_\_\_\_  
Printed Name of Registered Voter  
\_\_\_\_\_  
Address

\_\_\_\_\_  
4. Signature of Registered Voter  
\_\_\_\_\_  
Printed Name of Registered Voter  
\_\_\_\_\_  
Address

*Signatures continued on following page*

**CERTIFICATION IN SUPPORT OF REQUEST FOR  
RE-EVALUATION OF THE ES&S IVOTRONIC VOTING SYSTEM**

Formatted: Font color: Dark Red

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Margaret van Naerssen  
1. Signature of Registered Voter  
MARGARET VAN NAERSEN  
Printed Name of Registered Voter  
460 Prussian Lane  
Wayne, PA 190877  
Address

Rochelle S Rabin  
3. Signature of Registered Voter  
Rochelle S. Rabin  
Printed Name of Registered Voter  
99 Old Forge Crossing  
Medifish Township  
Devon, PA 19333  
Address

Patricia DiFeliciano  
PATRICIA DIFELICANTONIO  
521 RED FOX LANE  
STAFFORD, PA 19087  
Signatures continued on following page

M. Van Naerssen  
2. Signature of Registered Voter  
M. VAN NAERSEN  
Printed Name of Registered Voter  
460 PRUSSIAN LANE  
WAYNE, PA 19087 (TWOBY PRINTING)  
Address

Virginia C. Wierington  
4. Signature of Registered Voter  
VIRGINIA C. WIERINGTON  
Printed Name of Registered Voter  
419 PAOLI WOODS  
PAOLI, PA 19301  
Address

Billie Stevens  
Billie Stevens  
85 Bunker Hill Court  
Wayne, PA 19087

**CERTIFICATION IN SUPPORT OF REQUEST FOR  
RE-EVALUATION OF THE ES&S IVOTRONIC VOTING SYSTEM**

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Jean M. Welch  
1. Signature of Registered Voter

Jean M. Welch  
Printed Name of Registered Voter

214 S. Walnut St  
West Chester PA 19382  
Address

[Signature]  
3. Signature of Registered Voter

R. Lorraine Bernot sky  
Printed Name of Registered Voter

368 vineyard Lane  
Exton, PA 19341  
Address

Jeanne Peters  
2. Signature of Registered Voter

JEANNE PETERS  
Printed Name of Registered Voter

310 W. Darlington St  
WC 19380  
Address

[Signature]  
4. Signature of Registered Voter

1530 Montana Dr.  
Printed Name of Registered Voter

Downingtown, PA 19335  
PETER LOEDEL  
Address

*Signatures continued on following page*

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ingy Bonnington  
1. Signature of Registered Voter  
Lucy Bonnington  
Printed Name of Registered Voter  
7 Mt. Misery Lane  
Malvern PA 19355  
Address

\_\_\_\_\_  
2. Signature of Registered Voter  
\_\_\_\_\_  
Printed Name of Registered Voter  
\_\_\_\_\_  
Address

\_\_\_\_\_  
3. Signature of Registered Voter  
\_\_\_\_\_  
Printed Name of Registered Voter  
\_\_\_\_\_  
Address

\_\_\_\_\_  
4. Signature of Registered Voter  
\_\_\_\_\_  
Printed Name of Registered Voter  
\_\_\_\_\_  
Address

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Jana Nestlerode  
1. Signature of Registered Voter  
JANA NESTLERODE  
Printed Name of Registered Voter

PO BOX 2292  
West Chester, Pa. 19380  
Address

Shirley B. Smith  
3. Signature of Registered Voter

SHIRLEY B. SMITH  
Printed Name of Registered Voter

1032 GLEN HALL RD.  
KENNETT SQUARE, PA 19348  
Address

Ronald H. T. McVey  
2. Signature of Registered Voter  
RONOLD H. T. McVEY  
Printed Name of Registered Voter

891 Toms Rd.  
HOARNSBURY, PA 17112  
Address


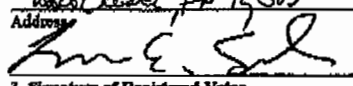
Casey M. Lewis  
4. Signature of Registered Voter


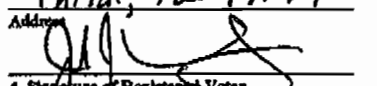
Casey M. Lewis  
Printed Name of Registered Voter

183 Carey Dr. Apt. 8  
West Chester, PA 19382  
Address

**CERTIFICATION IN SUPPORT OF REQUEST FOR  
RE-EVALUATION OF THE ES&S iVOTRONIC VOTING SYSTEM**

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1. Signature of Registered Voter  
Jeanette Spadella  
Printed Name of Registered Voter  
St University Ave  
Address  
West Chester, PA 19385  
  
3. Signature of Registered Voter  
Thomas E. Smith  
Printed Name of Registered Voter  
236 Dickinson Ave  
Address  
Sharhmore, PA 19081

  
2. Signature of Registered Voter  
Diane Williams  
Printed Name of Registered Voter  
217 W Harvey St  
Address  
Phila., PA 19144  
  
4. Signature of Registered Voter  
John J. Kennedy  
Printed Name of Registered Voter  
614 Oak St  
Address  
Riverston, PA 19468

*Signatures continued on following page*

Anne R Crowley  
5. Signature of Registered Voter  
Anne R Crowley  
Printed Name of Registered Voter  
635 Llewellyn Rd  
Berwyn PA 19312  
Address

Marilyn J. Furfari  
7. Signature of Registered Voter  
Marilyn J. Furfari  
Printed Name of Registered Voter  
712 1st Avenue  
Berwyn, PA 19312  
Address

9. Signature of Registered Voter  
Printed Name of Registered Voter  
Address

Joan S. Bergquist  
6. Signature of Registered Voter  
Joan S. Bergquist  
Printed Name of Registered Voter  
217 Devon Boulevard  
Devon, PA 19333  
Address

8. Signature of Registered Voter  
Printed Name of Registered Voter  
Address

10. Signature of Registered Voter  
Printed Name of Registered Voter  
Address

*George Cotzareli's*  
5. Signature of Registered Voter  
George Cotzareli's  
Printed Name of Registered Voter  
1041 Derwydd Lane  
Berwyn, PA 19312  
Address

7. Signature of Registered Voter  
Printed Name of Registered Voter  
Address

9. Signature of Registered Voter  
Printed Name of Registered Voter  
Address

*Marian K. Schneider*  
6. Signature of Registered Voter  
MARIAN K. SCHNEIDER  
Printed Name of Registered Voter  
1041 DERWYDD LANE  
BERWYN, PA 19312  
Address

8. Signature of Registered Voter  
Printed Name of Registered Voter  
Address

10. Signature of Registered Voter  
Printed Name of Registered Voter  
Address

Mary Brewster  
5. Signature of Registered Voter

Mary Brewster  
Printed Name of Registered Voter

303 H. J. Ash Rd.

West Chester, PA 19382  
Address

Genevieve Covington  
7. Signature of Registered Voter

Genevieve Covington  
Printed Name of Registered Voter

406 Spackman Lane

Exton PA 19341  
Address

James C. Metzger  
9. Signature of Registered Voter

JAMES C. METZGER  
Printed Name of Registered Voter

476 Scott Dr

WEST CHESTER, PA 19380  
Address

Christopher M. Fiorentino  
6. Signature of Registered Voter

Christopher M. Fiorentino  
Printed Name of Registered Voter

1335 Stonegate Drive

Downingtown, PA 19335  
Address

Barbara Kauffman  
8. Signature of Registered Voter

Barbara Kauffman  
Printed Name of Registered Voter

131 YEW RD.

CHELTENHAM, PA 19012  
Address

Mary Kivlin  
10. Signature of Registered Voter

Mary Kivlin  
Printed Name of Registered Voter

476 Scott Dr

West Chester, Pa 19380  
Address

*Loni Frank*

5. Signature of Registered Voter

*Loni Frank*

Printed Name of Registered Voter

*626 Olympia Hills Cir*

*Berwyn PA 19312*

Address

*A. David Frank*

6. Signature of Registered Voter

*A. David Frank*

Printed Name of Registered Voter

*626 Olympia Hills Circle*

*Berwyn, PA 19312*

Address

7. Signature of Registered Voter

Printed Name of Registered Voter

Address

9. Signature of Registered Voter

Printed Name of Registered Voter

Address

8. Signature of Registered Voter

Printed Name of Registered Voter

Address

10. Signature of Registered Voter

Printed Name of Registered Voter

Address

*Signatures continued on following page*



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Harrisburg, Pennsylvania  
17120

DEPUTY SECRETARY OF THE COMMONWEALTH

Telephone  
(717) 787-6458

February 3, 2006

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Marian K. Schneider, Esq.  
10 Main Avenue, First Floor  
Berwyn, PA 19312

Re: Request for Voting System Re-examination

Dear Ms. Schneider:

The Department of State has reviewed your letter of January 20, 2006, requesting the Secretary of the Commonwealth re-examine the ES&S iVotronic voting system that was examined in Harrisburg on November 16-17, 2005 and properly certified on December 22, 2005.

Your request seeks re-examination on two grounds, neither of which is sufficient to require re-examination. Therefore, the Secretary declines to conduct the re-examination requested and returns herewith the \$450 check that accompanied your clients' request.

Certification of electronic voting systems in Pennsylvania must meet two testing requirements. Section 1105-A(a) of the Election Code, 25 P.S. § 3031.5(a), requires testing by a federally recognized independent testing authority (ITA). Section 1107-A of the Election Code, 25 P.S. § 3031.7, lists seventeen separate points that must be examined in Pennsylvania before certification may occur. As stated in the Secretary's certification on December 22, 2005, the iVotronic fully met both the federal and state requirements. Since that date, this system has not been used in any Pennsylvania election, and no credible information has been provided to the Secretary or come to his attention that any change or modification has been made to this system.

The Department takes requests for re-examination very seriously. However, if no new facts are brought to light concerning potential irregularities or deficiencies in a system, there is no reasonable basis to subject a system to a re-examination. In the case of the iVotronic system, there is no genuine prospect that a re-examination would reveal anything that was not revealed in the examination held on November 16-17, 2005.

Marian K. Schneider, Esq.  
February 3, 2006  
Page 2

For these reasons, the Secretary declines to conduct the requested re-examination.

Very truly yours,



Kenneth A. Rapp  
Deputy Secretary for Regulatory Programs

KAR:bjd  
Enclosure

