

EXHIBIT D



Ohio Secretary of State J. Kenneth Blackwell
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DIRECTIVE 2005-01

January 12, 2005

- 2005-05 Attachment Bond

ALL COUNTY BOARDS OF ELECTIONS

DEPLOYMENT OF VOTING SYSTEMS

The standards under development for VVPAT equipment as required per Substitute House Bill 262, the 2004 increase in Ohio voter registrations and the increase in time required to use VVPAT machines all mitigate against this technology as a viable option for the state of Ohio. The existing Federal funding and supplemental funding from the General Assembly under SHB 262 will not be sufficient to cover the purchase of direct recording electronic (DRE) voting systems with a voter verified paper audit trail (VVPAT). I reached this conclusion following extensive research by the SOS staff.

A logical analysis of the requirements of both HAVA and SHB 262 in combination with the HAVA deadline slightly more than one year away, lead inexorably to the following conclusion. In order for the state of Ohio to be in compliance with both federal and state law within existing funding, Precinct Count Optical Scan (PCOS) voting systems are the only viable option. PCOS voting systems already approved by the Controlling Board as a part of existing contracts meet all federal and state requirements. Further, they can be purchased and deployed with currently available funds.

Therefore, I am directing the selection and use of PCOS voting systems by all county boards of election in Ohio in order to comply with requirements of HAVA and SHB 262.

During the Winter Conference, eligible vendors will be available to answer your questions regarding their PCOS voting systems and to demonstrate their products. Under SHB 262, all counties may select a PCOS system for funding from the Office of the Secretary of State. All counties must select a PCOS system no later than February 9th. The selection must be submitted to Judy Grady, Director of Election Reform, via fax at 614-752-4360. Any county that does not provide written notification of their Board's vendor selection by the February 9th deadline will result in my office selecting a vendor for your county utilizing a random selection process. You will be notified on or before February 11th of the vendor selected for your county if we are forced to make your selection.

If you have any questions regarding this directive, please feel free to contact Judy Grady, Director of Election Reform at 614-728-8361.

Sincerely,

A handwritten signature in cursive script that reads "J. Kenneth Blackwell".

J. Kenneth Blackwell