



VIA EMAIL

October 5, 2012

The Honorable Elijah E. Cummings
United States House of Representatives
2471 Rayburn House Office Building
Washington, D.C., 20510

Dear Representative Cummings:

I am writing to request a meeting with you to discuss True The Vote, a national, nonpartisan organization I founded for the purpose of protecting the integrity of our electoral process.

As stated in a letter dated October 1 to your colleague Senator Barbara Boxer, I believe we agree on many common goals, such as the right of every American to have the opportunity to participate in a fair and legal electoral process. It was of great concern to me that you had suddenly requested a considerable amount of documentation on the basis of news reports which offered limited balance and an over-simplification of the facts. I find it regrettable that your office did not reach out to True The Vote directly before launching a personal ad-hoc investigation.

Election integrity is a serious concern across the nation – the state of Maryland is no exception. In this year alone, as reported by The Washington Post, a federal congressional candidate seeking to join Maryland’s Congressional Delegation was forced to resign from her race by Democratic Party officials after alleged felony double voting was uncovered in her voting history.

This week, True The Vote turned over 99 similar cases to authorities in New York, Ohio, Florida and Rhode Island. Election Integrity Maryland, another group you criticized using second-hand knowledge, turned over two new cases of voters casting ballots subsequent to their deaths in Montgomery and Prince George’s Counties.

As an esteemed Ranking Member of the House Committee on Oversight and Government Reform, it is important that you are apprised of all the facts. Your open letter dated yesterday and comments to CNN this morning demonstrate a second-hand knowledge or poor staff- researched understanding of our organization’s activities.

Your critique of the Ohio Voter Integrity Project’s citizen challenges could have easily been mitigated with a prior explanation of Ohio Election Code. As you may have been briefed, Ohio Election Code 3503.24 outlines the legal process for duly registered electors to challenge their local

registrations based on irregularities found in the publicly available records. According to 3503.24(B), election boards have the duty to review the challenge, then either summarily grant or deny the finding. Should further investigation be required, boards are instructed to set a time for a hearing and notify those challenged in writing three (3) days prior. In some instances, local election boards did indeed summarily reject challenges without formal investigations. The cases you mention, however, required further consideration of the evidence in a formal hearing. We agree that it was unfortunate the Hamilton County Board of Elections saw fit to inconvenience fellow citizens. There could be value for your personal investigation to expand its scope into whether boards knowingly pursued challenges while in possession of more recent records.

You are most certainly aware that Section 8 of the National Voter Registration Act gives a private right of action for citizens to bring lawsuits in the event election registrars are failing to maintain the voter rolls properly. Ohio law, in fact, expressly provides for citizen challenges to registration records which appear to be in violation of Section 8.

Responsible citizens exercising powers under Section 8 have every right, and we would argue, a civil obligation, to assist the electoral process by bringing this information to the attention of election officials. To assume that the exercise of rights under federal and state law violates federal law is inaccurate, misleading, and unfair.

Further, your letter referenced second-hand criticism of our efforts to verify the validity of signatures submitted in the highly partisan recall attempt of Wisconsin Governor Scott Walker. It must be noted that the non-partisan Government Accountability Board you quote also publicly stated it had no intention to verify any signatures prior to official certification. True The Vote could not allow this precedent be set for future Wisconsin election operations. When a government entity refuses to execute its primary functions, citizens cannot allow such dereliction of duty to go unchallenged. True The Vote's efforts in the Badger State perfected our citizen verification operations and have subsequently been requested in other states across the nation.

It is both obvious and unfortunate that you are not familiar with all of the details of the mission or methods of True the Vote. This letter serves as an effort to coordinate a convenient meeting time in your Washington, D.C. office, during which I can brief you and your staff about our program and help dispel any misconceptions you may have. In the interim, if you anticipate making any future comments about True the Vote, please do not hesitate to contact me directly so that I may provide you with accurate information. As always, you are welcome to join an upcoming training session before Election Day.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Engelbrecht', written over a horizontal line.

Catherine Engelbrecht
True The Vote



cc: The Honorable Darrell E. Issa
Chairman, House Committee on Oversight and Government Reform

The Honorable Ted Poe

The Honorable Lamar Smith