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ONE HUNDRED EIGHTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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December 3, 2004

Warren Mitofsky
Mitofsky International
1776 Broadway - Suite 1708
New York, NY 10019

Dear Mr. Mitofsky:

I am writing to ask you to help clear up many of the rumors and disputes surrounding the 2004 Presidential election exit polls by releasing the "raw data" from your exit polls and by testifying at a hearing we will be holding next week.

As you are well aware, many questions have been raised regarding the discrepancy between the early exit polls conducted by the National Election Pool and the final result of the election. Specifically, just after noon on November 2, numbers were reportedly released showing that Senator John Kerry was leading in several key states such as Florida and Ohio, by a three percentage point lead late in the day. As we now know, these numbers are at odds with official results.

This discrepancy is objectively problematic and raises serious concerns about voting irregularity. While reasonable minds can differ as to the latter theory, the only way to restore complete legitimacy on this election is to have an independent firm conduct a detailed analysis of the data, including the raw data taken at the polls early in the day.

Indeed, exit poll data is now being used by Administration officials to evaluate the legitimacy of the election in the Ukraine. As Secretary of State Colin Powell stated, "We cannot accept this result as legitimate because it does not meet international standards and because there has not been an investigation of the numerous and credible reports of fraud and abuse." Powell recently called for "a full review of the conduct of the election" and tallying of results. Such an inquiry into the legitimacy of election results should be a priority for our country as well.

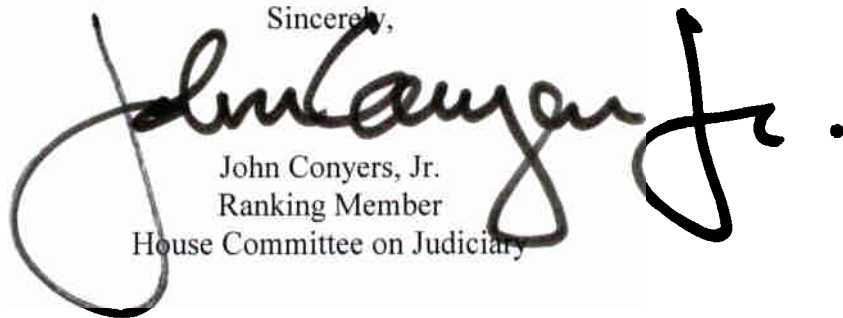
I would also like to request your attendance at a forum that I, along with many of my colleagues on the Judiciary Committee will be holding to discuss any issues and concerns regarding the numerous voting irregularities that have been reported in Ohio during the 2004 election. The forum will be held on Wednesday, December 8th, 2004 at 10:00 a.m. in Room

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2237 of the Rayburn House Office Building. We are sure that you agree with us that regardless of the outcome of the election, it is imperative that we examine and openly discuss any and all factors that may have led to voting irregularities and any failure of votes to be properly counted. This will be a very informative forum for everyone in attendance and any insight or concerns that you may have on this issue will be greatly appreciated.

I sincerely hope that you will be able to attend and look forward to your response. If you have any questions, please contact Perry Apelbaum or Ted Kalo of the House Judiciary Committee Democratic Staff at (202) 225-6504.

Sincerely,

A large, stylized handwritten signature in black ink, reading "John Conyers, Jr.", is written over the typed name and title. The signature is fluid and cursive, with a prominent loop at the end.

John Conyers, Jr.
Ranking Member
House Committee on Judiciary