

Looking to the Future: A Renewed Call for Standards and Transparency for Access and Resiliency

By:

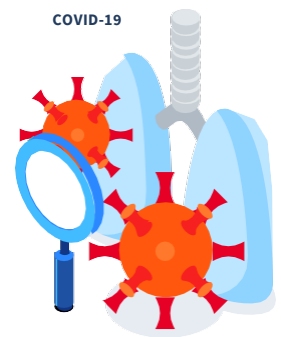
Nimit Sawhney, Co-founder and CEO, Voatz

Jesse Andrews, Director of Sales and Business Development, Voatz

Alexa Collins, Business Development, Voatz

Introduction

Due to the widespread effects of the coronavirus pandemic, many voters were forced to depend on absentee ballots to safely participate in the 2020 United States Presidential Election. In the weeks and months leading up to Election Day, there were serious doubts about whether our nation's electoral system was prepared to handle the rapid expansion of mail-in ballots under tremendous public pressure and with limited resources. Absentee voters were equally worried that their votes might not be counted. Several lawsuits successfully argued for expanded access to absentee ballots and the acceptance of ballots that arrived after November 3rd.



In the end, Americans accustomed to having a definitive winner by the end of Election Day waited nearly a week for results, further degrading the public's trust in our electoral system. We face a reckoning of the way our voting system currently works, with clear gaps in resiliency and access. The United States has historically led the world in technology adoption. However, when it comes to elections and voting, we are behind.

Could we have achieved voter access, trust and efficiency with the help of technology? Can U.S. elections rapidly adjust in the face of pandemics, unpredictable weather, and other natural disasters?

We urge the National Association of Secretaries of State to consider these questions.



We trust computers powered by the internet to safely execute nearly every step of the electoral process, from registering voters to designing ballots to the printing and distributing mail-in-ballots. We even trust computers with our health, safety, and livelihood - to safely land airplanes and move money effortlessly across the globe in a matter of seconds. When the pandemic hit, we trusted technology to connect to our colleagues, visit doctors, and teach our kids. Scientists across the world safely used the internet to collaborate on vaccines capable of ending this pandemic.

One then wonders why we don't take advantage of advanced technology to build resilience and expand security and accessibility in our elections. While mail-in-ballots are a practical option for some absentee voters, they are entirely unsuitable for others.



Americans serving overseas and voters with disabilities need a different solution - one that does not depend on international post (which can be disrupted), electronic ballot return via email (which compromise security and anonymity), and systems that are inaccessible to voters with vision and mobility impairments.

With advancements in smartphone technology, cryptography, biometrics, blockchain, and identity proofing mechanisms, secure Remote Ballot Marking and Return Systems have been successfully piloted in elections in the U.S. and abroad. These systems offer assurance to the military personnel defending our country overseas that their votes were promptly delivered and received, and privacy to voters with disabilities who would be otherwise unable to mark and return their absentee ballots independently.

To facilitate the continued development of these critical systems, a set of functional and security standards to certify Remote Ballot Marking and Return Systems must be created. We advocate for a thorough review and report of the current state of Remote Ballot Marking and Return Systems, companies in the sector, best practices on security, and a system of standards that can be adopted industry-wide.

Furthermore, to ensure that progress and innovation in the elections industry meets the highly specific needs of our country's electoral system, we advocate for the publication of a report on the challenges and outcomes of the 2020 United States Presidential Election. The goal of this report should be to enable private vendors in the elections space to respond to new findings, ensuring that the market for elections solutions appropriately reflects the needs of our nation's election officials.

Recommendation I: A Renewed Call for Standards

Problem: Today, there are no defined requirements or certification processes to enable election officials to deploy Remote Ballot Marking and Return Systems capable of supporting voters who cannot vote independently in polling stations or by mail, and the effects are widespread.

Without standards and certifications, election officials cannot confidently select systems that will appropriately serve deployed military personnel, citizens residing overseas, voters with disabilities, high medical risks, caretakers, first responders, etc. in their jurisdiction. Innovators in the development of these systems are left without a clear roadmap,

leaving them doubting whether new voting methods will be supported and permitted in the long run. Citizens are being denied the benefits of these solutions and opportunities for increased civic engagement. Finally, advocates have no consistent regulatory or legal framework to collaborate with stakeholders to make meaningful progress.

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We propose a comprehensive study focused on defining the security and functional requirements for new internet-enabled platforms designed to receive the appropriate blank ballot, enable marking of the ballot, and assure the return of a ballot. This study should consider if these platforms can take full advantage of the security features while being able to verify the voter, secure their markings on the ballot, encrypt & guarantee the return of the marked ballot all while assuring the anonymity of the voter.

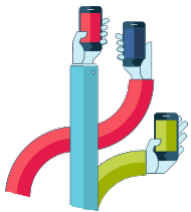
We recommend including experts from a cross-section of organizations, federal agencies, representatives from disenfranchised communities, and technologists to determine a process to establish, test, and deploy systems that will support our democracy. The most inclusive effort will allow significant participation from the private sector and outreach to voters themselves.

A well-executed and transparent study of remote ballot marking will provide comfort and confidence to citizens and other stakeholders that the systems that states are choosing to deploy meet rigorous federal government guidelines and widely accepted standards.

Recommendation II: Transparency to Facilitate Progress

The 2020 United States Presidential Election took place under a set of adverse circumstances unlike any in modern history, which highlighted the vulnerabilities of our nation's electoral system. From a global pandemic that caused nationwide delays in ballot delivery to outspoken political groups that sought to discredit results, election officials faced more obstacles than ever before.

In light of these unprecedented challenges, we call on state and local election officials, in a collaborative effort led by the National Association of Secretaries of State, to publish a full report outlining the difficulties of facilitating a free and fair election in the midst of a global pandemic, as well as learnings that can be applied to future elections. This report will be crucial in driving the direction of innovation and development in the election solutions industry in the coming years. By providing a detailed and transparent report of their findings, election officials will enable the market to respond to their needs, ensuring continued progress towards a more robust and resilient electoral system.



What if our voting systems provided a way for these citizens to audit their own vote, confirming that it was cast and tallied as they intended?

One clear example of how this report can benefit voters and election officials alike is through the call for measures that allow citizens to audit their own votes in response to the growing mistrust in our elections. As if a pandemic alone was not enough, in 2020 election officials also contended with a collective of disgruntled citizens lacking trust in our nation's elections. **What if our voting systems provided a way for these citizens to audit their own vote, confirming that it was cast and tallied as they intended?** Surely, this would help restore trust among voters, even those that haven't openly voiced concerns with the system. If election officials include a call for citizen audit measures in this report, auditability can become a key cornerstone of internet-based systems, where the ability for a citizen to audit their own vote is commonplace in the election solutions of the future.

In short, this report will provide a mandate for elections vendors to address the most pressing gaps in our electoral system, as identified by the men and women who work tirelessly to make our elections happen.