Legislative Report

West Virginia Uniformed Services and Overseas Citizen: Online Voting Pilot Project

June 9, 2010

West Virginia Secretary of State

Natalie E. Tennant

"[I] wanted to emphasize and stress having the ability to vote online is very much appreciated by this service member as well as others. Having the ability to quickly and easily exercise our right to vote in the military is paramount, along with ensuring we can partake in the voting process while separated from traditional means of voting. While mailing in a vote or other means are still available, having this option of on-line voting makes this process that much easier for military members..."

Major Sean L. Zinn United States Army, Marshall County, West Virginia

Introduction

In anticipation of federal requirements to improve ballot access for Uniform Services members and overseas citizens later incorporated into in the Military and Overseas Voter Empowerment Act of 2009 (MOVE Act), the West Virginia Legislature authorized the Uniform Services and Overseas Voter Pilot Program. As part of that legislation, the Secretary of State was charged with evaluating the pilot program for functional effectiveness and to terminate the program should it fail to "adequately and securely ensure that absent uniformed services voters and overseas voters have their absentee ballots cast and counted in the primary election". §3-3B-3 W.Va. Code. This report represents the initial evaluation of the pilot program and, to date, no significant deficiencies or concerns have been identified. Therefore, this document is crafted as a progress report with recommendations for project continuation through the General Election.

Following the November 2, 2010 General Election, the report to the legislature will include a full performance review, legislative and procedural recommendations, and a comprehensive analysis of MOVE Act solutions.

Executive Summary

Process

Five counties; Jackson, Kanawha, Marshall, Monongalia and Wood responded to a Request for Interest for the online voting pilot program issued by the Secretary of State. Prior to program acceptance, each county submitted a letter of request to participate in the pilot and agreed to the pilot program terms. Two voting system vendors Scytl and Everyone Counts applied to participate as project partners and were required to pass a comprehensive screening process. Once the pilot counties and project vendors were identified, the Secretary of State's office moved into its capacity as the oversight body responsible for ensuring the pilot was conducted in accordance with the law. The individual counties were responsible for negotiating the specific terms of the pilot with their respective project vendor partners.

Once the pilot program began, 77 Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters followed the following procedures to vote online:

To initiate the process, voters applied for an online ballot using the Federal Post Card Application (Attachment 1) or the West Virginia Electronic Voting Absentee Ballot Application (Attachment 2). The completed application is submitted to the local County Clerk for review and determination of eligibility. After the voters absentee ballot application is approved, the Clerk provides the vendor with the voter's e-mail address and ballot content (the combination of offices and ballot issues associated with the voter's home precinct). The county clerk or partner vendor then e-mails the voter with a link to the secure voting website along with a unique personal identifier.

The voter enters the provided identifier, along with additional personally-identifying information, into the secure website in order to access the correct ballot. The ballot is marked in a manner similar to voting on an electronic voting machine, including the opportunity to see a ballot summary/review screen before completing the voting process. In order to complete the voting process, the voter selects the "Cast Vote" link on the website. The voter receives an onscreen confirmation that the vote has been cast and is provided with a "receipt code" that later may be used to track the progress of the ballot.

The "Cast Vote" function causes the voter's selections to be stored in an encrypted format on the host server. On election night, after the deadline for the receipt of voted ballots, the encrypted ballot data is transferred from the server to a stand-alone, non-networked computer for the decryption process. The county clerk and other designated "key holders" (typically County Commissioners) enter unique, self-selected passwords into this computer to initiate the decryption process. Only a combination of multiple passwords will unlock the data; these passwords were entered by each key holder at the time the election was set up prior to the beginning of absentee voting.

The decryption process disassociates voted ballots from any voter-identifying information. The decrypted ballots may at this point be printed for inclusion in the central count processing of all absentee votes. Votes cast online are processed in the identical manner as absentee votes cast by all non-UOCAVA voters; there is no segregation of these votes that could potentially reveal an individual's vote selections.

After the conclusion of the vote canvass process, the voter may use the "receipt code" provided at the time the vote was cast to ensure the ballot was received and processed. The county clerk may also use this function to verify the number of printed decrypted ballots matches the number of ballots received from online voters. Throughout the voting process, there are a number of status reports given to each clerk providing regular monitoring of online voting activity and ensuring the integrity of the system.

Results

Analysis of absentee voting data collected from County Clerks following the May 11, 2010 primary elections revealed several key statistics:

1) **The online absentee ballot return rate was twice the mail absentee ballot return rate.** This outcome is a promising indicator of the pilot satisfying the intended purpose, namely, providing

uniformed service and overseas voters a safe, simple and timely way to cast a ballot in time to be counted.

2) **The five counties participating in the pilot experienced an actual increase in the number of UOCAVA voters compared to the 2008 primary elections.** This increase has been attributed to the targeted outreach efforts conducted by the Secretary of State and participating clerks. Outreach efforts included a broad media approach through national organizations such as the Federal Voting Assistance Program, the U.S. Department of State Embassy/Consulates Division, the Overseas Vote Foundation, and the political parties abroad. In addition, pilot county clerks met with local military units, promoted the pilot through local press and sent individual notices to prior UOCAVA voters. Project information was also made available on the Secretary of State's website.

3) **The mail ballot return rate remained relatively consistent across the years surveyed (2008-2010) and across jurisdictions.** This statistic confirmed that the reported mail ballot return rate of approximately 40-50% was a reliable constant. This return percentage was reported by counties participating in the pilot as well as by non-pilot counties. Therefore, the **82%** return rate by online voters did not skew the mail ballot activity, but was indeed an indicator of improved voting success rates experienced by voters opting to use the online voting option.
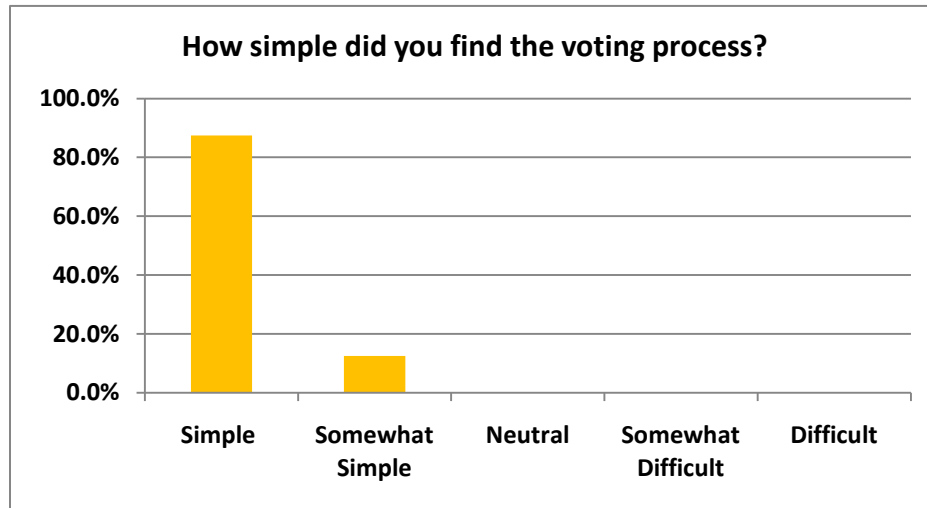
It is worth noting that, based upon absentee applicant data, the voters utilizing the online system represented the full range of UOCAVA voters: uniformed service members, military dependents, overseas residents, and educators/students living abroad. This diversity extends to party affiliation and gender.
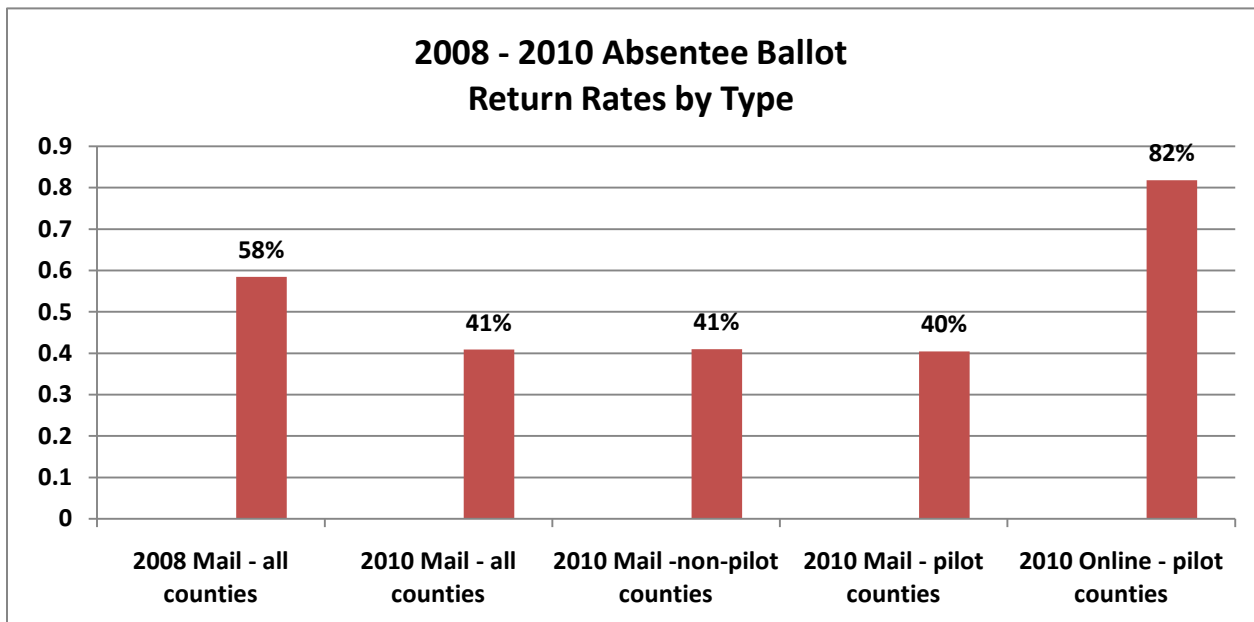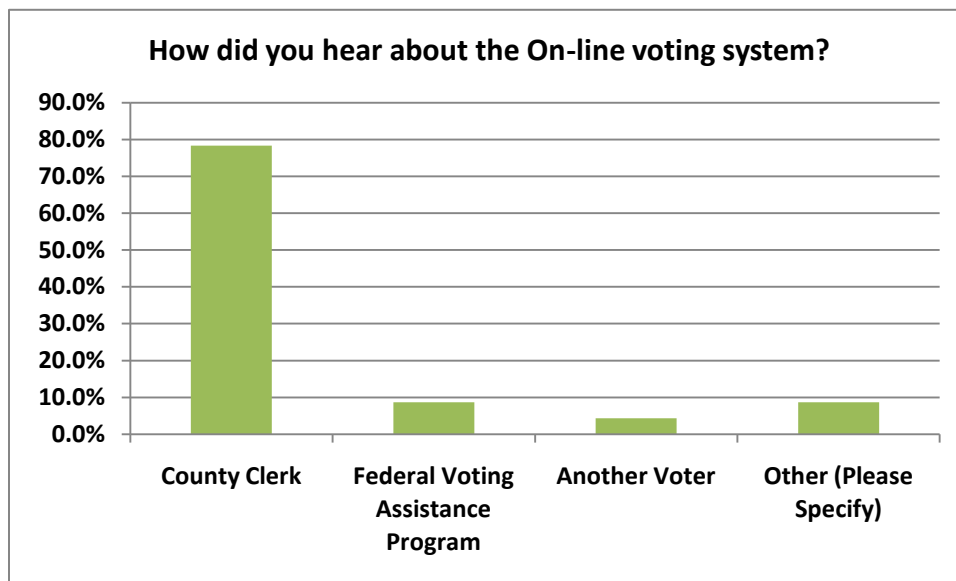

The Secretary of State's Office sent out a survey (Attachment 3) to all participants of the pilot asking for feedback concerning the on-line voting process. To date, thirty three or forty-four percent of all

participants have responded providing first hand insight into how the process worked for the voter. Survey responses were received from voters of each of the five participating counties with consistent responses throughout. Shown below are some of the highlights from the survey responses:

1) **Nearly 88% of respondents found the on-line voting system simple on a scale of simple-to-difficult,** with the remaining 12% saying the process was somewhat simple.

How simple did you find the voting process?

(Bar chart: "Simple" ≈ 88%, "Somewhat Simple" ≈ 12%, "Neutral" 0%, "Somewhat Difficult" 0%, "Difficult" 0%; y-axis 0.0% to 100.0%)

2) **When voters were asked how they heard about the on-line voting pilot, 77% indicated their county clerk's office,** 12% - political party, 8% - the Federal Voting Assistance Program, and 4% each - "another voter" and the "Overseas Vote Foundation". This result demonstrates the efficacy of the county clerks' outreach efforts to the UOCAVA target audience.

How did you hear about the On-line voting system?

(Bar chart: "County Clerk" ≈ 78%, "Federal Voting Assistance Program" ≈ 8%, "Another Voter" ≈ 4%, "Other (Please Specify)" ≈ 8%; y-axis 0.0% to 90.0%)

3) **Over 50% of survey respondents said that the county clerk's office is the primary source of their voting information.** That number is followed by political party with 20%, the Secretary of State's Office with 8%, FVAP with 8% and Military Voting Assistance Officer with 4%.

What is your primary source of voting information?
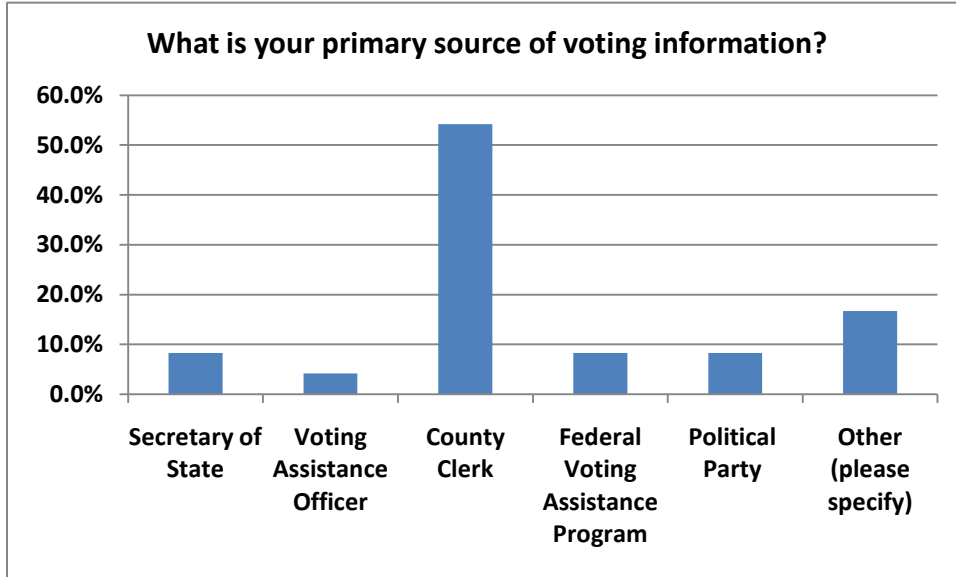
Security

Three items were specified in the *Program Element Confirmation Checklist* (Attachment 4)*:* to protect the **security**, **integrity**, and **confidentiality** of personal data and ballots, as well as providing safeguards to the data that indicates how an individual voted.

Both systems used during the course of the Primary pilot programs provided security safeguards that met the specified requirements by encrypting and storing both types of data separately. Each system utilized secure transport to the website for each individual voter. All Voters were given individual access codes specific to each voter. Once a voter cast his or her ballot, the ballot was secured using encryption and decryption techniques to store and summarize the data.

Each participating county had representatives from the vendors on site during Election Day to ensure that the pilot program ballots were decrypted and counted in the proper form.

Findings

The West Virginia Secretary of State's Office is leading the country with this bold initiative to allow our uniformed services and overseas citizens the ability to vote in a secure, efficient and timely manner. While the rest of the country is still working on their compliance with the MOVE Act of 2009, West Virginia has already implemented and received positive results from our pilot program. Our efforts have

other states following our progress in hopes of duplicating our success. California and Georgia have contacted our office to learn about our process and program.

This pilot project is a collaborative effort between the Secretary of State's Office and County Clerks. This work resulted in an 82% return rate for online voters. That was twice the return rate for voters who used mail or fax. The voters found the online system simple and were proud they could use it. To quote Major Zinn, "…the ability to vote online is very much appreciated by this service member as well as others. Having the ability to quickly and easily exercise our right to vote in the military is paramount, along with ensuring we can partake in the voting process while separated from traditional means of voting." Of the 33 respondents of our survey, we received no negative feedback of the pilot program.

It is important to the Secretary of State's Office to make sure we include our uniformed services and overseas citizens in the election process. We often forget their great sacrifice and this is just one way to give back and make it easier for those who serve us each day. In Jackson County for instance, the turnout percent for military and overseas voters was nearly 50% compared to a 23% statewide turnout.

The integrity of the process was not compromised in the system during this pilot. As a matter of fact, during a demonstration in Kanawha County prior to the election, a number was transposed and the system caught the human error and denied access to the ballots.

This bold initiative could not have been possible without the responsive action of West Virginia lawmakers. We asked for this pilot project to be passed during a special session of the legislature because we needed to meet the deadline for the primary election. We thank you for your unanimous support of this legislation.

Given the overwhelming success, I herby authorize this pilot project to continue for the 2010 General Election. Furthermore, I request that the application period be re-opened for more counties to participate in this pilot during the General Election. This would require lawmakers to amend the law during their upcoming special session in July.

Thank you for your consideration. I look forward to working with you so that more voters can have easy access to the foundation of our democracy.

Attachment 1

Standard Form 76 (Rev. 10-2005)
NSN 7540-00-634-5053

REGISTRATION AND ABSENTEE BALLOT REQUEST - FEDERAL POST CARD APPLICATION (FPCA)

1. I REQUEST ABSENTEE BALLOTS FOR ALL ELECTIONS IN WHICH I AM ELIGIBLE TO VOTE AND I AM *(Mark only one):*

☐ (a) A MEMBER OF THE UNIFORMED SERVICES OR MERCHANT MARINE ON ACTIVE DUTY, OR AN ELIGIBLE SPOUSE OR DEPENDENT

☐ (b) A U.S. CITIZEN RESIDING OUTSIDE THE U.S. TEMPORARILY

☐ (c) A U.S CITIZEN RESIDING OUTSIDE THE U.S. INDEFINITELY

2. MY INFORMATION (Required)

a. TYPED OR PRINTED NAME *(Last, First, Middle)*   SUFFIX *(Jr., Sr., III, etc.)*   b. PREVIOUS NAME *(if applicable)*

c. SEX ☐ M ☐ F   d. RACE   e. DATE OF BIRTH (M M D D Y Y Y Y)   f. SOCIAL SECURITY NUMBER   g. STATE DRIVER'S LICENSE OR I.D. NUMBER

h. TELEPHONE NUMBER *(No DSN number; include all international prefixes)*   i. FAX NUMBER *(No DSN number; include all international prefixes)*

j. EMAIL ADDRESS

3. MY VOTING RESIDENCE ADDRESS (Required) *(Military, use legal residence. Overseas citizens, use last legal residence in U.S.)*

a. NUMBER AND STREET *(Cannot be a P.O. Box)*

b. CITY, TOWN OR VILLAGE   c. COUNTY   d. STATE   e. ZIP CODE

4. WHERE TO SEND MY VOTING MATERIALS

a. MY CURRENT ADDRESS *(Where I live now)* **(Required)**   b. MY FORWARDING ADDRESS *(NOTE: Complete 4b. only if you do not want your ballot mailed to the address in Block 4a.)*

(fold)   *(fold)*

c. I PREFER TO RECEIVE MY ABSENTEE BALLOT, AS PERMITTED BY MY STATE, BY: ☐ MAIL   ☐ FAX   ☐ EMAIL

5. MY POLITICAL PARTY PREFERENCE *(Optional, but may be required by states to register to vote in primary elections):*

6. ADDITIONAL INFORMATION *(Designate the period for which you want to receive ballots - see instructions for Block 6, paragraph (3). Consult the Voting Assistance Guide for other specific state instructions.)*

_____

_____

_____

_____

7. AFFIRMATION (Required)
I swear or affirm, under penalty of perjury, that:

1. I am a member of the Uniformed Services or merchant marine on active duty or an eligible spouse or dependent of such a member, or a U.S. citizen temporarily residing outside the U.S., or other U.S. citizen residing outside the U.S., and
2. I am a U.S. citizen, at least 18 years of age (or will be by the day of the election), eligible to vote in the requested jurisdiction, and
3. I have not been convicted of a felony or other disqualifying offense or been adjudicated mentally incompetent, or if so, my voting rights have been reinstated, and
4. I am not registering, requesting a ballot, or voting in any other jurisdiction in the U.S., and
5. My signature and date below indicate when I completed this document, and
6. The information on this form is true and complete to the best of my knowledge.

I understand that a material misstatement of fact in completion of this document may constitute grounds for conviction of perjury.

Signed: _____ Date: (M M D D Y Y Y Y)   Signed: _____ Date: (M M D D Y Y Y Y)
                                                             (Witness/Notary and address (if required))

The information contained herein is for official use only. Any unauthorized release of this information may be punishable by law.

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PRIVACY ACT STATEMENT

AUTHORITY: 42 USC 1973ff, "Title 1 - Registration and Voting By Absentee Uniformed Services Voters and Overseas Voters in Elections for Federal Office."

PRINCIPAL PURPOSE: Serves as an application for registration and/or request for absentee ballot for all persons covered by the Uniformed and Overseas Citizens Absentee Voting Act.

DISCLOSURE: Voluntary; however, failure to provide the necessary information may keep the pertinent jurisdiction from processing this request and may prevent you from voting absentee.

SPECIFIC INSTRUCTIONS FOR COMPLETION.

Please use the *Voting Assistance Guide* for specific state-by-state information when completing this form. Type or print legibly. Assistance and information regarding the use and completion of this form, as well as specific state information may be obtained from military Unit Voting Assistance Officers, U.S. Embassy and Consular Voting Assistance Officers, or organizations of U.S. citizens overseas and http://www.fvap.gov.

Block 1. Place an X only in one block. Marking Block 1(c) generally means that you were a resident of that state before departing the U.S. and your intent to return at some time in the future is uncertain. Marking Block 1(c) applies for a Federal ballot only (if one is printed by the state).

Block 2. MY INFORMATION. Block 2d. RACE. This information is requested from some states for statistical purposes by the Department of Justice in their enforcement of the Voting Rights Act and the National Voter Registration Act. See *Voting Assistance Guide.*

Block 3. MY VOTING RESIDENCE ADDRESS. Enter the complete legal voting residence address (including county) where you ACTUALLY LIVED in the state or territory. Your right to vote in your state and determination of your voting precinct depend on the physical location of your residence while you were in the state. DO NOT USE A POST OFFICE BOX NUMBER. In an area with no street names, indicate route name and number and box number. Also provide any additional information necessary to physically describe your residence location. If you have never lived in the U.S., check the *Voting Assistance Guide* for the states that allow you to vote using a parent's voting residence address.

Block 4. WHERE TO SEND MY VOTING MATERIALS. Block 4a is the complete mailing address where you are now living. If you have an alternate address or an address of a mail forwarding service that delivers your mail more quickly, enter that address in Block 4b. If your state allows absentee ballots to be sent via e-mail or fax, check the appropriate box in Block 4c. *See Voting Assistance Guide.* **This form should be resubmitted every time you change your mailing address.**

Block 5. MY POLITICAL PARTY PREFERENCE. This is an optional entry, however, this information is required by most states in order to vote in primary elections. Consult the *Voting Assistance Guide* for any specific state information required.

Block 6. ADDITIONAL INFORMATION.
(1) Provide any information that may assist the local election official in approving this application. It would be helpful if you provide the date you last lived at the address in Block 3a and if you list a name and telephone number of a local contact in the event the local election official cannot contact you and has a question concerning the application.
(2) If you were previously registered to vote in a jurisdiction other than the one in which you are applying, indicate "previously registered in (location)."
(3) Submission of this form serves as a request to receive ballots for all Federal elections held through the next two regularly scheduled general elections. If you do not wish to receive ballots for that length of time, you may request a ballot for each election for Federal office held in the next election year OR a ballot for only the next scheduled election for Federal office by noting your choice in Block 6. (Depending on your state of residence, you may also receive ballots for State and local offices during the selected period as well.)
(4) If your state provides a special state write-in ballot and you are requesting one, indicate the reason you are requesting a special write-in ballot or place a sticker from the *Voting Assistance Guide* in this section.

Block 7. AFFIRMATION. Ensure that you read the oath, sign, and enter the date you completed the form in the spaces provided. **Not all states require a witness or notary, and state laws vary regarding the voting of convicted felons.** Consult your state section of the *Voting Assistance Guide* or your Voting Assistance Officer for your state's requirements.

MAILING INSTRUCTIONS. Fold and seal using the adhesive tabs so that the local election official's address is on the outside. DO NOT STAPLE.

(fold to outside)

FROM:
(Voter name and current complete military or overseas mailing address)

_____

_____

_____

_____

International airmail postage is required if not mailed in the U.S. Postal System or APO/FPO System, or Diplomatic Pouch.

OFFICIAL ELECTION MAIL

||||| |||

U.S. Postage Paid
39 USC 3406

PAR AVION

OFFICIAL ABSENTEE BALLOTING MATERIAL - FIRST CLASS MAIL

NO POSTAGE NECESSARY IN THE U.S. MAIL - DMM 703.8.0

TO:

_____

_____

_____

_____

Reset

Attachment 2

STATE OF WEST VIRGINIA
Application for Voting Absent Voter's Ballot by Fax, Email, or Online*

Return completed application to County Clerk by fax, mail, or as an e-mail attachment. Visit www.wvsos.com for County Clerk's contact information.

NOTE: The absentee ballot by Fax, Email, or Online is only available to those persons who are:
1. A member of the Uniformed Services or merchant marines on active duty;
2. An eligible spouse or dependent of such a member; or
3. A U.S. citizen temporarily or indefinitely residing outside the U.S.

*Online voting is available only to qualified voters in counties participating in the Military or Overseas Voter Pilot Project.

I AM REQUESTING AN ABSENTEE BALLOT FOR THE FOLLOWING REASON:

☐ I am a uniformed services member absent by reason of active duty; or the spouse or dependent of a uniformed services member absent from the County due to the service member's active duty.

☐ I am a U.S. citizen temporarily or indefinitely residing outside the U.S.

MY VOTING RESIDENCE INFORMATION (Military, use legal residence. Overseas, use last legal U.S. residence)

NAME: _____

RESIDENCE ADDRESS: _____
Street Address (Cannot be a P.O. Box)

_____
City   State   Zip Code

EMAIL ADDRESS: _____ PHONE: _____

COUNTY: _____ YEAR OF BIRTH: _____ LAST 4 DIGITS SOCIAL SECURITY # _____

MY BALLOT PREFERENCE:

☐ REPUBLICAN   ☐ DEMOCRAT   ☐ MOUNTAIN   ☐ NON-PARTISAN

NOTE: In accordance with Party Rules, independent or non-partisan voters may request a partisan ballot in primary elections. All others will be provided the ballot for the party choice indicated on the voter's most recent voter registration.

MY BALLOT RECEIPT PREFERENCE:

☐ **Fax** my ballot to: (____)_____ or
(include country code, when applicable)

☐ **Email** my ballot to: _____ or

☐ I request to receive and submit my ballot **online**. - Jackson, Kanawha, Marshall, Monongalia and Wood Counties only. (You will receive your secured login at the email address provided in the Voting Residence Information section above.)

   ☐ *Check here to receive ballots for all county, state and federal elections in a calendar year. You must apply separately for each municipal election. Please check a receipt method box above.*

VOTER'S STATEMENT:

I do hereby certify that the information given is true to the best of my knowledge, that the address given is my residence address (for Uniformed Services/ Merchant Marine) or my last legal residence in the United States (for overseas voters) and that I am qualified and registered to vote in this county. I understand that knowingly making a false statement on this application is subject to the penalties for false swearing, a fine of up to $1000 and up to one year imprisonment. If I am being assisted with my ballot, the reason for assistance is given below and the person assisting me has signed this form.

_____   _____
Signature or mark of Voter   Signature of person witnessing mark and/or assisting Voter (if needed)

Reason for Assistance (if given):_____

OFFICE USE ONLY	
PCT:_____	BLT STYLE:_____
PARTY:_____	
APP RCVD: ____/____/____	
BLT SENT: ____/____/____	

The voted e-mail or faxed ballot must be submitted using the Federal Voting Assistance Program's electronic submission system. Please see the FVAP Electronic Transmission Sheet for complete instructions. (www.fvap.gov)
Online voting pilot program ballots must be submitted according to the instructions e-mailed to you.
Absent Ballot Applications must be RECEIVED by the County Clerk no later than six days before the election for which you are applying. Go to www.wvsos.com for Clerks' contact info.

Attachment 3

UOCAVA Survey
Exit this survey

1. Default Section

Please answer the following questions as it pertains to the 2010 West Virginia Primary Election

1. In what county did you apply for a ballot?

☐ Jackson

☐ Kanawha

☐ Marshall

☐ Monongalia

☐ Wood

2. In what form did you request your ballot to be sent to you?

☐ USPS Mail

☐ Fax/E-mail

☐ On-line

3. Did you submit a voted ballot?

☐ Yes

☐ No

4. If "No" to question 3, list the primary reason why you did not vote?

[text box]

5. How simple did you find the voting process?

☐ Simple
☐ Somewhat Simple
☐ Neutral
☐ Somewhat Difficult
☐ Difficult

6. If you voted using the On-line voting system how did you hear about it?

○ Secretary of State
○ County Clerk
○ Federal Voting Assistance Program
○ Political Party
○ Another Voter
○ Other (please specify)

[text box]

7. If you voted using USPS Mail, Fax or E-mail were you aware of the option to vote On-line in your county?

○ Yes

○ No

8. If "No" to question 7, would you be interested in voting On-line in the future?

○ Yes

○ No

9. If "Yes" to question 7, what was the primary reason you did not vote On-line?

10. What is your primary source of voting information?

○ Secretary of State

○ Voting Assistance Officer

○ County Clerk

○ Federal Voting Assistance Program

○ United States Embassy

○ Political Party

○ Other (please specify)

Attachment 4

<u>Program Element Confirmation Checklist</u>

(Authorized representative should initial each program element fully met by vendor's proposal for the WVUSOV Pilot Project)

<u>Basic Operational Elements of the Online Voting System</u>

_____ System is web-based.

_____ System has an intuitive, easy-to-navigate interface.

_____ System is localized (in terms of date, time and address formats) to major areas in the world.

_____ System can handle five thousand voters over ten days, with likely spikes in use at beginning and end of voting period.

<u>Accessibility</u>

_____ System interoperates with a wide variety of client-side platforms, including:
    _____(i) Microsoft Windows;
    _____(ii) MacOS;
    _____(iii) Other common operating systems (Linux, etc.);
    _____(iv) Internet Explorer version 3 or higher;
    _____(v) Firefox version 3 or higher;
    _____(vi) Safari version 1 or higher;
    _____(vii) Opera version 3 or higher;
    _____(viii) Netscape version 3 or higher; and
    _____(ix) Chrome version 1 or higher.

_____ System does not require use of Java/Javascripts (or detects whether browser accepts Java/JavaScript and provides alternate interfaces).

_____ System detects whether browser accepts images and provides alternate interfaces.

_____ System works for users who use screen readers.

_____ System works for users who access the Internet using a text-only browser.

_____ System is sensitive to low-bandwidth/slow-modem environment of some users.

<u>Verification of Voters</u>

_____System verifies a voter's member number, password and PIN number.

_____ System alerts administrator of suspected efforts at fraud (including repeated guesses of passwords, excessive votes from a single PC).

<u>Secret-But-Verifiable Ballots</u>

_____System implements secret balloting, while allowing independent third-party monitors to verify that the ballots counted are the same as the ballots cast.

Support for Ballot Marking Rules

_____System either 1) does not allow mismarking of ballots or 2) checks validity of ballots immediately upon submission and returns ballot to voter for resubmission if there is an error.

Data Security

_____ System protects the security, integrity, and confidentiality of members' personal data.

_____System protects the security, integrity, and confidentiality of ballots.

_____ System provides no way for anyone (even vendor employees) to determine how an individual voter voted; at a minimum, system provides reasonable safeguards to prevent such data access.

Verifiability of Software and Procedures

_____ System and vendor make it possible to verify that the software performs according to specification.

_____ System and vendor make it possible to verify that the vendor is running the software correctly.

_____ Vendor will allow independent third-party monitors to review:
   _____ (i) Software, before and during election; and
   _____ (ii) Procedures (how many people have access to what parts of the system, how passwords are issued, how backups are done).

_____ System incorporates safeguards to assure that vendor employees do not cast votes for users who do not vote.

_____ System provides mechanism for verifying that the system is operating the way it is supposed to; this may involve mathematical procedures or cryptographic protocols that will reveal if ballots have been tampered with, audit trails, or other mechanisms suggested by the vendor.

_____ System automatically verifies the number of ballots sent in and the size and consistency of the database(s), and warns the administrator and stops the voting until the administrator manually authorizes it to continue.

Vendor Transparency and Openness

_____ Vendor will be sufficiently transparent and open about the system's design and function so as to foster confidence among users.

_____ Vendor will allow independent third-party monitors to verify that the voting system is working according to the specification and proposal.

Vendor Capability

_____ Vendor is committed to the success of the voting system.

_____ Vendor provides access to 24-hour technical support during the 10-day voting period.

_____ Vendor has tested its voting systems in a production environment.

_____ Vendor will test the voting system prior to the election.

_____ Vendor has, and provides reference for, prior experience with similar systems:

List prior experience reference here:

Contact Name: _____

Organization/Locality:_____

Contact Number: _____

Mailing Address: _____

Vendor Authorized Representative Statement:

I, _____, am a duly authorized representative of _____(vendor company name); I am qualified and authorized to provide accurate and reliable responses to the attached West Virginia Uniformed Services and Overseas Voter Pilot Project's Program Element Confirmation Checklist; and, I have truthfully responded according to the best of my knowledge and ability. I understand 1) that failure to include all of the Checklist objectives in the proposed vendor solution may, but does not necessarily, preclude the organization I represent from becoming a vendor partner in WVUSOV Pilot Project; 2) that initialing a program element not included in the program proposal of the organization I represent may be deemed a materially false statement; 3) that a materially false statement may result in exclusion from the program, and; 4) that the West Virginia Secretary of State's Office reserves the right to require additional information for acceptance into the program.

_____ **Signature of Representative**

_____ **Date Signed**

_____ **Name of Organization Represented**

_____ **Signature of Notary Public or Other Officer**

Authorized to Witness Signatures

Oath and Seal of Notary/Official: