From: Mahoney, Martha R.
To: votingsystemguidelines@eac.gov
Subject: Comments on Voting System Pilot Program Testing & Certification Manual
Date: 04/26/2010 05:17 PM

I am writing to submit these two comments on the "Voting System Pilot Program Testing and Certification Manual, Version 1.0"

COMMENT on Section 6. - Pilot Program Monitoring and Reporting

Without a comprehensive evaluation and well-documented report, a "pilot program" is only a demonstration project, like a test drive at a car showroom, rather than a test that generates new information.

The "pilot project" report must go beyond the system audit and anomaly reporting to examine the interaction of the voting system with other system components. For example, the interaction of a voting system with the voter registration database might fail to provide reliable updates on which voters have cast ballots. If the anomaly were caught at all, it would appear as a variation in performance of the voter registration database rather than the voting system itself. Such an anomaly could create a security problem for the pilot PROJECT that would be larger than (though related to) problems of the pilot voting SYSTEM.

Therefore, the Manual should require the elements of thorough post-election reporting on performance of all aspects of the pilot project to get a full understanding of voting system performance. At a minimum, the report should include such basic elements as accounting for all voters who signed in to cast ballots and for all ballots cast, auditing ballots cast, review of all incident reports or anomalies, review of system event logs, and explanation of any legal or prodedural conflicts regarding operation of the pilot voting system or project. The actual criteria to be used in the report should be determined before the election, with public input through notice and comment. ?

COMMENT on Section 6.4 - The Audit

Either in this Manual or in the Pilot Project Testing Guidelines, or both, the requirement should be stated that the voting system must be capable of being audited with certainty. In the Software Analysis of the Scytl system in Okaloosa, Florida organized by the SAIT laboratory, Finding 4.1.2.1 found that the voting program relied on software that was downloaded across the network at run-time and stored in volatile memory. See Software Analysis and Security Review of Scytl Remote Voting Software, http://election.dos.state.fl.us/voting-systems/pdf/FinalReportSept19.pdf , at page 23. Therefore, it was not possible to audit the version of the software except during the time it was actually in use

Internet voting will take place at different hours in different locations. An audit process taking place anywhere would be a warning that all the next downloads must be in conformity with specifications, shifting the conditions for the audit. This audit conformity process implies an auditable form of software, and that requirement should be made explicit.

Sincerely,

Martha R. Mahoney
Professor of Law
University of Miami School of Law
Box 248087
Coral Gables, FL 33124-8087
mmahoney@law.miami.edu
305-284-5869 (ofc)
305-284-6506 (fax)