

## Verified Voting public comments on VEPBR 1.0 December 14, 2023

We appreciate the opportunity to offer public comment on the Voluntary Electronic Poll Book Requirements (VEPBR) 1.0, produced by the U.S. Election Assistance Commission (EAC) as part of its Election Supporting Technology Evaluation Program. The VEBPR represents an important step forward in establishing baseline requirements for electronic poll books, especially as their usage nationwide continues to grow.<sup>1</sup> While some states have developed their own certification standards for e-poll books, many states use e-poll books without having a certification program in place.<sup>2</sup> We also applaud the VEBPR's inclusion of accessibility as a core component of these standards to help ensure that all poll workers and voters are able to use these devices.

### Minor correction

#### *1.2.2 – Maintain voter registration records*

Typographical correction: 1.1.1. in the following sentence should be corrected to 1.2.1 [revision italicized]:

“For the purposes of evaluating this requirement, a ‘voter registration record’ involves the eight pieces of information required under section *1.2.1* of this document.”

### Connectivity

#### *Section 1.4 – Telecommunications*

In the interest of security, jurisdictions may prefer to avoid or minimize the usage of wireless connectivity, preferring instead to utilize a hardwired connection whenever possible. E-poll book documentation should clearly indicate what types of network access the device supports, including whether it is equipped with an Ethernet port.

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<sup>1</sup> Compare Verified Voting, *The Verifier — Poll Books — November 2024*, <https://verifiedvoting.org/verifier/#mode/navigate/map/epbEquip/mapType/normal/year/2024> (last accessed Dec. 13, 2023) with Verified Voting, *The Verifier — Poll Books — November 2014*, <https://verifiedvoting.org/verifier/#mode/navigate/map/epbEquip/mapType/normal/year/2014> (last accessed Dec. 13, 2023).

<sup>2</sup> See National Conference of State Legislatures (NCSL), *Electronic Poll Books | e-Poll Books*, <https://www.ncsl.org/elections-and-campaigns/electronic-poll-books> (last updated Oct. 25, 2019). In 2019, NCSL identified 12 states with statewide procedures for e-poll books but no formal certification program and 15 states with statutes authorizing e-poll book use but without having e-poll book procedures or a certification program in place.

We also suggest adding a requirement that the device must clearly indicate to the election worker when it is connected to a network and the type of connection (wired, wireless). This could help prevent an election worker from mistakenly activating a device's wireless functionality when it is not needed, for instance.

### 1.5.3 – Loss of connectivity

As we understand it, this provision requires documentation for how the e-poll book protects against data loss if the device loses network connectivity and how it syncs with the poll list and reconnects with external devices once connectivity is restored. These functions are crucial.

While it may not be feasible to require this at present, we suggest that the EAC consider a future requirement that e-poll books must allow voters to continue voting when network connectivity is interrupted. Notably, Texas requires the following: “Electronic pollbook must allow a voter to be accepted for voting during an interruption in network connectivity.”<sup>3</sup>

## Audit trail

### 1.1.7 – Vote records

We suggest that the VEPBR include more detail with respect to the recording of voting-related activities. Section 1.1.7 – *Vote records* currently only specifies that “All records produced by the e-poll book must have the information required to support auditing by election workers and others who can only read English.”

E-poll books should have the capability to report the number of voters who received a normal ballot and those who received a provisional ballot, information which is needed for ballot reconciliation and any auditing of reconciliation procedures. In addition, e-poll books should also provide detailed logs of voter check-ins, any instances of attempts to vote when a voter has already voted, and any information related to the ballot style voters received.

### 1.2.2 – Maintain voter registration records

If the e-poll book is capable of modifying records in the voter registration database, any changes that are made should be individually logged: who changed the database, the nature of the change, and the date of the change.<sup>4</sup>

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<sup>3</sup> Texas Secretary of State, *Texas Electronic Pollbook Functional Standards 10* (2023), <https://www.sos.state.tx.us/elections/forms/texas-electronic-pollbook-functional-standards.pdf>.

<sup>4</sup> See John Dziurłaj, *Voter Registration Database Auditing*, *The Turnout* (May 21, 2019), <https://turnout.rocks/our-blog/voter-registration-database-auditing/>.

## Ballot style

Assigning voters the correct ballot style is mentioned in the document scope as a basic function of e-poll books, but we did not identify any related requirements in the document. We recommend adding a requirement that an e-poll book be capable of assigning voters the correct ballot style, possibly as an “if applicable” requirement.

## Voter data

### 1.2.3 – Maintain digital signatures

As this document recognizes, e-poll books should minimize the usage of voter’s sensitive personally identifiable information. We suggest that digital signatures also merit a similarly careful treatment. Not all jurisdictions utilize digital signatures when using e-poll books. It could also represent a significant add-on for an e-poll book system to capture, store, and transmit this data. We suggest that the capability to capture and store a digital signature in section 1.2.3 not be required and instead be designated as “if applicable.”

## Interoperability

The principle of interoperability is mentioned in the VEPBR summary but is not explicitly identified in any of the requirements, though we presume that *Section 1.3 – Compatibility* is meant to encompass interoperability. We question whether any requirements adapted from those in the Voluntary Voting System Guidelines could also apply to e-poll books. For instance, in the future should e-poll books be required to support the Voter Records Interchange Common Data Format Specification?<sup>5</sup> The topic of interoperability may merit further study.

## Supply chain and access control

*Section 2.7 – Supply Chain Risk Management* states: “The e-poll book’s documentation must detail the risk assessments and controls utilized to reduce the potential for supply chain compromises.” Given that most e-poll books rely on commercial off the shelf (COTS) components, it might be difficult for e-poll book manufacturers to ensure that the manufacturing process of all e-poll book components is strictly controlled. We recommend a careful evaluation of how e-poll book manufacturers are able to meet these requirements.

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<sup>5</sup> E.g., John Wack, et al., National Institute of Standards and Technology, *Voter Records Interchange Common Data Format Specification Version 1.0* (2019), <https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.1500-102.pdf>.

We also find it difficult to understand the intended scope of *Section 2.1 – Access Control*. While the requirements in this section pertain to controlling device access—for instance through use of best practices for account management—the section’s introductory text also encompasses supply chain risks: “Access to both physical and digital spaces containing e-poll books, voter information, and communication equipment must be strictly controlled during the entire e-poll book lifecycle from manufacturing and development to end-of-life disposal of the information and equipment to detect and prevent supply chain attacks.”