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January 28, 2005

Memo to: Election Assistance Commission (EAC),
EAC Technical Guidelines Development Committee (TDGC)

From: Fernando Morales, Inventor of a new electoral process paradigm

Re: Paul Craft's questionable behavior

On January 18 & 19, 2005 Dr. Rivest, professor at MIT Department of Electrical Engineering and Computer Science and Chairman of the TGDC/Subcommittee of Security and Transparency, presented Subcommittee Resolutions to the TGDC for their consideration and adoption.

The language used by Dr. Rivest in his original Resolution # 14-05 clearly directed NIST to research and draft standards documents prohibiting the use of COTS software that doesn't provide the source code and/or documentation for a security evaluation. During the discussion Mr. Paul Craft was able to steer the committee into replacing that language with "requiring that the use of COTS software within voting systems is not allowed unless it meets specific exceptional conditions and that these criteria for exceptions be drafted by the NIST".

The new wording did NOT address the issue brought to the table by Mr. Rivest (an authority in the fields of security and encryption), namely the security and verifiability of election software. Instead, Mr. Craft deferred the resolution and killed the original intent. It has now been reduced to "make-work" for the NIST as Mr. Craft jokingly manifested.

Have you considered which Mr. Craft's motives were when he steered the resolution into a different issue? What is it to him whether or not the vendors can use a particular software or not? Wouldn't it be sufficient to say that if their providers want to incorporate the software into the vendor's system the providers MUST provide the source code? No source code, no deal. End of story (just as Dr. Williams said). It is an issue of national security, for goodness sake.

Is Mr. Craft defending the interests of the Florida Department of State, Voting Systems National Association of State Election Directors or the interests of all the American people? Mr. Craft said "*what you propose here ultimately requires voting system vendors to go outside the scope of expertise they currently have*" and later he goes on to say

“there are ways of studying that and doing that without restricting the vendors to a survey ... process of betting their off-the-shelf software’. These words were spoken just several minutes after Commissioner Martinez’s opening remarks *“we must not disappoint those who have placed immense responsibility upon us, policymakers, election administrators, advocates and most important of all the American people”*.

Time and again, we saw and heard that all security and privacy related resolutions presented by Mr. Rivest were watered down to allow vendors to continue operating their current “leaky” systems, exposing the American people to breaches in security, privacy, and confidentiality. See for yourself before-and-after of Resolutions [#15-05 \(1:10:14 Marker\)](#) and [#35-05 \(1:37:00 Marker\)](#). They were reworded from its original language of “prohibit” or “excluded from voting systems” to “extremely risky” or “severe risk”. In every instance, Mr. Craft, who is not an expert in matters of security rewords the resolutions and blatantly defends the vendors: *“it allows existing systems to continue to be used and, it is very specifically aimed at allowing the vendors and system developers to continue research on how to appropriately and securely use wireless technology”*; what a contradiction. First Mr. Craft claimed that the vendors have no expertise in writing software, now he claims they not only have the expertise to write software but also that for creating a secure hardware for wireless communications. Clearly, these two contradictory positions point towards allowing a government election official to manipulate the results of an election without being detected.

Mr. Craft said: *“The resolution as drafted and as amended would outlaw use of ES&S’s Ivotronic voting system, it would make illegal the voting system being used by 40% of the voters in Florida and it would jeopardize the nation’s ability to conduct the 06 elections.”* That the State of Florida “unknowingly” purchased equipment that would open the doors to a government election official to manipulate the results of an election without being detected can be excusable, but to try to reduce the nation’s standards in defense of such a poor decision is traitorous, hence unthinkable.

I hope that NIST will pick up on the intentions presented by Dr. Rivest’s “original resolutions” and reinstate with clarity what the issue really is, not the vendors capacity or lack thereof to comply with the new voting guidelines.

Holiness and sanctity can no longer be claimed by government election officials, as Mr. Craft’s behavior indicates. The stark reality is that governments alone can NOT guarantee the security and transparency that the electoral process requires (see my position on this matter by clicking [HERE](#)).

Therefore, I respectfully request the EAC and the TGDC members to examine Paul Craft’s questionable behavior thoroughly.

Cc Mr. Paul Craft
EAC Commissioners