

The Virtual Voting Book

Volume 2:

1999

by Marc Strassman

**Founder and Executive Director
Campaign for Digital Democracy**

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Chapter 1

Campaign for Digital Democracy Mailing List Messages 24-50

Message Number 24 for Campaign for Digital Democracy Mailing List

Date:

Jan 07 1999 18:11:16 EST

From:

Campaign for Digital Democracy

Subject:

Saving Time & Money in the Los Angeles Secession Effort

To the Members of the Campaign for Digital Democracy mailing list,

Efforts are underway here in Los Angeles to separate the San Fernando Valley from the City of Los Angeles through a convoluted secession process. This process requires proponents to collect 135,000 signatures, or 25% of the number of registered voters in "the Valley", on petitions calling for a study of secession. Of course, every part of the process has to be done by hand.

Today (January 7, 1999) saw an announcement from the Los Angeles County Registrar of Voters that it was going to take until at least late March to count all the signatures collected by the group working for secession. As usual in cases such as this, I drafted a brief note pointing out how much faster and easier it would be to collect and count the signatures online and sent it to the Letters to the Editor departments of the Los Angeles Times and the Daily News, the city's two major newspapers.

I'm also sending each of you a copy, in a version that adds my usual list of e-voting hotlinks for the uninitiated to the text of what I sent to the newspapers.

If you live in or around LA, watch for the letter. If you live elsewhere, you might start looking around to see if your own city has similar problems with counting petition signatures or if election officials there are starting to worry about the high costs and low turnouts of recent municipal elections and might be ready to start thinking about making the "cyber-switch" to a faster, cheaper, and easier way of collecting citizen input during elections.

If they are, please ask them to sign up for the Campaign for Digital Democracy mailing list at:

<http://digitaldemocracy.listbot.com>

or to drop a note expressing interest and asking for more information to:

transmedia@pacificnet.net

Here's the letter:

To the Editor,

As Executive Director of Campaign for Digital Democracy, a lobbying and advocacy group that's been working since 1996 to bring Internet-based voting to the citizens of California, I would like to point out that if the system for electronic registration, initiative signing and voting that we've been trying to implement were already in place, then the delay, confusion, complication, and \$270,000 expense presently associated with VOTE's effort to remove the Valley from the City could have been avoided. Instead of taking until March at the earliest to get an honest count of the signatures, a machine could authenticate and count the valid signatures in minutes and the politicians involved could move on to the next step, or not, of the process.

Florida, Washington State, and California itself are moving ahead now in various degrees to explore or implement versions of Internet-based voting. In the face the evidence made apparent by the secession effort, perhaps it would make sense for us here in the City of Los Angeles to start thinking now about applying the power and cost-effectiveness of the networked computer systems that do so much for us already to helping us run our governmental, political, and civic affairs, whether we end up in one, two or several separate cities, and whether we have a city council of 15, 20, or 25 members, with or without neighborhood councils, elected or appointed, with or without meaningful power to do anything significant.

Anyone able to and interested in seeing and hearing me answer commonly-raised objections to electronic voting in a streaming video clip can do so on the Web at:

<http://www.polemic.net/marcs1.ram>

If you need the video browser, you can download it for free at:

http://www.real.com/products/player/index.html?src=q4_1201_1gold

If you want to visit the New Zealand Electronic Electoral Trial site and see some of what Campaign for Digital Democracy is doing through its

co-sponsorship of the world's first nationwide test of electronic voting,
click here:

<http://www.polemic.net/nzeet.html>

Finally, if you'd like to join the Campaign for Digital Democracy mailing
list and be kept up-to-date on electronic voting developments, go to:

<http://digitaldemocracy.listbot.com>

Sincerely,

Marc Strassman
Executive Director
Campaign for Digital Democracy
Sherman Oaks, CA

Message Number 25 for Campaign for Digital Democracy Mailing List

Date:
Jan 14 1999 21:22:39 EST
From:
Campaign for Digital Democracy
Subject:
Time Now for Electronic Initiatives

To the Members of the Campaign for Digital Democracy Mailing List,

Attached to this introduction is an unpublished op-ed column tying a recent U.S. Supreme Court decision about initiatives to the issue of electronic voting systems. I hope you find it interesting and useful.

One of the functions of this mailing list is to serve as a lens capable of projecting a large virtual image of the ideas expressed in it over the political landscape.

As long as you include every part of the essay text below, including the title, author's name, and copyright statement, all of you are welcome to submit this piece to any local or organizational publications you think might appropriately run it. Just let me know if you do, by e-mail, at transmedia@pacificnet.net.

With so much that is simultaneously sordid and ridiculous emanating from our nation's capital, I continue to hope that we can change the subject to a discussion of how we want to govern ourselves in the 21st century. This essay is another effort to precipitate that change of subject.

Time Now for Electronic Initiatives

by Marc Strassman
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On January 12, 1999, the United States Supreme Court ruled, in *Buckley vs. American Constitutional Law Foundation* (97-930), that the process of qualifying initiatives for the ballot involves "core political speech" and

is therefore strongly protected by the Constitution from unwarranted interference by the state whose laws these initiatives seek to change.

This decision was hailed as great news by individuals and groups with either a commercial or political interest in making the initiative process easier. It was denounced by Chief Justice William H. Rehnquist, who wrote, in dissent, that it have too much power to "out-of-state persons and political dropouts" and by California Secretary of State Bill Jones, who attacked it because it "will further commercialize" the initiative process.

I would like to suggest that by instituting Electronic Initiatives, part of the Electronic Voting System I've been advocating since 1995, it would be possible to simultaneously make it far easier to collect the signatures required to put an initiative on the ballot, while also greatly reducing the level of commercialism involved, that is, the need to rely on paid signature-gatherers, from in or out of state, political dropouts or not.

As set out first in the Virtual Voting Rights Initiative which I wrote and circulated in 1996 and then in the original version of California State Assembly Bill AB 44, which was eventually amended into a study of electronic voting, passed by both houses of the California Legislature and vetoed on nonsensical grounds by former Governor Pete Wilson, the Electronic Voting System would have three major components: Electronic Registration, Electronic Voting, and Electronic Initiatives.

Electronic Registration involves allowing citizens to sign up to vote over the Internet or by phone. Electronic Voting involves allowing them to cast their ballots securely and remotely over the Internet or by phone. Electronic Initiatives involve allowing citizens to digitally sign initiative petitions online over the Internet or by phone.

In each of these three processes, a variety of methods, including digital certificates on hard drives or smart cards, fingerprints, voiceprints, face scans, hand configuration scans, or retinal or iris scans could be used to identify and authenticate the citizen as he or she interacts with the Electronic Voting System.

Rather than having to print initiative forms to be carried around by paid or volunteer circulators, rather than forcing people to stop what they're doing while out and about and decide on the spot if they want to support an initiative hurriedly explained by the circulator, instituting Electronic Initiatives would mean that citizens could, at their own convenience, from home, office, or, soon, car, or wherever, access the entire text, as well as the summary, of a proposed initiative, click over to linked sites advocating or opposing the measure, and then, using one of

the approved methods of identifying and authenticating themselves, virtually "sign" those initiatives they want to see put on the ballot for consideration by themselves and their fellow citizens. Those who desired to could easily join mailing lists or discussion groups about initiatives of their choice.

No longer will it be necessary to pay, or argue about paying, initiative mercenaries, either individual free-lancers or corporate entities, to facilitate this aspect of the democratic process. By lowering the cost of circulating the petitions, more good ideas without big money behind them could get a fair hearing. By lowering the cost to voters of signing the petitions, they could pay more quality attention to the merits of the individual proposals and make more reasoned judgments about which ones to support.

In short, we would be on the way towards "friction-free democracy."

The possibility always exists, with such a system, that it would become "too" easy to draft, circulate, and qualify an initiative for the ballot. Well, if the Legislature is doing its job of translating the people's will into law, then this will become less of a problem. If it doesn't, then perhaps allowing the people to legislate on its own behalf, through the Electronic Initiative process, is the proper way to proceed. In any event, initiatives, however many of them are qualified for the ballot by means of the Electronic Initiative process, have no legal force until they are approved by the people in an Electronic Election and pass constitutional muster in the courts. So there may be less of a problem here than first meets the eye.

There are individuals and groups now working to promote the creation of a National Initiative Process, which would do for federal legislation what the individual state initiative processes do on the state level. Establishing such a system would, obviously, require amending the Federal Constitution, to give the force of national law to measures passed through a National Initiative Process. And, clearly, it would be much easier, cheaper, and practical to use a National Electronic Initiative System to implement and operate such a mechanism.

Instituting an Electronic Initiative, as part of an Electronic Voting System, in one or more states and learning from its operations would be the best possible way of gaining the expertise and experience needed to scale such a system up to meet the technical requirements of a National Electronic Initiative System. Of course, in order to facilitate the operations of such a NEIS, each of the several states would need to install an Electronic Voting System of its own for its citizens. The same system could be used by voters in their role as citizens of their state

and as citizens of the nation. Thus would the advantages of the American system of "dual" (state and national) citizenship be lifted to a higher level through the power of modern voting technology.

There is much happening now and even more on the horizon that is working to disconnect citizens from their government. Whatever one's take on the substance of the charges, the current spectacle in Washington, D.C., is not enhancing many people's views of their national government.

The massive and accelerating flood of news, commercials, and other infoedupolitarian media is as likely to cause people to turn it all off as it is to bring them more deeply into a relationship with the institutions spewing it out. Coupled with real as well as perceived powerlessness to effect these institutions, we are drifting into a condition, not of community but of near-universal anomie, alienation, withdrawal, and public apathy.

The response to similar conditions at the turn of the last century, spearheaded by the Progressive Movement, was to institute a series of political reforms, chief among which was the initiative process. Since then, that process for implementing the will of the people has accomplished great things, according to some, or great evils, according to others. But it has, generally, lived up to its intended purpose of allowing citizens to directly pass some of the laws they want enacted.

As this century turns again, the initiative process is a little tarnished, it's picked up a bit of rust. Why don't we refurbish it for the next century by porting it to the technology that will dominate that century, networked computer intelligence? Why don't we supplement our own capabilities and desires by using these powerful tools we've created, that we use to shop, make travel reservations, gamble, chat, send e-mail, listen to music, and watch videos? Why don't we give ourselves the means to generate Electronic Initiatives within the context of an Electronic Voting System and get on with the business of deciding how we want to govern ourselves, instead of wasting time, energy, and money arguing about the means for making these decisions?

Message Number 26 for Campaign for Digital Democracy Mailing List

Date:
Jan 26 1999 16:07:27 EST
From:
Campaign for Digital Democracy
Subject:
Electronic Elections Bill

To CDD Subscribers,

The draft legislation below has now gone out to the Office of Legislative Counsel in Sacramento, where it is being translated into legal language in order to be considered by the California Legislature. It has also gone out to staffers in the Elections Committee of the Massachusetts House of Representatives and the Secretary of State's Office in Washington State. A copy has been e-mailed to the office of Minnesota Governor Jesse Ventura.

I wanted all of you to have a copy, too.

Please feel free to get back to me with comments about this proposed bill. Also, if you know staffers or representatives in your state legislature or reporters anywhere, or if you are a staffer or representative or reporter yourself, please do what you can to get these ideas and this language inserted into the political and media conversation wherever you are and whenever you can.

The current fiasco in Washington has convinced millions of citizens that either some new ways of governing ourselves have to be found or many more people will just opt out of the self-governance process entirely.

Electronic elections, including Internet voting and electronic initiatives, may offer a way out of the current crisis of (non-)participation.

But people need to know what their options are. This Electronic Elections Bill, if passed in states throughout the country, will give them as much convenience and choice in politics as they already enjoy in other areas where the Internet has taken root. Not nearly enough, but more. It's only a start, but it is a start.

Please let everyone know.

Sincerely,

Marc Strassman
Executive Director
Campaign for Digital Democracy

Draft Elements for an "Act to Establish an Electronic Election System"
for California

by Marc Strassman
Executive Director
Campaign for Digital Democracy

Section 1. It is the intent of the Legislature in enacting this bill to establish the ability of voters and county election officials to use an Electronic Election System to promote broader participation in elections in California. To implement this goal, it is the intent of this bill to:

1. legalize the use of electronic networks for election purposes, including registration, initiative and in lieu petition signing, and voting.
2. authorize and require the Secretary of State to create and apply standards according to which proposed Electronic Election Systems may qualify for official use within the state
3. authorize county election officials to use Electronic Election Systems within their jurisdictions in all future elections
4. prohibit the wrongful manipulation, fraudulent use or violations of the integrity of the Electronic Election System, and establish suitable sanctions against such illegal acts

Section 2.

All qualified California voters shall be entitled to register to vote, sign initiative and in lieu petitions, and vote in all primary, general, and special elections using an Electronic Election System over any secure electronic network from any point and by any means by which they can access such a network.

Section 3.

The Secretary of State will be authorized and required to set out the standards that any Electronic Election System will need to satisfy before it can be sold or used in California.

To qualify for use in elections in California, an Electronic Election System must:

1. provide for the secure identification and authentication of the voter
2. provide for the secure identification and authentication of the official jurisdiction supervising and responsible for the election process of which the registration, petition signing, or voting is a part
3. protect the privacy, integrity and anonymity of the voter's ballot
4. prevent multiple castings of a ballot in any one election cycle by any individual voter
5. provide protection against tampering, fraudulent use, illegal manipulation or other unauthorized abuse by voters, hackers, or election officials
6. be easy to use by every voter
7. legibly convey all information mandated by law to be included in the ballot for each voter, including lists of all candidates for office and all ballot measures qualified to appear on his or her ballot, in whatever set or randomly-generated order is mandated by law
8. provide the means by which voters can cast write-in votes for candidates whose names do not appear on the ballot but who have qualified for official "write-in status" according to the laws and regulations of the jurisdiction conducting the vote
9. reliably provide uninterrupted availability 24 hours a day and 7 days a week during the designated electronic voting period
10. be sufficiently scaleable as to provide electronic voting access to all voters in any jurisdiction where it is employed, over the course of the designated electronic voting period
11. be accessible to all voters, either through

personally-owned computers at their homes, computers in their place of work, or publicly-available computers in public kiosks, schools, government offices, or polling places

12. be capable of being upgraded as technology improves
13. assure the non-repudiation of electronic electoral transactions between voters and government.
14. be useable by mobility- and visually-challenged voters
15. be capable of being audited as to contents, results and process at a sufficiently high level to guarantee the integrity of the system and the public's confidence in its integrity.

Section 4.

Once the Secretary of State has developed a detailed set of specifications based on these principles, and once a proposed Electronic Election System has been shown, through tests conducted by the Secretary of State's Office to have met these specified requirements, the successfully-tested system shall be designated as "approved by the Office of the Secretary of State for use by all election authorities within the State of California." The Secretary may contract with a recognized independent testing facility to perform the tests necessary to establish the system's conformance with the technical specifications put forward by the Secretary.

Section 5:

Upon approval of a system pursuant to section 4, county election authorities will then be authorized to use approved systems within their jurisdiction. Counties are authorized, pursuant to and consistent with (current) law, to buy, lease, contract for services, and generally take any otherwise authorized actions to effectuate the use of an Electronic Election System within their county.

Section 6: Penalties

Any person interfering with the lawful operation of any element or activity of the Electronic Election system with the intent of committing any fraud or in any manner violating the integrity of the Electronic Election System, including its internal code, contents or results, shall be subject to the penalties included in the Elections Code, commensurate with the severity of the infraction.

**Message Number 27 for
Campaign for Digital Democracy
Mailing List**

Date:
Jan 27 1999 15:26:19 EST
From:
Campaign for Digital Democracy
Subject:
link to Electronic Elections Bill

For your convenience, I've posted the Electronic Elections Bill on its own webpage. So if you want to send a copy of it to a reporter you know, or an elected state legislator, just send them this URL:

<http://www.suresite.com/ca/e/elelbill/>

Thanks,

Marc Strassman
Executive Director
Campaign for Digital Democracy

Message Number 28 for Campaign for Digital Democracy Mailing List

Date:

Jan 29 1999 20:08:16 EST

From:

Campaign for Digital Democracy

Subject:

House Bill 1594 in Washington State Would Authorize Study of Electronic Elections

Washington State, the home base of many Internet-related companies, is making a move towards becoming an early adopter of electronic election technology with House Bill 1594, which would require its secretary of state to "assemble a task force to conduct a study of the issues and challenges presented by incorporating on-line and Internet technologies in the voting process."

Read the whole bill at:

ftp://ftp.leg.wa.gov/pub/billinfo/1999-00/house/1575-1599/1594_01291999

Here are the names and e-mail addresses of the bill's co-authors. Why not e-mail them in support of their work on behalf of our right to use the Internet to vote, wherever we live?

Rep. LAURA RUDERMAN
(D) 45th LEGISLATIVE DISTRICT
ruderman_la@leg.wa.gov

Rep. DAVE SCHMIDT
(R) 44th LEGISLATIVE DISTRICT
schmidt_da@leg.wa.gov

Rep. ERIK POULSEN
(D) 34th LEGISLATIVE DISTRICT
poulsen_er@leg.wa.gov

Rep. MARK MILOSCIA
(D) 30th LEGISLATIVE DISTRICT
miloscia_ma@leg.wa.gov

Rep. HANS DUNSHEE
(D) 39th LEGISLATIVE DISTRICT
dunshee_ha@leg.wa.gov

If you want to grab all their e-mail addresses and insert them into the bcc: slot on your browser's mail box and send a reference copy to yourself and a generic message of support to all of them at once, use this list:

ruderman_la@leg.wa.gov, schmidt_da@leg.wa.gov, poulsen_er@leg.wa.gov,
miloscia_ma@leg.wa.gov, dunshee_ha@leg.wa.gov

If you live in Washington State, please contact your elected representatives and tell them you'd like to see this bill passed.

Sincerely,

Marc Strassman
Executive Director
Campaign for Digital Democracy

Message Number 29 for Campaign for Digital Democracy Mailing List

Date:
Jan 31 1999 14:20:00 EST
From:
Campaign for Digital Democracy
Subject:
An Internet E-Ballot for Democracy

Whatever city, or sparsely-populated county, you live in, the Internet can make it more convenient for you to vote, while saving you money as a taxpayer.

To see how this general principle applies specifically today to the archetypal city of tomorrow, click below.

Feel free to apply these observations to your own location and to work to persuade local government officials, media, and voters to launch similar Internet voting projects in your jurisdiction. And let us know here at CDD about your activities in this area so that we can co-ordinate and synergize all our efforts to bring electronic voting to cities, counties, states, and nations everywhere.

<http://www.latimes.com/HOME/NEWS/VALLEY/COMMENT/t000009545.html>

Sincerely,

Marc Strassman
Executive Director
Campaign for Digital Democracy

Message Number 32-35 for Campaign for Digital Democracy Mailing List

Date:
Feb 09 1999 05:36:10 EST
From:
Campaign for Digital Democracy
Subject:
Please Support House Bill 1594 in Washington State, Part 1

From 1:30 pm until 3:30 pm, on Wednesday, February 10, 1999, eight members of the Washington State House of Representatives who constitute that body's State Government Committee will conduct hearings in the beautiful state capitol building. One of the bills they will consider will be House Bill 1594, a measure ordering that:

"The secretary of state shall assemble a task force to conduct a study of the issues and challenges presented by incorporating on-line and Internet technologies in the voting process....At the secretary's discretion, the office of the secretary of state, in conjunction with one or more county auditors, may permit limited elections for the purposes of validating the accuracy, integrity, and security of on-line or Internet voting."

Because the entire Washington State House of Representatives consists of 49 Republicans and 49 Democrats, each committee consists of equal numbers of Democrats and Republicans, in the case of this committee four each.

Here are the names and e-mail addresses of these eight Representatives:

Cathy	McMorris	mcmorris_ca@leg.wa.gov
Sandra	Romero	romero_sa@leg.wa.gov
Tom	Campbell	campbell_to@leg.wa.gov
Mark	Miloscia	miloscia_ma@leg.wa.gov
Hans	Dunshee	dunshee_ha@leg.wa.gov
Kathy	Haigh	haigh_ka@leg.wa.gov
Kathy	Lambert	lambert_ka@leg.wa.gov
Dave	Schmidt	schmidt_da@leg.wa.gov

Here's a combined list with all of their e-mails:

mcmorris_ca@leg.wa.gov, romero_sa@leg.wa.gov, campbell_to@leg.wa.gov,
miloscia_ma@leg.wa.gov, dunshee_ha@leg.wa.gov, haigh_ka@leg.wa.gov,
lambert_ka@leg.wa.gov, schmidt_da@leg.wa.gov

Elected officials rightly listen more attentively to the opinions of those citizens whom they represent, not least of all because they need their votes for re-election. If you reside in the districts of any of these officials, please e-mail them and politely express your views on the need for them to approve House Bill 1594 in the State Government Committee.

If you live elsewhere in Washington State, please e-mail them and identify yourself as a Washington State resident who supports the bill and would like to see it passed. If you don't live in Washington State, please let them know that you are looking to them for leadership in the national movement towards electronic elections.

Please cc: your communications to info@vpac.org.

Below is a transcript of what my testimony on House Bill 1594 would have been had I been able to go to Olympia to deliver it in person.

Thanks for your help.

Remarks of Marc Strassman, Executive Vice President,
Communications, and Chief Legislative Officer, eballot.net
to the State Government Committee of
the House of Representatives of Washington State

1:30 pm, Wednesday, February 10, 1999
Olympia, WA

Introduction

Co-Chairs, Vice Chairs, Members of the Committee:

Thank you very much for this chance to talk with you about electronic elections, something I've had on my mind for three years and which I don't get to talk about that often in public.

My name is Marc Strassman. For about three years, I've been Executive Director of Campaign for Digital Democracy, an advocacy group committed to convincing elected officials that it is safe and feasible to

allow citizens to use the Internet to register to vote, sign initiative petitions, and vote in all local, state, and federal elections.

For about a week, I've been the Executive Vice President, Communications, and Chief Legislative Officer, of eballot.net, an Internet start-up based in Kirkland, Washington, which is currently developing software and security systems that will allow citizens to vote, sign initiative petitions, and vote in all local, state, and federal elections.

My interest in electronic elections and in this bill in particular is twofold: I am pursuing this goal of electronic elections because I think it will benefit all of us greatly, by helping to put the demos, the people, back in democracy. I am also pursuing the secular grail of electronic elections to earn a living and so I can pay more taxes in Washington State and to Washington, D.C., for the benefit of the state and the country.

I want to do good, and I want to do well. I believe that there is no contradiction here, but only a particularly clear example of what democracy, capitalism, together, democratic capitalism, is all about.

Five Groups and their Relation to Electronic Elections

Now I'd like to explain why I think you ought to approve House Bill 1594, a bill to authorize the establishment of a task force to study electronic elections in Washington State and to allow the Secretary of State, along with county election officials, to run what will essentially be proof-of-concept tests of electronic voting within selected jurisdictions.

While Julius Caesar's Gaul was divided into three parts, I think that the public, and perhaps members of this committee, is divided into five groups, in terms of how they feel about using the Internet to allow people to vote in official elections and to sign initiative petitions.

The first group understands and supports the eballot and members of it want to vote on the Internet as soon as possible. Except for those in this group who feel that half a virtual loaf is worse than none at all, everyone in this category strongly supports House Bill 1594 and applauds the Secretary of State's office for proposing it and its House sponsors for introducing it and will applaud you for approving it.

The second group is from Missouri--we have to show them. They are open-minded on the concept of electronic elections, or even support it in

principle, but they want to know that any Electronic Election System (or EES) that will be entrusted with receiving and counting their votes is secure, easy-to-use, protected against hackers and fraud, auditable, and cost-effective--in short, honest and economical. House Bill 1594 is just the bill for people in this group. The point of this bill is to research, test, examine, and explore the electronic elections terrain to see if it can support and nourish a community of electronic voters. Everyone in this second group supports the passage of HB 1594.

The third group of citizens has never heard of electronic voting, and therefore has no opinion of it as yet. For them, electronic elections are more like the proverbial tree falling in the deserted forest than anything else. Electronic elections are not yet on their radar screen. Clearly, proceeding with passage and implementation of this bill would suit the needs of this group, by making them aware of the existence of the possibility of electronic voting, and providing them with solid data upon which to ponder and decide their opinion of it.

The fourth group has heard of electronic elections, but they don't know how they feel about it yet. This group needs more information so it can make up its mind. It needs to see HB 1594 passed and carried out so it can weigh the facts and trade-offs and make up its mind.

The fifth group consists of individuals and groups who know about and understand electronic elections, and do not approve, either because of philosophical reservations about the whole concept, specific worries about the cost of such systems, their potential vulnerability to fraud, or the uneven accessibility of networked computers, or because they believe making voting too convenient will somehow undermine the democratic process.

For this group, the task force and investigations mandated by this bill are especially necessary. Only by investigating, costing out, studying, testing, and discussing the dynamics and possibilities of electronic voting can we acquire the information we need to make a well-founded decision about whether electronic voting is something the State ought to pursue or something we ought to forget about, at least for now, and stick with the technology we now use to conduct elections.

It's my own belief that the results of the Task Force's investigations and tests will be to show that electronic voter registration, initiative petition signing, and voting are feasible, cost-effective, and likely to substantially increase voter participation, which might come to be called "voter stayin," rather than "voter turnout," with such a system.

I am hesitant to make reference to this phenomenon, since I still

live in Southern California, where, in the words of the classic 70's song, "it never rains." But one real benefit of an electronic elections system, especially in Washington, is that voters do not have to involve umbrellas in the electoral process. (And by the way, it is raining here now today in Los Angeles, and so maybe we'd benefit here from this law as well.)

Who Wants to Vote Online?

Before I go any further, I'd like to cite some polls that support the idea that I am here not just on my own behalf, and on behalf of eballot.net, but as the unappointed spokesperson for millions of Internet users who want to vote.

In the October, 1994, issue of Macworld, poll respondents indicated that the Internet application they most wanted to see was online voting.

Two years later, Republican pollster Kellyanne Fitzpatrick reported:

Report from The Polling Company, December 12, 1996:
Majority of Americans Favor Voting by Internet

12/12/96

MAJORITY OF AMERICANS FAVOR VOTING BY INTERNET

Most say Internet will be better than TV for news and information by 2000

Contact:

Betsy Cragon Public Relations Manager
betsy@proxicom.com 703.918.0270 or
Kellyanne Fitzpatrick - The Polling Company
202-667-6557

Washington, DC: December 12, 1996 --A new survey suggests that the historically low turnout in last months elections could increase in the future through a single mechanism: voting on the Internet. Fifty-one percent (51%) of those polled said they would support allowing registered voters to cast their ballots by Internet if proper safeguards were in place, with 28% strongly supporting the idea. Key demographic groups

favoring voting-by-Internet include:

- 68% Generation Xers (18-29)
- 65% Daily Internet users
- 56% Blacks
- 56% Independents
- 55% Never watch network news programs
- 53% Pacific Region
- 53% Liberals
- 52% Conservatives
- 52% Urban dwellers
- 52% Labor union households
- 50% of those who voted on Election Day (November 5, 1996)

On the flip side, 42% of those polled voiced opposition to voting by Internet. Opposition was particularly salient among senior citizens (49% opposed), whose current access to the Internet is somewhat limited.

Kelly Fitzpatrick is famous for being a Republican pollster; that is how she was identified when she appeared as a guest recently on Geraldo Live! More than two years ago, she found that a majority of American voters favored being allowed to vote on the Internet.

Mr. Poll reports that 55% of those polled want to vote by Internet. See it at:

<http://www.misterpoll.com/results.wga?id=848407562>

A recent poll taken in Montesano, in Grays Harbor County, WA, asked, "If available in your area, would you use the Internet to vote?" More than 75% of voters answered yes.

Most voters, and a strong majority of Internet users who are eligible to vote, want to vote over the Internet. It makes sense, in a democracy, to allow them to.

Florida, California, and Washington in the Race
towards Electronic Elections

Washington State is already home to the biggest on-line bookseller anywhere; the biggest provider of streaming video systems; and the most important maker of computer operating systems, as well as generator of associated anti-trust lawsuits by the federal Justice Department.

Even though I'm a Californian, I believe that Washington State should also be the home of the biggest and most influential designers, builders, and sellers of Internet-based voting systems.

I'd help put what you're doing here into context by telling you a little of my experience with a similar bill during the 1996-1997 legislative cycle in California.

In 1996, with help from the Office of Legislative Counsel in Sacramento, I drafted the Virtual Voting Rights Initiative, a bill that would have required the California Secretary of State's Office to develop and deploy an electronic elections system that would give citizens the rights to register to vote, sign initiative petitions, and vote in all official elections.

I failed to collect the required 433,000 signatures while standing outside my local natural foods store, and the initiative died, but not before it was written up in State Legislatures, the magazine of the National Conference of State Legislatures, noticed by Assemblymember (now State Senator) Kevin Murray of Culver City, and introduced into the California Assembly as Assembly Bill 44, in early December, 1996

AB44 languished as a pending bill in Sacramento for a few months, until Secretary of State Bill Jones sat down with Assemblymember Murray and agreed to support it if it were amended to call for a study of electronic elections rather than their implementation. Senator Murray amended the bill as agreed to with the Secretary of State.

After a lot of bickering, it passed both houses of the California Legislature, and then was vetoed by former Governor Pete Wilson on the grounds that since the security of electronic elections hadn't yet been proven, it would be premature and inappropriate to set up a task force to evaluate their security. He vetoed AB44 in October of 1997.

Since then, Internet technology has been moving forward, in power and popularity. Washington State's House Bill 1594 is essentially identical to California's AB44, although it includes a provision to allow for actual tests of Internet voting, if agreed to by the Secretary of State and country voting officials.

As for California, I've written an updated version of the original AB44, one that leaves the design and development of the electronic elections systems to private companies. This proposed Electronic Elections Bill for California legalizes Internet-based voting, requires the secretary of state to develop standards by which to judge the

security, auditability, integrity, etc. of electronic voting systems, allows county elections officials to buy or license electronic elections systems for use in their counties, and criminalizes any fraudulent use or intrusion into any EES.

This bill is being converted into legislative form by the same Office of Legislative Counsel that helped me draft the Virtual Voting Rights Initiative in 1996, only this time it is working at the behest of Senator Murray, who is one of several members in Sacramento considering whether to sponsor the bill there.

Also, Florida's Secretary of State has now collected suggestions from the public, and plans to issue guidelines soon, for approving electronic election systems using Internet protocols, but limited to the collection of votes within traditional polling places.

What all this means is that if Washington State moves vigorously ahead by passing HB 1594 into law now, establishes the Electronic Elections Task Force, conducts a study and runs the necessary tests, it could take the lead within the United States of the movement to give voters all the benefits that would accrue to them from such a system.

Since having an electronic election system in place would save the state money, increase ballot security, make it easier to audit the ballots, and make voting considerably more convenient and even pleasant for Washington State voters, I strongly and respectfully urge you to approve this bill.

As I was quoted as saying in an article that appeared the Post-Intelligencer last week:

The Campaign for Digital Democracy, a Los Angeles-based advocacy group, is monitoring the issue. Its executive director, Marc Strassman, argues that "the technology to support electronic voting will continue to get cheaper and more powerful, and public demand for its implementation will only grow as the potential of these systems for broadening and deepening the democratic political process becomes more well-known."

Bipartisanship

Given the recent evidence coming from Washington, D.C., of how annoying partisanship can be, I hope that everyone in Olympia might want to see if they can find a way to demonstrate its opposite. Supporting HB1594 as a matter of bi-partisan consensus might be such an opportunity.

Democracy ought to be a vigorous competition of ideas and also personalities. The purpose of the electoral infrastructure ought to be to provide a means by which the voters can decide which ideas and which personalities they prefer to be governed by. Friction-Free Democracy

The speed, cost-effectiveness, accuracy, and coming ubiquitousness possible with an Electronic Election System argue for putting it in place and then using it to let the people make decisions about how they want to be governed. Microsoft Chairman Gates argues in his book, *The Road Ahead*, that networked computer technology will or could give us "friction-free capitalism," in which the transaction costs are very low and the free market in goods and services will be able to reach close to some sort of theoretical perfection.

Similarly, an Electronic Election System could facilitate a form of "friction-free democracy," in which lowered transaction costs and ubiquitous sources of political information will allow our democracy to approach a similar level of perfection.

But just as Gates' ideal market cannot be achieved without a network infrastructure in place and accessible to market participants, neither can we develop a more ideal democracy unless a networked political infrastructure is in place and accessible to all citizens.

For these reasons, it is essential that HB 1594 be enacted, carried out and that its findings be used to help build such a democracy-facilitating network.

A Political Amendment to Moore's Law

Once the political system is undergirded by such a networked infrastructure, all subsequent improvements in that network's power and efficiency can be directly translated into a more perfect system for determining and carrying out the will of the electorate.

Gordon Moore, co-founder of Intel, originated Moore's Law, which states, in its current form, that the cost of computer calculations can be expected to be cut in half every 12 months.

I'd like to propose a political amendment to Moore's Law, one that holds that political interactivity, and hence the level of democracy, ought to double every year as well. And it would, if that democracy were carried out through an electronic election system the components of which could be upgraded proportionally as the computing and networking technologies underlying them grew more powerful according to Moore's Law

itself.

The Argument from Washington State's Economic Self-Interest

It makes sense for Washington State to lead the way as a state government so that private companies within its borders will, collectively and equally, have the advantage of being incubated and grown here, before they are more fully-fledged, and set off to win new markets in our neighbor to the north, across the Pacific, and in the states and nations to our south and east.

By going forward with this study, Washington State will have significant impact in all the other states who study this later. We can even hope that many states, and foreign countries, will rely on the work product of this Task Force to make their own decisions about electronic elections over the next few years.

"Just look at the Washington Study," they will say. "It's all in there. Let's go ahead with it."

Let's go ahead with it.

Let's Encourage Young People to Vote

Young people are turned off by politics; they are turned on by computers and the Internet. Allowing Internet voting will mean a much higher participation rate among young voters.

Let's Consider Speeding the Process Up

In politics, it's called fast track; in the world of high-tech, it's called Internet time.

We need to bring Internet time into politics.

Imagine the power and flexibility of a WEES (Wireless Electronic Election System), fueled by penny Pentiums. As this technology evolves, so will the politics that's built upon it. And we haven't spoken at all (and won't here) of the immeasurable benefits in terms of delivery of government services that will come from building and using this election system and its offshoots and follow-ons.

Even if you don't want to move the Report Delivery Date up to June

1, 1999, you might want to consider the option of allowing the Electronic Elections Task Force to file its Final Report as soon as they're finished with it, and not make them and all of us wait a year, while technology improves and politics and government slip further behind the dominant economic and cultural curves.

Any search engine can find much of the data the Task Force will need in a few seconds. It doesn't have to take 11 months to study this data, discuss it in depth, debate it, make decisions, and write a report.

eballot will have working prototype of the EES ready by April 1st. I understand there is another company, also in Kirkland, that would want to participate in any tests as well. I'm sure we could find hundreds if not thousands of Washington State voters ready to be beta testers of these systems.

I believe a working, tested, secure, convenient, easy-to-use electronic election system could be in operation in Washington State by the end of the year and ready to use in the 2000 elections.

If this committee passes HB 1594, if the Washington Legislature passes it and the Governor signs it, then Washington State will be remembered as the place where, and February 10, 1999 will be remembered as the time when, the power of the Internet was decisively unleashed for the benefit of present and future generations of free men and women in this state and around the world.

Technological Marvels of Their Time

Like the emblematic technological marvel of an earlier time, the Grand Coolee Dam, the Internet is a product of federal vision and the work of countless individuals. Like the Dam, the Net is a prodigy of engineering which daily impacts countless aspects of our lives. Like the Dam, the Net will eventually fade into the twilight of our consciousness. It will just be there, behind the scenes, enabling all manner of transactions, including political ones, as we go about our business, living our lives.

But before that could happen with the Dam, before it could be created, a political decision needed to be made, a decision to go ahead, a decision to mobilize the best engineers, the strongest workers, and all the apparatus of government and private commerce to build what then was the biggest and most powerful machine in the world.

Today, and even more so into the future, our economy is and will

be based more on information than on energy as such. The vast quantities of electricity generated by the Grand Coolee are still important; they make possible the flow of information through the Net as well as the illumination of our towns and cities.

But it is electrons as carriers of data, and photons, too, that are the waves washing the future up on our shore now. For that reason, the Internet is now our lifeline, as the powergrid energized by the spinning of giant magnetos spun by falling water has been until now.

It took courage by farsighted officials back then to make the decisions that gave birth to that gigantic concrete wall and its embedded rotors. They took those decisions in the face of critics who attacked them as socialists and worse. They made the right decision and we've been benefiting from it ever since.

Sometime in the future, perhaps not too distant, others will look back at us as we wrestled with this bill, this decision. In a sense, they are looking back on us already, and now. Will we make the right decision?

When I was in my later adolescence, I liked to imagine myself as being in the same situation as Matthew Arnold, who wrote that he was:

Wandering between two worlds,--one dead,
The other powerless to be born.

Stanzas from the Grande Chartreuse.

Well, to quote St. Paul, who said that when he was a child he thought as a child, but when he had grown, he put away childish things, I don't think I see my surroundings that way anymore. I think now that we, together, have the power to give birth to that new world. I certainly hope we'll try.

Appendix A

A Task Force without Legislation

Some people believe that the Secretary of State has the authority to conduct this research and these tests without the explicit approval of the Legislature as set forth in this bill. I strongly believe that it is far better to have the Legislature on record in support of these steps. An instructive example of how not to proceed in this area is provided by the California experience.

Even though AB44, which would have mandated California's Secretary of State to set up an Electronic Voting Task Force, was vetoed in October of 1997 by Governor Wilson, this item appeared in the Sacramento Bee of May 18, 1998:

The office of California Secretary of State Bill Jones is working on a project to allow electronic voting from the traditional voting booth -- as opposed to voting from a home computer -- and is close to approving a couple of systems, a spokesman said. Voting from remote terminals or via the Internet will also be studied by a task force.

On November 13, 1998, this paragraph appeared in the Christian Science Monitor:

Digital "signatures" are already legal in California for many business purposes, but they are not yet permitted in the election code. A spokesman says Secretary of State Bill Jones will convene a task force next month that will begin exploring Internet voting and ballot signatures.

Five days ago, on February 5th, The New York Times ran a story which said, in pertinent part:

Jones said allowing people to sign petitions with digital signatures would require an act of the Legislature. Jones is currently assembling a commission to develop recommendations for the Legislature on that issue as well as the concept of allowing Californians to cast ballots via Internet. It will not be an easy issue to tackle for a large state with a burgeoning political system.

For the Secretary of State to proceed on his own is not, if the California example is any indication, the way to generate a lot of momentum behind the concept of electronic election systems.

Appendix B

E-Mail of February 7, 1999, Sent to All Members
of the State Government Committee

Dear Representative McMorris,

I am writing to you as Chief Legislative Officer of eballot.net, a Kirkland-based Internet start-up dedicated to developing and marketing electronic election systems.

The State Government Committee, of which you are Co-chair, will be holding hearings on this bill on Wednesday, February 10th. I may or may not be able to attend, so I am sending you a link now that will allow me to make the case for electronic voting directly to you on your computer screen without either of us moving an inch.

The very fact that we can communicate this easily over the Internet is, I think, a strong argument in favor of allowing this networked capability to be harnessed in the service of greater democratic participation, lower costs for election agencies, and more convenience for citizens.

The technology that lets you see and hear me comes from Seattle-based RealNetworks. Washington State is already home to leading Internet companies such as Amazon.com, Microsoft, and the aforementioned RealNetworks.

Passing HB 1594 will be an important step towards establishing Washington State as THE source of the world's best electronic voting systems. Your vote to pass it would be greatly appreciated by us at eballot, by everyone in Washington State whose ability to vote will be enhanced, and by everyone out-of-state who will think kindly of Washington State when they use systems originated here to enhance their own democratic political life.

You can see and hear me making the case for electronic voting at:

<http://www.polemic.net/marcs1.ram>

If you'd like to see a model electronic elections law, you can access "An Electronic Elections Law for California" at:

<http://www.suresite.com/ca/e/elebill>

There are links at that site to the New Zealand Electronic Electoral Trial, which you can reach directly at:

<http://www.polemic.net/nzeet.html>

If you'd like to join the mailing list of the Campaign for Digital Democracy and receive updates as well as access to archives of past postings about the latest in technology and politics as it impacts electronic voting, you can go to:

<http://digitaldemocracy.listbot.com>

Finally, I'm attaching a Rich Text Format version of The Virtual Voting Book, Volume 1: 1994-1998, which should provide you with a fairly exhaustive collection of documents chronicling my work and others' comments over the last few years on the subject of electronic elections.

If you have questions about any of this material, or any other aspect of the electronic elections process, please feel free to e-mail them to me at transmedia@pacificnet.net.

Thank you in advance for your consideration of this bill and this subject, which are both of vital importance to the future of democracy in Washington State.

**Message Number 36 for
Campaign for Digital Democracy
Mailing List**

Date:

Feb 13 1999 02:17:28 EST

From:

Campaign for Digital Democracy

Subject:

Washington State Hearing on House Bill 1594, Establishing an Electronic
Elections Task Force

To hear testimony at the Washington State State Government Committee hearing on the Internet Voting Task Force Bill on February 10, 1999, in Olympia, Washington, click on the URL below and start listening at the one hour and ten minute point in the clip.

<http://198.239.32.144/ramgen/199902/1999021106.ra>

**Message Number 37 for
Campaign for Digital Democracy
Mailing List**

Date:

Feb 17 1999 00:18:52 EST

From:

Campaign for Digital Democracy

Subject:

Hearings on Electronic Elections Task Force Bill in Washington State Senate

To hear the testimony at the Washington State Senate State and Local Government Committee hearing on the Electronic Elections Task Force bill, Senate Bill 5662, on Monday, February 15, 1999, click on the URL below and start listening at the seven minute point in the clip.

<http://198.239.32.144/ramgen/199902/1999021142.ra>

Message Number 38 for Campaign for Digital Democracy Mailing List

Date:
Feb 21 1999 20:49:21 EST
From:
Campaign for Digital Democracy
Subject:
NZEET Update

The New Zealand Electronic Electoral Trial (NZEET), which was the subject of the very first Campaign for Digital Democracy message, has been growing and growing until it has become the foremost exemplar of electronic voting in the South Pacific.

To see what it's been up to, click here:

<http://www.nzii.org.nz/projects/edemocracy/nbr.htm>

Message Number 39 for Campaign for Digital Democracy Mailing List

Date:
Feb 23 1999 00:50:14 EST
From:
marc strassman <transmedia@pacificnet.net>
Subject:
message

One story in today's Los Angeles Times and one story in yesterday's edition of that paper point to the increasing desperation with which efforts are being made to get out the vote in an era of dwindling participation by voters.

Perhaps allowing people to vote over the Internet would solve both the problem of diminishing participation and the problem of paying so much to conduct the elections.

Sunday, February 21, 1999

Lack of Interest Cancels Some Elections

<http://www.latimes.com/sbin/iawrapper?NS-search-set=/36d23/aaa0032nd23b7b&NS-doc-offset=2&NS-adv-search=0&>

Monday, February 22, 1999

Weekend Election Puts Santa Monica Voters in Spotlight

<http://www.latimes.com/sbin/iawrapper?NS-search-set=/36d23/aaa0032nd23b7b&NS-doc-offset=5&NS-adv-search=0&>

CDD subscribers who would like to sign up for a new, related, list, the eBallot.net list, can do so at:

<http://eBallot.net.listbot.com>

The eBallot.net list will feature news about eBallot.net, a

Seattle-based Internet voting systems start-up.

Attachments:

[ebalotnetlores.gif](#)

Message Number 40 for Campaign for Digital Democracy Mailing List

Date:
Feb 23 1999 19:27:01 EST
From:
Campaign for Digital Democracy
Subject:
One Step Further for eballoting in Washington State

On what would have been George Washington's 267th birthday, the State & Local Government Committee of the Washington State Senate issued a majority report of "Do Pass" for Senate Bill 5662, thereby moving this bill, which calls for a study of eballoting to be conducted by Washington's Secretary of State, including official Internet voting tests, one step further forward in the process that will lead to its enactment.

The report of the committee can be found at:

ftp://ftp.leg.wa.gov/pub/billinfo/1999-00/senate/5650-5674/5662_sbr_02221999

For a copy of the bill itself, go to:

ftp://ftp.leg.wa.gov/pub/billinfo/1999-00/senate/5650-5674/5662_02011999

For a digest of the bill, go here:

ftp://ftp.leg.wa.gov/pub/billinfo/1999-00/senate/5650-5674/5662_dig_02011999

Message Number 41 for Campaign for Digital Democracy Mailing List

Date:

Feb 25 1999 04:28:31 EST

From:

Campaign for Digital Democracy

Subject:

California Office of Legislative Counsel's Draft Electronic Elections
Implementation Bill

Last minute maneuvers are underway in Sacramento, California, to see that a bill implementing electronic elections is introduced before the Friday, February 26, 1999, deadline.

The Office of Legislative Counsel of the California Legislature has prepared a draft bill embodying Campaign for Digital Democracy's vision of the legislation necessary to implement online, Internet-based voting in California elections in time for the 2000 elections.

You can read this implementation bill yourself at:

<http://www.suresite.com/ca/e/elelbill>

Why not take a look at it now, then follow the exciting events of the next 40 or so hours, through this mailing list and, perhaps, in the mainstream media, if I can get them to pay any attention?

Sincerely,

Marc Strassman
Executive Director
Campaign for Digital Democracy

Message Number 42 for Campaign for Digital Democracy Mailing List

Date:

Mar 07 1999 19:06:07 EST

From:

Campaign for Digital Democracy

Subject:

California Secretary of State Bill Jones' Record on Internet Voting

The Secretary of State of California, Bill Jones, is ostensibly charged with facilitating the voting process in the state. Since 1996, when I began working to establish eballoting in California, he has been working, in effect if not in intention, to delay what everyone now acknowledges is the inevitable coming of Internet voting.

In 1996, while I was circulating the Virtual Voting Rights Initiative, and asked his office if I could collect signatures on petition forms posted to the Net, downloaded, printed out, signed and mailed in, I received little but annoyed and grudging answers.

In 1997, when Assembly Bill 44, based verbatim on the same Virtual Voting Rights Initiative, had been introduced into the California State Assembly by Assemblymember Kevin Murray, Secretary of State Jones met with Assemblymember Murray and agreed to a two-part compromise: 1. the original bill, which called for the implementation of eballoting in California, would be gutted and replaced by an amended bill calling for a study of the feasibility of eballoting 2. Secretary of State Jones' office would support passage of the amended bill.

Both parties to this agreement kept their word. Assemblymember Murray amended his bill to call for a study rather than an implementation of eballoting. Secretary of State Jones sent someone from his office to testify in favor of the bill at the Senate Elections and Reapportionment Committee hearings on it on June 18, 1997.

After a concerted effort to overcome the opposition of Republicans in both the California State Assembly and State Senate, AB44, now a bill to set up a task force to study the feasibility of eballoting, passed both houses and went to Republican Governor Pete Wilson for his signature.

Governor Wilson vetoed AB44 in October, 1997.

On May 18, 1998, the Sacramento Bee reported that:

The office of California Secretary of State Bill Jones is working on a project to allow electronic voting from the traditional voting booth --as opposed to voting from a home computer -- and is close to approving a couple of systems, a spokesman said. Voting from remote terminals or via the Internet will also be studied by a task force.

Six months later, no eballoting task force had appeared when this paragraph ran in the Christian Science Monitor, on November 13, 1998:

Digital "signatures" are already legal in California for many business purposes, but they are not yet permitted in the election code. A spokesman says Secretary of State Bill Jones will convene a task force next month that will begin exploring Internet voting and ballot signatures.

On February 5, 1999, The New York Times ran a story which said, in pertinent part:

Jones said allowing people to sign petitions with digital signatures would require an act of the Legislature. Jones is currently assembling a commission to develop recommendations for the Legislature on that issue as well as the concept of allowing Californians to cast ballots via Internet.

While all this was going on, and while Internet technology was becoming more powerful, cheaper, and much more widely-used and -commented upon in all media, I decided to draft a new bill that would move directly to implement eballoting in California.

After I'd written the proposed bill, I found an established lobbyist in Sacramento, with whom I re-wrote it to more completely fit the conventions of the legislative process. The lobbyist submitted the bill to now-State Senator Kevin Murray's chief legislative staffer, who in turn submitted it on behalf of Senator Murray's office to the Office of Legislative Counsel, where it was re-written again to conform even more thoroughly to the conventions regarding the proper form for proposed legislation.

Then the lobbyist and I did everything we could to persuade Senator Murray to introduce this language as a bill. In the jargon of the trade, we lobbied him to "drop the bill," to "put it across the desk," to "carry it."

On Wednesday afternoon, February 24, 1999, right before he was about to

decide whether or not to officially introduce this bill to implement Internet voting in California, at a time when his chief legislative staffer and the lead staffer on the Senate Elections and Reapportionment Committee were about to recommend that he do so, State Senator Kevin Murray met with Secretary of State Bill Jones.

One may recall the result of the last meeting between Secretary of State Jones and Senator Murray on the subject of Internet voting, in the Spring of 1997. It resulted in a compromise that led to two years in which no progress was made towards studying, let alone implementing, eballoting in California, during a period when tremendous progress was made in every aspect of the Internet generally, both technically and in terms of its acceptance and use by viewers, shoppers, bank customers, polling subjects, and many other types of users, and during which more and more citizens, including Michaela Alioto, the nominee of the California Democratic Party for Secretary of State who narrowly missed defeating Jones in his 1998 re-election bid, strongly voiced their support for implementing Internet voting.

Now, two days before the 1999 deadline for introducing bills for consideration in the current session of the California Legislature, Secretary of State Jones offered Senator Murray a spot on the Internet Voting Task Force that Jones had been saying publicly since May 18, 1998, that he was going to set up.

Senator Murray reportedly accepted Secretary Jones' offer, and then decided that it would now not be necessary to introduce the proposed new eballoting bill.

On Friday, March 5th, a reporter in the Capital working on the story told me that Secretary of State Jones had sent out letters of invitation for the task force and that a public announcement would be made on March 17th.

The new eballoting bill for California can be found at

<http://www.suresite.com/ca/e/elelbill>

Next time:

What eballoting in Y2K would mean for re-apportionment in California and what that would mean for the balance of political power nationally in the US, and therefore globally.

Message Number 43 for Campaign for Digital Democracy Mailing List

Date: Mar 09 1999 00:07:34 EST
From: Campaign for Digital Democracy
Subject: The Ethics of eballot Lobbying

Some people worry, or complain, that it's unseemly for a company that provides eballotting services to lobby the government to provide its citizens with...eballotting services.

What about a biotech company that had discovered a vaccine or a treatment for a disease that was infecting and killing large numbers of citizens? What if the vaccine or treatment had cost a lot to develop and cost a lot to produce? Would it be ethical for the biotech company to lobby the government to subsidize the distribution of the treatment so that more of those suffering from the disease could benefit from the discovery?

Isn't this exactly what happened in the case of HIV, where giant pharmaceutical companies brought forth such products as AZT and various other chemical compounds that were effective against this plague, but cost a lot, and which, through government action encouraged by the makers of the drugs, were included in health plans and generally made more available to those who needed them?

Bad government, unresponsive government, government by special interest, government by minority rule--all of these may not be as blatantly deadly as the HIV virus, but, in the long run, they too are very detrimental to the interests, and even the physical health, of those exposed to them.

eballotting, which among its other benefits is likely to significantly increase the levels of voter participation in elections, is therefore a social good that the entire community, regardless of its specific preferences on the issues, will benefit from. In that sense, low voter turnout is the political equivalent of a social disease. It is, in a way, a public health problem.

So eballotting, as a treatment for this political condition, is something

that is eminently desirable for the community as a whole, as well as the individual member/voters of it. As such, it is also ethical that the private company which desires to provide this social good to the community do what it can to move the government in the direction of a rapid adoption of a voting technology policy that will benefit that community.

Legacy voting companies spend plenty of money to see that antiquated and inefficient methods of voting continue in place. It only makes sense that companies with new products that can do a far better job of delivering secure voting services be involved in formulating policy in this important area.

Cars and freeways have arguably had more impact on our lives than voting ever has. Certainly radio, television, and music impact us daily, shaping how we see the world. Car makers, road builders, and media corporations have never refrained from vigorously making the case for why their interests should be well taken care of in the halls of government. It seems silly, then, to argue that there are ethical constraints that should hold back a company that has a product that will empower the real holders of power in our society, the people, the voting public, from vigorously making the case that these powerholders should have the latest and most effective tools for exercising that authority.

-30-

Anyone who disagrees with this point of view, or who agrees with this point of view, is invited to send his or her comments to me at:

marcs@eballot.net

thank you,

Marc Strassman
Executive Director
Campaign for Digital Democracy

**Message Number 44 for
Campaign for Digital Democracy
Mailing List**

Date: Mar 12 1999 00:52:56 GMT
From: Campaign for Digital Democracy
Subject: Join the Young Fabians in Discussing Digital Democracy

An active online discussion leading up to A Young Fabian Conference in association with the BBC

Digital Technology: What does it Mean ?
National Science Museum, Exhibition Road, London - nearest Tube station,
South Kensington
10.00am - 4.30pm , Friday 19th March 1999

is now in progress. You can get involved from the Young Fabian website at:

<http://www.fabian-society>

Message Number 45 for Campaign for Digital Democracy Mailing List

Date:

Mar 12 1999 19:19:21 GMT

From:

Campaign for Digital Democracy

Subject:

eballot Presentation in San Diego, California, on Saturday, March 20, 1999 at
11:00 am PST

Bob Jellison, a member of the San Diego Democratic Party Executive Board, has invited me to address the Council of Clubs of the San Diego Democrats at 11:00 am on Saturday, March 20, 1999, at Democratic Headquarters at 413 Laurel Street, Suite B. This is, he says, about 11 blocks north of downtown San Diego, and I have no reason not to believe him.

Bob also says:

There is a parking lot on the corner - you may find a parking place there if you are very lucky. If not, go south on 4th, just a few feet past the corner parking lot, to the first alley to the left. This alley leads to a large parking lot directly at the rear of the building. The only entrance to Democratic Headquarters is from the corner parking lot, so you will need to walk back to the corner to get in.

If you're coming from Los Angeles or Orange Country:

you should continue south on I-5 past CARMEL VALLEY RD.

Exit I-5 LEFT to I-805 SOUTH.

Exit I-805 RIGHT to CA-163 SOUTH (this exit is after the BALBOA AVE. exit).

Exit CA-163 RIGHT towards UNIVERSITY AVE. (this is the first exit after CA-163 passes under I-8).

Continue straight, across UNIVERSITY AVE., to 6TH AVE.

Continue down 6TH AVE to LAUREL STREET.

Turn right on LAUREL STREET to 4TH AVE.

Democratic Headquarters is on the left, at the SE corner of 4TH and LAUREL.

If you're already in San Diego, I'm sure you can figure it out.

I'd send you a copy of my presentation now, but then you'd have no reason to come.

In general, though, my speech will contain these elements:

1. A brief history of the eballot movement in California
2. California Secretary of State Bill Jones' efforts to delay the coming of the eballot to California and why we need the implementation of the eballot, not a study of its feasibility
3. Answers to commonly raised objections about the eballot
4. The possibility of organizing an initiative drive to legalize the eballot in 2000
5. The Campaign for Digital Democracy
6. eballot movements in New Zealand, Mexico, and South Africa
7. Making the Information Superhighway safe for democracy
8. Why you should spend \$6.00 to buy a floppy disk with a copy of The First Complete Virtual Voting Book, in Rich Text Format, on it.

Assuming I don't get stuck in traffic on the legacy superhighway connecting Los Angeles and San Diego, my presentation should begin sometime around 11:00 am on Saturday, March 20, 1999. I hope to see you there.

Regards,

Marc Strassman
Executive Director

Campaign for Digital Democracy

Message Number 46 for Campaign for Digital Democracy Mailing List

Date: Mar 14 1999 00:28:46 GMT
From: Campaign for Digital Democracy
Subject: Initiative & Referendum Conference in Washington, D.C., May 6-8, 1999

Former Reagan Attorney General Ed Meese and I will both be addressing the first national conference on the initiative process in 20 years in Washington, D.C., on May 6-8, 1999, although not at the same time, and probably not from the same perspective.

Called, "A Century of Citizen Lawmaking--National Initiative and Referendum Conference," this event will provide an opportunity for participants and observers to move the dialogue on the more direct forms of democracy a little bit further along.

On Friday, May 7th, I'll participate in a panel discussion focusing on electronic initiatives:

4:00 pm 6th session begins - Increasing voter participation in initiative and referendum?

Location: Washington Court Hotel - room: TBD

Moderator: Paul Jacob
(President, U.S. Term Limits Foundation)

Panelists: Professor Ted Becker
Marc Strassman (Campaign for Digital Democracy)

Purpose:

The purpose of this session is to analyze how technology can be used to get more people involved in the initiative process and the democratic process.

To learn more about the Initiative and Referendum Institute, or if you

think you might like to attend this conference in May, visit their website at: <http://www.iandrinstute.org/>.

If you can't make it in person, you might be able to catch the event online, since D.C.Orbit, principal partners in the Streaming Video Public Affairs Network (SV-PAN), will be webcasting the presentations at the conference in their entirety.

To learn more about D.C.Orbit and/or to contact them about how you or your organization can get prime exposure to a select audience of technology and politics aficionados, visit their website at: <http://www.dcorbit.com/>.

Below is a copy of a summary of my planned remarks at the "A Century of Citizen Lawmaking--National Initiative and Referendum Conference," scheduled for two months from now. Intervening developments may require substantial changes.

Summary of Remarks at "A Century of Citizen Lawmaking--National Initiative and Referendum Conference," May 6-8, 1999

by
Marc Strassman
Executive Director, Campaign for Digital Democracy

The core principle of democratic government is that, within the limits set by the nation's constitution, public policy is to be determined by the will of the people. Difficulties often arise in attempting to determine exactly what the will of the people is. The generally-accepted expectation is that the people will elect representatives, and the representatives will, with greater or lesser decorum, negotiate among themselves to reach agreement on the set of policies to be pursued by the nation as a whole.

But today, the candidates who will become these representatives are not always, but often, designer electoral commodities, selected by elites, prepped by professionals, marketed like sausage, and sent out to do, not the people's business, but the business of "them that bring them" to the legislative body.

Initiatives, generated by the people, signed by the people, and passed by the people, theoretically offer an alternative. But nowadays the campaigns to create, market, and pass initiatives pretty much belong to the same forces that control the election of candidates. Again, with some exceptions, various elites, big money, television commercial producers,

and marketing pros, not the masses of citizens, are responsible for formulating and executing initiative campaigns.

And with the current levels of political apathy, the daily frenzy, and the privatization of public space, it is hard to gather enough signatures on a traditional petition form to qualify for the ballot. Collecting enough signatures by hand with volunteers can usually only be done when an issue is deeply felt by a lot of people. To qualify an initiative for the ballot in 1999, usually, professionals must be hired, with no end of attendant detriments.

So, if we agree that democracy is vanishing or has vanished in candidate elections and also increasingly in the initiative process as currently structured, what is someone who still wants to see democracy actually practiced going to do?

I would like to suggest that he or she turn to the same technology that is transforming entertainment, shopping, education, correspondence, and other basic aspects of human life, namely, the Internet. Already, in the 1998 elections, the Internet had an important influence on our political life, providing a cost-effective means for creatively communicating information about candidates and initiatives to millions of citizens.

But all that power, all that creativity, and all that cost-effectiveness has not yet been put to work in the direct service of democracy. It could be if state laws were changed to allow for the collecting of valid signatures on initiative petitions over the Internet.

Allowing for the collection of signatures on initiative petitions over the net would reduce the cost to circulators and increase the convenience to signers. It would replace harried interactions in parking lots with considered judgments based on a careful examination of the contents and supporting materials of an initiative measure in the relative comfort of one's own office or home.

There is, of course, the issue of possible fraud in collecting signatures over the Net. This needs to be addressed. But, taken overall, which do you think is more secure, what we have now where written signatures are checked laboriously and randomly by hand, where a certain number of possibly valid signatures are rejected on the basis of a single ineligible signature, or an electronic system where EVERY signature is validated before it is counted and the most modern and powerful techniques are used to validate every single online signature, something that can't (or won't) be done by hand, but CAN be done by computer?

Once the citizenry has placed an initiative on the ballot electronically,

and a system of authentication and identification has been built to protect against fraud in this part of the process, clearly there is no reason not to use this same system of authentication and identification to give those who want it the right to vote on these initiatives and hand-signed initiatives and candidates in the elections held to approve or reject these initiatives and to select candidates for office.

Before this Initiative Nirvana can come about, however, we need to change the laws in every state, since no state in the US now allows for electronic signing of initiatives. Fortunately, three years ago I wrote the Virtual Voting Rights Initiative. The VVRI called for the creation of state-supported websites for candidates and supporters and opponents of initiatives. Countless efforts by candidates and initiative campaigns has made that part real already. The VVRI also called for electronic registration, initiative signing, and voting. That part remains to be realized.

My organization, Campaign for Digital Democracy, is in the midst of a campaign we call "99 in 99," which is our effort in the last year of this century to put forward and pass an up-dated version of the Virtual Voting Rights Initiative or legislation like it in every one of the 99 legislative houses in the US, and get these bills signed by 50 governors, so that elections in 2000 can use the best possible means of ascertaining the will of the people.

Clearly, the Virtual Voting Rights Initiative is a sort of "meta-initiative," because passing it would mean that future initiatives could take advantage of the ease-of-use, low cost, clarity, and accountability that an electronic electoral system would provide. We expect there will be some opposition from sitting state legislators, when asked to approve a measure that will take power out of their hands and put it into the hands of the people.

It is precisely to deal with situations as this, where the legislators refuse to do the will of the people because those interests conflict with their own interests as legislators, that the initiative process was instituted. It is precisely because now at the end of the 20th century we are facing the same concentrations of power, manifested in every public institution, that our democratic predecessors faced at the end of the 19th that we must combine their commitment to popular sovereignty with the incredibly more powerful technology we now have at our disposal to forge a system of electronic democracy that will be the means by which we can protect our own interests, care for the public welfare, and shape our lives and the lives of our descendants for years to come.

A Note from the Executive Director:

Subscribership of this list is holding steady at 98. It wouldn't cost us any more to send it out to 200 people, or 2000. If any of you reading this have friends, relatives, professional associates, or neighbors who you think might enjoy being on this list and receiving these posts, please invite them to join at:

<http://digitaldemocracy.listbot.com>.

Thanks,

Marc Strassman
Executive Director
Campaign for Digital Democracy

Message Number 47 for Campaign for Digital Democracy Mailing List

Date:

Mar 14 1999 02:21:12 GMT

From:

Campaign for Digital Democracy

Subject:

Possibly a Big Week for Internet Voting in California

California Secretary of State Bill Jones is reported to be planning an announcement in Sacramento on Wednesday, March 17, 1999, of a "Cyber-Voting Task Force" to investigate the feasibility of voting over the Internet.

As you'll see in the material re-purposed below, I'm planning on making a presentation on the same subject, from a different point of view, in San Diego on Saturday, March 20th.

It's possible that the day after, on Sunday, March 21st, that the Sacramento Bee will run an op-ed piece I've written for it entitled, "An eballot for California."

In this column, I argue that Secretary of State Jones much-belated appointment of his task force is a thinly-disguised effort to delay adoption of Internet voting in California long enough to prevent it from having any effect on the 2000 elections.

Next year's elections will be particularly important for California and the U.S. because they will choose the officials who will do the next re-apportionment of Congressional and other districts. The nature of the boundaries they draw will have serious consequences for the balance of political power in California and the U.S. over the subsequent ten years.

From Sacramento in the North to San Diego in the South, different visions of what democracy means in the digital age are being put forth and argued over. Those of us who know that Internet voting will be good for the Internet, good for politics, and good for us need to organize ourselves, recruit others, and move now to implement the paradigms and policies we know will best serve the public interest now and in the future.

Next time: more about the "An eballot for California" Initiative Campaign

Sincerely,

Marc Strassman
Executive Director
Campaign for Digital Democracy

*** Welcome to SDCDP DIRECT ***

The San Diego County Democratic Party's weekly e-newsletter.

Saturday, 3/13/99

Issue #81

More than 1,100 subscribers

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Hours: M 10:30 am - 3:30 pm, Tu - Th 9:00 am - 1:00 pm, F 10:30 am - 5:30 pm.
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E-mail Harmony at <mailto:harmlee@aol.com>harmlee@aol.com
Visit the SDCDP Website at <http://www.sddemocrats.com>

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IN THIS ISSUE
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1. NOTICES

- 2000 Democratic National Convention will be in LA!
- Task force to study voting via the Net

* Task force to study voting via the Net *

Will Californians one day may be able to bypass long lines at the polls by casting their votes online? The answer to that question is yes. The question remaining is when!

Steve Grossman, chair of the Democratic National Committee, has recently

come out strongly and publicly in support of implementing eballoting in the US. Almost every political analyst and commentator believes that higher voter turnout favors, everything else being equal, Democratic candidates over Republican ones. Campaign folklore is replete with comments about how bad weather on Election Day favors Republicans for this very reason.

Secretary of State Bill Jones says many Californians complain that they don't have time to vote through traditional methods and that the process is too inconvenient.

To address this issue Jones has convened a task force to study cyber-voting, which is scheduled to meet for the first time later this month.

Marc Strassman, Executive Director of the Campaign for Digital Democracy, and author of California's first eballoting initiative, points out that Bill Jones is one of only two Republicans holding statewide office in California. Marc suggests that anything the Republican Secretary of State can do to limit voter turnout in the 2000 elections will be seen by his Republican friends as a positive contribution to preventing a Democratic landslide, and the resulting advantage to Democrats that would ensue in the coming reapportionment.

Marc wonders why, if UPS can safely deliver hundreds of thousands of packages everyday and provide digital copies of recipients' signatures to the senders within seconds of delivery, does the California Secretary of State need years more of "study" to determine if it's possible to let voters vote online?

If you would like to learn more about eballoting sign up for the Campaign for Digital Democracy's mailing list at: <http://digitaldemocracy.listbot.com>, or join the newly-formed eBallot.net mailing list at: <http://eBallot.net.listbot.com>.

Or better yet, you can hear Marc address these issues, and others, on March 20th, at the SDCDP Council of Clubs meeting. Marc's presentation will be at 11:00 am, at the SDCDP Headquarters at 4th and Laurel. (The meeting will start at 10:00.) For more information call 619/755-4006.

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2. CALENDAR OF EVENTS
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* MARCH *

Saturday, March 20th, 10:00 am to 12:00 noon. SDCDP Council of Clubs meeting. The guest speaker will be Marc Strassman, Executive Director of the Campaign for Digital Democracy. Marc will present a brief history of the eballot movement in California, discuss CA Secretary of State Bill Jones' efforts to delay eballoting. He will also answer commonly raised objections about the eballot, discuss the possibility of organizing an initiative drive to legalize the eballot in 2000, and answer questions from the audience. All SDCDP club members and their guests are invited to hear Marc speak about this important issue. SDCDP Headquarters at 4th and Laurel. Free parking available in lot directly behind the headquarters building. Call 619/696-7199 for info.

**Message Number 48 for
Campaign for Digital Democracy
Mailing List**

Date:

Mar 15 1999 01:39:29 GMT

From:

Campaign for Digital Democracy

Subject:

The Fight for "An eballot for California" Initiative Campaign is the Fight for Electronic Democracy

Date:

Mar 15 1999 01:28:54 GMT

From:

Campaign for Digital Democracy

Subject:

The Fight for "An eballot for California" Initiative Campaign is the Fight for Electronic Democracy

I just wanted to announce that the Campaign for Digital Democracy mailing list signed up its 100th subscriber today. Onward and upward!

Campaign for Digital Democracy Email transmedia@pacificnet.net

While Jones Fiddles,
"An eballot for California" Initiative Campaign Ignites

For Immediate Release

March 15, 1999
Los Angeles, California

For more information, contact:

Marc Strassman
Executive Director
Campaign for Digital Democracy

transmedia@pacificnet.net

Join the Campaign for Digital Democracy mailing list at:

<http://digitaldemocracy.listbot.com>

(Los Angeles, CA, March 15, 1999) Campaign for Digital Democracy today announced it would launch its "An eballot for California" Initiative Campaign just as soon as California Secretary of State Bill Jones gets around to launching his "Cyber-Voting Task Force," if not sooner.

Jones recently said he'd be announcing the establishment and the make-up of this panel on Wednesday, March 17, 1999. He has, however, been saying that he'd appoint such a task force since at least May 18, 1998, and, as of Monday, March 15th, he hadn't yet done so.

"An eballot for California" (full text below in next Message) would make it legal to vote over the Internet in all California elections. This initiative, if passed, would only permit Internet voting on computer networks that met certain stringent requirements for security, access, privacy, and so on.

Jones' CVTF would be charged with investigating the feasibility of building an Internet voting system. The eballot Initiative, however, already clearly specifies that only Internet voting systems that are certifiably secure, accessible, private, easy to use, and so on, would be acceptable for use or sale in California.

Marc Strassman, Executive Director of Campaign for Digital Democracy, and Executive Vice President, Communications, and Chief Legislative Officer of eBallot.net, a Washington State-based corporation that is developing the eBallot(tm) Internet voting system for use in California and elsewhere, will be kicking off the "eballot for California" Initiative Campaign at an appearance before the San Diego County Democratic Party's Council of Clubs, at 413 Laurel St., Suite B, San Diego, at 11:00 on Saturday, March 20, 1999.

He'll be talking about the history of the effort to bring Internet voting to California, collect signatures on a petition to the Office of Legislative Counsel in Sacramento asking it to draft an initiative based on his new Internet voting bill, and, possibly, sign copies on floppy-disk of his new "The First Complete Virtual Voting Book."

Strassman said:

"In every article written now about Internet voting, the reporter and most of those quoted recognize that Internet voting is inevitable. As this "network of networks" transforms education, banking, shopping, dating, publishing, news distribution, investing, and political campaigns, it's become obvious that it makes more sense to cast your ballot over this same platform.

"In my experience trying to bring the eballot into existence, I've encountered two types of objections, which can be referred to either as "technical objections" or "the objection that dares not speak its name." These objections can also be called, respectively, "principled" and "unprincipled."

"Technical objections are raised even by those who think that, in general, voting on the Internet is a good idea. Because elections are so important, and the vote is such a sacred instrument of democracy, concerned citizens want to know that their electronically-gathered vote will be private, secure, anonymous as to content, and that they will not be prevented from freely and easily voting if they don't own, or don't want to own, a computer.

"They also want to be very sure that some 12-year-old hacker in Palo Alto is not going to violate the system and use his programming skills to elect his dog to Congress.

"I agree that all these objections must be carefully considered and resolved before we can safely allow citizens to cast their ballots online. I have spent several years looking for solutions to them. I think that my company, eBallot.net, is going to build a Internet voting system that will meet and exceed every required level of security, access, privacy, and so on necessary to satisfy every critic except those who are, in fact, raising "the objection that dare not speak its name."

"This is the criticism that Internet voting is too easy, and that putting it in place will increase the abysmal levels of turnout in elections of recent years.

"Now, there's been a flood of articles in the last few weeks addressing low voter turnout. The thrust of these articles has been that low turnout doesn't matter, because the results are about the same as they'd be if there'd been higher turnout.

"Well, election results are usually pretty close to those predicted by pollsters. Why have elections at all? Why not use the polling results?"

"The reason full turnout matters is because democracy is a form of government based, theoretically at least, on an arrangement by which the people make the rules for their government, and then abide by them, in part because the y're rules they've made and in part because it makes sense for them to do so.

"So what does it mean when around 16% of the registered voters (meaning about 8% of the eligible voters) elected a Charter Reform Commission in Los Angeles in 1997? Does this kind of turnout lead to "public ownership" of whatever results from this commission's work? When the reformed charter they, along with an Appointed Charter Reform Committee, wrote is presented to Los Angeles voters this year and a similar level of turnout determines its approval or defeat, what stake will the other 92% of the city's population have in making the result work for them?"

He continued:

"In October, 1997, former Governor Pete Wilson vetoed AB44, a bill that would have established the same task force that Bill Jones says he'll be establishing this week. Wilson's veto message non-sensically said that because the security of an Internet voting system had not yet been established, it would be premature to set up a task force to study if it would be possible to establish it.

"Pete Wilson was here using a technical objection to cover up an unprincipled one. As the nation's foremost opponent of "Motor Voter," a very successful effort to increase voter registration by putting registration forms in the DMV and (even) welfare offices where many of the former governor's close friends and contributors would certainly never go, Wilson was already on record as using "security" as an excuse to limit the franchise of those he couldn't identify with.

"It was the same principle that led him to veto AB44."

Strassman continued:

"Jones' relationship to this task force is rather interesting, if convoluted. The Virtual Voting Rights Initiative, which I wrote and unsuccessfully circulated in 1996, was picked up by then-Culver City Assemblyman Kevin Murray in late 1996 and introduced by him verbatim into the California Assembly as AB44. The VVRI, and AB44, called for the Secretary of State's Office to develop an Internet voting system and put it to work in California. It also specified that the State of California would provide free web sites for candidates for public office and for proponents and opponents of initiatives.

"In the Spring of 1997, Assemblyman Murray met with Secretary of State Jones. Jones offered to support "AB44" if Murray would gut the bill's implementation of Internet voting and insert instead language to set up a task force to study the concept of Internet voting. Murray agreed.

"As a result, there was never a serious debate about introducing Internet voting in California, only the need to persuade legislators that the subject was worth studying. Despite the Republican Secretary of States implicit promise to win support for the amended study bill among his fellow Republicans in the State Assembly and the State Senate, that support never materialized. In the Senate Republicans twice turned the bill back on the floor of the chamber. Only semi-heroic efforts got it passed by a single vote.

"Then the Republican governor vetoed it."

Message Number 49 for Campaign for Digital Democracy Mailing List

Date:

Mar 15 1999 01:39:29 GMT

From:

Campaign for Digital Democracy

Subject:

The Fight for "An eballot for California" Initiative Campaign is the Fight for Electronic Democracy

continued from the previous message

"Then, out of the blue, on May 18, 1998, while reading an article in the Sacramento Bee that I appeared in, I read that Bill Jones was planning to appoint a task force to study Internet voting. I thought this was weird, because the bill authorizing the task force had been vetoed seven months before.

"I contacted the Secretary of State's office and spoke to his spokesperson. I asked why, if the Secretary of State now considered himself entitled to set up such a task force, he hadn't felt so empowered during the months I'd spent trying to get the amended version of AB44 passed. Or why he hadn't just done so before I came along.

"The non-answer I got was even more incoherent than the 'reason' given by Pete Wilson for vetoing the AB44.

"But let's not be naive. A representative of the Washington State Secretary of State's office was recently testifying before a legislative committee there that is considering passing a bill much like the amended version of California's AB44, one that would set up a task force in the Washington State Secretary of State's Office to investigate the feasibility of Internet voting. That representative forthrightly said that his office indeed already had the legal right to proceed with such a study. The Secretary of State of Washington's office was pursuing legislation to authorize the study because they wanted the full participation and endorsement of that branch of state government.

"The New York Times and the Christian Science Monitor both ran stories, the Times in February, 1999, and the Monitor in November, 1998, referring

to Jones' plans to launch his task force.

"Frustrated by all this nothing, I wrote a new, streamlined Internet voting bill, one that left the development of the system up to private industry and dropped the provision for state-supported political websites. The bill said four simple things:

1. Internet voting is made legal in California.
2. Any Internet voting system intended for use in California would need to meet strict standards for security, privacy, access, etc., and could only be used if it did. It would be the responsibility of the Secretary of State to test and certify all such systems.
3. Such certified systems could be used by county and other election officials.
4. Violating the system would be a crime and would be punished.

"I contacted a respected Sacramento lobbyist. Together, we polished my proposed bill. The lobbyist brought the new bill to now-State Senator Kevin Murray's office. A staffer there sent it to the Office of Legislative Counsel, to be converted into proper legislative form.

"This new Internet voting bill was written up as a bill by the Office of Legislative Counsel. According to the lobbyist, Senator Murray's top legislative aide was about to recommend that he introduce it into the Senate, where he now was, not incidentally, the new chair of the Senate Committee on Elections and Reapportionment. One of the staffers from that committee was also ready to recommend that he introduce it.

"It was Wednesday, February 24, 1999, two days before the deadline for introducing legislation in Sacramento during 1999.

"Reportedly just a few minutes before he was about to get the final recommendations to introduce the bill from his staffers, Kevin Murray met with Bill Jones. Remember what happened the last time they met to discuss this issue.

"This time, Jones offered Murray a spot on the elusive Cyber-Voting Task Force, and he accepted. This put him as far out on the cutting edge of this issue as he wanted to be, and he decided not to introduce the bill.

"It's all been anti-climax since then. Whatever else I might think about Bill Jones, cutting this bill off with only two days before the deadline for introducing new bills was a very clever way of trying to kill it. I guess he was using all the skill and experience that he'd gained throughout his long career as a public servant in Sacramento.

"Of course, having given Kevin Murray the right of first refusal on this bill and, out of respect for him and the rituals of the legislature, not cultivated a back-up introducer, I was in a pretty weak position to find someone else to perform this essential legislative function during the next two days.

"Every legislator I approached had already reached his or her quota of introduced bills, meaning that I had been effectively turned back.

"So I decided to take it to the Net.

"Campaign for Digital Democracy knows that we can't use the Internet to collect online signatures; that's a provision of the still-unpassed legislation. But we can post facsimiles of the initiative petition form and ask Internet users who want to vote online to download the form, print it out, copy it, sign it, and mail it in.

"This approach is, of course, a ludicrously inefficient and inelegant means of collecting the consent to our proposal of 600,000 California voters. But since the chief elections officer of the State of California seems intent on delaying and delaying the coming of the inevitable to our State, there seems to be no other choice.

"As for the role of his Cyber-Voting Task Force: whatever it might find, and however long it might take to find it, in the end, it will recommend that Internet voting only be allowed in California if the systems to implement it meet certain standards of security, privacy, access, etc. Well, that's precisely what "An eballot for California" already does.

"Whose money is going to be wasted on this task force? Ours. Whose chance to vote over the Internet will be delayed interminably? Ours. Who's it up to do something about this? Us."

Finally, he commented:

"Reluctant as I am to ascribe partisan motives to anyone, or to exhibit them myself, I would like to mention that Steve Grossman, chair of the Democratic National Committee, has recently come out strongly and publicly in support of implementing eballoting in the US. Almost every political analyst and commentator believes that higher voter turnout favors, everything else being equal, Democratic candidates over Republican ones. Campaign folklore is replete with comments about how bad weather on Election Day favors Republicans for this very reason.

"Bill Jones is one of only two Republicans holding statewide office in California. While I can't speak for him, or see inside his head, it only

stands to reason that anything he can do to limit voter turnout in the 2000 elections will be seen by his Republican-supporting friends and contributors as a positive step towards preventing a Democratic landslide then, and a way to minimize the extra advantage to Democrats that would therefore ensue in the crucial re-apportionment that will follow the 2000 census.

"Being known as the man who at least partially turned back the tide of popular discontent with Republicans by making it harder than necessary for tens of millions of people to vote in 2000 would certainly not go unnoticed when Republican voters and, even more to the point, big contributors, began making up their minds about whom they wanted to represent the party in the race for California's governorship in 2002. For a politician who was barely re-elected to the Secretary of State's job in November, 1998, when he polled only a few votes more than Michaela Alioto, in her first run for state-wide office, it couldn't hurt."

Message Number 50 for Campaign for Digital Democracy Mailing List

Date:
Mar 15 1999 02:30:12 GMT
From:
Campaign for Digital Democracy
Subject:
The Fight for "An eballot for California" Initiative Campaign is the Fight for
Electronic Democracy

last part of three-part message "The Fight for 'An eballot for California'
Initiative Campaign is the Fight for Electronic Democracy"

An eballot for California

by Marc Strassman
Executive Director
Campaign for Digital Democracy

Section 1. It is the intent of the Legislature in enacting this bill to establish the ability of voters and county election officials to use an Electronic Election System to promote broader participation in elections in California. To implement this goal, it is the intent of this bill to:

1. legalize the use of electronic networks for election purposes, including registration, initiative and in lieu petition signing, and voting.
2. authorize and require the Secretary of State to create and apply standards according to which proposed Electronic Election Systems may qualify for official use within the state
3. authorize county and all other election officials to use Electronic Election Systems within their jurisdictions in all future elections
4. prohibit the wrongful manipulation, fraudulent use or violations of the integrity of the Electronic Election System, and establish suitable sanctions against such illegal acts

Section 2.

All qualified California voters shall be entitled to register to vote, sign initiative and in lieu petitions, and vote in all primary, general, and special elections using an Electronic Election System over any secure electronic network from any point and by any means by which they can access such a network.

Section 3.

The Secretary of State will be authorized and required to set out the standards that any Electronic Election System will need to satisfy before it can be sold or used in California.

To qualify for use in elections in California, an Electronic Election System must:

1. provide for the secure identification and authentication of the voter
2. provide for the secure identification and authentication of the official jurisdiction supervising and responsible for the election process of which the registration, petition signing, or voting is a part
3. protect the privacy, integrity and anonymity of the voter's ballot
4. prevent multiple castings of a ballot in any one election cycle by any individual voter
5. provide protection against tampering, fraudulent use, illegal manipulation or other unauthorized abuse by voters, hackers, or election officials
6. be easy to use by every voter
7. legibly convey all information mandated by law to be included in the ballot for each voter, including lists of all candidates for office and all ballot measures qualified to appear on his or her ballot, in whatever set or randomly-generated order is mandated by law
8. provide the means by which voters can cast write-in votes for candidates whose names do not appear on the ballot but who have qualified for official "write-in status" according to the laws and regulations of the jurisdiction conducting the vote
9. reliably provide uninterrupted availability 24 hours a day and 7 days

a week during the designated electronic voting period

10. be sufficiently scaleable as to provide electronic voting access to all voters in any jurisdiction where it is employed, over the course of the designated electronic voting period

11. be accessible to all voters, either through personally-owned computers at their homes, computers in their place of work, or publicly-available computers in public kiosks, schools, government offices, or polling places

12. be capable of being upgraded as technology improves

13. assure the non-repudiation of electronic electoral transactions between voters and government.

14. be useable by mobility- and visually-challenged voters

15. be capable of being audited as to contents, results and process at a sufficiently high level to guarantee the integrity of the system and the public's confidence in its integrity.

Section 4.

Once the Secretary of State has developed a detailed set of specifications based on these principles, and once a proposed Electronic Election System has been shown, through tests conducted by the Secretary of State's Office, to have met these specified requirements, the successfully-tested system shall be designated as "approved by the Office of the Secretary of State for use by all election authorities within the State of California." The Secretary may contract with a recognized independent testing facility to perform the tests necessary to establish the system's conformance with the technical specifications put forward by the Secretary.

Section 5:

Upon approval of a system pursuant to section 4, county and all other election authorities will then be authorized to use approved systems within their jurisdiction. Counties and all other jurisdictions, including municipalities and special districts of all types, are authorized, pursuant to and consistent with (current) law, to buy, lease, contract for services, and generally take any otherwise authorized actions to effectuate the use of an Electronic Election System within their jurisdiction.

Section 6: Penalties

Any person interfering with the lawful operation of any element or activity of the Electronic Election System with the intent of committing any fraud or in any manner violating the integrity of the Electronic Election System, including its internal code, contents or results, shall be subject to the penalties included in the Elections Code, commensurate with the severity of the infraction.

**Message Number 51 for
Campaign for Digital Democracy
Mailing List**

Date:
Mar 15 1999 22:41:17 GMT
From:
Campaign for Digital Democracy
Subject:
Washington State Senate Passes eballot Study Bill

A model of concision and clarity, Senate Bill 5662 has passed the Washington State Senate. The complete text is below.

If you want to look it up or tell others about it, here's the URL:

ftp://ftp.leg.wa.gov/pub/billinfo/1999-00/senate/5650-5674/5662_e_03121999

ENGROSSED SENATE BILL 5662

State of Washington 56th Legislature 1999
Regular Session

By Senators Finkbeiner, Brown and Winsley; by request of Secretary of State

Read first time 02/01/1999. Referred to Committee on State & Local Government.

AN ACT Relating to a study of on-line voting; creating a new section; and providing an expiration date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

{+ NEW SECTION. +} Sec. 1. The secretary of state shall assemble a task force to conduct a study of the issues and challenges presented by incorporating on-line and Internet technologies in the voting process. These issues may include the use of on-line technology within existing systems and the requirements for authorization of collection, storage, and

processing of electronically generated and transmitted digital messages to permit any eligible person to vote in any election, including applying for and casting an absentee ballot.

In conducting the study, the secretary of state shall do all of the following:

(1) Create, and be assisted by, an advisory committee, who serves at the pleasure of the secretary of state, composed of county election staff, technical experts, and such other individuals whom the secretary deems to have expertise in these issues, to research the issues and challenges presented by incorporating on-line and Internet technologies into the voting process;

(2) Determine and define the appropriate security measures required and minimum standards for certification of systems, and make recommendations concerning statutes and rules to be adopted in order to implement the system;

(3) Consider the impact of an on-line or Internet voting system on voter participation rates, public accessibility, potential external influences during the elections process, and other issues related to the conduct and administration of elections.

The secretary of state shall report in writing to the legislature no later than March 1, 2000, on the results of the study required by this section.

{+ NEW SECTION. +} Sec. 2. Section 1 of this act expires June 30, 2001.

--- END ---

Message Number 52 for Campaign for Digital Democracy Mailing List

Date:
Mar 17 1999 19:44:00 GMT
From:
Campaign for Digital Democracy
Subject:
Cyberevolution 1.0

Just a few short notes on the continuing evolution of the process that will lead to the implementation of the eballot, hopefully within our lifetime.

On Tuesday, March 16th, the United States Senate voted to deploy a national missile defense shield "as soon as technologically possible."

So why can't the California's Legislature pass a law to deploy the eballot "as soon as technologically possible," which would be now? "An eballot for California" specifically calls for allowing only Internet voting systems capable of meeting certain strict standards for security, authentication, privacy, etc., to be sold or used in California.

You can get a copy of the current draft of "An eballot for California" at:

<http://www.suresite.com/ca/e/elelbill>

With eballot projects now underway involving expatriate South Africans and Mexicans and stay-at-home New Zealanders, California risks jeopardizing its position as the most advanced deployer of digital technologies in everyday life, unless it moves right away to implement "An eballot for California."

Californians without the right to vote on the Net in a world where such a privilege is commonplace would become victims of an "eballot gap."

As such, they would be forced to forego the advantages that citizens and consumers in other, more fortunate, jurisdictions would be able to take for granted, such as renewing their driver licenses online, doing extremely secure home banking, securely accessing distance learning opportunities, downloading e-cash, and so on, in addition to being able to

clearly express their views to their elected representatives, after they'd used powerful Internet voting technology to nominate and elect them.

On March 24th, Bill Gates' new book, *Business@the Speed of Thought*, will launch. For what I've been able to learn about what's in it, the Duke of Redmond outlines how to provide the enterprise with the same efficiencies inherent in the powerful microprocessors that lie at the heart of the entire cyber-project. To do so will make an organization as powerful a processor of data as a Pentium III, or even the IA-64/Merced. It's a sobering thought.

Even more so is the idea of *Government@the Speed of Thought*, or *Politics@the Speed of Thought*. Or, since we all know the limitation of carbon-based processing, what about *Business, Government, or Politics@the Speed of Quantum Switching*? Internet voting then becomes a blip in our evolution. But a blip we ought to take care of soon.

**Message Number 53 for
Campaign for Digital Democracy
Mailing List**

Date:
Mar 18 1999 00:25:26 GMT
From:
Campaign for Digital Democracy
Subject:
Company at Last

Finally, someone besides me has written an op-ed piece saying that it's about time we could vote over the Internet. Amazingly, his arguments and examples are almost word-for-word the same ones I've been making and using for years.

Check it out at:

<http://www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/1999/03/11/ED36896.DTL>

Cheers,

Marc Strassman
Executive Director
Campaign for Digital Democracy

Message Number 54 for Campaign for Digital Democracy Mailing List

Date:
Mar 18 1999 06:52:08 GMT
From:
Campaign for Digital Democracy
Subject:
eballot study bills begin to proliferate

There are now two states in the US that have pending legislation that would establish study groups to look into Internet voting. The bill to do this in the Washington State Senate has passed.

You can see it at:

ftp://ftp.leg.wa.gov/pub/billinfo/1999-00/senate/5650-5674/5662_e_03121999

The companion bill in the House there hasn't passed yet.

You can see it at:

ftp://ftp.leg.wa.gov/pub/billinfo/1999-00/house/1575-1599/1594_01291999

And in Minnesota, where the Internet and electoral politics are practically synonymous, thanks to Governor Ventura and Steve Clift, bills have been introduced in both houses to set up a group to study the eballot.

You can read the Minnesota Senate bill at:

<http://www.revisor.leg.state.mn.us/cgi-bin/bldbill.pl?bill=S0979.0&session=ls81>

You can read the Minnesota House bill at:

<http://www.revisor.leg.state.mn.us/cgi-bin/bldbill.pl?bill=H0427.0&session=ls81>

Who'll be next?

Cheers,

Marc Strassman

Executive Director
Campaign for Digital Democracy

Message Number 55 for Campaign for Digital Democracy Mailing List

Date:
Mar 18 1999 07:09:33 GMT
From:
Campaign for Digital Democracy
Subject:
An eballot for California Initiative

Dear Campaign for Digital Democracy mailing list subscriber,

Anyone receiving this message who is a registered voter in California is urged to go to

<http://www.suresite.com/ca/e/eelbill>

and read the page there.

If you want to vote over the Internet in 2000 and you live in California, the only way that's going to happen is if we qualify and pass the "eballot for California" initiative.

The first step in this process is to have the Office of Legislative Counsel in Sacramento turn the CDD draft initiative into a certifiable legal document. If 25 registered California voters download the petition at the site cited above, sign it, and mail it to the address given on the site, the OLC will write the initiative for us.

If you want to vote over the Internet next year in California, please go to the site, download the petition, sign it, and mail it in.

If you live outside of California and would like to vote over the Internet in 2000, please contact me at info@vpac.org so we can launch similar efforts to qualify and pass Internet voting initiatives in your state as well.

According to the Initiative Resource Center in San Francisco, these states currently have the initiative process:

Alaska

Arizona
Arkansas
California
Colorado
Florida
Idaho
Illinois
Maine
Massachusetts
Michigan
Mississippi
Missouri
Montana
Nebraska
Nevada
North Dakota
Ohio
Oklahoma
Oregon
South Dakota
Utah
Washington
Wyoming

If you live in one of these states and want to work with CDD to organize an initiative campaign for the eballot in your state, e-mail me at info@vpac.org and we can talk about it.

It's less than a year now until the crucial California primary on March 7, 2000. If we run on Internet time, we may still be able to use the machine you're reading this on to make our choices among the candidates and ballot measures.

Sincerely,

Marc Strassman
Executive Director
Campaign for Digital Democracy

Message Number 56 for Campaign for Digital Democracy Mailing List

Date:

Mar 20 1999 13:52:51 GMT

From:

Campaign for Digital Democracy

Subject:

Should Mexicans Living in the US Vote by Snail or by Wire?

The Mexican Constitution guarantees every Mexican the right to vote in that country's elections, even if they are in "el extranjero"--outside the country. For 99% of Mexicans in el extranjero, this means the United States.

But the Mexican Government has not yet passed legislation to implement this constitutional provision. Various groups in the US are working to encourage it to do so.

Many of these groups will be meeting in San Antonio, TX, next weekend to further this project. I may be there and I may address some of them. Below is the current version of what I intend to say. Naturally, I will suggest the eballot as a big step in the right direction for democracy in Mexico.

If you have any comments about this material, please send them to me at marcs@eballot.net.

If you help determine the news menu for a website, newspaper, or tv station, why not prepare something about the San Antonio meeting this week? Feel free to include any of my remarks in whatever you broadcast.

Cheers,

Marc Strassman
Executive Director
Campaign for Digital Democracy

Should Mexicans Living in the US Vote by Snail or by Wire?

by

Marc Strassman
Executive Director, Campaign for Digital Democracy
Executive Vice President, eBallot.net

The eballot--voting securely and privately over the Internet--is a secret, low-cost, and convenient way to collect the votes of citizens. It is a good way to vote under three different types of government.

The eballot is a good way to vote in pretty good democracies, countries like the United States, Great Britain, and Canada, where elections are generally honest and the population is not just allowed to vote but often strongly encouraged to do so. In pretty good democracies, the eballot can save money, increase convenience for voters, thereby increasing participation rates, speed up the counting of ballots, and make it easier to audit the results.

The eballot is a good way to vote, or would be a good way to vote, in non-democracies, countries like China where voting for top officials is not only not encouraged, it isn't even allowed. Countries like China, which are planning to put many more of their people online in order to speed up economic development, will also be making it possible for them to use the eballot to vote in unofficial elections, run from offshore computers in distant, but freer, lands.

The eballot is an especially good way to vote in imperfect democracies, countries, like Mexico, that are officially democracies but where voter intimidation, uneven access to polling places, electoral fraud, and vote theft stand in the way of a more fully democratic process. Electronic voting over the Internet would let voters vote in the comfort, privacy, and security of their own homes or offices, free from intimidation or other interference.

While it might be an improvement to be able to vote over the Internet, there are two main obstacles to realizing this improvement. First, Internet access is not very widespread in Mexico. Second, the Mexican Government may not be prepared to embrace a reform that makes it easier for millions of its own citizens to vote more easily, with a greater likelihood of having their vote count.

For both of these reasons, it is crucial that Mexican voters living in the United States work hard to win the right for themselves to use the Internet to vote in the Mexican presidential elections in 2000. It is

important for several reasons.

First, winning the right to use the eballot to vote in these elections will save Mexican taxpayers a significant amount of money. Assuming seven million eligible voters in the US, with a cost per voter using "votando de caracol"-- "snail voting"--of between US\$10 and US\$35 for each voter, the cost to conduct this election would be between US\$70 million and US\$245 million.

Assuming all these voters could vote online, it would probably cost no more than US\$5.00 per voter to collect and process their votes, meaning a savings of 50% off of the lowest estimate for more traditional, snail-like, voting methods.

This low cost for administering the actual voting would mean that more money, if available, could be used for outreach and voter education, both of which, by the way, could also be done more cost-effectively by Internet than by other methods.

Second, voting by eballot means more security and less intimidation for voters. By allowing voters to vote from the privacy of their offices, cubicles, or homes, the eballot avoids the potential problems associated with public voting under the supervision of officials who may not be completely impartial.

Third, using the Internet technology that supports the eballot system means that the votes will be counted by impartial, in fact, non-human, entities which will function extremely equitably to collect and tabulate the results.

Fourth, using the eballot means that records of the voting, without voters names attached to ballots, can be used by auditors or international or non-governmental observers to check and re-check the election's accuracy and honesty.

Fifth, using the automated eballot system means that the results can be calculated and released to the media and public almost instantaneously after the balloting is completed, with no time wasted and no time allowed for tampering with the results.

So, using the eballot to allow Mexicans in the US to vote in Mexican elections will save money, reduce intimidation, make the count more accurate, provide a means for observers to check the process, and speed up the calculation of the results. For all these reasons, the eballot would mean higher rates of participation and therefore an election that more fairly represents the will of the voting population.

Finally, by conducting and participating in a fair, cost-effective, and more accurate election through the eballot, Mexican voters in the US will be setting an illuminating example for Mexican voters in Mexico, by showing them that such an election is possible.

This may all be admirable, but how can we provide access to the Internet, which is required for the eballot, to all Mexican voters living in the US?

For those Mexican voters in the US with access to the Internet through their place of business or work, or through computers in their homes, this is not a problem. For voters without such access, there is another solution.

eBallot.net, a company based in Washington State, which I incidentally partly own and work for, is designing and will be building an Electronic Voting Appliance, or EVA, that will provide access to the Internet for voting purposes at low cost. We plan to build large quantities of these EVAs. Using them to vote will probably be even easier than voting by eballot over a PC, because they will be specially-designed to be used for voting and will make it very easy for users to access their choices, make their selections, and submit their eballot.

These EVAs can be placed in schools, consulates, churches, community centers or wherever polling will take place. They can collect votes directly over the Internet and add them to the overall totals.

We haven't discussed how we will collect and certify the names of eligible voters, nor have we talked about how we will collect "tokens" from the voters so that they can be authenticated by the eballot system. These are important and potentially complicated questions, but they need to be addressed and resolved in order for a successful implementation of this Internet voting system.

But once we have this information, and once it is entered into the eballot database, and once the choices in the election are decided upon, this automated system for casting ballots will be able to offer a reasonably-priced and very fair means of conducting a smooth, honest and accurate polling of the preferences of the Mexican voters using it to express their political will.

And, of course, for such an election by eballot to take place in Mexico proper, many more Mexicans will need access to the Internet, either at work, at home, or through EVAs. But successful eballoting among Mexicans living in the US will certainly be both an example and an impetus for further such developments in Mexico itself.

It is up to us here, and others who share our desire for such an election, among Mexicans in the US and, eventually, Mexicans everywhere, to do what has to be done to see that such an exemplary election is made possible and, indeed, becomes a reality.

Message Number 57 for Campaign for Digital Democracy Mailing List

Date:
Mar 22 1999 00:53:43 GMT
From:
Campaign for Digital Democracy
Subject:
Security and Access Answers

You may be familiar with the old joke about Army food: it's really bad-tasting and there's never enough of it.

Similar complaints about the eballot are often raised by its critics: it's insecure and not everyone can get access to it.

Below is a copy of an e-mail I just sent to a colleague in a large, East Coast state who is working diligently there to convince his state legislature to adopt the eballot. My response addressed issues of security. Below that are some remarks about access. Feel free to use these arguments when discussing the eballot with curious neighbors, diligent journalists, or your state legislators.

There are a number of answers to the security question:

1. the answer from analogy. The New York Stock Exchange, the Department of Defense, and the international banking system, among others, all maintain extremely high levels of authentication for individuals and integrity for systems in order to protect equities, munitions, and trillions of dollars transferred daily. Using similar technology can protect the security of the eballot system.
2. the answer from demonstration. We will build a system and put it out there for hackers, skeptics, hobbyists and journalists to try to violate. If they violate it, we can fix it where it's broken and make it stronger for the next demo. If they can't violate it, we can claim it's safe.
3. the answer from deterrence. Let's not forget that committing electoral fraud online is as punishable as committing it offline. Any legislator who believes that strong punishment deters other crimes ought

to believe that threatening strong punishment against those who would interfere with the honest operation of the eballot system ought to be willing to adopt the eballot, while specifying harsh penalties for those who would mess with it.

4. the answer from logic, the answer according to the principles in "an eballot from California." The legislation I'm pursuing in California says:

1. the eballot is legal
2. any proposed eballot system must meet certain strict criteria, including especially security criteria, before it can be certified for sale and use in the state
3. once a proposed system meets those standards, including security, it becomes "certified" and can be used in the state and sold or leased or its use can be contracted for by county and other local election authorities
4. violating the system with intent to fraudulently interfere in an election becomes a crime, punishable at the discretion of legislators and judges

In short, we all agree that security is important and we therefore agree that only certifiably secure systems can be sold or used. The systems' security will be established according to agreed upon standards and proposed systems will be tested to see if they meet these standards, the same way the Boeing 737 and other mission-critical pieces of automated machinery are tested and certified for safety before they are allowed to be put into operation.

I've somewhat re-written "an eballot for California," my draft legislation for use in our state. You can see the current version at:

<http://www.suresite/ca/e/elelbill>

You might want to include some of these changes in "an eballot for Your State."

Thanks very much for your work on this. If you have any more questions, or comments on my answers here, please let me know.

The access question likewise can be answered in a number of ways:

1. the (for-the-moment) impractical but possibly-ideal solution: make sure that every voter (indeed every person able to reach a mouse) has access to the Internet for business, personal, and every other purpose they might want to pursue online. This solves the "access-to-the-eballot" problem pretty directly.

2. vote-by-(e)mail: extend the voting solution now in place in Oregon (100% absentee ballots, sent in by USPS mail) to include an e-mail option, under which everyone votes by "mail," some by snail, those who prefer, by e-.

3. the EVA solution: build and install many Electronic Voting Appliances, in polling places, schools, churches, community centers, etc., and let voters who don't have access to computers at home or at work come in and use one of these machines to access

Message Number 58 for Campaign for Digital Democracy Mailing List

Date:
May 05 1999 02:31:00 GMT
From:
Campaign for Digital Democracy
Subject:
Internet-based Initiatives Initiative

The Initiative and Referendum Institute is a non-profit organization that exists to educate people about the initiative and referendum processes as political options. On May 6th-8th, it will be conducting, and DCOorbit will be webcasting, "A Century of Citizen Lawmaking: Initiative and Referendum in America." Visit the Institute site at <http://www.iandrinstute.org/> and learn more about the Institute and the DCOorbit webcast.

At 4:00 pm Eastern Time on Friday, May 7th, Campaign for Digital Democracy Executive Director Marc Strassman will participate in the conference's 6th session, "Increasing voter participation in initiative and referendum." Here's the leak: During his presentation, Strassman will announce plans to begin circulating initiative petitions over the Internet, under the theory that existing digital signature laws in several states already permit the collection and submission to election officials of initiative petitions digitally signed with an individual's properly-obtained digital certificate.

The first initiative to be virtually circulated will be the California Internet Voting Initiative (CIVI), sponsored by CDD, which legalizes Internet voting, the digital signing of initiative petitions, and requires the California Department of Motor Vehicles to contract for the delivery to everyone already dealing with them of a high-level digital certificate on a smart card that will become an individual's driver license or state identification card, as well as the downloading by e-mail of each person's digcert to up to five computers, where they can be used by the cert holder to digitally sign initiative petitions and to authenticate them when they use one of the Internet Voting Systems authorized under the CIVI, as well as for many other purposes relating to e-commerce and personal records, all at no additional cost to citizens.

Download your RealNetwork viewer for free at <http://www.real.com> and tune in at <http://www.dcorbit.net/> at 4:00 pm Eastern Time on Friday, May 7th, to hear this proposal made and watch the reaction to it of the other panelists and the audience. In fact, tune in starting Thursday, May 6th, at 7:30 pm Eastern Time and stay until 5:30 or so on Saturday, May 8th.

Send e-mail to marcs@votesite.com

Those interested can visit the soon-to-be launched "California Internet Voting Initiative Committee" (CIVIC) website at:

<http://www.votesite.com>

and sign up for the new CIVIC mailing list.

Message Number 59 for Campaign for Digital Democracy Mailing List

Date:
May 16 1999 00:37:36 GMT
From:
Campaign for Digital Democracy
Subject:
Interview and Article from May 6th

On Thursday, May 6th, I stopped by IBM's Institute for Electronic Governance in Washington, D.C., and was interviewed by the Institute's director, Janet Caldwell, about current matters of mutual interest in the field of Internet voting.

You see and hear our conversation at:

<http://www.ieg.ibm.com/cyber/government/0506.html>

If you visit the IBM site before they have a chance to re-arrange the links, you may find that to see the interview I did, you need to click on the camera logo next to the interview that took place on March 11th with the two Chief Information Officers of Tennessee and Utah, since the one next to my name launches their interview.

On the same day, an article I'd written for IntellectualCapitol.com about Internet voting was published on their site. You can read it at:

<http://www.intellectualcapitol.com/issues/issue228/item4339.asp>

Please send any comments or suggestions about these items that you may have to me at info@vpac.org.

Regards,

Marc Strassman

Message Number 60 for Campaign for Digital Democracy Mailing List

Date:
May 21 1999 21:16:15 GMT
From:
Campaign for Digital Democracy
Subject:
Internet Initiatives at the Initiative & Referendum Institute Conference in
Washington, D.C.

On May 7th, I spoke at the Initiative and Referendum Institute's "A Century of Citizen Lawmaking" Conference in Washington, D.C. You can access a webcast of the conference at:

<http://www.dcorbit.net/docs/initiative.html>

My presentation was part of Session 6, "Increasing Voter Participation in Initiative and Referendum?", beginning 19 minutes and 45 seconds into that session.

I also make a brief appearance in the clip linked to Session 12, beginning 50 minutes and 35 seconds into the segment. So does California Secretary of State Bill Jones.

Everyone interested in the initiative and referendum processes should drop by and take a look.

Regards,

Marc Strassman
Executive Director
Campaign for Digital Democracy

Chapter 2

Additional Essay

Lou Gerstner's support for digital voting convinced me that we now needed to move on to the formation and building of real Internet Parties. Such parties could stand alone or work with existing parties they found compatible, while forming their own network. These Internet Parties would need to have a (Net-oriented) set of substantive policies that they supported and worked for. This was the list I put together over Thanksgiving weekend in 1998.

Substantive Policies for Internet Parties 1999

With the coming-on-board of Louis Gerstner, Chairman and CEO of IBM, to the movement for electronic voting, while we can't consider it a foregone conclusion, we can reasonably surmise that digital voting will soon be a reality. This is good, but it requires that we answer the question, "Now what?"

What we need to do now, I think, is create Internet Parties everywhere to take advantage of the migration of politics into cyberspace. Specifically, we need to create Internet Parties with programs that will simultaneously grow the Net and serve the people. Here is one suggested list of policies that might be made the centerpiece of organizing efforts for the Internet Parties of 1999.

Suggested Substantive Policies for the Internet Parties of 1999

1. Establish and adequately fund a network of Public Technology Academies to bring everyone who wants to be educated in the effective use of computer and Internet technology up to a level of competence sufficient to allow them to work, learn, play, and improve their ability to live in the modern world through the use of current and future state-of-the-art technology.
2. Facilitate through education, tax incentives, and the creation of an adequate administrative and physical infrastructure the proliferation of Home Cubicle Units so that a significant portion of the population can work in their homes, thereby cutting down on traffic, pollution, the generation of greenhouse gases, traffic accidents, traumatic traffic injuries, grisly highway deaths, local news reports of grisly highway injuries and deaths, alienation, home burglaries, divided families, traffic, and having to sit in traffic.
3. Launch a web-based effort to educate and change the behavior of citizens in the area of diet, exercise, and fitness, thereby cutting down on billions of dollars in health-related expenses that could be avoided by proper preventative behavior by individual citizens.
4. Develop and implement a program for web-based education on all aspects of the Social Security Funding Issue, using computer graphics and other modeling methods to present the facts and the options to the citizens for their consideration and decision.

5. Expand this project to encompass the creation and operation of a Public Knowledge Management and Decision Support System to collect, organize, process and use all existing data concerning the formulation, modification, and implementation of public policy in all areas to develop the best possible means of developing and carrying out new public policies in areas currently covered and in new areas as they arise from the confluence of changing demographics, evolving ecology, and the development and proliferation of new technologies.

This system should be linked to public education and electronic decision-making systems in order to deeply involve the population in terms of providing new ideas, evaluating the ideas of "decision-makers" and their staff and advisors, allowing the population to conduct its own evaluations and discussions of proposed policies and, of course, allowing the population to take the decisions, through public electronic decision-making systems, that it prefers in terms of the policies to be adopted.

6. Greatly expand the presence of mini-cams in public places, and make the feeds from these cameras, along with the feeds from all surveillance cameras on private property (drug stores, banks, department stores, malls, etc.) available to all, by way of the Net. This publicly-available and free network should also include feeds from cameras monitoring traffic on freeways and surface streets, satellite surveillance cameras, but should not include feeds from surveillance cameras operated by private individuals for the purpose of monitoring their own property and premises, unless they choose to make it publicly available, in which case it should be.
7. Establish, fund, and operate a Global Interactive Governance Association, designed to develop and implement a system for worldwide digital democracy to involve all world governments and all world residents. Provide a Public Knowledge Management and Decision Support System, as discussed in Point 5 above, for all world residents, along with all the technology, training, and access necessary to empower all world residents through the use of state-of-the-art digital technology deployed optimally to assure popular control of the apparatus of governance, whatever it is at any particular moment in time, while, of course, guaranteeing the protection of the individual and group human rights of all people.

The Smart Initiatives Book
Volume 1:
1999-2000

by Marc Strassman
Founder and Executive Director
Campaign for Digital Democracy

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Chapter 1
Core Documents

Jump-Starting the Digital Economy
(with Department of Motor Vehicles-Issued Digital
Certificates)

California Internet Voting Initiative

Smart Initiatives Initiative

Chapter 2

The IntellectualCapital.com Series

Internet Voting Circa 2002

Could the Internet Change Everything?

Putting the 'E-' in E-democracy

Myths and Realities in Internet Voting

Chapter 3

Presentations at Public Events

David Broder Covers Me at the
Initiative and Referendum Institute Conference

Remarks at the
“Frontiers of Internet Politics” Conference

Remarks on Open Access

**Toward a Ubiquitous E-Democracy
Powered by a Universal PKI
(Microsoft Word version)**

**Toward a Ubiquitous E-Democracy
Powered by a Universal PKI
(PowerPoint version)**

**Chapter 4
Fifteen Easy Pieces**

**Why a Campaign for the Universal Distribution of
Digital Certificates Makes Sense**

The Smart Initiatives Prospectus

**A Brief History of the Struggle
for Internet Voting in California**

**How the California Digital Signature Authority
Will Arrange for the Issuance of Digital Certificates**

**Putting Democracy Back on Track:
A Reply to David S. Broder and
“Democracy Derailed: Initiative Campaigns and The Power of Money”**

**Global Electronic Democracy
the Answer to Global Corporatism**

Real Time Democracy

After Florida, What?

**Some Notes on the Political Economy
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The Current Future of Smart Initiatives

The Teledemocracy Revolution that Never Was

Towards an Open Source Democracy

A Third Way for Electoral Technology

Fuzzy Math for Smart Initiatives

Slip Sliding Away

Chapter 5

Media Coverage

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Initiative pending for Internet initiatives

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Outreach

**Offer of Cooperation Sent to
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An Open E-Mail Letter to the Majority Leader

Chapter 7

**Messages Number 61-144 for
Campaign for Digital Democracy Mailing**

Brief Afterward