IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DONNA CURLING, ET AL., **Plaintiffs,** **v.** **BRIAN KEMP, ET AL.,** **Defendants.**	**Civil Action No. 1:17-CV-2989-AT**

COALITION PLAINTIFFS' BRIEF IN RESPONSE
TO COURT ORDER (DOCUMENT 900)

In this Brief, the Coalition Plaintiffs will address the three issues raised by the Court in its September 15, 2020 Order (Doc. 900). The Coalition Plaintiffs further move for leave to exceed the page limit by one page.

A. Alternative Relief Based on State's Emergency Ballot Process

Coalition Plaintiffs join and incorporate by reference the Curling Plaintiff's brief to address whether uniformly implemented hand marked paper-ballot relief under the provisions of the emergency ballot process as an alternative to a wholesale switch to hand-marked paper ballots might productively be granted. The answer is that indeed the emergency ballot provisions provide adequate structure and administrative guidance for the conduct of a constitutional election using hand marked paper ballots. The emergency balloting provisions of Ga. Comp. R. & Regs. 183–1–12–.11.2(c) and (d) are effectively the codification of this Court's Order (Doc. 578 at 148) for a default back up plan in the event of the failure to successfully and fully deploy a BMD system that meets constitutional muster, --a default plan successfully piloted by Cobb County for early voting and Election Day in November 2019. Now facing the very circumstances for the November election that this Court and Plaintiffs feared, invoking the backup default plan of emergency balloting is an appropriate remedy for the November election and related runoffs, and the solution instructed by the General Assembly (O.C.G.A. ¶ 21-2-281), the State Election Board, and this Court (Doc. 578 at 148).

Implementing the emergency ballot rule with advance notice to *all* polling places for the November election and related runoffs is effective relief for addressing Georgia's constitutional violations of ballot security, accountability, ballot secrecy and permits the auditing of the election outcome**.** Further, the emergency and back up default provisions will help establish a more orderly election, reducing the disruption to the voting process being caused by the State's rushed, incomplete deployment and lack of readiness of a new voting system, bound to escalate the havoc and voter confusion and irreparable harm on without the Court's intervention.

Contrary to Defendants' closing argument that hand marked paper ballots would require a rewrite of the election code, (Sept. 14 Vol . p. 159, line 5) Georgia's election code has long-standing detailed provisions for the administration of paper ballot elections in O.C.G.A. Title 21, Chapter 2, Articles 8 and 9 (Part 4), successfully used in Cobb County's November 2019 pilot election for early and Election Day voting, and routinely in some Georgia municipalities.[1]

Fulton County Election Director Richard Barron testified that a Fulton County switch to hand marked paper ballots for Election Day would result in time

[1] Defendants have argued that conducting the most basic minimum functional BMD Logic and Accuracy testing in compliance with the statute (O.C.G.A. §21-2-379.25(c)) is impractical and too burdensome, (Doc.834 at 27**),** which alone should require the emergency use of hand marked paper ballots, as should the Defendants' lack of any current solution to protect Plaintiffs' constitutional rights to ballot secrecy.

savings over using BMDs. If the State's largest county can accomplish paper-ballot voting on Election Day, then so too can Georgia's other 158 counties. For early voting, the reservations that Mr. Barron expressed do not apply to most of Georgia's other counties. Approximately 120 of Georgia's counties have a single early voting center at the superintendent's office where all ballot styles are already successfully managed both for mailing and for emergency ballot use. After all, the State's emergency ballot process does not apply *only* on Election Day. Instead, the rule provides for the use of paper ballots *anytime* an "emergency situation" arises during in-person voting—i.e., during early voting as well as on Election Day. *See* Ga. Comp. R. & Regs. 183–1–12–.11.2(d); *see also* Doc. 800-3, at 16 (Hr'g Ex. PX 53 (Secretary's guidance for "Using Emergency Paper Ballots")). Most counties will be able to issue hand marked paper ballots during early voting without any difficulties at all. If emergency balloting is mandated only for Election Day, the Court need only restrain the State from stopping the counties from adopting emergency balloting in early voting (as the State previously did in the case of Athens Clarke County when BMD ballot secrecy could not be provided.)

B. Feasibility – Response to State Defendants' Response (Doc. 895).

This Court has been asking the State Defendants why they cannot provide updated paper pollbook backups since at least December, 2019, and still has received no coherent response. The State Defendants have vacillated between two

completely contradictory positions: that they *already* provide the requested backups *and,* most recently, that providing the requested backups would be hard but not impossible. This is completely unacceptable. The State Defendants have no response at all to the mountain of evidence establishing that the malfunctioning of their electronic Pollpads disenfranchised voters in the June 2020 primaries and is likely to continue disenfranching voters in future elections. Yet they have done nothing to fix the problem.

The State Defendants' most recent submission – which they were unable to provide during the hearing despite the Court's specific request – is more of the same. Defendant counsel addresses whether ***E-NET*** can generate such a report, not whether the State generally had the practical capability to prepare an updated file for printing. Defendants' response ignores the fact that the new KnowInk e-Pulse system itself has an advertised featured for printing an updated paper pollbook, "minutes before an election," (Doc. 755 at 16, Marks Declaration ¶ 38) that list can be as current as, or even ***more*** current than the electronic PollPads used now as the required "electors list." Based on the description of the KnowInk e-Pulse product capability, the printed pollbook would have identical data to the PollPads and not require the generation and review of multiple lists as the State Defendants argue would be required using E-Net reports. KnowInk's PollPad capability to provide even mid-election day updated printed pollbooks is required

by its customer New Hampshire, a capability within the KnowInk product is available. (See Exhibit A page 6, from https://sos.nh.gov/electronic-poll-books/).

Enough is enough. Without paper pollbook backups, the continuing problems with the KnowInk Pollpads will cause even longer lines in the upcoming November election. The State Defendants should be ordered to provided updated paper pollbook backups: it can do so using E-Net reports or the KnowInk application discussed above.

C. Court's Authority to Grant Relief

The Court has the authority to grant the requested relief relating to updated paper pollbook backups both under the pleadings and motions in this case and as a further ruling on the Coalition Plaintiffs' Motion for Rule 59(e) modification to this Court's August 15, 2019 Order (Doc. 579).

The State Defendants, citing *De Beers Consol. Mines, Ltd. v. United States,* 325 U.S. 212 (1945), contend that injunctive relief relating to pollpads is not appropriate because it is of a different nature "as that to be finally granted" "and exceeds any relief sought by any operative complaint in this case." (Doc. 895 at 5). This argument is not correct for the following reasons. In *De Beers,* the Supreme Court reversed a District Court order freezing the assets of the defendant pending trial of an antitrust case in which the United States sought only prospective injunctive relief. The Supreme Court reversed, holding that federal

courts' equitable powers do not extend to granting preliminary injunctive relief that is of an entirely different character than the permanent relief sought. The *De Beers* case is not on point.[2] In this case, the preliminary relief that Plaintiffs' seek – an injunction – is exactly the same character as the permanent relief that Plaintiffs' seek – also an injunction.

Moreover, this Court has authority to grant the requested relief pursuant to the pleadings and the motions filed by the Coalition Plaintiffs. In both the Third Amended Complaint and the Supplemental Complaint, the Coalition Plaintiffs include electronic pollbooks in the defined term of the voting system that is alleged to be unconstitutionally insecure, (Doc. 160-1 ¶ 59; Doc. 628 ¶¶ 70-71, 189; *see also* Doc. 640 at 2, n. 1 (explaining inclusion of Electronic Pollpads within scope), and make extensive allegations concerning the insecurity of the State's voter registration system. In addition, the relief that the Coalition Plaintiffs seek in this motion (Doc. 800) is nearly identical to the relief sought in prior motions. (Doc. 419, Doc. 640). The State Defendants defended the prior motions without suggesting that they were beyond the scope of the pleadings. In any event, upon the trial of this case on the merits, the Coalition Plaintiffs would be entitled to an amendment of the pleadings – if necessary – to conform to the evidence, including

[2]*See Rosen v. Cascade Intern., Inc.,* 21 F.3d 1520 (11th Cir. 1994) (Tjoflat, J.) (explaining *De Beers*).

an amendment to the equitable relief sought. *See* Fed. R. Civ. 15(b); *Developers Sur. and Indem. Co v. Bi-Tech Const. Inc.,* 979 F. Supp. 2d 1307 (S.D. Fla. 2013) (citing cases).

Finally, the Court has already ruled that paper backups for the electronic pollbooks are a proper remedy in this case to address the allegations in the operative complaints. In its August 15, 2019 Order, this Court ordered "State Defendants should require all County Election Officials to furnish each precinct with a least one printout of the voter registration list." (Doc. 579 at 150). The Coalition Plaintiffs' September 12, 2019 Rule 59(e) Motion asked the Court to modify its Order to required an updated paper pollbook backup, rather than a voter registration list, so that pollworkers would have the information necessary to check a voter in on Election Day. In denying Coalition Plaintiffs' Motion, the Court stated:

> The Court is potentially willing to consider this request for subsequent election cycles but only after hearing more concretely from the State regarding pragmatic implementation issues at a short conference or hearing.

The Coalition Plaintiffs' Motion on the Paper Pollbook Backups, therefore, is a continuation of the Rule 59(e) Motion and the Court's ruling thereon.

This 16th day of September, 2020.

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CERTIFICATE OF SERVICE AND COMPLIANCE

I hereby certify that on September 16, 2020, a copy of the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing to all attorneys of record. In addition, pursuant to LR 7.1(D), I hereby certify that the foregoing document has been prepared in accordance with the font type and margin requirements of LR 5.1, using font type of Times New Roman and a point size of 14.

/s/ Bruce P. Brown
Bruce P. Brown

EXHIBIT A

Response to:

New Hampshire Electronic Poll Book System Request for Information V 0.1

Cross-Reference Table

This section gives a table of all indicative requirements in this document along with their page numbers. Vendors are encouraged to state whether they can comply or suggest alternate means of accomplishing the implied goal. To enable comments in the fields below, this RFI has been provided in both MS word and PDF format.

Title and Identifier	Page Number	Compliance: Yes/No	Comments on Potential Requirement
AR-1: At least (8) eight *EPBs* in an *EPBS; (12) if adding new voters.*	31	Yes	Our EPBS concurrently supports 8 live EPBs in a singular location, or 12 EPBs if supporting election day registrants. The function of the EPBs remains unaffected in the instance of any singular unit(s) becoming inoperable.
AR-2: No single point of failure.	31	Yes	EPBS avoids single point of failure by utilizing redundancies in any scenario where a single point of failure would be considered a risk.
AUR-1: Audit log.	35	Yes	Our EPBS is auditable and maintains an audit log.
AUR-2: Log voter registration record queries and updates.	35	Yes	The audit log retains time stamped queries and updates to voter records by any authorized user.
AUR-3: Log user actions.	35	Yes	The audit log retains time stamped records of actions performed by any authorized user. The audit log can be customized to flag and time stamp records for additional user actions.
AUR-4: Log system deviations.	36	Yes	The audit log retains time stamped records of system deviations. The audit log can be customized to flag and time stamp records for additional deviations from expected system behavior.
AUR-5: Printable audit log.	36	Yes	Our Audit Log is printable.
AUR-6: Exportable audit log.	36	Yes	Our Audit Log can be exported via external, removable storage device.
AUR-7: No *audit log* encryption.	36	Yes	Our Audit Log is not encrypted. It is exportable in a plain text format.

Title and Identifier	Page Number	Compliance: Yes/No	Comments on Potential Requirement
AUR-8: Audit log format compliance.	36	Yes	Documentation in regards to the Poll Pad Audit log is available. KNOWiNK can provide audit log definitions document.
DOCR-1: Set up, use, and shutdown instructions.	37	Yes	Documentation with complete instructions for use of our EPBS can be provided.
DOCR-2: Functionality specification.	37	Yes	Documentation including specification of implemented system functionality can be provided.
DOCR-3: Training materials.	37	Yes	KNOWiNK produces client specific training materials as specified, and offers hands on training support for new jurisdictions.
DOCR-4: Data recovery procedures.	37	Yes	Documentation pertaining to data recovery options can be provided.
DOCR-5.1: System architecture.	38	Yes	Documentation of the EPBS including an architectural model can be provided.
DOCR-5.2: End user documentation.	38	Yes	End user documentation and training materials is supplied to each client.
DOCR-5.3: System level documentation.	38	Yes	KNOWiNK can submit documentation to satisfy this requirement.
DOCR-5.4: Developer documentation.	38	Yes	KNOWiNK can submit documentation to satisfy this requirement.
DOCR-6: Consumables documentation.	38	Yes	KNOWiNK can submit documentation to satisfy this requirement.
DOCR-7: Quality assurance procedures, test data, and reports.	39	Yes	Documentation on quality assurance procedures and test data and reports to satisfy this requirement can be provided.
DOCR-8: Repair and maintenance policies.	39	Yes	KNOWiNK can supply this information prior to the procurement process.

Title and Identifier	Page Number	Compliance: Yes/No	Comments on Potential Requirement
DOCR-9: Audit log specification.	39	Yes	Documentation in regards to the Poll Pad Audit log is available.
DOCR-10: Usability tests.	39	Yes	Documentation for our EPBS including usability tests addressing all aspects of user facing features as specified can be provided.
DOCR-11: List of all *EPBS* programs.	39	Yes	Detailed documentation on program functions and program storage can be provided.
DOCR-12: List of system configuration data.	40	Yes	KNOWiNK can submit documentation to satisfy this requirement.
DOCR-13: User interfaces.	40	Yes	Extensive UI documentation and end user training materials will be provided.
DOCR-14: Non-functional (potential) requirements documentation.	40	Yes	KNOWiNK can submit documentation to satisfy this requirement.
DOCR-15: List of files containing voter information.	40	Yes	KNOWiNK can submit documentation to satisfy this requirement.
DOCR-16: File format specification.	40	Yes	KNOWiNK can submit documentation to satisfy this requirement.
FR-1: Adding a new *EPB* to the *EPBS.*	21	Yes	Additional EPBs may be introduced to the EPBS at any time during or outside of the voting period per the specifications of this requirement.
FR-2: Removing an *EPB* from the *EPBS.*	21	Yes	EPBs may be removed from the EPBS at any time during or outside of the voting period per the specifications of this requirement..
FR-3: Identifying an *EPB.*	21	Yes	Every EPB is uniquely identified and can be uniquely identified by system components as specified.
FR-4: Restricted access to voter information.	21	Yes	Our EPBS does not permit access to information outside of local voter database.

Title and Identifier	Page Number	Compliance: Yes/No	Comments on Potential Requirement
FR-5: Constrained data storage.	22	Yes	The EPB can be restricted to store data as outlined in referenced requirements.
FR-6: *Voter list* storage.	22	Yes	A copy of the voter list may be stored locally and on the removable storage unit.
FR-7: Voter information lookup.	22	Yes	The Poll Pad EPB is able to look up voters as specified.
FR-8: Voter information updates.	22	Yes	The EPB allows modifications in the local voter database per requirements specified, and is customizable to include future flags.
FR-9: Generating and printing reports.	23	Yes	Thermal printer supports these criteria as specified.

Title and Identifier	Page Number	Compliance: Yes/No	Comments on Potential Requirement
FR-10: The *electronic poll book* must maintain a printable format of the *voter list (voter registration record and plus* voter activity *record) {(potential) requirement Type*: ***mandatory***} **Description:** It must be possible to continue with an election should the electronic poll book *system become inoperable*. To that end, the electronic poll *book must maintain* a printable checklist format of the voter list *on removable storage*, reflecting voter activity record to that moment. Ref: New Hampshire RSA 654:25, RSA 659:13, RSA 659:14, RSA 659:102. **FR-11:** Deliberately Left Blank.	23	Yes	Customization and thermal printer supports these criteria as specified.

Title and Identifier	Page Number	Compliance: Yes/No	Comments on Potential Requirement
FR-12: User accounts. *{(potential) requirement Type*: ***mandatory***} **Description:** The *electronic poll book system* must permit an *administrator* to manage user accounts within its *configuration*. This includes adding and disabling user accounts, and setting user roles for existing accounts. **Ref:** None	24	Yes	Our EPBS can be customized to meet these requirements as specified.

Title and Identifier	Page Number	Compliance: Yes/No	Comments on Potential Requirement
FR-12: User accounts. {**(potential)** requirement *Type*: ***mandatory***} **Description: The** *electronic poll book system* must permit an *administrator* to manage user accounts within its *configuration*. This includes adding and disabling user accounts, and setting user roles for existing accounts. **Ref: None** **FR-13: RSA Chapter 654 and 659** requirements. See Ballot Clerk Procedures for State Primary and General Election		Yes	Our EPBS meets or can be customized to meet the elements of these requirements as specified.
FR-14: System event confirmation.	24	Yes	Our EPBS meets these requirements as specified.
FR-15: Diagnostics mode.	25	Yes	KNOWiNK's EPBS allows for password protected diagnostic mode functions as specified.
FR-16: Program execution.	25	Yes	Managed settings and guided access prevent any other program from running on our EPBS.
FR-17: Printing *voter list*.	25	Yes	Printable list from thermal printer can be customized to meet New Hampshire's specifications.
FR-18: Retaining voter information.	25	Yes	KNOWiNK's EPBS allows for authorized users to extract and retain all voter information from the EPBS

Title and Identifier	Page Number	Compliance: Yes/No	Comments on Potential Requirement
FR-19: Compatibility with SVRS.	26	Yes	KNOWiNK satisfies this requirement.
FR-20: As a part of the *local voter database* import, the *electronic poll book system* must require the user to confirm that they are importing the intended *local voter database*	26	Yes	Our EPBS requires an authorized user to confirm they are importing intended local voter database and overwriting what is currently stored on the EPB.
FR-21: One voter/ one vote within *EPBS*.	26	Yes	Duplicate voting is prevented in KNOWiNK's EPBS. A check-in may be cancelled by an authorized administrator in the case that the wrong voter has checked in, or the voter flees.
FR-22: *Local voter database* import.	26	Yes	Our EPBS enables the import of local voter database through a removable hardware interface.
FR-23: *Local voter database* export.	26	Yes	Our EPBS enables the export of local voter database through a removable hardware interface.
FR-24: *Supplemental local voter database*.	27	Yes	Supplemental import functions can be disabled for New Hampshire within our EPBS.
FR 25: Deliberately left blank.	27	N/A	N/A
FR-26: The *electronic poll book* must not change *invariant data*	27	Yes	KNOWiNK's EPBS can customize particular data to be modified, or as fixed (invariant) data, and will comply with New Hampshire state law.

Title and Identifier	Page Number	Compliance: Yes/No	Comments on Potential Requirement
FR-20: As a part of the *local voter* database import, the electronic poll book system must require the user to confirm that they are importing the intended *local voter database.*	19	Yes	In KNOWiNK's EPBS, authorized user confirms in the manner FR-20 specifies. Polling place setting may be confirmed before or after import. User confirms that the polling place record counts are accurate after database import.
HIR-1: USB port.	20	Yes	The Poll Pad contains a lighting port that can accommodate an iSync drive through which voter information can be imported/exported.
HIR-2: Card reader.	20	Yes	The iPad's camera utility has been integrated into the Poll Pad application to scan barcodes. Alternatively, a magstripe reader can be deployed to scan barcodes for voter lookup.
PR-1: *Electronic poll book* capacity during peak usage.	28	Yes	KNOWiNK's EPBS complies with specified requirement.
PR-2: Voter throughput per *EPB.*	28	Yes	KNOWiNK's EPBS complies with specified requirement.
PR-3: *Voter list* export.	28	Yes	KNOWiNK's EPBS complies with specified requirements. Can specify anticipated printing time frames per various printer types and town sizes when specs are provided in inquiry.
PR-4: *Voter list* import.	28	Yes	KNOWiNK's EPBS complies with specified requirement.
PR-5: *Electronic poll book system* setup.	28	Yes	KNOWiNK's EPBS complies with specified requirement.
PR-6: *Electronic poll book* boot up and configuration.	29	Yes	KNOWiNK's EPBS complies with specified requirement.
PROCR-1: Vendor to provide two *electronic poll book systems.*	17	Yes	KNOWiNK can submit the Poll Pad EPBS and the EA Tablet EPBS for review.

Title and Identifier	Page Number	Compliance: Yes/No	Comments on Potential Requirement
PROCR-2: Vendor to provide list of customers.	17	Yes	KNOWiNK will provide a current list of clients upon the date of application for approval of our EPBS with the Secretary of the State
PROCR-3: Vendor to provide list of known anomalies.	17	Yes	In some lighting environments, overhead lighting will cause a glare on the Drivers License and impact its ability to scan. In such instances Manual Search is used to locate the appropriate voter record. Poll Pad has never had a failure or any issues that impacted its ability to accurately capture voter checkins on Election Day.
PROCR-4: Compiling, importing, and exporting *local voter database.*	18	Yes	Both solutions offered by KNOWiNK are designed to be autonomous systems. Involvement from KNOWiNK is not needed unless requested by the jurisdiction.
PROCR-5: Vendor to provide a pre-use fitness test for the *electronic poll book system.*	18	Yes	KNOWiNK is willing to support and participate in any pre-use fitness testing deemed sufficient to satisfy this requirement.
PROCR – 6: Vendor to suggest trial format that enables check of EPB accuracy against marked paper checklist.	17	Yes	KNOWiNK is willing to support and participate in Pilot elections at the behest of the interested jurisdiction.
PROCR – 7: Vendor to suggest trial format that enables check of EPBS in the event of failure of electronic components.	17	Yes	KNOWiNK is willing to support and participate in any connectivity testing deemed sufficient to satisfy this requirement.
RR-1.1: Voter check-in during interruption of connectivity.	29	Yes	Connectivity is not required for the completion of the voter check-in process.
RR-1.2: Upon restoration of connectivity.	29	Yes	Utilizing our peer-to-peer functionality, the devices deployed will synchronize to represent the same voter list consistency once connectivity is restored.

Title and Identifier	Page Number	Compliance: Yes/No	Comments on Potential Requirement
RR-1.3: Identify double voting.	29	Yes	KNOWiNK's EPBS can be configured to comply with specified requirement. Double voting is auditable.
RR-1.4: Indicate interruption of connectivity.	29	Yes	KNOWiNK's EPBS can be configured to comply with specified requirement.
RR-2: Loss of power.	30	Yes	KNOWiNK's EPBS exceeds this requirement.
RR-3: Data recovery.	30	Yes	KNOWiNK's EPBS provides for database data recovery, should one of the physical memory storage components fail. EPB supports importing an exact replica of another EPB that failed, essentially becoming a mirror image of that EPB. Alternatively, if a new EPB is introduced into the localized EPBS network at a polling place, it will automatically populate with the check-in data from the other EPBs.
RR-4: Simultaneous data storage.	30	Yes	KNOWiNK's EPBS provides for the specifications of this requirements.
RR-5: *Local voter database* replicas.	30	Yes	KNOWiNK's EPBS provides for the specifications of this requirements.
RR-6: *Local voter database* replica consistency.	30	Yes	The local voter database is consistently replicated in a quiescent state.
RR-7: Operational consistency.	30	Yes	Updates are synced across all EPBs within a peer to peer network, and reflect all changes made on any particular EPB at that polling place.
RR-8: Environmental robustness.	31	Yes	KNOWiNK's EPB is operable between temperatures ranging from 50°F to 90°F
SR-1: *EPBS* must prevent injury or damage.	31	Yes	KNOWiNK's EPBS is designed to prevent injury or damage to any individual or the hardware.

Title and Identifier	Page Number	Compliance: Yes/No	Comments on Potential Requirement
SR-2: Isolation from other electronic election systems.	31	Yes	KNOWiNK uses a Mobile Device Management System that provides access to the EPBS system. Only devices configured by KNOWiNK will be allowed to access the data contained in the EPBS system. Hence our EPBS is isolated from all other electronic election systems
SR-3: Restricted access and communications.	32	Yes	All data and communications in the EPBS are encrypted
SR-4: Eavesdropping attack prevention.	32	Yes	All data and communications in the EPBS are encrypted
SR-5: Man-in-the-middle attack prevention.	32	Yes	All data and communications in the EPBS are encrypted
SR-6: Replay attack prevention.	32	Yes	All data and communications in the EPBS are encrypted
SR-7: Imports restricted to HIR-1 (USB port).	32	Yes	Imports may be restricted to the USB (lightning) port on the EPB. This would disallow the use of Wi-Fi import
SR-8: HIR-1 (USB port) restrictions.	32	Yes	File types imported through the USB (lightning) port on the EPB are restricted to allowable file types only.
SR-9: File format verification.	33	Yes	KNOWiNK's EPBS provides for the specifications of this requirements.
SR-10: File authenticity verification.	33	Yes	KNOWiNK's EPBS provides for the specifications of this requirements.
SR-11: Signed exports.	33	Yes	KNOWiNK's EPBS can be configured to meet the specifications of this requirement.
SR-12: Use by account holders only.	33	Yes	KNOWiNK's EPBS can be configured to meet the specifications of this requirement.
SR-13: User roles.	33	Yes	KNOWiNK's EPBS can be configured to meet the specifications of this requirement.

Title and Identifier	Page Number	Compliance: Yes/No	Comments on Potential Requirement
SR-14: Access to UI-1 (authorized EPBS user interface).	34	Yes	Access requires authorized password authentication on the EPB.
SR-15: Access to UI-2 (configuration interface).	34	Yes	Access requires authorized password authentication on the EPB.
SR-16: Access to UI-3 (diagnostic interface).	34	Yes	Access requires authorized password authentication on the EPB.
SR-17: Access to UI-4 (administrative interface).	34	Yes	Access requires authorized password authentication on the EPB.
SR-18: Access to UI-5 (*local voter database*).	34	Yes	Access requires authorized password authentication on the EPB.
SR-19: File integrity verification	35	Yes	KNOWiNK's EPBS can be configured to meet the specifications of this requirement.
SR-20: Tamper evident cases.	35	Yes	Cases are fitted with the necessary hardware to accommodate a wide variety of locks and tamper evident seals used across the election industry.
UIR-1: Ballot clerk and Supervisor of the checklist interface.	19	Yes	Poll Pad provides a broad range of functionality to the Ballot Clerk on Election Day. Functions can be password protected to ensure the proper protocols are being followed.
UIR-2: Configuration interface.	19	Yes	KNOWiNK's EPBS can be configured to meet the specifications of this requirement.
UIR-3: Diagnostic interface.	19	Yes	KNOWiNK's EPBS can be configured to meet the specifications of this requirement.
UIR-4: Administrative interface.	20	Yes	KNOWiNK's EPBS can be configured to meet the specifications of this requirement.
UIR-5: Local voter database interface.	20	Yes	KNOWiNK's EPBS can be configured to meet the specifications of this requirement.

Title and Identifier	Page Number	Compliance: Yes/No	Comments on Potential Requirement
UR-1: Ease of use.	37	Yes	Poll Pad is easy to use, easy to set up, and easy to train on!

RFI - Supplemental Potential Requirements March 20, 2017			
Title and Identifier	**Page Number**	**Compliance Yes/No**	**Comments on Potential Requirement**
NH-1: Add new voters resulting from Election Day Registration to EPBS	9, 10, 11	Yes	EPBS accommodates this and has already done so in a live election.
NH-2: Extend simultaneous electronic poll books processes for voter intake over a distance of X feet. X = 70 feet	9, 10, 11	Yes	Cloud and Cradlepoint will accommodate this. If no cloud, will require additional hardware at the polling place.
100 feet		Yes	Cloud and Cradlepoint will accommodate this. If no cloud, will require additional hardware at the polling place.
150 feet		Yes	Cloud and Cradlepoint will accommodate this. If no cloud, will require additional hardware at the polling place.
NH-3: Extend electronic poll books processes in include voter registration. Add to the above distances: 30 feet	9, 10, 11	Yes	Cloud and Cradlepoint will accommodate this. If no cloud, will require additional hardware at the polling place.
70 feet		Yes	Cloud and Cradlepoint will accommodate this. If no cloud, will require additional hardware at the polling place.
100 feet		Yes	Cloud and Cradlepoint will accommodate this. If no cloud, will require additional hardware at the polling place.

Title and Identifier	Page Number	Compliance Yes/No	Comments on Potential Requirement
NH-4: Integrate return-to-undeclared activity in State Primaries: Add to the above distances: 30 feet		Yes	Cloud and Cradlepoint will accommodate this. If no cloud, will require additional hardware at the polling place. This can also be accommodated by a process on the EPB where the party change is performed. This is not necessary as a separate station.
50 feet 70 feet		Yes	Cloud and Cradlepoint will accommodate this. If no cloud, will require additional hardware at the polling place. This can also be accommodated by a process on the EPB where the party change is performed. This is not necessary as a separate station.
		Yes	Cloud and Cradlepoint will accommodate this. If no cloud, will require additional hardware at the polling place. This can also be accommodated by a process on the EPB where the party change is performed. This is not necessary as a separate station.
NH-5: Integrate address change by ballot clerk at voter intake.	9	Yes	EPBS supports address and name change.

NH-6: Support quick transition to back-up EPB process in event of mid-day synchronization or connectivity failure. Transition might be to previously-used process whereby voters line up opposite discrete alpha letters, e.g. A-C, D – G, H – M, etc. EPBs would be used at voter check-in but would not be synchronized until a much later time in the day. EPBs would not be used at voter registration.	9, 10,11	Yes	EPB can be customized to filter based on first letter of last name.
Title and Identifier	**Page Number**	**Compliance Yes/No**	**Comments on Potential Requirement**
AR-1(A): In general elections, to accommodate each voter registration station, synchronization of additional electronic poll pads, and connectivity thereof, capacity in single polling place for up to: 15 EPBs	9, 10, 11	Yes	Peer to peer is capable of supporting up to 15 EPBs
20 EPBs		Yes	Cloud and Cradlepoint will accommodate this. If no cloud, will require additional hardware at the polling place.
25 EPBs		Yes	Cloud and Cradlepoint will accommodate this. If no cloud, will require additional hardware at the polling place.
30 EPBs		Yes	Cloud and Cradlepoint will accommodate this. If no cloud, will require additional hardware at the polling place.
35 EPBs		Yes	Cloud and Cradlepoint will accommodate this. If no cloud, will require additional hardware at the polling place.
40 EPBs		Yes	Cloud and Cradlepoint will accommodate this. If no cloud, will require additional hardware at the polling place.

FR-8(A): Fulfill NH's Ballot Clerk Procedure, enabling voter to give name and be checked off, then leave the line in middle of check-in process so that voter can obtain Challenged Voter Affidavit. Voter then returns to another line, finishes the process, picks up a ballot, and EPB name reflects voter has voted.	9, 12	Yes	Voters that leave the line in the middle of the process are marked Pending and may be resumed on another EPB in the network.
FR-13(B) Enable entry of 2-character state abbreviations from a known list of 2-letter state abbreviations.	9, 12	Yes	EPBS supports all 50 state abbreviations.
Title and Identifier	**Page Number**	**Compliance Yes/No**	**Comments on Potential Requirement**
Tech -1:Connectivity: Describe combination of router, hotspot, Bluetooth, Wi-fi, hard-wiring, etc. Please comment on single point of failure risk.	9	Yes	The EPBS uses peer to peer to communicate between EPBs at the polling place. Peer to peer uses a combination of Bluetooth and Wi-Fi radios to communicate within the network. Each EPB has the ability to communicate with any EPB in the network, so if one EPB or one network service (Bluetooth or Wi-Fi) goes down, the system will continue to function.
Tech -2: Customizability: Requires/does not require a development team to customize.		Yes	The EPBS is fully customizable by the end user and does not require a development team to do so.
Tech -3: Support Model: Supports different EPB operating systems, including iOS, Palm Pilot, Android, Windows, etc.		Yes	iOS is main platform. Android and Windows are also supported.
Gen – 1: Customer Retention: Identify any customers that have not been retained and the reason.		Yes	KNOWiNK has retained all customers.

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