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SAN FRANCISCO POLICY ON DISCLOSURE OF VOTING SYSTEM TECHNOLOGY

Citizens have the right to know how their votes are counted. Technology shall not be used in a voting system that interferes with this right to know.

“Publicly Disclosed” technology refers to hardware and software whose design details have been made public, freely available for public inspection. In addition, the vendor of publicly disclosed technology grants the right to the public to test the technology and publish the test results.

The technology disclosure package is an electronic file that contains all the documents required to show exactly how the system works.

Voting system technology includes components specifically designed or modified for the voting application, as well as components that are general purpose commodity items (sometimes called COTS for “commercial-off-the-shelf”). The vendor is not expected to reveal the inner workings of unmodified COTS components. However, all unmodified COTS components must be identified by manufacturer, model, and revision. In addition, all product data sheets, manuals, and other publicly available documentation should be included for unmodified COTS components in the technology disclosure package.

All hardware and software components created or modified for the voting application must have complete documentation, including software source code, in the technology disclosure package.

“Open Source” technology refers to Publicly Disclosed technology where additional rights have been conferred to the public. These additional rights that go with open source software include the right to [1],

- Run the program for any purpose (not just testing)
- Adapt the program for your needs
- Freely redistribute copies
- Make improvements and release the improvements to the public

Open Source has additional features and benefits compared to Publicly Disclosed source. Open Source enables [2]:

- Ensure interoperability
- Avoid vendor lock-in
- Avoid imposing technology decisions on the citizenry
- Drive cost effectiveness
- Enhance efficiency and service levels
- Ensure future access to information
- Ensure a level playing field for competition
- Maximize freedom of action, ensure flexibility

The City and County of San Francisco prefers “Open Source” -- and will support efforts to reach this goal -- but requires, at a minimum, Public Disclosure of all voting technology. The vendor is not required to freely provide hardware to the public for testing purposes, but the technology disclosure package shall be sufficiently detailed such that competent

engineers with the correct tools can fully recreate the hardware and software systems.

All contracts that include the purchase of voting equipment executed by the City and County of San Francisco shall include provisions for Public Disclosure of Technology; specifically, the vendor must make arrangements to have a complete technology disclosure package available for free public download on Public Disclosure website, such as Open Voting Consortium, or the California Secretary of State, or any other third party offering to make publicly disclosed technology available for free download to the public. In the event that the Public Disclosure service becomes unavailable from the vendor's provider, the vendor agrees to make arrangements for Public Disclosure with another entity within 30 days from the time the service becomes unavailable from the original Public Disclosure service provider.

[1] Definition from Free Software Foundation <http://www.gnu.org/philosophy/free-sw.html>

[2] IBM presentation on *Open Computing, Open Standards and Open Source Recommendation for Governments* <http://www.openvotingconsortium.org/ad/ibm-oss.pdf>