**RESOLUTION OF NEBRASKA VOTERS CALLING UPON LEGISLATORS TO ADOPT MEANINGFUL LEGISLATION WHICH WOULD RESTORE ELECTION INTEGRITY TO NEBRASKA’S ELECTION PROCESS**

Whereas, the oath of an elected official binds him or her to support the Constitution of the United States and the Constitution of the State of Nebraska; and

Whereas, many Nebraska voters believe that their right to a free election and to exercise the elective franchise per Article 1-22 of the Constitution of the State of Nebraska has been hindered and impeded through a lack of transparency; and

Whereas, the elective franchise is the right of qualified voters to cast their votes for the candidates of their choosing AND to be assured that their votes are counted as they are cast; and

Whereas, the elective franchise encompasses not only the marking of the ballot, but also the interpretation (or the “counting”) of that mark which gives it meaning; and

Whereas, the oversight of the software and machines which count the votes is internal to our government and their corporate affiliates in such a way that denies Nebraskans the assurance that their votes are counted as they are cast; and

Whereas, regarding security testing, the ES&S contract with the State of Nebraska includes confidentiality and non-disclosure agreements which instruct the State to “not share or disseminate into the public realm the Testing Results or any other related information,” and “not directly or indirectly publicize in any media or public forum whatsoever any information or materials or any opinions, conclusions, or comments concerning the testing results” (State Contract 88525 O4, p.20); and

Whereas, Secretary of State Evnen has stated that Nebraska voting machines were specifically ordered not to be internet accessible due to the potential for manipulation that internet capability poses to our elections; and

Whereas, despite known vulnerabilities of internet accessibility, Nebraska’s voter registration system is maintained using internet accessibility and remote access Albert sensors which leave our voter registration system vulnerable to intrusion and manipulation; and

Whereas, in a “Joint Statement from Elections Infrastructure Government Coordinating Council and Sector Coordinating Council Executive Committees,” dated November 12, 2020, leaders of the Cybersecurity and Infrastructure Security Agency, the U.S. Election Assistance Commission, the National Association of Secretaries of State (of which Secretary of State Bob Evnen is a member), the National Association of State Election Directors (of which Deputy Secretary of State Wayne Bena is a member), ES&S senior vice president of security, Chris Wlaschin, and others involved in the oversight of our elections, stated that “The November 3rd election was the most secure in American history”, and that “There is no evidence that any voting system deleted or lost votes, changed votes, or was in any way compromised”; and

Whereas, despite an ongoing nationwide election integrity crisis, those named in that joint statement still insist that our elections are secure; and

Whereas, ES&S’s history of refusing to comply with subpoenas has further eroded public trust in the services they provide; and

Whereas, hand counting of votes under recorded video surveillance would allow full transparency to the public and would restore faith in our voting system; and

Whereas, on the January 25, 2022 DriveTime Lincoln radio program, Secretary of State Evnen--in reference to a grant received by Lancaster County in September 2020 from the Center for Tech and Civic Life and funded by Mark Zuckerberg, stated that “Lancaster County accepted $404,000, and they spent it on personal protective equipment;” and

Whereas, the “CTCL COVID-19 Response Grant Report” submitted by Lancaster County Election Commissioner David Shively indicates that $0 of the grant money was used to purchase personal protective equipment and that the grant money was primarily used to facilitate mail-in voting, including the purchase of ballot drop boxes; and

Whereas, Secretary of State Evnen stated on DriveTime Lincoln radio on January 25, 2022, that ballot drop boxes were utilized as part of the COVID-19 response, and that “That was the purpose for them and now that purpose has come and gone;” and

Whereas, despite giving an inaccurate reporting of how the CTCL grant money was spent, Secretary of State Bob Evnen claimed in public speeches that the use of the CTCL grant money was investigated and did not affect the outcome of any elections in Lancaster County—a claim which was backed up by Deputy Secretary of State Wayne Bena who said in the Government Affairs Committee hearing on January 26, 2022, “To be clear, the acceptance of this private funding by Lancaster County did not change how the 2020 election was conducted by the election commissioner, or its outcome.”; and

Whereas, the failure of Nebraska’s election officials to accurately know how the CTCL grant money was spent calls into question the veracity of the claims that a thorough investigation of the matter was conducted and casts doubt upon claims that it can be known that the grant money did not change the outcome of Lancaster County elections; and

Whereas, these contradictory statements from election officials justify the concerns of Nebraskans who no longer have faith in them as trusted sources, and they merit a response from our senators to ensure that our elections are made transparent to the voters; therefore, be it

RESOLVED that Nebraskans call upon our senators to introduce and prioritize legislation in the 2023 legislative session which would seek to accomplish the following goals:

1) To remove all internet accessibility and remote access used in maintenance of voter rolls; and

2) To change the definition of “voting system” to state that electronics and software may be used in the creating of ballots, and only in the casting of ADA-compliant votes, and never in the counting of votes, though not to exclude calculators free of programmable software, nor electronics as used in recorded video surveillance of the process; and

3) To end the use of ballot drop boxes and to require that any ballots not returned by mail be delivered to the county election office; and

4) To require a chain-of-custody procedure for any ballots being delivered on behalf of another person, such as a receipt process that records the name of the third-party and the number of ballots submitted by the third-party.