



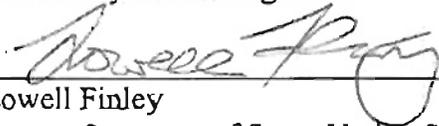
DEBRA BOWEN | SECRETARY OF STATE | STATE OF CALIFORNIA
1500 11th Street, 6th Floor | Sacramento, CA 95814 | Tel (916) 653-7244 | Fax (916) 653-4620 | www.sos.ca.gov

May 1, 2009

County Clerk/Registrar of Voters (CC/ROV) Memorandum #09076

TO: All County Clerks/Registrars of Voters

FROM:


Lowell Finley

Deputy Secretary of State, Voting Systems Technology & Policy

RE: Voting Systems: Administrative Approval Requirements

The Secretary of State has released requirements for vendors seeking administrative approval in accordance with Elections Code section 19213.

The document can be found on the Secretary of State's website at www.sos.ca.gov/elections/directives.htm and www.sos.ca.gov/elections/vs_app.htm.

The document is attached for your convenience.

Attachments (1)



Minimum Requirements for Administrative Approval of a Change or Modification to a Voting System Approved for Use in California

Effective May 1, 2009

California Election Code section 19213 precludes a voting system or part of a voting system that has been approved by the Secretary of State from being changed or modified until the Secretary of State has been notified in writing of the change and has determined the change “does not impair its accuracy and efficiency sufficient to require a reexamination and reapproval” The Secretary of State is permitted to adopt rules and regulations governing the procedures to be followed in determining whether the change impairs the accuracy or efficiency of the voting system.

Pursuant to Elections Code section 19213, all administrative approval requests submitted under this section shall comply with the rules noted below.

Documentation of Changes or Modifications

- ❑ The vendor must submit a list of every voting system component, whether it is hardware, firmware, or software, that interacts directly or indirectly with the voting system component or components for which administrative approval of a change or modification is requested. The documentation shall include version numbers of software, hardware and firmware.
- ❑ The vendor must submit documentation supporting the need for each change or modification.
- ❑ The vendor must identify each modified component as either commercial-off-the-shelf (COTS), third party, or vendor-developed. Where applicable, the name of any third party company that developed the modified component shall be included.

Documentation of Testing

- ❑ The voting system testing laboratory (VSTL) must submit to the Secretary of State all testing documentation concerning the change or modification, including, but not limited to, the voting system vendor’s request for testing and all engineering change orders, test scope, test plans, test data, test results and a summary report.

- If there is a change to software or firmware, the VSTL must conduct a functional test of the full voting system with the requested change incorporated and supply the Secretary of State with the test plan, test data, test results and summary report.
- The VSTL must conduct all necessary tests of each component of the California-approved voting system that is affected by the requested change. If the VSTL concludes an approved component of the system is not affected by the change and no testing is necessary, the VSTL report must include a narrative explanation of how it reached that conclusion and not simply a conclusory indication, such as a check mark on a form or an entry such as “n.a.,” “none” or “no.”
- If the requested administrative approval includes changes to the source code of the California-approved voting system, the VSTL must thoroughly examine and compare the original and changed source code, and explain any finding it issued that the changes do not adversely affect the functionality or security of the voting system.
- A copy of the modified source code must be submitted to the Secretary of State’s office, along with the VSTL report on the source code changes.
- In the event administrative approval is granted, the modified source code must be escrowed with an approved California escrow facility before it can be used in a California election.

After receiving and reviewing all documentation from the vendor and VSTL, the Secretary of State will determine whether any proposed modification or change impairs the efficiency or accuracy of the voting system sufficient to require a reexamination and reapproval. To make this determination, the Secretary of State may require additional testing.

All administrative approval requests should be sent to the Office of Voting Systems Technology Assessment by mail to 1500 11th Street, Sacramento, CA 95814, or by email to votingsystems@sos.ca.gov.