



DEBRA BOWEN | SECRETARY OF STATE | STATE OF CALIFORNIA
OFFICE OF VOTING SYSTEMS TECHNOLOGY ASSESSMENT
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May 11, 2010

County Clerk/Registrar of Voters (CC/ROV) Memorandum #10149

To: All County Clerks/Registrars of Voters

FROM: 

Lowell Finley
Deputy Secretary of State, Voting Systems Technology & Policy

RE: Voting Systems: Suspension of "Air-Gap" Condition for Jurisdictions Conducting an Election After June 8, 2010, and before July 14, 2010

Attached is a document suspending the "Air-Gap" condition, which has been placed on voting systems, for jurisdictions conducting an election after June 8, 2010, and before July 14, 2010. If you have any questions, please contact the Office of Voting Systems Technology Assessment at (916) 653-7244, or via email at votingsystems@sos.ca.gov.

State of California



SECRETARY OF STATE

SUSPENSION OF "AIR-GAP" CONDITION FOR CERTAIN JURISDICTIONS CONDUCTING AN ELECTION AFTER JUNE 8, 2010, AND BEFORE JULY 14, 2010

Whereas, on October 25, 2007, I issued Additional Conditions for Use of the Election Systems & Software, Inc. Optical Scan Voting System with UNITY Election Management System version 2.4.3.1 and Hart InterCivic System 6.2.1 Voting System; and

Whereas, on December 6, 2007, I issued Additional Conditions for Use of the Premier Election Solutions, Inc. GEMS version 1.18.24 Voting System and Sequoia Voting Systems, Inc. WinEDS version 3.1.012 Voting System; and

Whereas, on June 30, 2008, I issued an Approval for Use of the Election Systems and Software, Inc. Optical Scan Voting System with UNITY Election Management System Version 3.0.1.1; and

Whereas, on December 4, 2009, I issued an Administrative Approval for Use of the Sequoia Voting Systems, Inc. WinEDS version 4.0.116B blended system incorporating the Sequoia Edge 2 with firmware version 5.0.24, with VeriVote Printer; and

Whereas, the mandatory Use Procedures for each voting system described herein incorporate, or employ methods at least as effective as, a configuration of parallel central election management systems separated by an "air gap" where (1) a permanent central system known to be running unaltered, certified software and firmware is used solely to define elections and program voting equipment and memory cards, (2) a physically-isolated duplicate system, reformatted after every election to guard against the possibility of infection, is used solely to read memory cards containing vote results, accumulate and tabulate those results and produce reports, and (3) a separate computer dedicated solely to this purpose is used to reformat all memory devices before they are connected to the permanent system again, referred to herein as the "Air Gap"; and

Whereas, in 2010, certain California jurisdictions using one of the voting systems described above for the June 8, 2010, Statewide Direct Primary Election must conduct elections, on dates subsequent to June 8, 2010, that do not allow sufficient time to fulfill the "air gap" requirement for those subsequent elections; and

Whereas, where circumstances require it, the Secretary of State may adjust or suspend any of the voting system conditions for a vendor or a jurisdiction, as the Secretary of State deems prudent and necessary to facilitate successful elections; now

Therefore, I, Debra Bowen, Secretary of State of the State of California, find and determine, pursuant to Division 19 of the Elections Code, as follows:

For the reasons set forth above, the Air Gap requirements attached to the systems described herein, as described in each system's Use Procedures, are suspended for any election that a jurisdiction must conduct after June 8, 2010, and before July 14, 2010, using a voting system the jurisdiction used for the June 8, 2010, Statewide Direct Primary Election. Any jurisdiction affected by the suspension, must notify the Secretary of State's Office of Voting System Technology Assessment, in writing, of all elections that will be affected.



IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California, this 11th day of May, 2010.

Debra Bowen
DEBRA BOWEN
Secretary of State