November 12, 2013

County Clerk/Registrar of Voters (CC/ROV) Memorandum #13098

TO:         All County Clerks/Registrars of Voters

FROM:       /s/ Susan Lapsley
            Deputy Secretary of State and Counsel

RE:         Voting Systems: OVSTA Monthly Update – November 2013

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting systems.

Each update provides information on:

- Voting system related events that may be of interest.
- Administrative approvals and denials since the prior month's update.
- Administrative approval requests since the prior month's update.
- Voting system testing and approval at the SOS office.
- Voting system testing and certification at the EAC.
- Defect, failure and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

## Recent and Upcoming Events

On October 25, 2013, the SOS issued the proposed voting system regulations and the comment period runs through December 20, 2013.  There will be a public hearing on December 13, 2013, at 2:00 p.m. at the Secretary of State's Auditorium.  All of the rulemaking documents are located on the SOS website at www.sos.ca.gov/admin/regulations/proposed/elections/voting-systems/.

In response to a Request for Quote (RFQ), the SOS awarded a contract to Freeman, Craft, McGregor Group to provide test support services related to the Dominion Democracy Suite 4.14 Voting System.

The SOS observed the use of ePollBooks in Solano and Humboldt counties during the November 5, 2013, local elections.

## Administrative Approval Requests

California Elections 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 determined that the change "does not impair its accuracy and efficiency. . . ."

Information on submitting an administrative approval request is in "Requesting Administrative Approval of a Change or Modification to an Approved Voting System."

## Under Review – Continuing

- In April, ES&S requested administrative approval to use the Dell PowerEdge T310 tower as a backup server for jurisdictions using the GEMS 1.18.24 voting system.  OVSTA informed ES&S that it must receive a VSTL determination on the equivalency, pursuant to the EAC Notice of Clarification #2012-01, of the Dell PowerEdge T310 tower to the currently approved GEMS server.  ES&S has submitted this to the VSTL.

## Testing and Approval by the State of California

- The Secretary of State continues to receive revisions to the application and technical data package for the testing and review of the Dominion Democracy Suite 4.14 Voting System.  OVSTA is reviewing all of the submitted documentation.

## Testing and Certification at the EAC

The EAC provides a weekly update of voting system testing. As of November 5, 2013, the current testing and certification status for systems relevant to California is:

**Dominion Democracy Suite 4.14.A** The EAC issued a Grant of Certification for this system on September 20, 2013.  Related documents can be found on the EAC website.

**ES&S Unity 3.4.1.0.** EAC, Wyle and ES&S began weekly status calls as soon as the government reopened.  The EAC received a draft Test Plan on October 25, 2013.  The EAC will provide comments or approval by November 22, 2013.  Related documents can be found on the EAC website.

**ES&S EVS 5.0.1.0.** The EAC received an application for the ES&S EVS 5.0.1.0 modification on November 1, 2013.  The application was accepted on November 6, 2013. Related documents can be found on the EAC website.

**Hart InterCivic Verity 1.0.** Hart experienced internal testing and project delays in the last several weeks.  Hart notified the EAC that the delivery of equipment to SLI to begin testing is pushed back until the end of November or beginning of December.  SLI completed source code and TDP review for the Verity Relay portion of the system in

late September.  SLI sent comments and discrepancies to Hart upon completion of that review.  The EAC expects delivery of a revised project schedule in the next couple of weeks.  Related documents can be found on the EAC website.

**Unisyn OpenElect 1.2.**  There were a few discrepancies identified during recent testing.  Unisyn provided the EAC with a root cause analysis for each discrepancy, which is under review by the EAC project manager and Technical Reviewers.  Testing is complete and the EAC received a draft Test Report on October 30, 2013.  The EAC will provide comments or approval by December 2, 2013.  Related documents can be found on the EAC website.

The EAC's "Voting Systems Under Test" and "Certified Voting Systems" pages provide more specifics on each voting system.

## Defects, Failures and Faults

Defects, failures and faults (problem reports) of voting system hardware and software are reported to the Secretary of State. The Secretary of State in turn provides the reports to the EAC which provides them to the public on the EAC Voting System Reports clearinghouse webpage.

In October, the Secretary of State received a problem report on the Dominion/Sequoia WinEDS 3.1.012 voting system.  For more information contact the voting system vendor, or OVSTA, or go to the EAC website, at EAC Voting System Reports.

## Ballot Printing Certification Requests

### Ballot Manufacturers and Finishers

Ballot on Demand Manufacturers Certified:

- San Joaquin County was certified to be a manufacturer of Premier AccuVote-OS ballots using the ES&S Balotar Ballot on Demand Print System.
- Santa Clara County received certification to be a manufacturer of Dominion/Sequoia Optech ballots using the Runbeck Sentio Ballot on Demand Print System in a non-networked, over-the-counter configuration.  The certification was for the Santa Clara County office and a second certification was issued on a one-time basis for a separate facility located in Sunnyvale.

A list of certified ballot printers can be found at www.sos.ca.gov/voting-systems/cert-and-approval/ballots.htm.