September 4, 2014

County Clerk/Registrar of Voters (CC/ROV) Memorandum #14239

TO: All County Clerks/Registrars of Voters

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

RE: Voting Systems: OVSTA Monthly Update – September 2014

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

The Secretary of State will be updating the Ballot Tally Source Code regulations contained in sections 20610 through 20682 of Title 2 of the California Code of Regulations. The purpose of revising the regulations is to:

1. Reflect the changes in current business practices
2. Remove requirements that are no longer relevant
3. Add Election Management System source code in accordance with AB 829 (Fong) of 2013
4. Replace ballot tally software program source code with the term "voting system source code(s)" in accordance with SB 360 (Padilla) of 2013
5. Add ballot marking system source code(s) in accordance with SB 360 (Padilla) of 2013

Information related to this rulemaking package can be found on the Secretary of State website at www.sos.ca.gov/admin/regulations/proposed/.

The EAC hosted a roundtable entitled "EAC Grants: Expanding the Body of Knowledge of Elections Administration – Reflections and Future Direction" to explore past successes and future directions of the EAC grants program. The roundtable took place on Wednesday, September, 3, 2014. More information is available on the EAC website.

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 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."

- There are currently no administrative approval requests.

Testing and Approval by the State of California

- The Secretary of State received a completed application for the Dominion Democracy Suite 4.14 Voting System on November 13, 2013. The system is composed of the election management system, a combined ballot marking device and precinct count optical scan machine and an off-the-shelf central count scan machine. The source code review and penetration testing is complete and draft reports are being reviewed by OVSTA. Volume testing was completed May 1, 2014. Accessibility was completed May 9, 2014. The functional testing began February 3, 2014, and is ongoing.

Testing and Certification at the EAC

The EAC provides a weekly update of voting system testing. As of August 26, 2014, the current testing and certification status for systems relevant to California is:

Dominion Democracy Suite 4.14-D. The EAC received the draft Test Plan on August 26, 2014, and will provide comments by September 23, 2014. Related documents can be found on the EAC website.

Everyone Counts. The EAC is waiting for additional information related to the system and a response from Everyone Counts on the draft Technology Testing Agreement. Related documents can be found on the EAC website.

Hart InterCivic Verity 1.0. Hart is working on design changes to its system. Testing is delayed until Hart is ready to proceed. Related documents can be found on the EAC website.

Unisyn OpenElect 1.3. NTS is conducting environmental testing. 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 (1) voting system hardware and software and (2) ballot printing manufacturing and finishing are reported to the Secretary of State. During the month of August:

- The Secretary of State did not receive any reports of voting system problems.
- The Secretary of State did not receive any reports of ballot printing problems.

Ballot Printing Certification Requests

Ballot Manufacturer and Finisher Certifications:

- Runbeck Election Services was certified to use the HP T230 Inkjet printer to print ES&S M100, M650, and AutoMARK ballots at its Tempe, Arizona certified facility.

Ballot on Demand systems under review:

- Placer County requested to be certified as a manufacturer of Premier AccuVote-OS ballots using the Runbeck Sentio Print System.
- Santa Barbara County requested to be certified as a manufacturer of Premier AccuVote-OS ballots using the Runbeck Sentio Print System.

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