January 7, 2015

County Clerk/Registrar of Voters (CC/ROV) Memorandum #15002

TO: All County Clerks/Registrars of Voters

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

RE: Voting Systems: OVSTA Monthly Update – January 2015

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

Happy New Year! We hope everyone had a fun and relaxing holiday and we look forward to a wonderful 2015.

On Monday, January 5, 2015, Secretary of State Alex Padilla was sworn in as the 31st Secretary of State. During his inaugural speech he spoke of increasing voter turnout, the use of new technologies, and vote centers. These items directly affect OVSTA and the work it does. It should be exciting over the next year testing, certifying and assisting jurisdictions in implementing these new technologies. OVSTA looks forward to working with the counties and vendors to bring the voters of California a better and easier voting experience.

A public hearing on the Dominion Democracy Suite 4.14.A.1 with Adjudication 2.4 voting system was held on Friday, December 12, 2014, at 1:00 p.m. in the Secretary of State Auditorium. Public comment was accepted through Friday, December 19. See below for details.

On December 10, 2014, the Office of Administrative Law (OAL) approved the Secretary of State's proposed Voting System Certification regulations. The regulations become effective on April 1, 2015. Additionally, on December 31, 2014, OAL approved the Secretary of State's proposed Escrow of Source Codes regulations. Those regulations will also go into effect on April 1, 2015.

OVSTA staff has been invited to participate in the "Usability and Accessibility Roadmap Workshop" at the University of Baltimore on Friday, January 9, 2015. This workshop is sponsored by the National Institute of Standards and Technology (NIST) in collaboration with the Center for Civic Design to create a roadmap to guide future work. Once completed, this roadmap will outline an infrastructure, topics and a process for NIST to develop guidance to improve the usability and accessibility of voting systems and election processes.

Testing and Approval by the State of California

- Former Secretary of State Debra Bowen conditionally certified the use of the Dominion Democracy Suite 4.14.A.1 with Adjudication 2.4 voting system on December 30, 2014. This conditional certification is subject to Dominion receiving approval for a modification to the Adjudication component to fix a problem that allows an adjudication judge to inadvertently and erroneously change vote selections while maneuvering the ballot image during the adjudication process.

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."

- Dominion submitted an application for the modified Adjudication version 2.4.1.14601. This application only includes a modified Adjudication component and leaves the remainder of the recently certified Democracy Suite 4.14.A.1 unchanged. OVSTA has received the application, source code, application software, and updated use procedures. OVSTA will review the documentation to determine the scope of changes to formulate a test plan.

Testing and Certification at the EAC

The EAC provides a weekly update of voting system testing. As of January 6, 2015, the current testing and certification status for systems relevant to California is:

Everyone Counts eLect Voting Solution 4.0. The EAC is waiting for additional information related to the system and a response from Everyone Counts on the draft Technology Testing Agreement. Weekly status calls for this campaign began on December 4, 2014. Related documents can be found on the EAC website**.**

Hart InterCivic Verity 1.0. Hart is currently testing at SLI Global Solutions and is expected to finish testing in mid-January. The EAC expects to receive the draft Test Report from SLI in February 2015. Related documents can be found on the EAC website.

Unisyn OpenElect 1.3. EAC approved the final Test Report on December 23, 2014. EAC received an addendum to the Test Report to correct version numbers. 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.

- The Secretary of State received a problem report on the Dominion/Sequoia 3.1.012 voting system.

Ballot Printing Certification Requests

- The Secretary of State does not have any pending ballot printing certification requests.

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