February 9, 2016

County Clerk/Registrar of Voters (CC/ROV) Memorandum #16057

TO: All County Clerks/Registrars of Voters

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

RE: Voting Systems: OVSTA Monthly Update – February 2016

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

OVSTA received comments on its latest round of draft proposed ballot printing regulations. It is currently reviewing the comments that were submitted during this second comment period. After making the necessary revisions, based on the comments provided, OVSTA will start preparing the documents for the formal rule making process.

OVSTA received a comment on the draft proposed Electronic Poll Book regulations and requirements. It is currently incorporating the necessary modifications based on the comment it received. OVSTA will start preparing the documents for the formal rule making process.

OVSTA is attending at the National Institute of Technology (NIST) and the Election Assistance Commission (EAC) Technical Development Guidelines Committee (TGDC) meeting in Washington, D.C. this week, working on the next generation of the Voluntary Voting System Guidelines. This meeting is being webcast on the EAC website here. Further, NIST, EAC, and the TGDC have embarked upon a public process to assist with the development of the next iteration of the Voluntary Voting System Guidelines. There

have been seven public working groups created as a public/private partnership to inform and define the guidelines. There are the following three Election Cycle Groups (1) Pre-Election, (2) Election, (3) Post-Election and the following four Constituency Groups (1) Cyber Security, 2) Human Factors, including Accessibility and Usability, (3) Interoperability, and (4) Testing & Certification. More information on the public working groups, including information on how to participate, may be found on the NIST Voting webpage here.

Testing and Approval by the State of California

- The Elections Systems and Software, Inc. (ES&S) Unity 3.4.1.0 voting system testing is underway. Functional testing and source code review began in January. Functional testing has been paused as OVSTA awaits information and documentation from ES&S. The source code review is still underway.

Administrative Approval Requests

California Elections Code section 19216 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."

Administrative Approvals Under Review

- On January 14, 2016, Dominion received administrative approval for seven modifications to its Democracy Suite version 4.14-A.1 with Adjudication 2.4.1.14601 voting system.   An eighth ECO (Engineering Change Order) had been submitted, but OVSTA was awaiting documentation and the completion of testing at the EAC before making a determination. On February 3, 2016, Dominion provided notice of the completion of testing at the EAC and provided the additional documentation. OVSTA is reviewing this information and will be making a determination after it completes its review.

Administrative Approvals Approved

- On January 22, 2016, OVSTA administratively approved two engineering change orders for the Sequioa WinEDS voting systems, specifically regarding the Insight/Insight Plus optical scan machines and AVC Edge DRE components.

Testing and Certification at the EAC

The EAC provides a weekly update of voting system testing. As of the last update on January 26, 2016, the current testing and certification status for systems relevant to California is:

ESS EVS 5.4.0.0. A discrepancy was found during electro static discharge testing and ESS is delivering a random sampling of production units for testing to NTS, to make sure the proposed mitigations resolve the discrepancies found during electrical fast transient (EFT), Electrostatic Disruption (ESD), Electrical Power Disturbance and FCC Radiated and Conducted tests. If they pass the tests, NTS will deliver a test report to EAC. Related documents can be found on the EAC website.

Everyone Counts eLect Quad Audit 4.3.0. EAC is reviewing questions from the kick off meeting and working with the VSTL and manufacturer to prepare for testing. Related documents can be found on the EAC website.

Hart Verity Voting 2.0. EAC provided comments on the draft Test Plan to SLI on January 19th and will work through the comments with SLI. SLI is working through document and code review. Testing is underway and should wrap up in early February. 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 defect report on the Dominion Democracy Suite 4.14-A.1 voting system, specifically on the ImageCast Central (ICC). All affected jurisdictions should have been notified directly by Dominion. For more information, please contact your vendor or OVSTA.

Ballot Printing Certification Requests

Ballot Printing Pending Applications

- Runbeck Election Solutions has a pending application for Dominion Democracy Suite ImageCast ballots.

A list of certified ballot printers can be found at http://www.sos.ca.gov/elections/voting-systems/certification-and-approval/ballot-printer-certification/.

Electronic Poll Book Certification Requests

- Election Systems and Software submitted an application for their ExpressPoll EZRoster v3.2.2.0.