

# The State of Texas



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Jane Nelson  
Secretary of State

## MEMORANDUM

TO: Adam Bitter, General Counsel, Texas Secretary of State

FROM: Christina Adkins, Director of Elections, Texas Secretary of State

DATE: May 12, 2023

RE: Election Systems & Software – EVS 6.2.0.0 Voting System Examination

In accordance with my appointment by the Texas Secretary of State as a voting system examiner under Tex. Elec. Code §122.067, I present the following addendum to my report on the voting system examination which took place on June 22-23, 2022, in the offices of the Texas Secretary of State at the James E. Rudder Building, 1019 Brazos, Austin, Texas 78701.

The EVS 6.2.0.0 system introduced the Regional Results module, which is designed to allow jurisdictions to transmit unofficial results via a secure network protocol from regional substations to the central counting station. In the course of the EVS 6.2.0.0 exam, the examiners requested additional documentation relating to the Regional Results module and the applicable procedures for that module.

The vendor also presented this module as part of the EVS 6.3.0.0 system, which is currently being reviewed for possible certification of that system. In the change notes for the EVS 6.3.0.0 system, the vendor identified a security vulnerability that had existed in the Cisco firmware for the firewall that was used with the Regional Results module in EVS 6.2.0.0. Because that security issue would be relevant to my recommendation regarding the certification of that module for the EVS 6.2.0.0 exam, I have prepared this addendum to my report to address that specific issue and recommend a further condition on certification of the EVS 6.2.0.0 system.

Specifically, I would recommend that a condition be placed on the certification of the EVS 6.2.0.0 system that the Regional Results module will not be considered a part of the certified system until the following two modifications are submitted for review and approved by the Secretary of State's Office under the procedures for approval of a minor modification outlined in Chapter 122, Subchapter C of the Texas Election Code and Rule 81.65 of the Texas Administrative Code:

1. The modifications contained in ECO 1143, which was approved by the EAC on November 21, 2022.

2. A future ECO resolving the Cisco Firmware issue for the Regional Results module that was identified in the EVS 6.3.0.0 change notes as SEC-655.

I would also recommend that a condition be placed on certification of this module that the use of the Regional Results module must be consistent with the procedures prescribed by the Secretary of State's Office in order for the module to be considered to be within the scope of certification.

Because the Regional Results module complies with the standards for transmission of unofficial results for ENR purposes outlined in Texas Election Code 127.1231(b) and Advisory 2019-23, and because the EVS 6.2.0.0 system complies with the necessary requirements for certification of a voting system under Texas law, I would recommend certification of the system with this module, subject to the conditions described above.