The State of Texas

Rolando B. Pablos
Secretary of State

REPORT OF REVIEW OF ES&S EVS 5.2.4.0, ExpressVote, and AutoMARK

PRELIMINARY STATEMENT

On July 10th, 2018, Election Systems & Software (the "Vendor") presented EVS 5.2.4.0 Voting System, ExpressVote and AutoMARK for examination and certification. The examination was conducted in Austin, Texas. Pursuant to Sections 122.035(a) and (b) of the Texas Election Code, the Secretary of State appointed the following examiners:

1. Mr. Stephen Berger, an expert in electronic data communication systems;
2. Mr. Tom Watson, an expert in electronic data communication systems;
3. Mr. Brandon Hurley, an expert in election law and procedure; and
4. Mr. Tim Juro, an expert in election law and procedure.

Pursuant to Section 122.035(a), the Texas Attorney General appointed the following examiners:

1. Dr. Jim Sneeringer, an expert in electronic data communication systems; and
2. Mr. John Ellis, an employee of the Texas Attorney General.

On July 10th, 2018, all examiners were present and witnessed the installation of the EVS 5.2.4.0 software and firmware that the Office of the Texas Secretary of State (the "Office") received directly from the Independent Testing Authority. Mr. Juro examined the accessibility components of the ExpressVote ballot marking device. Also, Ms. Krystine Ramon and Ms. Allison Fick, staff attorneys with the Office, reviewed the accessibility components of the ExpressVote.

After the accessibility review, the Vendor demonstrated the system, answered questions presented by the examiners, and test ballots were then processed on each voting device. The results were accumulated and later verified for accuracy by the Secretary of State staff. Each examiner attended.

Other members of the Office of the Texas Secretary of State's Elections Division staff were present at various points during the examination. Examiner reports on the system are attached hereto and incorporated herein by this reference.

On August 17, 2018, a public hearing was conducted in which interested persons were given an opportunity to express views for or against certification of the system.

BRIEF DESCRIPTION OF EVS 5.2.4.0, EXPRESSVOTE, AND AUTOMARK

The EVS 5.2.4.0 Voting System (together with the AutoMark and ExpressVote) contains components in previous version(s) of EVS that the Secretary of State certified on December 15, 2016 and/or July 28, 2017. This certification exam was the result of hardware modifications to the ExpressVote component. These modifications necessitated revisions to the system's software and firmware.

EVS 5.2.4.0 (together with AutoMARK and ExpressVote) has been evaluated at an accredited independent voting system testing laboratory for conformance to the 2005 Voluntary Voting System Guidelines (VVSG). It has received Elections Assistance Commission (EAC) # ESSEVS5240 on June 5, 2018.

The components of EVS 5.2.4.0 (together with the AutoMARK and ExpressVote) are as follows:

Component	Version	Description
ElectionWare	4.7.1.4	Database system that allows jurisdictions to code, layout paper ballots, and burn media.
Event Log Service	1.5.5.0	Background function that monitors the functioning of Windows Event Viewer
Express Vote 1.0 Previewer	1.4.1.7	Allows user to preview screen and layout and audio for ExpressVote
ExpressVote 2.1 Previewer	2.4.2.0	Allows user to preview screen and layout and audio for ExpressVote
Removable Media Service	1.4.5.0	Supports Installation and removal of election and results media
ExpressVote HW 1.0	1.4.1.7	Accessible electronic ballot marker
ExpressVote HW Rev 2.1	2.4.2.0	Accessible electronic ballot marker and precinct scanner
Election Reporting Manager (ERM)	8.12.1.1	Database system that stores all of a jurisdiction's election information data
AutoMARK Voter Assist Terminal	1.8.6.1	Accessible electronic ballot marker
DS200 Precinct Scanner	2.12.2.0	Precinct Scanner and Tabulator
DS450 Central Scanner	3.0.0.0	Central Scanner and Tabulator
DS850 Central Scanner	2.10.2.0	Central Scanner and Tabulator

FINDINGS

The following are the findings, based on written evidence submitted by the Vendor in support of its application for certification, oral evidence presented at the examination, and Texas voting system examiner reports.

The EVS 5.2.4.0 (together with ExpressVote and AutoMARK) meets the standards for certification as prescribed by Section 122.001 of the Texas Election Code. Specifically, the EVS 5.2.4.0, ExpressVote and AutoMARK components, among other things:

1. Preserve the secrecy of the ballot;
2. Are suitable for the purpose for which they are intended;
3. Operate safely, efficiently, and accurately and complies with the voting system standards adopted by the Election Assistance Commission;
4. Are safe from fraudulent or unauthorized manipulation;
5. Permit voting on all offices and measures to be voted on at the election;
6. Prevent counting votes on offices and measures on which the voter is not entitled to vote;
7. Prevent counting votes by the same voter for more than one candidate for the same office or, in elections in which a voter is entitled to vote for more than one candidate for the same office, prevent counting votes for more than the number of candidates for whom the voter is entitled to vote;
8. Prevent counting a vote on the same office or measure more than once;
9. Permit write-in voting;
10. Are capable of permitting straight-party voting; and
11. Are capable of providing records from which the operation of the system may be audited.

CONDITIONS

During the examination of the systems and in previous examinations of the components, some examiners identified certain aspects of the systems they though might be improved, though each examiner recommended certification notwithstanding these aspects. In addition, at least one examiner had raised a concern relating to a previous iteration of the system that may still be applicable here, but it can be adequately addressed through a condition imposed on certification. The condition on certification is as follows:

1. The DS200 has a portable ballot box with spaces for two locks. Pursuant to 85.032 of the Texas Election Code, this ballot box may not be used during early voting unless two different locks are affixed thereto, each with a different key. In addition, the Office has issued procedures to counties to address the transfer of voter ballots in the event there is a full ballot box.

CONCLUSION

Accordingly, based upon the foregoing, I hereby certify the EVS 5.2.4.0, ExpressVote and AutoMARK Voting Systems for use in elections in Texas, subject to the above condition.

Signed under my hand and seal of office, this _3rd_ day of _October_ 2018.

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VINCENT R. HOUSTON
INTERIM DEPUTY SECRETARY OF STATE