

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov
www.votetexas.gov



Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

REPORT OF REVIEW OF ES&S EVS 6.0.0.0, ExpressVote, and ExpressTouch

PRELIMINARY STATEMENT

On September 5 and 6, 2018, Election Systems & Software (the "Vendor") presented EVS 6.0.0.0, ExpressVote, and ExpressTouch 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. Ms. Elaine Kiang, 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. Ms. Alli Fick, 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
2. Mr. John Ellis, Texas Attorney General's Employee.

On September 5, 2018, Jim Sneeringer, Brandon Hurley, Elaine Kiang, and Alli Fick witnessed the installation of the EVS 6.0.0.0 software and firmware that the Office of the Texas Secretary of State (the "Office") received directly from the Independent Testing Authority. Ms. Fick examined the accessibility components of the ExpressVote and ExpressTouch. Also, Ms. Genevieve Gill, a staff attorney with the Office, reviewed the accessibility components of the ExpressVote and ExpressTouch.

On September 6, 2018, 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 was present at some point during the day.

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 October 16, 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 6.0.0.0, ExpressVote, and ExpressTouch

The EVS 6.0.0.0 Voting System (together with ExpressVote and ExpressTouch) contains a new component and updated versions of some of the components of previous versions of EVS that the Secretary of State certified on December 16, 2016 and July 28, 2017 (which were updated on December 6 and October 26, 2017, respectively). The ExpressTouch is a new component that has not been previously certified in Texas.

EVS 6.0.0.0 (together with ExpressVote and ExpressTouch) 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) # ESSEVS6000 on July 2, 2018.

The components of EVS 6.0.0.0 (together with the ExpressVote and ExpressTouch) are as follows:

Component	Version	Description
ExpressTouch	1.0.0.0	Accessible electronic vote capture and tabulation device
DS200	2.17.0.0	Precinct Scanner and Tabulator
DS450	3.1.0.0	Central Scanner and Tabulator
DS850	3.1.0.0	Central Scanner and Tabulator
ExpressVote HW 1.0	1.5.0.0	Accessible electronic ballot marker
ExpressVote HW 2.1	2.4.0.0	Accessible electronic ballot marker and precinct scanner
Electionware	5.0.0.0	Database system that allows jurisdictions to code, layout paper ballots, and burn media.
ES&S Event Log Service	1.6.0.0	Background function that monitors the functioning of Windows Event Viewer
ExpressVote Previewer (1.0)	1.5.0.0	Allows user to preview screen and layout and audio for ExpressVote
ExpressVote Previewer (2.1)	2.4.0.0	Allows user to preview screen and layout and audio for ExpressVote
Removable Media Service	1.5.0.0	Supports installation and removal of election and results media

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.

EVS 6.0.0.0 (together with ExpressVote and ExpressTouch) meets the standards for certification as prescribed by Section 122.001 of the Texas Election Code. Specifically, the EVS 6.0.0.0, ExpressVote, and ExpressTouch 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 comply 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 components, some examiners identified certain aspects of the systems they thought might be improved, though each examiner, with the exception of Ms. Kiang as to two factors, recommended certification notwithstanding these aspects. In addition, while the two factors raised by Ms. Kiang as potential conditions may constitute improvements to the system's function and/or usability, they do not appear to be necessary to certification or to implicate the standards in Section 122.001 of the Texas Election Code or other standards relevant to voting systems certification (and also would appear to require the Vendor to return to the Election Assistance Commission for a modification of its current certification). Accordingly, the suggested conditions addressing these two factors are not adopted.

Conditions on certification are as follow:

1. The Vendor orally informed the examiners that ExpressVote HW 2.1 would not be used in tabulator mode. Thus, the tabulator function of the ExpressVote was not tested during the certification examination, and the ExpressVote cannot be used as a tabulator in Texas.
2. E-poll books and the ExpressVote XL component were not reviewed for certification, and, accordingly, they are not included in the certification in this report.

CONCLUSION

Accordingly, based upon the foregoing, I hereby certify the EVS 6.0.0.0, ExpressVote, and ExpressTouch for use in elections in Texas, subject to the above conditions.

Signed under my hand and seal of office, this 15th day of November 2018.



VINCENT R. HOUSTON
INTERIM DEPUTY SECRETARY OF STATE