The State of Texas

Roger Williams
Secretary of State

REPORT OF REVIEW OF HART INTERCIVIC'S VOTING SYSTEM 6.1

PRELIMINARY STATEMENT

On May 24th & 25th, 2006, Hart InterCivic (the "Vendor") presented Voting System 6.1 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. Nick Osborn, an expert in software 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. Paul Miles, an expert in election law and procedure.

Pursuant to Section 122.035(a), the Texas Attorney General appointed Dr. Jim Sneeringer, an expert in electronic data communication systems and Texas Attorney General's employee, Katherine Cary.

On May 24th, 2006, Secretary of State staff and one of the examiners witnessed an install of the Hart Voting System software received directly from the Independent Testing Authority. A test deck of sample ballots were processed on each voting device and the results were verified for accuracy. Verbal presentations of the findings were explained on May 25th to all the examiners, and the test ballots and printed reports were made available for their review.

The Vendor then demonstrated the system; the examiners further examined its accuracy and security features by processing more ballots on each device and questioning the Vendor. Examiner reports on the system are attached hereto and incorporated herein by this reference.

BRIEF DESCRIPTION OF HART INTERCIVIC VOTING SYSTEM 6.1

Hart InterCivic's Voting System 6.1 supports both paper ballots and electronic voting. The systems applications execute on a standard PC configured with a Windows 2000 Professional Operating System, Service Pack 4. Below is a list of all certified components of the system:

Component	Version	Description
BOSS	4.2.13	Ballot Origination Software System used to define the election.
Ballot Now	3.2.4	Paper ballot management system.
Rally	2.2.4	Application used to send election results from satellite locations.
Tally	4.2.8	Application used to tabulate election results.
eCM	1.1.7	Electronic Crypto Module Manager.
SERVO	4.1.6	Election-records and recount-management system.
JBC	4.1.3	Judges Booth Controller. The controller unit for up to 12 eSlate/DAU units. The controller unit is used to generate access codes for the voter.
eSlate	4.1.3	Direct recording electronic voting system (DRE).
eScan	1.2.0	Precinct-based scanner used for election day and absentee voting.

Hart InterCivic's Voting System 6.1 was qualified by NASED on March 3, 2006, under the designation N-1-04-22-22-005.

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, Texas voting system examiner reports and comments received at the public hearing held on July 17, 2006.

Hart InterCivic Voting System 6.1:

1. Preserves the secrecy of the ballot;
2. Is suitable for the purpose for which it is intended;
3. Operates safely, efficiently, and accurately;
4. Is safe from fraudulent or unauthorized manipulation;
5. Permits voting on all offices and measures to be voted on at the election;
6. Prevents counting votes on offices and measures on which the voter is not entitled to vote;
7. Prevents 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, prevents counting votes for more than the number of candidates for whom the voter is entitled to vote;
8. Prevents counting a vote on the same office or measure more than once;
9. Permits write-in voting;
10. Is capable of permitting straight-party voting;
11. Is capable of providing records from which the operation of the system may be audited; and
12. Is capable of reporting undervotes.

The Verified Ballot Option ("VBO"), firmware version 1.7.5, was presented and reviewed during the exam. Due to the lack of state and federal legislation that requires the use of a Voter Verified Paper Audit Trail ("VVPAT"), the lack of state standards, and concerns about secrecy of the ballot, the optional VBO is not approved for use in Texas elections at this time.

CONDITIONS

Hart Voting System 6.1 incorporates additional security features that are not seen in Hart System 5.0 or earlier versions. Therefore, effective on October 1, 2007, all earlier versions of the Hart Voting System will be decertified for use in Texas elections.

CONCLUSION

Accordingly, based upon the foregoing, I hereby certify the Hart InterCivic Voting System 6.1 for use in elections in Texas.

Signed under my hand and seal of office, this __9__ day of __August__ 2006.

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BUDDY GARCIA
DEPUTY SECRETARY OF STATE