



KEN PAXTON

ATTORNEY GENERAL OF TEXAS

August 9, 2018

Mr. Keith Ingram
Director of Elections, Texas Secretary of State
Elections Division
P.O. Box 12060
Austin, Texas 78711-2060

Re: Election Systems & Software Unity Version 5.2.4.0 – July 10th, 2018 Examination

Dear Mr. Ingram:

Pursuant to Texas Election Code §122.036 and 1 Texas Administrative Code §81.60, by this letter I am transmitting my examiner's report for the Secretary of State's ("SOS") July 10th, 2018 voting system examination. The subject of that examination was Election Systems & Software ("ES&S") voting system EVS 5.2.4.0

The factual background for this report includes ES&S's presentation to the examiners made during the examination at the SOS's office, statements made by ES&S's representatives during that examination, and any e-mail answers to follow-up examiner questions sent by ES&S to SOS and then forwarded to the examiners.

Both during and after the examination, the examiners raised specific concerns about legal compliance of EVS 5.2.4.0. The Office of the Attorney General notes that the United States Election Assistance Commission certified the system on June 5, 2018 and that the system is very similar in many respects to several EVS systems which have been previously certified for use in Texas elections. After a thorough review of the system as well as the relevant laws and applicable rules, the Office of the Attorney General concludes there are no legal compliance issues with EVS 5.2.4.0. Thus, we recommend certification of EVS 5.2.4.0.

Sincerely,

A handwritten signature in black ink that reads "John R. Ellis, IV".

John R. Ellis, IV
Assistant Attorney General
Office of the Attorney General

cc: Examiners
Christina Adkins, Texas Secretary of State