

# The State of Texas



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Roger Williams  
Secretary of State

June 26, 2006

Ms. Ann McGeehan  
Deputy Assistant  
Office of the Secretary of State  
1019 Brazos Street  
Austin, Texas 78701

RE: Examination of Hart Intercivic voting systems

On May 25, 2006, Hart Election Systems ("Hart") presented modifications to its previously certified voting systems. The changes were driven by Hart's creation of a detachable voter verifiable printed audit trail printer option for its eSlate DRE voting system and by modifications necessary to comply with other states' election procedures.

The voting systems had undergone review at the independent testing authorities ("ITA"). A copy of the ITA report along with the required NASED certification numbers was included with the application. In reliance on the ITA review, the examination focused on the voting systems' compliance with Texas' voting system standards as set out in Chapter 122 of the Texas Election Code ("Code").

The day before the examination, the HAVA security manager and one of the voting systems examiners determined that the version numbers of the hardware and software presented by the vendor matched the versions submitted on the application and the ITA report. They ran the state sample ballot on the eSlate and eScan and scanned ballots in Ballot Now to ensure the systems continued to meet the requirements of Section 122.001(a)(5-10) of the Code. Ballots were also cast on the voting systems during the examination itself. The examiners also cast provisional ballots to review the system's method of processing the ballots post election through the RALLY software. In addition, the eSlate was reviewed to ensure that it continued to comply with the voting system accessibility requirements set out in the Texas Administrative Code.

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**BOSS v. 4.2.13.** The Ballot Origination Software System was modified to allow images to be placed on the ballot. In jurisdictions other than Texas, this change allows images such as a candidate's photograph or a party symbol either to be printed on a ballot or shown on the appropriate screen. These uses are not authorized under Texas election law. However, BOSS, in conjunction with Ballot Now, will allow users to print a signature on the back of the ballot, which would allow the early voting clerk's initials to be placed on the back of the ballot as required under Section 85.0311 of the Code. No significant changes were made to BOSS as previously certified and I recommend certification of version 4.2.13.  
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**eSlate v. 4.1.3.** The eSlate DRE voting system was modified to allow the introduction of an optional VVPAT, or VBO (Verified Ballot Option). The vendor made other changes necessary to comply with other state's (generally Pennsylvania's) election laws. The Secretary of State has determined that in the absence of express legislative authorization, this office does not have authority to certify a VVPAT for use in Texas elections. The examiners reviewed the eSlate to ensure that it functioned properly and as previously certified without the VBO. I recommend certification of eSlate v. 4.1.3.

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**Ballot Now v. 3.2.4.** Ballot Now, the vendor's software for printing ballots directly from files created in BOSS, was modified to allow images to be printed on the ballot. This modification would allow a user to print the early voting clerk's signature on the back of the ballot. No significant changes were made to Ballot Now as previously certified and I recommend certification of version 3.2.4.

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**eCM Manager v. 1.1.7.** The eCM Manager is the vendor's software for creating and managing security keys or eCMs (eSlate Cryptographic Module). The eCM Manager was modified to require a GUID to be generated for each eCM and move verification of the eCM unique number earlier in the creation process. I recommend certification of eCM Manager v. 1.1.7.

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**SERVO v. 4.1.6.** Servo is the vendor's post-election records management software. The examiners reviewed the process through which SERVO would be used to print ballot images from the eSlate DRE to conduct a manual recount of an election. There were no significant changes to SERVO as previously certified and I recommend certification of SERVO 4.1.6.

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**Tally v. 4.2.8.** The election return Tally software presented by the vendor had no significant changes from the previously certified version. The examiners reviewed the audit functions of Tally to determine that the system adequately logged to the printer all significant events and accesses to the program. I recommend certification of Tally v. 4.2.8.

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**eScan v. 1.2.0.** The examiners cast ballots on the eScan precinct ballot counter, which appeared to function as previously certified. There were no significant changes to the eScan and I recommend certification of eScan v. 1.2.0.

Sincerely,



Paul Miles  
Staff Attorney, Elections Division