

The State of Texas



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Roger Williams
Secretary of State

REPORT OF EXAMINATION OF MODIFICATIONS TO ELECTION SYSTEMS AND SOFTWARE, INC.'S iVOTRONIC VOTING SYSTEM v. 8.0.1.0

PRELIMINARY STATEMENT

On May 26, 2004, Election Systems and Software, Inc. (the "Vendor") presented modifications to its iVotronic voting system 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 electronic data communication systems;
2. Mr. Tom Watson, an expert in electronic data communication systems;
3. Mr. Glenn Glover, an expert in electronic data communication systems; and
4. Mr. Barney Knight, 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.

The Vendor first demonstrated the system; the examiners then examined its accuracy and security features. Examiner reports on the system are attached hereto and incorporated herein by this reference.

BRIEF DESCRIPTION OF iVOTRONIC SYSTEM

The iVotronic is a direct recording electronic system ("DRE") used for precinct voting and accumulation. The system consists of one or more voting terminals and a supervisor Personalized Electronic Ballot ("PEB"), which election officials use to activate and load the appropriate ballot into the terminal. The versions examined were iVotronic version 8.0.1.0 and PEB version 1.07. The iVotronic v. 8.0.1.0 was determined to meet federal voting system standards by a nationally recognized independent testing lab on September 7, 2004.

FINDINGS

The following are the findings, based on oral evidence presented at the examination to our examiners, written evidence submitted by the Vendor in support of its application for certification, and the findings of our voting system examiners as set out in their written reports.

The modifications to the iVotronic voting system, subject to the conditions below:

1. Preserve the secrecy of the ballot;
2. Are suitable for the purpose for which they are intended;
3. Operate safely, efficiently, and accurately;
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

1. Provisional voting must be conducted by paper ballot or optical scan ballot. The system's method of recording provisional ballots does not comply with current state procedure.

CONCLUSION

The iVotronic v. 8.0.1.0 received certification for use in Texas elections, on March 29, 2005, with two conditions. This revised certification letter removes the condition requiring the custodian of election records to retain the flash card for the appropriate retention period. Election Advisory No. 2006-04 provides procedures that eliminate the need for that condition.

Accordingly, based upon the foregoing, the iVotronic v. 8.0.1.0 and PEB v. 1.07 continue with their certification effective March 29, 2005, subject to the above condition.

Signed under my hand and seal of office, this 17 day of April, 2006.


BUDDY GARCIA
ASSISTANT SECRETARY OF STATE