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September 21, 2020

Mr. Keith Ingram
Director of Elections
Texas Secretary of State
Elections Division
208 East 10th Street
Austin, Texas 78711

Re: Inspection of the Election Systems & Software's 6.1.1.0 System conducted on August 21, 2020

Dear Mr. Ingram:

Pursuant to my appointment by the Texas Secretary of State as a voting systems examiner under TEXAS ELECTION CODE § 122.035, please allow this letter to serve as my report concerning the above referenced examination. On August 21, 2020, the appointed examiners and Secretary of State staff met with representatives of Election Systems & Software ("ES&S") via video conference to review the new ES&S voting system known as the "**EVS 6.1.1.0 System**".¹ The room used at the Secretary of State's offices for the examination was locked when no one was present and all inspection proceedings were broadcast live so all inspectors could watch the proceedings. Chuck Pinney from the Secretary of State's office was physically present with the ES&S officials during the examination.

The examiners observed the testing and presentation of above referenced software and equipment on August 21st. Prior to and after that inspection, I reviewed the written materials for the EVS 6.1.1.0 System. The presentation of the physical inspection and review of written materials show ES&S's compliance with the relevant provisions of the TEXAS ELECTION CODE and Texas Administrative Code related to the requirements for election machines and software.

The EVS 6.1.1.0 System is the next version of the ES&S Voting system originally numbered 6.1.0.0. rolled out in January of 2020. The limited changes in the EVS 6.1.1.0 System from the previous version of the EVS 6.1.0.0. System are in the ballot adjudication functions of the system and a misalignment issue on the adjudication screen and some security updates. No other new physical hardware or firmware were changed from the previous EVS 6.1.0.0 System

¹ Another ES&S System numbered 6.0.3.0 was simultaneously examined on the same day, but will be addressed in a separate report.

ACCESSIBILITY TESTING

Because there were no changes to any of the hardware or software related to accessibility use of the machines in the EVS 6.1.1.0 System, the examiners and Secretary of State staff did not perform any accessibility testing of the EVS 6.1.1.0 System.

TESTING OF HARDWARE AND SOFTWARE

Prior the beginning of the exam, ES&S completed the loading and installation of the EVS 6.1.1.0 System. The hash validation files were later sent to the examiners for review.

ES&S provided the examiners an overview of the EVS 6.1.1.0 System. There was an initial discussion about the adjudication function changes that were the majority of the upgrades in the EVS 6.1.1.0 System. A discussion concerning new security features (in particular the ability to disable the automatic password reset function) also occurred.

Later, Chuck Pinney of the Secretary of State's office ran a script of sample ballots to test each piece of equipment and software for security, functionality and accuracy. The script of ballots were tabulated and sorted with the election software of the EVS 6.1.1.0 System. The results of the tabulation matched the verified voting numbers from the Secretary's office. In addition, ES&S officials and the examiners reviewed the new adjudication features of the System.

OBSERVATIONS

1. Each of the separate pieces of hardware and software examined met the listed requirements of the TEXAS ELECTION CODE and TEXAS ADMINISTRATIVE CODE.
2. The changes to address the adjudication issues appeared to function as intended.
3. The additional security issues also seemed to work as intended; however, there was some question about whether the modification of the password expiration is a good idea if it can last indefinitely.

RECOMMENDATION

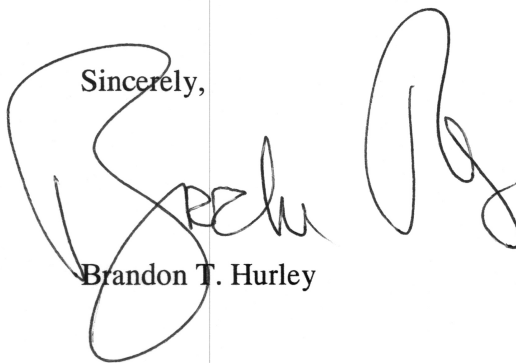
Based on the foregoing observations and my examination of the EVS 6.1.1.0 System, its accompanying literature and the representations made by ES&S officials both in its literature and at the examination, I recommend that the EVS 6.1.1.0 System be certified as compliant with the requirements of the TEXAS ELECTION CODE and the TEXAS ADMINISTRATIVE CODE.

This report should not be construed as a tacit or implied comment on any of the technical aspects of the EVS 6.1.1.0 System except as expressly stated herein. In the event any of the equipment, software or security devices examined are altered, changed or decertified by any accrediting agency (other than a "minor modification qualified for administrative certification

process” as that term is defined in § 81.65 of the Texas Administrative Code), this report should be considered withdrawn.

Thank you for the opportunity to serve as an examiner and participate in this important process that protects the integrity of Texas’ voting systems.

Sincerely,

A handwritten signature in black ink, appearing to read "Brandon T. Hurley". The signature is stylized with large loops and a prominent initial "B".

Brandon T. Hurley