

The State of Texas



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Nandita Berry
Secretary of State

REPORT OF REVIEW OF ES&S UNITY 3.4.1.0 and DS200 PRECINCT TABULATOR and DS850 CENTRAL COUNT TABULATOR

PRELIMINARY STATEMENT

On June 9th and 10th, 2014, Election Systems & Software (the "Vendor") presented Unity 3.4.1.0, and AutoMARK Voting Systems 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. Stephen Berger, an expert in electronic data communication 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. Ms. Christina Worrell Adkins, an expert in election law and procedure.

Pursuant to Section 122.035(a), the Texas Attorney General appointed the following examiners:

1. Dr. Jim Sneeringer, an expert in electronic data communication systems; and
2. Ms. Katherine Cary, Texas Attorney General's employee.

On June 9, 2014, Mr. Berger, Mr. Watson, Dr. Sneeringer, and Ms. Adkins witnessed the installation of the Unity 3.4.1.0 software and firmware that the Secretary of State Office received directly from the Independent Testing Authority. Ms. Adkins and Yahitza Nunez, a staff attorney with the Secretary of State, examined the accessibility components of the AutoMARK.

On June 10, 2014, the Vendor demonstrated the system, answered questions presented by the examiners, and test ballots were then processed on each voting device. The results were accumulated and later verified for accuracy by the Secretary of State staff.

Examiner reports on the system are attached hereto and incorporated herein by this reference.

On July 16, 2014, a public hearing was conducted in which interested persons were given an opportunity to express views for or against certification of the system.

BRIEF DESCRIPTION OF UNITY 3.4.1.0 & DS200 PRECINCT TABULATOR & DS850 CENTRAL COUNT TABULATOR

Unity 3.4.1.0 Voting System supports the Model 100, Model 650, DS200 and DS850.

With the exception of the DS200, DS830, LogMonitor Service, and the VAT previewer, the products listed below are upgrades to previous qualified versions of either hardware and/or software that have been certified for use in the State of Texas.

The Unity 3.4.1.0 Voting System has been evaluated at an accredited independent voting system testing laboratory for conformance to the 2002 Voting System Standards (2005 VSS) and the 2005 Voluntary Voting System Guidelines (VVSG). It has received Elections Assistance Commission (EAC) # ESSUnity3410 on July 21, 2009.

Component	Version	Description
Election Data Manager (EDM)	7.8.2.0	Database system that stores all of a jurisdiction's election information data
ESS Image Manager (ESSIM)	7.7.2.0	Software to design and print ballots with the election information stored in Election Data Manager
Hardware Programming Manager (HPM)	5.9.0.0	Software to import, format, and convert the election definition files for ballot scanning equipment
Election Reporting Manager (ERM)	7.9.0.0	Software to tabulate and generate reporting of election results
Audit Manager	7.5.2.0	Software to track user activity
LogMonitor Service	1.1.0.0	
VAT Previewer	1.3.2907	
M100 Precinct Counter	5.4.4.5	Precinct optical scanner
M650 Central Counter	2.2.2.0	Central Count Tabulator
DS200 Precinct Counter	1.7.0.0	Precinct optical scanner
DS850 Count Counter	2.9.0.0	Central Tabulator
AutoMARK (AIMS)	1.3.257	Information management software that compiles and organizes the data needed to print ballots and prepare the AutoMARK Voter Assist Terminal (VAT)
AutoMARK (VAT) v. 1.0 & 1.1	1.3.2907	Accessible electronic ballot marker

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, and Texas voting system examiner reports.

The Unity 3.4.1.0 Voting System and the DS200 precinct tabulator and DS850 central count tabulator:

1. Preserve the secrecy of the ballot;
2. Are suitable for the purpose for which they are intended;
3. Operate safely, efficiently, and accurately and complies with the error rate standards of the adopted federal voting system standards;
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. The M100 and DS200 are certified for use only as precinct ballot counter on election day. The M100 and DS200 may not be used as precinct ballot counters during the early voting period because the system does not have the ability to comply with 1 T.A.C. 81.52(h), which requires a precinct ballot counter to be attached to a continuous feed audit log printer.
2. Unity 3.4.1.0 is certified for use as a stand-alone system. Unity 3.0.1.1, certified in 2008, is also currently certified as a stand-alone system. Any use that involves the interactions of the two systems would constitute a modification of their certified design and would need to receive approval from the Secretary of State prior to use in the State of Texas.

CONCLUSION

Accordingly, based upon the foregoing, I hereby certify the Unity 3.4.1.0 Voting System, and the DS200 precinct tabulator, and DS850 central count tabulator for use in elections in Texas.

Signed under my hand and seal of office, this 2nd day of September 2014.



COBY SHORTER, III
DEPUTY SECRETARY OF STATE