

# The State of Texas

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## REPORT OF REVIEW OF ELECTION SYSTEMS & SOFTWARE EVS 6.1.1.0 SYSTEM

### PRELIMINARY STATEMENT

On August 21, 2020, Election Systems & Software ("ES&S" or the "Vendor") presented the EVS 6.1.1.0 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. Tom Watson, an expert in electronic data communication systems;
2. Mr. Brian Mechler, an expert in electronic data communication systems;
3. Mr. Brandon Hurley, an expert in election law and procedure; and
4. Mr. Charles Pinney, 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. Lesley French, an employee of the Texas Attorney General.

At the time of the examination, the Office of the Secretary of State was closed to the public due to health and safety concerns relating to the novel coronavirus (COVID-19). As a result, certain procedures were implemented for the examination of the EVS 6.1.1.0 system. For example, the examination was held in a manner that allowed some of the examiners to participate in person and other examiners to attend remotely via live video conference. The examiners who were not physically present in the exam room were able to view the other examiners' interactions with the equipment and ask questions to the in-person examiners and the vendor. Mr. Pinney and Ms. French attended the examination in person, while the other examiners participated via live video conference.

The examiners witnessed the installation of the EVS 6.1.1.0 software and firmware that the Secretary of State's office received directly from the Independent Testing Authority. The Vendor then demonstrated the system and answered questions presented by the examiners. After the vendor presentation, the in-person examiners conducted a test election and tested various other components of the system with the participation and guidance of the examiners who attended remotely via live video conference.

Examiner reports regarding the EVS 6.1.1.0 system are attached hereto and incorporated herein by this reference.

On December 9, 2020, pursuant to Section 122.0371 of the Texas Election Code, the Office held a public hearing, by telephone, for interested persons to express views for or against the certification of the EVS 6.1.1.0 system.

### **BRIEF DESCRIPTION OF EVS 6.1.1.0**

The EVS 6.1.1.0 system is an updated version of the EVS 6.1.0.0 system, which the Office certified in April 2020 for use in Texas elections. EVS 6.1.1.0 includes software enhancements to the existing election management system, but there were no updates to the firmware or hardware of the voting devices presented in the EVS 6.1.0.0 system.

EVS 6.1.1.0 has been evaluated at an accredited independent voting system laboratory for conformance to the 2005 Voluntary Voting System Guidelines (VVSG). EVS 6.1.1.0 was certified by the Election Assistance Commission (EAC) on July 27, 2020.

The components of EVS 6.1.1.0 are as follows:

Component	Version	Description
ExpressTouch	1.0.3.0	Direct-recording electronic voting machine (only for curbside voting)
DS200	2.30.0.0	Precinct scanner
DS450	3.4.0.0	Central scanner
DS850	3.4.0.0	Central scanner
ExpressVote (HW 1.0)	4.0.0.0	Ballot marking device
ExpressVote (HW 2.1)	4.0.0.0	Ballot marking device
ExpressVote XL	1.0.3.0	Ballot marking device
ElectionWare	6.0.1.0	Election management software
ExpressLink	2.0.0.0	Election management software
Event Log Service	2.0.0.0	Election management software
ExpressVote Activation Card Printer	N/A	Voting machine ballot activation device
ExpressVote Previewer	4.0.0.0	Election management software
PaperBallot	6.0.0.0	Election management software
Removable Media Service	2.0.0.0	Election management software
Toolbox	4.0.0.0	Election management software

## 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 the written reports of the voting system examiners (all of whom recommended certifying the EVS 6.1.1.0 system for use in Texas elections).

The EVS 6.1.1.0 system, including its hardware and software components, meets the standards for certification as prescribed by Section 122.001 of the Texas Election Code. Specifically, the EVS 6.1.1.0 system and its components, among other things:

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 comply with the voting system standards adopted by the Election Assistance Commission;
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; and
10. Are capable of providing records from which the operation of the voting system may be audited.

## CONCLUSION

Accordingly, based upon the foregoing, I hereby certify Election Systems & Software's EVS 6.1.1.0 system for use in Texas elections.

Signed under my hand and seal of office, this 8<sup>th</sup> day of January 2021.

  
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JOSE A. ESPARZA  
DEPUTY SECRETARY OF STATE