State of Wisconsin \ Elections Board

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DATE: For January 18, 2006 Elections Board Meeting

TO: Elections Board Members

FROM: Kevin J. Kennedy, Executive Director
Kristofer A. Frederick, Elections Director and HAVA Coordinator

SUBJECT: Voting Equipment Approval Status Report

Several vendors have applied for approval or contacted the State Elections Board regarding the voting equipment approval process.

AccuPoll

AccuPoll submitted its DRE Voting System, v. 2.5, which includes the AccuPoll AVS 1000 DRE Touch Screen for approval. This system and related components have been qualified under the 2002 federal Voluntary Voting System Standards and are contained under the NASED system number N-2-13-22-22-001.

The State Elections Board staff conducted voting equipment evaluation and demonstrations for AccuPoll during the week of November 14, 2005. This voting system was approved by the Elections Board on November 30, 2005.

Diebold

Diebold submitted its AccuVote-TSX DRE (Direct Recording Electronic) Touch Screen and AccuView Printer Module with firmware version 4.6.3, AccuVote-OS (model D) Optical Scan with firmware version 1.96.6, and the Global Elections Management System (GEMS) software version 1.18.24. All of the systems, products and versions have been qualified under the 2002 federal Voluntary Voting System Standards.

The State Elections Board staff conducted a voting equipment evaluation and a public demonstration for the Diebold equipment during October 2005. The Elections Board took no action on this equipment and requested additional information at the November 30, 2005 meeting. Staff is continuing to work with representatives from Diebold and Fidlar Election Company to clarify which manuals are associated with these systems and determine why the ITA reports submitted to the Elections Board were dated after the system number (NASED number) was assigned; however, these issues have not yet been resolved.

In December 2005, Elections Board staff was notified that the Deibold AccuVote OS and TSX utilize a memory card and Abasic component that were not tested by the independent testing lab during the qualification process. These components include interpretive code, which is prohibited by the 2002 federal VVSS. The National Association of State Elections Directors is currently investigating this matter. Because of these unresolved issues, staff has recommended that the Board continue to delay any action on Diebold equipment until these

components have been reviewed by the ITA and compliance with the 2002 federal Voluntary Voting System Standards has been assured.

Election Systems & Software (ES&S)

Election Systems & Software (ES&S) submitted its Unity Election Management System version 2.4.3 and the AutoMARK Voter Assist Terminal version 1.0 for approval. The Unity v. 2.4.3 has been qualified against the federal Voluntary Voting System Standards set by the FEC in 1990. The AutoMARK Voter Assist Terminal, however, has been qualified as a stand-alone unit under the 2002 federal Voluntary Voting System Standards.

State Elections Board staff conducted a voting equipment evaluation and a public demonstration for the ES&S equipment during October 2005. Due to problems with printing the ballot for the November general election, staff was unable to test this election during October 2005. The Elections Board took no action on this equipment at the November 30, 2005 meeting.

The AutoMARK's ability to conduct a November general election was tested in December 2005. Staff has recommended approval of the AutoMARK and Unity version 2.4.3, which will allow municipalities that use ES&S systems, including the Eagle optical scan ballot reader, to incorporate the AutoMark into their existing voting systems without the purchase of additional equipment.

This vendor has also notified Elections Board staff that it will submit Unity Election Management System version 3.0 and Unity Election Management System version 3.0.1.0 for approval. These systems would also include touch screen and optical scan equipment.

Populex

Populex submitted its Digital Paper Ballot System for approval. This system has been qualified to the 2002 federal Voluntary Voting System Standards. State Elections Board staff conducted a voting equipment evaluation and a public demonstration for the Populex voting system during July 2005.

During this test, it was determined that this voting system could not accommodate certain Wisconsin ballot requirements. Specific problems include a straight-party voting option for all independent candidates, predetermined ballot formats that cannot be altered and a nonpartisan option for presidential preference primaries that offers no warning that the voter has not voted in the presidential preference contest. During the August 3, 2005 meeting, the Board voted to not approve this voting system.

Staff met and discussed these and other issues regarding the Digital Paper Ballot System with representatives from Populex during November and December 2005. At this time, staff also noted concerns regarding two additional aspects of the Populex system. First, the font size of the paper record cannot be altered. Second, the printed ballot includes a machine read bar-code and human readable numbers called punch numbers that correspond to the candidate choices of the voter. Based upon discussion with the sponsors of 2005 Wisconsin Act 92 (formerly Assembly Bill 627), staff has determined that the printed ballot/paper record should list the both the offices and names of the candidates selected by the voter <u>in printed form/language</u>. Representatives from Populex have expressed concern about the ability of this voting system to accommodate these requirements.

Sequoia Voting Systems

Sequoia Voting Systems has submitted its Optech Insight optical scan ballot reader, Optech Insight Plus optical scan ballot reader, AVC Edge with VeriVote Printer DRE system 5.014, and WinEDS 3.0.138 management software for approval. Sequoia has submitted ITA reports for the firmware, but to date a system identification number (NASED number) has not been assigned to these products. No ITA report has been submitted to the Elections Board for the WinEDS 3.0.138 management software.

Staff has provided ballot styles and discussed the voting system testing and approval process with representatives of Command Central, which is the Wisconsin agent for Sequoia Voting Systems. The software for this system, however, has not completed the ITA testing process and a system identification number has not been assigned to this system, firmware or software. Therefore, no voting equipment evaluation or public demonstration has been scheduled. Once an ITA report is received for the software and a system number assigned, evaluation of this equipment will commence.

Vote-PAD

Vote-PAD is a paper-based tactile ballot marking that can be used with optical scan ballot readers. The ballot is placed into a sleeve that aligns the ovals or arrows to be marked. The system can provide Braille or audio instructions, and the voter uses a light-sensing wand to review his or her ballot. As a non-electronic voting system, Vote-PAD is not required to be qualified to the federal Voluntary Voting System Standards, but mock elections and a public demonstration were conducted during January 2006.

The Vote-PAD appears to provide access to the voting process for individuals with certain disabilities, but uses a Braille write-in ballot component which is separate from the actual ballot. No similar ballot or system component has previously been approved for use in Wisconsin. The Vote-PAD is also similar to a punch-card system, as it utilizes a ballot sleeve, in which the ballot must be inserted and correctly aligned in order for the ballot to be correctly marked. It would be difficult for a visually impaired voter to notice that a ballot is incorrectly aligned and therefore he or she is not marking the ballot correctly, or for the intended candidates.

Staff has recommended that the Board not approve the Vote-PAD. While this system will allow some individuals with disabilities to vote, it may not provide full privacy and independence in all aspects of the voting process to individuals with a broad range of disabilities, including individuals with dexterity problems. Therefore, staff is not confident that the Vote-PAD will meet the Department of Justice's evaluation test for meeting HAVA compliance, which is that individuals with disabilities are able to vote privately and independently in a manner that that provides the same opportunity for access and participation as for other voters.

Voting Technologies International

Voting Technologies International (VTI) has submitted its Touch Screen Voting System version 5.0 and its Central Optical Scan Unit version 1.0.4 for approval. This is a DRE voting system. While VTI has submitted an ITA report for the Central Optical Scan Unit, the ITA report for the Touch Screen Voting System has not been received by the Elections Board. In addition, a system identification number has not been assigned to either of these systems. Therefore, no voting equipment evaluation or public demonstration has been scheduled.

In addition, staff has noted that, similar to Populex, the VTI systems produce a paper record which includes a bar code, but not a printed ballot/paper record that lists both the offices and names of the candidates selected by the voter in printed form/language. Representatives of VTI have been notified of this issue. Therefore, the VTI systems may not satisfy the requirements of 2005 Wisconsin Act 92.