

**Minutes**  
**State Election Commission**  
**Voting Machine Committee Meeting**  
**December 1, 2015**

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The State Election Commission - Voting Machine Committee meeting was called to order by Committee Chairman, Donna Barrett, at 1:20 p.m., Central Standard Time, December 1, 2015. The following members and staff were present: Commissioners Barrett, Blackburn, McDonald; Wallace and Younce; Coordinator of Elections Mark Goins and Kathy Summers, Elections Specialist.

**The following vendors attended:**

- ES&S: Steve Pearson, Ben Swartz and Wendell Moore
- MicroVote: Jim Ries and Bill Whitehead
- Harp Enterprises: Chad Colgan
- Hart InterCivic – Pam Cardenas

**Guest Presenter/Speaker:** Jim Long –NTS – Huntsville

- Committee Chairman Barrett went over the current process for certifying voting machines and the task of the Voting Machine Committee.
- Commissioner Barrett introduced Jim Long of NTS – Huntsville, Alabama. Mr. Long gave a presentation on voting machine certification procedures and best practices. Mr. Long's presentation is attached to these minutes. Mr. Long invited the commission to visit the testing lab.
- Committee Chairman Barrett discussed the survey responses received from other states conducted by NASED at the request of Coordinator Goins.
- Commissioner Barrett and Coordinator Goins went over the current Promulgated Rules and discussed a time table for possible legislative or promulgated rule changes.
- The committee discussed visiting the NTS in Huntsville, Alabama but did not set specific dates.

Coordinator Goins advised, after the committee visits the testing facility, he will come up with several proposals for the committee to consider for revising the voting machine testing and certification process.

Chairman Barrett adjourned the meeting.

Respectfully submitted,

A handwritten signature in black ink that reads "Mike McDonald". The signature is written in a cursive, flowing style.

Mike McDonald, Secretary  
Voting Machine Committee  
State Election Commission

# PROCEDURES FOR CERTIFYING VOTING MACHINES BY THE TENNESSEE STATE ELECTION COMMISSION

All voting machines/vendors must receive certification from the state election commission and the coordinator of elections before any voting machines or systems may be sold in the State of Tennessee.

## **First Step:**

Any interested vendor should submit a written request to the coordinator of elections and the state election commission requesting certification of your company together with the EAC certification number, a financial report and a list of all states that have already bought your voting machines or systems. If you would like to demonstrate your product at a meeting of the state election commission, please make that request in your letter. You will be notified of the date, time, and place of the meeting where you may make your presentation.

## **Second Step:**

### **A. Voting Machine Procedure**

Following verification of EAC certification and an initial presentation of your product and/or services, you would need to arrange for at least two (2) State Election Commissioners (of opposite parties) and the coordinator of elections (or designee) to view your machines or system in use in an election of a substantial size in another state. An election of a substantial size involves at the minimum the following characteristics:

- The jurisdiction has a population of at least 10,000 persons;
- The jurisdiction has at least two (2) or more district races on the ballots; and
- There are at least two (2) contested races involving both at large and district races on the ballot.

### **B. Voting Machine Software Systems Upgrade**

- EAC Certification;
- Presentation of software upgrade before State Election Commission at a monthly meeting; and
- Viewing of upgrade in another state (In lieu of viewing machine in another state, at the discretion of the State Election Commission, letters of recommendation from users in other jurisdiction may be used as support for approval.)

### **C. De Minimis Voting System Changes**

- Any De Minimis change to an EAC certified voting system shall be submitted to the state election commission and coordinator of elections to be approved. For purposes of approval of the de minimis change to the voting system, all that will be required is a letter from the EAC stating the change is de minimis, unless further information is requested by the state election commission or coordinator of elections.

## **Third Step:**

The State Election Commission must vote to certify the machine in order for the machines to be used in an election in Tennessee.

You may send any correspondence for both the state election commission and the coordinator of elections to the following address:

312 Rosa L.Parks Avenue, 7<sup>th</sup> Floor  
William R. Snodgrass Tower  
Nashville, Tennessee 37243  
(615) 741-7956

If you have any further questions regarding certification of your company, please feel free to contact the office of the state election coordinator at the phone number listed above.

(Rule 1360-02-13-.02, continued)

**Authority:** T.C.A. § 2-11-201(c). **Administrative History:** Original rule filed February 24, 1987; effective May 27, 1987.

**1360-02-13-.03 STATE ELECTION CODE GOVERNS.** The Election Code of the State of Tennessee as embodied in chapter 740, Public Acts of the General Assembly of Tennessee, 1972 (Title 2, Tennessee Code Annotated) "as amended," shall govern all elections conducted with the use of electronic voting devices except as otherwise necessarily modified by these regulations

**Authority:** T.C.A. § 2-11-201(c). **Administrative History:** Original rule filed February 24, 1987; effective May 27, 1987.

**1360-02-13-.04 REGULATIONS HAVE FORCE OF LAW.** These regulations shall have the force of law until otherwise adopted, modified, amended, or repealed by the General Assembly of the State of Tennessee.

**Authority:** T.C.A. § 2-11-201(c). **Administrative History:** Original rule filed February 24, 1987; effective May 27, 1987.

**1360-02-13-.05 CERTIFICATION OF MANUFACTURERS.**

- (1) No manufacturer of electronic voting devices may be certified in the State of Tennessee until it has proven to the satisfaction of the Coordinator of Elections of the State of Tennessee and to the Tennessee State Election Commission that:
  - (a) It has a history of ethical conduct in the sales and use of its equipment.
  - (b) It is financially responsible.
  - (c) Its equipment has been successfully used in other jurisdictions of the United States.
  - (d) It can affirmatively demonstrate that it has provided adequate assistance to jurisdictions purchasing its equipment; and
  - (e) It agrees that it will contract with each jurisdiction in the State of Tennessee, purchasing its voting devices, that it will provide adequate professional assistance to such jurisdictions for not less than the first two county-wide elections using such devices.

**Authority:** T.C.A. § 2-11-201(c). **Administrative History:** Original rule filed February 24, 1987; effective May 27, 1987.

**1360-02-13-.06 CERTIFICATION OF VOTING MACHINES.**

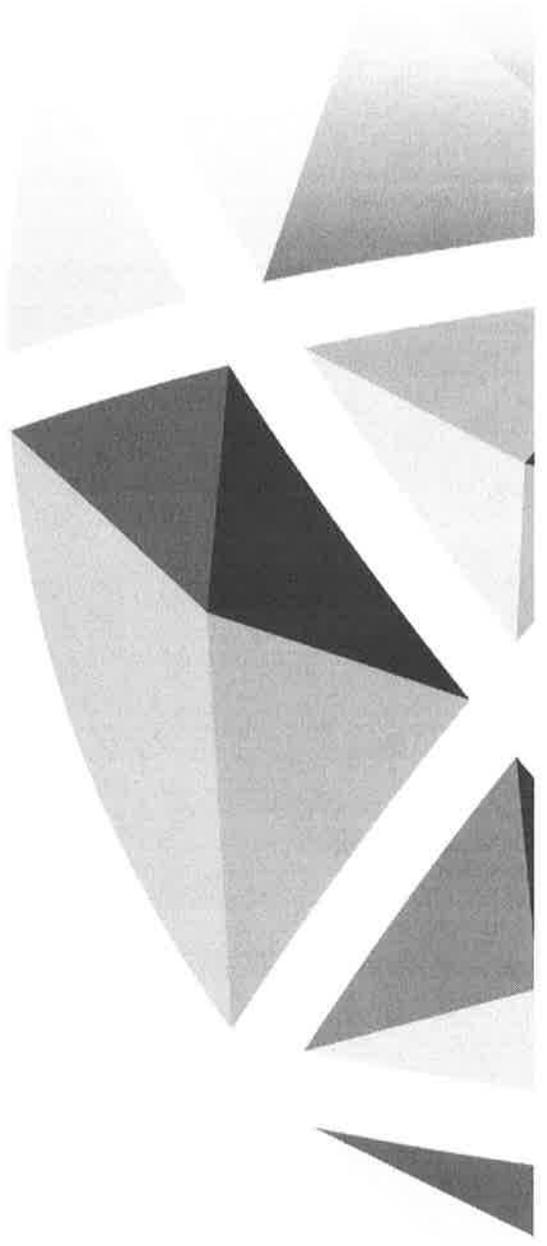
- (1) No electronic voting machine or device will be approved for use in the State of Tennessee that does not:
  - (a) Provide facilities for voting for any candidates at both primary and general elections or at nonpartisan elections or at a combination of a nonpartisan and partisan primary and general elections.
  - (b) Permit a voter to vote for any person for any office, whether or not nominated as a candidate by a political party.
  - (c) Insure voting in absolute secrecy.



**NTS**

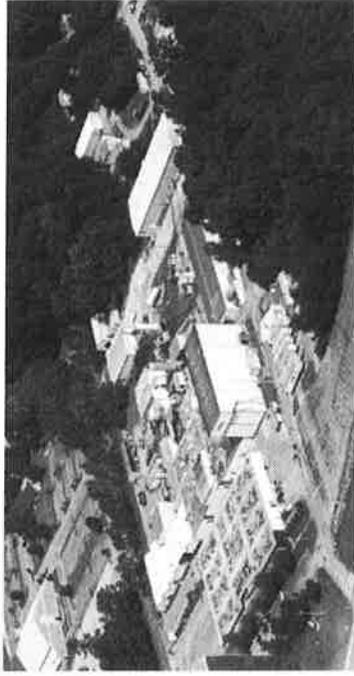
WE ENGINEER SUCCESS

# Certification Process and Best Practices



# Facility Overview

## Huntsville Facility Overview



Site:

92 Acres

Total Square Footage:

160,000 sq. ft. of Laboratory Space

Employees (Full-time/Part-time):

200

## Facility Highlights

- More than 50 chambers, up to 55'x37'x15' EMI, up to 32'x18'x18' Environmental
- Radioactive Material License from the State of Alabama
- Huntsville has a DoD Secret Security Clearance and is a NSA ComSec cleared facility
- On-site engineering, fabrication and calibration capabilities
- NIST and EAC certified Voting System Test Laboratory (VSTL)



## Voting System Test Laboratory

- NTS was the first facility certified as an Independent Testing Authority (ITA) by the National Association of State Election Directors (NASSED) in 1992
- NTS has been certified by the United States Election Assistance Commission (EAC) since October 4, 2007 as a VSTL
- NTS is qualified to test to the following nationally recognized standards: VSS 1990 VSS 2002 VWSG 2005 VWSG 1.1



## Voting System Test Laboratory

- NTS has successfully completed 25 voting system test campaigns for the EAC and over 100 campaigns for individual states/entities.
- NTS has a 12 member staff that allows us to support multiple test campaigns simultaneously



# Certification Testing Overview

## Certification vs. Certification Testing

- Certification is granted by the entity or body that has the authority to make such determinations.
- Certification testing is a process that involves specialized testing and review to determine if a voting system meets the requirements of the certifying body.

Certification does not absolve the jurisdictions of the responsibility to ensure proper maintenance and monitoring of the deployed voting system.



## Certification Testing Process

How many Election Jurisdictions are in the United States?

10,072 Election Jurisdictions



# **Certification Testing Process**

## **Federal:**

- NIST 150 and 150-22
- EAC Voting System Test Laboratory Program Manual 2.0

## **State:**

- Federal Process
- Additional State Guidance



# Certification Testing Process

## Generic Testing Procedures:

- Physical Configuration Audit (PCA) – A process to verify that the submitted system match the manufacturers application and provided documentation
- Technical Data Package Review – Verify that all required documentation is present and that the statements made in the document are accurate.
- Source Code Review – Verify that the manufacturers source code meets the requirements
- Functional Configuration Audit (FCA) – Verifies that all functions of the voting system meet the requirements and the functional descriptions provided in the TDP are accurate



# Certification Testing Process

## Generic Testing Procedures (Continued):

- Accuracy – Verifies that the voting system can achieve the establish accuracy rate
- Usability and Accessibility – Verifies that the voting system supports the usability and accessibility requirements
- Volume and Stress – Verifies that the voting system can handle the volume and stresses that will be placed upon it.
- System Integration – An end to end test that verifies that all aspects (ballot creation, machine programming, etc.) of the voting process are supported by the voting system.
- Trusted Build – A source code compilation process that ensures that the tested code is the code distributed to the jurisdictions.



# Certification Testing Best Practices

## General Best Practices:

- Control the certification process and requirements through rules not legislation
- Leverage federal testing but leave yourselves an out
  - Don't repeat testing that has already been performed
  - Don't center your certification process around variables that you cannot control
- Concentrate on testing that is specific to you state
  - Accuracy
  - Volume and Stress
  - System integration



# Certification Program Success

Successful certification programs are able to articulate the impact of statutory and rule requirements on their voting system requirements

They accurately identify operational goals, existing system dependencies, maintenance goals, system capabilities and other requirements that must be met to support the purchasing jurisdictions needs



# Questions?

