

STATE OF COLORADO
Department of State

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Wayne W. Williams
Secretary of State

Suzanne Staiert
Deputy Secretary of State

August 4, 2015

Mr. Steve Pearson
Vice President, Voting Systems
Election Systems & Software
11208 John Galt Blvd
Omaha, NE 68137

Via U.S. mail and email

**Re: Temporary Approval of EVS 5.2.0.3
Conditions of Temporary Approval and Use**

Dear Mr. Pearson:

In response to your application for temporary approval dated March 12, 2015, and in accordance with section 1-5-619, C.R.S., I'm writing to inform you that, subject to the conditions below, I temporarily approve Election Systems and Software's (ES&S) EVS 5.2.0.3 voting system for use in Colorado. In addition, I temporarily authorize Hon. Faye Griffin, Clerk and Recorder of Jefferson County, and Hon. Krystal Brown, Clerk and Recorder of Teller County, to use EVS 5.2.0.3 in the November 3, 2015 Coordinated Election.

EVS 5.2.0.3 Substantially Complies with Colorado's Voting System Requirements

My office examined the application for temporary approval and supporting documentation, including the technical data package that accompanied the application. In addition, NTS, a federally accredited voting-system testing laboratory, tested EVS 5.2.0.0 in accordance with a test plan my office approved on June 10, 2015. I have also reviewed the test report and Colorado requirements matrix transmitted by NTS on July 1, 2015, and NTS' test report for EVS 5.2.0.3 dated July 22, 2015. Based on this review, I conclude that EVS 5.2.0.3 substantially complies with federal and state voting system standards.¹

¹ The system substantially complies with the 2002 Voting System Standards promulgated by the Federal Election Commission and the Colorado requirements contained in sections 1-5-615 and 1-5-616, C.R.S., and Election Rule 21.

Temporary Approval of Voting System

I temporarily approve EVS 5.2.0.3, subject to the following conditions:

1. This temporary approval applies only to the following specific voting system configuration and components successfully tested by NTS:

Component Name	System Function	Version Number	Operating System
ExpressVote	Universal Voting Device	1.4.0.0	Windows CE 6.0
DS850	Central Count Tabulator	2.10.0.0	Linux
DS200	Precinct Tabulator	2.12.0.0	Linux
AutoMARK	Voter Assist Terminal	1.8.6.0	Windows CE.NET 5.0
ElectionWare	Election Management Software	4.6.1.0	Windows 7
Event Log Service	Election Management Software	1.5.5.0	Windows 7
Election Reporting Manager (ERM)	Reporting Software	8.11.1.0	Windows 7
Removable Media Service (RMS)	Election Management Software	1.4.5.0	Windows 7
ExpressVote Previewer	Election Management Software	1.4.0.0	Windows 7
VAT Previewer	Election Management Software	1.8.6.0	Windows 7
ExpressPass	Election Management Software	1.1.0.0	Windows 7

2. I reserve the right to promulgate conditions of temporary approval for EVS 5.2.0.3 in the future, as circumstances warrant.
3. This temporary approval applies only to the Jefferson County and Teller County November 3, 2015 Coordinated Election. I reserve the right to temporarily authorize in writing these and other political subdivisions to use this voting system in other specified elections conducted within one year of today's date. Section 1-5-619(3), C.R.S.
4. I reserve the right to revoke this temporary approval at any time, in accordance with section 1-5-619(3), C.R.S.

Temporary Use Authorization

I authorize the Clerks and Recorders of Jefferson County and Teller County to use EVS 5.2.0.3 for the November 3, 2015 Coordinated Election only. This temporary use authorization is subject to conditions that I will detail in a separate writing. In general terms, the separate writing will require the Clerks and Recorders to comply with the following:

1. County election staff may not use the voting system for any purpose relating to the 2015 Coordinated Election until the Secretary of State installs or verifies trusted build on each component;
2. County election staff rather than ES&S must build the election database in the voting system;
3. One of the designated counties must agree to conduct a risk-limiting post-election audit according to protocols and procedures developed by my office;

4. The Clerks and Recorders and their staff must complete, distribute, collect, and submit to the Pilot Election Review Committee the UVS evaluation materials, currently under development;
5. The Clerks and Recorders and their staff must comply with all reasonable requests of the Pilot Election Review Committee, as it evaluates the performance and functionalities of the voting system;
6. I reserve the right to promulgate other conditions of temporary use, as circumstances warrant or the Pilot Election Review Committee may request.
7. The Clerks and Recorders of Jefferson County and Teller County may enter into contracts to rent or lease the temporarily approved system for the 2015 Coordinated Election. Jefferson County and Teller County may not purchase or acquire title to the voting system. Section 1-5-619(5), C.R.S.

Sincerely,



Wayne W. Williams
Colorado Secretary of State

cc: Hon. Faye Griffin
Hon. Krystal Brown