

STATE OF COLORADO
Department of State
1700 Broadway
Suite 250
Denver, CO 80290



Mike Coffman
Secretary of State

William A. Hobbs
Deputy Secretary of State

March 13, 2008

VIA E-MAIL AND US MAIL

Mr. Ed Smith
Compliance Manager
Sequoia Voting Systems
717 17th Street, Suite 310
Denver, CO 80222

Re: Colorado Voting System

Dear Mr. Smith:

The Sequoia Voting Systems (Sequoia) voting system was submitted to the Colorado Secretary of State for testing and consideration for certification for use in Colorado elections. On December 17, 2007, I notified you of the conditional certification of the WinEDS Software, the Optech Insight Precinct Scanner and the Optech 400-C Central Count Scanner.

On February 11, 2008, Governor Bill Ritter signed House Bill 08-1155 into law. This legislation extends my authority over the 2007 testing process and allows for additional testing and communication with the vendors and the counties. The legislation authorizes me to amend or rescind any of the orders I issued on December 17, 2007 decertifying a voting system if I re-test the system or otherwise demonstrate that the major deficiencies identified in my December 17 order have been resolved or mitigated. In deciding to amend or rescind an order, the legislation requires me to consider county accuracy and security procedures, audits, processing functions, and other relevant procedures in accordance with the laws and rules governing the conduct of elections.

Pursuant to H.B. 08-1155 and after additional testing, I decided to amend my previous order and conditionally certify the Sequoia Edge II (including VeriVote; Edge Audio Unit; and Card Activator), Version Number 5.0.31 / 4.3 / 5.0 Rev. C and Edge II Plus (including HAAT Model 50, Version Number 1.2.33 Direct Record Electronic (DRE)) voting machines on February 25, 2008.

Upon listening to public testimony on March 6, 2008, regarding the Conditions for Use (Conditions) imposed on voting systems certified for use in the State of Colorado; I am proposing changes to the previously issued Conditions. The following information details the changes or removal of Conditions:

Software Conditions (WinEDS 3.1.074)

Condition 1b – System/database/network security hardening

An option was added allowing the county to conduct a forensic evaluation of the workstation/server in addition to creating a back-up copy of the election database.

Condition 1c - System/database/network security hardening

Option #1 – The timeframe for conducting the requirements has been changed from election night to the period during the post-election audit.

Option #2 – The timeframe for conducting the requirements has been changed from election night to the period of time between the close of polls through the canvass period.

Condition 6 – Election Database Creation and Testing

Counties may import a static file into Win EDS which has been exported from BPS first.

Precinct Count Scanner Conditions (Insight/Insight Plus)

Condition 2 – External Power Supply

The requirement for a UPS back-up or battery back-up has been replaced by the ability to use any external power supply as a back-up in the event of a power failure.

Condition 3 – Device Security Accessibility

The Condition has been amended to allow for an additional person to have administrative rights on the device.

Central Count Scanner Conditions (400-C)

Condition 3 – External Power Supply

The requirement for a UPS back-up or battery back-up has been replaced by the ability to use any external power supply as a back-up in the event of a power failure.

Condition 4 – Audit Trail Information

The audits requirements were amended pursuant to the recommendations of the American National Standards Institute (ANSI). The requirement is based on the number of ballots cast in a county and limits the audit to the device and race chosen by the Secretary of State's office as part of the post-election audit procedure.

Condition 5 – Device Security Accessibility

The Condition has been amended to allow for an additional person to have administrative rights on the device.

DRE Conditions (Edge2)

Condition 1 – External Power Supply

The requirement for a UPS back-up or battery back-up has been replaced by the ability to use any external power supply as a back-up in the event of a power failure.

Condition 3 – Ballot/Race Conditions Simulation

The Condition has been changed from ordering a complete set of at least 5 ballots of each style to 4 ballots of each style.

Condition 6 – Accessible Distances

The Condition has been amended to allow for the use of a “reach stick” or a side approach to the DRE be used to satisfy accessibility requirements.

Condition 10 – Device Security Accessibility

The Condition has been amended to allow for the “override.ini” file to be used, so long as it is first submitted to the Secretary of State for verification and creation of HASH values for later audit purposes.

DRE Conditions (Edge2plus)

Condition 1 – External Power Supply

The Condition has been removed. The device performed for 2 hours and 50 minutes which is substantially compliant with the 3 hour requirement set forth in Secretary of State Election Rules rule 45.

Condition 3 – Ballot/Race Conditions Simulation

The Condition has been changed from ordering a complete set of at least 5 ballots of each style to 4 ballots of each style.

Condition 6 – Accessible Distances

The Condition has been amended to allow for the use of a “reach stick” or a side approach to the DRE be used to satisfy accessibility requirements.

Condition 10 – Device Security Accessibility

The Condition has been amended to allow for the “override.ini” file to be used, so long as it is first submitted to the Secretary of State for verification and creation of HASH values for later audit purposes.

The proposed Conditions are being submitted as a draft to all counties using the Sequoia voting system for public comment. For the Conditions associated with the components or software listed above, please review the "Sequoia Draft Conditions for Use", which is posted on the Secretary of State's web site. The Conditions are not yet finalized and additional comments on proposed changes will be considered prior to the Conditions being finalized. Please submit written comments by 5 p.m. on March 18, 2008 to Stephanie Cegielski at stephanie.cegielski@sos.state.co.us.

Sincerely,



Mike Coffman
Secretary of State

cc: County Clerk and Recorders of counties using Sequoia voting systems:
Nancy Doty, Arapahoe County Clerk and Recorder
Stephanie O'Malley, Denver County Clerk and Recorder
Amy Fordyce, Elbert County Clerk and Recorder
Gilbert Ortiz, Pueblo County Clerk and Recorder