

# Indiana Election Commission Minutes June 23, 2017

**Members Present:** Bryce H. Bennett, Jr., Chairman of the Indiana Election Commission (“Commission”); S. Anthony Long, Vice Chairman of the Commission; Karen Celestino-Horseman, proxy for Suzannah Wilson Overholt, member; Zachary E. Klutz, member.

**Members Absent:** Suzannah Wilson Overholt

**Staff Attending:** J. Bradley King, Co-Director of the Indiana Election Division of the Office of the Indiana Secretary of State (Election Division); Angela M. Nussmeyer, Co-Director of the Election Division; Matthew R. Kochevar, Co-General Counsel of the Election Division; Abbey Taylor, Campaign Finance Division staff

**Others Attending:** Dr. Jay Bagga, Co-Director, Voting System Technical Oversight Program (VSTOP); Mr. Jeremy Burton, Election Systems & Software (ES&S); Ms. Janet Buchanan, RBM Consulting (RBM); Dr. Bryan Byers, Co-Director of VSTOP; Mr. Bernie Hirsch, MicroVote General Corporation; Mr. Mark Manganaro, ES&S; Mr. Ian Piper, Dominion Voting Systems; Mr. Aniketh Ramname, Project Manager, VSTOP; Mr. Steve Shamo, MicroVote General Corporation.

## 1. Call to Order:

The Chair called the June 23, 2017 meeting of the Commission to order at 1:30 p.m. EDT in Conference Center Room 14, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana.

## 2. Transaction of Commission Business:

The Commission proceeded to transact the business set forth in the Transcript of Proceedings for this meeting prepared by Lisa C. Pierce of Connor Reporting.

The Commission corrected the following scrivener’s errors in this document:

Page 3, line 10, replace “O-Director” with “Co-Director”.

Page 5, line 1, replace “FEMALE SPEAKER” with “MS. TAYLOR”.

Page 5, line 18, replace “FEMALE SPEAKER” with “MS. TAYLOR”.

Page 7, line 15, replace “MR. KING” with “MR. KLUTZ”.

Page 8, line 19, replace “3010” with “3.0.1.0”.

Page 9, line 7, replace “correctly” with “currently”.

Page 10, line 3, delete “(sic)”.

Page 10, line 7, replace “Steph” with “staff”.

Page 10, line 21, replace “State” with “Straight”.

Page 11, line 70, replace “3010” with “3.0.1.0”.

Page 16, line 16, replace “MALE SPEAKER” with “Mr. MANGANARO”.

Page 20, line 13, replace “and Unity” with “Infinity”.

Page 26, delete line 18.

Page 27, line 1, replace “Micro” with “MicroVote”.

Page 30, line 21, replace “InterCivic” with “Infinity”.

Page 32, line 11, replace “you’re training” with “you’re treating”.

Page 32, line 18, replace “M” with “EMS”.

Page 38, line 19, replace “Unison” with “Unisyn”.

Page 45, line 21, replace “division” with “decision”.

Page 47, line 13, replace “GVS” with “GBS”.

Page 52, line 4, replace “they” with “then”.

Page 60, line 9, replace “console” with “consolidate”.

Page 61, line 3, replace “for real-life” with “to realize”.

Page 61, line 12, replace “2018. Unless” with “2018, unless”.

Page 61, line 14, replace “objection, the” with “objection. The”.

Page 64, line 25, replace “Council medic” with “Councilmanic”.

Page 70, line 4, replace “EOPA” with “AOPA”.

Page 70, line 12, replace “Open” with “AOPA”.

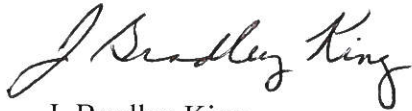
Page 72, line 18, replace “Dubovitz” with “Dumezich”.

Page 80, line 6, replace “37-38.2” with “3-7-38.2”.

Page 81, line 20, replace “accounting” with “counting”.

This document is incorporated by reference into these minutes. The Commission adjourned this meeting at 3:18 p.m.

Respectfully submitted,

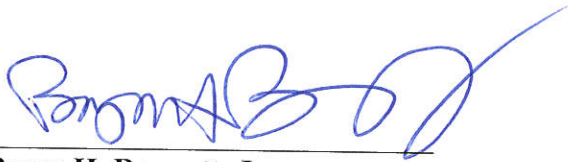


J. Bradley King  
Co-Director



Angela M. Nussmeyer  
Co-Director

**APPROVED:**



**Bryce H. Bennett, Jr.**  
Chairman

Transcript of Hearing  
June 23, 2017

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INDIANA ELECTION COMMISSION  
PUBLIC SESSION AGENDA

Conducted on: June 23, 2017

Conducted at: Indiana Governmental Center  
402 West Washington Street  
Conference Room 14  
Indianapolis, Indiana 46204

A Stenographic Record By:  
Lisa C. Pierce

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A P P E A R A N C E S

INDIANA ELECTION COMMISSION:

- Mr. Bryce Bennett - Chairman
- Mr. S. Anthony Long - Vice Chairman
- Mr. Zachary Klutz - Member
- Ms. Karen Celestino-Horseman - Proxy for  
Member Suzannah Overholt

INDIANA ELECTION DIVISION STAFF:

- Mr. J. Bradley King - Co-Director
- Ms. Angela M. Nussmeyer - Co-Director
- Mr. Matthew Kochevar - Co-Legal Counsel

1 CHAIRMAN BENNETT: This meeting of the Indiana  
2 Election Commission is called to order. The  
3 following members of the Commissioner are present:  
4 Myself, Chairman, Bryce Bennett; Vice Chairman,  
5 Anthony Long; Miss Karen Celestino-Horseman --

6 PROXY CELESTINO-HORSEMAN: Good job.

7 CHAIRMAN BENNETT: -- proxy for member  
8 Suzannah Wilson-Overholt; and member, Zachary  
9 Klutz. The Indiana Election Division staff:  
10 O-Director, Brad King; and Co-Director, Angie  
11 Nussmeyer. Co-General Counsel, Matthew Kochevar,  
12 is here; and Co-General Counsel, Dale Simmons, is  
13 absent due to illness.

14 The court reporter today is Lisa C. Pierce  
15 from Connor Reporting. And before we begin I want  
16 to remind everyone, on behalf of the court  
17 reporter, to identify yourself when beginning to  
18 speak, spell your name when identifying yourself,  
19 speak clearly, and do not speak at the same time as  
20 others.

21 I request that the Co-Director confirm that  
22 the Commission meeting has been properly noticed as  
23 required by the Indiana Open Door Laws.

24 MR. KING: Mr. Chairman, members of the  
25 Commission, notice of this meeting was properly

Transcript of Hearing  
June 23, 2017

4

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1 posted in compliance with the Open Door Law.

2 CHAIRMAN BENNETT: Thank you.

3 The next item calls for the presentation and  
4 approval of the March 10th, 2017 Commission  
5 minutes. I would ask for that presentation.

6 MR. KING: Mr. Chairman, members of the  
7 Commission, myself and Co-Director Nussmeyer have  
8 reviewed the March 10, 2017 minutes, which were  
9 submitted to you sometime ago for review, and  
10 recommend their approval.

11 CHAIRMAN BENNETT: Is there a motion to  
12 approve the March 10th, 2017 minutes as presented?

13 VICE CHAIRMAN LONG: So moved.

14 CHAIRMAN BENNETT: Second?

15 MR. KLUTZ: Second.

16 CHAIRMAN BENNETT: The motion is seconded.  
17 Any discussion? Hearing none, all in favor say  
18 "Aye."

19 ALL COMMITTEE MEMBERS: Aye.

20 CHAIRMAN BENNETT: Opposed say "Nay." The  
21 ayes have it; the motion to ratify the minutes  
22 is -- the motion to approve the minutes is adopted.

23 I would ask for a presentation by Miss Taylor  
24 and Miss Thompson of the -- of the campaign finance  
25 settlements.

Transcript of Hearing  
June 23, 2017

5

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1 FEMALE SPEAKER: Mr. Chairman, members of the  
2 Commission, the second tab in your binder is a list  
3 of, I think, eleven committees that have agreed to  
4 waive the hearing and pay the proposed civil  
5 penalties. I think we need them ratified.

6 CHAIRMAN BENNETT: Okay. Is there a motion to  
7 ratify the campaign finance settlement agreements  
8 as presented?

9 VICE CHAIRMAN LONG: So moved.

10 CHAIRMAN BENNETT: Motion. A second?

11 MR. KLUTZ: Second.

12 CHAIRMAN BENNETT: A motion and a second. Any  
13 discussion?

14 MR. KLUTZ: Just have a quick question,  
15 Mr. Chairman. Some of the amounts are, like, kind  
16 of based on a formula? based on number of days late  
17 or --

18 FEMALE SPEAKER: Yes. It's \$50 a day up to  
19 \$1,000. So --

20 CHAIRMAN BENNETT: Any other questions?  
21 Hearing none, all in favor say "Aye."

22 ALL COMMITTEE MEMBERS: Aye.

23 CHAIRMAN BENNETT: All opposed say "Nay."  
24 Ayes have it. The motion to ratify the agreements  
25 is adopted.



1           The next item on the agenda is the  
2           administration of oath to those who will testify  
3           before the Commission. And I would ask  
4           Mr. Kochevar to administer the oath. Everyone  
5           who's present to testify at today's meeting, please  
6           stand for administration of the oath.

7           MR. KOCHEVAR: Please stand, raise your right  
8           hand, and say "I do" after administration of the  
9           oath.

10          (Thereupon, the oath was administered,  
11          and the following proceedings were had:)

12          MR. KOCHEVAR: Say "I do."

13          ALL PRESENT TO TESTIFY: I do.

14          MR. KOCHEVAR: Mr. Chairman.

15          CHAIRMAN BENNETT: Thank you. I now recognize  
16          Dr. Jay Bagga and Dr. Bryan Byers of Ball State  
17          University, which administers the Voting System  
18          Technical Oversight Program, VSTOP, for a  
19          presentation concerning voting systems.

20          DR. BAGGA: Thank you, Mr. Chairman and  
21          members of the Commission. We are here to present  
22          reports on renewal applications for voting systems.  
23          That are thirty-five in Indiana.

24          CHAIRMAN BENNETT: Before you proceed, let me,  
25          on behalf of the Commission, welcome Dr. Byers as a

Transcript of Hearing  
June 23, 2017

7

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1 new Co-Director for the VSTOP program. Dr. Byers  
2 replaces Dr. Joe Losco who has retired from Ball  
3 State since our last meeting.

4 DR. BAGGA: I'm happy to introduce Dr. Bryan  
5 Byers as the Co-Director of VSTOP program. Dr. Joe  
6 Losco, as you know, served with this VSTOP program  
7 until December when he retired from Ball State.  
8 And Dr. Byers has replaced him as the new  
9 Co-Director of VSTOP.

10 CHAIRMAN BENNETT: Very good.

11 DR. BAGGA: We are happy to have him.

12 DR. BYERS: And I'm happy to be here.

13 CHAIRMAN BENNETT: We are too.

14 VICE CHAIRMAN LONG: Welcome, Doctor.

15 MR. KING: Welcome.

16 DR. BYERS: Thank you.

17 VICE CHAIRMAN LONG: We're pretty tough on you  
18 guys. I hope you can stand up under the heat here.

19 DR. BYERS: Okay.

20 DR. BAGGA: I may add that Professor Byers is  
21 a professor of criminal justice and criminology at  
22 Ball State.

23 VICE CHAIRMAN LONG: Well, that's good. We've  
24 got two criminal defense lawyers up here. So, by  
25 gosh, we're -- we'll be in business.

1 CHAIRMAN BENNETT: One other item, I -- I also  
2 understand that the VSTOP Program Manager, Aniketh  
3 Ramname, will be leaving the program to accept  
4 another position. And I'm sure I speak for all the  
5 Commission members in wishing Aniketh the best and  
6 thanking him for all of his work with VSTOP.

7 MR. RAMNAME: Thank you.

8 VICE CHAIRMAN LONG: Thank you.

9 MR. RAMNAME: Privilege.

10 CHAIRMAN BENNETT: Now, Dr. Bagga, would you  
11 like to proceed.

12 DR. BAGGA: Thank you, Mr. Chairman, and  
13 members of the Commission. We are here to submit  
14 reports on renew -- renewal applications for  
15 working systems that are thirty-five in Indiana.  
16 These systems, their certification expires in  
17 October 1, and we are here to recommend renewal.

18 The first system we want to present is the  
19 Unity 3010 Amendment. VSTOP has reviewed the  
20 IEC-11 application by renewal of this previously  
21 certified system. And we have reviewed the ES&S  
22 documentation, and we also reviewed all of the  
23 changes on ECOs, the engineering change orders, if  
24 applicable. And we have verified the attestation  
25 from the vendors to the accuracy of the list of all

1 the components that are included in your report  
2 that were also included in the application.

3 We find that this system meets all the  
4 requirements of the Indiana Code for use in the  
5 State of Indiana. And as stated in the attached  
6 attestation by ES&S, it's identical to the version  
7 that's correctly certified with the exception of  
8 the following changes. There is an ECO 927 in  
9 state -- in your packet. The other major  
10 modification was an SEA 61 compliance procedure.  
11 This modification was achieved by a method of  
12 programming. It did not involve any software  
13 modifications to the system.

14 CHAIRMAN BENNETT: Dr. Bagga, can I interrupt  
15 you just for a minute. I want to make sure we're  
16 all on the same page.

17 DR. BAGGA: Yes.

18 CHAIRMAN BENNETT: The Commission's received  
19 several reports and recommendations from VSTOP  
20 regarding these pending voting system applications  
21 from different voting system vendors. And the  
22 reports are included in your binders behind the tab  
23 with the appropriate vendor's name. And following  
24 each report, the binders include copies of  
25 preliminary correspondence and applications

1 received before the issuance of the VSTOP report by  
2 the election division.

3 E&S (sic) has three applications pending.  
4 MicroVote has two reports pending. And there's  
5 colored stickers behind the appropriate vendor name  
6 tab to keep those voting systems --

7 VICE CHAIRMAN LONG: Thank you, Steph, for  
8 doing that for us. That would be -- that would be  
9 a nightmare if you hadn't have.

10 CHAIRMAN BENNETT: Okay. You wish to  
11 continue, Dr. Bagga, with your presentation.

12 DR. BAGGA: Thank you, Mr. Chairman.

13 So -- so the system is identical in -- in all  
14 respects except for the changes that are listed in  
15 the -- in -- in our report on Page 3. One change  
16 is ECO 927 as listed in -- on Page 2, which is an  
17 engineering change order, which is a de minimis  
18 order which does not require any software  
19 modification.

20 The other change is a compliance with the  
21 SEA 61, State Party Voting Law, that was approved  
22 by Indiana in 2016. And that method was achieved  
23 by a method of programming elections. Did not  
24 involve any software modifications. And the third  
25 change is that the -- the component, Optech 3PE

1 Eagle, which was listed as the component in the  
2 current recertified version is no longer being used  
3 in Indiana. That component did not satisfy the  
4 E -- SEA 61 compliance, and it's no longer used in  
5 Indiana, as shown by the attached e-mail from ES&S.

6 We support the renewal application for the  
7 Unity 3010 Amendment.

8 VICE CHAIRMAN LONG: Question. The one that's  
9 3PE Eagle?

10 DR. BAGGA: Yes.

11 VICE CHAIRMAN LONG: It's not a part of their  
12 application?

13 DR. BAGGA: It's no longer part of the  
14 application.

15 VICE CHAIRMAN LONG: So it's -- an approval of  
16 the application would not involve that at all.

17 DR. BAGGA: That is correct. That is correct,  
18 sir.

19 CHAIRMAN BENNETT: Is there a representative  
20 of ES&S or other person present who wishes to  
21 testify regarding this matter?

22 MR. BURTON: Yes. There's two representatives  
23 from ES&S here, myself and Mark Manganaro.

24 CHAIRMAN BENNETT: Would you state your name,  
25 please.

Transcript of Hearing  
June 23, 2017

12

12

1 MR. BURTON: Jeremy Burton, Indiana Management  
2 for Election Systems & Software.

3 MR. MANGANARO: And Mark Manganaro,  
4 M-a-n-g-a-n-a-r-o, Election Systems & Software,  
5 State Certification Manager. So we're just here to  
6 answer any questions that you -- the board may have  
7 regarding the three-part application.

8 CHAIRMAN BENNETT: Okay. Any further  
9 questions?

10 VICE CHAIRMAN LONG: No.

11 CHAIRMAN BENNETT: Hearing none, is there a  
12 motion to adopt findings that the Election Systems  
13 & Software Unity 3.0.1.0 Amendment Voting System  
14 complies with the standards prescribed for voting  
15 systems under Indiana law, has worked effectively  
16 where the system has been used and has been  
17 adequately supported by the vendor, and therefore  
18 to recertify this voting system for marketing,  
19 sale, lease, installation and implementation in  
20 Indiana for a four-year term beginning October 1st,  
21 2017?

22 VICE CHAIRMAN LONG: So moved.

23 CHAIRMAN BENNETT: Have a motion. Is there a  
24 second?

25 MR. KLUTZ: Second.

1 CHAIRMAN BENNETT: Motion and a second. Any  
2 further discussion? Those in favor say "Aye."

3 ALL COMMITTEE MEMBERS: Aye.

4 CHAIRMAN BENNETT: Those opposed say "Nay."  
5 The Ayes have it. The motion is adopted.

6 Dr. Bagga, please proceed with your  
7 presentation regarding the application for  
8 recertification of the electon -- Election Systems  
9 & Software Unity 3.4.1.0 Voting System.

10 DR. BAGGA: Thank you, Mr. Chairman. We next  
11 present a renewal application recommendation for --

12 CHAIRMAN BENNETT: This is the blue tab.

13 DR. BAGGA: -- ES&S Unity 3.4.1.0. VSTOP has  
14 reviewed the IEC-11 application for renewal of this  
15 previously certified system, Unity 3.4.1.0, and  
16 reviewed all the documentation that's been  
17 submitted by ES&S along with their application.

18 Our review included verification of all the  
19 approved ECOs, if applicable, for this voting  
20 system and an attestation from the vendor to the  
21 accuracy of the list of all components included in  
22 the application. We find that this system meets  
23 all the requirements of the Indiana Code for use in  
24 the State of Indiana. And as stated in the  
25 attached attestation by ES&S is identical to the



1 version of the voting system previously certified  
2 by Indiana Election Commission, except for  
3 modifications listed in the application packet.

4 And that modification is compliance with  
5 SES 61, which was also achieved through a method of  
6 programming and did not involve any software  
7 modifications.

8 VSTOP supports the renewal application for  
9 Unity 3.4.1.0.

10 CHAIRMAN BENNETT: Thank you. Do the  
11 representatives of E&S -- ES&S wish to add anything  
12 at this time? Any questions from the Commission  
13 members?

14 VICE CHAIRMAN LONG: I have none.

15 MR. KLUTZ: No.

16 CHAIRMAN BENNETT: Is there a motion to adopt  
17 findings that the Election Systems & Software Unity  
18 3.4-1 -- .1.0 Voting System -- going to say that  
19 again -- Unity 3.4.1.0 Voting System complies with  
20 the standards prescribed for voting systems under  
21 Indiana law, has worked effectively where the  
22 system has been used and has been adequately  
23 supported by the vendor, and therefore to recertify  
24 this voting system for marketing, sale, lease,  
25 installation and implementation in Indiana for a

Transcript of Hearing  
June 23, 2017

15

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1 four-year term beginning October 1st, 2017?

2 VICE CHAIRMAN LONG: So moved.

3 CHAIRMAN BENNETT: Motion. Is there a second?

4 MR. KLUTZ: Second.

5 CHAIRMAN BENNETT: Motion and a second. Any  
6 further discussion? Hearing none, those in favor  
7 say "Aye."

8 ALL COMMITTEE MEMBERS: Aye.

9 CHAIRMAN BENNETT: All opposed say "Nay."  
10 Ayes have it. The motion is adopted.

11 Dr. Bagga, please proceed with your  
12 presentation regarding the application for  
13 recertification of the Election Systems & Software  
14 EVS 5.2.0.0 Voting System.

15 DR. BAGGA: Thank you, Mr. Chairman.

16 We would like to present next the renewal  
17 application recommendation for ES&S EVS 5.2.0.0.  
18 VSTOP has reviewed the IEC-11 application for  
19 renewal of this previously approved system, EVS  
20 5.2.0.0, that's been submitted by ES&S. And VSTOP  
21 has also reviewed all of the supporting  
22 documentation.

23 Our review included the verification of all  
24 the ECOs, if applicable, for this voting system and  
25 an attestation from the manufacturer to the

1 accuracy of the list of all the components included  
2 in the application.

3 We find that this system meets all the  
4 requirements of the Indiana Code for use in the  
5 State of Indiana. And, as stated in the attached  
6 attestation by ES&S, is identical to the version of  
7 the voting system currently certified by Indiana  
8 Election Commission except for the modifications  
9 and compliance with SEA 61 as listed in our report.

10 And the SEA 61 was again achieved by a method  
11 of programming elections and did not involve  
12 software modifications. VSTOP supports the renewal  
13 of this application for EVS 5.2.0.0.

14 CHAIRMAN BENNETT: Any representatives of ES&S  
15 wish to add anything?

16 MALE SPEAKER: If -- if I could, I just wanted  
17 to thank, VSTOP, for all their work in the  
18 recertification process. As you know, all the  
19 systems go through recertification every four  
20 years. I'm sure all the other vendors had  
21 submitted applications. And they've always been  
22 very helpful, always responsive to any questions  
23 that I had on the process. So I just kind of  
24 wanted to thank them publicly.

25 CHAIRMAN BENNETT: Very good. Thank you for

1 your comment. Are there any questions or  
2 discussion from the Commission members?

3 VICE CHAIRMAN LONG: I have nothing.

4 CHAIRMAN BENNETT: Hearing nothing is there a  
5 motion to adopt findings that the Election Systems  
6 & Software EVS 5.2.0.0 Voting System complies with  
7 the standards prescribed for voting systems under  
8 Indiana law, has worked effectively where the  
9 system has been used and has been adequately  
10 supported by the vendor, and therefore to recertify  
11 this voting system for marketing, sale, lease,  
12 installation and implementation in Indiana for a  
13 four-year term beginning October 1st, 2017?

14 VICE CHAIRMAN LONG: So moved.

15 CHAIRMAN BENNETT: Motion. Is there a second?

16 MR. KLUTZ: Second.

17 CHAIRMAN BENNETT: Any further discussion?

18 Hearing none, those in favor say "Aye."

19 ALL COMMITTEE MEMBERS: Aye.

20 CHAIRMAN BENNETT: Opposed say "Nay." The  
21 ayes have it and the motion is adopted.

22 We'll now discuss the Hart InterCivic voting  
23 system report. Mr. Ramname, would you please  
24 discuss the application for the recertification of  
25 the Hart InterCivic HVS 6.2.2 Voting System.

1 MR. RAMNAME: Thank you, Mr. Chairman.

2 VSTOP reviewed the IEC-11 application for any  
3 of the previously approved Hart Working System  
4 6.2.2 by Hart InterCivic along with all the  
5 supporting documentation. Our review included  
6 verification of all approved ECOs for this voting  
7 system and attestation from the manufacturer to the  
8 accuracy of the list of all companies included in  
9 the application.

10 We find that this system meets all the  
11 requirements of Indiana Code for use in State of  
12 Indiana. And as stated in the attach -- attached  
13 attestation by Hart InterCivic is identical to the  
14 origin of voting systems previously certified by  
15 the Indiana Election Commission except for the  
16 modification that was part of SEA 61 compliance.

17 And, as required by the Indiana Election  
18 Commission, the SEA 61 was approved on March 10,  
19 2017 by the Indiana Election Commission, and Hart  
20 was given sufficient time to implement that  
21 modification. And on March 30th Hart InterCivic  
22 confirmed to VSTOP that all the modifications for  
23 SEA 61 had been implemented to the affected --  
24 affected counties, and the process for SEA 61  
25 compliance is now complete.

1 With that factored in VSTOP supports the  
2 renewal of HVA 6.2.2.

3 CHAIRMAN BENNETT: Very good; thank you. Is  
4 there a representative of Hart InterCivic or any  
5 other person present who wishes to testify  
6 regarding this matter? Seeing none are there any  
7 questions/comments from the Commissioners?

8 VICE CHAIRMAN LONG: No. I have none.

9 CHAIRMAN BENNETT: Is there a motion to adopt  
10 findings that the Hart InterCivic HVS 6.2.2 Voting  
11 System complies with the standards prescribed for  
12 voting systems under Indiana law, has worked  
13 effectively where the system has been used and has  
14 been adequately support by the vendor, and  
15 therefore to recertify this voting system for  
16 marketing, sale, lease, installation and  
17 implementation in Indiana for a four-year term  
18 beginning October 1st, 2017?

19 VICE CHAIRMAN LONG: So moved.

20 CHAIRMAN BENNETT: Is there a second?

21 MR. KLUTZ: Second.

22 CHAIRMAN BENNETT: Motion and a second. Any  
23 further discussion? Hearing none, those in favor  
24 say "Aye."

25 ALL COMMITTEE MEMBERS: Aye.

1 CHAIRMAN BENNETT: All opposed say "Nay." The  
2 ayes have it; motion is adopted.

3 Thank you. We will now address the MicroVote  
4 EMS 4.1 Voting System engineering change orders.  
5 Dr. Bagga, I understand this vendor has requested  
6 approval of certain engineering change orders be  
7 granted to modify the MicroVote EMS 4.1 before its  
8 recertification is considered by the Commission.  
9 Please describe briefly how these engineering  
10 change orders have been implemented.

11 DR. BAGGA: Thank you, Mr. Chairman.

12 We are here to present our report on our  
13 review of MicroVote and Unity change orders which  
14 have been submitted to us for approval. MicroVote  
15 EMS 4.1 is in thirty-five working systems in  
16 Indiana. The ECOs, or the engineering change  
17 orders, are listed on Pages 1 and 2 of our report.

18 All of these ECOs -- Carson 1600, Carson 1603,  
19 Carson 1604, Carson 1605, Carson 1609, Carson 1611,  
20 MicroVote 115, MicroVote 116, Carson 1607, Carson  
21 1613, and Aaeon ECN2-15-27 -- have been tested by a  
22 federal lab, a voting system lab and have been  
23 certified to be non de minimis or minimal ECOs.  
24 And VSTOP agrees with the determination of the non  
25 de minimis nature of -- of these ECOs.

Transcript of Hearing  
June 23, 2017

21

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1 VSTOP recommends that these -- these ECOs be  
2 approved.

3 CHAIRMAN BENNETT: Is there any representative  
4 of MicroVote or other person present here to  
5 testify regarding this matter?

6 MR. SHAMO: Yes. My name is Steve Shamo,  
7 S-h-a-m-o, with Micro -- General Manager at  
8 MicroVote. With me is Bernie Hirsch, H-i-r-s-c-h.  
9 He's our Director of Software Development. We're  
10 here for any questions.

11 CHAIRMAN BENNETT: Thank you.

12 VICE CHAIRMAN LONG: Hi, Steve.

13 MR. SHAMO: Hey.

14 CHAIRMAN BENNETT: Are there any questions  
15 from the Commissioners at this point in time?

16 VICE CHAIRMAN LONG: I have none.

17 CHAIRMAN BENNETT: Hearing none, is there a  
18 motion to adopt VSTOP's recommendation for approval  
19 of engineering change orders listed in VSTOP's  
20 report as modifications to the MicroVote EMS 4.1  
21 Voting System with this approval effective  
22 immediately?

23 VICE CHAIRMAN LONG: So moved.

24 CHAIRMAN BENNETT: I have a motion. Is there  
25 a second?



1 MR. KLUTZ: Second.

2 CHAIRMAN BENNETT: Any discussion? Hearing  
3 none, those in favor say "Aye."

4 ALL COMMITTEE MEMBERS: Aye.

5 CHAIRMAN BENNETT: All opposed say "Nay." The  
6 ayes have it; the motion is adopted. Thank you.

7 Dr. Bagga, would you please discuss the  
8 application for recertification of the MicroVote  
9 EMS 4.1 Voting System, which would include the  
10 engineering change orders just approved by the  
11 Commission.

12 DR. BAGGA: Thank you, Mr. Chairman.

13 In this report we present our report of  
14 renewal application for MicroVote EMS 4.1. This  
15 recommendation will include the ECOs that have just  
16 been approved by the Commission. VSTOP has  
17 reviewed the IEC application for this renewal of  
18 previously approved system EMS 4.1 that has been  
19 submitted by MicroVote, and VSTOP has reviewed all  
20 of the supporting documentation.

21 Our review included the approved ECOs and also  
22 an attestation from the manufacturer to the  
23 accuracy of the list of components included in the  
24 application. We find that this system meets all  
25 the requirements of Indiana Code for use in the

1 State of Indiana. And, as stated in the attached  
2 attestation by MicroVote, is identical to the  
3 version of the voting system previously certified  
4 by Indiana Election Commission except for the  
5 modifications listed. And VSTOP supports the  
6 renewal application for EMS 4.1.

7 Now, the modifications are the ECOs that were  
8 approved by the Commission. And it also includes a  
9 modification for Indiana SEA 61, software  
10 modifications, that was previously approved by the  
11 Commission on July 27th, 2016. VSTOP supports the  
12 application for renewal.

13 CHAIRMAN BENNETT: Thank you. I note that the  
14 Commission has received two e-mails from current  
15 county MicroVote users regarding this system. And  
16 copies of those e-mails are included in the  
17 Commissioners' binders. Is there a representative  
18 of MicroVote or any other person present who wishes  
19 to testify regarding this matter?

20 MR. KLUTZ: And -- Mr. Chairman, I think --  
21 and I think the matter is -- and -- and there's  
22 correspondence from you guys, so you know what the  
23 matter is. The matter is clerk's concern that on  
24 multi-precinct program machines, whether they be  
25 used for vote centers or early voting, that the --

1 the ability to print tally tapes, showing  
2 individual precinct results, is not possible. I  
3 mean, that's the issue that we're being -- is being  
4 brought to our attention.

5 MR. HIRSCH: So the Infinity Panel does have  
6 the ability to print a precinct report on a tally  
7 tape. The only difference between that and just  
8 printing the consolidated tally tape is it requires  
9 an -- an elevated permission code to be put in,  
10 as -- as if you were at the checkout line at  
11 Walmart and wanted to do a refund, you have to have  
12 someone up and approve that -- that refund. That's  
13 kind of what it is. You have to put in an  
14 administrator code in order to print that report.

15 So it can -- it's always been there. It's --  
16 it's called tally by precinct. So we -- we usually  
17 don't recommend printing that out on election night  
18 because it can be a very long report, if there are  
19 hundreds of precincts on one machine. So the  
20 information is actually contained in the tally  
21 card. And we've -- with one of these ECOs we  
22 actually also added precinct-level write-in  
23 information on the consolidated tally -- the  
24 shorter tally report.

25 So typically our counties have all the

1 information they need in order to completely know  
2 what happened in each precinct just from the  
3 consolidated report and the tally card.

4 MR. KLUTZ: Isn't the issue here for election  
5 evening, if you have a machine -- you have a  
6 precinct. Yeah, I'm sorry. You have a voting  
7 location that has multiple precincts voting at this  
8 location. You -- at 6:00 p.m. you shut the polls  
9 down, and you have precinct committee people there  
10 who want to take that tape with them.

11 And when they do that, are you saying that  
12 they're gonna' take a tape that has five precincts  
13 on it? Is that the only way they can do it at the  
14 voting location level?

15 MR. SHAMO: With the poll worker, with the --  
16 there's a password that is granted to the poll  
17 worker. It will come out as a consolidated tape.

18 MR. KLUTZ: Is that new?

19 MR. SHAMO: It's always been there.

20 MR. KLUTZ: Okay.

21 MR. SHAMO: It's always been there. So the  
22 vote centers have kind of come in after, you know,  
23 that --

24 MR. KLUTZ: So --

25 MR. HIRSCH: The consolidated tape has, at the

1 beginning, the total public count for each  
2 precinct.

3 MR. KLUTZ: For each -- okay.

4 MR. HIRSCH: And -- and then it has the  
5 current test totals for all precincts on that  
6 machine.

7 MR. KLUTZ: And so -- so I'm from Allen  
8 County. We use MicroVote. And use MicroVote. We  
9 have a precinct -- at a voting location we have  
10 Precinct 210, 211, 212. It would say 210, 211,  
11 212, but the vote totals would be in the aggregate.

12 MR. SHAMO: Yes.

13 MR. HIRSCH: Yes.

14 MR. SHAMO: So it would identify the total  
15 votes from each precinct, as a collective, as in  
16 check-in. And then the votes --

17 MR. KLUTZ: And it's always been that way?  
18 Implements.

19 MR. HIRSCH: Unless the admin code is put in.  
20 And then you also have the option of printing out,  
21 you know, a complete report for each precinct onto  
22 paper.

23 MR. SHAMO: The best example would be the  
24 State recount. The State Board of Accounts  
25 recounted the congressional district last year

1 where the Micro team went in front of the State  
2 Board of Accounts and went to every voting machine  
3 and printed out, by precinct tally, for each and  
4 every voting machine, which then -- they then broke  
5 down at that point.

6 MR. HIRSCH: So we do have a -- a matrix of  
7 permission levels for each function that the  
8 machine has that we supplied as -- as part of our  
9 response. And basically the federal guidelines in  
10 the area of security require that the machine --  
11 any component of a voting system be secure in that  
12 it's available during the voting process and during  
13 the tallying process.

14 And the elevated permissions are needed  
15 because it's possible, if a machine has a great  
16 number -- you know, you mentioned only a few  
17 precincts. But, you know, if -- a machine could  
18 have hundreds of precincts --

19 MR. KLUTZ: Right.

20 MR. HIRSCH: -- you would want to have an --  
21 an increased security level in order to print that  
22 out on election night at the precinct or at the  
23 vote center, early vote area.

24 So that's -- that's always been that way. The  
25 permission has always been available. It's merely

1 a procedural change if a county decides to do it  
2 that way. And the security requirements of the  
3 federal standards also state that we're to provide  
4 that capability. But it is actually up to -- it's  
5 beyond our control what -- how the jurisdiction  
6 actually decides to implement that security  
7 according to their own procedures.

8 So if a county does actually want to print out  
9 that printout, they -- they're certainly welcome to  
10 do so. They don't have to, you know, do it the  
11 next day or bring the machine in or anything --

12 MR. KLUTZ: But that's a decision that has to  
13 be done at the county level.

14 MR. SHAMO: Which password do you give to the  
15 poll worker essentially.

16 MR. KLUTZ: Okay. Okay.

17 MR. HIRSCH: Or -- or some special designated  
18 person at the precinct that, you know, has that  
19 elevated security clearance to do that.

20 CHAIRMAN BENNETT: So when and how does the  
21 poll worker get this elevated security code?

22 MR. SHAMO: It would be through the poll  
23 worker inspector training at that point. They  
24 would give them the pass code at that point in  
25 time.

1 Now, the pass code -- the -- the level of  
2 security is not dramatic. There's just a much --  
3 there's a few more features that are available when  
4 you enter the administrative code. So it's like --  
5 for instance, if I used a general poll worker pass  
6 code right now, I'm going to get: Show the tally,  
7 print the tally, is essentially my two options that  
8 I'm --

9 MR. HIRSCH: -- as the consolidated --

10 CHAIRMAN BENNETT: What does MicroVote do to  
11 educate the users about this elevated security?

12 MR. SHAMO: Well, I've had this conversation  
13 with Dana every election for the last three. And  
14 -- and so I've demonstrated it up there multiple  
15 times for the election board. They're aware of it.  
16 It's just that their election board has not  
17 necessarily put anything into place to advance  
18 that.

19 MR. KLUTZ: So if they're training -- if they  
20 thought it was prudent or secure, they could --  
21 their -- their election board or their poll  
22 workers, they could give them a password that would  
23 allow them to do it --

24 MR. SHAMO: Yes, yeah.

25 MR. KLUTZ: And whether that's recommended or



1 not, that's -- or prudent or not, that's up to  
2 them, I suppose?

3 MR. SHAMO: Yeah. It's essentially the 4-H  
4 building in Merrillville is what we're talking  
5 about. They have five precincts in that location.  
6 And that's the precinct report everyone seemingly  
7 hangs around for on election night to see the  
8 breakdowns on there. So --

9 PROXY CELESTINO-HORSEMAN: May I ask a  
10 question?

11 CHAIRMAN BENNETT: Yes.

12 PROXY CELESTINO-HORSEMAN: So, in other words,  
13 what we're talking about here is giving an  
14 administrative rights -- administrative rights to  
15 poll workers that gives them a few -- access to a  
16 few more things. That's a decision to be left to  
17 the local election board? They decide that, right?  
18 So it really doesn't have anything to do with these  
19 approvals here today?

20 MR. SHAMO: No. It's a feature that's been  
21 there in every version of the InterCivic.

22 VICE CHAIRMAN LONG: I agree with that; it's  
23 not a part of the certification. But I'm somewhat  
24 concerned under Open Door Laws and public  
25 information requests, that if a -- and I'm not --

1 as I'm interpreting you're saying you don't give  
2 all the precinct workers administrator codes.  
3 Somebody who's in charge of the machines  
4 bipartisan-ly would have that capacity to say -- if  
5 a -- if a precinct worker said, We need a copy of  
6 X, Y, Z precinct, someone there could do that.

7 MR. SHAMO: Well, we have the capability for  
8 two levels of security during --

9 VICE CHAIRMAN LONG: I -- I understand that.  
10 But I'm saying -- I'm not advising or suggesting  
11 that -- that these be handed out willy-nilly. What  
12 I'm saying is that somebody there, if it were -- if  
13 a precinct committeeman says, I'd like to have a  
14 copy of the precinct report, voter tally for this  
15 precinct, that could be done at the -- at the site  
16 where the votes were counted.

17 MR. SHAMO: Yes. My recommendation to the  
18 Board, when it came up in Lake County, was to  
19 simply -- we have forty-five machine technicians  
20 that float throughout the county on election day  
21 for whatever election issues come up. One of those  
22 technicians could essentially be on site and  
23 administer that code, if they chose to do it that  
24 way too.

25 VICE CHAIRMAN LONG: And do you have any

1 insight, that you could share with me anyway, as to  
2 why people would be reluctant to do that? I mean,  
3 I think that that's a public information --

4 MR. SHAMO: No.

5 VICE CHAIRMAN LONG: -- and it's available to  
6 anybody that asks for it.

7 MR. SHAMO: Yeah. Not -- not really. I think  
8 the only -- like I said, there's a couple other  
9 features on that -- on that page that they're not  
10 accustomed to seeing. I think it would be more of  
11 a training thing because now you're training this  
12 precinct differently than that precinct.

13 MR. HIRSCH: And when you said to be able to  
14 get a count at the location where they're being  
15 counted, the information is being extracted from  
16 the machine and taken to the central count on  
17 election night. They have -- they can print out a  
18 precinct report from the M software on election  
19 night at the central count area from that machine.

20 MR. KLUTZ: The issue here is at what point --  
21 the issue here is they just want it at 6:01 --

22 MR. HIRSCH: If they want an extra paper  
23 report on site before the machine is moved,  
24 that's -- that's --

25 MR. SHAMO: Well, I mean, my experience --

1 I've been in every election in Lake County for  
2 20 years now. And my experience is, sitting there  
3 on election night, reading results into our central  
4 tabulation system and listening to the radio and  
5 hearing who won based on these tapes. That's what  
6 we're talking about.

7 It bothers me that a public broadcast vote  
8 total is being handled from a pulling of the tape  
9 of the precinct, calling it in to headquarters,  
10 having it transcribed, someone else has given it to  
11 a reporter, rather than taking from the central  
12 tabulation system.

13 VICE CHAIRMAN LONG: The official vote --

14 MR. SHAMO: If there's any hesitancy, I think  
15 that's probably it.

16 VICE CHAIRMAN LONG: The official vote tally  
17 comes out of central headquarters?

18 MR. SHAMO: Yes. But we will hear -- but we  
19 will hear candidate totals on the radio even before  
20 that precinct has returned to the courthouse. And  
21 so that's -- that's really the issue.

22 PROXY CELESTINO-HORSEMAN: So it sounds like  
23 this should be an issue that should be discussed  
24 locally. I mean, I think, looking at this letter,  
25 I don't see that a request was made to the clerk to

1 have the codes and be able to seek this  
2 information. So I think maybe they should start  
3 off there first before --

4 MR. KLUTZ: I believe this came from the --

5 MR. SHAMO: It came from one of the Republican  
6 board members.

7 PROXY CELESTINO-HORSEMAN: Yeah, not the whole  
8 board, just one.

9 MR. SHAMO: Just one member, yes. It was not  
10 a board action.

11 MR. KLUTZ: Have you heard this issue or  
12 complaint from any other of your customers?

13 MR. SHAMO: No. This is the only time we've  
14 ever heard it. Now, you know, as -- as vote  
15 centers evolve more and more, I think it actually  
16 diminishes the other way. Because essentially you  
17 have, as I first mentioned, so many tapes coming  
18 from Hendricks County to the vote -- to the vote  
19 centers next year. They're talking about a tape  
20 with a hundred precincts on it coming out of each  
21 machine.

22 VICE CHAIRMAN LONG: As long as I can be  
23 assured, as a member of this body, that they're --  
24 these are available, maybe not at 6:01 or whatever  
25 the -- the time they started counting them out, but

1 they can, in -- in an orderly process that  
2 recognizes the official tally takes precedence over  
3 public requests, that Lake County or if it's done  
4 in Allen County, wherever it is in Indiana, I think  
5 people are entitled to this information and as  
6 reasonably quickly as they can get it.

7 MR. HIRSCH: Yeah. And I provided the page  
8 from the technical manual from Indiana showing the  
9 report and that it's been available all along.

10 VICE CHAIRMAN LONG: Thank you. That was a  
11 con -- I saw the -- one of the e-mails, and that  
12 was a concern to me. And I didn't understand the  
13 -- the -- the problem. I -- I thought it just  
14 wasn't available, period.

15 MR. SHAMO: Yeah. And I think the -- in -- in  
16 the e-mail that Dana submitted too, I think a -- a  
17 feature that -- that we do in Lake County that I  
18 believe with the -- perhaps the third item she  
19 referenced regarding the -- the total votes,  
20 they're an electronic poll book county. So by  
21 10:00 in the morning on Wednesday morning, not only  
22 do they have all their vote totals, but MicroVote  
23 has supplied to them an Excel sheet that has all  
24 545 precincts listed. The second column has all  
25 the votes cast on the voting machines in the second

1 one. Third column is all the check-ins on the  
2 electronic poll book. And the fourth column is the  
3 plus/minus margin, making certain they don't hit  
4 the five that would mandate the automatic calling  
5 of an election board meeting.

6 So they're getting audit information days if  
7 not weeks ahead of most counties in the state in  
8 terms of the balance between the voting machines  
9 and the check-ins.

10 VICE CHAIRMAN LONG: Thank you.

11 MR. SHAMO: Yep.

12 CHAIRMAN BENNETT: I'd like to call on our  
13 Co-Director, who's sitting here, to confirm the  
14 compliance of this machine with the statutory  
15 requirements.

16 MR. KING: Thank you, Mr. Chairman.

17 The State law regarding the certificates that  
18 are produced on election night from touchscreen  
19 voting systems such as MicroVotes is at 3-12-3.5-2  
20 and then the following section 3-12-3.5-3. In  
21 short, those State laws do not require, say, a  
22 precinct breakdown of the vote cast for each  
23 candidate. But instead for each candidate on the  
24 system, which would be the aggregate total that the  
25 MicroVote representatives have been describing.

1           As Commissioner Celestino-Horseman indicated,  
2   this is a -- a matter that the County Election  
3   Board can address as part of its training of  
4   precinct election workers, or it would be  
5   permissible but not required to generate that  
6   detailed precinct statement.

7           CHAIRMAN BENNETT: Thank you. Mr. Kochevar,  
8   anything to add to that?

9           MR. KOCHEVAR: No, not at this time.

10          CHAIRMAN BENNETT: Any other questions,  
11   discussion by the Commission?

12          VICE CHAIRMAN LONG: I have nothing.

13          CHAIRMAN BENNETT: Hearing none, is there a  
14   motion to adopt findings that the MicroVote EMS 4.1  
15   voting system complies with the standards  
16   prescribed for voting systems under Indiana law,  
17   has worked effectively --

18          MR. KLUTZ: I'm sorry.

19          CHAIRMAN BENNETT: -- where the system has  
20   been used and has been adequately supported by the  
21   vendor, and therefore to recertify this voting  
22   system for marketing, sale, lease, installation and  
23   implementation in Indiana for a four-year term  
24   beginning October 1st, 2017?

25          VICE CHAIRMAN LONG: So moved.



1 CHAIRMAN BENNETT: We have a motion. Is there  
2 a second?

3 MR. KLUTZ: Second.

4 CHAIRMAN BENNETT: Is there any further  
5 discussion? Hearing none, those in favor say  
6 "Aye."

7 ALL COMMITTEE MEMBERS: Aye.

8 CHAIRMAN BENNETT: All opposed, nay. The ayes  
9 have it and the motion is adopted.

10 Let's now turn to the Unisyn Voting Systems --  
11 Vote Solutions Voting System report. Dr. Byers,  
12 would you please discuss the application for  
13 recertification of the Unisyn Voting Solutions  
14 Voting System.

15 DR. BYERS: Thank you, Mr. Chairman and  
16 members of the Commission.

17 VSTOP reviewed the IEC-11 application for  
18 renewal of a previously approved voting sys --  
19 system, the OpenElect 1.3.4, submitted by Unison  
20 Voting Solutions along with their supporting  
21 documentation. Our review included verification of  
22 all of the approved engineering change orders for  
23 this voting system and an attestation from the  
24 manufacturer to the accuracy of the list of all  
25 components included in the application.

1           The two previously approved ECOs, the first  
2           one was approved on December 11th, 2015 for a metal  
3           ballot box for the OpenElect system. And the  
4           second was approved by the Commission on June 29th,  
5           2016 for compliance with SEA 61.

6           We find that this system meets all of the  
7           requirements of the Indiana Code for use in the  
8           State of Indiana. And, as stated in the attached  
9           attestation by Unisyn, is identical to the version  
10          of the voting system previously certified by the  
11          Indiana Election Commission except for the  
12          modifications just noted.

13          VSTOP therefore supports the renewal  
14          application for OpenElect 1.3.4.

15          CHAIRMAN BENNETT: Very well. Is there a  
16          representative of Unisyn or any other person  
17          present who wishes to offer testimony in this  
18          matter?

19          MS. BUCHANAN: Janet Buchanan from RBM  
20          Consulting is here. No further testimony.

21          CHAIRMAN BENNETT: Okay. Thank you. Any  
22          questions from the Commission members? Is there a  
23          motion to adopt findings that the Unisyn Voting  
24          Solutions OpenElect 1.3.4 Voting System complies  
25          with the standards prescribed for voting systems

1 under Indiana law, has worked effectively where the  
2 system has been used and has been adequately  
3 supported by the vendor, and therefore to recertify  
4 this voting system for marketing, sale, lease,  
5 installation and implementation in Indiana for a  
6 four-year term beginning October 1st, 2017?

7 VICE CHAIRMAN LONG: So moved.

8 CHAIRMAN BENNETT: Is there a second?

9 MR. KLUTZ: Second.

10 CHAIRMAN BENNETT: Any further discussion?

11 Hearing none, those in favor say "Aye."

12 ALL COMMITTEE MEMBERS: Aye.

13 CHAIRMAN BENNETT: All opposed say "Nay."

14 Ayes have it; the motion is adopted.

15 We will move to the status of voting system  
16 compliance with SEA 61-2016. Dr. Bagga and  
17 Dr. Byers, is it accurate to state that based on  
18 VSTOP's review of the voting systems approved at  
19 this meeting that the State's voting systems are  
20 now in full compliance with the requirements of  
21 Senate Enrolled Act 61-2016 with respect to the  
22 tabulation of straight party votes other than the  
23 remaining vendor you will discuss shortly?

24 DR. BAGGA: Yes --

25 DR. BYERS: That is correct.

1 DR. BAGGA: -- Mr. Chairman.

2 CHAIRMAN BENNETT: Okay. I would like to move  
3 then --

4 VICE CHAIRMAN LONG: Could I make a comment?

5 CHAIRMAN BENNETT: Yes.

6 VICE CHAIRMAN LONG: To those -- these are the  
7 reports and the app -- applications. Before VSTOP  
8 came on board, we had the distinct pleasure of  
9 doing this ourselves. And it was most  
10 uncomfortable. And with no disrespect to the staff  
11 there at the time, none of them got "doctor" as  
12 their first name. And they don't -- they're not  
13 experts in this area. And we've come a long way,  
14 and I thank these folks for what you've done. This  
15 program has been extraordinarily successful.

16 DR. BAGGA: Thank you.

17 VICE CHAIRMAN LONG: Thank you.

18 DR. BAGGA: Very kind.

19 CHAIRMAN BENNETT: Thank you. Let's move to  
20 the Dominion Voting GMS 1.18.24D1 System report.  
21 Dr. Bagga and Dr. Byers, please discuss the status  
22 of Dominion Voting System except -- to let, buy and  
23 accept this voting system for compliance with  
24 Indiana law in this regard.

25 DR. BAGGA: Thank you, Mr. Chairman. I want

1 to --

2 (Thereupon, after a telephone interruption,  
3 the following proceedings were had:)

4 DR. BAGGA: -- the current status of Dominion  
5 Voting Systems requirements -- with the  
6 requirements of Indiana Election Commission's  
7 Resolution 2016-1, which is appended in Appendix 8.

8 At its March 10th, 2017 meeting the Indiana  
9 Election Commission imposed the following deadlines  
10 for Dominion Voting System compliance with the  
11 process of SEA 61. Dominion was supposed to  
12 provide weekly updates on the progress of software  
13 modification to VSTOP starting with Friday,  
14 March 17, 27 (sic) and every Friday thereafter.

15 By May 1st, 2017 there was a deadline from the  
16 contractors, Sedona Technologies, which did the  
17 software modification, on the progress of software  
18 development. By June 16, 2017 there was a deadline  
19 for a test plan to be submitted to VSTOP for  
20 review. Between June 19 and 22nd VSTOP was  
21 required to assess the plan and the report of  
22 software development and report to Indiana Election  
23 Commission at its meeting today.

24 In meeting those deadlines on April 28th,  
25 2017, VSTOP received an update from Sedona

1 Technologies on the process of software  
2 development, which is attached in Appendix B in  
3 your folder.

4 Dominion complied with each of the deadlines  
5 that we just described except for the June 16, 2017  
6 deadline for submitting development completion  
7 report. And e-mail communication received from  
8 Dominion gave a reason for the delay. We did  
9 receive a report from Dominion on June 20th, 2017.  
10 Appendix C in your folder contains a summary of all  
11 of the Dominion weekly updates that were received  
12 from Dominion, VSTOP. And the appendix also  
13 includes in summary of VSTOP responses to Dominion  
14 on the progress of software development.

15 On June 20th, 2017 Dominion submitted the  
16 Development Completion Report that describes  
17 Dominion's strategy to complete the modification of  
18 its voting system with AcuVote 1-96 -- 1.96.6 from  
19 there and GEMS, G-E-M-S, 1.18.24D software, to  
20 bring it into compliance with IC 3-12-1-7(f) of  
21 SEA 61. And this is described in Appendix D that's  
22 attached to the report.

23 We received e-mail from Dominion on June 16,  
24 June 20th and June 21st which provided a revised  
25 timeline, a description of an error that caused a

1 delay in submitting the report, and a description  
2 of how that error was corrected, and a confirmation  
3 that all of the responsibilities listed in the  
4 Development Completion Report were met. This is  
5 described in Appendix E in your folder.

6 On June 22nd, 2017 VSTOP received from  
7 Pro V&V, a federally certified voting system  
8 testing lab, a test plan and script for testing of  
9 the SEA 61 compliance requirements. VSTOP has  
10 reviewed the Development Completion Report and also  
11 the Pro V&V test plan, and VSTOP recommends that  
12 these two reports be approved by IEC.

13 VICE CHAIRMAN LONG: Tell us where -- where  
14 that gets us in the -- in the system. I mean,  
15 are -- are they -- is it operational now or they've  
16 still got more to do?

17 DR. BAGGA: They have -- so the last piece of  
18 this would be, should the Commission approve the  
19 test plan today, for Dominion to get this modified  
20 version tested in the lab. And once that test  
21 report has come back to VSTOP, VSTOP will review  
22 the test report and make the next recommendation to  
23 the Commission.

24 CHAIRMAN BENNETT: Is there a representative  
25 of Dominion here today?

1 MR. PIPER: Ian Piper with Dominion Voting,  
2 the Director, Federal Certification.

3 CHAIRMAN BENNETT: Is there anything you'd  
4 like to add to that report?

5 MR. PIPER: We are scheduling right now to  
6 have the -- have the VSTL, the Voter System Test  
7 Lab, actually perform the witness bill and also the  
8 testing this coming week so that we can actually  
9 have a test report to VSTOP in the division by the  
10 following week.

11 VICE CHAIRMAN LONG: Then what?

12 MR. PIPER: Excuse me?

13 VICE CHAIRMAN LONG: Will that -- will that --  
14 will that be the end of this -- this -- this whole  
15 process? And then, if -- if everything checks out,  
16 this --

17 MR. PIPER: There would be --

18 VICE CHAIRMAN LONG: -- problem is resolved?

19 MR. PIPER: Correct. Our testing has shown  
20 that the system modifications actually meet SEA 61.  
21 But, of course, that is up to the division of VSTOP  
22 to make that determination. And they would have to  
23 base that decision off of the VSTL report that they  
24 receive.

25 VICE CHAIRMAN LONG: Dr. Bagga, do you agree



1 with that, that if -- if it comes -- if the report  
2 from Pro V&V confirms what they're -- they believe,  
3 that that will bring this problem to an end?

4 DR. BAGGA: Yes, sir. There will be another  
5 step afterwards. Once this test plan has been  
6 reviewed by VSTOP and has been approved by the  
7 Commission, there will be a period of  
8 implementation of the modified system in the  
9 counties. And VSTOP will ask Dominion to keep  
10 VSTOP updated on the progress of implementation.

11 VICE CHAIRMAN LONG: Has that been -- do we  
12 have a timeline? We had a timeline for -- to where  
13 we are today. Will we leave here today with  
14 another timeline?

15 DR. BAGGA: Yes, we do. We will give you  
16 the -- the dates.

17 The timeline is presented in the Appendix E of  
18 your folder.

19 CHAIRMAN BENNETT: Is there a page number?

20 DR. BAGGA: Page 1 of Appendix E.

21 VICE CHAIRMAN LONG: How do I find E?

22 DR. BAGGA: The last one; is that right? Yes.

23 It is in the form of an e-mail communication  
24 from Dominion to VSTOP. And the Page 1 of  
25 Appendix E presents a revised timeline for this.

1 CHAIRMAN BENNETT: And it's -- I'll -- I'll  
2 just -- to speed it up I can read what it says.

3 The V -- VSTOP Indiana Election Commission  
4 test plan review, June 23rd, that's today, a VSTL  
5 testing and report would be the -- take two weeks  
6 and would end July 14th after IEC has approved the  
7 test plan. And the VSTOP IEC test report review  
8 would be another two weeks, ending July 28th. And  
9 then implementation would be two to three weeks,  
10 ending August 18th.

11 Start date, depending on Election Commission  
12 approval, but assumption is a three-week period for  
13 GVS installing in twenty counties. So that is the  
14 proposed time table. Is that submitted by Dominion  
15 to VSTOP?

16 DR. BAGGA: That's been submitted by Dominion  
17 to VSTOP, yes, sir.

18 CHAIRMAN BENNETT: What is VSTOP's reaction to  
19 that proposed time table?

20 DR. BAGGA: VSTOP believes that's a reasonable  
21 timeline based on when the test plan is implemented  
22 and tested by the lab and the test report comes  
23 back to VSTOP for reasonable period of review.

24 PROXY CELESTINO-HORSEMAN: Excuse me, Doctor.  
25 This timeline is dependent upon VSTOP, the -- is

1 the description you have here of the VSTOP IEC test  
2 report review that requires the Commission to meet  
3 by July 28th. If they don't have a meeting  
4 scheduled by or before July 28th, how much is that  
5 going to throw this off?

6 DR. BAGGA: We understand. We will present  
7 our report of our review of the test report to the  
8 Indiana Election Division for approval by the  
9 Commission. And so it will be dependent on a  
10 Commission meeting.

11 VICE CHAIRMAN LONG: We've got a meeting --  
12 we'll call one on August the 9th.

13 CHAIRMAN BENNETT: We have one August 9th.

14 VICE CHAIRMAN LONG: If -- if -- if we were to  
15 have a meeting August 9th, was that something that  
16 would unduly protract this thing?

17 DR. BAGGA: If -- if -- should the Commission  
18 approve the test report on August 9th, that would  
19 give Dominion two to three weeks from that period  
20 to do that implementation.

21 VICE CHAIRMAN LONG: So it would just push it  
22 down 11 days or so?

23 DR. BAGGA: Yes. And -- and -- and another  
24 aspect of this process would also be a  
25 recertification of Dominion system of that.

1 PROXY CELESTINO-HORSEMAN: Oh, yes. And  
2 when -- and so what we're talking here is -- this  
3 only goes to SEA 61 compliance, right? We're --  
4 none of this is -- goes to the recertification for  
5 four years, correct?

6 CHAIRMAN BENNETT: That's correct.

7 PROXY CELESTINO-HORSEMAN: Okay. So what  
8 happens then to these counties? Let's say that  
9 they come back to you, and you aren't happy with  
10 the test results or something doesn't work. How is  
11 that going to leave those counties? 'Cause if the  
12 meeting isn't till August 9th, how is that going to  
13 leave those counties? Is it going to -- I mean,  
14 are we looking at a potential problem here on  
15 counties being able to have their equipment  
16 working?

17 DR. BAGGA: If -- if the test goes successful,  
18 if the test labs come back with a successful report  
19 of Dominion having met with SEA 61 requirements,  
20 VSTOP does not foresee an issue with implementation  
21 aspect.

22 PROXY CELESTINO-HORSEMAN: But if it does have  
23 a problem?

24 DR. BAGGA: If it does have a problem, then we  
25 have to go back and find out what the problem is

1 and find steps to correct it at that point.

2 CHAIRMAN BENNETT: So there's at least three  
3 weeks of -- of implementation before the IEC can  
4 vote on the recertification; is that correct?

5 DR. BAGGA: Yes. Between August 9 and  
6 August 18; they have about nine days, ten days.

7 VICE CHAIRMAN LONG: We -- we're going to  
8 pretty well know by August the 28th. I mean,  
9 obviously today when we rely heavily on your  
10 recommendations, and rightfully so. I mean, you've  
11 earned that credibility. So, in reality, when we  
12 meet to approve is probably more academic, in my  
13 mind, than -- than -- I think realistically once  
14 you decide by the 28th and give us the report,  
15 Dominion's going to have a -- a real good idea they  
16 need to start moving forward to implementation,  
17 putting a plan together, whatever it takes.

18 DR. BAGGA: Uh-huh, yes.

19 VICE CHAIRMAN LONG: And then what I don't  
20 think I understand is we would need -- they need to  
21 be reauthorized by when? How -- how much --  
22 what's -- let's say that they -- they come up by --  
23 they had 11 days, the 29th of August and  
24 everything's fine and we've approved all that, when  
25 do they get recertified?

1 DR. BAGGA: If -- if they can do that  
2 implementation by August 18th, enough for VSTOP to  
3 review that implementation, we could recommend a --  
4 a renewal on that date.

5 VICE CHAIRMAN LONG: So -- so it's the  
6 implementation that completes the cycle, and the  
7 renewal could follow? There's not another renewal  
8 process after that; that's -- that's the end of --

9 DR. BAGGA: That is correct, sir.

10 VICE CHAIRMAN: Okay.

11 CHAIRMAN BENNETT: The renewal process is  
12 the -- is the Commission's determination.

13 VICE CHAIRMAN LONG: Yes. After they've  
14 completed everything that we've talked about here.

15 DR. BAGGA: Yes, sir.

16 VICE CHAIRMAN LONG: Yeah.

17 CHAIRMAN BENNETT: And that could happen  
18 anytime from when the VSTOP report comes to us,  
19 which is around August 28th until, what,  
20 October 1st, 2017 deadline?

21 VICE CHAIRMAN LONG: So we're -- I think we've  
22 got -- we've got -- unless -- I was gonna' ask: Of  
23 any of the affected counties, has anybody got a  
24 special election between now and September 1st that  
25 anybody knows of?

1 PROXY CELESTINO-HORSEMAN: But the  
2 recertification -- okay. The recertification  
3 deadline's October 1st. It has to be done by then.  
4 If it's not done by then, what happens? And,  
5 forgive me, I'm not familiar --

6 VICE CHAIRMAN LONG: They can't use the  
7 machines.

8 PROXY CELESTINO-HORSEMAN: So is there any --  
9 if there's a problem, is there anything -- I mean,  
10 everything has to be recertified and done by  
11 October 1st. This is cutting it kind of close  
12 because it's -- you're getting into August when  
13 you're gonna' come back, if everything goes well.  
14 So far though this has been an extended process  
15 with this company, correct?

16 DR. BAGGA: Yes, ma'am.

17 PROXY CELESTINO-HORSEMAN: So what -- if -- I  
18 mean, I guess -- I guess all we can say is that,  
19 Old Dominion -- Dominion, let's hope you get  
20 everything done. Because that creates a whole new  
21 set of problems.

22 VICE CHAIRMAN LONG: That's a whole new set  
23 of --

24 MS. NUSSMEYER: Mr. Chairman, if I may  
25 though -- and, Brad, correct me if I'm misstating