

State of Wisconsin\Government Accountability Board

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JUDGE GERALD C. NICHOL
Chair

KEVIN J. KENNEDY
Director and General Counsel

Via Email

June 29, 2015

Mr. Ian S. Piper
Director of Federal Certification
Dominion Voting Systems, Inc.
1201 18th Street, Suite 210
Denver, CO 80202

Mr. Piper:

On June 18, 2015, the Wisconsin Government Accountability Board (Board) granted approval of the Dominion Democracy Suite 4.14-D and 4.14-DS voting systems.

Board Staff tested and the Board approved the following hardware for the 4.14-D and 4.14-DS:

<i>Equipment</i>	<i>Hardware Version(s)/Make and Model</i>	<i>Firmware Version</i>	<i>Type</i>
ImageCast Precinct (ICP)	320A, 320C	4.14.17-US**	Polling place scanner and tabulator
Ballot Marking Device (ICP-BMD Audio)	HP Office Jet 7110*		Accessibility add-on
ImageCast Central (ICC)	Canon Scanner DR-X10C/G1130* OptiPlex 9020/9030 Desktop*	4.14.17**	Central count scanner and tabulator
ImageCast Evolution (ICE)	410A External Monitor AOC 156LM00003*	4.14.21**	Polling place scanner and tabulator w/ accessibility functionality

Compact Flash Cards*	<u>SanDisk Ultra***:</u> SDCFHS-004G SDCFHS-008G <u>RiData:</u> CFC-14A RDF8G-233XMCB2-1 RDF16G-233XMCB2-1 RDF32G-233XMCB2-1 <u>SanDisk Extreme:</u> SDCFX-016G SDCFX-032G <u>SanDisk:</u> SDFAA-008G		Memory device for ICP and ICE tabulators.
Modems (4.14-DS only)*	Verizon USB Modem Pantech UML295 USB Modem MultiTech MT9234MU CellGo Cellular Modem E-Device 3GPUSUS AT&T USB Modem MultiTech GSM MTD-H5 Fax Modem US Robotics 56K V.92.		Analog and wireless modems for transmitting unofficial election night results.

* COTS devices used by the Democracy Suite Voting System.

** Board staff visually inspected firmware versions on each piece of voting equipment.

*** Dominion recommended flash cards.

Board staff tested and the Board approved the following software for the 4.14-D and 4.14-DS:

<i>Software</i>	<i>Version</i>
Democracy Suite Election Management System (EMS)*	4.14.37
<ol style="list-style-type: none"> 1. Election Event Designer 2. Results Tally and Reporting 3. Audio Studio 4. Data Center Manager 5. Election Data Translator 6. Application Server 7. Network Attached Storage Server 8. EMS File System Service 9. Database Server Application 	
ImageCast Listener (4.14-DS only)	2.1.1.5301

*The EMS version presented for approval excluded any Adjudication or AIMS software components (which received approval by the EAC) due to scheduling of testing and limited practical uses of the Adjudication software in Wisconsin.

In order to maintain approval for use of the 4.14-D and 4.14-DS in Wisconsin, Dominion must comply with the requirements of Chapter 7 of the Government Accountability Board Administrative Code. A copy of this chapter has been enclosed for your review. Specifically, Dominion must:

1. Timely pay the Board's costs for testing and approving these voting systems. An invoice will arrive separately.
2. Immediately notify the Board of any changes to these voting systems. The Board will determine the procedures for approving any changes for use in Wisconsin on a case-by-case basis.
3. Furnish a copy of the programs, documentation, and source code for these systems to be placed in escrow with EscrowTech International, Inc within 90 days from the date of this letter, in accordance with Wis. Stat. § 5.905(2).
4. Ensure that the election results from these systems can be exported on election night into the Statewide Voter Registration System (SVRS) in a format specified by the Board.
5. Inform the Board regarding any municipalities in Wisconsin which agree to use these voting systems, as well as any states or other jurisdictions which approve this voting system for use.
6. In the instance of voluntary withdrawal, involuntary decertification by the US EAC (or other Federal agency responsible for voting systems certification), or revocation of approval by the Board of the Dominion Democracy Suite 4.14-D or 4.14-DS (including any component), Dominion shall provide affected customers with substitute tabulation equipment so that any impacted election may be properly tabulated pursuant to Wis. Stat. § 5.40.
7. Submit an Application for Modification for *de minimis* or non-*de minimis* changes; however, any non-*de minimis* changes may require a full or limited application and testing process.
8. Complete the attached Certificate of Performance Compliance: Delivery of Voting System for each municipality when the 4.14-D or 4.14-DS is purchased. One certified copy must be provided to the municipality upon delivery of the voting system and one certified copy must be provided to the Board.

Furthermore, the Board enacted additional requirements for the Dominion Democracy Suite 4.14-D and 4.14-DS voting systems. The Board determined that the following continuing conditions shall remain ongoing for Dominion and purchasing localities.

1. Dominion may not impose customer deadlines contrary to requirements provided in Wisconsin Statutes, as determined by the Board. In order to enforce this provision, local

jurisdictions purchasing Dominion equipment shall also include such a provision in their respective purchase contract or amend their contract if such a provision does not currently exist.

2. The 4.14-D or 4.14-DS must always be configured to include the following options:
 - a. Automatically reject all overvoted ballots, without the option to override.
 - b. Store election set-up, results, and ballot images on both compact memory cards. Each memory card must be retained, with the data intact, for the required retention period. If a jurisdiction transfers the data from the memory cards to a digital storage device after the recount period they must transfer all files from both memory cards into two separate files.
 - c. Prohibit the use of the Write-In Preference feature, which causes write-in votes to always count over a ballot candidate.
 - d. Provide an audible warning tone and visual warning message when a crossover, overvote, blank, or ambiguous ballot is fed into the voting equipment.
 - e. Return a marked ballot to the voter for review prior to casting the ballot when ballots are marked using the ICE on-board marking device system.
 - f. The ambiguous mark threshold ranges must be set per Dominion's recommendation, which are 15%-35% for the oval and 12%-35% for the write-in box. The Board retains the discretion to alter these ranges.
 - g. Capture digital ballot images of all ballots cast by the system.
3. Election inspectors shall continue to check the main bin and review all ballots for validly cast write-ins at the close of the polls at every election.
4. Election inspectors shall remake all absentee ballots automatically rejected by the voting equipment so that the ballot count is consistent with total voter numbers.
5. Clerks and election inspectors shall ensure that external modems are secured prior to, during, and after every election.
6. Election inspectors shall enable an on-screen review of the ballot on the ICE for every ballot marked using the on-board ballot marking device.
7. As part of US EAC certificate: DVS-DemSuite4.14-D, only equipment included in this certificate are allowed to be used together to conduct an election in Wisconsin. Previous systems that were approved for use by the former Elections Board and the G.A.B. are not compatible with the new Dominion voting system, and are not to be used together with the equipment seeking approval by the Board, as this would void the US EAC certificate. If a jurisdiction upgrades to 4.14-D, they need to upgrade each and every component of the voting system to the requirements of what is approved herein. Likewise, if a jurisdiction upgrades to 4.14-DS, they need to upgrade each and every component of the voting system to the requirements of what is approved herein. The 4.14-D and 4.14-DS voting systems require a hardened computer terminal to program elections. Municipalities may not use an AutoMARK as a ballot marking device for ballots that will be fed into a 4.14-D or 4.14-DS piece of equipment.
8. Dominion shall abide by applicable Wisconsin public records laws. If, pursuant to a proper public records request, the customer receives a request for matters that might be proprietary

or confidential, customer will notify Dominion, providing the same with the opportunity to either provide customer with the record that is requested for release to the requestor, or shall advise Customer that Dominion objects to the release of the information, and provide the legal and factual basis of the objection. If for any reason, the customer concludes that customer is obligated to provide such records, Dominion shall provide such records immediately upon customer's request. Dominion shall negotiate and specify retention and public records production costs in writing with customers prior to charging said fees. In absence of meeting such conditions of approval, Dominion shall not charge customer for work performed pursuant to a proper public records request, except for the "actual, necessary, and direct" charge of responding to the records request, as that is defined and interpreted in Wisconsin law, plus shipping, handling, and chain of custody.

Please note that noncompliance with these, or any other requirements contained in Wisconsin Statutes or the Government Accountability Board Administrative Code, may result in the suspension or withdrawal of the Board's approval of these voting systems.

We require written acceptance of the terms specified in this letter within 20 business days from the date of this letter. If you have any questions, please do not hesitate to contact either myself or Matthew Kitzman of the Wisconsin Government Accountability Board.

Sincerely,

Wisconsin Government Accountability Board



Kevin J. Kennedy
Director and General Counsel

cc:

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