

**HAVA COMPLIANCE UPDATE**  
**Activities & Progress for the Week of 02/18/08 - 02/29/08**

Following is a detailed report concerning the previous week's progress in implementing the terms of the Court's Orders.

**PLAN A**

**Overall Compliance Status Summary**

Overall, activities and progress toward HAVA compliance are on schedule per the project timeline for Plan A.

**Contracting with Voting System Vendors**

Status of tasks in this category: *on schedule*

- The Contract Award Notification was posted to the OGS website. The link address is:  
<http://www.ogs.state.ny.us/purchase/spg/awards/2230021231CAN.HTM>  
The terms of the contract for all five vendors is 1/23/08 – 1/31/13.
- Continued discussions with OGS relative to the performance bond and clarification of SBOE expectations concerning its form beyond terms set forth in the solicitation.

**Testing, Certification, and Selection of Voting Systems & Devices**

Status of tasks in this category: *on schedule*

- Conducted weekly conference call meeting with SysTest, to review status of testing.
- Received formal submission by SysTest of their Quality Management Plan deliverable, consistent with the timeline.
- Received formal submission by SysTest of their Master Program Plan deliverable, consistent with the timeline.
- Work continues by SysTest on the Requirements Matrix. Both functional and security teams have reviewed and updated this document. Additional security requirements and traceability to SysTest test cases continues. A work session to continue review and enhancements is scheduled with NYSTEC for next week.

NEW YORK STATE BOARD OF ELECTIONS

- SysTest confirms that they are on track for submission of the Master Test Plan deliverable per the timeline; they plan to forward a draft version to NYSTEC by 3/7/08 for feedback. A 3/14/08 conference call between SysTest & NYSTEC is scheduled as a working meeting. SysTest indicates that will deliver a final version by 4/10/08.
- SysTest & NYSTEC have planned a conference call meeting during the week of 3/17/08 – 3/21/08 concerning security and development of attack trees.
- Dominion has submitted external hash-checking source code to SysTest, and the source code team is currently reviewing it. Results of the review will be forwarded to SBOE next week.
- SysTest evaluation of work performed by previous ITA's and previous or current work from SysTest engagements continues relative to source code, documentation, and hardware testing. It is hoped that relevant examples may be leveraged against the Plan A testing effort for SBOE, and thus shorten the overall time required for testing.
- The Master Project Plan is reported by SysTest to be complete, and in the final stages of internal reviews. It is slated for delivery to SBOE by the end of this week.
- Conducted weekly status meeting with NYSTEC to review status of all Plan A work activities.

**Delivery and Implementation of Voting Systems & Devices**

Status of tasks in this category: *on schedule*

- No updates this week relative to this category.

**PLAN B**

**Overall Compliance Status Summary**

Overall, activities and progress toward HAVA compliance are on schedule per the project timeline for Plan B.

**Contracting with Voting System Vendors**

Status of tasks in this category: *on schedule*

- The issue of the Erie County selection of BMD's has been resolved by Order of the Court. OGS has received the requisition and quote from Erie County, thus completing the receipt of BMD orders from all County Boards statewide.
- An inquiry from a Clinton County Commissioner as to a change in that County's selection of its Lot II system was passed on to DOJ, and the negative response of the Department of Justice to the concept was conveyed to the appropriate parties by Counsel.
- OGS indicates that they expect to have all orders completed and in overnight mail by COB 2/29/08. Orders for each vendor will be numbered sequentially based on the sequence in which the orders were received by OGS. Reshipping cost, if any, will be included on the order with the machines so the vendor clearly understands which counties need to be reshipped and which are picking up from the testing site. Shipping costs will be paid at 100% when completed. OGS will send a spreadsheet of all of the purchase orders issued to each vendor and SBOE on 2/29/08.
- SBOE and OGS continue to provide support and guidance to County Boards concerning order placement and related processes.
- OGS drafted change order and receiving procedures, which are currently under review by SBOE staff. This information will be distributed to County Boards once finalized.
- OGS provided draft language for an attachment to purchase orders, which will detail delivery instructions, sequence for filling orders, delivery schedules/monitoring and acceptance of terms.
- Continued collaboration and support with OGS relative to the updated summary of HAVA funds available to County Boards for purchases of BMD equipment, services, and support. Ongoing updates to this data are routinely provided by OGS.

NEW YORK STATE BOARD OF ELECTIONS

- The two (2) contempt proceedings brought by Liberty are scheduled to be heard on 2/29/08, and reply papers have been prepared.
- Image Base Systems (IBS) resubmitted their bid to OGS, and negotiation sessions have been scheduled for 3/10/08.

**Testing, Certification, and Selection of Voting Systems & Devices**

Status of tasks in this category: *on schedule*

- SysTest completed testing of all BMD's and submitted reports, consistent with the timeline.
- Final SysTest reports of testing results were posted to the agency web site for public access.
- Final recommendations by the Citizen's Election Modernization Advisory Committee (CEMAC) were posted to the agency web site for public access.
- Staff prepared briefing documents for Board Commissioners concerning testing reports.
- Board reviewed results of testing and interviewed SysTest representatives relative to findings. Commissioners also reviewed and discussed with a representative of CEMAC their reported recommendations in this regard.
- Board reviewed staff project planning and projected expenditures for single-site Acceptance Testing of BMD's. Plans and estimated costs were approved to move forward.
- Project planning discussions continued regarding single-site Acceptance Testing of BMD's, which will serve as a pilot for the development of SBOE's approach to Plan A Acceptance Testing.
  - Orders for supplies and office equipment are in the process of being submitted.
  - Arrangements are being developed for a vendor meeting to explain the approach and process of testing to be conducted, and expectations regarding shipping, labeling, and other practical matters.
  - Next steps discussions will be held with temporary personnel contractor in the week ahead, to firm up arrangements to address staffing needs.

## NEW YORK STATE BOARD OF ELECTIONS

- Board voted to approve and grant interim certification status on ES&S and Premier AutoMARK; Liberty; and Sequoia/Dominion BMD systems. The Board voted not to certify the Avante system, citing Avante's failure to meet identified criteria for interim certification under VVSG requirements.
- Met on-site with SysTest to review results of BMD testing, discuss findings and reports, and review various administrative issues.
- Scheduled with Dominion for delivery of updated software for BMD and hash bit routines, as well as updated acceptance testing procedures.
- Conducted weekly status meeting with NYSTEC to review overall status of Plan B effort.
- NYSTEC submitted revisions and recommendations for using test decks for BMD's which are currently under review by SBOE. Feedback is planned to be completed by 3/3/08.
- NYSTEC is developing system-specific checklists that will be used during Acceptance Testing of BMD's.
- Continuing steps to identify a statewide asset management system, a demo of *AssetShadow* was held on 2/22/08. A demo by *Data Support* was held on 2/28/08. An additional vendor was identified that may complement the existing system for voter registration, and further research is needed on this point. Discussions continue concerning next steps.
- A draft document detailing the entire escrow process has been completed through collaborative work by SBOE and NYSTEC staff. It is currently under review by SBOE. Current plans call for SysTest to serve as an Interim Trusted Third Party holder of source code escrow, pending contractual arrangements with Iron Mountain and finalization of SBOE procedural documents.

### **Delivery and Implementation of Voting Systems & Devices**

Status of tasks in this category: *on schedule*

- The Poll Worker Training Voter Education Advisory Committee participated in an online meeting with contractor SOE. An official kick-off meeting for this effort is tentatively planned for next week. Content developed for the disability community in other states will be distributed for review by the Committee. Web access to the SOE project plan, meeting minutes, and action items is in process. SOE has lined up web

NEW YORK STATE BOARD OF ELECTIONS

demonstrations with various County Boards. Content for a presentation at the April Conference with all County Boards will be provided by SOE.

- Developed an updated map depicting geographical location of BMD's ordered by all County Boards.