ELECTION Systems & Software

Election Systems & Software
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Thursday, April 5, 2018

VIA UPS DELIVERY
The Honorable Ron Wyden
United States Senate
221 Dirksen Senate Office Bldg.
Washington, D.C. 20510

VIA UPS DELIVERY
The Honorable Ron Wyden
United States Senate
911 NE 11th Ave., Suite 630
Portland, OR 97232

Dear Senator Wyden,

We are in receipt of your March 6, 2018 letter and appreciate your interest in the security of the systems that are central to safeguarding the integrity of our country's elections. It is clear that we share a common belief that it is of paramount importance to our democracy that the nation's elections infrastructure is never compromised.

As you know, the United States Election Assistance Commission (EAC) is charged with overseeing the testing and certification of voting systems in America. Central to that oversight is the development, maintenance and administration of Voluntary Voting System Guidelines (VVSG). All registered voting system manufacturers in the United States that participate in the EAC testing and certification program must design and manufacture their respective systems in accordance with the requirements of the VVSG, as the EAC strictly applies them in its conduct of the testing programs to which ES&S and other election vendors submit end-to-end voting systems for certification and approval. All voting systems submitted to the EAC are independently tested by laboratories that are accredited by the National Institute of Standards and Technology (NIST).

The first testing standards developed and adopted by the EAC were originally named the 2005 VVSG, which is now referred to as VVSG 1.0. These guidelines, as well as subsequent VVSG issued by the EAC, require that the election management system ("EMS") workstation located within an election official's facilities be certified in a "hardened" configuration. Simply put, a "hardened" configuration means that the EMS workstation cannot contain software applications that are not essential to the conduct of an election, nor can the EMS workstation be connected to an outside network, such as the Internet. This hardening requirement prohibits ES&S, or any other manufacturer that participates in the EAC testing and certification program, from installing remote-connection software on any portion of the EMS workstation. ES&S submits all of its voting systems for federal certification to the testing and certification program administered by the EAC. To be clear, this testing and certification program requires that EMS workstations be hardened, thus prohibiting the inclusion or use of any remote-connection software. We do find it troubling that despite the hardening requirements imposed by the EAC and followed by ES&S and other voting system manufacturers, your home state of Oregon has chosen not to follow this recommended practice, contrary to the fact that ES&S specifically urged them to do so. Please see the enclosed letter from the Elections Division of the Oregon Secretary of State.

Prior to the inception of the EAC testing and certification program and the subsequent requirement for hardening and at customer's request, ES&S provided pcAnywhere remote connection software on the EMS

workstation to a small number of customers between 2000 and 2006. The EAC required that, starting December 13, 2007, voting systems be tested and certified according to the 2005 VVSG (now known as VVSG 1.0). In accordance with that requirement, ES&S discontinued the installation of pcAnywhere software on EMS workstations. Prior to the inception of the 2005 VVSG, remote connection software was used solely to enable effective and timely customer support and was considered an accepted practice by numerous technology companies, including other voting system manufacturers. The use of the tool could only occur through approval by the customer, who had to initiate the remote connection – and was prescribed only after all other troubleshooting efforts were exhausted. As technology has evolved, customers have since migrated to VVSG-tested and certified voting systems that require a hardened configuration. We have confirmed that the EMS workstations originally configured with the remote connection software no longer have this application installed.

It is also critical to understand that this remote connection support model was never used, nor was it ever possible to be used, on any voting devices (tabulators and/or ballot marking devices), as voting devices do not contain the required operating system or remote connection software necessary to enable a remote connection. To be clear, ES&S never installed remote connection software on any vote tabulation device it has ***ever*** delivered to a customer, nor has it ever been possible to do so--either before or after creation of the EAC.

As we noted in our October 25, 2017 response to your October 3, 2017 inquiry regarding ES&S's security practices, we welcome the opportunity to meet with you in person to discuss these important issues. We would also be pleased to welcome you to our offices in Omaha, where you can view first hand our processes and products. We are happy to serve as a valuable resource to you and your fellow members of Congress.

Sincerely,

Tom Burt

Tom Burt
President, Election Systems & Software

Enclosures

OFFICE OF THE SECRETARY OF STATE

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March 9, 2016

Steve Pearson
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Omaha, NE 68137

Sent via email and USPS

RE: Use of election software on non-hardened computers

To Whom It May Concern:

This letter is to answer concerns about the use of ES&S election management software on "non-hardened" computers. Hardened computers are machines that have been stripped of literally everything but the operating system. From what we've been told, ES&S has some concerns about upgrading county customers to newer versions of the Unity software (version 3.4.1.0) unless the software will be installed on a hardened computer.

Federal certification of voting systems (through the Election Assistance Commission) requires the testing to be performed on a hardened computer. That practice makes sense, since it helps ensure that the integrity of the system being tested is not compromised. However, in a live, practical setting of everyday use, we find it acceptable for the software to be run on an un-hardened computer.

The Elections Division of the Oregon Secretary of State approves the use of ES&S software on unhardened computers. This approval applies to Unity software version 3.4.1 as well as Electionware version 5.2.0.0. Of course, we encourage County Election officials to maintain the security of their election management software by ensuring that their system is not connected to an outside network or the internet.

Please let us know if you have questions or need more information.

Regards,

Jim Williams

Jim Williams, Director
Elections Division

UPS Internet Shipping: View/Print Label

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2. **Fold the printed label at the solid line below.** Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.

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