

Wednesday, December 13, 2006

To: Georgia State Elections Board
From: Donna Price, Director, Georgians for Verified Voting
Donna Curling, Legislative Liaison, Georgians for Verified Voting
Re: Complaint Regarding Certification of the Diebold Election System
for the 2006 Primary and General Elections

Who We Are

Georgians for Verified Voting (GAVV) is a nonprofit, nonpartisan citizens' activist organization that advocates for voting systems and processes in Georgia that meet the requirements for democratic elections: these systems must be accurate, auditable (software independent), reliable, secure, transparent, and accessible.

Summary of Complaint

GAVV has evidence that the voting system used for the 2006 primary and general elections in Georgia was not nationally certified, in violation of Georgia Election Law *Title 21-2-322.16* and the *Rules of the Secretary of State Election Division 590-8-01.01*.

We call on the Georgia State Election Board and the Attorney General, under Georgia Election Law *Title 21-2-31 and Title 21-2-33.1*, to conduct an independent investigation to determine if:

1. CATHY COX, in her position as the Georgia Secretary of State ("Secretary") certified for safe use by the electors of the state for the 2006 primary, election and runoffs, an upgrade to the statewide election system, herein called "Security Adjustment," that failed to comply with the provisions of the *Rules of the Secretary of State for Certification of Voting Systems, Georgia Admin. Code Chapter 590-8-1.01* and Georgia Election Law *Title 21-2-322.16*;
2. KATHY ROGERS, in her position as Director, Georgia Elections Division, did not follow the applicable provisions of the *Rules of the Secretary of State for Certification of Voting Systems, Georgia Admin. Code Chapter 590-8-1.01(d)* and Georgia Election Law *Title 21-2-322.16* when accepting Diebold TSX "D" tablet units for use in the statewide voting system by the electors of the state for the 2006 general election;
3. BRITAIN J. WILLIAMS, consultant, Georgia Elections Division and MERLE KING, executive director, CES KSU, tested and issued state certification to the Security Adjustment, that failed to comply with the applicable provisions of the Secretary of State for *Certification of Voting Systems, Georgia Admin. Code Chapter 590-8-1.01* and Georgia Election Law *Title 21-2-322.16*;

4. DIEBOLD ELECTIONS SYSTEMS (DES) did not meet stipulations in the Contract for a Statewide Voting System No. GTA 000040, herein called "Contract," 5th Amendment 6(e)(1); 6(e)(2)(ii), the *Rules of the Secretary of State for Certification of Voting Systems*, and *Georgia Admin. Code Chapter 590-8-1.01* by installing the Security Adjustment, that failed to meet NASED/EAC 2002 Voting System Standards (VSS);

5. DIEBOLD ELECTIONS SYSTEMS violated of the *Rules of the Secretary of State for Certification of Voting Systems*, *Georgia Admin. Code Chapter 590-8-1.01* when they delivered the Security Adjustment to CES KSU that was not tested by an ITA and was not issued a NASED/EAC Qualification Certificate.

Background

All counties in Georgia utilize two types of electronic voting systems under the Contract with DES: an optical scan (“OS”) system and a Direct Recording Electronic (“DRE”) touch screen voting system. These systems include hardware, software, and firmware used to define ballots, cast and count votes, report and display election results (and in pilot testing in Bibb, Cobb, and Camden counties, maintain and produce audit trail information).

Pursuant to Georgia Election Law *Title 21-2-322.16*: “No voting machine shall be adopted or used unless it shall, at the time, satisfy the following requirements...It shall, when properly operated, register or record correctly and accurately every vote cast.” To meet *Title 21* provisions, electronic voting systems must comply with the Rules of the Secretary of State for *Certification of Voting Systems* that establish performance requirements and characteristics for voting systems and their components used in the State of Georgia. Georgia Rules of the Secretary of State for *Certification of Voting Systems, Georgia Admin. Code Chapter 590-8-1.01* require that qualification tests be performed to evaluate the degree to which a system complies with the requirements of the federal Help America Vote Act (HAVA) Election Assistance Commission (EAC) *Voting System Standards (VSS)*.

The EAC promulgates voluntary guidelines for voting machines. The EAC implements the testing and certification program required by *Section 231(a)(1)* of HAVA. *Section 222(e)* of HAVA provides that the 2002 VSS adopted by the Federal Election Commission (FEC) are deemed to be adopted by the EAC as the first set of voluntary voting system guidelines under HAVA. The VSS provide guidance to voting machine manufacturers, independent testing authorities (ITAs), and the states regarding features of voting systems.

Applicable for this action are the 2002 VSS¹, as set forth in the Contract. The qualification procedure in the Rules of the Secretary of State for *Certification of Voting Systems* require that the vendor, DES, submit that voting system to a NASED/EAC qualified ITA for testing and qualification prior to delivering the voting system to the authorized Georgia testing authority, CES KSU. After ITA qualification, the voting system (the exact version of each and all components of the system), is issued a qualification ID# which is published by NASED/EAC in *NASED Qualified Voting Systems*.

2002 VSS require that:

“[The] ‘actual hardware and software submitted for qualification testing is equivalent in form and function to the actual production units.’ Any modifications to components that were qualified as a system and received a NASED/EAC qualification ID#, must be ‘evaluated and passed by a certified ITA.’ Further ‘The qualification test report remains valid for as long as the voting system remains unchanged from the last tested configuration,’ and ‘Some voting systems may use components

or subsystems from previously tested and qualified systems, such as ballot preparation. The ITA shall, at a minimum, (a) confirm that the version of previously approved components and subsystems are unchanged; and (b) test all interfaces between previously approved modules/subsystems and all other system modules and subsystems. . . .’ ”²

Georgia uses Ciber as the ITA for software certification testing. Until the EAC assumed Section 222(3) authority, The National Association of State Election Directors (NASED) oversaw the qualification process for voting systems, working with independent testing authorities (ITA) accredited by NASED. NASED worked with the EAC to transfer the process in late 2006.⁴

Statement of Facts

Prior to the upgrade of the DES, as stipulated in the Contract 5th Amendment, dated 10 September 2004, the DES voting system used for elections in Georgia from November 2002 through November 2004 was GEMS 1.18.15, NASED qualification number N-0-3060011815 (Attachment A: Letter from Shawn Southworth, Practice Director, Ciber, to R. Doug Lewis, The Election Center, dated 12/6/2002).

The voting system upgrade (the Security Adjustment) used in the 2006 elections (All Components: Table 2), was tested and certified by CES KSU on July 10, 2006 (Attachment B: Certification Test of the Diebold Election Systems TS Voting System). The Secretary certified this system on July 10, 2006 (Attachment C), stating:

“[The] AccuVOTE TS R6 and the AccuVote TSX Voting system, consisting of GEMS version 1.18.22G, AVTS firmware version 4.5.2, AVOS version 1.94w, Encoder software version 4.5.2, AVOS version 1.94w, Encoder software version 1.3.2” was found in compliance with Georgia Election Code, the Rules and Regulations of the State Election Board, and the Rules of the Secretary of State, and “... it is my opinion that this kind of Direct Record Electronic voting system and its components can be safely used by the electors of this state in all primaries and elections as provided in Georgia Election Code 21-2...”

The EAC/NASED Qualified ID# used by CES KSU to identify the system that was tested and certified on July 10, 2006, was N-1-06-12-12-003* (Full NASED/EAC Citation for N-1-06-12-12-003 is listed in Table 3).

The system components in N-1-06-12-12-003 do not include GEMS software version 1-18-22G (Attachment D: NASED Qualified Systems).

A comparison of the two systems, the one certified by the state and used in Georgia in the 2006 elections (Column A) and N-1-06-12-12-003 (Column B) is listed below in Table 1.

TABLE 1

COLUMN A: System Tested by CES KSU & Certified by the Secretary, July 10, 2006 (also referred to in the Contract, 5th Amendment as the “Security Adjustment”)	COLUMN B: NASED/EAC Qualified System N-1-06-12-12-003*
GEMS 1-18-22G AccuVote TS R6 AccuVote TSX, Model D Windows CE [version unspecified] AVTS Ballot Station firmware version 4.5.2 AVOS (OS ballot scanner) version 1.94w Vote card encoder software 1.3.2 Key Card Tool 1.01 ExpressPoll 4000, version 1.2.53 [Certification by Secretary] ExpressPoll 4000, version 1.2.0 [CES KSU tested]	GEMS 1-18-22 AccuVote-OS Precinct Counter Firmware version 1.94W AccuVote-OS Precinct Counter Firmware version 1.96.4 AccuVote TS-R6 Precinct Counter Firmware Version 4.3.15D & 4.5.2 Windows CE OS 8/8/02 Bootloader 7/7/02 AccuVote TSX Precinct Counter Firmware Version 4.5.2 (2002) Vote Card Encoder 1.3.2 (2002) Key Card Tool 1.0.1 (2002)

Brian Hancock, U.S. Election Assistance Commission, defines the parameters for ITA qualification of systems as follows:

“...both NASED and FEC/EAC have always stressed to election officials that unless they are using a voting system identical to the system that has been ITA tested and NASED [EAC] qualified, the NASED number and the testing process mean nothing. EAC/NIST will continue to stress the importance of using a fully qualified/certified voting system.”³

The absence of GEMS-1-18-22G from the ITA qualified system, N-1-06-12-12-003 (Table 1: Column B, the NASED/EAC qualification ID used by CES KSU) is extremely significant: 1) this indicates a false NASED/EAC qualification ID number was used for CES KSU documentation of their state testing – CES KSU is required by law to test a system only after it has passed ITA testing and been NASED/EAC qualified; 2) GEMS (Diebold’s Global Election Management System) software is used to tally votes in both Diebold DRE and optical scan voting systems. This is the central tabulator software that records, accumulates and counts votes and produces elections results; 3) GEMS 1-18-22 and 1-18-22G are two different versions of GEMS software and are qualified by NASED/EAC separately; they are not one and the same.

Furthermore, the system that was tested by CES KSU (Table 1: Column A) is not identical to any system that was tested and NASED/EAC qualified (See: Other Diebold systems that were qualified for GEMS 1-18-22G in Table 4). This indicates that the system tested and certified by the State of Georgia and used in elections in 2006 was not nationally qualified.

Under the *Rules for Certification of Voting Systems*, the system CES KSU tested and the state used in the 2006 elections should have never been authorized for state testing nor certified for use in elections in GA.

In addition, even if this system had been NASED/EAC qualified, GEMS 1-18-22G software is not certified to 2002 VSS as stipulated in the Contract (Attachment E: 5th Amendment to the Contract).

Another failure to follow applicable law is indicated in a letter to Diebold from Kathy Rogers, director of the Elections Division (Attachment F). Ms. Rogers states that the ITA “did not issue a new NASED number for the inclusion of the ‘D’ tablet [TSX Model D] but rather included it in the current version assigned to Georgia under 1.18.22G.” The authorization for shipment of the TSX Model D, without NASED/EAC testing of that technology as one of the components of a complete system is a circumvention of NASED/EAC VSS as well as the Rules of the Secretary of State for *Certification of Voting Systems*. If as indicated by the letter, Ciber added the TSX Model D to any qualified voting system without testing it as a component of that system this would constitute a breach of NASED/EAC VSS by the ITA.

The Importance of National ITA Certification under the EAC VSS

Like any computer, a DRE and its components, such as memory cards, are vulnerable to security breaches, or hacking, from the vendor’s insiders or from outsiders. A hacker who breaches or compromises a DRE machine’s security can alter the results of an election in a manner that is not detectable.

In a November 2006 report issued by the National Institute for Standards and Technology (NIST), *Requiring Software Independence in VVSG 2007: STS Recommendations for the TGDC*, NIST stated:

“... NIST’s recommendation to the STS is that in practical terms the DRE’s software-dependent [paperless DRE] approach cannot be made secure or highly reliable.”

Thus the NIST, an agent of the EAC authorized under HAVA, has affirmed that in those states where software dependent systems are being used, such as Georgia in the 2006 elections, election procedures and systems are paramount to the security of those voting systems.

Voters have been assured that the State of Georgia, through the Secretary of State and Elections Division, implements rules and procedures and follows applicable election law to ensure that the electronic voting system used in the state is secure, accurate, reliable and counts every vote.

Compliance with the *Rules for Certification of Voting Systems* is essential. The DES electronic voting system is not transparent. It has no mechanism for software independent audits of the hardware and software used to record and count votes in elections. Security vulnerabilities exposed in the architecture of the DES have been called “major national security risks” by computer science and security experts around the nation, including the September 2006 Princeton Study: “Security Analysis of the Diebold AccuVote-TS Voting Machine,” the July 2006 Hursti reports, and the July 2006 report: “The Machinery of Democracy: Protecting Elections in an Electronic World,” by the Brennan Center Task Force on Voting System Security. The effect of these vulnerabilities is that the security of Georgia’s elections on the DES can be compromised throughout the entire state, enabling a single attacker to alter election results for the entire state without detection. Once the vulnerabilities are exploited, the voting system could be under the control of the attacker, not only for the current election, but also for future elections.

In light of these and other threats to the legitimacy of elections in GA, voters and legislators have been required to trust that the SOS, CES KSU, and the Elections Division will comply with all applicable election laws, rules and procedures, which we are told will mitigate vulnerabilities to the security, accuracy and reliability of the voting system.

The Technical Guidelines Development Committee (TGDC) “was established pursuant to 42 U.S.C. § 15361, to act in the public interest to assist the Executive Director of the Election Assistance Commission in the development of the voluntary voting system guidelines.”(<http://vote.nist.gov/meeting20061204-sunshine.htm>). In their Plenary Meeting in Washington, D.C., December 4 - 5, 2006, their final resolution in response to the concurrent NIST recommendations stated:

“Election officials and vendors have appropriately responded to the growing complexity of voting systems by adding more stringent access controls, encryption, testing, and physical security to election procedures and systems. The TGDC has considered current threats to voting systems and, at this time, finds that security concerns do not warrant replacing deployed voting systems where EAC best practices are used.

To provide auditability and proactively address the increasing difficulty of protecting against all prospective threats, the TGDC directs STS to write requirements for the next version of the VVSG requiring the next generation of voting systems to be software independent. The TGDC directs STS and HFP to draft usability and accessibility requirement to ensure that all voters can verify the independent voting record. The TGDC further directs STS and CRT to draft requirements to ensure that systems that produce the independently verifiable voting records are reliable and provide adequate support for audits.”

The Secretary, the Director of the Elections Division, and Dr. Britain Williams are knowledgeable that state's elections law, rules and procedures require national certification for voting systems used in elections in GA.

Dr. Britain Williams has said:

“Georgia participates in the Federal Election Commission (FEC) [now the EAC] Voting Systems Standards program. This program defines three levels of tests that a voting system must pass before it can be used in Georgia. These three levels are federal tests called Qualification Tests, state tests called Certification Tests, and local tests called Acceptance Tests....A major component of these [Qualification] tests is a line-by-line examination of the source code for the system.... After the system has successfully completed qualification testing it is brought into the State for Certification testing. Certification testing is conducted by the Center for Election Systems at Kennesaw State University. Tests are conducted to verify that the voting system complies with the requirements of the Georgia Election Code, the Rules of the Georgia Secretary of State, and the Rules of the Georgia Election Board.”⁵

Williams goes on to say, “We do believe...that these features reduce the chance of a successful election fraud in the State of Georgia to better than one in one billion.”

SOS Cathy Cox testified before the State and Local Governmental Operations Committee (SLOGO) of the Georgia State Legislature on March 4, 2004:

“There are national voting standards and you have to pass national certification before we would ever allow a machine to be sold in Georgia.... for that reason we could not buy a system that did not pass 2002 voting standards. If these companies did not pass the 2002 certification standards we not able to go there....”⁶

On March 11, 2004, Cox again testified before SLOGO:

“As you heard from the vendors last week, their equipment, the two vendors [TruVote and Avante] you had, neither of them are certified, they've been trying to get certified for over two years, they are not certified yet, they have not met the 2002 standards. Standards are there for a reason, it's not something to laugh at, they are there to verify that the machinery that we put in front of the voting public is accurate, is not prone to be tampered with... checks and balances, that's why we by state law only allow certified voting equipment to be used in this state. I absolutely believe it would be a major mistake to put some untested experimental equipment in front of the voters of the state and open up ourselves to all sorts of problems and potential for fraud and election contests and absolute chaos to be honest with you. I'm trying to do what I think is good for GA voters I'm not going to do it based on whim, I only want to do it based on good scientific foundation.”⁷

Further, “Secretary of State Cathy Cox, who chairs the election board, has been dismissive of most of the criticisms of the state’s voting machines, saying . . . that ‘so-called experts’ have not taken into account a comprehensive series of independent security measures put into place in Georgia.”⁸

In “Security Features of Georgia’s Electronic Voting System,” the Georgia Secretary of State Office’s published the following statement:

“Recent reports published by academics, computer scientists and software security professionals have raised questions about security with electronic voting systems. It is important to note that these reports have been written by computer scientists who admittedly know very little about how elections are administered and completely disregard the internal and external security measures in place for Georgia elections.”

That document goes on to detail steps taken by the state to ensure election integrity which include national qualification by an ITA to NASED/EAC VSS.

Conclusion

It is clear from these and other statements made by the SOS, the Director of the Elections Division, and Dr. Britain Williams, before agencies of the federal government, to the press, to elections officials nationally, and to Georgia voters, that voting systems used must pass national qualification testing, and that compliance with the procedures, rules and laws of GA for administering elections on the DES is required for elections to be considered secure, accurate, reliable and to count every vote.

The Secretary and Elections Division have a pattern of noncompliance with the *Rules of the Secretary of State for Certification of Voting Systems*. In the first elections on the DES voting system – the 2002 primaries and general election – the voting system, GEMS 1-18-15, was not ITA certified until after the election (on 12-02-02).

We seek a declaration under *Title 21-2-31* and *Title 21-2-33.1* that the processes, rules and standards established by GA law to ensure accurate and reliable elections under *Title 21* were not met in the DES used for the 2006 primary and general elections, and request that the Board of Elections make determinations and declarations as provided under *Title 21 § 2-580; 2-582.1; 2-586; 2-598; 2-599; 2-600; 2-603* and any and all other applicable provisions as deemed appropriate by the State Election Board.

**Table 2:
Voting System Certified by State of GA for 2006 Primaries and General Election
July 10, 2006 and by Kennesaw Center for Elections in September 2004**

Company	Voting System/ System Component	Software	Hardware/Firmware	System ID#/ Qualified to '90 or '02 VSS	Final Report Date
Diebold	GEMS 1-18-22G	GEMS 1-18-22G	AccuVote TS R6 AccuVote TSX, Model D Windows CE [version unspecified] AVTS Ballot Station firmware version 4.5.2 AVOS (OS ballot scanner) version 1.94w Vote card encoder software 1.3.2 Key Card Tool 1.01 ExpressPoll 4000, version 1.2.53 [state tested: 1.2.0]	None	None

Table 3:
Components of N-1-06-12-12-003, The Voting System Qualification Number Used by CES KSU
EAC/NASED Qualified 8-31-06

Company	Voting System/System Component	Software	Hardware/ Firmware	System ID#/ Qualified to '90 or '02 VSS	Final Report Date
Diebold	GEMS 1-18-22	GEMS 1-18-22	AccuVote-OS Precinct Counter Firmware version 1.94W AccuVote-OS Precinct Counter Firmware version 1.96.4 AccuVote TS-R6 Precinct Counter Firmware Version 4.3.15D & 4.5.2 Windows CE OS 8/8/02 Bootloader 7/7/02 AccuVote TSx Precinct Counter Firmware Version 4.5.2 (2002) Vote Card Encoder 1.3.2 (2002) Key Card Tool 1.0.1 (2002)	N-1-06-12-12-003 (1990)	7/12/2004 9/29/2004

**Table 4:
Voting Systems & Components that were EAC/NASED Qualified as of 8-31-06 for
GEMS 1.18.22G Software**

Diebold	GEMS 1-18-22G	GEMS 1-18-22G	AccuVote TS Precinct Counter Rev 6 Version 1.0.2 Windows CE 3.0 Firmware Version 4.5.2 Express Poll 4000 1.1.5	N-1-06-12-12-009 (1990)	7/7/05
Diebold	GEMS 1-18-22 & GEMS 1-18-22G	GEMS 1-18-22 & GEMS 1-18-22G	<p>AccuVote-TS Precinct Counter Rev 6 version 1.0.2 Windows CE3.0 Firmware version 4.5.2</p> <p>AccuVote-TSX Precinct Counter Bootloader BLR7-1.2.1 running WCER7-410.2.1 Firmware version 4.6.4</p> <p>AccuVote-TS Precinct Counter Rev 6 Version 1.0.2 running Windows CE 3.0 Firmware version 4.6.4</p> <p>AccuVote-OS Precinct Count 1.96.6 Key Card Tool 4.6.1 Express Poll 2000</p>	N-1-06-12-22-010 (1990)	9/21/05

Endnotes

¹ http://www.eac.gov/election_resources/vss.html

² See: *VSS 2002 Volume 1, Section 9: Overview of Qualification Tests; Section 9.5: Test Applicability; Section 9.5.2: Modifications to Qualified Systems; Volume 2, Section 6.2.2 System Baseline for Testing; 6.3 Testing Interfaces of System Components*

³ EMAIL FROM BRIAN HANCOCK OF THE EAC TO JOHN GIDEON:

X-Server-Uuid: 15FD4CF0-8B38-4DC4-B364-715C5AEBBEE0

To: jgideon@votersunite.org

cc: jlayson@eac.gov,

bwhitener@eac.gov

Subject: Re: Diebold AccuVote TSx w/AccuView Printer

X-Mailer: Lotus Notes Release 6.0.4 June 01, 2004

From: bhancock@eac.gov

Date: Tue, 5 Jul 2005 14:23:32 -0400

X-MIMETrack: Serialize by Router on SCOG-NOTESMTP1/GSAEXTERNAL(Release 5.0.13a |April 8, 2004) at 07/05/2005 02:23:41 PM, Serialize complete at 07/05/2005 02:23:41 PM

X-WSS-ID: 6ED40FA73481202089-01-01

John,

Thanks for your email(s).

To answer your question of 6/24/05, The Ciber Report on Gems 1-18-22 was prepared and distributed 4/15/05. The Wyle hardware report for this system was prepared and distributed 4/26/05. Because some of the Technical Subcommittee members were travelling, the test reports had to be forwarded to alternative locations and were not received until 4/30/05. The review period then officially began 5/1/05 and lasted until 5/15/05. The NASED number was issued 5/16/05.

As to your question from today, both NASED and FEC/EAC have always stressed to election officials that unless they are using a voting system identical to the system that has been ITA tested and NASED qualified, the NASED number and the testing process mean nothing. EAC/NIST will continue to stress the importance of using a fully qualified/certified voting system.

Brian

Brian Hancock

U.S. Election Assistance Commission

1225 New York Avenue, NW, Ste. 1100

Washington, DC 20005

202-566-3100

www.eac.gov

⁴ http://www.eac.gov/voting_sys_cert.htm

⁵ "Security in the Georgia Voting System," April 2003

⁶ <http://www.youtube.com/watch?v=kWE3mkeleOU&mode=related&search=>

⁷ <http://www.youtube.com/watch?v=PnkiGSi7BQY&mode=related&search=>

⁸ Carlos Campos, *The Atlanta Journal-Constitution*, 9/14/06

ATTACHMENT A

From:

12/07/2002 05:22 #036 P.00

ciber

December 6, 2002

Mr. Doug Lewis
The Election Center
12543 Westella
Suite 100
Houston, TX 77077-3929

Dear Doug,

CIBER was requested by Diebold Election Systems to review their 1-18-15 version of the GEMS software.

Testing of 1-18-15 was successfully completed on 12/02/02. Because substantial changes were made to the previously qualified 1-17-23 version of the system, a complete qualification test was performed.

The full report is under development and will be complete 12/30/02. The report will then be submitted to the NASED ITA technical committee for their approval. In the report, CIBER will recommend to the NASED Committee that GEMS 1-18-15 be qualified and assigned NASED certification number N03060011816.

Sincerely,

Shawn Southworth
Shawn E. Southworth
ITA Practice Director

Cc: Don Vopalensky, Diebold Election Systems

ATTACHMENT B: Cover page. The full certification document (25 pages) is posted online as a pdf document at: http://www.gaforverifiedvoting.org/docs/certification_kennesaw_06.htm



Certification Test of the

Diebold Election Systems TS Voting System

Prepared for:

Elections Division
Office of the Secretary of State
State of Georgia

Prepared by:

Center for Election Systems
Kennesaw State University
Kennesaw, Georgia, 30144

Revised
July 10, 2006

ATTACHMENT C:



OFFICE OF SECRETARY OF STATE

*I, Cathy Cox, Secretary of State of the State of Georgia, do hereby
certify that*

The AccuVote TS R6 and the AccuVote TSX Voting system, consisting of GEMS version 1.18.22G, AVTS firmware version 4.5.2, AVOS version 1.94w, Encoder software version 1.3.2, Key Card Tool 1.01, and ExpressPoll version 1.2.53, manufactured by Diebold Election Systems, Inc., 1253 Allen Station Parkway, Allen, Texas 75002, has been thoroughly examined and tested and found to be in compliance with the applicable provisions of the Georgia Election Code, the Rules and Regulations of the State Election Board, and the Rules of the Secretary of State, and as a result of this inspection, it is my opinion that this kind of Direct Record Electronic voting system and its components can be safely used by the electors of this state in all primaries and elections as provided in Georgia Election Code 21-2; provided however, I hereby reserve my opinion to reexamine this Direct Record Electronic voting system and its components at anytime so as to insure that it continues to be one that can be safely used by the voters of this state.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 10th day of July, in the year of our Lord Two Thousand and Six and of the Independence of the United States of America the Two Hundred and Thirty-First.



Cathy Cox

Cathy Cox, Secretary of State

ATTACHMENT D:

http://www.gaforverifiedvoting.org/docs/NASED_Qualified_06.htm

ATTACHMENT E:

5th Amendment to the Contract

http://www.gaforverifiedvoting.org/docs/5th_Amendment.htm

ATTACHMENT F:

