

**Secretary of State Equipment Certification Advisory Committee**

(A.R.S. § 16-442)

1700 West Washington Street, 7<sup>th</sup> Floor

Phoenix, Arizona 85007 Virtually & via Conference Call

(602) 542-8683 fax (602) 542-6172

**FINAL COPY**

**Meeting Minutes of September 3, 2021**

**I. Call to Order**

Ms. Kori Lorick, State Election Director, Secretary of State's Office, called the meeting to order at 9:01 a.m.

**II. Welcome & Roll Call**

**Committee Members Present:**

Ken Matta - Chairman

Peter Silverman, ESQ.

Dr. Jim Helm

**Committee Staff Present:**

Kori Lorick – State Election Director & Staff

Tyler Wengrzyn - Elections Technology & Security Analyst & Staff

Tanner Robinson – Elections Specialist & Staff

Sambo Dul – General Counsel & Senior Election Policy Advisor

**Committee Members Absent:**

None

**Committee Staff Absent:**

None

Ms. Lorick introduced the committee members and staff present.

**III. Election of Chair**

Ms. Lorick noted that Mr. Ken Matta, Information Security Officer, Secretary of State's Office, was newly appointed to the committee after the previous Chair Janine Petty's departure.

Mr. Matta nominated Mr. Peter Silverman, Managing Member, Peter Silverman Law Office, PLC. Mr. Silverman said he appreciated the nomination, but noted it always made sense to him to have the Chair serve from the Secretary of State's Office, and suggested Mr. Matta serve as Chair.

Mr. Silverman motioned that Mr. Matta be nominated as committee Chair. Dr. Jim Helm, Information Technology Program Chair, Arizona State University, seconded the motion, and the motion was carried unanimously.

**Votes:**

Mr. Matta: Yes  
Mr. Silverman: Yes  
Dr. Helm: Yes

Ayes: 3  
Nays: 0  
N/A: 0

**IV. Approval of Minutes from the April 28, 2021 Meeting**

Chairman Matta asked for the approval of the previous meeting minutes.

Dr. Helm motioned that the previous committee meeting minutes dated April 28, 2021 be approved. Mr. Silverman seconded the motion, and the motion was carried unanimously.

**Votes:**

Chairman Matta: Yes  
Mr. Silverman: Yes  
Dr. Helm: Yes

Ayes: 3  
Nays: 0  
N/A: 0

**V. Review, discussion, and recommendation of Voting Equipment Application for Certification of the following Engineering Change Orders: 100630, 100648, 100706, 100718, 100719, 100720, 100721, 100755, 100756, and 100762 as they relate to components of Democracy Suite 5.5B. from Dominion Voting Systems, Inc.**

**ECO 100630:**

Mr. Ian Piper, Certification Director, Dominion Voting Systems, Inc., noted the Cannon optical scanner that this change order adds. He went on to say that the previous scanner had no longer been available for use, and expanded on that point by saying this was approved by an accredited testing lab, as well as the EAC (Election Assistance Commission).

Mr. Silverman noted that no de minimis changes were noted by Dominion. Mr. Piper said that no further testing had been required. Mr. Silverman clarified that the testing lab, Pro V&V, noted that no de minimis changes were made for every other change order aside from this one. Mr. Piper clarified that the testing reports were included separately in the Pro V&V report. Ms. Lorick noted that each of the August 20<sup>th</sup> changes were noted as de minimis from EAC staff.

Mr. Silverman stated he did not have issues with any of the change orders. Dr. Helm noted he did not have issues with any of them, except for the last change order.

Ms. Sambo Dul, General Counsel & Senior Election Policy Advisor, Secretary of State's Office, noted that review of each of the ECOs for determination of their de minimis qualification was a deliberate decision.

No questions were heard regarding this change order. The committee voted it as de minimis.

**Votes:**

Chairman Matta: Yes

Mr. Silverman: Yes

Dr. Helm: Yes

Ayes: 3

Nays: 0

N/A: 0

**ECO 100648:**

No questions were heard regarding this change order. The committee voted it as de minimis.

**Votes:**

Chairman Matta: Yes

Mr. Silverman: Yes

Dr. Helm: Yes

Ayes: 3

Nays: 0

N/A: 0

**ECO 100706:**

No questions were heard regarding this change order. The committee voted it as de minimis.

**Votes:**

Chairman Matta: Yes

Mr. Silverman: Yes

Dr. Helm: Yes

Ayes: 3

Nays: 0

N/A: 0

**ECO 100718:**

No questions were heard regarding this change order. The committee voted it as de minimis.

**Votes:**

Chairman Matta: Yes

Mr. Silverman: Yes

Dr. Helm: Yes

Ayes: 3

Nays: 0

N/A: 0

**ECO 100719:**

No questions were heard regarding this change order. The committee voted it as de minimis.

**Votes:**

Chairman Matta: Yes

Mr. Silverman: Yes

Dr. Helm: Yes

Ayes: 3

Nays: 0

N/A: 0

**ECO 100720:**

No questions were heard regarding this change order. The committee voted it as de minimis.

**Votes:**

Chairman Matta: Yes

Mr. Silverman: Yes

Dr. Helm: Yes

Ayes: 3

Nays: 0

N/A: 0

**ECO 100721:**

No questions were heard regarding this change order. The committee voted it as de minimis.

**Votes:**

Chairman Matta: Yes

Mr. Silverman: Yes

Dr. Helm: Yes

Ayes: 3

Nays: 0

N/A: 0

**ECO 100755:**

No questions were heard regarding this change order. The committee voted it as de minimis.

**Votes:**

Chairman Matta: Yes

Mr. Silverman: Yes

Dr. Helm: Yes

Ayes: 3

Nays: 0

N/A: 0

**ECO 100756:**

No questions were heard regarding this change order. The committee voted it as de minimis.

**Votes:**

Chairman Matta: Yes

Mr. Silverman: Yes

Dr. Helm: Yes

Ayes: 3

Nays: 0

N/A: 0

**ECO 100762:**

Dr. Helm wanted to clarify why this was de minimis due to impact on some of the functionality within the equipment. Mr. Piper responded, clarifying that the company which put together the LCD touch panel and display was the only change, no change to components were made. He noted that Pro V&V required an environmental test, and that the report was made a part of the ECO support material.

Dr. Helm asked how the new company had the same characteristics, functionality, and performance as the previous company in connection with this equipment. Mr. Piper answered by stating that this is why Pro V&V did their test. He noted that the environment test showed it was operating in the proper parameters. Chairman Matta noted additional materials that showed that Pro V&V was operating within Voluntary Voting System Guidelines (VVSG) requirements. Dr. Helm said the document did not satisfy his concern that everything still functions as what would have been previously approved, stating that he was looking for a functional test.



Chairman Matta asked if functional testing had been done. Mr. Piper confirmed that it had, referencing documentation that also pointed out the testing done for this change order, specifically the electrical compliance testing. Chairman Matta said he was looking for this as well.

Mr. Silverman wanted to know if Dr. Helm felt his concerns were resolved. Dr. Helm said he was still looking for the documentation. Ms. Lorick said they had not reached out to the EAC specifically on this ECO. Ms. Lorick reiterated that the EAC had approved the August 20<sup>th</sup> ECOs, and that they stated the ECOs they approved were all de minimis. Chairman Matta described the PDF file which contains the component that Mr. Piper referred to, for Dr. Helm's benefit as he continued to search for answers to his concerns in previously provided documentation.

Dr. Helm did not have the correct file open, but was re-sent it by Secretary of State's Office staff. Chairman Matta requested a keyword from Dominion staff in order to find the specific section of the report. Mr. Piper noted that in the overview, the qualification for the new vendor was described. Mr. Tyler Wengrzyn, Elections Technology & Security Analyst, Secretary of State's Office, noted that the overview was on page 61 of the provide report.

Ms. Lorick noted that she emailed the document which was previously already included in the application, so that the document would not need to be searched. Dr. Helm noted he had found the ECO analysis, which was what he was looking for, stating he was now comfortable moving forward.

**The change order was voted as de minimis.**

**Votes:**

Chairman Matta: Yes

Mr. Silverman: Yes

Dr. Helm: Yes

Ayes: 3

Nays: 0

N/A: 0

Chairman Matta described the motion before the committee that two applications, containing all change orders as submitted, be accepted as de minimis, and that the application for certification be approved.

Dr Helm motioned that the 9 initial change orders voted as de minimis be approved, that the committee approve the equipment without further testing, also approve the second change order voted as de minimis, and recommend to the Secretary of State that no further testing is required for that change order as well. Mr. Silverman seconded the motion, and the motion was carried unanimously.

**Votes:**

Chairman Matta: Yes

Mr. Silverman: Yes

Dr. Helm: Yes

Ayes: 3

Nays: 0

N/A: 0

Ms. Dul said that since the committee members had recommended these two applications for approval, the committee had accurately performed its duties, addressing the Chairman's concerns regarding committee procedure.

**VI. Call to the Public – Please note: the committee may not discuss items that are not on the agenda. Public comment may be sent to [elections@azsos.gov](mailto:elections@azsos.gov), with the subject line: Equipment Certification, and will be read and included in the record. Comments are limited to 5 minutes per member of the public**

No comments were received.

**V. Adjournment**

Mr. Silverman motioned that the committee meeting be adjourned. Dr. Helm seconded the motion, and the motion was carried unanimously.

**Votes:**

Chairman Matta: Yes

Mr. Silverman: Yes

Dr. Helm: Yes

Ayes: 3

Nays: 0

N/A: 0

The meeting was adjourned at 9:44 a.m.