

## McDannold, Bruce

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**From:** Paul Craft [craft@paulcraft.net]  
**Sent:** Friday, December 30, 2005 10:27 AM  
**To:** McDannold, Bruce; [REDACTED]  
**Subject:** RE: Quick question

I think clearly there is no one else that is known to be in a similar situation.

As Steve points out the real problem here is that there was proprietary code in the .abo files which was not reviewed or tested and it very clearly should have been reviewed and tested.

If we discover another vendor in the same situation they should be treated in the same manner.

While the ES&S design has similarities, the code involved has been disclosed, examined and tested. Despite the issue of the "interpretive code" issue if the .ABS .ABO and the compiler and interpreter had been properly disclosed, reviewed, and tested this would probably not be an issue today.

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**From:** McDannold, Bruce [mailto:bmcdanno@ss.ca.gov]  
**Sent:** Friday, December 30, 2005 1:18 PM  
**To:** [REDACTED]  
**Cc:** Paul Craft  
**Subject:** RE: Quick question

I could have been clearer. We are taking some flack here that we are "picking" on Diebold and just trying to find reasons to keep them from becoming certified. We need to make sure that there is no one else in a similar situation that we have overlooked.

-----Original Message-----

**From:** Steve Freeman [mailto:[REDACTED]]  
**Sent:** Friday, December 30, 2005 9:53 AM  
**To:** McDannold, Bruce  
**Cc:** 'Paul Craft'  
**Subject:** RE: Quick question

I'm sorry I mentioned it except I am not sure where we are heading with this request. The real problem is how does the 'firmware' program get installed and is the version used the one that has had all components either source code reviewed or verified as COTS. Where we get into serious issues is where program components are being added or modified after certification but it also includes issues where components are masquerading as something else which has not been reviewed or tested. The .abo files qualify as both

The ESS example is on the borderline. It is tolerated under current rules and practices but could easily become unacceptable if the requirements change to place more restrictions on .abo type implementations.

Steven V. Freeman

[REDACTED]

-----Original Message-----

**From:** McDannold, Bruce [mailto:bmcdanno@ss.ca.gov]

**Sent:** Thursday, December 29, 2005 22:33

**To:** [REDACTED]

**Cc:** Paul Craft

**Subject:** RE: Quick question

This is supposed to be your time off, and I really hate bothering you.

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**From:** Steve Freeman [mailto:[REDACTED]]

**Sent:** Thu 12/29/2005 8:10 PM

**To:** McDannold, Bruce; Paul Craft

**Subject:** RE: Quick question

Yes the source code is reviewed by the ITAs. The process is different than the one we are worrying but it is on the fringe of meeting you request. I suspect some of the differences are why ES&S is trying to get the M115/315/150/550 all updated as they are not 2002 VSS compliant for other reasons. Paul has an old complaint about it because every election gets a new copy installed with slight differences in the actual executable code due to the active linking to the election definition tables.

We maybe should talk about this at your convenience.

Steven V. Freeman

[REDACTED]

-----Original Message-----

**From:** McDannold, Bruce [mailto:bmcdanno@ss.ca.gov]

**Sent:** Thursday, December 29, 2005 19:22

**To:** [REDACTED] Paul Craft (E-mail)

**Subject:** RE: Quick question

Just tell me that the code on the ES&S EEPROMS was reviewed by the ITAs!

(Do you really consider these in the same class as other transportable media?)

-----Original Message-----

**From:** Steve Freeman [mailto:[REDACTED]]

**Sent:** Thursday, December 29, 2005 4:26 PM

**To:** McDannold, Bruce; 'Paul Craft (E-mail)'

**Subject:** RE: Quick question

Do we need to make a distinction between systems that install the voting machine program fresh each election and those that are loading executable code that modifies the main program as part of the election definition installation? Consider for example ES&S program-EEPROM chips that are installed before each election (they contain the election definition built into the actual executable program).

*How is this CONFORMING?  
The exe is NOT  
STATIC FROM  
ELECTION TO ELECTION*

I would suggest changing "including scripts" to "including scripts, macros, control language, or intermediate code forms of such objects"

Steven V. Freeman

[REDACTED]

-----Original Message-----

**From:** McDannold, Bruce [mailto:bmcdannno@ss.ca.gov]

**Sent:** Thursday, December 29, 2005 17:24

**To:** Paul Craft (E-mail); Steven V. Freeman (E-mail)

**Subject:** Quick question

I've been directed to inquire from all the other vendors if they have any kind of executable code on their transport media. Does the following look adequate? Have I missed anything?

*Please advise us immediately as to whether or not any of your voting systems used in California include on the transport media (floppy, zip disk, pc card, etc) any kind of program code, including scripts, that can be loaded, interpreted or executed by your system's vote devices, tabulating equipment or system servers.*

*If so, please describe the nature of the code, where it appears and how it is used in the system.*

*We need your response to this no later than close of business on January 4, 2006.*

**Bruce McDannold**

*Interim Director*

*Office of Voting System Technology Assessment*

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