

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

-Plaintiffs,

Civil Action No.
06 CIV 0263 (GLS)

NEW YORK STATE BOARD OF ELECTIONS,
TODD D. VALENTINE and STANLEY L. ZALEN,
Co-Executive Directors of the New York State Board
of Elections, in their official capacities; and
STATE OF NEW YORK,

ORDER

-Defendants.

On June 3, 2009, the parties filed a joint letter request asking the Court to approve a revision to the voting systems compliance schedule set forth in this Court's January 16, 2008 Supplemental Remedial Order.

The parties' joint request seeks Court approval of a May 12, 2009 proposal by the New York State Board of Elections (SBOE): 1) to implement a pilot program utilizing optical scan voting systems for the fall 2009 state and local elections; and 2) to extend the remedial timeline to provide for full HAVA-compliant voting systems implementation throughout the State of New York in time for the fall 2010 federal primary and general elections. The details of this SBOE proposal are set forth in the three Attachments to the parties' joint request; namely, a narrative description of the SBOE proposal (Attachment A), a revised remedial timeline (Attachment B), and a list of counties participating in the pilot program (Attachment C). The Court has carefully considered the parties' joint filing and attachments in this matter, and finds that the parties' request is well-taken.

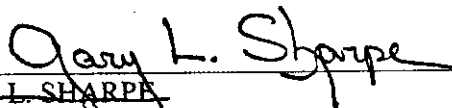
Accordingly, it is hereby ORDERED, ADJUDGED and DECREED that:

1) The parties' instant request for a revision of the compliance schedule in this litigation, as set forth in the parties' joint June 3, 2009 letter and the attachments thereto, is GRANTED, and defendants are ORDERED to proceed forthwith to implement the May 12, 2009 proposal of the SBOE;

2) Except to the extent superseded by the provisions of the SBOE's May 12, 2009 proposal, all provisions of this Court's June 2, 2006 Remedial Order and January 16, 2008 Supplemental Remedial Order shall remain in effect;

3) The Court continues to retain jurisdiction in this litigation to deal with all remedial matters and to enforce this Order and all of its previous Orders.

ENTERED this 4 day of June, 2009 at Albany, New York.


~~GARY L. SHARPE~~
UNITED STATES DISTRICT JUDGE

The United States has reviewed the attached NYSBOE proposal and has indicated to the Defendants that, while it takes no position on the statements of the Board contained in the Introduction and Conclusion of the Narrative document (Attachment A), it is in agreement with the substance of the remedial plan and the timeline as proposed. Accordingly, the United States and the Defendants will jointly request that the Court approve the Board proposal. The parties believe that the requested revision is in the best interests of achieving the remedial goals in this litigation in a fair and efficient manner. We have attached a proposed Order to this letter should the Court approve our request.

The parties are available to discuss this request with the Court if the Court so desires. Thank you for your consideration of this request.

s/ _____
Kimberly A. Galvin
Bar Roll No. 505011

s/ _____
Brian F. Heffemen
Bar Roll No. 513721

s/ _____
Paul M. Collins
Bar Roll No. 101384

s/ _____
Jeffrey M. Dvorin
Bar Roll No. 101559

Attachment A

INTRODUCTION

The State of New York remains fully committed to full compliance with Section 301 of HAVA. New York is equally committed to ensure that we replace a working voting system with one that will be in full compliance with federal VVSG standards. In our commitment to fully replace lever machines in New York, we seek voting systems that are better than our existing system, and that do not deprive New Yorkers of their constitutional rights as voters.

It is critical to the New York State Board of Elections (SBOE) that any voting system intended for use in New York State be rigorously and thoroughly tested to ensure compliance with federal VVSG standards. It is projected that the current certification process will be concluded in December of 2009 (a copy of the timeline is attached). As that current certification process continues, it is critical that elections that take place in this State utilize secure and accurate voting equipment.

After a great deal of internal discussion and consultation with county boards of elections, the SBOE has concluded that there is a great deal of value that can be gained from the experience of a secure and controlled pilot program.

PROPOSED PLAN FOR A 2009 PILOT PROGRAM

This document sets forth a proposal by the State Board of Elections to the Department of Justice regarding the deployment of optical scan voting systems (OpScan) for the September 2009 primary and general elections. It is the intention of the State Board of Elections to allow Op Scan devices to be deployed and utilized as widely as they can be based upon the local boards of elections' capability to train on and use them effectively.

In addition, this document clarifies the schedule committed to for full machine deployment in 2010. The SBOE will immediately notify the Department of Justice should there be *any* deviation from any part of this proposed plan.

PRE ELECTION FUNCTIONAL TESTING AND ACCEPTANCE TESTING

The State Board will conduct functional testing of the vendor units prior to their deployment. This functional testing will validate the logic and accuracy of the systems, which will ultimately allow for less restrictive post-election procedures to be implemented. This will also be accomplished through testing by SysTest as part of the formal certification process.

In addition, the State Board will perform acceptance testing on all new voting equipment prior to its use. To this end, the State Board will create an enhanced acceptance testing procedure for all newly-delivered devices. Any new Sequoia/Dominion units that are to be deployed and all of the ES&S scanners will be required to go through this enhanced acceptance testing procedure prior to being dispatched to the counties for use. The enhanced acceptance testing will consist of a process developed by SBOE staff and NYSTEC and will be conducted at a central location in

Albany. The staffs are currently in the process of developing these procedures. The acceptance testing procedures have been finalized.

The counties have requested that the tabulation function of the voting systems be activated as soon as possible so that they may begin training on the "actual systems" that the poll workers will see on Election Day. The vendors have started to enable these tabulating functions or provide counties with scanners for testing purposes. Both vendors assured the State Board that they will finish the provision of "working machines" by May 30, 2009. This will give the counties adequate time to train their personnel.

UPGRADING OF MACHINES CURRENTLY IN THE CUSTODY OF THE COUNTIES

The Board must ensure that all units that are going to be used in this pilot program are loaded with identical software versions. After lengthy discussions with the Sequoia/Dominion vendor it has been tentatively agreed that this upgrade would be most efficiently done at a central location. The vendor has agreed to go to the counties involved in the pilot program, box up their voting systems and ship them to the central location. At that location, the upgrade would be made to the voting system by the vendor. The vendor will then box up the voting system again and send the machine back to the county of origin. At that point, the county board will perform receipt process tasks as outlined in the procedure manual, making the units ready for use. All of this will be done at no cost to the counties.

It has been determined that this process will take place in two phases. The first phase will consist of those machines that will be utilized in the pilot program and a finite number of spare machines. This first phase of the updating process for the pilot voting systems will be completed by July 15, 2009 which is a sufficient time frame to allow the counties to run pre-election tests that are necessary to confirm readiness for the September primary election. Phase two of this process will be upgrading the balance of the Sequoia/Dominion machines currently deployed throughout the State. This will be completed no later than July 30, 2009.

The Board also has had similar discussions with ES&S. While this vendor has a significantly smaller number of counties it has different logistical issues in that the scanners that will be utilized have not been tested at all and are currently not in the possession of the counties. ES&S has assured the State Board that they can meet the same deadlines as outlined above for Sequoia/Dominion and that we will have all of the scanners that are needed for the pilot counties in possession of those counties by July 15, 2009.

POST ELECTION VERIFICATION

The Board will also provide for a Post Election Audit System to verify the election results. While these processes are still being discussed by the SBOE staff and the Commissioners, it is anticipated that the counties' required audit requirements will be as follows:

- Full compliance with the audit provisions contained in Election Law §9-211 and the audit provisions contained in the proposed regulation 6210.18.
- Conduct a 100% hand audit of all ballots in election districts when the difference in the result of the election between the potential winning and losing candidates in any contested election on the ballots is 1% or less AND,
- Randomly select 3 % from all the devices used in each county, or, borough within NYC, and hand audit all of the ballots tabulated by that device. If the outcome does not match the canvass report, then a 100% hand audit is to be conducted.

PARAMETERS OF THE PILOT PROGRAM

As previously indicated, it is the SBOE's intention to encourage and allow Op Scan devices to be deployed, in the pilot program, as widely throughout the State as they can be, based upon the availability from the manufacturer and capability of each local board of elections to use them.

In keeping with this intention, in SBOE has required the local boards to identify to the State Board both their intention to participate and in what portion of their county it will be using the OpScan voting system. In addition to any other requirements that are developed, the SBOE is requiring that:

- § The pilot area is comprised of distinct polling places so that all of the voters within that polling place cast their vote on the same voting system. This will ensure that training and outreach efforts are consistent and focused.
- § If the poll site serves multiple election districts, the all of the voters in that poll site will be included in the pilot.
- § In a pilot district all voters will be voting on scanners or BMDs. *No lever machines* will be deployed in the pilot districts.

PARTICIPATION IN THE PILOT PROGRAM

SBOE has been clear that participation is expected in both the primary and the general elections of 2009. In addition, SBOE has clearly stated that an *increased* participation from the primary election to the general election is encouraged and will be authorized.

A chart setting forth the various counties' level of participation in the pilot is attached. In addition, the DOJ has been previously provided with the individual county participation documents provided by the counties to SBOE.

Projection for Full Machine Deployment

As set forth in the attached timeline, the certification testing process will be completed by mid-December of 2009. The conclusion of the SBOE certification project includes the completion of testing by SysTest, any reviews required by NYSTEC, the issuance of testing reports, and a vote on certification by the Board at a meeting to be held no later than December 15, 2009.

All of the machines needed by the counties for a full 2010 deployment will be in the possession of the counties by March 15, 2010. By way of explanation, prior to full certification in December of 2009, SBOE is projecting that the vast majority of new machines will be ordered by the counties by May 30, 2009. Upon final contract "sign-off" by the NYS Comptroller's office (which we are expecting will occur on or before May 29, 2009), these requisitions will be converted almost immediately to actual purchase orders prior to the actual certification of the voting systems. Both vendors have indicated that they will only rely on purchase orders for building and shipping purposes. In furtherance of this process moving as quickly as possible, Board staff have had numerous conversations with the staff at OGS and with the vendors. SBOE has urgently and repeatedly stressed to all involved that everything and anything that can be done to move this process forward, should be undertaken. In addition, Board staff drafted a resolution that was taken up and voted on at our May 12, 2009 Board meeting, by which the Board awarded the required interim authorization for use of these systems.

Assuming final sign-off by OSC by May 29, 2009, it is anticipated that full acceptance testing of the new Sequoia devices can begin August 10, 2009 and will conclude no later than December 23, 2009. Should Sequoia/Dominion be chosen as the vendor for NYC, they have committed to SBOE that they can build enough machines in a timely fashion so that they will be acceptance tested and delivered to NYC no later than December 31, 2009.

ES&S staff has indicated to SBOE that they currently have enough units to fully deploy units for this conversion in all four of their counties outside of NYC. Acceptance testing can thus begin within 2 weeks of having the purchase orders issued. As such, it is anticipated that the ES&S machines for those counties outside of NYC will be acceptance-tested and deployed no later than July 30, 2009. Should ES&S be chosen as the vendor for NYC, they have committed to SBOE that they can build enough machines in a timely fashion so that they will be acceptance tested and delivered to NYC no later than November 30, 2009.

CONCLUSION

In summary, while the SBOE remains strongly committed to the full certification process, we believe that the Pilot program as outlined above will provide both the State and the counties with an invaluable learning tool as we finalize certification and full deployment in 2010. In addition, SBOE is committed to full certification and delivery as indicated in this document and the accompanying documents.

Attachment B

County Name	Code	Pilot Project (Yes or No)	Countywide (CW), City/Town (C/T), or Poll Site (PS)	Pilot Election Districts	Pilot Poll Sites	Pilot Registered Voters
Albany	1	Yes	C/T (3)	25	15	20,136
Alegany	2	Yes	C/T (TOWN-1)	2	1	1,200
Broome	4	Yes	CW	190	123	118,000
Cattaraugus	5	Yes	C/T - (1)	7	3	4,563
Cayuga	6	Yes	CW	61	29	46,946
Chautauqua	7	Yes	CW	124	60	82,000
Chemung	8	Yes	C/T (Town-1)	8	4	5,290
Chenango	9	Yes	CW	42	28	30,857
Clinton	10	No		0	0	0
Columbia	11	No		0	0	0
Cortland	12	Yes	CW	42	28	30,136
Delaware	13	Yes	CW	59	28	29,253
Dutchess	14	Yes	PS	4	2	1,432
Erie	15	No				0
Essex	16	No		0	0	0
Franklin	17	Yes	CW	49	31	26,000
Fulton	18	Yes	C/T (1 city/1 town)	8	8	9,140
Genesee	19	Yes	C/T (1)	1	1	1,045
Greene	20	Yes	C/T (TOWN-2)	2	2	1,200
Hamilton	21	Yes	CW	11	11	4,695
Herkimer	22	Yes	C/T	3	1	2,063
Jefferson	23	Yes	CW	91	50	59,058
Lewis	25	Yes	CW	31	19	17,460
Livingston	26	Yes	C/T (2)	4	3	2,736
Madison	27	Yes	CW	55	33	40,637
Monroe	28	Yes	C/T (2)	11	6	6,386
Montgomery	29	Yes	C/T (1)	1	1	1,083
Nassau	30	No		0	0	0
Niagara	32	Yes	C/T (2)	9	5	6,919
Oneida	33	Yes	C/T (1)	4	4	3,862
Onondaga	34	Yes	C/T (TOWNS-3)	29	10	20,500
Ontario	35	No		0	0	0
Orange	36	Yes	C/T (2)	9	2	6,157
Orleans	37	Yes	C/T TOWN-1	6	2	2,715
Oswego	38	Yes	CW	124	56	73,000
Otsego	39	Yes	C/T (7)	14	9	5,346
Putnam	40	Yes	CW	86	22	59,270
Rensselaer	42	No		0	0	0
Rockland	44	No		0	0	0
Saratoga	45	Yes	C/T (6)	14	7	10,592
Schenectady	46	Yes	C/T (2)	10	3	6,908
Schoharie	47	Yes	PS	3	1	1,963
Schuyler	48	Yes	CW	17	16	12,340
Seneca	49	Yes	CW	27	19	20,124
St. Lawrence	50	Yes	CW	102	65	60,333
Steuben	51	Yes	CW	85	60	60,000
Suffolk	52	No		0	0	0
Sullivan	53	Yes	PS	3	2	2,290
Tioga	54	Yes	C/T (TOWN-2)	4	2	2,968
Tompkins	55	Yes	C/T (CITY -1)	19	10	11,600
Ulster	56	Yes	PS	5	2	2,887
Warren	57	No		0	0	0
Washington	58	No		0	0	0
Wayne	59	Yes	PS	1	1	722
Westchester	60	No		0	0	0
Wyoming	61	Yes	C/T (TOWN-1)	5	1	3,203
Yates	62	Yes	CW	20	13	14,692
Bronx	63a	No		0	0	0
Kings	63b	No		0	0	0
New York	63c	No		0	0	0
Queens	63d	No		0	0	0
Richmond	63e	No		0	0	0
Total	63f			1427	799	929,707

Note: Version as of : Final

Attachment C

DRAFT		DRAFT				DRAFT
ID	Task Name	Duration	Start	Finish	Predecess	
1	Vendor Requests	6 days	Wed 3/18/09	Wed 3/25/09		
2	Latest Software and Firmware	1 day	Wed 3/18/09	Wed 3/18/09		
3	Latest Hardware	1 day	Wed 3/18/09	Wed 3/18/09		
4	Vendor Readiness Test	1 day	Wed 3/18/09	Wed 3/18/09		
5	Non-Trusted Builds of latest software	1 day	Wed 3/18/09	Wed 3/18/09		
6	Updated TDP and Source Code	1 day	Wed 3/18/09	Wed 3/18/09		
7	Updated Discrepancy Fixes	1 day	Wed 3/18/09	Wed 3/18/09		
8	InMail Vendor Response	1 day	Wed 3/25/09	Wed 3/25/09		
9	Discrepancy Fixes	3 days	Wed 4/8/09	Fri 4/10/09		
10	ES&S	3 days	Wed 4/8/09	Fri 4/10/09		
11	Update SysTest Discrepancy Lists	3 days	Wed 4/8/09	Fri 4/10/09		
12	Verify Latest Documentation	3 days	Wed 4/8/09	Fri 4/10/09		
13	Dominion	3 days	Wed 4/8/09	Fri 4/10/09		
14	Update SysTest Discrepancy Lists	3 days	Wed 4/8/09	Fri 4/10/09		
15	Verify Latest Documentation	3 days	Wed 4/8/09	Fri 4/10/09		
16	Requirements Matrix Cleanup	5 days	Wed 3/25/09	Tue 3/31/09		
17	Development of Remaining Test Cases	6 days	Fri 3/20/09	Fri 3/27/09		
18	Development of VSA Setup Test Case	5 days	Mon 3/23/09	Fri 3/27/09		
19	Development of Accuracy Test Case	6 days	Fri 3/20/09	Fri 3/27/09		
20	Development of Volume & Stress Test Case	6 days	Fri 3/20/09	Fri 3/27/09		
21	NYSTEC Review and Approval of Remaining Test Cases	9 days	Thu 3/19/09	Tue 3/31/09		
22	Modifications and resubmittal Vendor Readiness Test Case	2 days	Thu 3/19/09	Fri 3/20/09		
23	Modifications and resubmittal VSA Setup Test Case	2 days	Mon 3/30/09	Tue 3/31/09 18		
24	Modifications and resubmittal Accuracy Test Case	2 days	Mon 3/30/09	Tue 3/31/09 19		
25	Modifications and resubmittal Volume & Stress Test Case	2 days	Mon 3/30/09	Tue 3/31/09 20		
26	Gap Analysis of Test Cases and Final TDP Document Review	72.5 days?	Wed 4/1/09	Thu 7/9/09		
27	Updates to TC due to RFI and Clarifications	2 days	Wed 4/1/09	Thu 4/2/09		
28	ES&S	17 days	Wed 4/1/09	Thu 4/23/09 8		

Project: SysTest Project Plan 4-8-09	Task	Milestone	External Task
Date: Wed 5/6/09	Spit	Summary	External Milestone
	Progress	Project Summary	Deadline

SysTest Project Plan 4-8-09 HIGH LEVEL INCL PILOT DATES Rev.mpp Page 1

DRAFT		DRAFT			
ID	Task Name	Duration	Start	Finish	Predecessor
29	Discrepancy Updates	1 day	Wed 4/8/09	Wed 4/8/09	
30	Gen01	5 days	Wed 4/1/09	Tue 4/7/09	
31	Gen02	4 days	Wed 4/1/09	Mon 4/6/09	
32	Gen03	1 day	Wed 4/1/09	Wed 4/1/09	
33	Pr01	2 days	Wed 4/8/09	Thu 4/9/09	30
34	Pr02	3 days	Tue 4/7/09	Thu 4/9/09	31
35	Telecom	5 days	Wed 4/1/09	Tue 4/7/09	
36	Crypto	2 days	Wed 4/8/09	Thu 4/9/09	35
37	Gensec	10 days	Fri 4/10/09	Thu 4/23/09	35
38	Hardware	3 days	Mon 4/13/09	Wed 4/15/09	
40	Dominion	72.5 days?	Wed 4/1/09	Thu 7/8/09	6
41	Discrepancy Updates	1 day	Thu 4/9/09	Thu 4/9/09	46
42	Gen01	4 days	Wed 4/1/09	Mon 4/6/09	
43	Gen02	5 days	Wed 4/1/09	Tue 4/7/09	
44	Gen03	3 days	Wed 4/1/09	Fri 4/3/09	
45	Pr01	4 days	Tue 4/7/09	Fri 4/10/09	42
46	Pr02	1 day	Wed 4/8/09	Wed 4/8/09	43
47	Telecom	5 days	Wed 4/1/09	Tue 4/7/09	
48	Crypto	2 days	Wed 4/8/09	Thu 4/9/09	47
49	Gensec	10 days	Fri 4/10/09	Thu 4/23/09	48
50	Hardware	3 days	Mon 4/13/09	Wed 4/15/09	
62	Vendor Delivery of Final TDP Documents & Source Code	1 day	Fri 5/1/09	Fri 5/1/09	
63	Checkin ES&S TDP Documents and Source Code	1 day	Fri 5/1/09	Fri 5/1/09	
64	Checkin Dominion TDP Documents and Source Code	1 day	Fri 5/1/09	Fri 5/1/09	
65	New Vendor Equipment and Delivery	15 days	Fri 4/17/09	Thu 5/7/09	
66	ES&S	4 days	Fri 4/17/09	Wed 4/22/09	
67	Check-in new equipment - update Traveler	1 day	Fri 4/17/09	Fri 4/17/09	
68	Determine Deltas - New Hardware Test?	1 day	Mon 4/20/09	Mon 4/20/09	67
69	Test Room Setup With New Equipment	2 days	Tue 4/21/09	Wed 4/22/09	68

Project: SysTest Project Plan 4-8-09 Date: Wed 5/6/09	Task	█	Milestone	◆	External Task	█
	Split	Summary	▬	External Milestone	◆
	Progress	█	Project Summary	▬	Deadline	↓

SysTest Project Plan 4-8-09 HIGH LEVEL INCL PILOT DATES Rev.mpp Page 2

DRAFT		DRAFT				DRAFT
ID	Task Name	Duration	Start	Finish	Predecessor	
60	Ship back unnecessary equipment	1 day	Fri 4/17/09	Fri 4/17/09		
61	Dominion	6 days	Fri 5/1/09	Thu 5/7/09		
62	Check-in new equipment - update Traveler	1 day	Fri 5/1/09	Fri 5/1/09		
63	Determine Deltras - New Hardware Test?	1 day	Mon 5/4/09	Mon 5/4/09	62	
64	Test Room Setup With New Equipment	2 days	Tue 5/5/09	Wed 5/6/09	63	
65	Ship back unnecessary equipment	1 day	Thu 5/7/09	Thu 5/7/09	64	
66	Source Code Review (Need Deltras)	66.6 days	Mon 3/23/09	Mon 7/20/09		
67	Gap Analysis for RFI Response	1 day	Mon 3/23/09	Mon 3/23/09		
68	Update Processes for RFI Response	1 day	Tue 3/24/09	Tue 3/24/09	67	
69	Update Processes to include all inputs from Test Cases	4 days	Wed 4/1/09	Mon 4/6/09		
70	Perform Trusted Builds for Test Validation	2.5 days	Mon 5/4/09	Wed 5/6/09	62	
71	ES&S	2.5 days	Mon 5/4/09	Wed 5/6/09		
72	Dominion	2.5 days	Mon 5/4/09	Wed 5/6/09		
73	ES&S	63 days	Wed 6/6/09	Fri 7/17/09	70	
74	Updates from Discrepancies	1 day	Wed 5/6/09	Thu 5/7/09		
75	Changes due to Clarifications from RFI's	10 days	Thu 5/7/09	Thu 5/21/09	74	
76	Changes due to new functionality	42 days	Thu 5/21/09	Fri 7/17/09	75	
77	Rerun through Parasoft and Fortify	9 days	Wed 5/6/09	Tue 5/19/09		
78	Hash-Check	1 day	Fri 7/17/09	Mon 7/20/09		
79	Perform Hash-Check	1 day	Fri 7/17/09	Mon 7/20/09	73	
80	Dominion	63 days	Wed 6/6/09	Fri 7/17/09	70	
81	Updates from Discrepancies	1 day	Wed 5/6/09	Thu 5/7/09		
82	Changes due to Clarifications from RFI's	10 days	Thu 5/7/09	Thu 5/21/09	81	
83	Changes due to new functionality	42 days	Thu 5/21/09	Fri 7/17/09	82	
84	Rerun through Parasoft and Fortify	12 days	Wed 5/6/09	Fri 5/22/09		
85	Hash-Check	1 day	Fri 7/17/09	Mon 7/20/09		
86	Perform Hash-Check	1 day	Fri 7/17/09	Mon 7/20/09	80	
87	Deliverable 5 - Review of Technical Data Packages (TDP) Completion	112 days	Mon 7/20/09	Wed 12/23/09		

Project: SysTest Project Plan 4-8-09 Date: Wed 5/6/09	Task	Milestone	External Task
Split	Summary	External Milestone	
Progress	Project Summary	Deadline	

SysTest Project Plan 4-8-09 HIGH LEVEL INCL PILOT DATES Rev.mpp Page 3

DRAFT		DRAFT			
ID	Task Name	Duration	Start	Finish	Predecess
88	Develop Document Review Test Report For input into Final Test Report	5 days	Wed 12/16/08	Wed 12/23/08	217,218
89	Develop Source Code Review Test Report For input into Final Test Report	5 days	Mon 7/20/09	Mon 7/27/09	86
90	Install software on voting system	4 days	Wed 5/6/09	Tue 5/12/09	70
91	ES&S	4 days	Wed 5/6/09	Tue 5/12/09	
92	OS and COTS with Hardening on EMS on all Servers	4 days	Wed 5/6/09	Tue 5/12/09	
93	Firmware on Polling Place Machines	1 day	Wed 5/6/09	Thu 5/7/09	
94	Dominion	4 days	Wed 5/6/09	Tue 5/12/09	
95	OS and COTS with Hardening on EMS on all servers	4 days	Wed 5/6/09	Tue 5/12/09	
96	Firmware on Polling Place Machines	1 day	Wed 5/6/09	Thu 5/7/09	
97	Vander Readiness Test Validation	5 days	Tue 5/12/09	Tue 5/19/09	80
98	ES&S	5 days	Tue 5/12/09	Tue 5/19/09	
99	Dominion	5 days	Tue 5/12/09	Tue 5/19/09	
100	Test Procedure Validation	58 days	Tue 5/19/09	Thu 8/6/09	97,90
101	ES&S	58 days	Tue 5/19/09	Thu 8/6/09	
102	Gen01	18 days	Tue 5/19/09	Thu 6/11/09	
103	Gen02	20 days	Thu 6/11/09	Thu 7/9/09	102
104	Gen03	16 days	Tue 5/19/09	Thu 6/11/09	
105	Ph01	15 days	Thu 7/9/09	Thu 7/30/09	103
106		20 days?	Thu 6/11/09	Thu 7/9/09	104
107	Telecom	5 days	Tue 5/19/09	Tue 5/26/09	
108	Crypto	10 days	Tue 5/19/09	Mon 6/1/09	
109	Gensec	40 days	Mon 6/1/09	Mon 7/27/09	108
110	VSA Setup	35 days	Tue 5/19/09	Mon 7/6/09	
111	Accuracy	15 days	Mon 7/6/09	Mon 7/27/09	110
112	Volume & Stress	20 days	Thu 7/9/09	Thu 8/6/09	51
113	Hardware	5 days	Tue 5/19/09	Tue 5/26/09	
114	Dominion	58 days	Tue 5/19/09	Thu 8/6/09	
115	Gen01	18 days	Tue 5/19/09	Thu 6/11/09	

Project: SysTest Project Plan 4-8-09 Date: Wed 5/6/09	Task		Milestone		External Tasks	
	Split		Summary		External Milestone	
	Progress		Project Summary		Deadline	

SysTest Project Plan 4-8-09 HIGH LEVEL INCL PILOT DATES Rev.mpp Page 4

DRAFT		DRAFT				DRAFT
ID	Task Name	Duration	Start	Finish	Predecessor	
116	Gen02	20 days	Thu 6/11/09	Thu 7/9/09	115	
117	Gen03	18 days	Tue 5/19/09	Thu 6/11/09		
118	Pr01	20 days	Thu 7/9/09	Thu 8/6/09	116	
119	Pr02	20 days	Thu 6/11/09	Thu 7/9/09	117	
120	Telecom	5 days	Tue 5/19/09	Tue 5/26/09		
121	Crypto	10 days	Tue 6/1/09	Mon 6/1/09		
122	Gensec	40 days	Mon 6/1/09	Mon 7/27/09	121	
123	VSA Setup	30 days	Tue 5/19/09	Mon 7/6/09		
124	Accuracy	15 days	Mon 7/6/09	Mon 7/27/09	123	
125	Volume & Stress	20 days	Thu 7/9/09	Thu 8/6/09	119	
126	Hardware	5 days	Tue 5/19/09	Tue 5/26/09		
127	NYSTEC Approval of Test Procedures	1 day	Thu 8/6/09	Fri 8/7/09	101,114	
128	Run For Record	65 days	Thu 8/6/09	Thu 11/5/09	106,66	
129	Perform Witnessed Trusted Builds	8 days	Thu 8/6/09	Thu 8/13/09	66	
130	ES&S	2.5 days	Thu 8/6/09	Mon 8/10/09		
131	Domination	2.5 days	Tue 8/11/09	Thu 8/13/09	130	
132	Preparations	5 days	Thu 8/6/09	Thu 8/13/09		
133	Clear, clean, and reconfigure machines as required	3 days	Thu 8/6/09	Tue 8/11/09		
134	Reinstall Software using trusted builds	2 days	Tue 8/11/09	Thu 8/13/09	133	
135	ES&S	60 days	Thu 8/13/09	Thu 11/5/09		
136	Readiness Test	5 days	Thu 8/13/09	Thu 8/20/09	134	
137	Gen01	10 days	Thu 8/20/09	Thu 9/3/09	136	
138	Gen02	10 days	Thu 8/20/09	Thu 9/3/09	136	
139	Gen03	20 days	Thu 8/20/09	Thu 9/17/09	136	
140	Pr01	10 days	Thu 9/17/09	Thu 10/1/09	138	
141	Pr02	10 days	Thu 9/17/09	Thu 10/1/09	138	
142	Telecom	5 days	Thu 8/20/09	Thu 8/27/09	136	
143	Crypto	5 days	Thu 8/27/09	Thu 9/3/09	142	
144	Gensec	25 days	Thu 9/3/09	Thu 10/8/09	143	

Project: SysTest Project Plan 4-8-09 Date: Wed 5/6/09	Task	█	Milestone	◆	External Task	█
	Split	Summary	▬	External Milestone	◆
	Progress	▬	Project Summary	▬	Deadline	↓

SysTest Project Plan 4-8-09 HIGH LEVEL INCL PILOT DATES Rev.mpp Page 5

DRAFT		DRAFT				DRAFT
ID	Task Name	Duration	Start	Finish	Predecess	
145	VSA Setup	10 days	Thu 8/20/09	Thu 9/3/09	136	
146	Accuracy	43.5 days	Fri 8/21/09	Wed 10/21/09		
147	Marking Ballots	10 days	Fri 8/21/09	Thu 9/3/09		
148	Prep & Ship Machines to Hardware Lab	0.5 days	Thu 9/3/09	Thu 9/3/09	145	
149	Operational check	0.5 days	Fri 9/4/09	Fri 9/4/09	148	
150	1st 48 hours of test in chamber	2 days	Fri 9/4/09	Tue 9/8/09	147, 148	
151	Prep & Ship Machine to SysTest Labs	0.5 days	Tue 9/8/09	Tue 9/8/09	150	
152	Operational check	0.5 days	Wed 9/9/09	Wed 9/9/09	151	
153	Remainder of Accuracy Test	30 days	Wed 9/9/09	Wed 10/21/09	152	
154	Volume & Stress	20 days	Thu 10/8/09	Thu 11/5/09	144	
155	Domination	60 days	Thu 8/13/09	Thu 11/5/09		
156	Readiness Test	5 days	Thu 8/13/09	Thu 8/20/09	134	
157	Gen01	10 days	Thu 8/20/09	Thu 9/3/09	156	
158	Gen02	10 days	Thu 9/3/09	Thu 9/17/09	157	
159	Gen03	20 days	Thu 8/20/09	Thu 9/17/09	156	
160	Pri01	10 days	Thu 9/17/09	Thu 10/1/09	158	
161	Pri02	10 days	Thu 9/17/09	Thu 10/1/09	159	
162	Telecom	5 days	Thu 8/20/09	Thu 8/27/09	156	
163	Crypto	5 days	Thu 8/27/09	Thu 9/3/09	162	
164	Gensec	25 days	Thu 9/3/09	Thu 10/8/09	163	
165	VSA Setup	10 days	Thu 8/20/09	Thu 9/3/09	156	
166	Accuracy	43.5 days	Fri 8/21/09	Wed 10/21/09		
167	Marking Ballots	10 days	Fri 8/21/09	Thu 9/3/09		
168	Prep & Ship Machines to Hardware Lab	0.5 days	Thu 9/3/09	Thu 9/3/09	165	
169	Operational check	0.5 days	Fri 9/4/09	Fri 9/4/09	168	
170	1st 48 hours of test in chamber	2 days	Fri 9/4/09	Tue 9/8/09	169, 167	
171	Prep & Ship Machine to SysTest Labs	0.5 days	Tue 9/8/09	Tue 9/8/09	170	
172	Operational check	0.5 days	Wed 9/9/09	Wed 9/9/09	171	
173	Remainder of Accuracy Test	30 days	Wed 9/9/09	Wed 10/21/09	172	
174	Volume & Stress	20 days	Thu 10/8/09	Thu 11/5/09	164	

Project: SysTest Project Plan 4-8-09	Task	Milestone	External Task
Date: Wed 5/6/09	Split	Summary	External Milestone
	Progress	Project Summary	Deadline

SysTest Project Plan 4-8-09 HIGH LEVEL INCL PILOT DATES Rev.mpp Page 6

DRAFT		DRAFT		DRAFT	
ID	Task Name	Duration	Start	Finish	Predecessor
176	voter Demonstration Testing	32 days?	Thu 7/9/09	Mon 8/24/09	28
176	Complete Test Plan	5 days	Thu 7/9/09	Thu 7/16/09	
177	Identify Test Cases	1 day	Thu 7/16/09	Fri 7/17/09	176
178	Identify Testers	1 day	Fri 7/17/09	Mon 7/20/09	177
179	Identify Equipment	1 day	Mon 7/20/09	Tue 7/21/09	178
180	Ship and Set up Equipment	3 days	Thu 8/13/09	Tue 8/18/09	129
181	Readiness Test	3 days	Tue 8/18/09	Fri 8/21/09	180
182	Demonstration (pull test cases from Run for Record Above)	1 day?	Fri 8/21/09	Mon 8/24/09	181
183	Hash-Check	1 day	Thu 11/5/08	Fri 11/6/08	128
184	Perform Hash-Check	0.5 days	Thu 11/5/08	Thu 11/5/08	
185	Forward Hash-Check Results To NYSBOE	0.5 days	Thu 11/5/08	Thu 11/5/08	
186	Input Hash-Check Results into Final Test Plan	1 day	Thu 11/5/08	Fri 11/6/08	
187	Deliverable 9 - Draft Vendor-Specific Test Reports (Per Vendor)	20.5 days	Thu 11/6/08	Thu 12/3/08	128
188	Develop Final Test Reports (Per Vendor)	11.5 days	Thu 11/6/08	Fri 11/20/08	
188	Develop Final Test Report	10 days	Thu 11/5/08	Thu 11/19/08	
190	Update And Add Appendices	1.5 days	Thu 11/19/08	Fri 11/20/08	189
191	Update And Attach PCA Documentation Review Report	0.25 days	Thu 11/19/08	Thu 11/19/08	
192	Update And Attach PCA Source Code Review Summary Report	0.25 days	Thu 11/19/08	Thu 11/19/08	191
193	Update And Attach NYSBOE Requirements Matrix	0.5 days	Fri 11/20/08	Fri 11/20/08	192
194	Attach Discrepancy Reports	0.25 days	Fri 11/20/08	Fri 11/20/08	193
195	Attach TDP Document List	0.25 days	Fri 11/20/08	Fri 11/20/08	194
198	Vendor Specific Report & Submission To NYSBOE	9 days	Mon 11/23/08	Thu 12/3/08	
197	NYSBOE Review and feedback	5 days	Mon 11/23/08	Fri 11/27/08	195
198	Modifications and resubmittal	3 days	Mon 11/30/08	Wed 12/2/08	197
199	NYSBOE Approval	1 day	Thu 12/3/08	Thu 12/3/08	198
200	Deliverable 10 - Final Test Report	24 days	Thu 11/6/08	Wed 12/9/08	128
201	Certification Report & Submission To NYSBOE	15 days	Thu 11/5/08	Thu 11/26/08	

Project: SysTest Project Plan 4-8-09 Date: Wed 5/6/09	Task	Milestone	External Tasks
	Split	Summary	External Milestone
	Progress	Project Summary	Deadline

SysTest Project Plan 4-8-09 HIGH LEVEL INCL PILOT DATES Rev.mpp Page 7

DRAFT		DRAFT				
ID	Task Name	Duration	Start	Finish	Predecessor	
202	NYSBOE Review and feedback	5 days	Thu 11/26/09	Thu 12/3/09	201	
203	Modifications and resubmittal	3 days	Thu 12/3/09	Tue 12/8/09	202	
204	NYSBOE Approval	1 day	Tue 12/8/09	Wed 12/9/09	203	
205	Deliverable 2- Project Closure Activities	5 days	Wed 12/9/09	Wed 12/16/09	204	
206	Convene And Document Lessons Learned Sessions	5 days	Wed 12/9/09	Wed 12/16/09		
207	Project Team Closure	5 days	Wed 12/9/09	Wed 12/16/09		
208	Clean Test Lab	5 days	Wed 12/9/09	Wed 12/16/09		
209	Deliver All Hardcopy And Softcopy Test Artifacts To Delivery Manager For Archival	4 days	Wed 12/9/09	Tue 12/15/09		
210	Destroy All Hardcopy Materials Not Required To Be Archived	4 days	Wed 12/9/09	Tue 12/15/09		
211	Return All Hardware To Vendor	5 days	Wed 12/9/09	Wed 12/16/09		
212	Delivery Management And Artifact Archival	5 days	Wed 12/9/09	Wed 12/16/09		
213	Forward 2 Encrypted Copies Of Final TDP To NYSBOE	4 days	Wed 12/9/09	Tue 12/15/09		
214	Archive All Softcopy Artifacts To CD-ROM	5 days	Wed 12/9/09	Wed 12/16/09		
215	Gather All Hardcopy And Softcopy Project Artifacts	5 days	Wed 12/9/09	Wed 12/16/09		
216	Archive All Hardcopy And Softcopy Project Artifacts	5 days	Wed 12/9/09	Wed 12/16/09		
217	Final TDP Document Review Based on Final TDP	5 days	Wed 12/9/09	Wed 12/16/09	52	
218	Final TDP Document Review Based on Final TDP	5 days	Wed 12/9/09	Wed 12/16/09	52	
219	Pilot Project/Full Machine Deployment for 2010	222 days	Fri 5/8/10	Mon 3/16/10		
220	NOTE: "Start" date and "Duration" fields are required by this software program. However, SBOE is consulting to "Finish" dates for the pilot.	0 days	Mon 3/15/10	Mon 3/15/10		
221	Finalize Functional Test Requirements (Internal to SBOE)	0 days	Fri 5/8/09	Fri 5/8/09		
222	Develop & Finalize Enhanced Acceptance Testing Procedures	0 days	Fri 5/8/09	Fri 5/8/09		
223	Board Vote to Interim Authorize Units in Pilot Project	0 days	Tue 5/12/09	Tue 5/12/09		
224	Tabulators Activated, Testing Scanners Provided by Vendors for Use in Training Staff & Voter Outreach Initiatives by Pilot County Boards	0 days	Fri 5/29/09	Fri 5/29/09	226	
225	Finalize Upgrade Process for All Machines	0 days	Fri 5/29/09	Fri 5/29/09		

Project: SysTest Project Plan 4-8-09	Task	Milestone	External Task
Date: Wed 5/6/09	Split	Summary	External Milestone
	Progress	Project Summary	Deadline

SysTest Project Plan 4-8-09 HIGH LEVEL INCL PILOT DATES Rev.mpp Page 8

DRAFT		DRAFT				DRAFT
ID	Task Name	Duration	Start	Finish	Predecessor	
226	Anticipated Date for OSC Approval of Vendor Contract Amendments Allowing County Boards to Purchase Machines Prior to Certification	0 days	Fri 5/29/09	Fri 5/29/09		
227	Requisitions for New Machines Converted to Purchase Orders by OGS; Vendors Notified	0 days	Mon 6/1/09	Mon 6/1/09		
228	Anticipated Start Date of Acceptance Testing for ES&S Scanners	0 days	Wed 7/15/09	Wed 7/15/09		
229	All Pilot County Boards Take Possession of Upgraded/Acceptance Tested New Machines	0 days	Wed 7/15/09	Wed 7/15/09	228	
230	Pilot County Boards Take Possession of all ES&S Scanners; Acceptance Testing Completed by SBOE	0 days	Tue 7/14/09	Tue 7/14/09		
231	Remaining Sequoia/Dominion Machines Not Being Used in Pilot Upgraded by Sequoia & Returned to County Boards	0 days	Fri 7/31/09	Fri 7/31/09		
232	SBOE Acceptance Testing of New Sequoia/Dominion Machines	98 days	Mon 8/10/09	Wed 12/23/09		
233	All ES&S Machines in Possession of County Boards, Excluding NYC	0 days	Mon 8/31/09	Mon 8/31/09		
234	Complete Acceptance Testing of New Sequoia/Dominion Machines	98 days	Mon 8/10/09	Wed 12/23/09		
235	SBOE Meets and Votes on Machine Certification	0 days	Tue 12/15/09	Tue 12/15/09		
236	Finalize Process for Upgrading All Units Purchased and Delivered with Certified Version Software (and Hardware, if Necessary)	0 days	Tue 12/15/09	Tue 12/15/09		
237	Required Upgrades for Both Machines Provided to County Boards	0 days	Thu 12/31/09	Thu 12/31/09		
238	All Machines Upgraded by County Boards and Ready for Use in 2010 Fall Elections - No Later Than 3/15/10	53 days	Thu 12/31/09	Mon 3/15/10		

Project: SysTest Project Plan 4-8-09 Date: Wed 5/5/09	Task	█	Milestone	◆	External Tasks	█
	Split	Summary	▬	External Milestone	◆
	Progress	█	Project Summary	▬	Deadline	↓

SysTest Project Plan 4-8-09 HIGH LEVEL INCL PILOT DATES Rev.mpp Page 9