EAC Adopts 2005 Voluntary Voting System Guidelines

Increase security requirements, expand access for all voters

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Contact: Jeannie Layson
(202) 566-3100

WASHINGTON – A major goal of the Help America Vote Act of 2002 (HAVA) was reached today with the adoption of the 2005 Voluntary Voting System Guidelines.

The U.S Election Assistance Commission (EAC) unanimously adopted the voting system guidelines, which significantly increase security requirements for voting systems and expand access, including opportunities to vote privately and independently, for individuals with disabilities.

"These guidelines were created to ensure that voting systems will be accurate, reliable, secure and accessible to all voters," said EAC Chair Gracia Hillman. "EAC will also certify all voting systems to make certain that they meet these goals.

"We extend a sincere thank you to the many people who worked with EAC to develop the guidelines. And, we extend our appreciation to the thousands of people who took the time to offer suggestions and comments. These comments were insightful and instructive, and many of them were incorporated into the final product."

The guidelines will take effect in December 2007 (24 months), at which time voting systems will no longer be tested against the 2002 Voting System Standards (VSS) developed by the Federal Election Commission (FEC). However, states may decide to adopt these guidelines before the effective date.

The voluntary guidelines provide a set of specifications and requirements against which voting systems can be tested to determine if the systems provide all of the basic functionality, accessibility and security capabilities required of these systems. In addition, the guidelines establish evaluation criteria for the national certification of voting systems.

The guidelines update and augment the 2002 VSS, as required by HAVA to address advancements in information and computer technologies.

Volume I, Voting System Performance Guidelines, includes new requirements for accessibility, usability, voting system software distribution, system setup validation and for wireless communications. It provides an overview of the requirements for Independent Verification systems, including requirements for a voter verified paper audit trail for states that require this feature for their voting systems. Volume I also includes the requirement that all voting system vendors submit software to the National Software Reference Library, which will allow local election officials to make sure the voting system software they purchase is the same software that was certified.

Volume II, National Certification Testing Guidelines, describes the components of the national certification testing process for voting systems, which will be performed by independent voting system test labs accredited by EAC. EAC is mandated by HAVA to develop a national program to accredit test laboratories and certify, decertify and recertify voting systems.

These guidelines are voluntary. States may adopt them entirely, in part or not at all. States may also choose to enact stricter performance requirements for voting systems. Currently, at least 39 states require voting systems to be certified at the national level.

An initial set of guidelines were developed by the HAVA-designated Technical Guidelines Development Committee (TGDC), and then delivered to the EAC for consideration. EAC made initial changes and posted the proposed guidelines for a 90-day comment period, which resulted in more than 5,600 comments. During the public comment period, EAC held public meetings in New York City, Pasadena and Denver to solicit additional input from representatives of the disability community, advocacy groups, the general public and technology and voting system experts. All comments will be available at www.eac.gov.

The guidelines will be available in the next few weeks at www.eac.gov as well as published in the Federal Register.

History of Voting Standards and Guidelines
The 2005 Voluntary Voting System Guidelines represent the third iteration of standards for voting systems. The first set was developed in 1990 by the FEC, and were updated in 2002. EAC will continue to assess voting system technology and will make future iterations to the 2005 guidelines.

History of Voting System Certification
The National Association of State Election Directors (NASED), a nonpartisan, volunteer organization consisting of election directors, began testing voting systems against FEC standards in 1994. EAC is in the process of assuming responsibility for the national certification process, as mandated by HAVA. Thirty-nine states currently require national certification.

HAVA Requirements for Voting Systems
Section 301(a) of HAVA sets forth the standards that voting systems must meet after January 1, 2006. States must meet the requirements of Sec. 301(a) regardless of whether they choose to adopt the 2005 Voluntary Voting System Guidelines.

The 301(a) requirements state that all voting systems must be able to perform the following functions: (1) allow the voter to review selections before casting a ballot; (2) allow the voter to change selections before casting a final vote; (3) notify the voter when more selections are made than permitted; (4) provide for the production of a permanent paper record suitable to be used in a manual recount; (5) provide voters with disabilities, the same opportunity for access and participation (including privacy and independence); (6) provide accessibility in minority languages for voters with limited English proficiency as required by Section 203 of the Voting Rights Act of 1965; and (7) provide for an error rate in operating the voting system that is no greater than the error rate set forth the 2002 Voting System Standards.

New EAC Officers Elected
After voting to adopt the guidelines, the commissioners unanimously elected officers for 2006. Paul DeGregorio was elected EAC chairman, and Ray Martinez III was elected vice chairman. They will begin their one-year terms January 4, 2006.

EAC is an independent, bipartisan commission created by HAVA. It is charged with administering payments to states and developing guidance to meet HAVA requirements, implementing election administration improvements, adopting voluntary voting system guidelines and developing a national certification program for voting systems. The commission also serves as a national clearinghouse and resource of information regarding election administration.

The four EAC commissioners are Gracia Hillman, chair; Paul DeGregorio, vice chairman; Ray Martinez III; and Donetta Davidson.

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