



U. S. ELECTION ASSISTANCE COMMISSION
VOTING SYSTEM TESTING AND CERTIFICATION PROGRAM
1225 New York Avenue, NW, Suite 1100
Washington, DC. 20005

Mary Saunders
Chief, Standards Services Division
National Institute of Standards and Technology
100 Bureau Drive, Mail Stop 2100
Gaithersburg, MD 20899

July 10, 2008

Dear Ms. Saunders,

Now that many of the Voting System Test Laboratories (VSTLs) have completed their 2nd NVLAP accreditation review, the EAC would like a status report from NVLAP on the items we noted as observations and concerns in our letter to you dated March 13, 2008. (Attached) Because these issues are so critical to the success of our certification program, we are requesting a response by August 8, 2008, or sooner if possible.

Specifically, we are interested in updates on how SysTest Labs LLC, iBeta Quality Assurance, and Wyle Laboratories:

- Assign appropriately qualified staff to EAC certification engagements.
- Assure that testers have certification in specific critical areas, particularly a CISSP or similar certification for staff involved in security testing.
- Prioritize EAC certification engagements in light of other State or local contractual responsibilities.
- Use their quality management process to develop and validate test methods to ensure test-to-test and case-to-case repeatability.

As you know, the credibility of the EAC Testing and Certification Program depends largely on having competent VSTLs to thoroughly test voting systems to the applicable Federal Standards. NVLAP review of the technical competency of these laboratories is a critical prerequisite to EAC accreditation of the VSTLs and provides assurance that the labs will function in accordance with internationally accepted standards for testing bodies.

Thanks to you and the NVLAP staff for your continued great work and support.

Sincerely,

Brian J. Hancock
Director, Testing and Certification



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1225 New York Avenue, NW, Suite 1100
Washington, DC. 20005

Mr. Mark Skall
Chief, Software Diagnostics and Conformance
Testing Division
National Institute of Standards and Technology
100 Bureau Dr.
Gaithersburg, MD 20899-8970

Ms. Mary Saunders
Chief, Standards Services Division
National Institute of Standards and Technology
100 Bureau Drive, Mail Stop 2100
Gaithersburg, MD 20899

March 13, 2008

Dear Ms. Saunders and Mr. Skall:

The U.S. Election Assistance Commission (EAC) appreciates the work done by the National Voluntary Laboratory Accreditation Program (NVLAP) over the past two and one-half years to accredit Voting System Test Laboratories (VSTLs). We value our partnership established under Section 231 of the Help America Vote Act (HAVA) and continue to count on the expertise of NVLAP to assure the technical competency of the VSTLs. HAVA tasks NIST with the responsibility to “monitor and review, on an ongoing basis, the performance of the laboratories accredited by the Commission”. As such, NVLAP recommendations are a pillar of the EAC laboratory accreditation process and a key component to a successful certification program.

Now that those VSTLs initially reviewed and accredited through the NVLAP program are approaching their second review pursuant to the renewal of their accreditation, the EAC believes this would be an appropriate time to discuss some observations and concerns gained from working with the VSTLs during recent EAC certification engagements.

Because the VSTLs have moved forward quickly to hire the staff necessary to take on a heavy workload of voting system test engagements, we would like your upcoming reviews to include an evaluation of the following staffing related issues:

- Please review the management process of each lab for assigning appropriately qualified staff to their EAC related voting system test engagements.
- Review the qualifications of all staff members directly involved in the testing of voting systems to assure that each has the appropriate qualifications and appropriate certifications in their relevant testing areas (for example a CISSP or similar certification for staff involved in security testing).
- Review how the VSTLs prioritize staffing for Federal testing engagements and other state or local voting system testing arrangements to ensure that testing is being conducted and managed by qualified personnel.

Furthermore, as you know, NIST is in the process of developing a standardized suite of test methods for voting systems. Because the VSTLs do not yet have such standardized methodology, each lab must currently develop and validate unique test methods appropriate for voting systems. The EAC recommends NVLAP review these test methods and their validation by the VSTL's to ensure that NIST remains confident of each VSTL's ability to test voting systems.

If NVLAP is unable for any reason to undertake any of the review items noted above, please inform the EAC at your earliest opportunity so that we may immediately pursue other avenues for laboratory review on these issues.

Thank you once again for your ongoing work in this extremely important field of accreditation. The EAC and the voting public is indebted to NVLAP for this invaluable service to our country.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian J. Hancock". The signature is fluid and cursive, with the first name "Brian" being the most prominent.

Brian J. Hancock
Director
Testing and Certification