



U.S. ELECTION ASSISTANCE COMMISSION  
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## **Statement by Chair Rodriguez Regarding EAC Voting System Certification Program**

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**WASHINGTON** – U. S. Election Assistance Commission (EAC) Chair Rosemary E. Rodriguez today issued a statement about the EAC’s Voting System Testing and Certification Program. The Election Technology Council (ETC), an organization that represents voting machine manufacturers, has issued a report calling for the EAC to reform its voting system certification process.

The report cites concerns regarding the fact that the EAC has not certified any voting systems, the associated costs to participate in the program, and urges the EAC to “move quickly to recognize the limitations and challenges of regulating the voting industry.” The ETC also asks for more participation in the development of voluntary voting system guidelines (VVSG) by occupying a position on the [Technical Guidelines Development Committee](#) (TGDC).

“We always welcome feedback about our programs, and we understand that some stakeholders think our certification program is too tough and takes too long,” said EAC Chair Rodriguez. “However, we take our responsibility to certify voting systems very seriously, and we will take the time necessary to thoroughly review them.

“Simply put, the EAC will not sacrifice the integrity of the certification process for expediency.”

The ETC report also criticizes the EAC for being too restrictive regarding interaction between voting system manufacturers and EAC staff and commissioners. The EAC’s [Ex Parte Policy](#) states: “No Commissioner or staff member with decision making authority shall communicate ex parte with any prohibited individual regarding a particular matter before the Commission.” The policy was adopted to make sure EAC decisions would not be influenced by off-the-record communications between decision makers and individuals or organizations, to avoid the appearance of impropriety and to ensure that everyone is treated fairly by the Commission.

### **Background**

[The Help America Vote Act of 2002](#) (HAVA) mandates that the EAC accredit voting system test laboratories and certify voting equipment, marking the first time the federal government has offered these services to the states. Participation by states in EAC’s certification program is voluntary. The EAC’s full accreditation and certification program became effective in January 2007. Visit the [Voting System Certification Center](#) to view a list of accredited test labs and

registered manufacturers, test plans and voting systems currently being tested. [Correspondence](#) between the EAC and program participants is also available.

### **History of Voting System Certification and Standards**

In the past, voting systems were tested and certified by the [National Association of State Election Directors](#) (NASED). NASED performed this service on a volunteer basis and received no federal funding or assistance. With the passage of the HAVA, EAC was assigned the responsibility of updating voting system standards – the VVSG – and to launch the federal government’s first program to test and certify voting systems.

The first set of national voting system standards was created in 1990 by the [Federal Election Commission](#) (FEC). In 2002, the FEC updated the standards (2002 VSS). HAVA also instructed the EAC, along with its Federal advisory committee, the TGDC, and the [National Institute of Standards and Technology](#) (NIST), to work collaboratively to develop the VVSG.

*The EAC is an independent bipartisan commission created by the Help America Vote Act. The EAC serves as a national clearinghouse and resource of information regarding election administration. It is charged with administering payments to states and developing guidance to meet HAVA requirements, adopting voluntary voting system guidelines, and accrediting voting system test laboratories and certifying voting equipment. It is also charged with developing and maintaining a national mail voter registration form. The four EAC commissioners are Rosemary Rodriguez, chair; Caroline Hunter, vice chair; Gracia Hillman; and Donetta Davidson.*