



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

March 5, 2009

Mr. Mark Phillips
Vice President of Compliance Services
SysTest Labs, Incorporated
216 16th Street, Suite 700
Denver, CO 80202-5115

RE: Accreditation Renewal

In consideration of the recent NVLAP reinstatement of SysTest Labs, Incorporated's (SysTest) accreditation (attached) and the U.S. Election Assistance Commission's (EAC) acceptance and verification of SysTest's certification of Remediation Plan Completion (attached) in accordance with Section 5.5.2.4 of the *Laboratory Accreditation Program Manual*, the EAC hereby lifts the suspension of SysTest's Voting System Test Laboratory accreditation under the conditions noted below.

- SysTest provide the EAC with monthly updates on the status of ongoing documentation updates related to laboratory SOPs and Test Methods. This update should be sent to the attention of the undersigned no later than the 28th day of each month via email or any other format agreed to by SysTest and the EAC until further notice.
- For the first test engagement entered into by SysTest after the date of this letter, provide the EAC with detailed timeline for all testing to be conducted. Testing during this first engagement will be observed by representatives of the EAC pursuant to Section 4.7 of the *Manual*.

The EAC congratulates SysTest on the great strides you have taken over the past four months to develop documents, procedures and training programs to enable your lab to most efficiently and effectively serve your customers and ultimately, the voters of the United States.

Sincerely,

Brian J. Hancock, Director
Testing and Certification Program



February 26, 2009

Mark Phillips
Vice President of Compliance Services
SysTest Labs, Incorporated
216 16th Street, Suite 700
Denver, CO 80202-5115

NVLAP Lab Code 200733-0

Dear Mr. Phillips,

On behalf of the National Voluntary Laboratory Accreditation Program (NVLAP), I write to notify you of NVLAP's decision to reinstate SysTest Labs Incorporated's accreditation in the NVLAP electronic voting systems testing program. The reinstatement is effective on the date of this letter.

In a letter to you dated October 28, 2008, NVLAP suspended the accreditation of SysTest Labs for voting systems testing. This suspension was made pursuant to NIST Handbook 150, *NVLAP Procedures and General Requirements*, 2006 Edition, section 3.10. The suspension was based on nonconformities that had been cited from the last NVLAP on-site assessment visit in March 2008, findings from the Election Assistance Commission (EAC), and observations made during an October 2008 monitoring visit. These issues and findings were documented in the October 28th letter (enclosed).

After receiving the suspension letter, SysTest provided materials to NVLAP which focused on procedures and documentation in response to:

- 1) SysTest's lack of properly documented and validated test methods.
- 2) Testing being conducted by unqualified or untrained personnel.
- 3) Improper assurances made to manufacturers regarding testing outcomes.

SysTest Labs received a second monitoring visit by NVLAP on February 18th, 19th, and 20th, 2009, to assess the results of changes implemented and documented since the suspension letter. The visiting team consisted of two members of NVLAP and three from the EAC. The team interviewed SysTest employees involved in voting systems testing, assessed new and existing documentation, and witnessed testing.

As a result of this visit NVLAP found the following, which are numbered in relation to the above issues:



1) SysTest was able to show documented test methods and validations that comply with the voting standards. Specifically, SysTest was able to show the documentation of test modules that are used together to comprise a testing campaign and a process for validating said modules. The assessment team witnessed the performance of testing, recording of results, and reviewed the process flow and documentation.

2) SysTest has made changes in its personnel that have resulted in a more competent testing team and was able to show evidence of new training and its effectiveness. Training courses and quizzes have been developed to document the competency of those involved in testing.

3) SysTest was able to show that personnel had undergone training on professional ethics and signed a document attesting to the fact that they were aware of the factors involved in ethical behavior and the consequences that could ensue if a breach of ethics occurred. Although no direct breach of ethics had been alleged, NVLAP had been concerned about the appearance of unethical communications with lab customers.

SysTest was able to demonstrate through documentation and observations that they have corrected the nonconformities that lead to their suspension. NVLAP understands that SysTest has undergone some major changes in documentation and personnel and feels that the current team has done a great deal of work to reinvent some of the processes involved in the NVLAP accredited testing. SysTest has been successful in demonstrating their competency and NVLAP believes that the current technical and management team has ownership in the new processes and will work with NVLAP to ensure continued compliance.

Sincerely,

A handwritten signature in cursive script that reads "Jon Crickenberger".

Jon Crickenberger
NIST/NVLAP Program Manager

Enclosure

Cc: Brian Hancock, Election Assistance Commission



December 16, 2008

Brian Hancock
Director of Voting System Testing and Certification
U.S. Election Assistance Commission
1225 New York Avenue, NW, Ste. 1100
Washington, DC 20005

cc: Jon M. Crickenberger
NIST/NVLAP Program Manager
National Institute of Standards and Technology
100 Bureau Drive, Stop 2140
Gaithersburg, MD 20899

Re: Certification of Remediation Plan Completion

Dear Mr. Hancock,

In accordance with section 5.5.2.1.5 of the VSTL Program Manual, SysTest Labs certifies our timely completion of the plan to remediate non-conformance items approved by your office on November 19, 2008. SysTest has provided NVLAP the following items in accordance with the schedule as originally stipulated in our approved plan: a complete set of revised procedures for test method development and validation, revised documentation control procedures, complete and fully developed test methods mapped to federal voting standards, curricula for training of staff in these methods and documentation that specifically addresses the control of statements to clients regarding testing outcomes. We have provided weekly updates regarding our progress, sample documentation as it became available and have conducted review calls to update EAC and NVLAP regarding progress during this period.

According to NVLAP's decision, an on-site visit must be conducted to finalize the review of the documentation that has been provided and to witness testing and interview personnel. We hereby request that EAC and NVLAP timely notify SysTest Labs when this monitoring visit will be conducted so that identified non-conformance correction can be verified.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "Mark Phillips", is written over a light blue horizontal line.

Mark Phillips
Vice President, Compliance Services



March 4, 2009

Brian Hancock
Director of Voting System Testing and Certification
U.S. Election Assistance Commission
1225 New York Avenue, NW, Ste. 1100
Washington, DC 20005

cc: Jon M. Crickenberger
NIST/NVLAP Program Manager
National Institute of Standards and Technology
100 Bureau Drive, Stop 2140
Gaithersburg, MD 20899

Re: EAC Notice of Compliance to SysTest

Dear Mr. Hancock,

In accordance with section 5.5.2.1.5 of the VSTL Program Manual, SysTest Labs certifies that our remediation of non-conformance items is complete. Also, please note that on February 26, 2009 the National Voluntary Laboratory Accreditation Program (NVLAP) notified SysTest Labs of their decision to reinstate our accreditation in the NVLAP electronic voting systems testing program.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read "Traci Mapps".

Traci Mapps
VSTL, Director of Operations