



U. S. ELECTION ASSISTANCE COMMISSION  
OFFICE OF THE EXECUTIVE DIRECTOR  
1225 New York Avenue, NW, Suite 1100  
Washington, DC. 20005

February 1, 2007

Mr. Wally Birdseye  
President, Federal Solutions  
CIBER Federal Solutions  
7900 Westpark Drive  
McLean, VA 22102-3105

Mr. Birdseye,

In light of EAC's two assessor reports and the subsequent information CIBER has provided regarding its accreditation, EAC's assessor has outlined the specific issues that CIBER must address before it can receive an EAC interim accreditation. This determination is attached. As you know, these assessments followed ISO/IEC Standard 17025 and NIST Handbooks 150 and 150-22.

In order to document your compliance with the attached assessor's determination, please submit (to EAC and the assessor) a narrative report detailing the steps taken in response to each noted deficiency. The report must attach copies of all manuals, procedures or other documentation created or modified in response to the assessor's determination.

CIBER must satisfy all of the above non-conformity issues no later than 5:30pm (EST) March 5, 2007 in order to be considered for EAC interim accreditation. If you cannot meet these requirements within that timeframe, your application for interim accreditation will not be considered further. Should you or your staff have further questions related to this letter and the attached document, please contact the Director of Testing and Certification, Brian J. Hancock.

I look forward to your response to these items.

A handwritten signature in black ink, appearing to read "T. Wilkey".

Thomas R. Wilkey  
Executive Director

Cc: Shawn Southworth  
Charles K. Sweeney

Attachment

## Summary of actions needed to complete the CIBER Interim Accreditation.

The following is a list of follow-up actions needed to complete the accreditation. Although the CIBER responses met the 30 day deadline, many of the responses are merely open admissions that further work needs to be done and the actual compliance has still to be demonstrated.

Abbreviations used:

ACAR – CIBER’s Audit Corrective Action Request. These are the records of action taken or proposed for management tracking.

COTS – Commercial Off The Shelf hardware and software.

HAVA – Help America Vote Act

ISO – International Standards Organization. The ISO 17025 is an international standard for testing laboratories.

ITA – Independent Test Authority or Agent. Term used for voting system test labs prior to HAVA.

NVLAP – National Voluntary Laboratory Accreditation Program

TM – Test Method. CIBER’s document system that contains test methods and other procedures used to manage the testing operations.

VSTL – Voting System Test Laboratory. Laboratories to be accredited under NVLAP and EAC under terms required by HAVA. VSTL accreditation will replace the ITA and this interim ITA accreditation.

The NVLAP Handbook 150 and 150-22 and associated checklists were used as publicly available source copies for the ISO 17025 requirements as they provide consistent breakdown of the requirements and include, in the Handbook 150-22 checklist, some program specific requirements established for voting system test labs. The Handbook 150-22 checklist was modified slightly for this Interim Accreditation. The use of the NVLAP documents should not imply that this assessment is sanctioned by NVLAP, qualifies CIBER’s management program for NVLAP accreditation, or binds NVLAP to recognizing this assessment findings. A separate NVLAP assessment may agree or disagree with the findings of this assessment. References in the ACAR below refer to the these checklists.

1. ACAR 4.2.7 #1. No action required. This was an observation of a requirement that CIBER needs to be prepared to respond to but not required at this time.
2. ACAR 4.3.1 #1. CIBER is to provide a schedule for the Internal Audit (reference 4.14.1) and Management Review (reference 4.15.1) that ensures these management events will occur within a specified regular period.
3. ACAR 4.4 #1. (See also ACAR 5.4#4) The TM 2 procedures for negotiating contractual documents and verbal agreements needs to updated to identify:
  - a. What test methods will be used for the given voting system design (reference 4.4.1 a) and c)).
  - b. Approved deviations on those test methods.
  - c. Which test methods will be outside of the core-requirements for CIBER (reference 5.4.6) and performed by Wyle.

- d. What test methods will be subcontracted or contracted separately to other accredited labs (reference 4.4.3) because they are outside the core-requirements or because are needed as additional resources
- e. Any additional testing that has been requested by the customer that is outside the scope of accreditation as an Interim ITA (reference 5.4.6).
- 4. ACAR 4.5 #. Define Wyle's role(s) under the terms of a sub-contractor.
  - a. What test methods will be performed under Wyle's role as an Interim Hardware ITA with CIBER taking the contracting role.
  - b. Specify how Wyle will report or participate in the final report in this role.
  - c. Specify what test methods under Wyle's role as an accredited test lab under other programs will be performed by Wyle. (These will require formal reports under the standards of that program).
- 5. ACAR 4.7 #1. No action required. This was an observation of an advantage in using a standard test method versus a customer derived test method.
- 6. ACAR 4.8 #1. Complete the proposed change. There are other legitimate sources of complaints besides the customer which you need to have a method of recognizing and accepting for review.
- 7. ACAR 4.9 #1. Similar to 4.8 #1. Complete the proposed change. There are other sources of legitimate reports which may indicate non-conformance than internal workers.
- 8. ACAR 4.11, 4.12, 4.13, 4.15. Provide the schedule for 4.14.1 and 4.15.1 and provide a report or list of the actions taken by the Management Review and its date.
- 9. ACAR 4.13 #1. No action required for this report. The item was an alert that you need to be looking at changes from the released EAC Testing and Certification Program Manual.
- 10. ACAR 4.13 #2. Provide disposal instructions for the quality and technical records.
- 11. ACAR 5.2 #1 Provide a method to document that your people critical to the test results are qualified, trained, competency verified, and that a record exists to show when they were authorized/re-qualified to perform their duties. Provide a copy of the record for current test engineers and Quality Manger. Test criteria: If a test engineer is identified as executing a test method of a test campaign, a record should exist that he was qualified before he signed off on the test.
- 12. ACAR 5.3 #1 The location was temporary and will not apply. Defer this requirement for full review at the next accreditation event when you are installed in the new location. Provide a floor plan and details for security access controls for the new location. (Provide your new address and contact information.)
- 13. ACAR 5.4 #1 The test plan and test report should identify the test methods and any deviations to the test plans for all the VVS-2002 with HAVA Section 301 requirements. Where a test method is performed and reported in another report, the test method's report should be identified and, if current to the given report, attached.
- 14. ACAR 5.4 #2 Any test method used must be validated and the validation reported and recorded. If the test method for a standard test method (for example the Mil-Std environmental tests) is modified, the modification must be validated and documented. Provide validation procedures and the validation report on at least

- one each test method for a functional requirement and a security requirement. Identify which of your test methods are validated and which will require some actual testing to complete.
15. ACAR 5.4 #3 If the customer configures any part of the voting system, then the laboratory shall verify the configuration, including all installed software such as operating system or applications. Provide a procedure for verifying the installed configuration or make changes to procedures to require any such changes to be performed by a CIBER qualified test engineer.
  16. ACAR 5.4 #4 The test lab needs to identify in contracting documents, test plans, and test reports which test methods they are responsible for and which tests are done by others. Requirements for this response are the same as in ACAR 4.4 #1
  17. ACAR 5.5 #1 Only equipment used for testing must be included in the in-house inventory and identified for maintenance and other actions to ensure that it in condition and setup correctly to be used in testing. Provide a copy of the inventory showing the equipment you have identified for testing and its current status.
  18. ACAR 5.10#1 Two issues:
    - a. If the customer request testing outside the scope of accreditation (additional testing requirements or alternate testing criteria) the test method may be included but must be identified as outside the scope of the certification and must not interfere or degrade with the standard tests. It may be a more stringent test. Specify how you will include these within your report.
    - b. If the test is outside the lab's core-requirement but part of the overall compliance review, an accredited lab for that test must complete the test and report on it. The report must be identified and included within the final report. Specify how you will include these reports.
  19. ACAR 6.0-01 Complete the proposed changes and provide them for review.
  20. ACAR 6.0-02 Validate and provide procedures for the use of Using Exam Diff Pro or any other software tools.
  21. ACAR 6.0-03 Provide the procedure for the Accessibility requirements and identify whether CIBER or Wyle is going to assess these requirements..
  22. ACAR 6.0-04 Provide the procedure to assess the quality of constructions and to identify whether CIBER or Wyle will perform the procedure.
  23. ACAR 6.0-05 Need to develop procedure for supporting the non-core requirement method for hardware transportation and storage. This should include developing, validating, and preparing the Operational Status Test.
  24. ACAR 6.0-06 Identify what is needed to setup the EMC and electrical test suite. This should include developing, validating, and preparing the Operational Status Test or alternate test programs tos support operational modes needed for the EMC and electrical test suites.
  25. ACAR 6.0-07. Modify the report template to support reporting on the hardware environmental, EMC and electrical, and Safety tests and inspections. Provide instructions for validating and reporting the validations of the test methods used.
  26. ACAR 6.0-08. Update the Requirements Checklist to include the HAVA requirements and develop the test methods to test them. Provide a complete

- checklist. Note that this no longer just the functional requirements but includes hardware, performance, and security issues also.
27. ACAR 6.0-09. Develop and validate the procedure for performing an Accuracy test on COTS, non-COTs, ballot Scanner, DRE (with and without VVPAT), precinct counter, central counter, and ballot marking devices. The procedure should include a test election(s), specification of one or more test decks, and setup to validate vote count/ballot storage and transfer to the system's jurisdiction level reporting component(s) to consolidate and report final vote totals. Provide the full test method.
  28. ACAR 6.0-10. Do the same for the procedures and validate the test election to support the 163 hr Reliability tests. If vendor simulations are used for either the electromagnetic compatibility, accuracy, or reliability testing, specify how you will validate and document the simulated test as being equivalent to an actual election operation.
  29. ACAR 6.0-11. This requirement can be deleted. Your testing should include provisions for testing volume limits but they will be in terms of the vendor specification.
  30. ACAR 6.0-12. Develop the security test method, Ensure the requirements in Vol II, Section 6.2 are included and the results reported. Provide a copy of the test method or methods.
  31. ACAR 6.0-13. Develop the test method to be used for the Telecommunication tests. Verify that you or Wyle has the resources to perform the tests. Ensure that the requirements of Voting System Standards-2002 Volume 1 Section 5.2 are tested or incorporated in other test plans where applicable. Provide a copy of the test method(s).

Overall: The bulk of this involves identifying and providing test methods information or reporting procedures for the full range of requirements in the voting system standards. CIBER is responsible for the full coverage of the requirements in the final report even though other qualified labs may be performing the actual test or reviews. During the assessment CIBER was requested to provide a Requirements checklist (see ACAR 6.0-08 as a specific example) which lists all the requirement specifications that CIBER recognizes are to be verified and to show how those requirements are to be satisfied. In CIBER's response CIBER indicated that they were unaware of many of these requirements, expecting them to be covered by Wyle. To ensure there are no remaining areas not being reviewed, CIBER should complete the analysis of the 2002 Voting System Standards with the HAVA Section 301 requirements included and provide a summary checklist identifying where those requirements are addressed and who (CIBER/Wyle/qualified lab) is expected to perform and report on the requirement with reference to the applicable test method documents.

CIBER does not need to develop every test method but does need to provide a reference to any established test method that will be used. The test method referenced must be available for review. CIBER shall need to provide any procedural instructions or modifications needed to invoke a test method done by another qualified lab or to validate that the test was appropriate for inclusion in the final report.