



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

August 11, 2008

Mr. James Nilius  
Senior Director, VSTL  
SysTest Labs, Inc.  
216 16<sup>th</sup> Street, Suite 700  
Denver, CO 80202

Dear Mr. Nilius,

As you are aware, the Election Assistance Commission (EAC) is in receipt of a letter sent by the National Voluntary Laboratory Accreditation Program (NVLAP) to SysTest Labs., Inc. (SysTest) on August 8, 2008, regarding nonconformities found during SysTest's reassessment by NVLAP. NVLAP indicates that due to the severe nature of these nonconformities, it is requiring SysTest to provide a schedule of testing engagements so that NVLAP may conduct on-site monitoring of actual testing.

The nonconformities cited in the NVLAP letter raise serious concerns regarding SysTest's testing protocols and the expertise of its personnel conducting the testing. The EAC expressed similar concerns in several pieces of correspondence. Specifically, in a March 13, 2008 letter to NVLAP, the EAC requested that NVLAP evaluate laboratory staffing procedures and test methodology development and validation as part of the reassessment process. In addition, in a July 2008 letter to SysTest, the EAC expressed concerns with SysTest's management procedures with regard to manufacturer involvement in test plan and test case development. The NVLAP letter corroborates the ongoing concerns expressed by the EAC on the quality of testing that has contributed to extending the certification process by requiring numerous versions of test plans for each system.

Because the EAC is ultimately responsible for accrediting all Voting System Test Laboratories, we have accepted NVLAP's invitation to participate in the on-site assessment noted in the August 8, 2008 letter. The EAC will therefore send a representative to observe and report on NVLAP's activities at SysTest. In order to coordinate these efforts with NVLAP, the EAC requests the schedule of all accredited voting system testing referenced in the NVLAP letter, as well as any correspondence regarding the NVLAP on-site assessment. Thank you in advance for your cooperation on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian J. Hancock".

Brian J. Hancock  
Director, Testing and Certification