



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

Mr. Mark Phillips  
Vice President, Compliance Services  
SysTest Labs, Inc.  
216 16<sup>th</sup> Street, Suite 700  
Denver, CO 80202

**APPROVED**  
By Brian Hancock at 1:05 pm, Oct 08, 2008

Dear Mr. Phillips,

This letter is in response to SysTest Laboratory's(SysTest) letter dated August 4, 2008, regarding the EAC inquiry (see EAC letter to James Nilius 7/25/08) into SysTest's practices regarding manufacturer involvement in the development and implementation of test plans. As you are aware, the EAC initiated this inquiry in response to correspondence between SysTest and a voting system manufacturer that gave the appearance of possible influence by the manufacturer over the test plan development process. In addition to the EAC's request for information from SysTest the EAC also spoke with representatives from the voting system manufacturer in order to fully understand the nature of the email in question and the role of the manufacturer in the development of test plans.

After fully reviewing all of the correspondence regarding this matter, the EAC has concluded that SysTest was compliant with the EAC's program requirements and it will not issue a compliance management report (see section 4.8 of the EAC's *Voting System Test Laboratory Program Manual*). However, the EAC would like to take this opportunity to remind SysTest that the mere appearance of impropriety in the testing process is a serious matter that the EAC will continue to monitor closely. The EAC is committed to administering a testing and certification program that involves independent, thorough, and transparent testing of voting systems by EAC accredited Voting System Test Laboratories. As you are aware the recently adopted *Voting System Test Laboratory Program Manual* clearly outlines the EAC's expectations for prohibited practices and conflicts of interest including the documentation requirements for VSTL correspondence with manufacturers. In the future the EAC recommends that SysTest be more attentive to how it expresses its test plan development strategy with the manufacturer so as to avoid any further incidents like the one that led to this inquiry.

Thank you for your prompt and thorough reply to the questions and requests posed. Please let me know if you have any further questions regarding this letter or the requests for information.

Sincerely,

Brian J. Hancock  
Director, Testing and Certification