



**RE: Wyle Letter of Agreement (2012)**

**April 11, 2012**

**U.S. Election Assistance Commission  
1225 New York Avenue, N.W.  
Suite 1100  
Washington, DC 20005**

**Attention: Mr. Brian J. Hancock, Director Voting System Certification**

**Subject: Letter of Agreement for Voting System Test Laboratory Accreditation**

Dear Mr. Hancock:

This agreement letter is presented according to the requirements set forth in Paragraph 3.4.2 of the EAC Laboratory Accreditation Program Manual, Version 1.0.

The undersigned representative of Wyle Laboratories, Inc. (hereinafter "Laboratory"), being lawfully authorized to bind Laboratory and having read the EAC Voting System Test Laboratory Program Manual, accepts and agrees on behalf of Laboratory to follow the program requirements as laid out in Chapter 2 of the Manual. Laboratory shall meet all program requirements as they relate to NVLAP accreditation; conflict of interest and prohibited practices; personnel policies; notification of changes; resources; site visits, notice of law suits; testing, technical practices and reporting; laboratory independence; authority to do business in the United States; VSTL communications; financial stability; and recordkeeping. Laboratory further recognizes that meeting these program requirements is a continuing responsibility. Failure to meet each of the requirements may result in the denial of an application for accreditation, a suspension of accreditation or a revocation of accreditation.

Additionally, attached is a fully executed copy of the Certification of Laboratory Conditions and Practices document as requested by Paragraph 3.4.3 of the EAC Laboratory Accreditation Program Manual, Version 1.0. Through this document Wyle affirms that we have policies in place with respect to our personnel practices, conflict of interest policies, recordkeeping requirements, and financial stability and risk management.

Wyle looks forward to continuing our role of an accredited laboratory for voting system test programs. If you require additional information or have any questions, please do

not hesitate to contact me by phone (256/716-4590), FAX (256/830-2109), or e-mail (dawn.bates@wyle.com).

Sincerely,

**Wyle Laboratories, Inc.**  
**Aerospace Group / Test and Engineering- East**

A handwritten signature in cursive script that reads "Dawn K. Bates".

Dawn K. Bates  
Contracts Manager

Attachment: Certification of Laboratory Conditions and Practices

## Appendix C.



### CERTIFICATION OF LABORATORY CONDITIONS AND PRACTICES

I, the undersigned, having investigated or caused to be investigated each matter, below; certify, affirm and acknowledge that each of the following numbered statements are true and otherwise accurately reflect the status, condition and operations of Wyle Laboratories, Inc. (hereinafter "Laboratory"). I understand that by certifying the information below, I am making a statement or representation to the U.S. Election Assistance Commission required for receiving a Laboratory Accreditation under 42 U.S.C. §15371(b). I further understand, that to the extent any of the below representations or certifications are found to be materially false, the U.S. Election Assistance Commission may revoke any Accreditations granted to the above named laboratory and that I may be subject to criminal prosecution under 18 U.S.C. §1001.

1. **Signing Official.** I hereby certify that I am an officer, partner or other official vested with the legal authority to speak for, contract on behalf of, or otherwise bind the above noted company, corporation, partnership or organization (Laboratory).
2. **Personnel.** I certify, consistent with Section 2.6. of the *EAC Voting System Test Laboratory Accreditation Program Manual* (hereinafter Laboratory Manual), that the laboratory has written policies in place to ensure that it does not currently, and will not in the future, employ any individuals in any capacity related to the testing of voting systems who have been convicted of a felony offense or any criminal offense involving fraud, misrepresentation, or deception under either Federal or State law.
3. **Conflicts of Interest and Prohibited Practices.** I certify, consistent with Section 2.5. of the Laboratory Manual, that the Laboratory maintains and enforces written policies which:
  - a. Prohibit conflicts of interest or the appearance of conflicts of interest pursuant to Section 2.5.1. of the Laboratory Manual.
  - b. Prohibit practices such as participation in both the development and testing of a voting system or the solicitation or acceptance of gifts from a voting system manufacture pursuant to Section 2.5.2. of the Laboratory Manual.

- c. Provide clear mechanisms for enforcement of the prohibitions noted above pursuant to Section 2.5.3. of the Laboratory Manual.
4. **Financial Stability.** I certify, consistent with Section 2.14. of the Laboratory Manual, that the laboratory possess sufficient resources to enable it to properly use and maintain its test equipment and facility, to satisfactorily perform all required functions, and to adequately indemnify itself against financial liabilities or penalties that may result from its operations.
5. **Authority to do Business in the United States.** I certify, consistent with Section 2.12. of the Laboratory Manual, that the Laboratory is lawfully entitled or otherwise not prohibited from doing business with the United States or its citizens or operating in the United States.
6. **Recordkeeping.** I certify, consistent with Section 2.15. of the Laboratory Manual, that the laboratory operates and manages a records system in which it maintains all forms, reports, test records, observations, calculations and derived data for all tests performed for a period of at least 5 years.

I, by signing my name below, certify, affirm and acknowledge, under penalty of Federal law, that each of the above numbered paragraphs accurately represent the operations, conditions and practices of Wyle Laboratories, Inc. (Laboratory).

Signed this day, 04/03/2012 :

 (Signature)

Keith L. Wilson (Name of Signing Official)

Vice President, Test & Engineering  
East (Title of Signing Official)