



July 17, 2001

The Honorable Sherwood L. Boehlert
Chairman, Committee on Science
House of Representatives
Washington, D.C. 20515-6301

Dear Mr. Chairman:

This is to convey the general views of the Department of Commerce regarding H.R. 2275, the "Voting Technology Standards Act of 2001."

We do not address the question whether the Federal Government should take the initiative in setting voluntary technical standards for voting products and systems used by States and local governments. However, the National Institute of Standards and Technology (NIST) has expertise that could be helpful in the development of such standards – whether or not the effort is initiated or conducted at the Federal level. NIST has extensive experience in working with non-governmental standards development organizations (SDO's) in their development of standards. NIST currently has 385 staff participating as technical experts in more than 1079 voluntary standards committees in 127 organizations, both national and international. NIST's National Voluntary Laboratory Accreditation Program could also be an appropriate vehicle for accrediting laboratories to test and certify that voting products and systems conform with applicable technical standards.

Assuming that the Federal Government should take a lead role in developing voting systems standards, we are concerned that H.R. 2275, as presently drafted, contemplates a commission with a limited membership to promulgate voting systems standards. We believe such standards should be promulgated by an organization that more broadly and directly represents the affected governmental bodies and other interests, and should conform to the methodology for SDO's recognized by the American National Standards Institute. Such an arrangement would also conform with the principles of the National Technology Transfer and Advancement Act of 1995, P.L. 104-113, and OMB Circular A-119, "Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities."

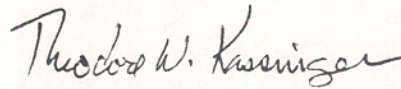
We are also concerned that the timetable for actions to be taken by the proposed commission is unrealistically short – particularly considering that the membership of the commission would be fixed only some time after enactment of the legislation.

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H.R. 2275 could address those specific issues, we believe, if it were revised to more fully designate the membership of the commission and to require the commission to seek input from the States, other SDO's, voting equipment manufacturers and other interested parties, and – to the extent practicable – to adopt standards that reflect their views.

We have been advised by the Office of Management and Budget that there is no objection to the submission of this report to the Congress from the standpoint of the Administration's program.

Sincerely,



Theodore W. Kassinger

cc: The Honorable Ralph M. Hall
The Honorable Vernon J. Ehlers
The Honorable James A. Barcia