



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

August 14, 2007

Election Systems & Software, Inc
11208 John Galt Blvd
Omaha, NE 68137

Attn: Steven M. Pearson, Vice President of Certification

RE: Notice of Non-compliance

Dear Mr. Steven M. Pearson

It has come to our attention that Election Systems & Software, Inc (ES&S) may be using a facility in Manila, Philippines to assemble some of its voting systems. As you know, it is a requirement for participants in the Election Assistance Commission's Voting System Testing and Certification Program to disclose the locations of all manufacturing and assembly facilities. Information about the Manila facility was not included in the list of facilities ES&S provided to EAC.

Even though EAC has not issued any voting system certifications to ES&S voting systems, it is imperative that the company follow all of EAC's reporting requirements to continue participating in our certification program. These reporting requirements are the cornerstone of EAC's certification program, and we request that you immediately address this issue and provide EAC with a complete list of all facilities if the previously submitted information is incomplete. For more information about the reporting requirements, I refer you to Section 2 of EAC's Testing and Certification Manual.

Consistent with Section 2.3.1.7 of EAC's Testing and Certification Program Manual, please provide the EAC with a complete list of all ES&S manufacturing and assembly facilities within 30 days. Failure to timely comply with this notice by either providing the information requested or otherwise demonstrating compliance with our program will result in the suspension of your organization's registration as a voting system manufacturer pursuant to Section 2.6 of EAC Testing and Certification Manual.

In the interest of successfully complying with the requirements of EAC's program, I am confident you will immediately take the appropriate steps regarding our request for more information. Please contact me if you have questions.

Sincerely,

Brian Hancock
Director of Voting Systems Certification