



U.S. ELECTION ASSISTANCE COMMISSION
1225 NEW YORK AVENUE, N.W., SUITE 1100
WASHINGTON, D.C. 20005

OFFICE OF THE CHAIR

June 13, 2007

Mr. Wally Birdseye
Chairman of the Executive Management Steering Committee
For the Huntsville Voting Practice
CIBER, Inc.
7900 Westpark Drive, Suite A515
McLean, VA 22102

Dear Mr. Birdseye:

This letter responds to your May 15, 2007 correspondence in which you address the U.S. Election Assistance Commission's (EAC) query regarding an unreported change in key laboratory staffing. Your letter confirms that CIBER has replaced both its Voting Practice Director and Project Manager.

Based upon the resumes attached to your correspondence, the replacement Practice Director and Project Manager assumed their new positions in October, 2006. These personnel changes represent significant changes in laboratory conditions and practices which you were required to submit to the EAC within the 30 days. This requirement was specified in the Laboratory Conditions and Practices Certification signed by your organization on December 21, 2005.¹ Unfortunately, EAC learned about your laboratory's changes in key staff positions from a third party. This represents a violation of the conditions and practices as certified by your laboratory.

In a letter dated February 1, 2007, you were informed that you had until March 5, 2007 to provide to the EAC all information required to address the deficiencies identified by our laboratory assessor. Our assessor was in the final stages of his review of your response when we learned of the material change in your laboratory conditions. Based upon your letter, this change was known to you well before March 5, 2007. The changes in staffing

¹ **Material Changes.** I certify that the laboratory will notify the EAC in writing within thirty (30) calendar days if there are any significant changes in laboratory operations from what the Laboratory described in any assertion that served as the basis for its NASED accreditation, or from any assertions that will serve as the basis for its interim EAC accreditation. Examples of events that require written notification include, but are not limited to: a Laboratory's decision to withdraw from the EAC's testing program, changes in ownership of the Laboratory, a change in location of the Laboratory facility, personnel changes in key staff positions or any change that would affect the accuracy of any of the numbered affirmations contained in this Certification.

presented additional information relevant to your accreditation and were required to be submitted before the March 5th deadline.

Finally, as you know, the EAC Commissioners voted to close the interim accreditation program under which you are seeking accreditation on February 8, 2007. This interim program served only to temporarily accredit test laboratories to conduct testing to the 2002 VSS. Ultimately, the EAC will cease certifying full voting systems to the 2002 VSS in December of this year, a mere six months from now. Continuing to utilize EAC's limited resources to accredit CIBER solely to a soon to be obsolete standard under a defunct interim accreditation program adds little value to EAC's certification program. This conclusion is made even more poignant when you consider that the EAC now has an established permanent accreditation program to accredit laboratories using NIST/ National Voluntary Laboratory Accreditation Program (NVLAP) as required by the Help America Vote Act. CIBER is, in fact, an applicant in this program.

For the reasons stated above, EAC will no longer process your accreditation application through its terminated interim accreditation program. The EAC will forward copies of our assessment reports and your submissions to NIST NVLAP.

Sincerely,



Donetta Davidson,
Chair