UNITED STATES DEPARTMENT OF COMMERCE
National Institute of Standards and Technology
Gaithersburg, Maryland 20899-

Brian Hancock
Director, Testing and Certification
U. S. Election Assistance Commission
1225 New York Ave, NW, Suite 1100
Washington, D.C. 20005

July 21, 2008

Dear Mr. Hancock,

I am responding to your July 10, 2008 letter in which you ask for a status report from the National Voluntary Laboratory Accreditation Program (NVLAP) on items that the Election Assistance Commission (EAC) noted as specific observations and concerns with respect to voting system testing laboratory (VSTL) operations in an earlier letter, dated March 13, 2008. Specifically you are interested in updates regarding how the accredited laboratories, now undergoing their second round of assessments, are performing in the areas of:

At this point in time, NVLAP has completed the second round of on-site assessments for two VSTLs – SysTest Labs LLC and iBeta Quality Assurance. The assessor reports and laboratory responses to identified nonconformities are under review. NVLAP on site assessments specifically addressed EAC concerns and observations regarding VSTL staff qualifications, appropriate assignment of qualified staff and development and validation of test methods.

NVLAP agrees that VSTL competence in these areas is critical to their ability to carry out work in support of EAC certification. We recommend that relevant NIST and EAC representatives meet before the end of August to discuss in depth the NVLAP on site assessment finding to date, VSTL responses and EAC concerns and observations. We see this meeting as an opportunity for NVLAP and the EAC to consider and agree on future steps to further enhance the credibility of both the NVLAP accreditation process and the EAC Testing and Certification Program.

With respect to your question regarding VSTL prioritization of their EAC workload, this type of review is not normally part of the accreditation process but we would be willing to discuss how issues arising from improper prioritization may be addressed. In addition we would like to identify any specific training certifications (your example was CISSP certification) that would be helpful to include as requirements for VSTLs.

NIST

Thank you for the opportunity to respond to your concerns. We view this as an integral part of our accreditation process and a critical contribution to our joint goals of ensuring that VSTLs are competent to test voting systems and that the test reports they generate meet EAC expectations.

Sincerely,

Mary Saunders
Chief, Standards Services Division
Technology Services