



U.S. ELECTION ASSISTANCE COMMISSION

Voting System Testing and Certification Program

1201 New York Avenue, NW, Suite 300

Washington, DC. 20005

08/2/2011

Jim Kapsis
Precise Voting
219 Mineola Blvs.
Mineola, NY 11501

Sent via email

Mr. Kapsis

On July 29, 2011 Precise Voting requested to change the Voting System Test Laboratory (VSTL) of the VotRite AEVS voting system from Wyle Laboratories to SLI Global Solutions. Section 4.3.1.2 of the EAC's Testing & Certification Manual states:

"Selection of Accredited Laboratory. Selection and identification of the VSTL that will perform voting system testing and other prescribed laboratory action consistent with the requirements of this Manual. Once selected, a Manufacturer may NOT replace the selected VSTL without the express written consent of the Program Director. Such permission will be granted solely at the discretion of the Program Director and only upon demonstration of good cause."

The language of the *Testing & Certification Program Manual* is unambiguous, and Precise Voting has failed to provide "good cause" for the requested change as of this date. Wyle Laboratories and SLI Global Solutions are both accredited Voting System Test Laboratories (VSTLs) and as such, both NIST's National Voluntary Laboratory Accreditation Program (NVLAP) and the EAC have determined that either lab is qualified to test voting systems to the 2005 VVSG. Such accreditation makes it clear that both entities are more than capable of testing optical scan machines as well as DRE machines and ballot marking devices.

For the reasons noted above, your request to switch VSTL's is denied. Voting system manufacturers provide the EAC with their intended VSTL for a testing campaign on the Voting System Application Form, and this VSTL is to be the sole VSTL on a project. The status of the contract between the VSTL and the voting system manufacturer is the manufacturer's responsibility; not the EAC. Previous instances of the EAC allowing a manufacturer to change VSTLs have been due to a VSTL's loss of accreditation or capacity issues. We hope for your continued participation with the EAC's Testing & Certification Program, and working with your organization in the future.

Please let me know if you have any further questions. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Hancock". The signature is fluid and cursive, with the first name "Brian" and last name "Hancock" clearly distinguishable.

Brian Hancock
Director, Testing and Certification
US Election Assistance Commission