

The State of Texas



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Roger Williams
Secretary of State

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Election Assistance Commission
Statement of Ann McGeehan

Thank you for the invitation to provide testimony. The proposed Testing and Certification Manual signifies a huge leap forward in the voting system testing process. The Manual is well written and describes a straight forward process that provides for a maximum amount of transparency.

The Manual acknowledges that certification is part of a broader process. These voting machines work within a framework of federal and state laws and within state and local procedures. The Manual reflects an understanding of:

- state certification and the state supervision of the election process;
- local acceptance testing and ongoing quality monitoring;
- challenges to vendors and the opportunity for vendors to improve their product; and
- how the process must serve the voter and increase confidence in the use of certified voting systems.

I have specific comments on the following sections of the Manual.

Section 2.6

A vendor may not submit a system for certification if its registration has been suspended. This is a useful tool, but obviously a suspension will create a cloud over that vendor and its other certified systems. I would recommend that a suspension have a time limit to ensure that the suspended registration does not continue indefinitely.

Section 3.5

Allows for provisional, pre-election emergency modifications and provides that a state OR local jurisdiction request it. State approval should be required.

Section 4.4

Test plans must be approved by the Program Director. This will require that the Program Director have additional technical resources on staff, and I hope the Commission will budget appropriately for this.

Section 5.8

Questions: Must the system identification tools also be certified? Should the tools be a condition of certification?

Section 5.15

A tracking process needs to be developed to track the issuance of marks of certification.

Section 7.4

In the procedures for a Formal Investigation, you may wish to include as an option for the Commission that the system be tested again in a test laboratory.

Section 7.7.1

The Manual allows a vendor the opportunity to cure before the next federal election. I suggest that the vendor must be given a specific deadline by which to cure. It may be hard to anticipate the next federal election and the cure deadline should be specific to the type of problem to be fixed.

Other questions/comments on opportunity to cure:

- Is the system considered certified during the period of cure?
- Are states and localities notified of the underlying issue?
- The cure should include a plan to upgrade all customers.

Section 8.6

During field reviews, state permission should be required, not optional.

As a general comment, I would also like to request that the certification reports clearly address each requirement in the VVSG and state whether each one was met, and also address any optional requirements that are met. The reports should also be uniform regardless of from which testing laboratory conducts the testing.

Thank you for the opportunity to provide testimony, and we look forward to working with you.