

EAC Voting System Testing And Certification Program
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Thank you for inviting me to speak with you again. The last time I addressed you was on February 2, 2006. At that meeting I urged you to act quickly to assume responsibility for the accreditation and oversight of independent test laboratories for voting equipment testing. I am very happy to see the progress that you have made since then.

The draft program manual for the Voting System Testing and Certification Program is a good start. This manual describes five purposes for the EAC program:

1. Testing and certification of voting systems.
2. Support of state certification programs.
3. Support local election officials in the areas of acceptance testing and pre-election system verification.
4. Increase quality control in voting system manufacturing, and
5. Increase voter confidence in the use of voting systems.

I would like to comment on each of these purposes.

The first purpose was provided in the Help America Vote Act. HAVA provides the EAC with a statutory mandate to test and certify voting systems. Most of the draft program manual is dedicated to the structure for this essential purpose of the EAC program. Along with the Federal Election Commission's 2002 Voting System Standards and your own Voluntary Voting System Guidelines you have the foundation on which to build a good program. However, the program manual and the standards are not enough.

An adequate voting system-testing program can be operated with standards, a manual and the hard work of exceptional volunteers. The NASED Voting System Board operated for many years with those limited resources. But an excellent program that will serve all of the EAC program's intended purposes will need the two things NASED never had: a staff and a budget.

As the EAC begins its program I urge the Commissioners to support the voting system testing and certification program with well-trained staff members and a generous budget. I don't have specific dollar or staffing recommendations. Your own staff certainly knows what they need to get started. The need for qualified people will probably increase as the program matures. Please provide the necessary resources to make the EAC program an excellent one.

The program manual says very little about how the EAC will "support state certification programs" –its second articulated purpose. One way for the EAC to do this is to facilitate the certification of new and updated voting systems as early

as possible in odd-numbered years starting in January of 2007. There are a number of vendors who will be eager to get new or modified voting systems entered into the new program. It is very important that this process begin as quickly as possible.

In the last year too many election officials found themselves in the helpless position of waiting anxiously to find out whether their chosen voting system would receive a NASED number with sufficient time remaining before election day to make it through state certification as well. The testing process can take a long time. The report review process can also be time-consuming. States that depend upon EAC certification for the first step in voting system acquisition or for upgrades to existing voting systems will benefit from an early start to testing under the EAC program.

The third purpose mentioned in the program manual—to support local election officials in acceptance testing and pre-election system verification—is not mentioned elsewhere in the program manual. As you examine ways to provide this service, I hope that you will continue to consult with state and local officials to gain insight into state laws and administrative procedures necessary to do meaningful acceptance testing.

The fourth purpose—to increase quality control in voting system manufacturing—will certainly benefit election officials. I look forward to additional details in the “Fielded System Review and Testing” section. I presume that the quality control, quality assurance reviews, and anomaly reports will be useful in determining which systems may benefit from field review and testing.

Increasing voter confidence is the last of the stated purposes of the EAC voting system testing and certification program. In the recent past there have been reports and studies that claim to expose flaws in some voting systems. The allegations have been dramatic and frightening. The EAC can help voters and election officials understand the claims made in these studies by sponsoring a program of formal review by qualified experts of any study that purports to demonstrate dangerous flaws in a voting system+9. The claims should be seriously examined and the studies should be replicated, if possible.

The EAC has an opportunity to assist the nation’s election officials, voting system vendors and, most importantly, the voters by providing a thorough and responsible voting system testing program. You are off to a good start. Please support the program generously.