



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
HARRISBURG, PENNSYLVANIA
17120

OFFICE OF THE
SECRETARY OF THE COMMONWEALTH
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BUREAU OF COMMISSIONS,
ELECTIONS & LEGISLATION
717-787-5280

November 9, 2007

Timothy Johnson, Director
Department of Administrative Services, County of Allegheny
436 Grant Street
Room 202 Courthouse
Pittsburgh, PA 15219

Dear Mr. Johnson,

I am writing in reference to your telephone call on October 31, 2007 regarding the 2005 *Voluntary Voting System Guidelines* (VVSG), adopted by the federal Election Assistance Commission (EAC) in December 2005.

Until December 13, 2007, a full voting system can be certified to the Federal Election Commission (FEC) 2002 standards **or** the EAC 2005 VVSG. After that date, voting systems will only be certified to 2005 VVSG.

There is not a provision to "grandfather" systems qualified by the National Association of State Election Directors (NASED). If a voting system is FEC 1990 or 2002 qualified and chooses to become "EAC certified," it must be **submitted** to the EAC **before** December 13, 2007, in order to gain certification to the 2002 standards.

A "NASED Qualified" system will remain certified under FEC 2002 guidelines **as long as it is not modified in any way**. After a modification is made, the NASED qualification becomes invalid and the system **must** be submitted for EAC certification.

Again, any system currently certified to 2002 standards will retain that certification until modifications are made; once modifications are made, the system **must** be certified to 2005 standards.

I hope this clearly answers your questions. Please do not hesitate to contact the Department with any further concerns.

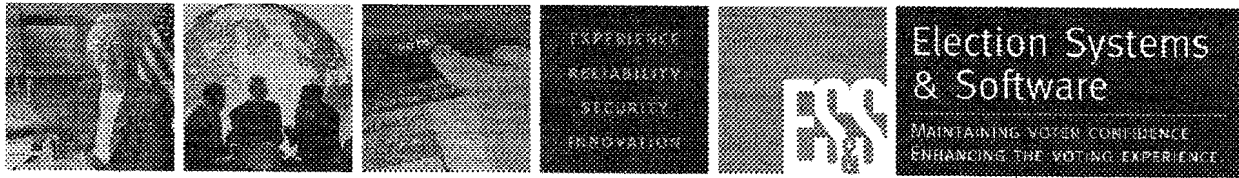
If you have any questions, please contact me at (717) 787-5280.

Sincerely,

A handwritten signature in cursive script that reads "Harry A. VanSickle". The signature is written in dark ink and is positioned above the printed name.

Harry VanSickle

Commissioner, Bureau of Commissions, Elections and Legislation



Statement from Election Systems & Software (ES&S)

Election Systems & Software (ES&S) has a long history of providing jurisdictions with voting technology that meets existing standards for security, accuracy, reliability and durability. We will continue to work with election officials in Pennsylvania to provide them with updated voting solutions that comply with applicable requirements as they may be adopted by jurisdictions.

The 2005 Voluntary Voting System Guidelines (VVSG) published by the Election Assistance Commission (EAC) have just become effective at the federal level in the past month. That set of guidelines was developed over a 2-year period and is very different than the 1990 and 2002 Voting System Standards (VSS) requirements published by the National Association of State Election Directors (NASD) – standards which were specifically adhered to in designing and manufacturing the current iVotronic DRE voting technology purchased and used in Pennsylvania. In addition, another new set of federal voluntary voting system guidelines is already in development through the U.S. Election Assistance Commission's process.

Ultimately, it will be up to each state to determine which set of federal Voluntary Voting System Guidelines is most appropriate for use in that state as existing voting systems evolve and new systems are developed. We will work with election officials in Pennsylvania and other states to provide information they can use in determining which set of guidelines best meets the needs of their jurisdiction.