

## **HAVA COMPLIANCE UPDATE**

### **Activities & Progress for the Week of 10/24/08 – 10/31/08**

Following is a detailed report concerning the previous week's progress in implementing the terms of the Court's Orders.

## **PLAN A**

### **Overall Compliance Status Summary**

Overall, activities and progress toward HAVA compliance are **in jeopardy** per the project timeline for Plan A.

On October 29, 2008, the State Board received notification from the U.S. elections Assistance Commission (EAC) that the EAC intended to suspend SysTest, Inc's, accreditation as an Independent Testing Agency.

As a result of this communication by the EAC, and after advising the Department of Justice of its intent to do so, the State Board issued a stop work order to SysTest, in effect halting the Lot 1 test effort, until a further investigation of the issues surrounding the likely suspension could be had. The State Board also issued a Press Release and communicated with all County Boards of Elections that the Stop Work Letter did not in any way affect the voting systems in use for November 4th's General Election.

At the weekly telephone conference among the State Board, SysTest and NYSTEC potential resolution to the issue of SysTest's probable lack of accreditation and its effect upon the time line for certification of Lot 1 voting systems was discussed and a number of options were presented. The Board is hopeful that a plan for resolution of these issues will be developed in the near future.

### **Contracting with Voting System Vendors**

Status of tasks in this category: **on schedule**

Nothing new to report in this category this week.

### **Testing, Certification, and Selection of Voting Systems & Devices**

Status of tasks in this category: **in jeopardy and behind schedule**

*Work with both vendors has been halted for the reasons set forth in the overall compliance section above. Prior to the work stoppage, testing was continuing with both vendors with regular communication and progress being reported.*

**Delivery and Implementation of Voting Systems & Devices**

Status of tasks in this category: **on schedule**

Nothing new to report in this category this week.

## PLAN B

### **Overall Compliance Status Summary**

Overall, activities and progress toward HAVA compliance are **on schedule** per the project timeline for Plan B.

### **Contracting with Voting System Vendors**

Status of tasks in this category: **on schedule**

Nothing new to report in this category this week.

### **Testing, Certification, and Selection of Voting Systems & Devices**

Status of tasks in this category: **on schedule**

Nothing new to report in this category this week.

### **Delivery and Implementation of Voting Systems & Devices**

Status of tasks in this category: **complete**

**HAVA COMPLAINT PROCESS**

**McFeeley HAVA Complaint**

Nothing new to report in this category this week.

**NYC HAVA Complaint**

Nothing new to report in this category this week.