
**AMENDMENT TO NVLAP GENERAL APPLICATION AND INSTRUCTIONS FOR
VOTING SYSTEM TESTING LABORATORIES**

The National Voluntary Accreditation Program (NVLAP) established and is conducting its laboratory accreditation program for voting system testing laboratories in support of the responsibilities delegated to the National Institute of Standards and Technology (NIST) under Section 231 of the Help America Vote Act (HAVA).

Specifically, the Act directs NIST to evaluate the competence of independent, non-Federal laboratories to test voting systems to Federal standards and to make recommendations to the EAC for its accreditation of laboratories qualified to conduct the testing, certification, decertification, and recertification of voting systems as provided under the act. The EAC makes the final decision to accredit laboratories based upon the information provided by NIST and the Commission's review of non-technical issues such as conflict-of-interest policies, organizational structure and record-keeping protocols.

Both NIST and the EAC have determined that assessment processes relating to voting system testing laboratories will be as open and transparent as possible to facilitate the public's understanding of how laboratories that test voting systems are evaluated.

To effect this transparency, NVLAP and _____, NVLAP Lab Code _____ hereby agree to the following amendments to the Application agreement (Conditions for Accreditation) signed on _____:

- 1) Accreditation assessments and proficiency testing work done by NIST/NVLAP will not be conducted under authority granted to NIST by Title 15 United States Code Section 3710a.
- 2) Information obtained during application, on-site assessment, proficiency testing, evaluation and accreditation will be protected from disclosure to the extent permitted by applicable laws. NIST/NVLAP and the Laboratory agree that this information will not be afforded the additional protections accorded pursuant to Title 15 USC 3710a(c)(7)(A) and (7)(B).
- 3) The Laboratory hereby agrees that during the granting of accreditation and notification to EAC, NVLAP may release on-site assessment reports, nonconformity responses, and other laboratory generated information to NIST to be posted publicly in support of NIST recommendations to the Election Assistance Commission.
- 4) The Laboratory agrees to prominently mark information submitted to NVLAP that it deems to be proprietary.

As the laboratory's Authorized Representative, I agree to the above amendments to my application for accreditation.

Signature _____ Date _____

Printed Name _____