



June 6, 2019

Chairwoman Christy McCormick
U.S. Election Assistance Commission
1335 East-West Highway, Suite 4300
Silver Spring, Maryland

Submitted electronically

RE: Proposed Voluntary Voting Standard Guidelines (VVSG) 2.0
84 Fed. Reg. 6,775 (Feb. 28, 2019)

Dear Chairwoman McCormick:

We write to comment on the Proposed Voluntary Voting Standard Guidelines (VVSG) 2.0. Free Speech for People (FSFP) is a national, non-profit, non-partisan organization that works to fight for free and fair elections in a democratic process in which all people have an equal voice and an equal vote. National Election Defense Coalition (NEDC) is a non-partisan non-profit project organized that aims to promote secure, reliable, and transparent elections.¹

We request the addition of a provision sunseting VVSG 1.0 and 1.1. The Testing Manual currently allows for the manufacturer of a voting system to choose the VVSG to which the manufacturer wishes to have the system tested and certified. *See EAC, Testing and Certification Program Manual, version 2.0* (May 31, 2015), § 4.3.1.3.²

The world of technology has changed significantly since 2005, when VVSG 1.0 was established: the iPhone had not yet been released, and Facebook was still “The Facebook” and only available to college students. We are concerned that

¹ NEDC previously submitted comments on the proposed VVSG 2.0, dated May 29, 2019. This comment is supplemental to that earlier comment. FSFP adopts NEDC’s May 29, 2019 comment in addition to this comment.

² <https://www.eac.gov/assets/1/28/Cert.Manual.4.1.15.FINAL.pdf>

allowing earlier VVSGs to remain available will allow manufacturers to obtain certifications in conformity with 2005 standards, which do not reflect modern expectations of a voting machine (or indeed any computer) with respect to usability, reliability, and security.

This concern is evidenced by the fact that even after VVSG 1.1 was promulgated in 2015, voting systems manufacturers have continued to request their systems be tested and certified against VVSG 1.0, such as the EVS 6.0.0.0 from ES&S, certified on July 2, 2018. The EAC should not permit manufacturers to continue to test and certify against older versions of the VVSG once version 2.0 has been finalized.

Thank you for the opportunity to comment on the Guidelines.

Sincerely,

Ronald Fein, Legal Director
Free Speech For People
617-244-0234
rfein@freespeechforpeople.org

Susan Greenhalgh, Policy Director
National Election Defense Coalition
917-796-8782
susan@electiondefense.org