March 17, 2023

Chairwoman Christy McCormick, Vice Chair Benjamin Hovland, Commissioner Donald Palmer, and Commissioner Thomas Hicks
US Election Assistance Commission
633 3rd Street NW, Suite 200
Washington, DC 20001

SENT VIA EMAIL AND US MAIL

Chairwoman McCormick, Vice Chair Hovland, Commissioner Palmer, and Commissioner Hicks:

We write on behalf of the members of the National Association of State Election Directors (NASED), who, as you know, are in all 50 states, the District of Columbia, and the five US territories.

Consistent with the Voluntary Voting System Guidelines (VVSG) 1.0 Lifecycle Policy adopted April 5, 2022 and modified in October 2022, the VVSG 1.0 will be deprecated one year after Election Assistance Commission (EAC) accreditation of the first Voting System Test Lab (VSTL), or November 15, 2023. NASED members support and understand the need to encourage voting equipment manufacturers to build to the VVSG 2.0 and election offices to purchase that equipment, but we have serious concerns that false information will mischaracterize the consequences of the VVSG 1.0 deprecation. Given this, we believe it is imperative that the EAC immediately undertake a comprehensive messaging and education campaign directed at voters, federal and state legislators, election officials, and members of the media describing what deprecation of the VVSG 1.0 means. We also believe the EAC website must include a formal statement about what deprecation of the VVSG 1.0 means that election offices can use for official purposes, including in litigation. The EAC and all their public communications must be unambiguous: voting systems certified to the VVSG 1.0 will remain federally certified after November 15, 2023, and jurisdictions can continue using and purchasing those systems consistent with state or territorial laws and regulations.

History has proven that false information will spread regarding the seemingly bureaucratic components of the EAC’s voting system testing and certification program. As you are aware, an administrative error from 2017 to 2019 left one of the VSTLs without an updated certificate of accreditation even though there was no change in the lab’s accreditation.

status. That minor paperwork error has resulted in dozens of lawsuits against states across the country claiming that their voting systems are uncertified and casting doubt on election results.

Deprecation is a term with multiple meanings, and the EAC must be clear, vocal, and public about what it means in the context of the VVSG 1.0 Lifecycle Policy. We expect inaccurate claims about equipment certified to the deprecated standard as the 2024 presidential election cycle begins. We must approach this head-on as a community.

Election officials need the EAC to create and lead an assertive, proactive communications strategy on this important issue, including the creation of non-technical, concise materials that election officials can use to communicate with our relevant audiences. The creation of materials, however, is not enough. As the only agency required by federal law to support election officials, the EAC itself – from the Commissioners to the staff to the website – must be a consistent, clear messenger that equipment certified to the VVSG 1.0 remains federally certified for use following the deprecation of the 1.0 standard. This campaign must begin immediately. **We cannot wait for false information about the VVSG 1.0 deprecation to spread before we try to stop it.** The EAC must help us proactively educate the public now.

As individuals and as an organization, we are prepared to assist the EAC in this effort. Our community must stand together to combat inaccurate information about the administration of elections in the United States. We are grateful for your partnership and look forward to working together to address this critical issue.

Rob Rock, President  
Mandi Grandjean, Incoming President  
Mandy Vigil, Vice President  
Bryan Caskey, Treasurer, NASED TGDC Representative  
Karen Brinson Bell, Secretary  
Meagan Wolfe, Immediate Past President  
Jonathan Brater, Midwest Region Representative  
Blake Evans, South Region Representative  
Stuart Holmes, West Region Representative  
Will Senning, Northeast Region Representative  
Judd Choate, NASED TGDC Representative, NASED President, 2017-2018  
Keith Ingram, NASED Board of Advisors Representative, NASED President, 2019-2020  
Linda Lamone, NASED Board of Advisors Representative, NASED President, 2005-2006

cc:  
Steven Frid, Executive Director, US Election Assistance Commission  
US Senate Committee on Rules and Administration  
US House Committee on House Administration

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