



U.S. ELECTION ASSISTANCE COMMISSION

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SILVER SPRING, MD 20910

Signatories to October 2, 2018 Letter
c/o Susan Greenhalgh
Policy Director
National Election Defense Coalition
10 Robbins Avenue
Amityville, NY 11701

October 15, 2018

SENT VIA EMAIL and U.S. MAIL

Dear Signatories,

This letter responds to the correspondence we received from you on October 2, 2018. Your letter urged the U.S. Election Assistance Commission (EAC) and Department of Homeland Security (DHS) to caution states against using wireless modems in voting machines and urged us to issue a set of three recommendations to all state and local election officials.

Under the Help America Vote Act of 2002 (HAVA), the EAC is charged with adopting Voluntary Voting System Guidelines (VVSG), accrediting testing laboratories and certifying voting systems, researching election administration practices and information, administering and auditing HAVA funds, and serving as a national clearinghouse of information on election administration. The commission is the only federal agency solely focused on the administration of elections, and our work assists voters and election officials from across the nation.

Since its inception, the EAC has frequently consulted and convened academics, private industry representatives, advocates, state and local election leaders, and many others whose efforts touch on the administration of federal elections. It is important that our work be shaped by a variety of perspectives and that we offer the best possible guidance and resources to the stakeholders we serve. That said, the EAC has limited policymaking authority overall and is not authorized to dictate how jurisdictions may utilize voting equipment.

Regarding the risk of using wireless communications for voting systems, this topic is not new to the EAC or the industry. In fact, two of the signatories on the letter sent to the EAC were instrumental in the development and adoption of the current VVSG. Under the current VVSG, the EAC testing and certification process has in place very strict requirements for obtaining certification of any device that utilizes wireless capabilities, including modeming.

While the EAC cannot mandate policy regarding voting equipment to state and local election officials, the EAC can and does make recommendations and issue guidance for administrators to consider. It may interest you to learn that we have repeatedly and frequently relayed information

about the risks of wireless communications in voting systems to the state and local election officials charged with selecting the equipment their voters will use. For example:

- In our communications with election officials, we strongly encourage all jurisdictions to use election systems that have been certified by the EAC using the most current version of the Voluntary Voting System Guidelines (VVSG 1.1). Those guidelines contain a one page warning in the Wireless section that explicitly states in the opening paragraph, “These requirements reduce, but do not eliminate, the risk of using wireless communications for voting systems.”
- The EAC’s Testing and Certification Program frequently travels across the country delivering trainings and presentations to state and local election officials. Since 2017, every EAC presentation regarding election technology, security, or preparation has concluded with a set of five takeaways, including “*Ensure that **all** aspects of voting system (VS, EMS, Ballot Creation) are not connected to internet... use clean media & air gaps (emphasis added).*” While the first part of that takeaway is clear, the second part goes further to clarify that election officials should use only clean media and create air-gaps (physical delivery) at every point in the election process, including the transfer of results out of the election management system. We also recommend that election officials only use that device once to mitigate the risk of introducing a vulnerability from another computer/device that has been connected to the public network.

As VVSG 2.0 requirements continued to be developed, the EAC recognizes that security, including concerns about modems and other wireless technology, remains a central topic for consideration and further discussion. The VVSG 2.0 has been shaped by hundreds of participants in public working groups and has received the support of the EAC’s advisory committees. The guidelines will soon be open for public comment, and the EAC encourages you to participate in this process so that all concerns are weighed as these guidelines are finalized, as well as participate in any future EAC working groups.

In the meantime, beyond the working group process and the public comment period for the upcoming VVSG 2.0, if those who signed the letter we received last week are interested in meeting with the EAC to further discuss your recommendations, please contact Brian Newby to schedule a time for this discussion.

Sincerely,



Thomas Hicks
Chairman
U.S. Election Assistance Commission



Christy McCormick
Vice Chair
U.S. Election Assistance Commission