



July 17, 2014

The Honorable Scott Gessler  
Secretary of State  
Department of State  
1700 Broadway  
Denver, CO 80290

**Re: Comments on Proposed Rulemaking relating to Conditions of Use of Voting Systems and other matters**

Dear Secretary Gessler:

Common Cause is a nonpartisan, nonprofit organization that is dedicated to restoring the core values of American democracy, reinventing an open, honest and accountable government that serves the public interest, and empowering ordinary people to make their voices heard in the political process. Verified Voting Foundation (“VVF”) is a nonpartisan organization that works to safeguard elections in the digital age. VVF believes the integrity and strength of our democracy relies on the citizen’s trust that each vote be counted as cast, and works to ensure that the means for verifying election outcomes are in place and are used for that purpose. We appreciate the opportunity to comment on the proposed rulemaking issued by your office on June 12, 2014 relating to voting machines and other matters.

We have the following comments:

1. With respect to proposed **Rule 20.3.1** we believe the language should not be limited to DREs, but should apply to any and all accessible voting systems. As a result, we suggest that the words “voting system” be inserted in lieu of the word “DRE”, and that the section therefore provide: “In each voter service and polling center, the county must provide a minimum of one accessible voting system with a headset that has adjustable volume control.”
2. With respect to proposed **Rule 20.5.2(d)**, we believe that vendors do not need administrative access to the county’s election management system. They may need user access, but that access should be limited to programming the election. We suggest that this proposed rule read as follows:

“The voting system provider may not have administrative access to the county’s election management system. Other than for the purpose of programming the election, the voting system provider may not have user access to the county’s election management system.”

3. With respect to proposed **Rule 20.5.2(e)**, we believe that the prohibition on Internet connections should be broader in order to further secure the voting systems being used. We suggest that additional language be added to the proposed rule such that it reads as follows:  
“The county may not connect or allow a connection of any voting system component to the Internet, or to another device that is connected to the Internet. The county may not connect or allow a connection of any voting system component to a Virtual Private Network.”
4. With respect to proposed **Rule 20.5.2(f)**, we would suggest that guidance from the Chief Information Officer of the State be sought to assist counties with the disabling of any Wi-Fi capability or wireless device in order to ensure that this is done completely and effectively. It would also be prudent for there to be ongoing checks of this disabling to ensure that it has been done correctly.
5. With respect to proposed **Rule 20.5.2(g)**, we endorse the prohibition on connecting any component of a voting system to another device by modem as it ensures greater security.

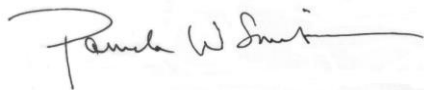
Thank you for the opportunity to provide feedback on these proposed rules. Please let me know if you would like additional information about any of the comments above.

Sincerely,



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