

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]

---

**From:** Trevor Timmons  
**Sent:** Saturday, June 19, 2021 1:27 PM  
**To:** 'SAS' [REDACTED] >  
**Subject:** RE: [EXTERNAL] Re: Thanks for your call - and responses to your questions to Clerk Koppes

Thanks for your reply, Shawn (or do you prefer COL Smith?)

I was taking a little PTO after the Colorado county clerks conference Thursday and Friday and just now noted your response and questions below. I'll talk to our team and we'll determine the appropriate follow-up with you.

- Trevor

**From:** SAS [REDACTED]  
**Sent:** Thursday, June 17, 2021 2:50 PM  
**To:** Trevor Timmons <[Trevor.Timmons@SOS.STATE.CO.US](mailto:Trevor.Timmons@SOS.STATE.CO.US)>  
**Subject:** [EXTERNAL] Re: Thanks for your call - and responses to your questions to Clerk Koppes

Trevor,  
Thanks for the email; happy to talk w/you on the phone at any time. Your response does not actually address my concerns about certification, but let's set that aside for the moment. Harvie Branscomb and Matt Crane both recommended that I talk w/you regarding security measures and assessments undertaken by CDOS with respect to CO election systems (SCORE, voting systems, CORLA, etc), and I have many questions that you may be uniquely able to answer, e.g.:

1. What independent security assessments, including red teaming (and to represent what threat, e.g. nation-state-level cyber threats?) have been conducted, on what dates or intervals, including persistent and advanced threat capabilities, assessment of supply-chain security and vulnerabilities, physical inspection at component-levels, secure code review from the initiation of development of each system through their fielding and ongoing

operation, throughout lifecycle of use, for CO's election systems (SCORE, voting systems, CORLA, etc), and how/where can I, or any member of the public, find/see those results and evidence of those assessments?

2. What is the form/extent of persistent monitoring and defense of CO election systems (again, SCORE, voting systems, CORLA), by whom?

3. What is the complete schedule for modification of CO DVS D-Suite 5.11-CO to 5.13 in each county (which counties are complete, and what are the dates for the remainder of counties)?

4. Give both the prior and this current Federal administrations' statements regarding nation-state-level cyber threats to our election systems, and given Pro V&V's lab director's (Cobb's) admission in testimony in a GA court that he has no particular cybersecurity expertise, will CO SecState defer, at the request of citizens, the modification of remaining DVS D-Suite modification to 5.13 and allow an independent cybersecurity assessment, emulating a nation-state-level threat capability, of CO DVS D-Suite systems (including unmodified D-Suite 5.11-CO), including forensic assessment to determine whether any unauthorized access or operations/functions have occurred on CO's election systems, and to what extent the DVS systems (and CBG CV 2.1) are vulnerable to penetration, compromise, subversion, etc.?

5. Has any member of the CDOS staff, including the SecState herself, visited or attended the AZ Senate-directed audit currently underway in Maricopa County, AZ, in order to form an informed opinion as to the status/conduct of that audit, and perhaps to take lessons learned which might be applied to CO election integrity efforts?

Thanks for your time, and look forward to your response-  
Best,  
sas

On Wed, Jun 9, 2021 at 4:47 PM Trevor Timmons <[Trevor.Timmons@sos.state.co.us](mailto:Trevor.Timmons@sos.state.co.us)> wrote:

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and the VSTL procedures recognize this reality. For example, Section 3.8 of the Voting System Test Laboratory Program Manual Version 2.0 (effective May 31, 2015), states “VSTLs in good standing shall also retain their accreditation should circumstances leave the EAC without a quorum to conduct the vote required under Section 3.5.5.” You did note the accreditation materials from 2021 available on the EAC website regarding Pro V&V.

I hope this addresses the concerns you expressed regarding certification and approval of Dominion’s equipment used in Colorado.

- Trevor



Colorado  
Secretary of State

**Trevor Timmons**

Chief Information Officer | Department of State  
303.860.6946 (direct)  
303.894.2200 (office)  
[trevor.timmons@sos.state.co.us](mailto:trevor.timmons@sos.state.co.us)  
1700 Broadway, Suite 200  
Denver, CO 80290

**From:** [SAS](#)  
**To:** [Trevor Timmons](#)  
**Subject:** Re: [EXTERNAL] Re: Thanks for your call - and responses to your questions to Clerk Koppes  
**Date:** Tuesday, June 29, 2021 5:15:11 PM  
**Attachments:** [image001.png](#)

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**Trevor Timmons**

Chief Information Officer | Department of State

303.860.6946 (direct)

303.894.2200 (office)

[trevor.timmons@sos.state.co.us](mailto:trevor.timmons@sos.state.co.us)

1700 Broadway, Suite 200

Denver, CO 80290

**From:** [Janice Vos](#)  
**To:** [Judd Choate](#); [Hilary Rudy](#); [Dwight Shellman](#); [Jessi Romero](#)  
**Subject:** [EXTERNAL] Fwd: The attached will be mailed to you  
**Date:** Friday, July 16, 2021 9:12:09 AM  
**Attachments:** [Notification to SoS, CCRs and Commissioners v.2.pdf](#)

---

See attachment, FYI,

**Janice K. Vos Caudill**  
Pitkin County Clerk and Recorder  
530 E. Main St., Suite 104  
Aspen, CO 81611

Office: 970-429-2710  
Fax: 970-445-3009

[www.pitkincounty.com](http://www.pitkincounty.com) Clerk's Office Main Page  
[mydmv.colorado.gov](http://mydmv.colorado.gov) for online Motor Vehicle Services  
[www.pitkinvotes.com](http://www.pitkinvotes.com) for online Elections Services  
[www.pitkinclerk.org](http://www.pitkinclerk.org) for online Recording Services

Thank you for your message. Please know that although the Clerk and Recorder offices are closed to walk-in customers due to COVID-19, we are open to the public by appointment only and continue to serve the public through online services and documents received by mail or dropped in the Pitkin County drop box located at 530 E. Main St., Aspen. During this time, there may be a prolonged delay in the ability to reply to your email. Your patience is appreciated.

----- Forwarded message -----

**From:** **Maurice Emmer** <[REDACTED]>  
**Date:** Thu, Jul 15, 2021 at 6:07 PM  
**Subject:** The attached will be mailed to you  
**To:** Janice Vos Caudill <[janicev@co.pitkin.co.us](mailto:janicev@co.pitkin.co.us)>

Janice, the attached is being sent to all the CCRs in the state. Since the date of your Dominion "upgrade" is imminent, I wanted to give it to you now.

Best regards,

Maurice Emmer  
(Ted Cruz: "Republicans; they waste a little less")  
(typos by Applle)

**From:** [SAS](#)  
**To:** [Melissa Kessler](#); [Trevor Timmons](#)  
**Subject:** [EXTERNAL] Re: Thanks for your call - and responses to your questions to Clerk Koppes  
**Date:** Thursday, July 8, 2021 11:33:06 AM  
**Attachments:** [image001.png](#)

---

Ms. Kessler,

I appreciate your vigilance for ethical standards; please;

- Recognize that, in your official capacity, you have no obligation nor authority to refuse to communicate with me as a citizen on any manner for which I initiate communication with you.
- Acknowledge that Mr. Timmons isn't an attorney and isn't bound by the counsel to counsel standard.
- Remember that the actual constraint on speaking only with counsel for a represented person pertains ONLY to the matter(s) in which they are represented; what you are referring to, wherein my counsel has represented me, pertains to the SecState's emergency rules, not to any other subject under her purview, and not to this matter of the schedule for Dominion Voting System modification in Colorado. If you are not actually an attorney, please ask one; an attorney should already know this.
- Apply that same degree of vigilance for ethical standards to transparency in government. Clearly, CDOS HAS the schedule. I have requested, politely, weeks ago, what should already have long ago, and before execution, been shared with the public. When we CORA all communication from and within CDOS with respect to that schedule, anyone who has deliberately conspired to or complied with decisions to deny the information to the public will be exposed.

Please forward the schedule I requested, without delay,

Thank you,  
Shawn Smith

On Wed, Jul 7, 2021 at 8:52 AM Melissa Kessler <[Melissa.Kessler@sos.state.co.us](mailto:Melissa.Kessler@sos.state.co.us)> wrote:

Mr. Smith,

We are in receipt of your correspondence below. However, on July 1, our office was contacted on your behalf by Maureen West, an attorney representing you on matters directly involving our office. Accordingly, please route all questions and concerns through your attorney. We cannot communicate directly with a represented party.

Thank you,

Melissa Kessler

**Melissa Belle Kessler**

Legal and Policy Director | Department of State



**From:** SAS [REDACTED]  
**Sent:** Tuesday, July 6, 2021 10:33 AM  
**To:** Trevor Timmons <[Trevor.Timmons@SOS.STATE.CO.US](mailto:Trevor.Timmons@SOS.STATE.CO.US)>  
**Subject:** Re: [EXTERNAL] Re: Thanks for your call - and responses to your questions to Clerk Koppes

Trevor,  
Today is 19 days since I sent you the questions, and 7 since you said you'd get a response back. We're getting a real sense that the Colorado Secretary of State's office has been and is conspiring to deny public information to the public, regarding the modification of voting systems which we have paid for, which belong to us, which are under the custody of public officials so long as and only in the course of their sworn duty to uphold our Constitution and public trust. I'd prefer not to add you to that list of public officials who must be held accountable for the deliberate interference with and denial of the public's legal and moral right to the information. And there WILL be an accounting. Please respond ASAP, particularly regarding the schedule of Dominion 5.13 modifications.  
Thank you-  
sas

On Tue, Jun 29, 2021 at 5:26 PM Trevor Timmons <[Trevor.Timmons@sos.state.co.us](mailto:Trevor.Timmons@sos.state.co.us)> wrote:

Hello Shawn,

Yes, sir. I actually half expected you to attend the hearing. We'll get a response back to you, probably tomorrow but perhaps Thursday. I'll also provide the slide deck we presented to the commission, and the audio of the hearing will be posted soon. Recordings of hearings are posted on our website at [https://www.sos.state.co.us/pubs/info\\_center/audioBroadcasts.html](https://www.sos.state.co.us/pubs/info_center/audioBroadcasts.html).

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- Trevor



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303.894.2200 (office)

[trevor.timmons@sos.state.co.us](mailto:trevor.timmons@sos.state.co.us)

1700 Broadway, Suite 200

Denver, CO 80290

**From:** [Regina O'Brien](#)  
**To:** [Judd Choate](#)  
**Subject:** Fwd: Notice for the county clerk and recorder  
**Date:** Friday, July 16, 2021 5:26:59 AM  
**Attachments:** [Notification to SoS, CCRs and Commissioners v.2.pdf](#)

---

Hi Judd,

I received this email and attachment from my local Republican Party chair (with whom I have always had a good working relationship in my role as Clerk).

I'm not sure if you've seen the attachment, but I wanted to bring it your attention. I have not had a chance to deeply review it as I'm heading to Denver early this morning for a medical appointment and am reading this memo on my phone.

Also, can you tell me if any county has indeed refused the update? I want to respond to Kaye this afternoon with solid facts. It's my understanding that no county has refused to date, but correct me if I'm wrong.

Thank you, Judd.

Regina

----- Forwarded message -----

From: [REDACTED] >  
Date: Thu, Jul 15, 2021 at 11:47 PM  
Subject: Fwd: Notice for the county clerk and recorder  
To: Regina O'Brien <[regina.obrien@eaglecounty.us](mailto:regina.obrien@eaglecounty.us)>

Regina-

I received this from Maurice and understand it is being sent to you also. It appears as though our SOS may have once again overstepped her boundaries.

I also understand that this update is scheduled for Eagle County on Monday 7/17.

I know Maurice well and I can testify he is a well respected international attorney who is essentially retired and is active in Republican politics. He is highly regarded and not some kook running around looking for trouble. Regardless of how this came to his attention, I would suggest you take a look at it and assess the impact it will have on EC if this update proceeds. I understand some counties have refused to allow the update either because this clerk took a stand or the commissioners decided against it. Just an FYI.

While I've got you, any word from the mapping woman on the CC districts?  
K

Begin forwarded message:

**From:** Maurice Emmer <[REDACTED]>  
**Subject:** Notice for the county clerk and recorder  
**Date:** July 15, 2021 at 5:51:41 PM MDT  
**To:** Kaye Ferry <[REDACTED]>

Best regards,

Maurice Emmer  
(Ted Cruz: "Republicans; they waste a little less")  
(typos by Appple)

--

Regina O'Brien  
Eagle County Clerk & Recorder

[970.328.8783](tel:970.328.8783) | Direct line  
[970.328.8716](tel:970.328.8716) | Fax  
500 Broadway / PO Box 537 Eagle, CO 81631  
[www.eaglecounty.us/clerk](http://www.eaglecounty.us/clerk)



THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this email is not the intended recipient, you are hereby notified that any dissemination, distribution, forwarding, copying of or taking action in reliance on the contents of this email is strictly prohibited. If you received this email in error, please notify the sender by email or telephone, and delete the original message immediately. Thank you.

**From:** [Melissa Kessler](#)  
**To:** [SAS](#)  
**Subject:** RE: [EXTERNAL] Re: Thanks for your call - and responses to your questions to Clerk Koppes  
**Date:** Thursday, July 8, 2021 2:24:19 PM  
**Attachments:** [image001.png](#)

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Mr. Smith,

If you would like to submit a CORA request, the following link ([https://www.sos.state.co.us/pubs/info\\_center/cora.html](https://www.sos.state.co.us/pubs/info_center/cora.html)) provides all the information you might need to do so.

Thank you,

**Melissa Belle Kessler**

Legal and Policy Director | Department of State

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- Trevor

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**Sent:** Tuesday, June 29, 2021 5:15 PM



**To:** Trevor Timmons <[Trevor.Timmons@SOS.STATE.CO.US](mailto:Trevor.Timmons@SOS.STATE.CO.US)>

**Subject:** Re: [EXTERNAL] Re: Thanks for your call - and responses to your questions to Clerk Koppes

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Best,

sas

On Sat, Jun 19, 2021 at 1:27 PM Trevor Timmons <[Trevor.Timmons@sos.state.co.us](mailto:Trevor.Timmons@sos.state.co.us)> wrote:

Thanks for your reply, Shawn (or do you prefer COL Smith?)

I was taking a little PTO after the Colorado county clerks conference Thursday and Friday and just now noted your response and questions below. I'll talk to our team and we'll determine the appropriate follow-up with you.

- Trevor

**From:** SAS [REDACTED]

**Sent:** Thursday, June 17, 2021 2:50 PM

**To:** Trevor Timmons <[Trevor.Timmons@SOS.STATE.CO.US](mailto:Trevor.Timmons@SOS.STATE.CO.US)>

**Subject:** [EXTERNAL] Re: Thanks for your call - and responses to your questions to Clerk Koppes

Trevor,

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1. What independent security assessments, including red teaming (and to represent what threat, e.g. nation-state-level cyber threats?) have been conducted, on what dates or intervals, including persistent and advanced threat capabilities, assessment of supply-chain security and vulnerabilities, physical inspection at component-levels, secure code review from the initiation of development of each system through their fielding and ongoing operation, throughout lifecycle of use, for CO's election systems (SCORE, voting systems, CORLA, etc), and how/where can I, or any member of the public, find/see those results and evidence of those assessments?
2. What is the form/extent of persistent monitoring and defense of CO election systems (again, SCORE, voting systems, CORLA), by whom?
3. What is the complete schedule for modification of CO DVS D-Suite 5.11-CO to 5.13 in each county (which counties are complete, and what are the dates for the

remainder of counties)?

4. Give both the prior and this current Federal administrations' statements regarding nation-state-level cyber threats to our election systems, and given Pro V&V's lab director's (Cobb's) admission in testimony in a GA court that he has no particular cybersecurity expertise, will CO SecState defer, at the request of citizens, the modification of remaining DVS D-Suite modification to 5.13 and allow an independent cybersecurity assessment, emulating a nation-state-level threat capability, of CO DVS D-Suite systems (including unmodified D-Suite 5.11-CO), including forensic assessment to determine whether any unauthorized access or operations/functions have occurred on CO's election systems, and to what extent the DVS systems (and CBG CV 2.1) are vulnerable to penetration, compromise, subversion, etc.?

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2021 available on the EAC website regarding Pro V&V.

I hope this addresses the concerns you expressed regarding certification and approval of Dominion's equipment used in Colorado.

- Trevor



**Trevor Timmons**

Chief Information Officer | Department of State  
303.860.6946 (direct)  
303.894.2200 (office)  
[trevor.timmons@sos.state.co.us](mailto:trevor.timmons@sos.state.co.us)  
1700 Broadway, Suite 200  
Denver, CO 80290

**From:** [SAS](#)  
**To:** [Trevor Timmons](#)  
**Subject:** Re: [EXTERNAL] Re: Thanks for your call - and responses to your questions to Clerk Koppes  
**Date:** Tuesday, July 6, 2021 10:34:18 AM  
**Attachments:** [image001.png](#)

---

Trevor,

Today is 19 days since I sent you the questions, and 7 since you said you'd get a response back. We're getting a real sense that the Colorado Secretary of State's office has been and is conspiring to deny public information to the public, regarding the modification of voting systems which we have paid for, which belong to us, which are under the custody of public officials so long as and only in the course of their sworn duty to uphold our Constitution and public trust. I'd prefer not to add you to that list of public officials who must be held accountable for the deliberate interference with and denial of the public's legal and moral right to the information. And there WILL be an accounting. Please respond ASAP, particularly regarding the schedule of Dominion 5.13 modifications.

Thank you-  
sas

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- Trevor

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**Sent:** Tuesday, June 29, 2021 5:15 PM  
**To:** Trevor Timmons <[Trevor.Timmons@SOS.STATE.CO.US](mailto:Trevor.Timmons@SOS.STATE.CO.US)>  
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**Trevor Timmons**

Chief Information Officer | Department of State

303.860.6946 (direct)

303.894.2200 (office)

[trevor.timmons@sos.state.co.us](mailto:trevor.timmons@sos.state.co.us)

1700 Broadway, Suite 200

Denver, CO 80290

**From:** [Melissa Kessler](#)  
**To:** [REDACTED]  
**Subject:** RE: Thanks for your call - and responses to your questions to Clerk Koppes  
**Date:** Wednesday, July 7, 2021 8:52:52 AM  
**Attachments:** [image001.png](#)

---

Mr. Smith,

We are in receipt of your correspondence below. However, on July 1, our office was contacted on your behalf by Maureen West, an attorney representing you on matters directly involving our office. Accordingly, please route all questions and concerns through your attorney. We cannot communicate directly with a represented party.

Thank you,  
Melissa Kessler



**Melissa Belle Kessler**  
Legal and Policy Director | Department of State  
[melissa.kessler@sos.state.co.us](mailto:melissa.kessler@sos.state.co.us)  
1700 Broadway, Suite 500  
Denver, CO 80290

**From:** SAS <[REDACTED]>  
**Sent:** Tuesday, July 6, 2021 10:33 AM  
**To:** Trevor Timmons <[Trevor.Timmons@SOS.STATE.CO.US](mailto:Trevor.Timmons@SOS.STATE.CO.US)>  
**Subject:** Re: [EXTERNAL] Re: Thanks for your call - and responses to your questions to Clerk Koppes

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Trevor

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**Sent:** Tuesday, June 29, 2021 5:15 PM

**To:** Trevor Timmons <[Trevor.Timmons@SOS.STATE.CO.US](mailto:Trevor.Timmons@SOS.STATE.CO.US)>

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1700 Broadway, Suite 200  
Denver, CO 80290

**From:** [Regina O'Brien](#)  
**To:** [Chris Beall](#)  
**Cc:** [Judd Choate](#)  
**Subject:** Request for assistance from the SOS to combat misinformation  
**Date:** Friday, July 16, 2021 4:42:48 PM  
**Attachments:** [Notification to SoS, CCRs and Commissioners v.2.pdf](#)

---

Hello Chris,

I'm not sure if you remember, but we met each other and spent time together at a shared table at the Clerk's conference in Fort Collins this summer. It was a pleasure getting to know you!

Chris, I received the email below, and the accompanying attachment, this morning from my Republican Party chair. I had not seen this letter before, so the information and accusations were new to me.

I reached out to Judd for some help in answering this letter and the party chair, and Judd suggested that I reach out to you as well.

Chris, could your office please provide the factual information that I understand is available to help me combat this inaccurate information? My Dominion upgrade is scheduled for Monday, and I want to make sure that my local parties and all voters have the continued confidence in me as their Clerk. Being able to present my parties and anyone else with the facts which combat this misinformation would be very beneficial for continued trust in our local elections. Having information directly from the Secretary of State as the voting system's certifying entity would help tremendously to ensure confidence.

I am sure I am not the only county that would appreciate and benefit from a statement, memo or email from the Secretary of State's Office that presents the vetted facts which combat this particular accusation.

Please let me know if this would be possible. I appreciate your attention to this important matter, and I'm happy to speak with you at any time over the weekend. My cell is [REDACTED].

Best wishes,

Regina O'Brien  
Eagle County Clerk & Recorder

----- Forwarded message -----

From: [REDACTED] <[REDACTED]>  
Date: Thu, Jul 15, 2021 at 11:47 PM  
Subject: Fwd: Notice for the county clerk and recorder  
To: Regina O'Brien <[regina.obrien@eaglecounty.us](mailto:regina.obrien@eaglecounty.us)>

Regina-

I received this from Maurice and understand it is being sent to you also. It appears as though

our SOS may have once again overstepped her boundaries.  
I also understand that this update is scheduled for Eagle County on Monday 7/17.

I know Maurice well and I can testify he is a well respected international attorney who is essentially retired and is active in Republican politics. He is highly regarded and not some kook running around looking for trouble. Regardless of how this came to his attention, I would suggest you take a look at it and assess the impact it will have on EC if this update proceeds. I understand some counties have refused to allow the update either because this clerk took a stand or the commissioners decided against it. Just an FYI.

While I've got you, any word from the mapping woman on the CC districts?  
K

Begin forwarded message:

**From:** Maurice Emmer [REDACTED] >  
**Subject:** Notice for the county clerk and recorder  
**Date:** July 15, 2021 at 5:51:41 PM MDT  
**To:** Kaye Ferry <[REDACTED]>

Best regards,

Maurice Emmer  
(Ted Cruz: "Republicans; they waste a little less")  
(typos by Appple)

--

Regina O'Brien  
Eagle County Clerk & Recorder

970.328.8783 | Direct line  
970.328.8716 | Fax  
500 Broadway / PO Box 537 Eagle, CO 81631  
[www.eaglecounty.us/clerk](http://www.eaglecounty.us/clerk)



THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this email is not the intended recipient, you are hereby notified that any dissemination, distribution, forwarding, copying of or taking action in reliance on the contents of this email is strictly prohibited. If you received this email in error, please notify the sender by email or telephone, and delete the original message immediately. Thank you.

**From:** [Jack Twite](#)  
**To:** [Judd Choate](#)  
**Cc:** [Codie Winslow](#)  
**Subject:** [EXTERNAL] RE: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Wednesday, July 21, 2021 8:28:41 AM

---

Hi,

Not as much about the certification yet but we do get inquiries about the voting system and security regularly. Having an official correspondence to be prepared will help.

Thanks for checking.

**Jack Twite Jr | Deputy of Elections**  
**Douglas County Elections**

**Address** | 125 Stephanie Place, Castle Rock, CO 80109

**Main** | 303-660-7444 **D** | 303-814-7618 **C** | [REDACTED]

**Email** | [jtwite@douglas.co.us](mailto:jtwite@douglas.co.us)



#### **YOUR FEEDBACK MATTERS**

Take our short survey at [mydougcoclerk.com](https://mydougcoclerk.com)

---

**From:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>  
**Sent:** Wednesday, July 21, 2021 7:52 AM  
**To:** Jack Twite <[jtwite@douglas.co.us](mailto:jtwite@douglas.co.us)>  
**Cc:** Codie Winslow <[cwinslow@douglas.co.us](mailto:cwinslow@douglas.co.us)>  
**Subject:** Re: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build

I can check.

Are you hearing questions about Clear Ballot. I have not, but then again the Dominion nonsense has dominated the conversation.

Thanks Judd

Sent from my iPhone

On Jul 21, 2021, at 7:37 AM, Jack Twite <[jtwite@douglas.co.us](mailto:jtwite@douglas.co.us)> wrote:

Good Morning Judd,

Thanks for helping out with this memo. Will one be published that includes Clear Ballot since it was not included in this memo? I saw that the complaint letter circulating does mention both Dominion and Clear Ballot systems.

Thanks for checking,

**Jack Twite Jr | Deputy of Elections**  
**Douglas County Elections**

**Address** | 125 Stephanie Place, Castle Rock, CO 80109

**Main** | 303-660-7444 **D** | 303-814-7618 **C** | [REDACTED]

**Email** | [jtwite@douglas.co.us](mailto:jtwite@douglas.co.us)

<image002.jpg>

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Take our short survey at [mydougcoclerk.com](http://mydougcoclerk.com)

---

**From:** [SCORE Customer Support] <[SCORE.CustomerSupport@SOS.STATE.CO.US](mailto:SCORE.CustomerSupport@SOS.STATE.CO.US)>

**Sent:** Tuesday, July 20, 2021 6:29 PM

**To:** [SCORE Customer Support] <[SCORE.CustomerSupport@SOS.STATE.CO.US](mailto:SCORE.CustomerSupport@SOS.STATE.CO.US)>

**Cc:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>; Hilary Rudy  
<[Hilary.Rudy@SOS.STATE.CO.US](mailto:Hilary.Rudy@SOS.STATE.CO.US)>; Chris Beall <[Chris.Beall@SOS.STATE.CO.US](mailto:Chris.Beall@SOS.STATE.CO.US)>;  
Michael Whitehorn <[Michael.Whitehorn@SOS.STATE.CO.US](mailto:Michael.Whitehorn@SOS.STATE.CO.US)>; Melissa Kessler  
<[Melissa.Kessler@SOS.STATE.CO.US](mailto:Melissa.Kessler@SOS.STATE.CO.US)>

**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for  
Dominion Suite 5.13 Trusted Build

**Importance:** High

Dear County Clerks and Election Administrators

Please find the attached memo regarding the accreditation of the Pro V&V testing lab – the testing lab that has certified every version of the Dominion Voting Systems software for use in Colorado since February, 2015. We have heard from a number of counties who have either directly received or were indirectly provided a letter questioning whether Pro V&V was a continuously accredited Voting System Testing Lab (VSTL) over that period of time. These claims are categorically false. I have gone so far as to personally confirm this fact with the EAC Executive Director, Mona Harrington, two weeks ago (accreditation was not terminated) and again this morning (accreditation did not expire).

Please feel free to use this memo, in whole or in part, to confirm to your voters that Colorado and your county runs fair and secure elections.

Each of us is a public servant. We call balls and strikes. We don't decide outcomes. The misinformation about Colorado's (and the country's) elections assumes that we put our individual or collective thumbs on the scale to support particular candidates or issues. I

find this insulting, as I know you do as well. Further, it's simply not the case. I believe this both because I know your character and because there are endless checks and balances that regulate, confirm, and reconfirm our work.

Thank you for the ever-growing list of sacrifices you have made to be a public servant and work in elections. Please know that a large majority of Coloradans appreciate your contributions on their behalf.

Cheers, Judd

**Judd Choate**

Colorado Election Director

1700 Broadway, Suite 550

Denver, CO 80290

Office - 303.869.4927

[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)

<image001.png>

<Memo to Clerks - Certification of DVS's Democracy Live 5.13 software 7.20.21.docx>



**From:** [Chuck Broerman](#)  
**To:** [Judd Choate](#)  
**Subject:** [EXTERNAL] RE: EAC VSTL Letter  
**Date:** Friday, July 23, 2021 4:18:28 PM  
**Attachments:** [image001.png](#)

---

Thank you Judd

---

**From:** Judd Choate  
**Sent:** Friday, July 23, 2021 4:12 PM  
**To:** Chuck Broerman <ChuckBroerman@elpasoco.com>  
**Subject:** EAC VSTL Letter

**CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.**

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Hi Chuck. See the attached letter from the EAC describing how and why Pro V&V has been and remains an accredited VSTL.

Please let me know if you have any questions.

Thanks, Judd

**Judd Choate**

Colorado Election Director  
1700 Broadway, Suite 550  
Denver, CO 80290  
Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



**From:** [Mona Harrington](#)  
**To:** [Judd Choate](#); [Kevin Rayburn](#)  
**Subject:** [EXTERNAL] RE: Pro V&V  
**Date:** Tuesday, July 20, 2021 7:14:56 AM

---

Absolutely- let me draft something- sorry you are dealing with this!

Best,

Mona

---

**From:** Judd Choate <Judd.Choate@SOS.STATE.CO.US>  
**Sent:** Tuesday, July 20, 2021 12:01 AM  
**To:** Mona Harrington <mharrington@eac.gov>; Kevin Rayburn <KRayburn@eac.gov>  
**Subject:** Pro V&V

Hi Mona and Kevin. See below. This is from a prominent proponent of the Big Lie who is working closely with several Colorado legislators.

The lack of clarity on the EAC website and the gaps in public notice of continued certification are driving the narrative that Colorado's voting system wasn't properly tested by an accredited VSTL. We are getting these questions on a daily basis. Is there any document you could point us to that would clarify the the Revocation v. Expiration issue? Better yet, could you write a letter or even an email stating what we all know - that Pro V&V was a continuously accredited VSTL since 2015?

Getting something directly from you would be very helpful.

Thanks. Judd

**From:** [\[SCORE Customer Support\]](#)  
**To:** [\[SCORE Customer Support\]](#)  
**Cc:** [Judd Choate](#); [Hilary Rudy](#); [Chris Beall](#); [Michael Whitehorn](#); [Melissa Kessler](#)  
**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Tuesday, July 20, 2021 6:29:17 PM  
**Attachments:** [image001.png](#)  
[Memo to Clerks - Certification of DVS's Democracy Live 5.13 software 7.20.21.docx](#)  
**Importance:** High

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Dear County Clerks and Election Administrators

Please find the attached memo regarding the accreditation of the Pro V&V testing lab – the testing lab that has certified every version of the Dominion Voting Systems software for use in Colorado since February, 2015. We have heard from a number of counties who have either directly received or were indirectly provided a letter questioning whether Pro V&V was a continuously accredited Voting System Testing Lab (VSTL) over that period of time. These claims are categorically false. I have gone so far as to personally confirm this fact with the EAC Executive Director, Mona Harrington, two weeks ago (accreditation was not terminated) and again this morning (accreditation did not expire).

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Thank you for the ever-growing list of sacrifices you have made to be a public servant and work in elections. Please know that a large majority of Coloradans appreciate your contributions on their behalf.

Cheers, Judd

**Judd Choate**

Colorado Election Director  
1700 Broadway, Suite 550  
Denver, CO 80290  
Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



**From:** [Jessi Romero](#)  
**To:** [Danny Casias](#); [Edward Morgan](#); [Will Graham](#)  
**Subject:** FW: [EXTERNAL] Fwd: The attached will be mailed to you  
**Date:** Monday, July 19, 2021 8:34:46 AM  
**Attachments:** [Notification to SoS, CCRs and Commissioners v.2.pdf](#)

---

FYI.

We sent an email a month ago shooting down this “lab was not certified” nonsense. Apparently truth should never get in the way of a good lie.

**From:** Janice Vos <janice.vos@pitkincounty.com>  
**Sent:** Friday, July 16, 2021 9:12 AM  
**To:** Judd Choate <Judd.Choate@SOS.STATE.CO.US>; Hilary Rudy <Hilary.Rudy@SOS.STATE.CO.US>; Dwight Shellman <Dwight.Shellman@SOS.STATE.CO.US>; Jessi Romero <Jessi.Romero@SOS.STATE.CO.US>  
**Subject:** [EXTERNAL] Fwd: The attached will be mailed to you

See attachment, FYI,

**Janice K. Vos Caudill**  
Pitkin County Clerk and Recorder  
530 E. Main St., Suite 104  
Aspen, CO 81611

Office: 970-429-2710  
Fax: 970-445-3009

[www.pitkincounty.com](http://www.pitkincounty.com) Clerk's Office Main Page  
[mydmv.colorado.gov](http://mydmv.colorado.gov) for online Motor Vehicle Services  
[www.pitkinvotes.com](http://www.pitkinvotes.com) for online Elections Services  
[www.pitkinclerk.org](http://www.pitkinclerk.org) for online Recording Services

Thank you for your message. Please know that although the Clerk and Recorder offices are closed to walk-in customers due to COVID-19, we are open to the public by appointment only and continue to serve the public through online services and documents received by mail or dropped in the Pitkin County drop box located at 530 E. Main St., Aspen. During this time, there may be a prolonged delay in the ability to reply to your email. Your patience is appreciated.

----- Forwarded message -----

From: **Maurice Emmer** [REDACTED]  
Date: Thu, Jul 15, 2021 at 6:07 PM  
Subject: The attached will be mailed to you  
To: Janice Vos Caudill <[janicev@co.pitkin.co.us](mailto:janicev@co.pitkin.co.us)>

Janice, the attached is being sent to all the CCRs in the state. Since the date of your Dominion "upgrade" is imminent, I wanted to give it to you now.

Best regards,

Maurice Emmer  
(Ted Cruz: "Republicans; they waste a little less")  
(typos by Appple)

**From:** [\[SCORE Customer Support\]](#)  
**To:** [Judd Choate](#)  
**Subject:** FW: [EXTERNAL] Re: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Tuesday, July 20, 2021 7:37:22 PM  
**Attachments:** [image001.png](#)

---

FYI

**From:** Teak Simonton [REDACTED] >  
**Sent:** Tuesday, July 20, 2021 6:35 PM  
**To:** [SCORE Customer Support] <[SCORE.CustomerSupport@SOS.STATE.CO.US](mailto:SCORE.CustomerSupport@SOS.STATE.CO.US)>  
**Subject:** [EXTERNAL] Re: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build

Outstanding messaging Judd. Well done. Hope you are well!

Teak Simonton  
[REDACTED] cell  
970-328-2025 Remote office

On Tue, Jul 20, 2021 at 6:29 PM [SCORE Customer Support]  
<[SCORE.CustomerSupport@sos.state.co.us](mailto:SCORE.CustomerSupport@sos.state.co.us)> wrote:

Dear County Clerks and Election Administrators

Please find the attached memo regarding the accreditation of the Pro V&V testing lab – the testing lab that has certified every version of the Dominion Voting Systems software for use in Colorado since February, 2015. We have heard from a number of counties who have either directly received or were indirectly provided a letter questioning whether Pro V&V was a continuously accredited Voting System Testing Lab (VSTL) over that period of time. These claims are categorically false. I have gone so far as to personally confirm this fact with the EAC Executive Director, Mona Harrington, two weeks ago (accreditation was not terminated) and again this morning (accreditation did not expire).

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elections. Please know that a large majority of Coloradans appreciate your contributions on their behalf.

Cheers, Judd

**Judd Choate**

Colorado Election Director

1700 Broadway, Suite 550

Denver, CO 80290

Office - 303.869.4927

[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



Colorado  
**Secretary of State**

**From:** [\[SCORE Customer Support\]](#)  
**To:** [Ryan E. Schriener](#)  
**Subject:** FW: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Wednesday, July 21, 2021 8:45:42 AM  
**Attachments:** [image001.png](#)  
[Memo to Clerks - Certification of DVS's Democracy Live 5.13 software 7.20.21.docx](#)  
**Importance:** High

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**From:** [SCORE Customer Support]  
**Sent:** Tuesday, July 20, 2021 6:29 PM  
**To:** [SCORE Customer Support] <SCORE.CustomerSupport@SOS.STATE.CO.US>  
**Cc:** Judd Choate <Judd.Choate@SOS.STATE.CO.US>; Hilary Rudy <Hilary.Rudy@SOS.STATE.CO.US>; Chris Beall <Chris.Beall@SOS.STATE.CO.US>; Michael Whitehorn <Michael.Whitehorn@SOS.STATE.CO.US>; Melissa Kessler <Melissa.Kessler@SOS.STATE.CO.US>  
**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Importance:** High

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**Judd Choate**





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1700 Broadway, Suite 550  
Denver, CO 80290  
Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** [SCORE Customer Support]

**Sent:** Tuesday, July 20, 2021 6:29 PM

**To:** [SCORE Customer Support] <SCORE.CustomerSupport@SOS.STATE.CO.US>

**Cc:** Judd Choate <Judd.Choate@SOS.STATE.CO.US>; Hilary Rudy <Hilary.Rudy@SOS.STATE.CO.US>;  
Chris Beall <Chris.Beall@SOS.STATE.CO.US>; Michael Whitehorn  
<Michael.Whitehorn@SOS.STATE.CO.US>; Melissa Kessler <Melissa.Kessler@SOS.STATE.CO.US>

**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite  
5.13 Trusted Build

**Importance:** High

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Denver, CO 80290  
Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



Colorado  
**Secretary of State**

**From:** [Jack Twite](#)  
**To:** [Judd Choate](#)  
**Cc:** [Codie Winslow](#)  
**Subject:** FW: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Wednesday, July 21, 2021 7:37:09 AM  
**Attachments:** [image001.png](#)  
[Memo to Clerks - Certification of DVS's Democracy Live 5.13 software 7.20.21.docx](#)

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Good Morning Judd,

Thanks for helping out with this memo. Will one be published that includes Clear Ballot since it was not included in this memo? I saw that the complaint letter circulating does mention both Dominion and Clear Ballot systems.

Thanks for checking,

**Jack Twite Jr | Deputy of Elections**

**Douglas County Elections**

**Address** | 125 Stephanie Place, Castle Rock, CO 80109

**Main** | 303-660-7444 **D** | 303-814-7618 **C** | [REDACTED]

**Email** | [jtwite@douglas.co.us](mailto:jtwite@douglas.co.us)



### **YOUR FEEDBACK MATTERS**

Take our short survey at [mydougcoclerk.com](https://mydougcoclerk.com)

---

**From:** [SCORE Customer Support] <SCORE.CustomerSupport@SOS.STATE.CO.US>  
**Sent:** Tuesday, July 20, 2021 6:29 PM  
**To:** [SCORE Customer Support] <SCORE.CustomerSupport@SOS.STATE.CO.US>  
**Cc:** Judd Choate <Judd.Choate@SOS.STATE.CO.US>; Hilary Rudy <Hilary.Rudy@SOS.STATE.CO.US>; Chris Beall <Chris.Beall@SOS.STATE.CO.US>; Michael Whitehorn <Michael.Whitehorn@SOS.STATE.CO.US>; Melissa Kessler <Melissa.Kessler@SOS.STATE.CO.US>  
**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Importance:** High

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Cheers, Judd

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Colorado Election Director  
1700 Broadway, Suite 550  
Denver, CO 80290  
Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



**From:** [Regina O'Brien](#)  
**To:** [Chris Beall](#); [Dwight Shellman](#); [Judd Choate](#)  
**Subject:** Fwd: Further info re Sec'y of State and voting systems  
**Date:** Monday, July 19, 2021 6:26:56 PM  
**Attachments:** [Regarding Revocation vs Expiration.pdf](#)

---

Hi Dwight, Chris and Judd,

I received this from my Republican Party chair and wanted to bring it to your attention so this can be addressed in any written response that counties can send to constituents.

Dwight did address this particular expiration claim on the County Support Call today. I will relay that information to my party chair, but I figured other counties could benefit from having it addressed in any written statement put forth by the SOS.

Thank you so much for your help in this matter.

Best wishes,

Regina

Sent from my iPhone

----- Forwarded message -----

**From:** Kaye Ferry [REDACTED] >  
**Date:** Mon, Jul 19, 2021 at 5:17 PM  
**Subject:** Fwd: Further info re Sec'y of State and voting systems  
**To:** Regina O'Brien <[regina.obrien@eaglecounty.us](mailto:regina.obrien@eaglecounty.us)>

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Maurice Emmer [REDACTED]  
**Date:** July 19, 2021 at 3:23:12 PM MDT  
**To:** Dave Peters <[REDACTED]>, Pete Wood <[REDACTED]>, Kevin McCarney [REDACTED], Jane Chaney <[REDACTED]>, Dave Bradford [REDACTED], Betty Benson [REDACTED], Spencer Hamner [REDACTED], Allen Maez <[REDACTED]>, "kaye [REDACTED]" >  
**Subject:** Further info re Sec'y of State and voting systems

One of our number provided her county clerk with the letter that Shawn Smith and I started mailing to the SoS and CCRs on Friday. Today the clerk reported

that she had contacted the SoS' office which responded in part that the voting systems test lab's federal accreditation was valid because it had not been revoked. Of course we never said it had been revoked. It expired. This is interesting on several levels that I won't address here. But the attached explains why the SoS' response is a misdirection.

On Thursday Jul 15, 2021, at 7:31 PMMDT, Maurice Emmer  
[REDACTED] > wrote:

If you wish to do so, you can send this to your clerk and recorder.

Best regards,

Maurice Emmer  
(Ted Cruz: "Republicans; they waste a little less")  
(typos by Appple)

<Notification to SoS, CCRs and Commissioners v.2.pdf>

Best regards,

Maurice Emmer  
(Ted Cruz: "Republicans; they waste a little less")  
(typos by Appple)

--

Regina O'Brien  
Eagle County Clerk & Recorder

970.328.8783 | Direct line  
970.328.8716 | Fax  
500 Broadway / PO Box 537 Eagle, CO 81631  
[www.eaglecounty.us/clerk](http://www.eaglecounty.us/clerk)



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**From:** [Theresa Conley](#)  
**To:** [Judd Choate](#)  
**Cc:** [Hilary Rudy](#); [Chris Beall](#); [Michael Whitehorn](#); [Melissa Kessler](#)  
**Subject:** Re: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Wednesday, July 21, 2021 7:30:14 AM  
**Attachments:** [image001.png](#)

---

Great memo. This presents a good opportunity for us to follow up with counties with the factsheets we drafted that provide additional information about the trusted build and other processes.

Theresa

---

**From:** [SCORE Customer Support]  
**Sent:** Tuesday, July 20, 2021 6:29:15 PM  
**To:** [SCORE Customer Support]  
**Cc:** Judd Choate; Hilary Rudy; Chris Beall; Michael Whitehorn; Melissa Kessler  
**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build

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Cheers, Judd



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Denver, CO 80290

Office - 303.869.4927

[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



Colorado  
**Secretary of State**

**From:** [Chris Beall](#)  
**To:** [Theresa Conley](#)  
**Cc:** [Judd Choate](#); [Hilary Rudy](#); [Michael Whitehorn](#); [Melissa Kessler](#)  
**Subject:** RE: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Wednesday, July 21, 2021 7:38:28 AM  
**Attachments:** [image001.png](#)

---

Theresa (and all),

We're still working on the fact sheets. I agree with your essential point that they will be useful. We are just not there yet.

-C

---

**From:** Theresa Conley  
**Sent:** Wednesday, July 21, 2021 7:30 AM  
**To:** Judd Choate <Judd.Choate@SOS.STATE.CO.US>  
**Cc:** Hilary Rudy <Hilary.Rudy@SOS.STATE.CO.US>; Chris Beall <Chris.Beall@SOS.STATE.CO.US>; Michael Whitehorn <Michael.Whitehorn@SOS.STATE.CO.US>; Melissa Kessler <Melissa.Kessler@SOS.STATE.CO.US>  
**Subject:** Re: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build

Great memo. This presents a good opportunity for us to follow up with counties with the factsheets we drafted that provide additional information about the trusted build and other processes.

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---

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**Sent:** Tuesday, July 20, 2021 6:29:15 PM  
**To:** [SCORE Customer Support]  
**Cc:** Judd Choate; Hilary Rudy; Chris Beall; Michael Whitehorn; Melissa Kessler  
**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build

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Cheers, Judd

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Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



**From:** [Judd Choate](#)  
**To:** [Caleb Thornton](#); [Hilary Rudy](#)  
**Subject:** RE: DOJ Documents for Rulemaking  
**Date:** Thursday, July 29, 2021 12:28:47 PM  
**Attachments:** [EAC Letter RE VSTL Certificates and accreditation 7.26.21.pdf](#)  
[image001.png](#)  
[image002.png](#)

---

I have saved this PDF in a different format. Can you open it now?

Judd

---

**From:** Caleb Thornton  
**Sent:** Thursday, July 29, 2021 12:07 PM  
**To:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>; Chris Beall <[Chris.Beall@SOS.STATE.CO.US](mailto:Chris.Beall@SOS.STATE.CO.US)>; Melissa Kessler <[Melissa.Kessler@SOS.STATE.CO.US](mailto:Melissa.Kessler@SOS.STATE.CO.US)>; Andrea Gyger <[Andrea.Gyger@SOS.STATE.CO.US](mailto:Andrea.Gyger@SOS.STATE.CO.US)>; Hilary Rudy <[Hilary.Rudy@SOS.STATE.CO.US](mailto:Hilary.Rudy@SOS.STATE.CO.US)>  
**Subject:** RE: DOJ Documents for Rulemaking

I'll try to incorporate the first document in particular into my presentation.

**Caleb Thornton**

Legal Unit Manager | Department of  
State  
303.894.2200 ext. 6386  
[caleb.thornton@sos.state.co.us](mailto:caleb.thornton@sos.state.co.us)  
1700 Broadway, Suite 550  
Denver, CO 80290



Colorado  
Secretary of State

---

**From:** Judd Choate  
**Sent:** Thursday, July 29, 2021 11:57 AM  
**To:** Chris Beall <[Chris.Beall@SOS.STATE.CO.US](mailto:Chris.Beall@SOS.STATE.CO.US)>; Melissa Kessler <[Melissa.Kessler@SOS.STATE.CO.US](mailto:Melissa.Kessler@SOS.STATE.CO.US)>; Caleb Thornton <[Caleb.Thornton@SOS.STATE.CO.US](mailto:Caleb.Thornton@SOS.STATE.CO.US)>; Andrea Gyger <[Andrea.Gyger@SOS.STATE.CO.US](mailto:Andrea.Gyger@SOS.STATE.CO.US)>; Hilary Rudy <[Hilary.Rudy@SOS.STATE.CO.US](mailto:Hilary.Rudy@SOS.STATE.CO.US)>  
**Subject:** DOJ Documents for Rulemaking

Here are the two documents the DOJ sent out yesterday. Both apply, in different ways, to our current rulemaking.

[https://www.justice.gov/opa/press-release/file/1417796/download?utm\\_medium=email&utm\\_source=govdelivery](https://www.justice.gov/opa/press-release/file/1417796/download?utm_medium=email&utm_source=govdelivery)  
[Guidance Concerning Federal Statutes Affecting Methods of Voting \(justice.gov\)](#)



**Judd Choate, Ph.D., J.D.**  
State Election Director  
Colorado Department of State  
303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)  
1700 Broadway, Suite 550  
Denver, CO 80290



For FACTUAL election information, go to: [www.govotecolorado.gov](http://www.govotecolorado.gov)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

**From:** Regina O'Brien <[regina.obrien@eaglecounty.us](mailto:regina.obrien@eaglecounty.us)>

**Date:** July 19, 2021 at 6:26:55 PM MDT

**To:** Chris Beall <[Chris.Beall@sos.state.co.us](mailto:Chris.Beall@sos.state.co.us)>, Dwight Shellman <[Dwight.Shellman@sos.state.co.us](mailto:Dwight.Shellman@sos.state.co.us)>, Judd Choate <[Judd.Choate@sos.state.co.us](mailto:Judd.Choate@sos.state.co.us)>

**Subject: Fwd: Further info re Sec'y of State and voting systems**

Hi Dwight, Chris and Judd,

I received this from my Republican Party chair and wanted to bring it to your attention so this can be addressed in any written response that counties can send to constituents.

Dwight did address this particular expiration claim on the County Support Call today. I will relay that information to my party chair, but I figured other counties could benefit from having it addressed in any written statement put forth by the SOS.

Thank you so much for your help in this matter.

Best wishes,

Regina

Sent from my iPhone

----- Forwarded message -----

From: **Kaye Ferry** [REDACTED] >

Date: Mon, Jul 19, 2021 at 5:17 PM

Subject: Fwd: Further info re Sec'y of State and voting

systems

To: Regina O'Brien <[regina.obrien@eaglecounty.us](mailto:regina.obrien@eaglecounty.us)>

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Maurice Emmer

<[REDACTED]>

**Date:** July 19, 2021 at 3:23:12 PM MDT

**To:** Dave Peters <[REDACTED]>, Pete Wood <[REDACTED]>, Kevin McCarney <[REDACTED]>, Jane Chaney <[REDACTED]>, Dave Bradford <[REDACTED]>, Betty Benson <[REDACTED]>, Spencer Hamner <[REDACTED]>, Allen Maez <[REDACTED]>, "kaye <[REDACTED]>

**Subject: Further info re Sec'y of State and voting systems**

One of our number provided her county clerk with the letter that Shawn Smith and I started mailing to the SoS and CCRs on Friday. Today the clerk reported that she had contacted the SoS' office which responded in part that the voting systems test lab's federal accreditation was valid because it had not been revoked. Of course we never said it had been revoked. It expired. This is interesting on several levels that I won't address here. But the attached explains why the SoS' response is a misdirection.

On ThursdayJul 15, 2021, at 7:31 PMMDT, Maurice Emmer

[REDACTED] >  
wrote:



If you wish to do so, you can send  
this to your clerk and recorder.

Best regards,

Maurice Emmer  
(Ted Cruz: "Republicans; they  
waste a little less")  
(typos by Appple)

<Notification to SoS, CCRs and  
Commissioners v.2.pdf>

Best regards,

Maurice Emmer  
(Ted Cruz: "Republicans; they waste a little  
less")  
(typos by Appple)

--

Regina O'Brien  
Eagle County Clerk & Recorder

970.328.8783 | Direct line  
970.328.8716 | Fax  
500 Broadway / PO Box 537 Eagle, CO 81631  
[www.eaglecounty.us/clerk](http://www.eaglecounty.us/clerk)



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[REDACTED]

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[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]

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Regina

Sent from my iPhone

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Date: Mon, Jul 19, 2021 at 5:17 PM  
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To: Regina O'Brien <[regina.obrien@eaglecounty.us](mailto:regina.obrien@eaglecounty.us)>

FYI

Sent from my iPhone

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**From:** Maurice Emmer  
[REDACTED]  
**Date:** July 19, 2021 at 3:23:12 PM MDT  
**To:** Dave Peters [REDACTED] >,  
Pete Wood [REDACTED] >, Kevin  
McCarney [REDACTED] >,  
Jane Chaney [REDACTED] >, Dave Bradford  
[REDACTED] >, Betty Benson  
[REDACTED] >, Spencer  
Hamner [REDACTED] >, Allen Maez  
[REDACTED] >, "kaye  
[REDACTED]  
**Subject: Further info re Sec'y of State and  
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(typos by Appple)

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[REDACTED]

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[REDACTED]

---

[REDACTED]

---

[REDACTED]

---

[REDACTED]

---

**From:** Judd Choate  
**Sent:** Wednesday, July 28, 2021 3:36 PM  
**To:** Chris Beall <[Chris.Beall@SOS.STATE.CO.US](mailto:Chris.Beall@SOS.STATE.CO.US)>; Michael Whitehorn  
<[Michael.Whitehorn@SOS.STATE.CO.US](mailto:Michael.Whitehorn@SOS.STATE.CO.US)>; Melissa Kessler <[Melissa.Kessler@SOS.STATE.CO.US](mailto:Melissa.Kessler@SOS.STATE.CO.US)>  
**Subject:** FW: Letter from Maurice Elmmmer

I received a call from Angie in El Paso and now an email from Adams that they have received this letter today.

Judd

---

**From:** Jami Gaultney <[JGaultney@adcogov.org](mailto:JGaultney@adcogov.org)>

**Sent:** Wednesday, July 28, 2021 3:01 PM

**To:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>; Dwight Shellman <[Dwight.Shellman@SOS.STATE.CO.US](mailto:Dwight.Shellman@SOS.STATE.CO.US)>

**Cc:** Christi Coburn <[CCoburn@adcogov.org](mailto:CCoburn@adcogov.org)>; Josh Zygielbaum <[JZygielbaum@adcogov.org](mailto:JZygielbaum@adcogov.org)>

**Subject:** [EXTERNAL] Letter from Maurice Elmmmer

Hello,

I hope you are doing well! I am not sure if others have already sent you the attached letter but I wanted to pass it on just in case.

Have a great day!

Thank you,

**Jami Gaultney**

Elections Administrator, *Elections*

ADAMS COUNTY, COLORADO

4430 S Adams County Parkway, 1<sup>st</sup> Floor, Suite E3102

Brighton, CO 80601-8207

o: 720.523.6421 | [jgaultney@adcogov.org](mailto:jgaultney@adcogov.org)

[www.adamsvotes.com](http://www.adamsvotes.com) | [www.adcogov.org](http://www.adcogov.org)

Personal Pronouns: She/her/hers

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My Work Schedule

Tuesday – Friday 7 to 5:30 p.m.



[REDACTED]

[REDACTED]

---

**From:** Judd Choate  
**Sent:** Wednesday, July 28, 2021 3:36 PM  
**To:** Chris Beall <Chris.Beall@SOS.STATE.CO.US>; Michael Whitehorn <Michael.Whitehorn@SOS.STATE.CO.US>; Melissa Kessler <Melissa.Kessler@SOS.STATE.CO.US>  
**Subject:** FW: Letter from Maurice Elmmmer

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**To:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>; Dwight Shellman <[Dwight.Shellman@SOS.STATE.CO.US](mailto:Dwight.Shellman@SOS.STATE.CO.US)>  
**Cc:** Christi Coburn <[CCoburn@adcogov.org](mailto:CCoburn@adcogov.org)>; Josh Zygielbaum <[JZygielbaum@adcogov.org](mailto:JZygielbaum@adcogov.org)>  
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o: 720.523.6421 | [jgaultney@adcogov.org](mailto:jgaultney@adcogov.org)

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### My Work Schedule

Tuesday – Friday 7 to 5:30 p.m.

**From:** [Judd Choate](#)  
**To:** [Chuck Broerman](#)  
**Subject:** EAC VSTL Letter  
**Date:** Friday, July 23, 2021 4:11:45 PM  
**Attachments:** [EAC VSTL Letter 7.22.21.pdf](#)  
[image001.png](#)

---

Hi Chuck. See the attached letter from the EAC describing how and why Pro V&V has been and remains an accredited VSTL.

Please let me know if you have any questions.

Thanks, Judd

**Judd Choate**

Colorado Election Director  
1700 Broadway, Suite 550  
Denver, CO 80290  
Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



Colorado  
**Secretary of State**

**From:** [Judd Choate](#)  
**To:** [Vicky Stecklein](#)  
**Subject:** email content  
**Date:** Tuesday, July 20, 2021 6:15:53 PM  
**Attachments:** [image001.png](#)

---

Title: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13  
Trusted Build

Dear County Clerks and Election Administrators

Please find the attached memo regarding the accreditation of the Pro V&V testing lab – the testing lab that has certified every version of the Dominion Voting Systems software for use in Colorado since February, 2015. We have heard from a number of counties who have either directly received or were indirectly provided a letter questioning whether Pro V&V was a continuously accredited Voting System Testing Lab (VSTL) over that period of time. These claims are categorically false. I have gone so far as to personally confirm this fact with the EAC Executive Director, Mona Harrington, two weeks ago (accreditation was not terminated) and again this morning (accreditation did not expire).

Please feel free to use this memo, in whole or in part, to confirm to your voters that Colorado and your county runs fair and secure elections.

Each of us is a public servant. We call balls and strikes. We don't decide outcomes. The misinformation about Colorado's (and the country's) elections assumes that we put our individual or collective thumbs on the scale to support particular candidates or issues. I find this insulting, as I know you do as well. Further, it's simply not the case. I believe this both because I know your character and because there are endless checks and balances that regulate, confirm, and reconfirm our work.

Thank you for the ever-growing list of sacrifices you have made to be a public servant and work in elections. Please know that a large majority of Coloradans appreciate your contributions on their behalf.

Cheers, Judd

**Judd Choate**

Colorado Election Director  
1700 Broadway, Suite 550  
Denver, CO 80290  
Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



**From:** [Hilary Rudy](#)  
**To:** [Caleb Thornton](#)  
**Subject:** FW: [EXTERNAL] Fwd: The attached will be mailed to you  
**Date:** Friday, July 16, 2021 10:01:54 AM  
**Attachments:** [Notification to SoS, CCRs and Commissioners v.2.pdf](#)

---

**From:** Janice Vos <janice.vos@pitkincounty.com>  
**Sent:** Friday, July 16, 2021 9:12 AM  
**To:** Judd Choate <Judd.Choate@SOS.STATE.CO.US>; Hilary Rudy <Hilary.Rudy@SOS.STATE.CO.US>; Dwight Shellman <Dwight.Shellman@SOS.STATE.CO.US>; Jessi Romero <Jessi.Romero@SOS.STATE.CO.US>  
**Subject:** [EXTERNAL] Fwd: The attached will be mailed to you

See attachment, FYI,

**Janice K. Vos Caudill**  
Pitkin County Clerk and Recorder  
530 E. Main St., Suite 104  
Aspen, CO 81611

Office: 970-429-2710  
Fax: 970-445-3009

[www.pitkincounty.com](http://www.pitkincounty.com) Clerk's Office Main Page  
[mydmv.colorado.gov](http://mydmv.colorado.gov) for online Motor Vehicle Services  
[www.pitkinvotes.com](http://www.pitkinvotes.com) for online Elections Services  
[www.pitkinclerk.org](http://www.pitkinclerk.org) for online Recording Services

Thank you for your message. Please know that although the Clerk and Recorder offices are closed to walk-in customers due to COVID-19, we are open to the public by appointment only and continue to serve the public through online services and documents received by mail or dropped in the Pitkin County drop box located at 530 E. Main St., Aspen. During this time, there may be a prolonged delay in the ability to reply to your email. Your patience is appreciated.

----- Forwarded message -----

**From:** **Maurice Emmer** [REDACTED]  
**Date:** Thu, Jul 15, 2021 at 6:07 PM  
**Subject:** The attached will be mailed to you

To: Janice Vos Caudill <[janicev@co.pitkin.co.us](mailto:janicev@co.pitkin.co.us)>

Janice, the attached is being sent to all the CCRs in the state. Since the date of your Dominion "upgrade" is imminent, I wanted to give it to you now.

Best regards,

Maurice Emmer

(Ted Cruz: "Republicans; they waste a little less")

(typos by Appple)

**From:** [Judd Choate](#)  
**To:** [Chris Beall](#); [Melissa Kessler](#); [Michael Whitehorn](#)  
**Subject:** FW: [EXTERNAL] Fwd: The attached will be mailed to you  
**Date:** Friday, July 16, 2021 9:19:00 AM  
**Attachments:** [Notification to SoS, CCRs and Commissioners v.2.pdf](#)

---

New letter from Shawn Smith. Janice Vos Caudill from Pitkin County forwarded it.

Judd

**From:** Janice Vos <janice.vos@pitkincounty.com>  
**Sent:** Friday, July 16, 2021 9:12 AM  
**To:** Judd Choate <Judd.Choate@SOS.STATE.CO.US>; Hilary Rudy <Hilary.Rudy@SOS.STATE.CO.US>; Dwight Shellman <Dwight.Shellman@SOS.STATE.CO.US>; Jessi Romero <Jessi.Romero@SOS.STATE.CO.US>  
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See attachment, FYI,

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[www.pitkincounty.com](http://www.pitkincounty.com) Clerk's Office Main Page  
[mydmv.colorado.gov](http://mydmv.colorado.gov) for online Motor Vehicle Services  
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(Ted Cruz: "Republicans; they waste a little less")

(typos by Appple)



**From:** [Jessi Romero](#)  
**To:** [Danny Casias](#); [Edward Morgan](#); [Will Graham](#)  
**Subject:** FW: [EXTERNAL] Fwd: The attached will be mailed to you  
**Date:** Monday, July 19, 2021 8:34:00 AM  
**Attachments:** [Notification to SoS, CCRs and Commissioners v.2.pdf](#)

---

FYI.

We sent an email a month ago shooting down this “lab was not certified” nonsense. Apparently truth should never get in the way of a good lie.

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**Sent:** Friday, July 16, 2021 9:12 AM  
**To:** Judd Choate <Judd.Choate@SOS.STATE.CO.US>; Hilary Rudy <Hilary.Rudy@SOS.STATE.CO.US>; Dwight Shellman <Dwight.Shellman@SOS.STATE.CO.US>; Jessi Romero <Jessi.Romero@SOS.STATE.CO.US>  
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(Ted Cruz: "Republicans; they waste a little less")

(typos by Appple)

**From:** [\[SCORE Customer Support\]](#)  
**To:** [Judd Choate](#)  
**Subject:** FW: [EXTERNAL] Re: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Tuesday, July 20, 2021 7:37:00 PM  
**Attachments:** [image001.png](#)

---

FYI

**From:** Teak Simonton <[REDACTED]>  
**Sent:** Tuesday, July 20, 2021 6:35 PM  
**To:** [SCORE Customer Support] <SCORE.CustomerSupport@SOS.STATE.CO.US>  
**Subject:** [EXTERNAL] Re: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build

Outstanding messaging Judd. Well done. Hope you are well!

Teak Simonton  
[REDACTED] cell  
970-328-2025 Remote office

On Tue, Jul 20, 2021 at 6:29 PM [SCORE Customer Support]  
<[SCORE.CustomerSupport@sos.state.co.us](mailto:SCORE.CustomerSupport@sos.state.co.us)> wrote:

Dear County Clerks and Election Administrators

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Thank you for the ever-growing list of sacrifices you have made to be a public servant and work in

elections. Please know that a large majority of Coloradans appreciate your contributions on their behalf.

Cheers, Judd

**Judd Choate**

Colorado Election Director

1700 Broadway, Suite 550

Denver, CO 80290

Office - 303.869.4927

[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



Colorado  
**Secretary of State**

**From:** [\[SCORE Customer Support\]](#)  
**To:** [Ryan E. Schriener](#)  
**Subject:** FW: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Wednesday, July 21, 2021 8:45:38 AM  
**Attachments:** [image001.png](#)  
[Memo to Clerks - Certification of DVS's Democracy Live 5.13 software 7.20.21.docx](#)  
**Importance:** High

---

---

**From:** [SCORE Customer Support]  
**Sent:** Tuesday, July 20, 2021 6:29 PM  
**To:** [SCORE Customer Support] <SCORE.CustomerSupport@SOS.STATE.CO.US>  
**Cc:** Judd Choate <Judd.Choate@SOS.STATE.CO.US>; Hilary Rudy <Hilary.Rudy@SOS.STATE.CO.US>; Chris Beall <Chris.Beall@SOS.STATE.CO.US>; Michael Whitehorn <Michael.Whitehorn@SOS.STATE.CO.US>; Melissa Kessler <Melissa.Kessler@SOS.STATE.CO.US>  
**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Importance:** High

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Denver, CO 80290  
Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



Colorado  
**Secretary of State**

**From:** [Judd Choate](#)  
**To:** [REDACTED]; [Matt Crane](#)  
**Subject:** FW: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Tuesday, July 20, 2021 6:46:00 PM  
**Attachments:** [image001.png](#)  
[Memo to Clerks - Certification of DVS's Democracy Live 5.13 software 7.20.21.docx](#)  
**Importance:** High

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Matt – I think I updated your CCCA email so that this only goes to you. But, Pam, if you get this, please let me know.

Judd

---

**From:** [SCORE Customer Support]  
**Sent:** Tuesday, July 20, 2021 6:29 PM  
**To:** [SCORE Customer Support] <SCORE.CustomerSupport@SOS.STATE.CO.US>  
**Cc:** Judd Choate <Judd.Choate@SOS.STATE.CO.US>; Hilary Rudy <Hilary.Rudy@SOS.STATE.CO.US>; Chris Beall <Chris.Beall@SOS.STATE.CO.US>; Michael Whitehorn <Michael.Whitehorn@SOS.STATE.CO.US>; Melissa Kessler <Melissa.Kessler@SOS.STATE.CO.US>  
**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Importance:** High

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[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



Colorado  
**Secretary of State**



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** [SCORE Customer Support]

**Sent:** Tuesday, July 20, 2021 6:29 PM

**To:** [SCORE Customer Support] <SCORE.CustomerSupport@SOS.STATE.CO.US>

**Cc:** Judd Choate <Judd.Choate@SOS.STATE.CO.US>; Hilary Rudy <Hilary.Rudy@SOS.STATE.CO.US>;  
Chris Beall <Chris.Beall@SOS.STATE.CO.US>; Michael Whitehorn  
<Michael.Whitehorn@SOS.STATE.CO.US>; Melissa Kessler <Melissa.Kessler@SOS.STATE.CO.US>

**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite  
5.13 Trusted Build

**Importance:** High

Dear County Clerks and Election Administrators

Please find the attached memo regarding the accreditation of the Pro V&V testing lab – the testing lab that has certified every version of the Dominion Voting Systems software for use in Colorado since February, 2015. We have heard from a number of counties who have either directly received or were indirectly provided a letter questioning whether Pro V&V was a continuously accredited Voting System Testing Lab (VSTL) over that period of time. These claims are categorically false. I have gone so far as to personally confirm this fact with the EAC Executive Director, Mona Harrington, two weeks ago (accreditation was not terminated) and again this morning (accreditation did not expire).

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1700 Broadway, Suite 550  
Denver, CO 80290  
Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



[REDACTED]

[REDACTED]

---

**From:** Mona Harrington <[mharrington@eac.gov](mailto:mharrington@eac.gov)>  
**Sent:** Wednesday, July 21, 2021 4:04 PM  
**To:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>  
**Subject:** RE: Pro V&V

Hi Judd,  
I haven't gotten commissioner approval just yet on this but here is what I drafted for your review.

---

**From:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>  
**Sent:** Wednesday, July 21, 2021 4:12 PM  
**To:** Mona Harrington <[mharrington@eac.gov](mailto:mharrington@eac.gov)>; Kevin Rayburn <[KRayburn@eac.gov](mailto:KRayburn@eac.gov)>  
**Subject:** RE: Pro V&V

Hi Mona. Attached is the memo I sent the counties last night. Any update on the letter you are providing?

Thanks, Judd

---

**From:** Mona Harrington <[mharrington@eac.gov](mailto:mharrington@eac.gov)>  
**Sent:** Tuesday, July 20, 2021 7:15 AM  
**To:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>; Kevin Rayburn <[KRayburn@eac.gov](mailto:KRayburn@eac.gov)>  
**Subject:** [EXTERNAL] RE: Pro V&V

Absolutely- let me draft something- sorry you are dealing with this!  
Best,  
Mona

---

**From:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>  
**Sent:** Tuesday, July 20, 2021 12:01 AM  
**To:** Mona Harrington <[mharrington@eac.gov](mailto:mharrington@eac.gov)>; Kevin Rayburn <[KRayburn@eac.gov](mailto:KRayburn@eac.gov)>  
**Subject:** Pro V&V

Hi Mona and Kevin. See below. This is from a prominent proponent of the Big Lie who is working

closely with several Colorado legislators.

The lack of clarity on the EAC website and the gaps in public notice of continued certification are driving the narrative that Colorado's voting system wasn't properly tested by an accredited VSTL. We are getting these questions on a daily basis. Is there any document you could point us to that would clarify the the Revocation v. Expiration issue? Better yet, could you write a letter or even an email stating what we all know - that Pro V&V was a continuously accredited VSTL since 2015?

Getting something directly from you would be very helpful.

Thanks. Judd

**From:** [Nathan Blumenthal](#)  
**To:** [Aaron Hayman](#)  
**Subject:** Fwd: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Tuesday, July 20, 2021 6:40:42 PM  
**Attachments:** [image001.png](#)  
[Memo to Clerks - Certification of DVS's Democracy Live 5.13 software 7.20.21.docx](#)

---

Sent from my iPhone please excuse typos

Begin forwarded message:

**From:** "[SCORE Customer Support]"  
<SCORE.CustomerSupport@sos.state.co.us>  
**Date:** July 20, 2021 at 6:29:18 PM MDT  
**To:** "[SCORE Customer Support]" <SCORE.CustomerSupport@sos.state.co.us>  
**Cc:** Judd Choate <Judd.Choate@sos.state.co.us>, Hilary Rudy  
<Hilary.Rudy@sos.state.co.us>, Chris Beall <Chris.Beall@sos.state.co.us>,  
Michael Whitehorn <Michael.Whitehorn@sos.state.co.us>, Melissa Kessler  
<Melissa.Kessler@sos.state.co.us>  
**Subject: Combatting Misinformation RE: Accreditation of Pro V&V Testing  
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[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**From:** Mona Harrington <[mharrington@eac.gov](mailto:mharrington@eac.gov)>  
**Date:** July 21, 2021 at 4:07:21 PM MDT  
**To:** Judd Choate <[Judd.Choate@sos.state.co.us](mailto:Judd.Choate@sos.state.co.us)>  
**Subject:** RE: Pro V&V

Hi Judd,  
I haven't gotten commissioner approval just yet on this but here is what I drafted for your review.

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**From:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>  
**Sent:** Wednesday, July 21, 2021 4:12 PM  
**To:** Mona Harrington <[mharrington@eac.gov](mailto:mharrington@eac.gov)>; Kevin Rayburn <[KRayburn@eac.gov](mailto:KRayburn@eac.gov)>  
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---

**From:** Mona Harrington <[mharrington@eac.gov](mailto:mharrington@eac.gov)>  
**Sent:** Tuesday, July 20, 2021 7:15 AM  
**To:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>; Kevin Rayburn <[KRayburn@eac.gov](mailto:KRayburn@eac.gov)>  
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**From:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>

**Sent:** Tuesday, July 20, 2021 12:01 AM

**To:** Mona Harrington <[mharrington@eac.gov](mailto:mharrington@eac.gov)>; Kevin Rayburn <[KRayburn@eac.gov](mailto:KRayburn@eac.gov)>

**Subject:** Pro V&V

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Getting something directly from you would be very helpful.

Thanks. Judd



**From:** [Theresa Conley](#)  
**To:** [Judd Choate](#)  
**Cc:** [Hilary Rudy](#); [Chris Beall](#); [Michael Whitehorn](#); [Melissa Kessler](#)  
**Subject:** Re: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Wednesday, July 21, 2021 7:30:14 AM  
**Attachments:** [image001.png](#)

---

Great memo. This presents a good opportunity for us to follow up with counties with the factsheets we drafted that provide additional information about the trusted build and other processes.

Theresa

---

**From:** [SCORE Customer Support]  
**Sent:** Tuesday, July 20, 2021 6:29:15 PM  
**To:** [SCORE Customer Support]  
**Cc:** Judd Choate; Hilary Rudy; Chris Beall; Michael Whitehorn; Melissa Kessler  
**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build

Dear County Clerks and Election Administrators

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Office - 303.869.4927

[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



Colorado  
**Secretary of State**

**From:** [Judd Choate](#)  
**To:** [Jack Twite](#)  
**Cc:** [Codie Winslow](#)  
**Subject:** Re: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Wednesday, July 21, 2021 7:52:18 AM  
**Attachments:** [image001.png](#)

---

I can check.

Are you hearing questions about Clear Ballot. I have not, but then again the Dominion nonsense has dominated the conversation.

Thanks Judd

Sent from my iPhone

On Jul 21, 2021, at 7:37 AM, Jack Twite <jtwite@douglas.co.us> wrote:

Good Morning Judd,

Thanks for helping out with this memo. Will one be published that includes Clear Ballot since it was not included in this memo? I saw that the complaint letter circulating does mention both Dominion and Clear Ballot systems.

Thanks for checking,

**Jack Twite Jr | Deputy of Elections**  
**Douglas County Elections**  
**Address** | 125 Stephanie Place, Castle Rock, CO 80109  
**Main** | 303-660-7444 **D** | 303-814-7618 **C** | 303-416-6667  
**Email** | [jtwite@douglas.co.us](mailto:jtwite@douglas.co.us)  
<image002.jpg>

**YOUR FEEDBACK MATTERS**

Take our short survey at [mydougcoclerk.com](https://mydougcoclerk.com)

---

**From:** [SCORE Customer Support] <SCORE.CustomerSupport@SOS.STATE.CO.US>  
**Sent:** Tuesday, July 20, 2021 6:29 PM  
**To:** [SCORE Customer Support] <SCORE.CustomerSupport@SOS.STATE.CO.US>  
**Cc:** Judd Choate <Judd.Choate@SOS.STATE.CO.US>; Hilary Rudy <Hilary.Rudy@SOS.STATE.CO.US>; Chris Beall <Chris.Beall@SOS.STATE.CO.US>; Michael Whitehorn <Michael.Whitehorn@SOS.STATE.CO.US>; Melissa Kessler <Melissa.Kessler@SOS.STATE.CO.US>  
**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for

Dominion Suite 5.13 Trusted Build

**Importance:** High

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<image001.png>

<Memo to Clerks - Certification of DVS's Democracy Live 5.13 software  
7.20.21.docx>

**From:** [Judd Choate](#)  
**To:** [Caleb Thornton](#); [Hilary Rudy](#)  
**Subject:** RE: DOJ Documents for Rulemaking  
**Date:** Thursday, July 29, 2021 12:28:07 PM  
**Attachments:** [EAC Letter RE VSTL Certificates and accreditation 7.26.21.pdf](#)  
[image001.png](#)  
[image002.png](#)

---

I have saved this PDF in a different format. Can you open it now?

Judd

---

**From:** Caleb Thornton  
**Sent:** Thursday, July 29, 2021 12:07 PM  
**To:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>; Chris Beall <[Chris.Beall@SOS.STATE.CO.US](mailto:Chris.Beall@SOS.STATE.CO.US)>; Melissa Kessler <[Melissa.Kessler@SOS.STATE.CO.US](mailto:Melissa.Kessler@SOS.STATE.CO.US)>; Andrea Gyger <[Andrea.Gyger@SOS.STATE.CO.US](mailto:Andrea.Gyger@SOS.STATE.CO.US)>; Hilary Rudy <[Hilary.Rudy@SOS.STATE.CO.US](mailto:Hilary.Rudy@SOS.STATE.CO.US)>  
**Subject:** RE: DOJ Documents for Rulemaking

I'll try to incorporate the first document in particular into my presentation.

**Caleb Thornton**

Legal Unit Manager | Department of  
State  
303.894.2200 ext. 6386  
[caleb.thornton@sos.state.co.us](mailto:caleb.thornton@sos.state.co.us)  
1700 Broadway, Suite 550  
Denver, CO 80290



Colorado  
Secretary of State

---

**From:** Judd Choate  
**Sent:** Thursday, July 29, 2021 11:57 AM  
**To:** Chris Beall <[Chris.Beall@SOS.STATE.CO.US](mailto:Chris.Beall@SOS.STATE.CO.US)>; Melissa Kessler <[Melissa.Kessler@SOS.STATE.CO.US](mailto:Melissa.Kessler@SOS.STATE.CO.US)>; Caleb Thornton <[Caleb.Thornton@SOS.STATE.CO.US](mailto:Caleb.Thornton@SOS.STATE.CO.US)>; Andrea Gyger <[Andrea.Gyger@SOS.STATE.CO.US](mailto:Andrea.Gyger@SOS.STATE.CO.US)>; Hilary Rudy <[Hilary.Rudy@SOS.STATE.CO.US](mailto:Hilary.Rudy@SOS.STATE.CO.US)>  
**Subject:** DOJ Documents for Rulemaking

Here are the two documents the DOJ sent out yesterday. Both apply, in different ways, to our current rulemaking.

[https://www.justice.gov/opa/press-release/file/1417796/download?utm\\_medium=email&utm\\_source=govdelivery](https://www.justice.gov/opa/press-release/file/1417796/download?utm_medium=email&utm_source=govdelivery)  
[Guidance Concerning Federal Statutes Affecting Methods of Voting \(justice.gov\)](#)



**Judd Choate, Ph.D., J.D.**  
State Election Director  
Colorado Department of State  
303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)  
1700 Broadway, Suite 550  
Denver, CO 80290



For FACTUAL election information, go to: [www.govotecolorado.gov](http://www.govotecolorado.gov)

**From:**

[Judd Choate](#)

---

**From:** Judd Choate

**Sent:** Wednesday, July 28, 2021 3:36 PM

**To:** Chris Beall <[Chris.Beall@SOS.STATE.CO.US](mailto:Chris.Beall@SOS.STATE.CO.US)>; Michael Whitehorn  
<[Michael.Whitehorn@SOS.STATE.CO.US](mailto:Michael.Whitehorn@SOS.STATE.CO.US)>; Melissa Kessler <[Melissa.Kessler@SOS.STATE.CO.US](mailto:Melissa.Kessler@SOS.STATE.CO.US)>

**Subject:** FW: Letter from Maurice Elmmmer

I received a call from Angie in El Paso and now an email from Adams that they have received this letter today.

Judd

---

**From:** Jami Gaultney <[JGaultney@adcogov.org](mailto:JGaultney@adcogov.org)>

**Sent:** Wednesday, July 28, 2021 3:01 PM

**To:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>; Dwight Shellman  
<[Dwight.Shellman@SOS.STATE.CO.US](mailto:Dwight.Shellman@SOS.STATE.CO.US)>

**Cc:** Christi Coburn <[CCoburn@adcogov.org](mailto:CCoburn@adcogov.org)>; Josh Zygielbaum <[JZygielbaum@adcogov.org](mailto:JZygielbaum@adcogov.org)>

**Subject:** [EXTERNAL] Letter from Maurice Elmmmer

Hello,

I hope you are doing well! I am not sure if others have already sent you the attached letter but I

wanted to pass it on just in case.

Have a great day!

Thank you,

**Jami Gaultney**

Elections Administrator, *Elections*

ADAMS COUNTY, COLORADO

4430 S Adams County Parkway, 1<sup>st</sup> Floor, Suite E3102

Brighton, CO 80601-8207

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[www.adamsvotes.com](http://www.adamsvotes.com) | [www.adcogov.org](http://www.adcogov.org)

Personal Pronouns: She/her/hers

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My Work Schedule

Tuesday – Friday 7 to 5:30 p.m.



**From:** [Judd Choate](#)  
**To:** [Mona Harrington](#); [Kevin Rayburn](#)  
**Subject:** RE: Pro V&V  
**Date:** Wednesday, July 21, 2021 2:11:23 PM  
**Attachments:** [Memo to Clerks - Certification of DVS's Democracy Live 5.13 software 7.20.21.docx](#)

---

Hi Mona. Attached is the memo I sent the counties last night. Any update on the letter you are providing?

Thanks, Judd

---

**From:** Mona Harrington <[mharrington@eac.gov](mailto:mharrington@eac.gov)>  
**Sent:** Tuesday, July 20, 2021 7:15 AM  
**To:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>; Kevin Rayburn <[KRayburn@eac.gov](mailto:KRayburn@eac.gov)>  
**Subject:** [EXTERNAL] RE: Pro V&V

Absolutely- let me draft something- sorry you are dealing with this!  
Best,  
Mona

---

**From:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>  
**Sent:** Tuesday, July 20, 2021 12:01 AM  
**To:** Mona Harrington <[mharrington@eac.gov](mailto:mharrington@eac.gov)>; Kevin Rayburn <[KRayburn@eac.gov](mailto:KRayburn@eac.gov)>  
**Subject:** Pro V&V

Hi Mona and Kevin. See below. This is from a prominent proponent of the Big Lie who is working closely with several Colorado legislators.

The lack of clarity on the EAC website and the gaps in public notice of continued certification are driving the narrative that Colorado's voting system wasn't properly tested by an accredited VSTL. We are getting these questions on a daily basis. Is there any document you could point us to that would clarify the the Revocation v. Expiration issue? Better yet, could you write a letter or even an email stating what we all know - that Pro V&V was a continuously accredited VSTL since 2015?

Getting something directly from you would be very helpful.

Thanks. Judd

**From:** [Judd Choate](#)  
**To:** [Mona Harrington](#); [Kevin Rayburn](#)  
**Subject:** RE: Pro V&V  
**Date:** Tuesday, July 20, 2021 10:08:00 AM

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And just to clarify....

Our real concern at this point is about this idea that the accreditation “expired.” The talking points seemed to have shifted from revocation of Pro V&V’s accreditation to the expiration of that accreditation. Obviously, we know this isn’t the case, but we lack the documentation to demonstrate that this talking point is in err.

Thanks, Judd

---

**From:** Mona Harrington <[mharrington@eac.gov](mailto:mharrington@eac.gov)>  
**Sent:** Tuesday, July 20, 2021 7:15 AM  
**To:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>; Kevin Rayburn <[KRayburn@eac.gov](mailto:KRayburn@eac.gov)>  
**Subject:** [EXTERNAL] RE: Pro V&V

Absolutely- let me draft something- sorry you are dealing with this!

Best,  
Mona

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**From:** Judd Choate <[Judd.Choate@SOS.STATE.CO.US](mailto:Judd.Choate@SOS.STATE.CO.US)>  
**Sent:** Tuesday, July 20, 2021 12:01 AM  
**To:** Mona Harrington <[mharrington@eac.gov](mailto:mharrington@eac.gov)>; Kevin Rayburn <[KRayburn@eac.gov](mailto:KRayburn@eac.gov)>  
**Subject:** Pro V&V

Hi Mona and Kevin. See below. This is from a prominent proponent of the Big Lie who is working closely with several Colorado legislators.

The lack of clarity on the EAC website and the gaps in public notice of continued certification are driving the narrative that Colorado’s voting system wasn’t properly tested by an accredited VSTL. We are getting these questions on a daily basis. Is there any document you could point us to that would clarify the the Revocation v. Expiration issue? Better yet, could you write a letter or even an email stating what we all know - that Pro V&V was a continuously accredited VSTL since 2015?

Getting something directly from you would be very helpful.

Thanks. Judd

**From:** [Trevor Timmons](#)  
**To:** [Melissa Kessler](#)  
**Subject:** RE: Thanks for your call - and responses to your questions to Clerk Koppes  
**Date:** Wednesday, July 7, 2021 10:35:57 AM  
**Attachments:** [image001.png](#)

---

Thanks, Melissa – very much appreciated!

- Trevor

---

**From:** Melissa Kessler  
**Sent:** Wednesday, July 7, 2021 8:53 AM  
**To:** [luftsas@gmail.com](mailto:luftsas@gmail.com)  
**Subject:** RE: Thanks for your call - and responses to your questions to Clerk Koppes

Mr. Smith,

We are in receipt of your correspondence below. However, on July 1, our office was contacted on your behalf by Maureen West, an attorney representing you on matters directly involving our office. Accordingly, please route all questions and concerns through your attorney. We cannot communicate directly with a represented party.

Thank you,  
Melissa Kessler



**Melissa Belle Kessler**  
Legal and Policy Director | Department of State  
[melissa.kessler@sos.state.co.us](mailto:melissa.kessler@sos.state.co.us)  
1700 Broadway, Suite 500  
Denver, CO 80290

**From:** SAS [REDACTED]  
**Sent:** Tuesday, July 6, 2021 10:33 AM  
**To:** Trevor Timmons <[Trevor.Timmons@SOS.STATE.CO.US](mailto:Trevor.Timmons@SOS.STATE.CO.US)>  
**Subject:** Re: [EXTERNAL] Re: Thanks for your call - and responses to your questions to Clerk Koppes

Trevor,  
Today is 19 days since I sent you the questions, and 7 since you said you'd get a response back. We're getting a real sense that the Colorado Secretary of State's office has been and is conspiring to deny public information to the public, regarding the modification of voting systems which we have paid for, which belong to us, which are under the custody of public officials so long as and only in the course of their sworn duty to uphold our Constitution and public trust. I'd prefer not to add you to that list of public officials who must be held accountable for the deliberate interference with and denial of the public's legal and moral right to the information. And there WILL be an accounting. Please respond ASAP, particularly regarding the schedule of Dominion 5.13 modifications.  
Thank you-  
sas

On Tue, Jun 29, 2021 at 5:26 PM Trevor Timmons <[Trevor.Timmons@sos.state.co.us](mailto:Trevor.Timmons@sos.state.co.us)> wrote:

Hello Shawn,

Yes, sir. I actually half expected you to attend the hearing. We'll get a response back to you, probably tomorrow but perhaps Thursday. I'll also provide the slide deck we presented to the commission, and the audio of the hearing will be posted soon. Recordings of hearings are posted on our website at [https://www.sos.state.co.us/pubs/info\\_center/audioBroadcasts.html](https://www.sos.state.co.us/pubs/info_center/audioBroadcasts.html).

- Trevor

**From:** SAS [REDACTED]

**Sent:** Tuesday, June 29, 2021 5:15 PM

**To:** Trevor Timmons <[Trevor.Timmons@SOS.STATE.CO.US](mailto:Trevor.Timmons@SOS.STATE.CO.US)>

**Subject:** Re: [EXTERNAL] Re: Thanks for your call - and responses to your questions to Clerk Koppes

Trevor,

I prefer Shawn, thanks; any progress on the questions? I heard from Harvie that the BEAC meeting was taking place, but only in time to catch the closing remarks.

Best,  
sas

On Sat, Jun 19, 2021 at 1:27 PM Trevor Timmons <[Trevor.Timmons@sos.state.co.us](mailto:Trevor.Timmons@sos.state.co.us)> wrote:

Thanks for your reply, Shawn (or do you prefer COL Smith?)

I was taking a little PTO after the Colorado county clerks conference Thursday and Friday and just now noted your response and questions below. I'll talk to our team and we'll determine the appropriate follow-up with you.

- Trevor

**From:** SAS [REDACTED]

**Sent:** Thursday, June 17, 2021 2:50 PM

**To:** Trevor Timmons <[Trevor.Timmons@SOS.STATE.CO.US](mailto:Trevor.Timmons@SOS.STATE.CO.US)>

**Subject:** [EXTERNAL] Re: Thanks for your call - and responses to your questions to Clerk Koppes

Trevor,

Thanks for the email; happy to talk w/you on the phone at any time. Your response does not actually address my concerns about certification, but let's set that aside for the moment. Harvie Branscomb and Matt Crane both recommended that I talk w/you regarding security measures and assessments undertaken by CDOS with respect to CO election systems (SCORE, voting systems, CORLA, etc), and I have many questions that you may be uniquely able to answer, e.g.:

1. What independent security assessments, including red teaming (and to represent what threat, e.g. nation-state-level cyber threats?) have been conducted, on what dates or intervals, including persistent and advanced threat capabilities, assessment of supply-chain security and vulnerabilities, physical inspection at component-levels, secure code review from the initiation of development of each system through their fielding and ongoing operation, throughout lifecycle of use, for CO's election systems (SCORE, voting systems, CORLA, etc), and how/where can I, or any member of the public, find/see those results and evidence of those assessments?
2. What is the form/extent of persistent monitoring and defense of CO election systems (again, SCORE, voting systems, CORLA), by whom?
3. What is the complete schedule for modification of CO DVS D-Suite 5.11-CO to 5.13 in each county (which counties are complete, and what are the dates for the remainder of counties)?
4. Give both the prior and this current Federal administrations' statements regarding nation-state-level cyber threats to our election systems, and given Pro V&V's lab director's (Cobb's) admission in testimony in a GA court that he has no particular cybersecurity expertise, will CO SecState defer, at the request of citizens, the modification of remaining DVS D-Suite modification to 5.13 and allow an independent cybersecurity assessment, emulating a nation-state-level threat capability, of CO DVS D-Suite systems (including unmodified D-Suite 5.11-CO), including forensic assessment to determine whether any unauthorized access or operations/functions have occurred on CO's election systems, and to what extent the DVS systems (and CBG CV 2.1) are vulnerable to penetration, compromise, subversion, etc.?
5. Has any member of the CDOS staff, including the SecState herself, visited or attended the AZ Senate-directed audit currently underway in Maricopa County, AZ, in order to form an informed opinion as to the status/conduct of that audit, and perhaps to take lessons learned which might be applied to CO election integrity efforts?

Thanks for your time, and look forward to your response-  
Best,  
sas

On Wed, Jun 9, 2021 at 4:47 PM Trevor Timmons <[Trevor.Timmons@sos.state.co.us](mailto:Trevor.Timmons@sos.state.co.us)> wrote:

Good afternoon Mr. Smith,

I'm sorry I missed your phone call yesterday morning. I was taking a day of PTO and didn't listen to it till earlier today. Carly passed along your email address, so I've taken the liberty of replying to you this way.

You posed several questions to Clerk Koppes and I worked with our team to provide responses:

- Weld County's voting system was upgraded to Democracy Suite 5.13 on Thursday, June 3rd.

- Pro V&V is the Voting System Testing Lab (VSTL) that completed the Democracy Suite 5.13 testing and also each upgrade since Secretary Wayne Williams approved the Dominion voting system submission for Democracy Suite 4.19 in 2015. Pro V&V was an accredited voting systems test lab during the timeframe that Democracy Suite 5.11 was tested for certification in Colorado. The EAC has lacked a quorum at several times since its creation, and the VSTL procedures recognize this reality. For example, Section 3.8 of the Voting System Test Laboratory Program Manual Version 2.0 (effective May 31, 2015), states “VSTLs in good standing shall also retain their accreditation should circumstances leave the EAC without a quorum to conduct the vote required under Section 3.5.5.” You did note the accreditation materials from 2021 available on the EAC website regarding Pro V&V.

I hope this addresses the concerns you expressed regarding certification and approval of Dominion’s equipment used in Colorado.

- Trevor



**Trevor Timmons**

Chief Information Officer | Department of State  
303.860.6946 (direct)  
303.894.2200 (office)  
[trevor.timmons@sos.state.co.us](mailto:trevor.timmons@sos.state.co.us)  
1700 Broadway, Suite 200  
Denver, CO 80290

**From:** [Jerry Parshall](#)  
**To:** [Judd Choate](#)  
**Cc:** [Danielle Root](#)  
**Subject:** CAP election security report (EMBARGOED)  
**Date:** Monday, February 5, 2018 11:47:57 AM  
**Attachments:** [ElectionSecurityStates--DRAFTEMBARGO.pdf](#)

---

Hi Judd,

I hope you had a wonderful weekend! As promised, I have attached an embargoed copy of our election security report for you to review prior to next week's event. **It is not meant for distribution until the report is released on Monday, February 12.**

After reviewing it, please let Danielle and me know if you have outstanding questions. We are happy to hop on the phone with you or answer questions via email prior to Monday's event. I will also be following up with you later this week with potential questions that you will be asked during the panel discussion and a tick-tock for the event.

Thank you for all the great work you do in Colorado, and Danielle and I look forward to working with you on these important issues in the weeks and months ahead.

Best,

**Jerry Parshall**

Manager, State and Local Government Affairs

Center for American Progress & Center for American Progress Action Fund

202.769.0842 (office)

[www.americanprogress.org](http://www.americanprogress.org)

**From:** [Jerry Parshall](#)  
**To:** [Judd Choate](#)  
**Subject:** Updated version of CAP election security report  
**Date:** Sunday, February 11, 2018 3:19:44 PM  
**Attachments:** [020118 ElectionSecurity-report-emb 21118.pdf](#)

---

Hi Judd,

Here is an updated version of the report. Safe travels and see you tomorrow!

**Jerry Parshall**

Manager, State and Local Government Affairs

Center for American Progress & Center for American Progress Action Fund

202.769.0842 (office)

[www.americanprogress.org](http://www.americanprogress.org)



**From:** [Reynolds, Leslie](#)  
**To:** [Reynolds, Leslie](#)  
**Cc:** [Dodd, Stacy](#); [Milhofer, John](#); [Maria Benson](#); [Lindsey Forson](#); [Allison Waltz](#)  
**Subject:** [EXTERNAL] NASS Elections Committee: No Call This Thursday, Urgent-DHS TTX Registration by 6/18, EAC Test Lab Accreditation, Report on Election Officials Under Attack, Use of COVID Funds for Redistricting  
**Date:** Wednesday, June 16, 2021 10:18:35 AM  
**Attachments:** [notes-elections-call-061021.docx](#)  
[Tabletop the Vote 2021 State 20210520\\_V2.0.docx](#)  
[TTV2021 State Registration Form 20210517.xlsx](#)  
**Importance:** High

---

Dear NASS Elections Committee, Communications Directors and IT Directors:

## **NO Call This Thursday, June 17, Notes from 06/10 Call Attached**

### **Urgent - Sign Up for DHS National Tabletop Exercise before Friday, June 18!**

DHS/CISA will host their National Tabletop the Vote Exercise on Election Security on July 13, 14, 15. The exercise is repeated each day, so you only need to register for one day. Attached you will find registration information and a spread sheet to complete registration. Participants will include federal, state and local government (and partners) on election cybersecurity. This is the fourth national exercise. **Registrations must be submitted to CISA by June 18, 2021.**

### **Accreditation Clarification for EAC Test Labs**

I asked the EAC to provide a statement for you all to point to when asked about accreditation for EAC Equipment Test Labs, clearly stating that both labs are accredited. What the EAC provided can be found below.

- <https://www.eac.gov/voting-equipment/voting-system-test-laboratories-vstl/pro-vv>  
Pro V&V was accredited by the EAC on February 24, 2015. Federal law provides that EAC accreditation of a voting system test laboratory cannot be revoked unless the EAC Commissioners vote to revoke the accreditation: "The accreditation of a laboratory for purposes of this section may not be revoked unless the revocation is approved by a vote of the Commission." 52 U.S. Code § 20971(c)(2). The EAC has never voted to revoke the accreditation of Pro V&V. Pro V&V has undergone continuing accreditation assessments and had new accreditation certificate issued on February 1, 2021.
- <https://www.eac.gov/voting-equipment/voting-system-test-laboratories-vstl/sli-compliance-division-gaming-laboratories>  
SLI Compliance was accredited by the EAC on February 28, 2007. Federal law provides that EAC accreditation of a voting system test laboratory cannot be revoked unless the EAC Commissioners vote to revoke the accreditation: "The accreditation of a laboratory for purposes of this section may not be revoked unless the revocation is approved by a vote of the Commission." 52 U.S. Code § 20971(c)(2). The EAC has never voted to revoke the accreditation of SLI Compliance. SLI Compliance has undergone continuing accreditation assessments and had a new accreditation certificate issued on February 1, 2021.

### **Bipartisan Policy Center and Brennan Center Release Report This Morning – [Election Officials Under Attack: How to Protect Administrators and Safeguard Democracy](#)**

You may be receiving media calls regarding the [report](#) released this morning titled Election Officials

Under Attack: How to Protect Administrators and Safeguard Democracy. We will be talking to them next week. We regret they didn't reference your efforts on the #TrustedInfo2020 Campaign (which continues), especially since both organizations were partners in that effort. There is a webinar beginning at noon ET today on this report. You can watch the event [here](#).

### **Use of Coronavirus State and Local Fiscal Recovery Funds for Redistricting Delays Caused by Census**

Recently, a member asked us to reach out to Treasury for guidance on whether Coronavirus State and Local Fiscal Recovery Funds could be used to cover state expenses related to the delay of the Census redistricting data, since the delay of that data was due to the COVID-19 pandemic. The response from Treasury is below. It is not really clear, but I think it's the best we are going to get.

"Thank you for your inquiry. Our latest guidance on this topic is included in [FAQ #2.3](#). In the interest of transparency, Treasury will be providing all future program updates on the [program website](#), including periodic updates to FAQs. Please [subscribe](#) to Treasury's COVID-19 Economic Relief Programs e-mail distribution list for future updates about the Coronavirus State and Local Fiscal Recovery Funds program.

The Interim Final Rule is published in the Federal Register and can be found [here](#), all stakeholders are encouraged to submit comments on the Interim Final Rule at [www.Regulations.gov](http://www.Regulations.gov).

2.3. If a use of funds is not explicitly permitted in the Interim Final Rule as a response to the public health emergency and its negative economic impacts, does that mean it is prohibited? The Interim Final Rule contains a non-exclusive list of programs or services that may be funded as responding to COVID-19 or the negative economic impacts of the COVID-19 public health emergency, along with considerations for evaluating other potential uses of Fiscal Recovery Funds not explicitly listed. The Interim Final Rule also provides flexibility for recipients to use Fiscal Recovery Funds for programs or services that are not identified on these non-exclusive lists but which meet the objectives of section 602(c)(1)(A) or 603(c)(1)(A) by responding to the COVID-19 public health emergency with respect to COVID-19 or its negative economic impacts.

If you have questions about the [Treasury Submission Portal](#) or for technical support, please email [covidreliefitsupport@treasury.gov](mailto:covidreliefitsupport@treasury.gov). If you have general questions about the Coronavirus State and Local Fiscal Recovery Funds please email [SLFRP@treasury.gov](mailto:SLFRP@treasury.gov) or call 844-529-9527."

Thanks,  
Leslie

Leslie Reynolds  
Executive Director  
National Association of Secretaries of State  
444 N Capitol Street, NW Suite 401  
Washington, DC 20001  
202-624-3525  
[reynolds@sso.org](mailto:reynolds@sso.org)  
[www.nass.org](http://www.nass.org)  
<https://www.nass.org/can-i-vote>

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**From:** [\[SCORE Customer Support\]](#)  
**To:** [\[SCORE Customer Support\]](#)  
**Cc:** [Judd Choate](#); [Hilary Rudy](#); [Chris Beall](#); [Michael Whitehorn](#); [Melissa Kessler](#)  
**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Tuesday, July 20, 2021 6:29:17 PM  
**Attachments:** [image001.png](#)  
[Memo to Clerks - Certification of DVS's Democracy Live 5.13 software 7.20.21.docx](#)  
**Importance:** High

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Dear County Clerks and Election Administrators

Please find the attached memo regarding the accreditation of the Pro V&V testing lab – the testing lab that has certified every version of the Dominion Voting Systems software for use in Colorado since February, 2015. We have heard from a number of counties who have either directly received or were indirectly provided a letter questioning whether Pro V&V was a continuously accredited Voting System Testing Lab (VSTL) over that period of time. These claims are categorically false. I have gone so far as to personally confirm this fact with the EAC Executive Director, Mona Harrington, two weeks ago (accreditation was not terminated) and again this morning (accreditation did not expire).

Please feel free to use this memo, in whole or in part, to confirm to your voters that Colorado and your county runs fair and secure elections.

Each of us is a public servant. We call balls and strikes. We don't decide outcomes. The misinformation about Colorado's (and the country's) elections assumes that we put our individual or collective thumbs on the scale to support particular candidates or issues. I find this insulting, as I know you do as well. Further, it's simply not the case. I believe this both because I know your character and because there are endless checks and balances that regulate, confirm, and reconfirm our work.

Thank you for the ever-growing list of sacrifices you have made to be a public servant and work in elections. Please know that a large majority of Coloradans appreciate your contributions on their behalf.

Cheers, Judd

**Judd Choate**

Colorado Election Director  
1700 Broadway, Suite 550  
Denver, CO 80290  
Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



**From:** [U.S. Election Assistance Commission](#)  
**To:** [Lisa Doran](#)  
**Subject:** EAC Newsline 2015 # 4 (2-26-15)  
**Date:** Thursday, February 26, 2015 1:30:42 PM

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To view this message in a browser, please click [here](#).



## EAC Newsline: February 26, 2015

### News & Updates

#### Commissioners take action at EAC public meeting

EAC Commissioners met Tuesday for the **first time in four years** and addressed many pressing issues at the meeting. Commissioners voted 3-0 to accredit Pro V&V as a third voting system test laboratory under the commission's lab accreditation program. The new lab facility is now accredited to begin testing whether new voting equipment is able to meet the guidelines set forth in the voluntary voting system guidelines (VVSG). Commissioners also discussed possible updates to the standards used to test and certify voting systems used across the U.S. They also received briefings on proposed updates to EAC's testing and certification program manuals. You can view the [agenda documents here](#) and watch the [archived webcast here](#). Commissioner Christy McCormick was selected to chair the Commission and Commissioner Thomas Hicks was selected as vice-chair. For more information on the day's events, see [Tuesday's press release](#).

**About EAC's new Commissioners.** Christy McCormick, Thomas Hicks and Matthew Masterson were sworn in as EAC's newest members on January 13, 2015 following their nomination by the President and unanimous confirmation by the U.S. Senate on December 16, 2014. There is one vacancy on the commission and any action by the body requires the approval at least three of its members. For more information, visit the website under [EAC Commissioners](#).

#### **REMINDER: DEADLINE FRIDAY to apply for EAC general counsel position**

EAC is accepting job applications for a [general counsel position](#). The **CLOSING DATE IS TOMORROW** - Friday, February 27, 2015. For detailed information and instructions on how to apply, [click here](#).

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[Forward to Friend](#)

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**From:** [U.S. Election Assistance Commission](#)  
**To:** [Lisa Doran](#)  
**Subject:** EAC Newsline 2015 # 5 (3-12-15) Roundtable Next Week!  
**Date:** Thursday, March 12, 2015 5:55:49 PM

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To view this message in a browser, please click [here](#).



## EAC Newsline: March 12, 2015

### News & Updates

#### **Roundtable next week! - *"Priorities, Policy & Strategy: Next Steps for the EAC"***

EAC will host a March 19 roundtable on ["Priorities, Policy, and Strategy: Next Steps for the EAC"](#). The event will take place on Thursday, March 19, beginning with opening remarks at 9:30 a.m. (EDT). It will be webcast live and feature a Twitter fall. An archived webcast will also be available.

The purpose of this roundtable is to have a discussion about short and long range goals of the agency, its priorities and critical next steps. The objective will be to elicit practical suggestions and priorities as part of a focused agency response to a newly formed quorum of commissioner leadership.

The morning session (10:00 am. -12:00 noon) will focus on voting systems technology, the Voluntary Voting Systems Guidelines (VVSG), and how election officials in the States can advise EAC via the Standards Board and Board of Advisors. The afternoon session (1:00 - 3:00 pm.) will focus on EAC's role as a national clearinghouse of shared practices and resources for election officials. [The list of panelists](#) includes state and local election officials, technology experts, and voter advocates. More information, including the agenda and sample discussion questions, will [soon be posted here](#).

#### **EAC to hold March 31 public meeting**

EAC commissioners will conduct a public meeting on Tuesday, March 31. Commissioners will meet to consider updates to the voluntary voting system guidelines (VVSG) and updates to the testing and certification program manuals. More details will soon be available. The meeting will be webcast live and an archived version will also be available.

#### **Commissioners take action at Feb 24 public meeting**

EAC Commissioners met February 24 for the **first time in four years** and addressed many pressing issues at the meeting. Commissioners voted 3-0 to accredit Pro V&V as a third voting system test laboratory under the commission's lab accreditation program. The new lab facility is now accredited to begin testing whether new voting equipment is able to meet the guidelines set forth in the voluntary voting system guidelines (VVSG). Commissioners also discussed possible updates to the standards used to test and certify voting systems used across the U.S. They also received briefings on proposed updates to EAC's testing and certification program manuals. You can view the [agenda documents here](#) and watch the [archived webcast here](#). Commissioner Christy McCormick was selected to chair the Commission and Commissioner Thomas Hicks was selected as vice-chair. For more information on the day's events, see [Tuesday's press release](#).

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**From:** [U.S. Election Assistance Commission](#)  
**To:** [Lisa Doran](#)  
**Subject:** EAC Newsline 2015 # 6 (3-26-15) Decisions Next Tuesday!  
**Date:** Thursday, March 26, 2015 3:25:48 PM

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To view this message in a browser, please click [here](#).



## EAC Newsline: March 26, 2015

### [\*\*FIRST TIME IN 10 YEARS! - EAC Commissioners to Vote on Update to Voluntary Voting System Guidelines \(VVSG\)\*\*](#)

#### **EAC to Consider Adoption of Voting System Guidelines, Manuals & Advisory Opinions at March 31 Public Meeting**

**WHAT: Public Meeting** - Commissioners will discuss and consider the approval of the following items: the proposed draft Voluntary Voting System Guidelines (VVSG 1.1); the proposed draft Certification Program Procedural Manual, Version 2.0; and the proposed draft Laboratory Accreditation Program Manual, Version 2.0. The Commission will also consider approval of advisory opinion requests related to expenditure of HAVA funds from the state and local election offices in the States of Pennsylvania, Puerto Rico, Montana, Washington State and California.

**WHEN: Tuesday, March 31, 2015; 10:00 a.m. – 12:00 Noon (EDT).**

**WHERE:** 1335 East West Highway, EAC Office, Silver Spring, MD 20910; (301) 563-3961.

**WEBCAST:** The public meeting will be webcast live and available later for playback. For more information, [click here](#).

#### **March 19 roundtable - "Priorities, Policy & Strategy: Next Steps for the EAC"**

Watch the archived webcast of the March 19 roundtable on ["Priorities, Policy, and Strategy: Next Steps for the EAC"](#). The discussion included practical suggestions from election officials, technology experts, and voter advocates on goals, priorities and critical next steps for EAC's new leadership. The morning session focussed on voting systems technology, the Voluntary Voting Systems Guidelines (VVSG), and how election officials in the States can advise EAC via the Standards Board and Board of Advisors. The afternoon session focussed on EAC's role as a national clearinghouse of shared practices and resources for election officials. See the [archived webcast, list of panelists, agenda and discussion questions](#).

#### **Commissioners take action at Feb 24 public meeting**

EAC Commissioners met February 24 for the **first time in four years** and addressed many pressing issues at the meeting. Commissioners voted 3-0 to accredit Pro V&V as a third voting system test laboratory under the commission's lab accreditation program. The new lab facility is now accredited to begin testing whether new voting equipment is able to meet the guidelines set forth in the voluntary voting system guidelines (VVSG). Commissioners also discussed possible updates to the standards used to test and certify voting systems used across the U.S. They also received briefings on proposed updates



to EAC's testing and certification program manuals. You can view the [agenda documents here](#) and watch the [archived webcast here](#). Commissioner Christy McCormick was selected to chair the Commission and Commissioner Thomas Hicks was selected as vice-chair. For more information on the day's events, see [Tuesday's press release](#).

### **EAC, election offices & social media**

The latest additions to EAC's [State and Local Election Office Social Media List](#) include Martin County, Florida and Kendall County, Texas. Election officials can add their social media page [here](#).

### **Office of Inspector General**

OIG posted a [HAVA funds audit](#) for the District of Columbia.

**About EAC's new Commissioners.** Christy McCormick, Thomas Hicks and Matthew Masterson were sworn in as EAC's newest members on January 13, 2015 following their nomination by the President and unanimous confirmation by the U.S. Senate on December 16, 2014. There is one vacancy on the commission and any action by the body requires the approval at least three of its members. For more information, visit the website under [EAC Commissioners](#).

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**From:** [U.S. Election Assistance Commission](#)  
**To:** [Lisa Doran](#)  
**Subject:** EAC Newsline 2015 # 7 (4-2-15)  
**Date:** Thursday, April 2, 2015 2:55:50 PM

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To view this message in a browser, please click [here](#).



## EAC Newsline: April 2, 2015

### News & Updates

#### Commissioners update voting system guidelines

Commissioners met March 31 to adopt revisions to the decade-old voluntary voting system guidelines (VVSG) and approve updates to EAC's voting system testing program manuals. The revisions to the VVSG serve to clarify the guidelines to make them more testable and to improve portions that were out of date and that could be updated without requiring massive programmatic changes. With these changes complete, the commission can move forward with writing a new set of guidelines. Commissioners also acted on advisory opinion requests from state and local election offices related to the expenditure of HAVA funds for election improvements. You can view the meeting [agenda documents](#) here, watch the [archived webcast here](#) and read the [press release here](#).

#### EAC blog

EAC's [recent blog posts](#) include Chairwoman McCormick's [WE ARE LISTENING](#) and Commissioner Masterson's Notes from the Road [3.13.15](#) and [3.31.15](#). Also included are Voting System Testing Updates that track progress made on EAC system certification.

#### EAC, election offices & social media

The latest additions to EAC's [State and Local Election Office Social Media List](#) include: the City of Charlottesville, Virginia; Martin County, Florida; and Kendall County, Texas. We have also updated info for the Virginia State Board of Elections and for Maricopa County, Arizona. Election officials can add their social media page [here](#).

#### Job announcement for EAC executive director position

EAC is accepting job applications for an [executive director position](#). The closing date is Monday, April 20, 2015. For detailed information and instructions on how to apply, [click here](#).

#### March 19 roundtable - "*Priorities, Policy & Strategy: Next Steps for the EAC*"

Watch the archived webcast of the March 19 roundtable on ["Priorities, Policy, and Strategy: Next Steps for the EAC"](#). The discussion included practical suggestions from election officials, technology experts, and voter advocates on goals, priorities and critical next steps for EAC's new leadership. The morning session focused on voting systems technology, the Voluntary Voting Systems Guidelines (VVSG), and how election officials in the States can advise EAC via the Standards Board and Board of Advisors. The afternoon session focused on EAC's role as a national clearinghouse of shared practices and resources for election officials. See the [archived webcast, list of panelists, agenda and discussion questions](#).

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**About EAC's new Commissioners.** Christy McCormick, Thomas Hicks and Matthew Masterson were sworn in as EAC's newest members on January 13, 2015 following their nomination by the President and unanimous confirmation by the U.S. Senate on December 16, 2014. There is one vacancy on the commission and any action by the body requires the approval at least three of its members. For more information, visit the website under [EAC Commissioners](#).

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**From:** [U.S. Election Assistance Commission](#)  
**To:** [Lisa Doran](#)  
**Subject:** EAC Newsline 2015 # 8 (4-16-15)  
**Date:** Thursday, April 16, 2015 5:55:50 PM

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To view this message in a browser, please click [here](#).



## EAC Newsline: April 16, 2015

### News & Updates

#### EAC advisory board meetings April 28-29

EAC will bring together election officials and voter advocates from all over the nation to reconvene our advisory boards April 28-29 in Williamsburg, VA. The [EAC Standards Board](#) will select an executive board and the [EAC Board of Advisors](#) will select officers. Members of both advisory boards will present views on election administration, formulate recommendations to the EAC, and receive updates on EAC program activities. EAC will also hold an April 29 [public meeting](#) to receive reports from the advisory boards and transition team, and to consider a draft Urban/Rural Study research report for approval. More information for all three meetings will soon be available.

#### EAC blog

EAC's [recent blog posts](#) include: Chairwoman McCormick's [Which Are Your Top Ten?](#) and [WE ARE LISTENING](#); and Commissioner Masterson's Notes from the Road [3.13.15](#) and [3.31.15](#). Also included are Voting System Testing Updates that track progress made on EAC system certification.

#### EAC, election offices & social media

The latest additions to EAC's [State and Local Election Office Social Media List](#) include: the U.S. Virgin Islands; Doña Ana County, New Mexico, and Boone County Missouri. Election officials can add their social media page [here](#).

#### Deadline Monday: job announcement for EAC executive director position

EAC is accepting job applications for an [executive director position](#). The closing date is Monday, April 20, 2015. For detailed information and instructions on how to apply, [click here](#).

#### Public comment period on proposed agency information collection

EAC is holding a 30-day public comment period regarding the burden of responding to the information collection activities on two proposed documents: EAC's Voting System Testing and Certification Program Manual, Version 2.0; and EAC's Voting System Test Laboratory Program Manual, Version 2.0. Written comments must be submitted on or before 5:00 p.m. EDT on May 14, 2015. For details, click [here](#).

#### Office of Inspector General

OIG posted a [HAVA funds audit](#) for the State of Delaware.

#### Commissioners update voting system guidelines

Commissioners met March 31 to adopt revisions to the decade-old voluntary voting system guidelines (VVSG) and approve updates to EAC's voting system testing program manuals. The revisions to the VVSG serve to clarify the guidelines to make them more testable and to improve portions that were out of date and that could be updated without requiring massive programmatic changes. With these changes complete, the commission can move forward with writing a new set of guidelines. Commissioners also acted on advisory opinion requests from state and local election offices related to the expenditure of HAVA funds for election improvements. You can view the meeting [agenda documents](#) here, watch the [archived webcast here](#) and read the [press release here](#).

### **March 19 roundtable - "*Priorities, Policy & Strategy: Next Steps for the EAC*"**

Watch the archived webcast of the March 19 roundtable on "[Priorities, Policy, and Strategy: Next Steps for the EAC](#)". The discussion included practical suggestions from election officials, technology experts, and voter advocates on goals, priorities and critical next steps for EAC's new leadership. The morning session focused on voting systems technology, the Voluntary Voting Systems Guidelines (VVSG), and how election officials in the States can advise EAC via the Standards Board and Board of Advisors. The afternoon session focused on EAC's role as a national clearinghouse of shared practices and resources for election officials. See the [archived webcast, list of panelists, agenda and discussion questions](#).

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**About EAC's new Commissioners.** Christy McCormick, Thomas Hicks and Matthew Masterson were sworn in as EAC's newest members on January 13, 2015 following their nomination by the President and unanimous confirmation by the U.S. Senate on December 16, 2014. There is one vacancy on the commission and any action by the body requires the approval at least three of its members. For more information, visit the website under [EAC Commissioners](#).

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**From:** [U.S. Election Assistance Commission](#)  
**To:** [Lisa Doran](#)  
**Subject:** EAC Newsline 2015 # 9 (4-23-15)  
**Date:** Thursday, April 23, 2015 2:55:51 PM

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To view this message in a browser, please click [here](#).



## EAC Newsline: April 23, 2015

### News & Updates

#### EAC advisory board meetings April 28-29

EAC will bring together election officials and voter advocates from all over the nation to reconvene our advisory boards April 28-29 in Williamsburg, VA. The [EAC Standards Board](#) will select an executive board and the [EAC Board of Advisors](#) will select officers. Members of both advisory boards will present views on election administration, formulate recommendations to the EAC, and receive updates on EAC program activities.

**See the meeting agendas, membership rosters and updated committee charters** for the [EAC Standards Board](#) and the [EAC Board of Advisors](#). EAC will also hold an April 29 [public meeting](#) to receive reports from the advisory boards and transition team, and to consider a draft Urban/Rural Study research report for approval.

#### EAC blog

EAC's [recent blog posts](#) include: Chairwoman McCormick's [Which Are Your Top Ten?](#) and [WE ARE LISTENING](#); and Commissioner Masterson's Notes from the Road [3.13.15](#) and [3.31.15](#). Also included are Voting System Testing Updates that track progress made on EAC system certification.

#### Final reports on EAC's Accessible Voting Technology Initiative

EAC has [final grant reports](#) from Clemson University and the Information Technology and Innovation Foundation (ITIF). EAC's initiative funded research on transformative technologies and approaches to meet the critical challenge of making voting more accessible to all eligible voters. See the [final reports here](#).

#### EAC, election offices & social media

The latest additions to EAC's [State and Local Election Office Social Media List](#) include: the U.S. Virgin Islands; Doña Ana County, New Mexico, and Boone County Missouri. Election officials can add their social media page [here](#).

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### Recent Action & Events

### **Commissioners update voting system guidelines**

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**From:** [U.S. Election Assistance Commission](#)  
**To:** [Lisa Doran](#)  
**Subject:** EAC Selects Officers & Accredits Voting System Test Lab (2-24-15)  
**Date:** Tuesday, February 24, 2015 5:06:03 PM

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To view this message in a browser, please click [here](#).



## **[EAC Commissioners Select New Officers & Accredit Voting System Test Lab \(2-24-15\)](#)**

**SILVER SPRING, MD** - Members of the U.S. Election Assistance Commission (EAC) met Tuesday. This meeting marked the first time the Commission was able to meet with a quorum of Commissioners in four years. The Commission addressed a variety of pressing issues at the meeting. These issues included the accreditation of a new voting system test laboratory; consideration of possible updates to the standards used to test voting systems; and updates to the EAC's voting system testing program manuals. Additionally, Commissioner Christy McCormick was selected to chair the Commission and Commissioner Thomas Hicks was selected as vice-chair.

"After four years without Commissioners, the EAC has a great deal of work to do," said Chair McCormick. "Today we took important steps in helping support state and local election officials as they continue to cope with aging voting equipment and limited funds."

"All three Commissioners recognize that we must operate with a sense of urgency," Vice-Chair Hicks added. "The Commission does not have the luxury of time; we have already heard from our stakeholders that they expect us to act quickly to address many of the outstanding issues from over the last four years."

Christy McCormick, Thomas Hicks and Matthew Masterson were sworn in as EAC's newest members on January 13, 2015 following their nomination by the President and unanimous confirmation by the U.S. Senate on December 16, 2014. There is one vacancy on the commission and any action by the body requires the approval at least three of its members.

Commissioners voted 3-0 to accredit Pro V&V as a third voting system test laboratory under the commission's lab accreditation program. The new lab facility is now accredited to begin testing whether new voting equipment is able to meet the guidelines set forth in the voluntary voting system guidelines (VMSG). The move follows a recommendation by the National Institute of Standards and Technology (NIST), and after an independent EAC review to address non-technical issues such as conflict-of-interest policies, organizational structure, and recordkeeping protocols. In addition to Pro V&V, SLI Global Solutions and NTS Huntsville have also been accredited by EAC. All three labs will test against the VMSG. [Click here](#) for more information about Pro V&V and other EAC accredited labs.

The Help America Vote Act (HAVA) of 2002 mandates that EAC assume federal responsibility for accrediting voting system test laboratories and for certifying voting equipment. The accreditation program follows the procedures mandated by HAVA. This

includes review of the labs by NIST, through its National Voluntary Laboratory Accreditation Program (NVLAP). NIST then provides recommendations to the EAC regarding laboratory accreditation. For more information about the NIST/NVLAP accreditation process and to view related documents, visit [www.nist.gov/itl/vote](http://www.nist.gov/itl/vote).

EAC's Voting System Certification and Laboratory Accreditation Program represents the first time the federal government has accredited test laboratories and certified voting equipment. In the past, these functions were performed on a volunteer basis by the National Association of State Election Directors (NASD), which did not receive any federal funds. Participation in EAC's program is voluntary. For a list of registered manufacturers, accredited labs, voting systems applying for certification and other information, please [click here](#).

For more information about Tuesday's public meeting, see the [agenda documents](#) and [watch the archived webcast](#).

### **About EAC's New Commissioners**

**Commissioner Christy McCormick.** Prior to her appointment with EAC, Commissioner McCormick served as a Senior Trial Attorney in the Voting Section of the Civil Rights Division at the Department of Justice, a position she held from 2006 until this year. In this role Ms. McCormick was responsible for investigating and prosecuting violations of federal voting statutes, including the Voting Rights Act, the National Voter Registration Act, the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) and the Military and Overseas Voter Empowerment Act (MOVE). Additionally, Ms. McCormick worked with election officials to monitor compliance with UOCAVA, the MOVE Act, the Voting Rights Act minority language requirements, and administration of elections. She has observed numerous elections, mentored and worked with election officials in polling places all across America. Ms. McCormick was detailed by the Deputy Attorney General to be Senior Attorney Advisor and Acting Deputy Rule of Law Coordinator in the Office of the Rule of Law Coordinator at the U.S. Embassy in Baghdad, Iraq from 2009 to 2010, where she worked on the Iraq national elections and on rule of law matters. Ms. McCormick received her B.A. from the University of Buffalo and a J.D. with honors from the George Mason University School of Law, and also attended the William & Mary School of Law. For more information, visit the website under [EAC Commissioners](#).

**Commissioner Thomas Hicks.** Prior to his appointment with EAC, Commissioner Hicks served as a Senior Elections Counsel and Minority Elections Counsel on the U.S. House of Representatives Committee on House Administration, a position he held from 2003 to 2014. In this role Mr. Hicks was responsible for issues relating to campaign finance, election reform, contested elections and oversight of both the Election Assistance Commission and Federal Election Commission. His primary responsibility was advising and providing guidance to the committee members and caucus on election issues. Mr. Hicks has talked with Americans in every state about their voting experiences. In addition, he has worked with state and local election officials across America to address critical election concerns. Mr. Hicks received his J.D. from the Catholic University of America, Columbus School of Law and his B.A. in Government from Clark University (Worcester, MA). He also studied at the University of London (London, England) and law at the University of Adelaide (Adelaide, Australia). For more information, visit the website under [EAC Commissioners](#).

**Commissioner Matthew Masterson.** Prior to his appointment with EAC, Commissioner Masterson served as Interim Chief of Staff for the Ohio Secretary of State, a position he held since November 2014, he previously served as Deputy Chief of Staff and Chief Information Officer from 2013 to 2014, as well as Deputy Director of Elections from 2011 to 2013. In these roles Mr. Masterson was responsible for voting system certification efforts by the Secretary of State's office including being the liaison to the Ohio Board of Voting Machine Examiners. Additionally, Mr. Masterson was in charge of Ohio's effort to develop an online voter registration database and online ballot delivery for military and overseas voters. Prior to joining the Ohio Secretary of State's Office, Mr. Masterson held multiple roles at the Election Assistance Commission from 2006 to 2011 and served as Deputy Director for the EAC's Voting System Testing and Certification Program. Mr. Masterson graduated from The University of Dayton School of Law in May 2006. At the University of Dayton Mr. Masterson served as the Chief Justice of the Moot Court program and Student Bar Association Vice President. Prior to law school Mr. Masterson received B.S. and B.A. degrees from Miami University in Oxford, OH. For more information, visit the website under [EAC Commissioners](#).

*EAC is an independent bipartisan commission created by the Help America Vote Act (HAVA) of 2002. HAVA was passed by the U.S. Congress to make sweeping reforms to the nation's voting process, address improvements to voting systems and voter access that were identified following the 2000 presidential election, and to provide federal funding to states for new voting equipment. HAVA mandates that EAC test and certify voting equipment, maintain the National Voter Registration form, conduct research and administer a national clearinghouse on elections that includes shared practices, information for voters and other resources to improve elections. There is one vacancy on the commission. More information is available at [EAC.gov](#).*

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From: [noreply+feedproxy@google.com](mailto:noreply+feedproxy@google.com) on behalf of [Election Academy](#)  
To: [Lisa Doran](#)  
Subject: Election Academy: EAC to Host Election Security Forum Today  
Date: Thursday, August 15, 2019 10:24:28 AM

## Election Academy: EAC to Host Election Security Forum Today



### EAC to Host Election Security Forum Today

Posted 15 Aug 2019 03:47 AM PDT



[Image via [EAC](#)]

Today, the U.S. Election Assistance Commission will host a forum on election security focusing on the role of software updates in protecting the nation's election systems. The EAC's release [has more](#)

*The U.S. Election Assistance Commission (EAC) will convene Secretaries of State, along with representatives from government and voting system manufacturers and testing laboratories, during an [EAC Election Security Forum](#) on Thursday, August 15, 2019 from 12:30-3:30 p.m. ET at its headquarters in Silver Spring.*

*The forum's panelists will present on voting system and software vulnerabilities for voting systems, how to identify and address these challenges, and how software patching can impact these systems.*

*Security continues to be a critical topic as election officials prepare for the 2020 Federal Elections, particularly as some voting equipment across the country surpasses 10, or in some cases, 15 years of age.*

*In March 2018, \$380 million in Help America Vote Act (HAVA) Funds were made available to states to improve the administration of Federal Elections, the first HAVA appropriation since FY2010. States used the funds to great effect by improving election-related audits, increasing election security measures and upgrading voter registration systems, among other initiatives.*

*However, the 2018 HAVA Funds and required state match alone are not enough to replace all aging voting equipment. Therefore, discussions such as the EAC Election Security Forum are central to finding solutions for long-term system security sustainability.*

This event comes partly in response to recent reports that many jurisdictions' election technology is **running on older software platforms like Windows 7** that will soon no longer be supported.

Here's the [lineup](#) of speakers for the event

#### **Panel I: Secretaries of State**

- Honorable Denise Merrill, Secretary of State, Connecticut
- Honorable Kyle Ardoin, Secretary of State, Louisiana

#### **Panel II: State, Federal, and Technical Representatives**

- Jerome Lovato, Director, Testing and Certification, U.S. Election Assistance Commission
- Jared Dearing, State Election Director, Kentucky
- Ginny Badanes, Director, Strategic Projects for Microsoft's Defending Democracy Program
- Matt Scholl, Chief, Computer Security Division, National Institute of Standards and Technology
- Geoffrey Hale, Director, Elections Division, The Cybersecurity and Infrastructure Security Agency, Department of Homeland Security

#### **Panel III: Industry Representatives**

- Will Crumbley, Vice President of Engineering, Clear Ballot
- Chris Wlaschin, Vice President of Systems Security, ES&S
- Bernie Hirsch, Chief Information/Security/Quality Officer, Microvote
- Ed Smith, Director, Global Services, USA Smartmatic
- Jack Cobb, Laboratory Director, Pro V&V
- Jesse Peterson, Security Specialist, SLI Compliance

The EAC notes that space is very limited, but the event will be **livestreamed** at the agency's website starting at 12:30pm Eastern today (Thursday, August 15).

Election security is at the forefront of everyone's mind these days, but the role of mundane tasks like software patches can be overlooked. Today's event should go a long way toward clarifying the issue and identifying what, if anything, the EAC and other entities across the nation can do to address the problem. Stay tuned ...

**From:** [Judd Choate](#)  
**To:** [Lisa Doran](#)  
**Subject:** FW: Final Conference Agenda and Information for NASED Winter Conference  
**Date:** Monday, January 27, 2020 8:55:44 AM  
**Attachments:** [Final Conference Registration 1.27.20.pdf](#)  
[Member Agenda FINAL.pdf](#)  
[2020 Draft Budget for Approval.pdf](#)  
**Importance:** High

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**From:** Amy Cohen  
**Sent:** Monday, January 27, 2020 8:53 AM  
**To:** Amy Cohen  
**Subject:** Final Conference Agenda and Information for NASED Winter Conference  
**Importance:** High

Good morning, all!

I'm looking forward to seeing you later this week at the upcoming NASED Conference, Friday, January 31 – February 2 at the Washington Fairmont Hotel in Grand Ballroom II. The conference will begin at 9am on Friday (breakfast at 8:30am) and conclude no later than 3:30pm on Sunday; note that Sunday, February 2 is closed to NASED members only.

Attached please find a final member agenda and a conference registration list; speaker bios are [available here](#). In addition, I've attached our proposed 2020 budget for discussion and approval in closed session on Sunday afternoon.

A reminder that the Government Coordinating Council meeting will take place on Thursday, January 30 in the Roosevelt Room at the Fairmont beginning at 8:30am and ending at noon; you are welcome to join. At 1pm, the Executive Tabletop Exercise will begin in the Kennedy Ballroom (check-in begins around 11am); registration was required for this event. If you are not registered for the TTX, we may not be able to accommodate you unless there are last minute cancelations. Please note that it is likely that there will be members of the media hanging around in the lobby outside of the GCC meeting and outside of the TTX all day.

Let me know if you have any questions or concerns, and safe travels, all!

Amy

Amy Cohen

Executive Director

National Association of State Election Directors

Phone: 240-801-6029

Mobile: [REDACTED]

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**From:** [Trevor Timmons](#)  
**To:** [Carly Koppes](#)  
**Cc:** [REDACTED]; [Dwight Shellman](#)  
**Subject:** RE: Shawn Smith Contact information  
**Date:** Monday, June 7, 2021 7:08:57 PM

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Good evening Carly,

Thanks for forwarding along the questions from Shawn Smith. We've reviewed and have responded to his questions just below:

As you know but perhaps he does not, Weld County's voting system was upgraded to Democracy Suite 5.13 on Thursday, June 3rd.

Pro V&V is the Voting System Testing Lab (VSTL) that completed the Democracy Suite 5.13 testing and each upgrade since Secretary Wayne Williams approved the Dominion voting system submission for Democracy Suite 4.19 in 2015. Pro V&V was an accredited voting systems test lab during the timeframe that Democracy Suite 5.11 was tested for certification in Colorado. The EAC has lacked a quorum at several times since its creation, and the VSTL procedures recognize this reality. For example, Section 3.8 of the Voting System Test Laboratory Program Manual Version 2.0 (effective May 31, 2015), states "VSTLs in good standing shall also retain their accreditation should circumstances leave the EAC without a quorum to conduct the vote required under Section 3.5.5." Mr. Smith did note the accreditation materials from 2021 available on the EAC website regarding Pro V&V.

A couple of folks have mentioned that Mr. Smith has attempted to contact me over the last week. I've reviewed call logs from my work phone and mobile phone and also scanned through office email; it does not appear after my admittedly brief inspection that I've missed a call or email from him.

- Trevor

---

**From:** Carly Koppes <[ckoppes@weldgov.com](mailto:ckoppes@weldgov.com)>  
**Sent:** Monday, June 7, 2021 9:54 AM  
**To:** Trevor Timmons <[Trevor.Timmons@SOS.STATE.CO.US](mailto:Trevor.Timmons@SOS.STATE.CO.US)>; [ccaexecutivedirector@gmail.com](mailto:ccaexecutivedirector@gmail.com); Dwight Shellman <[Dwight.Shellman@SOS.STATE.CO.US](mailto:Dwight.Shellman@SOS.STATE.CO.US)>  
**Subject:** [EXTERNAL] FW: Shawn Smith Contact information

Good morning,

I am forwarding you the email I have received after the meeting I had on Friday. Please let me know if we can schedule a meeting to discuss this.

[Survey: Tell us how we are doing](#)

Thank you,

**Carly Koppes**  
Weld County Clerk and Recorder  
1250 H Street  
Greeley, CO 80634  
(970) 400-3155  
(720) 652-4200 x 3070  
Cell: [REDACTED]

[ckoppes@co.weld.co.us](mailto:ckoppes@co.weld.co.us)

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**From:** SAS <[REDACTED]>  
**Sent:** Sunday, June 6, 2021 5:56 PM  
**To:** [REDACTED]  
**Cc:** Carly Koppes <[ckoppes@weldgov.com](mailto:ckoppes@weldgov.com)>  
**Subject:** Re: Shawn Smith Contact information

**Caution:** This email originated from outside of Weld County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks, Lois-

Carly, thanks again for your time on Friday. I still have not been able to reach Trevor Timmons, so if you don't mind

forwarding my contact info, I would appreciate it (I'll also ask Harvie to reach out to him).

**Could you please clarify something for us?** Lois and I thought we heard you state in our meeting that your Dominion Voting Systems had already been modified from the 5.11-CO version to the 5.13 version; is that correct? If so, could you please tell us when that was accomplished? If not, could you please tell us when (approximately) that modification is scheduled for Weld County's DVS systems?

Also, I promised I'd provide you the links to the public information that confirms that SecState Griswold certified DVS D-Suite 5.11-CO (and now 5.13) in violation of Colorado law, given that neither system has been tested, as required by CRS, by an accredited VSTL.

1. CRS 1-5-608.5(1) requires that voting systems be tested by a Federally-accredited lab prior to certification by CO SecState: <https://tinyurl.com/ykshumm6>
2. Pro V&V's VSTL accreditation expired February 24, 2017: [https://www.eac.gov/sites/default/files/voting\\_system\\_test\\_lab/files/Pro\\_VandV\\_accreditation\\_certificate\\_2015.pdf](https://www.eac.gov/sites/default/files/voting_system_test_lab/files/Pro_VandV_accreditation_certificate_2015.pdf)
3. Pro V&V's VSTL accreditation was not renewed until February 1, 2021: [https://www.eac.gov/sites/default/files/voting\\_system\\_test\\_lab/files/Pro%20V%26V%20Accreditation%20Certificate.pdf](https://www.eac.gov/sites/default/files/voting_system_test_lab/files/Pro%20V%26V%20Accreditation%20Certificate.pdf)
4. But Pro V&V's certification testing for DVS D-Suite 5.11-CO took place in June, 2019, while Pro V&V was not accredited: <https://www.sos.state.co.us/pubs/elections/VotingSystems/DVS-DemocracySuite511/testReport.pdf> (also true for Garfield/Douglas ClearBallot Clear Vote 2.1 systems, BTW: <https://www.sos.state.co.us/pubs/elections/VotingSystems/ClearVote2-1/testReport.pdf>)
5. So these SecState certifications of DVS D-Suite 5.11-CO and CBG CV 2.1, which required testing by Federally-accredited lab prior to certification, but which did not receive testing as required, cannot be legal: <https://www.sos.state.co.us/pubs/elections/VotingSystems/DVS-DemocracySuite511/certificationLetter.pdf> <https://www.sos.state.co.us/pubs/elections/VotingSystems/ClearVote2-1/temporaryApproval.pdf>
6. And, unfortunately, although Pro V&V had renewed its accreditation prior to conducting testing for DVS D-Suite 5.13, they did not test all components (as you can see in their report here: <https://www.sos.state.co.us/pubs/elections/VotingSystems/DVS-DemocracySuite513/testReport.pdf>) and, instead, relied upon some of the testing conducted on 5.11 components WHILE they were not an accredited VSTL, so SecState's certification of DVS D-Suite 5.13 is also in violation of CRS 1-5-608.5(1): <https://www.sos.state.co.us/pubs/elections/VotingSystems/DVS-DemocracySuite513/certificationLetter.pdf>

Thanks again, and in advance, for clarifying whether Weld County's DVS D-Suite systems have ALREADY been modified to version 5.13, or whether that is still pending.

Regards,  
Shawn Smith

On Fri, Jun 4, 2021 at 6:59 PM <[REDACTED]> wrote:

Hi, Carly: Thank you for the meeting today. We greatly appreciate the time you and your gave us.

Shawn Smith's Information:

Phone: 805-315-5852  
[REDACTED]

Sincerely,

Lois



**From:** [\[SCORE Customer Support\]](#)  
**To:** [\[SCORE Customer Support\]](#)  
**Cc:** [Judd Choate](#); [Hilary Rudy](#); [Chris Beall](#); [Michael Whitehorn](#); [Melissa Kessler](#)  
**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Tuesday, July 20, 2021 6:29:17 PM  
**Attachments:** [image001.png](#)  
[Memo to Clerks - Certification of DVS's Democracy Live 5.13 software 7.20.21.docx](#)  
**Importance:** High

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Dear County Clerks and Election Administrators

Please find the attached memo regarding the accreditation of the Pro V&V testing lab – the testing lab that has certified every version of the Dominion Voting Systems software for use in Colorado since February, 2015. We have heard from a number of counties who have either directly received or were indirectly provided a letter questioning whether Pro V&V was a continuously accredited Voting System Testing Lab (VSTL) over that period of time. These claims are categorically false. I have gone so far as to personally confirm this fact with the EAC Executive Director, Mona Harrington, two weeks ago (accreditation was not terminated) and again this morning (accreditation did not expire).

Please feel free to use this memo, in whole or in part, to confirm to your voters that Colorado and your county runs fair and secure elections.

Each of us is a public servant. We call balls and strikes. We don't decide outcomes. The misinformation about Colorado's (and the country's) elections assumes that we put our individual or collective thumbs on the scale to support particular candidates or issues. I find this insulting, as I know you do as well. Further, it's simply not the case. I believe this both because I know your character and because there are endless checks and balances that regulate, confirm, and reconfirm our work.

Thank you for the ever-growing list of sacrifices you have made to be a public servant and work in elections. Please know that a large majority of Coloradans appreciate your contributions on their behalf.

Cheers, Judd

**Judd Choate**

Colorado Election Director  
1700 Broadway, Suite 550  
Denver, CO 80290  
Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



**From:** [evnlist](#) on behalf of [Kevin Skoglund](#)  
**To:** [EVN List](#)  
**Subject:** [evnlist] EAC forum on Windows 7 and more  
**Date:** Monday, August 12, 2019 8:55:43 AM

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The EAC is hosting an election security forum on "operating system and software vulnerabilities for voting systems, how to identify and address these challenges, and how software patching can impact these systems."

[\[https://www.eac.gov/news/2019/08/09/eac-to-host-an-election-security-forum-with-representatives-from-government-technology-and-voting-system-manufacturers-and-testing-laboratories/\]](https://www.eac.gov/news/2019/08/09/eac-to-host-an-election-security-forum-with-representatives-from-government-technology-and-voting-system-manufacturers-and-testing-laboratories/)

There was little warning--it was announced just last Friday and takes place this coming Thursday from 12:30-3:30pm.

The announcement in the Federal Register also says the public can submit statements for the record.

> Members of the public who wish to make a statement for the record may submit their statement to the EAC by 5:00 PM EDT on Wednesday August 14, 2019.

[\[https://s3.amazonaws.com/public-inspection.federalregister.gov/2019-17375.pdf\]](https://s3.amazonaws.com/public-inspection.federalregister.gov/2019-17375.pdf)

More details:

> Panel I:

- > • Honorable Denise Merrill, Secretary of State, Connecticut
- > • Honorable Kyle Ardoin, Secretary of State, Louisiana

>

> Panel II:

- > • Jerome Lovato, EAC Director, Testing and Certification
- > • Jared Dearing, State Election Director, Kentucky
- > • Matt Scholl, Chief, Computer Security Division, NIST
- > • Geoffrey Hale, Director, Election Security Division, CISA

>

> Panel III:

- > • Will Crumbley, Vice President of Engineering, Clear Ballot
- > • Chris Wlaschin, Vice President, Systems Security, ES&S
- > • Bernie Hirsch, Chief Information, Security, Quality Officer, Microvote
- > • Ed Smith, Director, Global Services, Smartmatic
- > • Jack Cobb, Laboratory Director, Pro V&V
- > • Jesse Peterson, Security Specialist and IT Manager, SLI Compliance

>

> WHEN: Thursday, August 15, 2019 from 12:30-3:30 p.m. ET

>

> WHERE: EAC Headquarters, 1335 East West Highway, Suite 104, Silver Spring, MD 20910

>

> The event will also be livestreamed on [www.eac.gov](http://www.eac.gov).

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any technical questions to [evnlist-owner@electionverification.org](mailto:evnlist-owner@electionverification.org)

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Election Verification Network mailing list  
[evnlist@electionverification.org](mailto:evnlist@electionverification.org)

**From:** [evnlist](mailto:evnlist) on behalf of [David.Eckhardt@cs.cmu.edu](mailto:David.Eckhardt@cs.cmu.edu)  
**To:** [evnlist@electionverification.org](mailto:evnlist@electionverification.org)  
**Subject:** [EXTERNAL] [evnlist] Bad news from Georgia  
**Date:** Tuesday, November 17, 2020 4:44:20 PM

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This piece:

Georgia recount: Voting machines audit finds no hack  
Sommer Brokaw  
UPI

November 17, 2020

[https://urldefense.com/v3/https://www.upi.com/Top\\_News/US/2020/11/17/Georgia-recount-Voting-machines-audit-finds-no-hack/7361605644574/\\_!!Hbf-Zrs!rNUN6LEJaFl3nvZj1izNRV6TUj4\\_3FjplQCyM0UL\\_RAyMRDzoi9LKeHc3PmKwqXO0aEeGn8LdQ\\$](https://urldefense.com/v3/https://www.upi.com/Top_News/US/2020/11/17/Georgia-recount-Voting-machines-audit-finds-no-hack/7361605644574/_!!Hbf-Zrs!rNUN6LEJaFl3nvZj1izNRV6TUj4_3FjplQCyM0UL_RAyMRDzoi9LKeHc3PmKwqXO0aEeGn8LdQ$)

.. reports that the Secretary of State of Georgia had an outside company come in and check their voting machines for evidence of tampering.

I have an opinion on "Pro V&V", based on experience in 2012, when the PA Secretary of the Commonwealth hired "Pro V&V" to evaluate the security of the DREs PA was using at the time.

My opinion can be found here:

[https://urldefense.com/v3/http://www.cs.cmu.edu/~davide/voting-machines/Cobb/\\_fg!!Hbf-Zrs!rNUN6LEJaFl3nvZj1izNRV6TUj4\\_3FjplQCyM0UL\\_RAyMRDzoi9LKeHc3PmKwqXO0aErUSX4LAS](https://urldefense.com/v3/http://www.cs.cmu.edu/~davide/voting-machines/Cobb/_fg!!Hbf-Zrs!rNUN6LEJaFl3nvZj1izNRV6TUj4_3FjplQCyM0UL_RAyMRDzoi9LKeHc3PmKwqXO0aErUSX4LAS)

(tl;dr: I was solidly underwhelmed).

Sadly, though I know my opinion was received by the office of PA SoC, and by the two senior staff members who owned elections at the time, I never received any response at all, not even a "thanks for your input" form letter. Even more sadly, one of those people still a senior job in the PA DoS office, still ostensibly working on secure elections in PA.

I appreciate the time and effort of all the election officials on this list who work tirelessly (and then keep on working, tiredly) to deliver elections that are trustworthy. Other election officials I appreciate much less.

Dave Eckhardt

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Election Verification Network mailing list  
evnlist@electionverification.org

**From:** [evnlist](#) on behalf of [Douglas A Kellner](#)  
**To:** [evn Election Verification Network](#)  
**Subject:** [EXTERNAL] [evnlist] Dominion ICE upgrade  
**Date:** Friday, September 27, 2019 1:38:17 PM  
**Attachments:** [Dominion ICE Counter Upgrade Information Packet - 09.27.19.pdf](#)

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On October 2, 2019, the New York state elections commissioners will be considering approval of the upgrades to the Dominion ICE firmware. I have attached the details of the proposal, the staff review, the SLI Compliance report and the NYSTEC review.

I recognize that many of you are opposed to having a ballot marking device in the same hardware shell as a scanner that counts ballots. That system is already certified in New York, and there is no way that a majority of the four commissioners would vote to decertify the ICE. On the other hand, it appears that Dominion is adding an additional security feature to the machine, which appears to be an improvement over the status quo.

Your comments are always welcome.

Douglas A. Kellner  
Co-Chair, New York State Board of Elections  
Telephone: 518-474-8100 212-889-2121



Dominion describes the upgrade to version 4.14.27 as:

"changes to both the ICE firmware and the integrated printer firmware. The internal printer is a commercial OEM printer. The manufacturer has firmware update that includes a print counter stored in non-volatile memory on the EEPROM. This counter increments each time the printer is engaged to print on a ballot.

The update to the ICE firmware introduces a counter that increments each time the ICE application sends commands to the printer to print on a ballot. The ICE firmware would also allow for the printing of each counter on the zero tape, results tape, and interrupt tape along with an option to display the current status of the counters. This would allow users to compare the two counter values to ensure that the number of times a request was sent to the printer matches the number of times the printer engaged itself to print as both counters are independent of each other.

Both the printer and ICE application firmware are part of the HASH verification process outlined in our documentation and verified during the certification process.

To summarize, the ICE will be updated so that:

- There will be 4 counters
  - o Number of Accessible Voting Sessions Started
  - o Number of Accessible Voting Sessions Cast
  - o Number of Print requests sent to the printer
  - o Number of Prints from the Printer Hardware
- The Zero, Interrupt, and Results report will show these 4 counters at the bottom where other counters exist
- The Poll worker will be able to view these reports when printed and when selected on the display
- The Log files from the ICE will indicate
  - o Started Accessible session
  - o Cancelled Accessible session
  - o Completed Accessible session
  - o Print request sent to printer
  - o Printer jams

**From:** [evnlist](#) on behalf of [Susan Greenhalgh](#)  
**To:** [EVN List](#)  
**Subject:** [EXTERNAL] [evnlist] GA saga update  
**Date:** Monday, October 5, 2020 2:44:28 PM  
**Attachments:** [20201005 CGG Doc. 948 SOS Redacted V&V Report Public Document .pdf](#)  
[20201004 CGG Doc. 943 Declaration of Kevin Skoglund UNSEALED.pdf](#)  
[20201003 CGG Doc. 941 Halderman Declaration UNSEALED.pdf](#)  
[ATT00001.txt](#)

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Last week it was disclosed that Dominion and the SOS decided to update the BMD software and re-install it on all 34K BMDs after an electronic display issue was discovered.

The state and Dominion insisted the change was "de minimus" but did not disclose any evidence to support that assertion until the end of the week when it filed a test report from the VSTL Pro V & V for the update, under seal. Alex Halderman and Kevin Skoglund both submitted declarations regarding the report which were also filed under seal. This morning the seal was lifted on all three if you'd like to read them.

The EAC page shows no evidence that the Pro V&V report was even submitted to the EAC, which would be the first step in the EAC potentially affirming the change to be de minimus and granting certification to the new update. Absent that, the software used in GA is no longer EAC certified. Yet, it is currently being installed in counties all over the state.



**From:** [evnlist](#) on behalf of [Susan Greenhalgh](#)  
**To:** [EVN List](#)  
**Subject:** [EXTERNAL] [evnlist] Updates on GA  
**Date:** Tuesday, September 29, 2020 2:12:04 PM  
**Attachments:** [2020-09-29 DE 923-2 Exhibit 2.Hursti.dec.software.replace.pdf](#)  
[2020-09-29 DE 923-1 Exhibit 1.Halderman.dec.software.replace.pdf](#)  
[2020-09-29 DE 923 Pls" Notice of Filing Materials re Ga"s Intended Replacment of Software.pdf](#)  
[ATT00001.txt](#)

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Hi,

Here are the latest filings.

At an emergency proceeding yesterday, the State informed the Court that the problem with the BMDs is not a database issue, but a software bug, but NP, Dominion has already written a fix. All the software just needs to be re-installed in all 34K BMDs before the election.

In the attached filings plaintiffs aggressively rebuke the State for trying to cast the installation of new, untested software to fix the bug in all the State's 34,000 BMDs as "no big deal." They also call the State out for dishonesty and blatant hypocrisy.

Declarations from experts Harri Hursti, Alex Halderman and Kevin Skoglund also attached.

**From:** [evnlist](#) on behalf of [Neal McBurnett](#)  
**To:** [Jeremy Epstein](#)  
**Cc:** [EVN list](#)  
**Subject:** [EXTERNAL] Re: [evnlist] AZ SoS and CISA say Maricopa equipment sent to Cyber Ninjas must now be considered compromised  
**Date:** Friday, May 21, 2021 8:29:09 AM

---

I agree with Mark that it is hard to draw bright lines.

But I think the main lesson here, noted by Mark and Jeremy and others, is actually once again the importance of proper auditing.

We of course don't want to have to trust the Cyber Ninjas, but neither do we want to have to trust pollworkers. I have been an election judge with multi-day (IIRC) custody of election equipment, and they didn't do any background checks on me in Colorado. And neither do we want to have to trust election officials, or vendors, or all the other folks with access to the supply chains or communications channels or data.

I just took a look at the Pro V&V Maricopa Post-Election Field Audit:

[https://urldefense.com/v3/\\_https://www.maricopa.gov/DocumentCenter/View/66844/Post-Audit-Report\\_!!Hbf-Zrs!pOokqGQF7z6M\\_EAx8uBEm4CIImRxeXiLXK6Hwj9wIPCmzTWjBjrbwnsozF8he\\_OOCTqsDCB8sKQ\\$](https://urldefense.com/v3/_https://www.maricopa.gov/DocumentCenter/View/66844/Post-Audit-Report_!!Hbf-Zrs!pOokqGQF7z6M_EAx8uBEm4CIImRxeXiLXK6Hwj9wIPCmzTWjBjrbwnsozF8he_OOCTqsDCB8sKQ$)

which notes that they also "had complete access and control of the equipment being audited" and that during their audit "All seals that needed to be removed were then removed".

They conclude:

> Based on the results obtained during the Field Audit, Pro V&V determines the D-Suite 5.5-B Voting System, on all evaluated components, is the voting system software and hardware certified for use in Maricopa County and are the same as the software and hardware used in the conduction of the November 2020 General Election.

They reported the verification of a variety of hash values in the report, but didn't share what those valid values were.

Their report does help reassure me that the systems are more trustworthy, but not that they are ultimately trustworthy. And again, that's the point. Even EAC-accredited labs like Pro V&V can't bestow trustworthiness on voting systems. That's the nature of the peculiar, thorny problem of securing elections. We need evidence-based elections based on software-independent approaches.

So we need to continue making progress to the point where we \*always\* audit election results coming out of computers! And \*all\* the contests should be subject to audit, to at least some extent. And the audits should be carefully planned in advance and follow the Principles and Best Practices for Post-Election Tabulation Audits for transparency, separation of responsibilities, ballot protection, comprehensiveness, etc, etc.:

[https://urldefense.com/v3/\\_https://verifiedvoting.org/publication/principles-and-best-practices-for-post-election-tabulation-audits/\\_!!Hbf-Zrs!pOokqGQF7z6M\\_EAx8uBEm4CIImRxeXiLXK6Hwj9wIPCmzTWjBjrbwnsozF8he\\_OOCTquRQ8YOow\\$](https://urldefense.com/v3/_https://verifiedvoting.org/publication/principles-and-best-practices-for-post-election-tabulation-audits/_!!Hbf-Zrs!pOokqGQF7z6M_EAx8uBEm4CIImRxeXiLXK6Hwj9wIPCmzTWjBjrbwnsozF8he_OOCTquRQ8YOow$)

I don't know of any jurisdiction doing all of that yet, though many are making huge progress, and we have great examples of each principle in action.

Of course I don't say that to cast aspersions on the results in 2020, or to support insincere audits or those that cause more problems than they address. The pressure and attacks now on election officials are off the scale, and truly dangerous. The tricky thing now is continuing to move forward on improving election integrity in such an acrimonious atmosphere.

I think our colleagues doing the forensic audit in Windham NH, in close collaboration with NH election officials, are paving new ground in that realm, and deserve lots of attention and help. They're putting out lots of evidence each day, alongside the impressive live stream.

SB 43 Forensic Audit Livestream | NH Department of Justice

[https://urldefense.com/v3/\\_https://www.doj.nh.gov/sb43/index.htm\\_!!Hbf-Zrs!pOokqGQF7z6M\\_EAx8uBEm4CIImRxeXiLXK6Hwj9wIPCmzTWjBjrbwnsozF8he\\_OOCTqvEXBIFhg\\$](https://urldefense.com/v3/_https://www.doj.nh.gov/sb43/index.htm_!!Hbf-Zrs!pOokqGQF7z6M_EAx8uBEm4CIImRxeXiLXK6Hwj9wIPCmzTWjBjrbwnsozF8he_OOCTqvEXBIFhg$)

Neal McBurnett [https://urldefense.com/v3/\\_http://neal.mcburnett.org/\\_!!Hbf-Zrs!pOokqGQF7z6M\\_EAx8uBEm4CIImRxeXiLXK6Hwj9wIPCmzTWjBjrbwnsozF8he\\_OOCTqthG6wTFA\\$](https://urldefense.com/v3/_http://neal.mcburnett.org/_!!Hbf-Zrs!pOokqGQF7z6M_EAx8uBEm4CIImRxeXiLXK6Hwj9wIPCmzTWjBjrbwnsozF8he_OOCTqthG6wTFA$)

On Fri, May 21, 2021 at 07:14:08AM -0400, Jeremy Epstein wrote:

> And since my name is being taken in vain (kidding!), I'll throw in that this is IMHO much worse than the sleepover case, because  
> you have lots of people who are known to be adversarial to the election office and the results, all of whom had unsupervised access  
> to the machines for long periods of time (far longer than a pollworker having a couple of days), and the potential that some of the  
> people with access are in fact technical experts with the wherewithal to make permanent changes (and the potential that some of  
> them have some level of expertise with seals).  
>  
> Or in other words, this is a worst-case scenario if the machines are to be trusted.  
>  
> As an example, there's no indication that any of the CyberNinjas folks had background checks to ensure that they're not controlled  
> by a nation-state adversary.  
>  
> The \*only\* choice if these machines are going to be used again, is to rely on real audits (not the make-believe thing that's going  
> on now), and treat them as having the same level of accuracy as exit polls - they might give an indication, but they're quite  
> likely to be wrong.

>  
> --Jeremy  
>

> On Fri, May 21, 2021 at 5:33 AM Mark Lindeman <mark@verifiedvoting.org> wrote:

>  
> Neal, it's an interesting question: do sleepovers amount to a loss of "custody and control"? I agree with others that

> pollworkers are election officials, so giving them custody of machines is not a bright-line violation that self-evidently must  
> be treated as a breach. But it's clearly much weaker security than we would prefer. How weak depends on the specifics.

>  
> How bad does machine security have to be before one recommends replacing all the voting machines and starting over? I don't

> know -- and as Jeremy pointed out in the sleepover thread, it partly depends on whether other procedures including RLAs are in  
> place to mitigate the risks.

>  
> I think that election security, like ethics, is hard to reduce to bright-line rules: risk assessment isn't cut-and-dried. Also,

> the Maricopa case is quite extreme (the "spoliation of evidence" tweet was shockingly poor); hard cases make bad law. But the

> principle that "you can't trust that -- you don't know where it's been!" is an excellent one.

>  
> Mark  
>

> On Thu, May 20, 2021 at 7:31 PM Neal McBurnett <neal@bcn.boulder.co.us> wrote:

>  
> [https://urldefense.com/v3/\\_https://ktar.com/story/4431309/hobbs-says-voting-machines-cant-be-reused-were-compromised-by-audit/\\_:!!Hbf-Zrs!pOokqGQF7z6M\\_EAx8uBEm4CIImRxeXiLXK6Hwj9wIPCmzTWjBjrbwnsozF8he\\_OOCTqyNaolvKQ\\$](https://urldefense.com/v3/_https://ktar.com/story/4431309/hobbs-says-voting-machines-cant-be-reused-were-compromised-by-audit/_:!!Hbf-Zrs!pOokqGQF7z6M_EAx8uBEm4CIImRxeXiLXK6Hwj9wIPCmzTWjBjrbwnsozF8he_OOCTqyNaolvKQ$)  
>  
>  
> > "Arizona's top elections official is telling Maricopa County leaders that the equipment they were forced to turn over for  
> the  
> ongoing Arizona Senate audit "has been compromised" and can't be used in future elections."  
>  
> > "my Office consulted with election technology and security experts, including at the Department of Homeland Security's  
> Cybersecurity and Infrastructure Security Agency, and each unanimously advised that once election officials lose custody  
> and control over voting systems and components, those devices should not be reused in future elections. Rather,  
> decommissioning and replacing those devices is the safest option as no methods exist to adequately ensure those machines are  
> safe to use in future elections."  
>  
> > According to ABC15, replacing the machines could cost \$6.5 million  
>  
> I'm not sure how that jives with the common practice in many states of handing elections equipment over to pollworkers for  
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> Neal McBurnett [https://urldefense.com/v3/\\_http://neal.mcburnett.org/\\_:!!Hbf-Zrs!pOokqGQF7z6M\\_EAx8uBEm4CIImRxeXiLXK6Hwj9wIPCmzTWjBjrbwnsozF8he\\_OOCTqthG6wTFA\\$](https://urldefense.com/v3/_http://neal.mcburnett.org/_:!!Hbf-Zrs!pOokqGQF7z6M_EAx8uBEm4CIImRxeXiLXK6Hwj9wIPCmzTWjBjrbwnsozF8he_OOCTqthG6wTFA$)  
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> --  
> Mark Lindeman  
> Acting Co-Director  
> Verified Voting  
>  
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**From:** [evnlist](#) on behalf of [S.Candice Hoke via evnlist](#)  
**To:** [nealmcb@gmail.com](mailto:nealmcb@gmail.com)  
**Cc:** [EVN list](#)  
**Subject:** [EXTERNAL] Re: [evnlist] AZ SoS and CISA say Maricopa equipment sent to Cyber Ninjas must now be considered compromised  
**Date:** Friday, May 21, 2021 9:24:56 AM  
**Attachments:** [ATT00001.txt](#)

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Neal and all,

While I'm betting that most of us on this list agree that appropriate post-election auditing requirements will eventually suffice as a cure for many election security issues, I would submit that:

1. even the best P-E auditing does not and cannot constitute a complete cure for the mammoth range of issues arising from the access Alex and others have detailed, and,
2. We are a LONG way from achieving as a legally compelled matter in all States (or even a majority) the type of post-election auditing that can provide high confidence that election tabulations are accurate.

On #1, some attacks potentially achievable given this access in AZ & MI: root access to the tabulation server/EMS can permit all sorts of pre-election as well as post-election disruptions. This can include havoc in ballot styles (e.g., swapping party ID), misspelling candidate names, dropping candidates from ballots, etc. But also changing ballot margins or timing marks that disrupt accurate scanning might not be perceived by even close reviews before printing. (+ MUCH more)

We've seen all of these types of errors disrupt elections when they appear to be "innocent errors." But they can be contrived intentionally. Ballot marking devices onscreen e-ballots may be especially vulnerable to such mischief.

Part of the problem: The VS vendors have increasingly been seeking to achieve single-system "seamlessness" between their software that creates and controls voter registration databases, e-pollbooks, ballot creation, vote recording devices, vote tabulation & reporting. Miscreant access esp. at root level to any one part of the "seamless" system, may lead to compromise of many other parts of the election tech array and produce myriad failures in election services/access for voters.

Agree fully that:

We need evidence-based elections based on software-independent approaches

But the short as well as long-term effort to secure elections has been seriously set back in ways that even highly laudable post-election auditing protocols cannot begin to manage.

—> I'd submit that we need a legal-tech collaboration on developing a set of standards on post-election forensic & auditing assessments, to best assure transparency & accountability yet also protect tech security going forward. It might include some professional certification & ethics standards, as well as bi/nonpartisan watchdog involvement, etc.

Here's what several of us published via the American Bar Assn in 2008, available on Matt Bishop's webpage (bold emphases published in the original):

<https://www.cs.ucdavis.edu/~peisert/research/electionofficialtechguide-2008-10-08.pdf>

## Non-Technical Qualifications

As with examiners or auditors in any other field, at least three qualities are essential: objectivity, the freedom and willingness to follow the inquiry wherever it goes, and the ability to describe the causes of the problem completely and accurately without regard to potential organizational embarrassment. In sum, the forensic team must have *independence*.

Strong ethics are essential: the forensic team members must have *no conflicts of interest, nor the appearance of conflicts* of interest. If at all possible, they should be entirely disinterested in the results of the election being examined. If that is not possible, the forensic examiners must be able to set aside their interests and undertake the examination without bias. Otherwise, the results will not receive the trust and legitimacy needed by all parties, including the public.

The need for independence and avoidance of conflicts of interest leads to the necessity of not including on the forensic team governmental IT employees (county or State), nor representatives from the voting system vendor. The county or election office IT personnel who helped run the election and the vendor technical representatives who know the systems intimately, are crucial *resources* for the forensic team, but their role must be limited to providing information to the independent forensic team. This role is discussed in more detail below.

Finally, the team members must be persons of high integrity and good judgment, and must not be associated with any partisan organization involved in the election. There may be a great deal at stake in the resolution of an election problem. The outcome of important races may hinge on the results of the inquiry. The problem may have besmirched the reputations of election officials, the vendor, and other participants. The problem may have shaken the public's confidence in the election. The members of the team must have the temperament to be rational, fair, and restrained in their demeanor when writing and speaking about the examination. They need to be able to put aside any opinions in order to find the truth in the inquiry, whichever way it cuts.

Matt Bishop, Mark Graff, Candice Hoke, David Jefferson, & Sean Peisert, Resolving the Unexpected in Elections: Election Officials' Options

**Candice Hoke** (research participant in California's Top to Bottom Review of VS, and legal consultant to Ohio's EVEREST study)



wrote:

I agree with Mark that it is hard to draw bright lines.

But I think the main lesson here, noted by Mark and Jeremy and others, is actually once again the importance of proper auditing.

We of course don't want to have to trust the Cyber Ninjas, but neither do we want to have to trust pollworkers. I have been an election judge with multi-day (IIRC) custody of election equipment, and they didn't do any background checks on me in Colorado. And neither do we want to have to trust election officials, or vendors, or all the other folks with access to the supply chains or communications channels or data.

I just took a look at the Pro V&V Maricopa Post-Election Field Audit:

<https://www.maricopa.gov/DocumentCenter/View/66844/Post-Audit-Report>

which notes that they also "had complete access and control of the equipment being audited" and that during their audit "All seals that needed to be removed were then removed".

They conclude:

Based on the results obtained during the Field Audit, Pro V&V determines the D-Suite 5.5-B Voting System, on all evaluated components, is the voting system software and hardware certified for use in Maricopa County and are the same as the software and hardware used in the conduction of the November 2020 General Election.

They reported the verification of a variety of hash values in the report, but didn't share what those valid values were.

Their report does help reassure me that the systems are more trustworthy, but not that they are ultimately trustworthy. And again, that's the point. Even EAC-accredited labs like Pro V&V can't bestow trustworthiness on voting systems. That's the nature of the peculiar, thorny problem of securing elections. We need evidence-based elections based on software-independent approaches.

So we need to continue making progress to the point where we *\*always\** audit election results coming out of computers! And *\*all\** the contests should be subject to audit, to at least some extent. And the audits should be carefully planned in advance and follow the Principles and Best Practices for Post-Election Tabulation Audits for transparency, separation of responsibilities, ballot protection, comprehensiveness, etc, etc.:

<https://verifiedvoting.org/publication/principles-and-best-practices-for-post-election-tabulation-audits/>



I don't know of any jurisdiction doing all of that yet, though many are making huge progress, and we have great examples of each principle in action.

Of course I don't say that to cast aspersions on the results in 2020, or to support insincere audits or those that cause more problems than they address. The pressure and attacks now on election officials are off the scale, and truly dangerous. The tricky thing now is continuing to move forward on improving election integrity in such an acrimonious atmosphere.

I think our colleagues doing the forensic audit in Windham NH, in close collaboration with NH election officials, are paving new ground in that realm, and deserve lots of attention and help. They're putting out lots of evidence each day, alongside the impressive live stream.

SB 43 Forensic Audit Livestream | NH Department of Justice  
<https://www.doj.nh.gov/sb43/index.htm>

Neal McBurnett <http://neal.mcburnett.org/>

On Fri, May 21, 2021 at 07:14:08AM -0400, Jeremy Epstein wrote:

And since my name is being taken in vain (kidding!), I'll throw in that this is IMHO much worse than the sleepover case, because you have lots of people who are known to be adversarial to the election office and the results, all of whom had unsupervised access to the machines for long periods of time (far longer than a pollworker having a couple of days), and the potential that some of the people with access are in fact technical experts with the wherewithal to make permanent changes (and the potential that some of them have some level of expertise with seals).

Or in other words, this is a worst-case scenario if the machines are to be trusted.

As an example, there's no indication that any of the CyberNinjas folks had background checks to ensure that they're not controlled by a nation-state adversary.

The \*only\* choice if these machines are going to be used again, is to rely on real audits (not the make-believe thing that's going on now), and treat them as having the same level of accuracy as exit polls - they might give an indication, but they're quite likely to be wrong.

--Jeremy

On Fri, May 21, 2021 at 5:33 AM Mark Lindeman  
[REDACTED] > wrote:

Neal, it's an interesting question: do sleepovers amount to a loss of

"custody and control"? I agree with others that pollworkers are election officials, so giving them custody of machines is not a bright-line violation that self-evidently must be treated as a breach. But it's clearly much weaker security than we would prefer. How weak depends on the specifics.

How bad does machine security have to be before one recommends replacing all the voting machines and starting over? I don't know -- and as Jeremy pointed out in the sleepover thread, it partly depends on whether other procedures including RLAs are in place to mitigate the risks.

I think that election security, like ethics, is hard to reduce to bright-line rules: risk assessment isn't cut-and-dried. Also, the Maricopa case is quite extreme (the "spoliation of evidence" tweet was shockingly poor); hard cases make bad law. But the principle that "you can't trust that -- you don't know where it's been!" is an excellent one.

Mark

On Thu, May 20, 2021 at 7:31 PM Neal McBurnett

> wrote:

<https://ktar.com/story/4431309/hobbs-says-voting-machines-cant-be-reused-were-compromised-by-audit/>

“Arizona’s top elections official is telling Maricopa County leaders that the equipment they were forced to turn over for

the ongoing Arizona Senate audit “has been compromised” and can’t be used in future elections.”

"my Office consulted with election technology and security experts, including at the Department of Homeland Security's

Cybersecurity and Infrastructure Security Agency, and each unanimously advised that once election officials lose custody and control over voting systems and components, those devices should not be reused in future elections. Rather, decommissioning and replacing those devices is the safest option as no methods exist to adequately ensure those machines are safe to use in future elections."

According to ABC15, replacing the machines could cost  
\$6.5 million

I'm not sure how that jives with the common practice in many  
states of handing elections equipment over to pollworkers for  
"sleep-overs" before election voting.....

Neal McBurnett <http://neal.mcburnett.org/>

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Mark Lindeman  
Acting Co-Director  
Verified Voting

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**From:** [evnlist](#) on behalf of [Warren Stewart](#)  
**To:** [richard@garella.com](mailto:richard@garella.com)  
**Cc:** [EVN List](#)  
**Subject:** [EXTERNAL] Re: [evnlist] GA saga update  
**Date:** Monday, October 5, 2020 5:18:49 PM  
**Attachments:** [ATT00001.txt](#)

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Oh yes that's right. DREs for all was 27% in 2018, 12% this November. It's not 1 for 1 of course. Los Angeles County went from Hand-marked (InkaVote) paper ballots to BMDs for all but most of the BMDs for all voters were previously DRE for all voters.

Warren Stewart  
Verified Voting Foundation

"Less certainty, more inquiry"  
Erik Seidel

On 6 Oct 2020, at 00:48, Rich Garella <[REDACTED]> wrote:

Warren,

This (to me, dispiriting) increase in BMD-for-all use for Election Day polling place voters came with a decrease in DRE-for-all use, right?

Put another way, did (DRE/BMD)-for-all use go up, or down?

>From what I've seen, one of the big marketing messages for BMD-for-all systems is that "it's more like what your voters are used to" with the implication that they're incapable of adapting.

Rich Garella  
Protect Our Vote Philly

Warren Stewart wrote on 10/05/2020 6:20pm:

Fun facts to know and tell from the Verifier:

This November, just over 37 million registered voters (around 18%) live in jurisdictions in which BMDs are used for all Election Day polling place voters. That's 457 jurisdictions with around 27,500 precincts. (This includes 23 jurisdictions using Hybrid BMD/Tabulators like the ExpressVote XL and the ExpressVote HW2.1 used as a tabulator.)

Using the registered voter metric, the four most common systems used as a BMD for all device:

ES&S ExpressVote BMD 18.3 million 8.9%  
Dominion ImageCast X BMD 7.4 million 3.6%  
LA County VSAP 5.2 million 2.5%  
ES&S ExpressVote XL 3 million 1.8%

By contrast, in November 2018 just over 3.5 million registered voters lived in jurisdictions using BMDs for all Election Day polling place voters or 1.72%. So, from 1.7% to 18% from 2018 to 2020.

Warren Stewart  
Verified Voting Foundation

“Less certainty, more inquiry”  
Erik Seidel

On 5 Oct 2020, at 23:07, Alex Blakemore

> wrote:

For those, like me, outside of Georgia who might be expecting BMDs to only apply to a small number of voters. ... Not so, it turns out.

All GA voters have no choice but to use a BMD at polls in Georgia. The BMDs print on blank stock, not on pre-printed ballots that a voter could choose to mark by hand. And the voter choices are encoded in a barcode that the scanner reads, so can't be verified by the voter.

I can't imagine how they came up with such an approach - needlessly costing taxpayers a fortune, adding huge delays at the polls, making it impossible for voters to directly see whether the ballot correctly records their intent. At least it still uses paper ballots.

Alex Blakemore

On Oct 5, 2020, at 16:43, Susan Greenhalgh

<[REDACTED]> wrote:

Last week it was disclosed that Dominion and the SOS decided to update the BMD software and re-install it on all 34K BMDs after an electronic display issue was discovered.

The state and Dominion insisted the change was "de minimus" but did not disclose any evidence to support that assertion until the end of the week when it filed a test report from the VSTL Pro V & V for the update, under seal. Alex Halderman and Kevin Skoglund both submitted declarations regarding the report which were also filed under seal. This morning the seal was lifted on all three if you'd like to read them.

The EAC page shows no evidence that the Pro V&V report was even submitted to the EAC, which would be the first step in the EAC potentially affirming the change to be de minimus and granting certification to the new update. Absent that, the software used in GA is no longer EAC certified. Yet, it is currently being installed in counties all over the state.

<20201005 CGG Doc. 948 SOS Redacted  
V&V Report Public Document  
.pdf><20201004 CGG Doc. 943 Declaration  
of Kevin Skoglund  
UNSEALED.pdf><20201003 CGG Doc.  
941 Halderman Declaration  
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**From:** [evnlist](#) on behalf of [Duncan Buell](#)  
**To:** [EVNLIST EVNLIST](#)  
**Subject:** [EXTERNAL] Re: [evnlist] GA saga update  
**Date:** Monday, October 5, 2020 5:09:38 PM  
**Attachments:** [ATT00001.txt](#)

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I agree with Rich. In South Carolina, we went all-DRE to all-BMD after November 2018. The same has happened in Georgia. The same has happened in much of North Carolina (most notably Mecklenburg County ((Charlotte)) ).

And yes, many of the arguments were that the touchscreen was what the voters were used to, and that they could not be trusted to be smart enough to learn something different. Certainly those arguments were front and center in South Carolina.

dunc

Duncan Buell



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**From:** [evnlist](#) on behalf of [Rich Garella](#)  
**To:** [EVN List](#)  
**Subject:** [EXTERNAL] Re: [evnlist] GA saga update  
**Date:** Monday, October 5, 2020 4:58:19 PM  
**Attachments:** [ATT00001.txt](#)

---

Warren,

This (to me, dispiriting) increase in BMD-for-all use for Election Day polling place voters came with a decrease in DRE-for-all use, right?

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Rich Garella  
Protect Our Vote Philly

Warren Stewart wrote on 10/05/2020 6:20pm:

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Using the registered voter metric, the four most common systems used as a BMD for all device:

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By contrast, in November 2018 just over 3.5 million registered voters lived in jurisdictions using BMDs for all Election Day polling place voters or 1.72%. So, from 1.7% to 18% from 2018 to 2020.

Warren Stewart  
Verified Voting Foundation

"Less certainty, more inquiry"  
Erik Seidel

On 5 Oct 2020, at 23:07, Alex Blakemore

[REDACTED] > wrote:

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On Oct 5, 2020, at 16:43, Susan Greenhalgh

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<20201005 CGG Doc. 948 SOS Redacted V&V Report  
Public Document .pdf><20201004 CGG Doc. 943  
Declaration of Kevin Skoglund  
UNSEALED.pdf><20201003 CGG Doc. 941 Halderman  
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**From:** [evnlist](#) on behalf of [Warren Stewart](#)  
**To:** [Alex Blakemore](#)  
**Cc:** [EVN List](#)  
**Subject:** [EXTERNAL] Re: [evnlist] GA saga update  
**Date:** Monday, October 5, 2020 4:22:36 PM  
**Attachments:** [ATT00001.txt](#)

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<20201005 CGG Doc. 948 SOS Redacted V&V Report Public Document .pdf><20201004 CGG Doc. 943 Declaration of Kevin Skoglund UNSEALED.pdf><20201003 CGG Doc. 941 Halderman Declaration UNSEALED.pdf>

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Election Verification Network mailing list  
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**From:** [evnlist](#) on behalf of [Marilyn Marks](#)  
**To:** [Alex Blakemore](#); [Susan Greenhalgh](#)  
**Cc:** [EVN List](#)  
**Subject:** [EXTERNAL] Re: [evnlist] GA saga update  
**Date:** Monday, October 5, 2020 3:41:14 PM  
**Attachments:** [ATT00001.txt](#)

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It is just wild and so incredibly frustrating to watch up close!  
Here is what we sent to counties today reminding them that it is illegal do to what they are doing.

<https://coalitionforgoodgovernance.sharefile.com/d-s07b24bb39074f51a>

Sadly, they seem to have little concern about the security failures or the consequences.

Marilyn Marks  
Executive Director  
[Coalition for Good Governance](#)  
 [org](#)  
Follow me [@MarilynRMarks1](#)

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**From:** evnlist <evnlist-bounces@electionverification.org> on behalf of Alex Blakemore  
< >  
**Date:** Monday, October 5, 2020 at 5:13 PM  
**To:** Susan Greenhalgh <segreenhalgh@gmail.com>  
**Cc:** EVNLIST EVNLIST <evnlist@electionverification.org>  
**Subject:** Re: [evnlist] GA saga update

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**From:** [evnlist](#) on behalf of [Alex Blakemore](#)  
**To:** [Susan Greenhalgh](#)  
**Cc:** [EVN List](#)  
**Subject:** [EXTERNAL] Re: [evnlist] GA saga update  
**Date:** Monday, October 5, 2020 3:17:34 PM  
**Attachments:** [ATT00001.txt](#)

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**From:** [evnlist](#) on behalf of [REDACTED]  
**To:** ["Duncan Buell"; "EVNLIST EVNLIST"](#)  
**Subject:** [EXTERNAL] Re: [evnlist] GA saga update  
**Date:** Wednesday, October 7, 2020 1:48:18 PM  
**Attachments:** [ATT00001.txt](#)

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A correction on the North Carolina use of DREs. In 2016, 32 out of 100 counties used DREs with hard-to-read paper tape printers for voters to verify their votes. 35% of all NC votes were cast on these machines that year. As a result of a General Assembly requirement a couple of years ago to replace all DREs with paper ballot systems and heavy lobbying of these counties by advocates, 25 of these counties switched to HMPB/scanners, and the other 7 purchased BMDs. Mecklenburg is the largest county to use BMDs.

Tom Henkel

---

**From:** evnlist <evnlist-bounces@electionverification.org> **On Behalf Of** Duncan Buell  
**Sent:** Monday, October 5, 2020 7:09 PM  
**To:** EVNLIST EVNLIST <evnlist@electionverification.org>  
**Subject:** Re: [evnlist] GA saga update

I agree with Rich. In South Carolina, we went all-DRE to all-BMD after November 2018. The same has happened in Georgia. The same has happened in much of North Carolina (most notably Mecklenburg County ((Charlotte)) ).

And yes, many of the arguments were that the touchscreen was what the voters were used to, and that they could not be trusted to be smart enough to learn something different. Certainly those arguments were front and center in South Carolina.

dunc

Duncan Buell



On Oct 5, 2020, at 6:48 PM, Rich Garella <[REDACTED]> wrote:

Warren,

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Put another way, did (DRE/BMD)-for-all use go up, or down?

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Verified Voting Foundation

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**From:** [evnlist](#) on behalf of [Susan Greenhalgh](#)  
**To:** [Jeremy Epstein](#)  
**Cc:** [EVNLIST EVNLIST](#)  
**Subject:** [EXTERNAL] Re: [evnlist] Maricopa County will get new voting machines after Senate's election audit  
**Date:** Tuesday, June 29, 2021 9:18:59 AM  
**Attachments:** [ATT00001.txt](#)

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I think that \*might\* fly if Arizona had a true, rigorous binding post-election risk limiting audit that was conducted with a reliable voter verified paper record that is subject to compliance audits to ensure the reliability of the paper record. Unfortunately, AZ does not have that in place.

On a tangential subject, the decision (rightly IMHO) to require new equipment actually completely undercuts the SOS's faith in the oft touted "equipment audit" that was conducted by Pro V&V which reportedly confirmed the security and integrity of the software and firmware through a hash verification. If the integrity and security of the software and firmware could be absolutely confirmed with a hash verification, there would be no need to scrap the machines. While it's great to see the SOS not put too much faith in that process after the Cyber Ninjas had the systems, it's unfortunate that Pro V&V's hash audit was conferred more value than was warranted, IMHO.

On Tue, Jun 29, 2021 at 10:48 AM Jeremy Epstein <[REDACTED]> wrote:  
So I'm somewhat ambivalent about this. Yes, there's no doubt that there have been basically unlimited opportunities to tamper with the machines. But we've long argued that with proper audits (especially RLAs), we can assume that the software was written by <insert your favorite evil actor>, and yet we can trust the results. So maybe this is where to put our money where our mouth is, and say "yes, we assume the software has been completely compromised, but it's OK".

(Ducks from incoming ICBMs....)

On Tue, Jun 29, 2021 at 7:36 AM Susan Greenhalgh <[REDACTED]> wrote:

<https://www.azcentral.com/story/news/politics/elections/2021/06/28/maricopa-county-get-new-voting-machines-after-senates-election-audit/7790377002/>

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**From:** [evnlist](#) on behalf of [Susan Greenhalgh](#)  
**To:** [EVN List](#)  
**Subject:** [EXTERNAL] Re: [evnlist] Updates on GA  
**Date:** Tuesday, September 29, 2020 3:01:54 PM  
**Attachments:** [2020-09-29 DE 923-3 Exhibit 3.Skoglund dec.pdf](#)  
[ATT00001.txt](#)

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Sorry, forgot to attach Kevin's declaration.

On Tue, Sep 29, 2020 at 4:01 PM Susan Greenhalgh [REDACTED] wrote:  
Hi,

Here are the latest filings.

At an emergency proceeding yesterday, the State informed the Court that the problem with the BMDs is not a database issue, but a software bug, but NP, Dominion has already written a fix. All the software just needs to be re-installed in all 34K BMDs before the election.

In the attached filings plaintiffs aggressively rebuke the State for trying to cast the installation of new, untested software to fix the bug in all the State's 34,000 BMDs as "no big deal." They also call the State out for dishonesty and blatant hypocrisy.

Declarations from experts Harri Hursti, Alex Halderman and Kevin Skoglund also attached.



**From:** [evnlist](#) on behalf of [Neal McBurnett](#)  
**To:** [Susan Greenhalgh](#)  
**Cc:** [EVN List](#)  
**Subject:** [EXTERNAL] Re: [evnlist] Updates on GA  
**Date:** Tuesday, September 29, 2020 4:07:35 PM

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Wow - I really didn't expect GA and Dominion and the Pro V&V EAC test lab to fail this quickly and badly, just getting past a Logic and Accuracy Test.... Thank you Marilyn, Susan et al.

As I wrote, in my mind this seals the case for allowing all voters to vote via HMPB this election:

Neal McBurnett on Twitter: "@AmberMcReynolds @MarilynRMarks1 @GaSecofState But surely, given new BMD software defects which neither Dominion, nor the EAC testing lab, nor the state noticed, critical security issues with BMDs, & problems and delays caused by singular reliance on BMDs, GA MUST now allow any voter to vote on hand-marked paper ballots!" / Twitter  
[https://urldefense.com/v3/https://twitter.com/nealmcb/status/1311055680606961664\\_!!Hbf-Zrs!u6Csr1Wwin7uHhesZVBm9bwvWlauPS2r2aXHhtm1zfNOIA87diZCYPsURF32F3j\\_1eOD\\_WOngg\\$](https://urldefense.com/v3/https://twitter.com/nealmcb/status/1311055680606961664_!!Hbf-Zrs!u6Csr1Wwin7uHhesZVBm9bwvWlauPS2r2aXHhtm1zfNOIA87diZCYPsURF32F3j_1eOD_WOngg$)

But I'm alarmed that the plaintiffs filing today (Case 1:17-cv-02989-AT Document 923 Filed 09/29/20) suggests the BMDs must all be "shelved".

Accessibility is still important, and some voters need the BMDs. So there should be at least one or per precinct, I'd think, even though it requires using poorly-tested software.

And as I heard from another expert, any vendors' equipment that needs changes this late in the game, should be considered strictly "on probation" and subject to extreme disclosure requirements, mandatory audits, mandatory third-party penetration testing, minimized use where possible, etc.

Neal McBurnett [https://urldefense.com/v3/http://neal.mcburnett.org/\\_!!Hbf-Zrs!u6Csr1Wwin7uHhesZVBm9bwvWlauPS2r2aXHhtm1zfNOIA87diZCYPsURF32F3j\\_1eNT0nrXaQ\\$](https://urldefense.com/v3/http://neal.mcburnett.org/_!!Hbf-Zrs!u6Csr1Wwin7uHhesZVBm9bwvWlauPS2r2aXHhtm1zfNOIA87diZCYPsURF32F3j_1eNT0nrXaQ$)

On Tue, Sep 29, 2020 at 04:51:40PM -0400, Susan Greenhalgh wrote:

> Sorry, forgot to attach Kevin's declaration.

>

> On Tue, Sep 29, 2020 at 4:01 PM Susan Greenhalgh [REDACTED] > wrote:

>

> Hi,

>

> Here are the latest filings.

>

> At an emergency proceeding yesterday, the State informed the Court that the problem with the BMDs is not a database issue, but

> a software bug, but NP, Dominion has already written a fix. All the software just needs to be re-installed in all 34K BMDs

> before the election.

>

> In the attached filings plaintiffs aggressively rebuke the State for trying to cast the installation of new, untested software

> to fix the bug in all the State's 34,000 BMDs as "no big deal." They also call the State out for dishonesty and blatant

> hypocrisy.

>

> Declarations from experts Harri Hursti, Alex Halderman and Kevin Skoglund also attached.

>

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any technical questions to [evnlist-owner@electionverification.org](mailto:evnlist-owner@electionverification.org)

----

Election Verification Network mailing list  
[evnlist@electionverification.org](mailto:evnlist@electionverification.org)

**From:** [ambvoting@googlegroups.com](mailto:ambvoting@googlegroups.com) on behalf of [Justin Moore](#)  
**To:** [Michael Alan Specter](#)  
**Cc:** [Kevin Skoglund](#); [REDACTED]  
**Subject:** [EXTERNAL] Re: Voatz touts VVSG compliance  
**Date:** Tuesday, July 21, 2020 12:45:24 PM

---

"If you ignore the parts of the VVSG we can't meet, we're able to meet the rest of the VVSG, along with another set of requirements we determined ahead of time we could meet."

-justin

On Tue, Jul 21, 2020 at 12:02 PM Michael Alan Specter <[REDACTED]> wrote:

"During the execution of this test case, Pro V&V verified various controls and measures to meet the required security standards including: protection of the critical elements of the voting system; establishing and maintaining controls to minimize errors; protection from intentional manipulation, fraud and malicious mischief; identifying fraudulent or erroneous changes to the voting system; and protecting the secrecy in the voting process.

Pro V&V and Voatz decided upon using the OWASP Mobile Application Security Checklist (MASVS Version 1.1.4, MSTG Version 1.1.3) for baseline security testing. Voatz provided the checklist with their findings. Pro V&V used a sample of the test cases to verify the results. Voatz also provided output from the automated Open-SCAP Evaluation Report for Red Hat Enterprise Linux 7 Voatz servers. No security issues were found from the sample test cases."

Yep, looks good, no need for further analysis guys, they went through a generic owasp checklist and ran an automated test. Definitely secure.

==Mike

> On Jul 21, 2020, at 11:33 AM, Kevin Skoglund <[REDACTED]> wrote:

>

> "Voatz Mobile Voting Platform Verified as Compliant with Federal Voting System Guidelines by Independent Testing Lab"

>

> <https://blog.voatz.com/?p=1491>

>

> From the linked Pro V&V report:

> "The purpose of this Test Report is to document the procedures that Pro V&V, Inc. followed to perform the evaluation of the Voatz Remote Accessible Ballot Delivery, Marking and Return (RABDMR) System to the applicable requirements in the U.S. Election Assistance Commission (EAC) 2015 Voluntary Voting System Guidelines (VVSG), Version 1.1 and the manufacturer- stated requirements set forth in the system documentation."

>

> Someone at EAC needs to have a chat with Pro V&V. There should not be an EAC certification "lite". It is clear Voatz will use this report to appear to have obtained a qualification they have not earned.

>

> Kevin

>

> --

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> To unsubscribe from this group and stop receiving emails from it, send an email to [ambvoting+unsubscribe@googlegroups.com](mailto:ambvoting+unsubscribe@googlegroups.com).

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--

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--

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[https://groups.google.com/d/msgid/ambvoting/CABgypct5A5h2hCr38BWqkgtkRUWztk665ZD%2Bb%2B\\_DhmyhT%3D4Vog%40mail.gmail.com](https://groups.google.com/d/msgid/ambvoting/CABgypct5A5h2hCr38BWqkgtkRUWztk665ZD%2Bb%2B_DhmyhT%3D4Vog%40mail.gmail.com).

**From:** [evnlist](#) on behalf of [Neal McBurnett](#)  
**To:** [Kevin Skoglund](#)  
**Cc:** [EVN List](#)  
**Subject:** Re: [evnlist] EAC forum on Windows 7 and more  
**Date:** Monday, August 12, 2019 8:22:12 PM

---

Thanks, Kevin!

This issue of how to fix vulnerabilities in the face of obsolete certification requirements came up repeatedly at DEF CON. I think it is one of the most pressing issues out there. And it doesn't seem to be perceived as quite fitting into the VVSG-Cybersecurity umbrella, where it is said to not be relevant to the VVSG requirements, but more under the EAC's other duties, or (hopefully) under VVSG-testing.

Remember that we can't rely on certification to properly protect the correctness of election outcomes. We need RLAs for that.

So I think that we need to make it far easier for jurisdictions and system vendors to fix security problems, including bugs in both their own code and in underlying operating system and COTS code. Until we do, both jurisdictions and vendors will be far more concerned about proper open-ended vulnerability testing, since it may put them in a tremendous bind between running vulnerable systems or illegally running uncertified systems.

The web page announcement you note says:

EAC TO HOST AN ELECTION SECURITY FORUM WITH REPRESENTATIVES FROM GOVERNMENT, TECHNOLOGY AND VOTING SYSTEM MANUFACTURERS AND TESTING LABORATORIES

I don't see anyone on that set of panels who is not government, manufacturer or testing.  
So who are the "technology", or dare I say, security experts that they're inviting?

How can we get some at the meeting?

And why wasn't EAC more active at DEF CON?

Neal McBurnett <http://neal.mcburnett.org/>

On Mon, Aug 12, 2019 at 10:38:17AM -0400, Kevin Skoglund wrote:

> The EAC is hosting an election security forum on "operating system and software vulnerabilities for voting systems, how to identify and address these challenges, and how software patching can impact these systems."

>

> [<https://www.eac.gov/news/2019/08/09/eac-to-host-an-election-security-forum-with-representatives-from-government-technology-and-voting-system-manufacturers-and-testing-laboratories/>]

>

> There was little warning--it was announced just last Friday and takes place this coming Thursday from 12:30-3:30pm.

>

> The announcement in the Federal Register also says the public can submit statements for the record.

>> Members of the public who wish to make a statement for the record may submit their statement to the EAC by 5:00 PM EDT on Wednesday August 14, 2019.

> [<https://s3.amazonaws.com/public-inspection.federalregister.gov/2019-17375.pdf>]

>

>

> More details:

>

>> Panel I:

>> • Honorable Denise Merrill, Secretary of State, Connecticut

>> • Honorable Kyle Ardoin, Secretary of State, Louisiana

>>

>> Panel II:

- >> • Jerome Lovato, EAC Director, Testing and Certification
- >> • Jared Dearing, State Election Director, Kentucky
- >> • Matt Scholl, Chief, Computer Security Division, NIST
- >> • Geoffrey Hale, Director, Election Security Division, CISA

>>

>> Panel III:

- >> • Will Crumbley, Vice President of Engineering, Clear Ballot
- >> • Chris Wlaschin, Vice President, Systems Security, ES&S
- >> • Bernie Hirsch, Chief Information, Security, Quality Officer, Microvote
- >> • Ed Smith, Director, Global Services, Smartmatic
- >> • Jack Cobb, Laboratory Director, Pro V&V
- >> • Jesse Peterson, Security Specialist and IT Manager, SLI Compliance

>>

>> WHEN: Thursday, August 15, 2019 from 12:30-3:30 p m. ET

>>

>> WHERE: EAC Headquarters, 1335 East West Highway, Suite 104, Silver Spring, MD 20910

>>

>> The event will also be livestreamed on [www.eac.gov](http://www.eac.gov).

>

>

> ----

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>

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Network. Please send

> any technical questions to [evnlist-owner@electionverification.org](mailto:evnlist-owner@electionverification.org)

>

> ----

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[evnlist@electionverification.org](mailto:evnlist@electionverification.org)

**From:** [\[SCORE Customer Support\]](#)  
**To:** [\[SCORE Customer Support\]](#)  
**Cc:** [Judd Choate](#); [Hilary Rudy](#); [Chris Beall](#); [Michael Whitehorn](#); [Melissa Kessler](#)  
**Bcc:** [Caleb Thornton](#); [Dwight Shellman](#); [Jessi Romero](#); [Joel Albin](#); [Luis Lipchak](#); [Nathan Blumenthal](#); [Stephen Bouey](#); [Theresa Conley](#); [Vicky Stecklein](#); [aglover@huerfano.us](#); [agonzales@weldgov.com](#); [ahendricks@lincolncountyco.us](#); [akuntz@co.washington.co.us](#); [amyers@larimer.org](#); [angelaleath@elpasoco.com](#); [bcorbett@clearcreekcounty.us](#); [belinda.knisley@mesacounty.us](#); [beth.zilla@phillipscounty.co](#); [boots.campbell@rbc.us](#); [brandi.bantz@mesacounty.us](#); [bwenger@co.yuma.co.us](#); [Carol.christiansen@summitcountyco.gov](#); [ccoburn@adcogov.org](#); [chenage@arapahoegov.com](#); [cheyclerk@gmail.com](#); [chevyenne.elections@gmail.com](#); [Christy Beckman](#); [chuckbroerman@elpasoco.com](#); [ckoppes@weldgov.com](#); [clengel@lincolncountyco.us](#); [clint.anderson@pitkincounty.com](#); [colleen.richmond@summitcountyco.gov](#); [Crystal Richards](#); [ctnguyen@jeffco.us](#); [custerclerk@custercountygov.com](#); 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[jlopez@arapahoegov.com](#); [joseph.mestas@lasanimascounty.org](#); [jrichards@adcogov.org](#); [jthomas@co.routt.co.us](#); [jtwite@douglas.co.us](#); [justin.grantham@fremontco.com](#); [jvigil-tapia@bouldercounty.org](#); [jwilliams@prowerscounty.net](#); [jzygielbaum@adcogov.org](#); [karchuleta@archuletacounty.org](#); [karlnordstrom@elpasoco.com](#); [Kathy Simillion](#); [kathy.neel@summitcountyco.gov](#); [keess@co.teller.co.us](#); [kgrauer@chaffeeconomy.org](#); [KHart2@arapahoegov.com](#); [Kim Bonner](#); [Kim Percell](#); [krowland@co.jefferson.co.us](#); [krulli@douglas.co.us](#); [Krystal Brown](#); [Kurt Dilsaver](#); [kwright@montrosecounty.net](#); [Ladonna Jaramillo](#); [ldorenkamp@co.montezuma.co.us](#); [lepi@pueblounty.us](#); [Lori Mitchell](#); [Lyn Scott](#); [Lynda.Moss@bentcounty.net](#); [marci@co.conejos.co.us](#); [mary.roberts@phillipscounty.co](#); [marybartelton@elpasoco.com](#); [mdutro@lincolncountyco.us](#); [melinda.carter@crowleycounty.net](#); [mfitzpatrick@bouldercounty.org](#); [mineralcountyclerk@hotmail.com](#); [miranda.esquibel@costillacounty-co.gov](#); [mklotz@douglas.co.us](#); [mmartinez@alamosacounty.org](#); [mmgallegos@riograndecounty.org](#); [mnauer@ouraycountyco.gov](#); [msanford@deltacounty.com](#); [mussor@pueblounty.us](#); [mwarren@co.montezuma.co.us](#); [najondine.placek@costillacounty-co.gov](#); [Nancy Cruz](#); [njaramillo@alamosacounty.org](#); [nrubal@co.conejos.co.us](#); [nwright@co.yuma.co.us](#); [ortiz@pueblounty.us](#); [Pam Bacon](#); [Pat Mendoza](#); [Patty Berger](#); [paul.casper@denvergov.org](#); [paul.huntsberger@denvergov.org](#); [paul.lopez@denvergov.org](#); [pbrown@co.grand.co.us](#); [peach.vigil@lasanimascounty.org](#); [peggy@custercountygov.com](#); [Penny Norman](#); [Penny Self](#); [pperl@arapahoegov.com](#); [pzuege@co.yuma.co.us](#); [raleman@co.morgan.co.us](#); [rdavidson@broomfield.org](#); [regina.obrien@eaglecounty.us](#); [Rene Loy](#); [Rhonda Braun](#); [roland.sorensen@state.co.us](#); [Rsantos@weldgov.com](#); [rweishaar@garfield-county.com](#); [Sara Rosene](#); [sbailey@co.morgan.co.us](#); [scasillas@ottergov.org](#); [shane.dirks@denvergov.org](#); [Sharon Dubois](#); [shawn.luce@rbc.us](#); [Sheryl Steving](#); [smccormick@gilpincounty.org](#); [smweir@co.jefferson.co.us](#); [stacey.jones@eaglecounty.us](#); [Stacey.nell@summitcountyco.gov](#); [stephanie.wenholz@mesacounty.us](#); [stephannlev@sanmiguelcountyco.gov](#); [susan.corliss@kitcarsoncounty.org](#); [swilliams@co.routt.co.us](#); [taylor.schaaf@state.co.us](#); [tbliss@archuletacounty.org](#); [teak.simonton@gmail.com](#); [tgilbert@saguachecounty-co.gov](#); [tguynes@montrosecounty.net](#); [tiffany.lee@co.laplata.co.us](#); [tina.peters@mesacounty.us](#); [tmeisenman@parkco.us](#); [Tobe.Wright@bentcounty.net](#); [traschke@moffatcounty.net](#); [treasa.ellis@rbc.us](#); [Trish Grossnickle](#); [tstephenson@deltacounty.com](#); [vabramov@jeffco.us](#)  
**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Tuesday, July 20, 2021 6:29:14 PM  
**Attachments:** [image001.png](#)  
[Memo to Clerks - Certification of DVS's Democracy Live 5.13 software 7.20.21.docx](#)  
**Importance:** High

---

Dear County Clerks and Election Administrators

Please find the attached memo regarding the accreditation of the Pro V&V testing lab – the testing lab that has certified every version of the Dominion Voting Systems software for use in Colorado since February, 2015. We have heard from a number of counties who have either directly received or were indirectly provided a letter questioning whether Pro V&V was a continuously accredited Voting System Testing Lab (VSTL) over that period of time. These claims are categorically false. I have gone so far as to personally confirm this fact with the EAC Executive Director, Mona Harrington, two weeks ago (accreditation was not terminated) and again this morning (accreditation did not expire).

Please feel free to use this memo, in whole or in part, to confirm to your voters that Colorado and

your county runs fair and secure elections.

Each of us is a public servant. We call balls and strikes. We don't decide outcomes. The misinformation about Colorado's (and the country's) elections assumes that we put our individual or collective thumbs on the scale to support particular candidates or issues. I find this insulting, as I know you do as well. Further, it's simply not the case. I believe this both because I know your character and because there are endless checks and balances that regulate, confirm, and reconfirm our work.

Thank you for the ever-growing list of sacrifices you have made to be a public servant and work in elections. Please know that a large majority of Coloradans appreciate your contributions on their behalf.

Cheers, Judd

**Judd Choate**

Colorado Election Director  
1700 Broadway, Suite 550  
Denver, CO 80290  
Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



Colorado  
**Secretary of State**

**From:** [\[SCORE Customer Support\]](#)  
**To:** [\[SCORE Customer Support\]](#)  
**Cc:** [Judd Choate](#); [Hilary Rudy](#); [Chris Beall](#); [Michael Whitehorn](#); [Melissa Kessler](#)  
**Subject:** Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Tuesday, July 20, 2021 6:29:17 PM  
**Attachments:** [image001.png](#)  
[Memo to Clerks - Certification of DVS's Democracy Live 5.13 software 7.20.21.docx](#)  
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Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)





**From:** [Judd Choate](#)  
**To:** [Vicky Stecklein](#)  
**Subject:** email content  
**Date:** Tuesday, July 20, 2021 6:16:28 PM  
**Attachments:** [image001.png](#)

---

Title: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13  
Trusted Build

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Denver, CO 80290  
Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



**From:** [Judd Choate](#)  
**To:** [Vicky Stecklein](#)  
**Subject:** Memo to counties  
**Date:** Tuesday, July 20, 2021 5:32:36 PM  
**Attachments:** [Memo to Clerks - Certification of DVS"s Democracy Live 5.13 software 7.20.21.docx](#)  
[image001.png](#)

---

Here you go.

Judd

**Judd Choate**

Colorado Election Director  
1700 Broadway, Suite 550  
Denver, CO 80290  
Office - 303.869.4927  
[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)



Colorado  
**Secretary of State**

**From:** [Reynolds, Leslie](#)  
**To:** [Reynolds, Leslie](#)  
**Cc:** [Dodd, Stacy](#); [Milhofer, John](#); [Maria Benson](#); [Lindsey Forson](#); [Allison Waltz](#)  
**Subject:** [EXTERNAL] NASS Elections Committee: No Call This Thursday, Urgent-DHS TTX Registration by 6/18, EAC Test Lab Accreditation, Report on Election Officials Under Attack, Use of COVID Funds for Redistricting  
**Date:** Wednesday, June 16, 2021 10:18:31 AM  
**Attachments:** [notes-elections-call-061021.docx](#)  
[Tabletop the Vote 2021 State 20210520\\_V2.0.docx](#)  
[TTV2021 State Registration Form 20210517.xlsx](#)  
**Importance:** High

---

Dear NASS Elections Committee, Communications Directors and IT Directors:

## **NO Call This Thursday, June 17, Notes from 06/10 Call Attached**

### **Urgent - Sign Up for DHS National Tabletop Exercise before Friday, June 18!**

DHS/CISA will host their National Tabletop the Vote Exercise on Election Security on July 13, 14, 15. The exercise is repeated each day, so you only need to register for one day. Attached you will find registration information and a spread sheet to complete registration. Participants will include federal, state and local government (and partners) on election cybersecurity. This is the fourth national exercise. **Registrations must be submitted to CISA by June 18, 2021.**

### **Accreditation Clarification for EAC Test Labs**

I asked the EAC to provide a statement for you all to point to when asked about accreditation for EAC Equipment Test Labs, clearly stating that both labs are accredited. What the EAC provided can be found below.

- <https://www.eac.gov/voting-equipment/voting-system-test-laboratories-vstl/pro-vv>  
Pro V&V was accredited by the EAC on February 24, 2015. Federal law provides that EAC accreditation of a voting system test laboratory cannot be revoked unless the EAC Commissioners vote to revoke the accreditation: "The accreditation of a laboratory for purposes of this section may not be revoked unless the revocation is approved by a vote of the Commission." 52 U.S. Code § 20971(c)(2). The EAC has never voted to revoke the accreditation of Pro V&V. Pro V&V has undergone continuing accreditation assessments and had new accreditation certificate issued on February 1, 2021.
- <https://www.eac.gov/voting-equipment/voting-system-test-laboratories-vstl/sli-compliance-division-gaming-laboratories>  
SLI Compliance was accredited by the EAC on February 28, 2007. Federal law provides that EAC accreditation of a voting system test laboratory cannot be revoked unless the EAC Commissioners vote to revoke the accreditation: "The accreditation of a laboratory for purposes of this section may not be revoked unless the revocation is approved by a vote of the Commission." 52 U.S. Code § 20971(c)(2). The EAC has never voted to revoke the accreditation of SLI Compliance. SLI Compliance has undergone continuing accreditation assessments and had a new accreditation certificate issued on February 1, 2021.

### **Bipartisan Policy Center and Brennan Center Release Report This Morning – [Election Officials Under Attack: How to Protect Administrators and Safeguard Democracy](#)**

You may be receiving media calls regarding the [report](#) released this morning titled Election Officials

Under Attack: How to Protect Administrators and Safeguard Democracy. We will be talking to them next week. We regret they didn't reference your efforts on the #TrustedInfo2020 Campaign (which continues), especially since both organizations were partners in that effort. There is a webinar beginning at noon ET today on this report. You can watch the event [here](#).

### **Use of Coronavirus State and Local Fiscal Recovery Funds for Redistricting Delays Caused by Census**

Recently, a member asked us to reach out to Treasury for guidance on whether Coronavirus State and Local Fiscal Recovery Funds could be used to cover state expenses related to the delay of the Census redistricting data, since the delay of that data was due to the COVID-19 pandemic. The response from Treasury is below. It is not really clear, but I think it's the best we are going to get.

"Thank you for your inquiry. Our latest guidance on this topic is included in [FAQ #2.3](#). In the interest of transparency, Treasury will be providing all future program updates on the [program website](#), including periodic updates to FAQs. Please [subscribe](#) to Treasury's COVID-19 Economic Relief Programs e-mail distribution list for future updates about the Coronavirus State and Local Fiscal Recovery Funds program.

The Interim Final Rule is published in the Federal Register and can be found [here](#), all stakeholders are encouraged to submit comments on the Interim Final Rule at [www.Regulations.gov](http://www.Regulations.gov).

2.3. If a use of funds is not explicitly permitted in the Interim Final Rule as a response to the public health emergency and its negative economic impacts, does that mean it is prohibited? The Interim Final Rule contains a non-exclusive list of programs or services that may be funded as responding to COVID-19 or the negative economic impacts of the COVID-19 public health emergency, along with considerations for evaluating other potential uses of Fiscal Recovery Funds not explicitly listed. The Interim Final Rule also provides flexibility for recipients to use Fiscal Recovery Funds for programs or services that are not identified on these non-exclusive lists but which meet the objectives of section 602(c)(1)(A) or 603(c)(1)(A) by responding to the COVID-19 public health emergency with respect to COVID-19 or its negative economic impacts.

If you have questions about the [Treasury Submission Portal](#) or for technical support, please email [covidreliefitsupport@treasury.gov](mailto:covidreliefitsupport@treasury.gov). If you have general questions about the Coronavirus State and Local Fiscal Recovery Funds please email [SLFRP@treasury.gov](mailto:SLFRP@treasury.gov) or call 844-529-9527."

Thanks,  
Leslie

Leslie Reynolds  
Executive Director  
National Association of Secretaries of State  
444 N Capitol Street, NW Suite 401  
Washington, DC 20001  
202-624-3525



[www.nass.org](http://www.nass.org)  
<https://www.nass.org/can-i-vote>

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**From:** [Nathan Blumenthal](#)  
**To:** [Aaron Hayman](#)  
**Subject:** Fwd: Combatting Misinformation RE: Accreditation of Pro V&V Testing Lab for Dominion Suite 5.13 Trusted Build  
**Date:** Tuesday, July 20, 2021 6:40:42 PM  
**Attachments:** [image001.png](#)  
[Memo to Clerks - Certification of DVS's Democracy Live 5.13 software 7.20.21.docx](#)

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Sent from my iPhone please excuse typos

Begin forwarded message:

**From:** "[SCORE Customer Support]"  
<SCORE.CustomerSupport@sos.state.co.us>  
**Date:** July 20, 2021 at 6:29:18 PM MDT  
**To:** "[SCORE Customer Support]" <SCORE.CustomerSupport@sos.state.co.us>  
**Cc:** Judd Choate <Judd.Choate@sos.state.co.us>, Hilary Rudy  
<Hilary.Rudy@sos.state.co.us>, Chris Beall <Chris.Beall@sos.state.co.us>,  
Michael Whitehorn <Michael.Whitehorn@sos.state.co.us>, Melissa Kessler  
<Melissa.Kessler@sos.state.co.us>  
**Subject: Combatting Misinformation RE: Accreditation of Pro V&V Testing  
Lab for Dominion Suite 5.13 Trusted Build**

Dear County Clerks and Election Administrators

Please find the attached memo regarding the accreditation of the Pro V&V testing lab – the testing lab that has certified every version of the Dominion Voting Systems software for use in Colorado since February, 2015. We have heard from a number of counties who have either directly received or were indirectly provided a letter questioning whether Pro V&V was a continuously accredited Voting System Testing Lab (VSTL) over that period of time. These claims are categorically false. I have gone so far as to personally confirm this fact with the EAC Executive Director, Mona Harrington, two weeks ago (accreditation was not terminated) and again this morning (accreditation did not expire).

Please feel free to use this memo, in whole or in part, to confirm to your voters that Colorado and your county runs fair and secure elections.

Each of us is a public servant. We call balls and strikes. We don't decide outcomes. The misinformation about Colorado's (and the country's) elections assumes that we put our individual or collective thumbs on the scale to support particular candidates or issues. I find this insulting, as I know you do as well. Further, it's simply not the case. I believe this both because I know your character and because there are endless checks and balances that regulate, confirm, and reconfirm our work.

Thank you for the ever-growing list of sacrifices you have made to be a public servant and work in elections. Please know that a large majority of Coloradans appreciate your contributions on their behalf.

Cheers, Judd

**Judd Choate**

Colorado Election Director

1700 Broadway, Suite 550

Denver, CO 80290

Office - 303.869.4927

[judd.choate@sos.state.co.us](mailto:judd.choate@sos.state.co.us)

**From:** [Nathan Blumenthal](#)  
**To:** [Aaron Hayman](#)  
**Subject:** Fwd: Shawn Smith Contact information  
**Date:** Tuesday, June 8, 2021 8:30:38 AM

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SA

Sent from my iPhone please excuse typos

Begin forwarded message:

**From:** Trevor Timmons <Trevor.Timmons@sos.state.co.us>  
**Date:** June 7, 2021 at 7:08:57 PM MDT  
**To:** Carly Koppes <ckoppes@weldgov.com>  
**Cc:** CCCAExecutiveDirector@gmail.com, Dwight Shellman <Dwight.Shellman@sos.state.co.us>  
**Subject:** RE: Shawn Smith Contact information

Good evening Carly,

Thanks for forwarding along the questions from Shawn Smith. We've reviewed and have responded to his questions just below:

As you know but perhaps he does not, Weld County's voting system was upgraded to Democracy Suite 5.13 on Thursday, June 3rd.

Pro V&V is the Voting System Testing Lab (VSTL) that completed the Democracy Suite 5.13 testing and each upgrade since Secretary Wayne Williams approved the Dominion voting system submission for Democracy Suite 4.19 in 2015. Pro V&V was an accredited voting systems test lab during the timeframe that Democracy Suite 5.11 was tested for certification in Colorado. The EAC has lacked a quorum at several times since its creation, and the VSTL procedures recognize this reality. For example, Section 3.8 of the Voting System Test Laboratory Program Manual Version 2.0 (effective May 31, 2015), states "VSTLs in good standing shall also retain their accreditation should circumstances leave the EAC without a quorum to conduct the vote required under Section 3.5.5." Mr. Smith did note the accreditation materials from 2021 available on the EAC website regarding Pro V&V.

A couple of folks have mentioned that Mr. Smith has attempted to contact me over the last week. I've reviewed call logs from my work phone and mobile phone and also scanned through office email; it does not appear after my admittedly brief inspection that I've missed a call or email from him.

- Trevor

---

**From:** Carly Koppes <ckoppes@weldgov.com>  
**Sent:** Monday, June 7, 2021 9:54 AM  
**To:** Trevor Timmons <Trevor.Timmons@SOS.STATE.CO.US>; [REDACTED]; Dwight Shellman <Dwight.Shellman@SOS.STATE.CO.US>  
**Subject:** [EXTERNAL] FW: Shawn Smith Contact information

Good morning,

I am forwarding you the email I have received after the meeting I had on Friday. Please let me know if we can schedule a meeting to discuss this.

[Survey: Tell us how we are doing](#)  
Thank you,

Carly Koppes  
Weld County Clerk and Recorder  
1250 H Street  
Greeley, CO 80634  
(970) 400-3155  
(720) 652-4200 x 3070  
Cell: (970) 815-1166

[ckoppes@co.weld.co.us](mailto:ckoppes@co.weld.co.us)

---

**From:** SAS [REDACTED]  
**Sent:** Sunday, June 6, 2021 5:56 PM



To: [REDACTED]  
Cc: Carly Koppes <[ckoppes@weldgov.com](mailto:ckoppes@weldgov.com)>  
Subject: Re: Shawn Smith Contact information

Caution: This email originated from outside of Weld County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks, Lois-

Carly, thanks again for your time on Friday. I still have not been able to reach Trevor Timmons, so if you don't mind forwarding my contact info, I would appreciate it (I'll also ask Harvie to reach out to him).

**Could you please clarify something for us?** Lois and I thought we heard you state in our meeting that your Dominion Voting Systems had already been modified from the 5.11-CO version to the 5.13 version; is that correct? If so, could you please tell us when that was accomplished? If not, could you please tell us when (approximately) that modification is scheduled for Weld County's DVS systems?

Also, I promised I'd provide you the links to the public information that confirms that SecState Griswold certified DVS D-Suite 5.11-CO (and now 5.13) in violation of Colorado law, given that neither system has been tested, as required by CRS, by an accredited VSTL.

1. CRS 1-5-608.5(1) requires that voting systems be tested by a Federally-accredited lab prior to certification by CO SecState: <https://tinyurl.com/ykshumm6>
2. Pro V&V's VSTL accreditation expired February 24, 2017: [https://www.eac.gov/sites/default/files/voting\\_system\\_test\\_lab/files/Pro\\_VandV\\_accreditation\\_certificate\\_2015.pdf](https://www.eac.gov/sites/default/files/voting_system_test_lab/files/Pro_VandV_accreditation_certificate_2015.pdf)
3. Pro V&V's VSTL accreditation was not renewed until February 1, 2021: [https://www.eac.gov/sites/default/files/voting\\_system\\_test\\_lab/files/Pro%20V%26V%20Accreditation%20Certificate.pdf](https://www.eac.gov/sites/default/files/voting_system_test_lab/files/Pro%20V%26V%20Accreditation%20Certificate.pdf)
4. But Pro V&V's certification testing for DVS D-Suite 5.11-CO took place in June, 2019, while Pro V&V was not accredited: <https://www.sos.state.co.us/pubs/elections/VotingSystems/DVS-DemocracySuite511/testReport.pdf> (also true for Garfield/Douglas ClearBallot Clear Vote 2.1 systems, BTW: <https://www.sos.state.co.us/pubs/elections/VotingSystems/ClearVote2-1/testReport.pdf>)
5. So these SecState certifications of DVS D-Suite 5.11-CO and CBG CV 2.1, which required testing by Federally-accredited lab prior to certification, but which did not receive testing as required, cannot be legal: <https://www.sos.state.co.us/pubs/elections/VotingSystems/DVS-DemocracySuite511/certificationLetter.pdf> <https://www.sos.state.co.us/pubs/elections/VotingSystems/ClearVote2-1/temporaryApproval.pdf>
6. And, unfortunately, although Pro V&V had renewed its accreditation prior to conducting testing for DVS D-Suite 5.13, they did not test all components (as you can see in their report here: <https://www.sos.state.co.us/pubs/elections/VotingSystems/DVS-DemocracySuite513/testReport.pdf>) and, instead, relied upon some of the testing conducted on 5.11 components WHILE they were not an accredited VSTL, so SecState's certification of DVS D-Suite 5.13 is also in violation of CRS 1-5-608.5(1): <https://www.sos.state.co.us/pubs/elections/VotingSystems/DVS-DemocracySuite513/certificationLetter.pdf>

Thanks again, and in advance, for clarifying whether Weld County's DVS D-Suite systems have ALREADY been modified to version 5.13, or whether that is still pending.

Regards,  
Shawn Smith

On Fri, Jun 4, 2021 at 6:59 PM [REDACTED] > wrote:

Hi, Carly: Thank you for the meeting today. We greatly appreciate the time you and your gave us.

Shawn Smith's Information:

Phone: 805-315-5852  
[REDACTED]

Sincerely,

Lois

**From:** [David Stahl](#)  
**To:** [Dwight Shellman](#)  
**Cc:** [Melissa Romero](#); [Alyssa Prohaska](#); [Jessi Romero](#); [Danny Casias](#); [Edward Morgan](#); [Will Graham](#); [Anna Sheffield](#); [Trish Setlik](#)  
**Subject:** RE: [EXTERNAL] Ongoing disinformation campaigns  
**Date:** Tuesday, June 1, 2021 9:18:19 AM  
**Attachments:** [image001.png](#)  
[DVS-Customer-Notification-Chain-of-Custody-050621.pdf](#)  
[doj-letter-to-fann-5-5-21.pdf](#)

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Good morning Dwight,

Attached are the letters we sent out to Colorado customers a few weeks ago regarding these types of audits.

**David Stahl** | Customer Success Manager

**DOMINION VOTING SYSTEMS**  
1.866.654.8683 | [DOMINIONVOTING.COM](https://www.dominionvoting.com)

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**From:** Dwight Shellman <[Dwight.Shellman@SOS.STATE.CO.US](mailto:Dwight.Shellman@SOS.STATE.CO.US)>  
**Sent:** Thursday, May 27, 2021 1:59 PM  
**To:** David Stahl <[REDACTED]>  
**Cc:** Melissa Romero <[REDACTED]>; Alyssa Prohaska <[REDACTED]>; Jessi Romero <[Jessi.Romero@SOS.STATE.CO.US](mailto:Jessi.Romero@SOS.STATE.CO.US)>; Danny Casias <[Danny.Casias@SOS.STATE.CO.US](mailto:Danny.Casias@SOS.STATE.CO.US)>; Edward Morgan <[Edward.Morgan@SOS.STATE.CO.US](mailto:Edward.Morgan@SOS.STATE.CO.US)>; Will Graham <[Will.Graham@SOS.STATE.CO.US](mailto:Will.Graham@SOS.STATE.CO.US)>; Anna Sheffield <[Anna.Sheffield@SOS.STATE.CO.US](mailto:Anna.Sheffield@SOS.STATE.CO.US)>; Trish Setlik <[Trish.Setlik@SOS.STATE.CO.US](mailto:Trish.Setlik@SOS.STATE.CO.US)>  
**Subject:** [EXTERNAL] Ongoing disinformation campaigns

David: As we discussed in this morning's standup, please find attached:

- The letter and accompanying "report" El Paso County received from American Foundation for Civil Liberties and Freedome
- A non-verbatim narrative with time stamps of Shawn Smith's interview on Randy Corporan's May 22<sup>nd</sup> radio show on KNUS. The narrative contains a link to the full audio.
- A compressed folder containing screen shots of Shawn Smith's presentation to a recent meeting of Republican Party members

Please give my best regards to Mike Frontera.

Thank you,



**Dwight Shellman**  
County Regulation & Support Manager  
Elections Division | Department of State  
Tel: 303.860.6927 | [REDACTED] | Fax: 303.869.4861  
[dwight.shellman@sos.state.co.us](mailto:dwight.shellman@sos.state.co.us)  
1700 Broadway | Suite 550 | Denver | CO | 80290

**From:** [vvsg-cybersecurity-bounces@nist.gov](mailto:vvsg-cybersecurity-bounces@nist.gov) on behalf of [Bernie Hirsch](#)  
**To:** ["David Wagner": vvsg-cybersecurity@nist.gov](#); ["Stephen Berger"](#)  
**Subject:** Re: [VVSG-cybersecurity] System Identification Tools  
**Date:** Thursday, March 2, 2017 2:43:50 PM

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David and Stephen,

Sure, I'd be glad to help with a closer look at certification costs. I have data, but I'm not sure how easily that would translate across all the vendors as each test campaign is individually quoted depending on the specific requirements. But I'll do my best because our elections matter to me a great deal, and improving security, while not the only consideration that goes into our decision making, is certainly right up at the top of my list.

I'll make a few general observations to start. As you probably know there are currently three federally certified VSTL's (voting system test labs) and while they compete with one another, once the manufacturer begins a test campaign the lab they designate becomes a monopoly for that engagement. What I mean by that is we can withdraw from testing, get permission from the EAC to switch labs (I'm not sure if anyone's ever done that), or continue. It's rare that an initial SOW (scope of work) remains unaltered throughout the campaign. It's contingent on everything going perfectly, and that just doesn't happen. There have always been major and minor issues that required large increases over the initial agreed quotes and we as manufacturers become captive audiences with essentially a blank checkbook. The norm for us has been overruns averaging about 3-4 times the original quote. Some of that is because we added more needed mods over the lengthy process, and much of that is !  
due to a general principle that more testing is better testing (certainly better for the labs).

The VSTL recommends what testing needs to happen based on the mods and the EAC makes the final decision. The EAC usually does not generally get involved with the financial arrangement between the manufacturer and the lab so we're pretty much on our own once things get cranking. It's actually a huge financial risk because we really have little idea going in what this whole thing's going to cost before it's over. Because most of the systems in play now have already been reviewed a few times source code is no longer the major driving factor in certification cost, although any new system that had never been reviewed would once again face tremendous cost unless automation reduces that. Really the largest cost of certification is the shake and bake hardware testing. Because we certify to the much more stringent industrial standards it's really difficult, time consuming and expensive that adds very little value for the cost. Elections don't happen in factories. They happen in!

schools, churches, government buildings, etc. Changing that to the office/residential environment standards makes total sense and would save a tremendous amount of time and money in certification.

So in our case right now, we started out with a software mod at the beginning of 2016 required by the EAC that added pictographic language capability to our system (even though none of our customers require that accessibility feature). We spent six months designing and implementing the change to our system, all the while knowing we would most likely never see a penny in return on investment and wishing we could work on something else with much more impact and customer benefit. We revised relatively little source code for the language mod (I'm guessing a few hundred lines of actual code). We chose a lab, got a quote and began the process of getting it certified. I'm driving a 10 year-old SUV with 140,000 miles so I'll use a car analogy for cost (that's just how I think these days). The quote was equivalent to buying a new compact car and included just north of 100 hours of lab labor. 46% of that was to create the test plan at the beginning and write the test report at !

the end. Source code and document review, compliance and trusted build, and functional testing accounted for 39%. The other 15% (for those of you keeping track) was for shipping/receiving, regression testing, admin, physical configuration audit, and TDP review.

A couple of months into the campaign the lab had gone back and forth with the EAC designing a test plan and we'd submitted our code and documentation for review. The code came back clean with a couple of minor tweaks. It was at that point that we decided to upgrade the operating system used by our EMS to Windows 10. Microsoft discontinued mainstream support for Windows 7 at the beginning of 2015 and as long as the lab was taking a close look at everything anyway it made sense to get some benefit out of the certification for our customers. The change would allow counties to buy newer computers with current drivers (generally more secure) and because our desktop application didn't care whether it was running on Windows 7 or Windows 10 we got permission from the EAC for

the upgrade. After no change to source code and only a few tweaks to our installer and documentation we gave the lab the revised submission. The EAC told us they wanted to make sure the following items were reviewed:

- TDP review of changes
- EMS and system functional regression testing
- Security & SCAP checklist
- Accuracy
- System Integration

Some of these items were already a part of the original plan (TDP review, EMS and system functional/regression testing). Then we got the revised quote from the lab for the change of scope (in addition to the original compact car). Think "new SUV with all the bells and whistles." The total quote is now at four times the original and we don't yet have an approved test plan. And once the campaign is complete we still have to attain multiple state certifications which while not as expensive, is just another ball of fun and can take months and even years to complete.

We seriously thought about just retracting the new OS and buying a bunch of older laptops to keep in inventory. But then we looked at each other and decided that we wanted to keep our customer's needs first and Windows 10 was really the right move for them. This "scope creep" has been a repeating scenario as long as I've been involved with elections and certification so I guess I should be used to it by now. Somehow it always still shocks me. It's extremely difficult to keep our system up-to-date much less keep up with new rules and regulations, state laws changing, security issues, new federal guidelines (VVSG 2.0) and all the rest. And at some point we'd actually like to do some more innovating and less adjusting if that makes sense. I'm afraid automated source review would do nothing for us. So this is one reason why I'm asserting that improved security must also consider user acceptance and remain flexible. In this case we decided something was better than nothin!

g and the choice wasn't easy. Unfortunately we can't just tell our customers, "Order some new Dell laptops with Windows 10 and load our software, it'll work fine." Wish it were that simple.

Bernie Hirsch  
Director of Software Development and Quality Assurance  
MicroVote General Corp.  
6366 Guilford Ave  
Indianapolis, IN 46220-1750  
317-257-4900 (office)  
317-254-3269 (fax)  
[REDACTED] (cell)

-----Original Message-----

From: David Wagner [<mailto:daw@cs.berkeley.edu>]  
Sent: Thursday, March 02, 2017 1:42 PM  
To: Bernie Hirsch; [vvsg-cybersecurity@nist.gov](mailto:vvsg-cybersecurity@nist.gov)  
Subject: Re: [VVSG-cybersecurity] System Identification Tools

Bernie,

Thanks for your remarks, and for raising the issue about cost.

Is that something you can help us with? Do you have a sense (or, even better yet, data) on which categories of requirements are the biggest contributors to cost of testing during the certification process? For instance, is source code review a major component of it? Do you have any views on particular categories of requirements where you see the cost of testing as exceeding the benefit?

-- David

On Fri, Feb 24, 2017, at 07:33 PM, Bernie Hirsch wrote:

> When I first came to MicroVote ten years ago the EAC program was just  
> getting underway. My company's last full certification effort before  
> I was hired took approximately three months start to finish with  
> Systest and cost about \$50,000. Compared to what we went through with  
> the EAC program the NASED certification was a joke.  
>  
> We were the first company to attain a VVSG 2005 certification  
> (everyone else applied to the 2002 standards and took at least a year  
> longer than us). By the time we made all the required changes to our  
> system it took THREE YEARS to get certified and close to a million  
> dollars, and by that time most everything we'd certified was obsolete!  
> We didn't sell one machine from that certification (many parts had  
> become unavailable) and instead immediately applied for a modification  
> to our certification to update. That took ANOTHER YEAR and another bucket load of money.  
> Because of the way county election purchasing cycles work it took a  
> couple MORE years to begin selling equipment. And this happened  
> throughout the "great recession." Those were tough years. And it's  
> taken all we can muster just to keep up with the demands of our  
> market, new technology, end-of-life parts, evolving standards...  
>  
> To summarize, the current process is difficult, expensive, and intense.  
> It is such a daunting process that most new competitors simply stay  
> out of the industry. And why should they enter? There's little or no  
> HAVA money left and budgets are strapped. So we can call the  
> standards "voluntary" and specify the best security that's ever been conceived.  
> But someone has to build it, and then someone has to certify it, and  
> then someone has to sell it, and someone has to buy it. Shall I go on?