



June --, 2023

Mr. Paul Aumayr  
United States Elections Assistance Commission  
633 3rd Street NW, Suite 200  
Washington, DC 20001

Submitted Electronically

**RE: Voluntary Voting System Guidelines; Request for Comments**

Dear Mr. Aumayr:

The National Disability Rights Network (NDRN)\* appreciates the opportunity to provide feedback for consideration pertaining to your annual review of the current Voluntary Voting System Guidelines, VVSG 2.0.

Despite existing requirements under [federal law](#), casting a private, independent, and accessible ballot is not possible for Americans with disabilities because of a lack of fully accessible voting systems. Voting technologies designed to improve the accessibility of ballot marking, verifying, and casting for all voters (such as direct recording electronic voting systems or other voting systems equipped for individuals with disabilities) exist, but no system is fully accessible. To comply with accessibility requirements, some states require their voting equipment to be certified under the VVSG. Unfortunately, whether it satisfies the requirements of VVSG 1.0, 1.1, or 2.0, no voting system in widespread use is fully accessible to all voters with disabilities.

As it currently stands, voters with disabilities are still encountering many barriers to the ballot box when using systems certified under VVSG 1.0, 1.1, and will be certified using 2.0. For instance, many certified machines

do not provide accessible verification of the printed ballot; they also do not provide automatic paper ballot handling, which threatens the privacy and independence of voters with disabilities casting their ballots and comes with the risk of their ballot becoming separated from the other ballots, which could threaten the secrecy or counting of their ballots.

While NDRN commends the EAC for its work on establishing and reviewing VVSG 2.0, it is critical to remember that even under these, the most current standards, all people with disabilities cannot vote in a private, independent, and accessible way. So, it is imperative that as part of this review that you do not overstate the current accessibility of systems certified under current and prior versions of the VVSG but focus in the review on ways to improve accessibility for all voters with disabilities. Do not compromise the accessibility requirements of VVSG 2.0, but ensure the review prioritizes accessibility alongside other voluntary measures.

Again, we thank you for the opportunity to provide feedback for your consideration during your annual review. Should you have any questions, please contact Stephanie Flynt, Public Policy Analyst, at [Stephanie.Flynt@ndrn.org](mailto:Stephanie.Flynt@ndrn.org).

Sincerely,

A handwritten signature in blue ink that reads "Marlene Sallo". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Marlene Sallo  
Executive Director  
National Disability Rights Network

\*NDRN is the non-profit membership association of Protection and Advocacy (P&A) agencies located in all 50 States, the District of Columbia, and the United States Territories. In addition, there is a P&A affiliated with the Native American Consortium which includes the Hopi, Navajo, and San Juan Southern Paiute Nations in the Four Corners region of the Southwest.

P&A agencies are authorized under various federal statutes to provide legal representation and related advocacy services, and to investigate abuse and neglect of individuals with disabilities in a variety of settings. The P&A Network comprises the nation's largest provider of legally based advocacy services for persons with disabilities. Through the Protection and Advocacy for Voter Access (PAVA) program, created by the Help America Vote Act (HAVA), the P&As have a federal mandate to "ensure the full participation in the electoral process for individuals with disabilities, including registering to vote, casting a vote and accessing polling places" and are the leading experts on access to the vote for people with disabilities in the United States.