Georgia Association of Voter Registration and Election Officials

Integrity ★ Transparency ★ Trust

Members of the Georgia State Election Board
2 Martin Luther King Jr. Drive SE
Floyd West Tower, STE 324
Atlanta, Georgia 30334

October 8, 2026

Dear Members of the State Election Board:

The Georgia Association of Voter Registration and Election Officials (GAVREO) write to correct the record on Director Mills' recent letters to the Department of Justice and the Department of Homeland Security. These letters misstate how Georgia's system works, ask for work that cannot be completed before November 3rd, and invite federal action well beyond federal authority.

Shared credentials. Despite reports to the contrary, there are no statewide passwords, administrator codes or security keys. Every credential and key is generated new for each election and is always unique to each county conducting said election. In other words, except for a database used to train poll workers, no two counties ever share security codes or passwords. The "Unify Tabulator Security Keys" setting works only within a single county's election project, not statewide.

The ballpoint-pen demonstration. Even though the demonstration in *Curling v. Raffensperger (2023)*, a case since dismissed, was performed in a very different setting from an active voting location, we still take it seriously. Counties train poll workers to observe the voting process and to intervene if anyone attempts to access the equipment illegally, and every voter reviews a paper ballot that is audited after the election. No software upgrade changes the physical hardware, so our main response to the threat posed by a pen is physical intervention. That is the appropriate response, and the requested upgrade would do nothing to stop this kind of attack.

Unsupported and Obsolete Underlying Operating System. We are not sure what Director Mills is referring to but assume he is describing updating the Windows operating system on our election management servers. This update might be able to be completed without affecting the overall system's certification, but it would take months rather than days. This portion of the upgrade requires the State to procure, install, configure, and test new election management systems servers statewide. That presents a tremendous risk in the final weeks before an election, with no real security gain for equipment that is never connected to the internet.

Ballot privacy and records access. Multiple mitigations for the ballot-privacy issue are already in place, including the redaction of certain data fields and reports, which prevents votes from being

linked to the voters who cast them. These mitigations give election officials no information we could not already obtain or infer during the voting process, but we have never tried to do so because the law forbids it, and so does our integrity. Also, the Secretary of State also has authority to withhold these records under Article II, Section 1, Paragraph 1 of the Georgia Constitution, and specifically to withhold any records whose release would compromise security against criminal acts under O.C.G.A. § 50-18-72(a)(25)(A)(iv). Prior releases do not imply we must continue to do so once we know of a new or expanded threat.

QR codes and HAVA. Every voter reviews a paper ballot that prints their selections in plain text, and that ballot is the official record for audits and recounts (52 U.S.C. § 21081(a)(2)(B)(i)). The letter also cites O.C.G.A. § 21-2-379.23(d) as "effective July 1, 2026." That date is no longer correct. This summer the General Assembly passed SB 3EX, which moved the implementation date to January 1, 2028. Director Mills asked federal officials to enforce a state deadline the legislature had already changed. In any event, compliance with this state law is a question for the General Assembly, the Secretary of State, and Georgia's courts, not the Department of Justice.

ERIC. Date of birth, driver's license number and Social Security number are one-way hashed before leaving the state. ERIC's staff cannot unhash them. Rather, the system compares hashed values to other hashed values and returns the results to the Secretary of State's Office. ERIC cannot change any voter record, nor can they decipher any data that isn't generally available through open records requests.

The 2020 patch is very different from the upgrade the letter demands. The resolution says the 2020 updates were installed "quickly and conveniently." That 2020 update was a narrow fix for a single display problem on the ballot-marking devices. It was tested by an accredited voting system test laboratory and installed by county staff in a matter of days. It did not touch the election management (EMS) servers or the precinct scanners, did not change the operating system on any device, and required no change to any database, ballot layout or ballot already printed or mailed. Moving from Democracy Suite 5.5-A to version 5.17 or later is not a patch. It replaces the operating system and application software on every component of the voting system, and it would require:

- Forensic images of every existing EMS server and scanner drive, as the resolution demands, before anything is changed, followed by new EMS servers procured, installed, configured, and tested in all 159 counties.
- New operating system and software on every ballot-marking device and precinct scanner, which based on our estimates would take about 20-30 minutes per unit, with one technician upgrading about five devices at a time.
- The new software cannot read anything built under 5.5-A and is not backwards compatible with any device still running 5.5-A, so every database and all of the ballots already produced for this election would be discarded, including ballots already in voters' hands.
- Our best estimate for how long it would take for the Secretary of State's Office to rebuild the databases for all 159 counties, for each county to proof its database again, and for every ballot style to be reprinted, to be one month without a small army of outside contractors from Liberty Vote.
- New acceptance testing of every unit by the Secretary of State's Office, and a second round of logic and accuracy testing by the counties, all before voting begins.

Advance voting is required to begin October 13. Ballots have already been mailed to military and overseas voters, and some have already been returned. The bulk of our absentee-by-mail ballots went out on October 5. None of those ballots would work with the new database or upgraded system. The upgrade simply cannot be completed before November 3, and attempting to do so would put the election itself at risk. Also, while the software may be free, the staff time to upgrade and test it statewide is not; that is where the real cost lies.

Federal authority. The Elections Clause in the US Constitution (Art. I, § 4) leaves the manner of elections to the states, and HAVA leaves methods of compliance "to the discretion of the State" (52 U.S.C. § 21085). DOJ's HAVA remedy is a civil action for declaratory and injunctive relief (52 U.S.C. § 21111). It does not let DOJ choose a software version, order it installed in 159 counties, or set a six-month deadline for a new system. The critical-infrastructure designation lets jurisdictions request voluntary help from DHS, but it does not give DHS authority over Georgia's elections, and the availability of federal funding is not a grant of power. Under O.C.G.A. § 21-2-300(a)(1), the Secretary of State selects the statewide voting system, and under *Purcell v. Gonzalez* (2006), courts avoid changing election procedures this close to an election. Also, sharing forensic images of every server and scanner with multiple agencies outside of a court order or directive from the Secretary of State could itself expose security keys and election data that counties are obligated to protect.

The ends cannot justify the means. That no one else has taken the actions that Director Mills thinks are necessary is not a source of authority. Authority comes from the Constitution and statutes, and a goal the Board considers worthy does not enlarge its powers or the federal government's.

Lastly, there is a time and place for public alarms. Had these risks not been addressed and mitigated, continuously ringing this bell might have been appropriate. But they have been mitigated and will continue to be. Repeated calls telling Georgians their voting system is compromised, days before advance voting, tells them that their vote may not count. Whatever the intent, the only effect now is to suppress turnout on both sides.

We respectfully ask the Board to withdraw its request to the Department of Justice and Department of Homeland security and to allow the counties conduct this election using the ballots that have already been programmed, printed, tested and issued to our voters.

Respectfully,

GAVREO Executive Board