



COMMONWEALTH of VIRGINIA

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TO: Robert Brink, Chairman
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Susan Beals, Commissioner
Department of Elections

FROM: Travis Andrews *T. Andrews*
Assistant Attorney General

Date: November 4, 2022

Subject: Letter of Assurance for Proposed Regulation 1VAC 20-20-90

I have reviewed the proposed amendment to regulation 1VAC 20-20-90, regarding security awareness training for users of the Virginia voter registration system (VERIS). In my view as counsel to the State Board of Elections, the Board has the authority to promulgate this regulation pursuant to Virginia Code § 24.2-103 and Virginia Code § 24.2-410.2. This regulatory action is exempt from the Administrative Process Act pursuant to Virginia Code § 2.2-4002(B)(8) because it relates to the conduct of elections. The proposed amendment does not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, or any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed amendment.