

August 12, 2024.

USCASE.org



States are putting our elections at risk and are violating the trust of the voters when they expose our voting systems to new threat vectors by using non-certified devices, equipment and add-ins not reviewed and certified by the United States Election Assistance Commission.

It has been very clear that since Jan 1, 2007 the United States Election Assistance Commission (EAC), required vendors to provide notice to election officials that any changes or modification not tested and certified by the EAC will void the certification of the voting system. However we have seen multiple vendors, states, and local jurisdictions continue to put our elections at risk.

First let's define what a voting system is, that can be found under the Help America Vote Act of 2002:

SEC. 301. VOTING SYSTEMS STANDARDS. (b) VOTING SYSTEM DEFINED.—In this section, the term “voting system” means—

- (1) the total combination of mechanical, electromechanical, or electronic equipment (including the software, firmware, and documentation required to program, control, and support the equipment) that is used—
  - (A) to define ballots;
  - (B) to cast and count votes;
  - (C) to report or display election results; and
  - (D) to maintain and produce any audit trail information; and
- (2) the practices and associated documentation used—
  - (A) to identify system components and versions of such components;
  - (B) to test the system during its development and maintenance;
  - (C) to maintain records of system errors and defects;
  - (D) to determine specific system changes to be made to a system after the initial qualification of the system; and
  - (E) to make available any materials to the voter (such as notices, instructions, forms, or paper ballots).

Page 41/65 - [https://www.eac.gov/sites/default/files/eac\\_assets/1/6/HAVA41.PDF](https://www.eac.gov/sites/default/files/eac_assets/1/6/HAVA41.PDF)

Secondly let's review what the EAC has required of the vendors through its Testing and Certification program since 2007 through today, which covers all voting systems in the United States that will be used for the 2024 election.

**5.16. Information to Election Officials Purchasing Voting Systems.** The user's manual or instruction manual for a certified voting system shall warn purchasers that changes or modifications not tested and certified by the EAC will void the EAC certification of the voting system. In cases in which the manual is provided only in a form other than paper, such as on a CD or over the Internet, the information required in this section may be included in this alternative format provided the election official can reasonably be expected to have the capability to access information in that format.

Page 38 – Testing and Certification Program Manual Version 1.0 – Effective Jan 1, 2007.

[https://www.eac.gov/sites/default/files/eac\\_assets/1/28/Voting%20System%20Testing%20and%20Certification%20Program%20Manual%20discontinued%201%2000.pdf](https://www.eac.gov/sites/default/files/eac_assets/1/28/Voting%20System%20Testing%20and%20Certification%20Program%20Manual%20discontinued%201%2000.pdf)

**5.16. Information to Election Officials Purchasing Voting Systems.** The user's manual or instruction manual for a certified voting system shall warn purchasers that any changes or

---

**EAC Voting System Testing and Certification Program Manual, Version 2.0**

modifications to the system not tested and certified by the EAC will void the EAC certification of the voting system. In cases in which the manual is only provided in a form other than paper, such as on a CD or via the Internet, the information required in this section may be included in this alternative format provided the election official can reasonably be expected to have the capability to access information in that format.

Page 51-52 - Testing and Certification Program Manual Version 2.0 – Effective May 31, 2015.

[https://www.eac.gov/sites/default/files/eac\\_assets/1/28/Cert%20Manual%207%208%2015%20FINAL.pdf](https://www.eac.gov/sites/default/files/eac_assets/1/28/Cert%20Manual%207%208%2015%20FINAL.pdf)

**5.11. Information to Election Officials Purchasing Voting Systems.** The user's manual or instruction manual for a certified voting system must warn jurisdictions that any changes or modifications to the system not tested and certified by the EAC voids the EAC certification of the voting system. In cases in which the manual is only provided in an electronic format, the information required in this section must be included in the same format.

Page 40 - Testing and Certification Program Manual Version 3.0 – Effective November 15<sup>th</sup>, 2022.

[https://www.eac.gov/sites/default/files/TestingCertification/Testing%20and%20Certification%20Program%20Manual%20Version%203.0%20\(2\).pdf](https://www.eac.gov/sites/default/files/TestingCertification/Testing%20and%20Certification%20Program%20Manual%20Version%203.0%20(2).pdf)

In conclusion any new or updated cellular device, computer, manual, modem, printer, router, software, patch, thumb drive, or update to the system not tested and certified by the EAC, or its labs, voids the certification.

For more election evaluation, reports and information, please visit [www.uscase.org](http://www.uscase.org) , a 501c3 organization.