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² [Cert Manual 7 8 15 FINAL.pdf \(eac.gov\)](#)

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⁴ https://www.eac.gov/sites/default/files/eac_assets/1/28/VVSG1.0Vol.2.PDF

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⁶ https://www.eac.gov/sites/default/files/voting_system_test_lab/files/2014.03.05.NTS_Acquisition_Ltr.pdf

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⁸ [Accredited Laboratories | U.S. Election Assistance Commission \(eac.gov\)](#)

⁹ [Coronavirus \(COVID-19\) Resources | U.S. Election Assistance Commission \(eac.gov\)](#)

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¹³ [44 U.S. Code § 1901 - Definition of Government publication | U.S. Code | US Law | LII / Legal Information Institute \(cornell.edu\)](#)

¹⁴ [U.S. Constitution - Fourteenth Amendment | Resources | Constitution Annotated | Congress.gov | Library of Congress](#)

¹⁵ <https://constitution.congress.gov/constitution/amendment-1/>

¹⁶ *Baker v. Carr*, voting is characterized as providing citizens with a “voice” in their democracy; *Clingman v. Beaver*, 544 U.S. 581, 599 (2005); *Miller v. Johnson*, 515 U.S. 900, 932, 937 (1995); *Shaw v. Reno*, 509 U.S. 630, 675 (1993); *U.S. Dep’t of Commerce v. Montana*, 503 U.S. 442, 460 (1992); *Burdick v. Takushi*, 504 U.S. 428, 441 (1992); *Burson v. Freeman*, 504 U.S. 191, 199 (1992); *Chisom v. Roemer*, 501 U.S. 380, 398 n.25 (1991); *Bd. of Estimate of City of New York v. Morris*, 489 U.S. 688, 693 (1989); *Davis v. Bandemer*, 478 U.S. 109, 166 (1986) (Powell, J., concurring in part and dissenting in part); *Rogers v. Lodge*, 458 U.S. 613, 649 (1982) (Stevens, J., dissenting); *Ball v. James*, 451 U.S. 355, 371 (1981); *Democratic Party of U.S. v. Wisconsin ex rel. La Follette*, 450 U.S. 107, 127, 134 (1981); *City of Rome v. United States*, 446 U.S. 156, 176 n.12 (1980); *City of Mobile v. Bolden*, 446 U.S. 55, 78 (1980); *Holt Civic Club v. City of Tuscaloosa*, 439 U.S. 60, 76 (1978); *United Jewish Organizations of Williamsburgh, Inc. v. Carey*, 430 U.S. 144, 177 n.5 (1977); *City of Richmond v. United States*, 422 U.S. 358, 387 (1975); *Am. Party of Texas v. White*, 415 U.S. 767, 799 (1974); *Lubin v. Panish*, 415 U.S. 709, 721 n.* (1974); *Kusper v. Pontikes*, 414 U.S. 51, 58 (1973); *Rosario v. Rockefeller*, 410 U.S. 752, 764 (1973); *Mahan v. Howell*, 410 U.S. 315, 321, 323 (1973); *Jenness v. Forston*, 403 U.S. 431, 442 (1971); *Whitcomb v. Chavis*, 403 U.S. 124, 141 (1971); *Oregon v. Mitchell*, 400 U.S. 112, 134 (1970); *Evans v. Cornman*, 398 U.S. 419, 422 (1970); *Kramer v. Union Free Sch. Dist. No. 15*, 395 U.S. 621, 627 (1969); *Hadnott v. Amos*, 393 U.S. 904, 906 (1968); *Williams v. Rhodes*, 393 U.S. 23, 31 (1968); *Avery v. Midland County, Tex.*, 390 U.S. 474, 480 (1968); *Carrington v. Rash*, 380 U.S. 89 (1965); *Fortson v. Toombs*, 379 U.S. 621, 626 (1965) (Harlan, J., concurring in part and dissenting in part); *Roman v. Sincock*, 377 U.S. 695 (1964); *WMCA, Inc. v. Lomenzo*, 377 U.S. 633, 655 (1964); *Reynolds*, 377 U.S. at 576; *Wesberry*, 376 U.S. at 10, 17; *Gray v. Sanders*, 372 U.S. 368, 386 (1963).

¹⁷ <https://ago.mo.gov/docs/default-source/publications/missourisunshinelaw.pdf?sfvrsn=20#:~:text=The%20Sunshine%20Law%20declares%20Missouri's,unless%20otherwise%20provided%20by%20law>

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

ALISON (ALI) GRAEFF,
individually and as a
Candidate for Missouri State
Representative

Plaintiff, *pro se*,

v.

CIVIL ACTION

NO.: 4:22-cv-682 RLW

**UNITED STATES ELECTION ASSISTANCE
COMMISSION,
633 3rd Street NW, Suite 200
Washington, DC 20001**

THOMAS HICKS, Commission Chairman

in his individual capacity and
in his official capacity as sole Federal
Election Authority Chair; and

CHRISTY McCORMICK, Vice Chairwoman

all in her individual capacities and
in their capacities as members
of the Election Assistance Commission

BENJAMIN W. HOVLAND, Commissioner

all in his individual capacities and
in their capacities as members
of the Election Assistance Commission

DONALD L. PALMER, Commissioner

all in his individual capacities and
in their capacities as members
of the Election Assistance Commission

MISSOURI SECRETARY OF STATE

JOHN J. ASHCROFT

in his individual capacity

and in his official

capacity as Chief Elections Official

Defendant(s),

PLANTIFFS FIRST AMENDED PETITION

**I.
INTRODUCTION**

Plaintiff, Alison Graeff, individually and as a Candidate for Missouri State Representative for the August 2nd, 2022 Primaries, sui juris pro se litigant, without the assistance of an attorney, by exercising of the right to contract and refusal to CONSENT, am before this Court by or procedurally, hereby, file this Complaint against Defendant(s), the U.S. Election Assistance Commission (*referred to hereafter as* EAC or the Commission), in his/her individual capacity and in his/her official capacity as sole U.S. Federal Election Authority, sued in their individual capacity and in their capacity as members of the EAC, and John J. Ashcroft, Missouri Secretary of State, in his/her individual capacity and in his/her official capacity as State Chief Elections Official, (collectively, “Defendants”), in support of the claims set forth herein.

**II.
PARTIES**

1. Plaintiff Alison (Ali) Graeff is an adult individual who is a resident, a taxpayer, a registered voter and is officially listed on the ballot as a candidate for Missouri State Representative, Campaign for Ali Graeff, for the August 2nd, 2022, Primary in the State of Missouri, St. Charles County, Missouri.

23 2. **Defendants**, U.S. Election Assistance Commission is an appointed Commission; a legislative
24 act directed by The *Help America Vote Act of 2002*, (referred to hereafter as HAVA), directly
25 responsible for the duties as outlined in *Title II, Subtitle A, Pt. 1 Section 202 -Duties (1-6)*.

26 3. **Defendant**, Thomas Hicks, was nominated by President Barack H. Obama and confirmed by
27 unanimous consent of the United States Senate on December 16, 2014, to serve on the U.S.
28 Election Assistance Commission (EAC). Mr. Hicks currently serves as Chairman of the EAC
29 and Designated Federal Officer (DFO) of the Technical Guidelines Development Committee
30 (TGDC). Presently acting in the capacity of “Commission” Chairman as of February 2022, for a
31 one-year term; additionally served as Chairman 2018-2019. In that capacity, responsible for the
32 Voting System Testing Laboratories (referred hereafter to as VSTL), accreditation, testing, and
33 certification process of U.S. electronic voting systems. The EAC is the sole Federal authority for
34 the accreditation and revocation of accreditation of VSTL’s. He is sued in his official and
35 individual capacities.

36 4. **Defendant**, Christy McCormick was nominated by President Barack H. Obama and confirmed
37 by unanimous consent of the United States Senate on December 16, 2014, to serve on the U.S.
38 Election Assistance Commission (EAC). Currently serving as “Commission” Vice Chairwoman
39 and the Designated Federal Officer (DFO) for the EAC’s Local Leadership Council. She served
40 as “Commission” Chairwoman of the reconstituted Commission for the 2015-2016 term and also
41 acted in the capacity of “Commission” Chairwoman in February 2019, for a one-year term; in
42 that capacity, responsible for the Voting System Testing Laboratories (VSTL) accreditation,
43 testing, and certification process of U.S. electronic voting systems. The EAC is the sole Federal
44 authority for the accreditation and revocation of accreditation of VSTL’s. She is sued in her
45 official and individual capacities.

46 5. **Defendant**, Benjamin Hovland was nominated by President Donald J. Trump and confirmed
47 by unanimous consent of the United States Senate on January 2, 2019, to serve on the U.S.
48 Election Assistance Commission (EAC). Mr. Hovland currently serves as the Designated Federal
49 Officer (DFO) for the Board of Advisors. Additionally, served as “Commission” Chairman from
50 February 2020-2021.

51 In that capacity, responsible for the Voting System Testing Laboratories (VSTL) accreditation,
52 testing, and certification process of U.S. electronic voting systems. The EAC is the sole Federal

53 authority for the accreditation and revocation of accreditation of VSTL's. He is sued in his
54 official and individual capacities.

55 **6. Defendant**, Donald Palmer was nominated by President Donald J. Trump and Confirmed by
56 unanimous consent of the United States Senate on January 2, 2019, to serve on the U.S. Election
57 Assistance Commission (EAC). Mr. Palmer currently serves as the Designated Federal Officer
58 (DFO) of the EAC's Standards Board. Additionally, served as "Commission" Chairman from
59 February 2021-2022.

60 **7. Defendant**, John J. Ashcroft was elected on November 8, 2016, and again on November 3,
61 2020, as Missouri's Secretary of State. He is the chief election official for Missouri. He is sued
62 in his official and individual capacities. **(MO. C.S.R. 15 30-10.010)**

63
64 **III.**
65 **JURISDICTION AND VENUE**

66 1. Plaintiff incorporates the foregoing paragraphs as if set forth in full herein. This Court has
67 subject matter jurisdiction over Plaintiffs' claims under the *Help America Vote Act 2002*,
68 *(HAVA ACT)*, *Title 18 U.S.C. § 241 and Title 18 U.S.C. § 242, and Title 28 U.S.C. § 1331 and*
69 *§ 1343(a)(3) and § 1391(a)(1), (b)(2), (e)(1), and Title 42 U.S.C. § 1983, and Title 52 U.S.C. §*
70 *10307(d), § 20511(2)(B) and, U.S. Constitution 14th Amendment.*

71 2. There exists an actual and justiciable controversy between Plaintiffs and Defendant requiring
72 resolution by this Court. Venue is proper before the United States District Court for the Eastern
73 District of Missouri under *28 U.S.C. § 1391* because all parties reside or otherwise are found
74 herein, and all acts and omissions giving rise to Plaintiffs' claims occurred within the jurisdiction
75 of the Eastern District of Missouri.

76 **IV.**
77 **STATEMENT OF FACTS**
78

79 1. Plaintiff incorporates the foregoing paragraphs as if set forth in full herein.

80 2. Voting System Laboratory Accreditation(s) enacted through the Help America Vote Act 2002
81 are administered by the U.S. Election Assistance Commission. The state of Missouri adopted
82 HAVA August 2003, MO HB 511 (2003). The state of Missouri failed to be in compliance with
83 the **HELP AMERICA VOTE ACT 2002, Subtitle B § 231 (a) (1) (2) (b) (1)** and the federal
84 standards for laboratory testing accreditation set forth in the **EAC Voting System Test**

Laboratory Program Manual, version 2.0, (OMB-3265-0018)¹, Section 3.4, 3.6 and 3.8,
during the November 3, 2020, General Election and subsequent elections thereafter.

V.

INTRODUCTION

1. HAVA

Title 52 U.S.C. Ch. 209: SUBCHAPTER II, Part A § 20921. Establishment

“There is hereby established as an independent entity the Election Assistance Commission (hereafter in this subchapter referred to as the "Commission"), consisting of the members appointed under this subpart....”

The law, policies and guidelines governing our elections of the HAVA, and the U.S. Election Assistance Commission were authorized by Congress and mandated to safeguard and protect the People’s Voice to elect servants for the purpose of conducting the People’s business. “In 2002, Congress passed HAVA and created the EAC mandating to the EAC the responsibility for both setting voting system standards and providing for the voluntary testing and certification of voting systems. This mandate represented the first time the Federal government provided for the voluntary testing, certification, and decertification of voting systems nationwide. In response to this HAVA requirement, the EAC has developed the voting system standards in the form of the Voluntary Voting System Guidelines (*referred hereafter as VVSG*), a voting system certification program in the form of the Testing and Certification Program Manual (*referred hereafter as TCPM*) (OMB 3265-0019)² and the Voting System Test Laboratory Manual (*referred hereafter as VSTL*) (OMB 3265-0018)

2. NIST

Subtitle B, § 231 of HAVA requires “the EAC provide for the testing, certification, decertification, and recertification by a federally accredited laboratory for the system’s used in federal elections. The EAC has made National Institute of Standards and Technology’s (*referred hereafter as NIST*) National Voluntary Laboratory Accreditation

¹ https://www.eac.gov/sites/default/files/eac_assets/1/28/VSTLManual%207%208%2015%20FINAL.pdf

² [Cert Manual 7 8 15 FINAL.pdf \(eac.gov\)](#)

Program (*referred hereafter as NVLAP*) accreditation a requirement as part of its VSTL accreditation program. NVLAP accreditation is the primary means by which the EAC ensures that each VSTL meets and continues to meet the technical requirements of the EAC program.”

“§ 231(b)(1) of HAVA requires that NIST “conduct an evaluation of independent, non-federal laboratories and shall submit to the Commission a list of those laboratories...to be accredited....” Additionally, HAVA § 231(c) requires NIST to monitor and review the performance of EAC accredited laboratories. NIST has chosen its NVLAP to carry out these duties. NVLAP conducts a review of applicant laboratories in order to provide a measure of confidence that such laboratories are capable of performing testing of voting systems to Federal standards. Additionally, the NVLAP program monitors laboratories by requiring regular assessments. Laboratories are reviewed one year after their initial accreditation and biennially thereafter. The EAC has made NVLAP accreditation a requirement of its Laboratory Accreditation Program. However, a NVLAP accreditation is not an EAC accreditation. EAC is the sole Federal authority for the accreditation and revocation of accreditation of Voting System Test Laboratories.

3. NVLAP

NVLAP is a U.S. Government entity administered NIST, an agency of the U.S. Department of Commerce. NVLAP requirements are mandatory and must be fulfilled to achieve and maintain accreditation. NVLAP requirements are found in NIST Handbook 150³, NIST Handbook 150-2020 Ed., series, NVLAP Policy Guides, and NVLAP Laboratory Bulletins.

4. EAC

Being the sole Federal Election Authority, the U.S. Election Assistance Commission (EAC) oversees federal voting system certification requirements. The EAC also oversees the thorough, independent testing process which determines whether an electronic voting system meets requirements, including standards designed to ensure the systems accuracy. The Election Assistance Commission is “composed of four citizens who are appointed

³ [National Voluntary Laboratory Accreditation Program \(NVLAP\) Procedures and General Requirements \(nist.gov\)](https://www.nist.gov/publications/national-voluntary-laboratory-accreditation-program-nvlap-procedures-and-general-requirements)

Representatives of the U.S. Federal Government. The “Commission” created from HAVA specifies four commissioners, nominated by the President of the United States on recommendations from the majority and minority leadership in the U.S. House of Representatives and the U.S. Senate. No more than two commissioners may belong to the same political party. Once confirmed by the full Senate, commissioners may serve two consecutive terms. HAVA states that a member of the commission shall continue to serve past their expired term until a successor takes office.

With HAVA’s enactment, the responsibility for developing voting system standards was transferred from the Federal Election Commission to the EAC and their new iterations are now the EAC Voluntary Voting System Guidelines. Voluntary Voting System Guidelines (VVSG)⁴ are a set of specifications and requirements that electronic voting systems, including voting devices and software, must meet in order to receive a certification from the EAC. Although participation in the program is voluntary, adherence to the program’s procedural requirements is mandatory for participants. Once a state adopts into HAVA, its codified into law in that state.

The VSTL Accreditation Program Manual contains the regulations for the VVSG. The procedural requirements of this Manual will supersede any prior laboratory accreditation requirements issued by the EAC. This manual shall be read in conjunction with the EAC’s Testing and Certification Program Manual (TCPM) (OMB 3265-0019)

With the role of the EAC and their reliance on the NIST’s NVLAP accreditation program, the Handbook 150, the VSTL Accreditation Manual, and the expiration and renewal requirements established, implications at the state level are addressed.

Missouri elected to participate in HAVA as well as the VVSG in August 2003, MO HB 511 (2003) and has an obligation to follow the federal laws thereof. Furthermore, Missouri State law requires our election systems to be certified by a federally accredited laboratory, MO 15 C.S.R. 30-10.20 and requires the Secretary of State to only certify machines which have been approved by the appropriate VSTL approved by the U. S.

⁴ https://www.eac.gov/sites/default/files/eac_assets/1/28/VVSG1.0Vol.2.PDF

Election Assistance Commission. The EAC serves as the national clearinghouse with respect to the administration of elections.

VI.
RELEVANT LAWS

HELP AMERICA VOTE ACT OF 2002 (HAVA 2002)⁵

52 U.S.C. Subtitle II Chapter 209 Subchapter II

1. § 20922. Duties.

“The Commission shall serve as a national clearinghouse and resource for the compilation of information and review of procedures with respect to the administration of Federal elections by;

(1) carrying out the duties described in part 3 (relating to the adoption of voluntary voting system guidelines), including the maintenance of a clearinghouse of information on the experiences of State and local governments in implementing the guidelines and in operating voting systems in general;

(2) carrying out the duties described in subtitle B (relating to the testing, certification, decertification, and recertification of voting system hardware and software);”

2. § 20925. Powers.

(a) HEARINGS AND SESSIONS. — “The Commission may hold such hearings for the purpose of carrying out this Act, sit and act at such times and places, take

⁵ <https://www.congress.gov/107/plaws/publ252/PLAW-107publ2.pdf>

such testimony, and receive such evidence as the Commission considers advisable to carry out this Act. The Commission may administer oaths and affirmations to witnesses appearing before the Commission.”

(e) CONTRACTS. — “The Commission may contract with and compensate persons and Federal agencies for supplies and services without regard to section 3709 of the Revised Statutes of the United States (41 U.S.C. 5).

3. § 20971. Testing, Certification, Decertification, and Recertification of Voting System Hardware and Software

(a) Certification and testing

(1) In general

“The Commission shall provide for the testing, certification, decertification, and recertification of voting system hardware and software by accredited laboratories.”

(2) Optional use by States

“At the option of a State, the State may provide for the testing, certification, decertification, or recertification of its voting system hardware and software by the laboratories accredited by the Commission under this section.”

(b) Laboratory accreditation

(1) Recommendations by National Institute of Standards and Technology

“Not later than 6 months after the Commission first adopts voluntary voting system guidelines under subpart 3 of part A of this subchapter, the Director of the National Institute of Standards and Technology shall conduct an evaluation of independent, non-Federal laboratories and shall submit to the Commission a list of those laboratories the Director proposes to be accredited to carry out the testing, certification, decertification, and recertification provided for under this section.”

(2) Approval by Commission (a), (b), (c), (d)

221 **(a) In general**

222 “The Commission shall vote on the accreditation of any laboratory under
223 this section, taking into consideration the list submitted under paragraph
224 (1), and no laboratory may be accredited for purposes of this section
225 unless its accreditation is approved by a vote of the Commission.”

226 **(b) Accreditation of laboratories not on Director list**

227 “The Commission shall publish an explanation for the accreditation of any
228 laboratory not included on the list submitted by the Director of the
229 National Institute of Standards and Technology under paragraph (1).”

230 **(c) (1) Continuing review by National Institute of Standards and**
231 **Technology**

232 “In cooperation with the Commission and in consultation with the
233 Standards Board and the Board of Advisors, the Director of the National
234 Institute of Standards and Technology shall monitor and review, on an
235 ongoing basis, the performance of the laboratories accredited by the
236 Commission under this section, and shall make such recommendations to
237 the Commission as it considers appropriate with respect to the continuing
238 accreditation of such laboratories, including recommendations to revoke
239 the accreditation of any such laboratory.

240 **(d) Transition**

241 “Until such time as the Commission provides for the testing, certification,
242 decertification, and recertification of voting system hardware and software
243 by accredited laboratories under this section, the accreditation of
244 laboratories and the procedure for the testing, certification, decertification,
245 and recertification of voting system hardware and software used as of
246 October 29, 2002, shall remain in effect.”

247 **4. Title 18 U.S.C. § 241 –**

Conspiracy against rights- “If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same.”

5. Title 18 U.S.C. § 242 –

Deprivation of Rights Under Color of Law- “any scheme that involves the necessary participation of public officials, usually election officers or notaries, acting “under color of law,” to willfully deprive a person of a right or privilege protected which is actionable as a derogation of the “one person, one vote” principle of the Constitution or laws of the United States”, i.e., “public schemes;”

6. Title 42 U.S.C. § 1983

Civil Action for Deprivation of Rights– “Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer’s judicial or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.”

7. Title 52 U.S.C. Subtitle II Chapter 205 Subchapter II

§ 20501 Findings and purposes - “The Congress finds that:

- (1) the right of citizens of the United States to vote is a fundamental right;
- (2) it is the duty of the Federal, State, and local governments to promote the exercise of that right;”

8. Missouri Constitution Article I § 1 -Source of political power

“That all political power is vested in and derived from the people; that all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole.”

Thus, the natural rights of this Sui Juris human is the Supreme Law of the land. Affiant’s individual rights are also secured within the Missouri and United States Constitutions. Affiant comes as one of the People from which your power is derived. Your Oath of Office affirms your main purpose is to protect and maintain my natural and individual Rights.

9. Missouri Constitution Article I § 2 and § 3 -Purpose of government; Powers of the people

“That all constitutional government is intended to promote the general welfare of the people; that all persons have a natural right to life, liberty, the pursuit of happiness and the enjoyment of the gains of their own industry; that all persons are created equal and are entitled to equal rights and opportunity under the law; that to give security to these things is the principal office of government, and that when government does not confer this security, it fails in its chief design.”

“That the people of this state have the inherent, sole and exclusive right to regulate the internal government and police thereof, and to alter and abolish their constitution and form of government whenever they may deem it necessary to their safety and happiness, provided such change be not repugnant to the Constitution of the United States.”

“The People of the state of Missouri have the inherent right of regulating their internal government. Government is instituted for protection, security, and benefit of the People and at all times they have the right to alter or reform the same whenever the public good may require it. It is the People who decide what direction the government should proceed.”

10. Missouri Constitution Article I § 4 - Independence of Missouri

“That Missouri is a free and independent state, subject only to the Constitution of the United States ...” You, as state servants, are subject to having your actions restricted if your actions are not consistent with protecting the People’s freedom. Any failure on your

part to protect these rights is a breach of contract and a breach of your trust indenture, granted by the People, and will be considered an act of maladministration and misconduct and an attack on the People you have sworn to serve.”

11. Missouri Constitution Article I § 25 -Elections and right of suffrage

“That all elections shall be free and open’ and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.”

“It is the responsibility of our elected servants to ensure our elections are fair, safe, and conducted legally without fraud, misconduct, or misrepresentation.”

12. Missouri Constitution Article XI § 3 - Corporations

“The exercise of the police power of the state shall never be surrendered, abridged, or construed to permit corporations to infringe the equal rights of individuals, or the general well-being of the state.”

13. RSMo § 115.225 (1), (2) (10) Automated equipment to be approved by Secretary of State - Standards to be met – Rules, promulgation, procedure

(1) “Before use by election authorities in this state, the secretary of state shall approve the marking devices and the automatic tabulating equipment used in electronic voting systems and may promulgate rules and regulations to implement the intent of sections RSMo §§ 115.225 to 115.235.”

(2) “No electronic voting system shall be approved unless it:

(10) Has been tested and is certified by an independent authority that meets the voting system standards developed by the Federal Election Commission or its successor agency.”

(Exhibit 1)

14. RSMo § 115.631 (1), (14), (19) Class one election offenses. — “The following offenses, and any others specifically so described by law, shall be class one election offenses and are deemed felonies connected with the exercise of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more than five years or by fine of not less than two thousand five hundred dollars but not more than ten thousand dollars or by both such imprisonment and fine:

(1) Willfully and falsely making any certificate, affidavit, or statement required to be made pursuant to any provision of this chapter, including but not limited to statements specifically required to be made "under penalty of perjury"; or in any other manner knowingly furnishing false information to an election authority or election official engaged in any lawful duty or action in such a way as to hinder or mislead the authority or official in the performance of official duties. If an individual willfully and falsely makes any certificate, affidavit, or statement required to be made under section RSMo § 115.155, including but not limited to statements specifically required to be made "under penalty of perjury", such individual shall be guilty of a class D felony;

(14) On the part of any person whose duty it is to grant certificates of election, or in any manner declare the result of an election, granting a certificate to a person the person knows is not entitled to receive the certificate, or declaring any election result the person knows is based upon fraudulent, fictitious or illegal votes or returns;

(19) Knowingly preparing, altering, or substituting any computer program or other counting equipment to give an untrue or unlawful result of an election;"

15. RSMo § 115.635 (11) Class three election offenses. — "The following offenses, and any others specifically so described by law, shall be class three election offenses and are deemed misdemeanors connected with the exercise of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more than one year or by fine of not more than two thousand five hundred dollars, or by both such imprisonment and fine:"

(11) "Attempting to commit or participating in an attempt to commit any class one or class two election offense."

16. RSMo § 115.637 (12) Class four election offenses. — "The following offenses, and any others specifically so described by law, shall be class four election offenses and are deemed misdemeanors not connected with the exercise of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more than one year or by a fine of not more than two thousand five hundred dollars or by both such imprisonment and fine":

“On the part of any election authority or official, willfully neglecting, refusing, or omitting to perform any duty required of him or her by law with respect to holding and conducting an election, receiving and counting out the ballots, or making proper returns;”

One example of the above violations; The Missouri Secretary of State sent a letter dated December 2017 regarding the Qualifications of the Unisyn OpenElect 2.0 Voting Systems attesting,

*“Having reviewed the observations of the Missouri Automated Voting Equipment Qualification Committee, the Application for Qualification, and the manufacturer’s compliance with 15 C.S.R. 30-10.020, have determined that Unisyn OpenElect 2.0 Voting System, as certified by the U.S. Election Assistance Commission, **meets state criteria under section § 115.225, RSMo**, and have this date granted approval of the sale and use in Missouri of Unisyn Voting Solutions’ Open elect 2.0, as certified by the U.S. Election Assistance Commission.”*

(Exhibit 2)

VII

UNACCREDITED VOTING SYSTEMS TEST LABORATORIES

1. Neither the Secretary of State nor the VSTL’s used in the State of Missouri to test electronic voting systems used in the November 3, 2020, elections comply with the laws and requirements of HAVA.

2. The laboratories used to test electronic voting systems in the State of Missouri include NTS Huntsville Laboratory, Pro V&V, and SLI Compliance.

3. NTS Huntsville Laboratory was the laboratory that tested several electronic voting systems widely used in Missouri, and across the country. Additional laboratories used to test Missouri’s electronic voting systems in the November 3, 2020, General and subsequent election(s) were Pro V&V, and SLI Compliance.

4. NTS Huntsville Laboratory (*referred to hereafter as NTS*) tested electronic voting systems widely used in Missouri and nationwide. On March 5, 2014, NTS notified the EAC of its acquisition of Wyle Laboratories Inc.,⁶ a previously accredited VSTL. In fact, Wyle's Certificate of Accreditation is the only legally EAC accredited VSTL, correctly dated and signed by the Chairman, that I've discovered. Wyle's Certificate of Accreditation was valid from 05/04/2010 through 04/27/2012 and had expired at the time of NTS's acquisition. NTS Huntsville never received a legal accreditation from the EAC, nor is there a Certificate of Accreditation available on the EAC website as dictated by HAVA. A request was made to the EAC under the Freedom of Information Act No.22-00066 on June 30, 2022, for NTS Huntsville Certificate of Accreditation. The EAC's response states: "The EAC does not have records responsive to your request." (**Exhibit 3**)



⁶ https://www.eac.gov/sites/default/files/voting_system_test_lab/files/2014.03.05.NTS_Acquisition_Ltr.pdf



U.S. Election Assistance Commission
633 3rd Street NW, Suite 200
Washington, DC 20001

VIA EMAIL

June 30, 2022

Ali Graeff
alimariegraeff@gmail.com

Greetings:

This acknowledges the U.S. Election Assistance Commission's receipt of your Freedom of Information Act request (No. 22-00066):

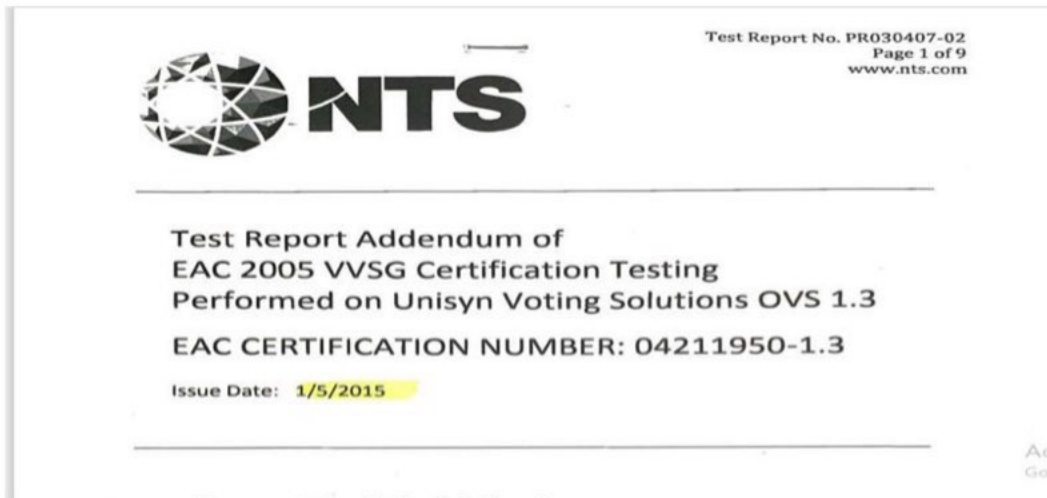
"Please provide an electronic copy of the NTS Huntsville Laboratory Certificate of Accreditation from the EAC for the dates of 2015-2017."

The EAC does not possess records responsive to your request.

This letter completes the response to your request. If you interpret any portion of this response as an adverse action, you may appeal this action to the Election Assistance Commission. Your appeal must be in writing and sent to the address set forth below. Your appeal must be

5. Sixty-Six (66) Missouri counties used Unisyn OpenElect software 1.3 in the 2020 election. This software was updated and tested on 01/2015 by NTS Huntsville. See NTS Test Report No. PR030407-02⁷ NTS never received EAC accreditation, therefore, no authority to test our voting machines. This is in direct violation of the Election Assistance Commission's own policies and the HAVA ACT 2002. In response to a request for laboratory accreditation of voting machines in these sixty-six Missouri counties, the Secretary of State's office produced an expired 2010-2012 Certificate of Accreditation for Wyle Laboratories Inc. (Exhibit 4, 5, 6, 7)

⁷ [PR030407 Test Report Addendum.pdf \(eac.gov\)](#)



414

415 6. NTS Huntsville Laboratory was out of Compliance with federal law per the EAC VSTL
416 Manual:

- 417 • NIST Recommendation Letter (3.6.2.1)
- 418 • Certificate of Conditions and Practices (3.6.2.3) and
- 419 • Commissioners Decisions on Accreditations (3.6.2.4)

420 7. Ten (10) Counties in Missouri reported using SLI Compliance Division of Gaming
421 Laboratories to test the software election machines.⁸ Per the EAC's own "Voting System Testing
422 and Certification Program Manual, Version 2.0" any modifications made to Missouri electronic
423 voting machine software requires testing by accredited laboratories.

424 8. EAC alleges SLI Compliance's original Certificate of Accreditation was given 2/28/2007.
425 However, no previous accreditations are posted on EAC's website. Should this be fact, then SLI
426 Compliance should have also received subsequent renewal accreditations in 2009, 2015, 2017,
427 and 2019 to stay in compliance per law (EAC had no quorum from 2011-2014). Oddly, in 2018,
428 a Certificate of Accreditation was given for a three-year period, even though law states the
429 effective date of certification shall not exceed a period of two years. It was signed by Brian
430 Newby, Executive Director, not signed by the Chairman as law requires. SLI Compliance's
431 current published accreditation is dated 2/1/21, and signed not by the Chairman as law requires,
432 but by EAC Director Mona Harrington. It is not possible to have an accreditation which is

⁸ [Accredited Laboratories | U.S. Election Assistance Commission \(eac.gov\)](https://www.eac.gov/Accredited-Laboratories)

433 indefinite, when one of the requirements for accreditation has an expiration and renewal
434 requirement. (Exhibit 8)

VSTL Program Manual v 2.0 page 37
3.6. Grant of Accreditation. Upon a vote of the EAC Commissioners to accredit a laboratory, the Testing and Certification Program Director shall inform the laboratory of the decision, issue a Certificate of Accreditation and post information regarding the laboratory on the EAC Web site.

 United States Election Assistance Commission

Certificate of Accreditation ✓ Certificate for the Lab

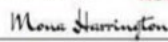
SLI Compliance
Division of Gaming Laboratories International, LLC
Wheat Ridge, Colorado

is recognized by the U.S. Election Assistance Commission for the testing of voting systems to the 2005 and 2015 Voluntary Voting Systems Guidelines (VVSG 1.0 & 1.1) under the criteria set forth in the EAC Voting System Testing and Certification Program and Laboratory Accreditation Program. SLI Compliance is also recognized as having successfully completed assessments by the National Voluntary Laboratory Accreditation Program for conformance to the requirements of ISO/IEC 17025 and the criteria set forth in NIST Handbooks 150 and 150-22.

VSTL Program Manual v 2.0 page 38
3.6.1. Certificate of Accreditation; ... The certificate shall be signed by the Chair of the Commission and state
3.6.1.3. The effective date of the certification, which shall not exceed a period of two (2) years, and

Original Accreditation Issued on: 2/28/2007
Accreditation remains effective until revoked by a vote of the EAC pursuant to 52 U.S.C. § 20971(c)(2).
(c)Continuing review by National Institute of Standards and Technology
(2)Approval by Commission required for revocation
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.

Should be signed by EAC Chairman
NOT Executive Dir.

 Date: 2/1/21
Mona Harrington
Executive Director, U.S. Election Assistance Commission
EAC Lab Code: 0701

435



9. SLI Compliance also did the testing for the electronic voting system Hart InterCivic Verity Voting. It is unclear how Hart InterCivic could implement a major update to their Verity software (v 2.3) in 2019 without having been tested by an accredited laboratory. (**Exhibit 9**)

10. EAC claims Pro V&V's original Certificate of Accreditation was given 2/24/2015 expiring on February 24, 2017. And, to the extent that proposed statement contains verifiable facts, then Pro V&V should have also received a subsequent renewal accreditation in 2019 to stay in compliance per law. It was signed by Alice Miller, Executive Director, not signed by the Chairman as law requires. Pro V&V's current published accreditation is dated 2/1/21, also not signed by the Chairman as law requires, but by EAC Director Mona Harrington. (**Exhibit 10**)



United States Election Assistance Commission

Certificate for the Lab

Certificate of Accreditation

Pro V&V, Inc. Huntsville, Alabama

VSTL Program Manual v 2.0 page 37

3.6. Grant of Accreditation. Upon a vote of the EAC Commissioners to accredit a laboratory, the Testing and Certification Program Director shall inform the laboratory of the decision, issue a Certificate of Accreditation and post information regarding the laboratory on the EAC Web site.

is recognized by the U.S. Election Assistance Commission for the testing of voting systems to the 2005 and 2015 Voluntary Voting Systems Guidelines (VVSG 1.0 & 1.1) under the criteria set forth in the EAC Voting System Testing and Certification Program and Laboratory Accreditation Program. Pro V&V is also recognized as having successfully completed assessments by the National Voluntary Laboratory Accreditation Program for conformance to the requirements of ISO/IEC 17025 and the criteria set forth in NIST Handbooks 150 and 150-22.

VSTL Program Manual v 2.0 page 38

3.6.1. Certificate of Accreditation; ... The certificate shall be signed by the Chair of the Commission and state:

3.6.1.3. The effective date of the certification, which shall not exceed a period of two (2) years;

Original Accreditation Issued on: 2/24/2015

Accreditation remains effective until revoked by a vote of the EAC pursuant to 52 U.S.C. § 20971(c)(2).

(c)Continuing review by National Institute of Standards and Technology

(2)Approval by Commission required for revocation

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.

Should be signed by EAC Chairman
NOT Executive Dir.

Mona Harrington

Date: 2/1/21

Mona Harrington
Executive Director, U.S. Election Assistance Commission

EAC Lab Code: 1501

EXHIBIT H

EXHIBIT H

Activ
Go to

447

448



11. The U.S. Election Assistance Commission, in a Notice of Clarification, NOC 21-01 VSTL Accreditation Status issued July 23, 2021, states, “The EAC is the sole Federal authority for the accreditation and revocation of accreditation of (Voting System Test Laboratories) VSTLs.”

(Exhibit 11) The EAC issued a statement asserting Covid-19 as the reason Pro V&V failed to maintain accreditation, despite the fact that their accreditation expired in 2017. This is illogical and contrary to an EAC statement made six months earlier indicating that an accreditation should not exceed two years. The EAC is inconsistent with their policies and appear to selectively reinforce them

12. The EAC also issued a statement in which they asserted that the lapse in proper accreditation was a clerical error and also that a laboratory’s accreditation is only revokable upon request. This in reference to section 52 U.S.C. § 20971 (c) (2), as they also posted on SLI’s certificate; “Accreditation remains effective until revoked by a vote of the EAC pursuant to 52 U.S.C. § 20971 (c) (2)” (Exhibit 10)

However, when you read the entirety of the law they are citing, it clearly states, “FOR PURPOSES OF THIS SECTION” This means the purposes of this section refers to (C)

465 **Continuing review by NIST.** Which is irrelevant to the EAC's accreditation of laboratories.

466 This is for the express purpose of requiring a vote to REVOKE an accreditation if NIST advises
467 them too. It's not stated here that this may be used as an excuse to violate law and continue to re-
468 date accreditation certifications as many times as they'd like to, to avoid reviewing applications
469 or receiving ratified offers that they then ratify. **(Exhibit 12)**

470
471 13. The EAC appears to be suggesting that Pro V&V has been accredited the entire time, without
472 interruption. That cannot be the case according to the NVLAP accreditation certificate, which
473 was issued in 2021 and expires in 2022. Notice the one-year expiration date. For a newly
474 accredited lab, the lab is required to renew after 1 year, then biannually thereafter.

475 **(Exhibit 13)**

476
477 14. Within the same **(Exhibit 12)** "document, paragraph (3) the EAC states with its own
478 admission:

479 *"Due to administrative error during 2017-2019, the EAC did not issue an updated*
480 *certificate to Pro V&V causing confusion with some people concerning their good*
481 *standing status." "Even though the EAC failed to reissue the certificate, Pro V&V's*
482 *audit was completed in 2018 and again in early 2021 as the scheduled audit of Pro*
483 *V&V in 2020 was postponed due to COVID-19 travel restrictions."*

484 *The EAC admits it did not follow, and ignored, their own policies and procedures*
485 *written in the EAC VSTL Program Manual to re-issue Certificates of Accreditation*
486 *for Pro V&V Laboratory and SLI Compliance Division of Gaming Laboratories*
487 *International, LLC for the 2020 General Election.*

488 *It acknowledges Its failure to re-certify PRO V&V Labs for the 2020 General Election*
489 *in paragraph (3) stating, "the scheduled audit of Pro V&V was postponed due to*
490 *COVID-19 travel restrictions."*

491
492 15. The Centers for Disease Control (CDC) reported and confirmed COVID-19
493 in the United States on January 20, 2020, which should not have hampered,
494 interfered, or delayed the re-certification accreditation of the Laboratories for the 2020
495 General election. **(Exhibit 14)**

496
497 16. In paragraph (4) of the **(Exhibit 12)** document the EAC reports, "the Testing &
498 Certification program has been fully staffed since May 2019, and we are confident
499 that the integrity of the labs and our voting system certification programs has

500 remained strong throughout.” “Confidence” does not equate to a valid Certification
501 of Accreditation for election safety and integrity.

502
503 17. A letter dated January 27, 2021, from Jerome Lovato, Voting System Testing and
504 Certification Director, in reference to Pro V&V EAC VSTL Accreditation
505 Acknowledges § 3.8 of the VSTL Program Manual version 2.0 policy stating:
506 *“Pro V&V has completed all requirements to remain in good standing with the EAC’s*
507 *Testing and Certification program per section 3.8 of the Voting System Test*
508 *Laboratory Manual, version 2.0:” “Expiration and Renewal of Accreditation. A grant of*
509 *accreditation is valid for a period not to exceed two years.” A VSTL’s accreditation expires on*
510 *the date annotated. (Exhibit 15)*

511
512 18. In reference to the above statement, Plaintiff is alleging the EAC is falsely stating and
513 portraying the laboratory as being accredited when current certification laws under Title 52
514 U.S.C Chapter 209 have not been followed to render legal accreditation.

515 19. If this laboratory were accredited the entire time, the accreditation certificates would have a
516 2-year expiration and renewal date from the original accreditation of February 2015 with renewal
517 dates of February 2017 and 2019 yet no accreditation certificates exist for 2017 and 2019.
518 Therefore, this lab was not accredited during the time it falsely claims the machines were
519 accredited and in use in the state of Missouri and nationwide. The accreditation certificates are
520 not available on the NIST or the EAC’s websites, whereas the 2015 and 2021 records are readily
521 available. (Exhibit 10)

522
523 **VIII**
524 **ACCREDITATION PROCESS**
525

526 1. How did these laboratories actually obtain a Certificate of Accreditation? This is not simply a
527 matter of requesting or issuing a certificate. It is a contractual process whereby certain
528 parameters must be in place in order to be in a relationship to conduct business. Including
529 verifiable steps such as a submission, acceptance and review, that a VSTL’s must take to obtain
530 or renew Accreditation. Here are those laws set forth by the EAC in the VSTL Manual. Note that

the accreditation is “*subject to*” receipt of information and EAC’s review and approval of materials.

EAC Voting System Test Laboratory Program Manual 2.0 (OMB 3265-0018)

3.1. Overview.

“.....The process generally includes an application for and receipt of a NIST recommendation; receipt of an EAC invitation to apply; and the successful *submission, acceptance, and review* of an EAC application.”

3.4. Application.

“EAC is the sole authority for Voting System Test Laboratory Accreditation. While NIST’s recommendation serves as a reliable indication of potential technical competency, *the EAC must take additional steps to ensure that laboratory policies are in place regarding issues like conflict of interest, record maintenance, and financial stability.* It must also ensure that the candidate laboratory is willing and capable to work with EAC in its Certification Program. To that end, applicant laboratories are required to submit a Letter of Application requesting accreditation. The letter shall be addressed to the Testing and Certification Program Director and attach (in either hard copy or on CD/DVD)”

(1) “all required information and documentation; (2) a signed letter of agreement; and (3) a signed certification of conditions and practices.”

3.4.1. Information and Documents. “The applicant laboratory must submit the information and documents identified below as a part of its application. These documents will be reviewed by the EAC in order to determine whether the applicant laboratory meets the program requirements identified in Chapter 2. The grant of EAC accreditation is *subject to* receipt of the information and EAC’s review and approval of the materials. The applicant laboratory shall properly label any documents, or portions of documents, it believes are protected from release under Federal law”

558 **3.4.3. Certification of Laboratory Conditions and Practices.** “The applicant
559 laboratory must submit a signed Certification of Laboratory Conditions and
560 Practices as a part of its application. No applicant laboratory will be considered
561 for accreditation unless it has properly affirmed its conditions and practices
562 through the certification document. A Certification of Laboratory Conditions and
563 Practices form may be found at Attachment C and is available electronically at
564 www.eac.gov. By signing the certification, a laboratory affirms that it, in fact, has
565 in place the policies, procedures, practices, resources and personnel stated in the
566 document. Any false representations made in the certification process may result
567 in the revocation of accreditation and/or criminal prosecution.”

568 Without valid accreditation, an issued certification of any voting system manufacturer is invalid.
569 *A laboratory having received EAC accreditation is exclusively what grants that laboratory the*
570 *authority to perform any testing on our critical infrastructure.*

572 IX

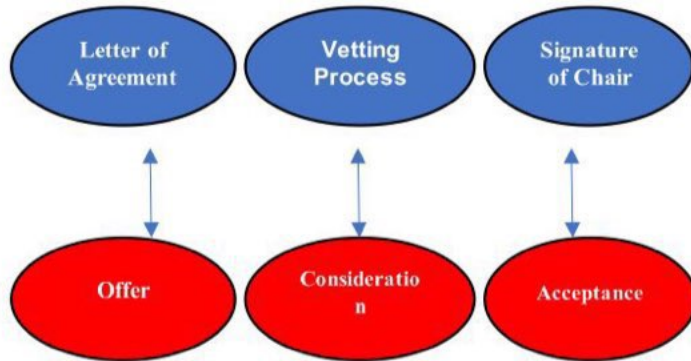
573 COMMISSION CERTIFICATION SIGNATURE VIOLATIONS

574 1. Not only is the date on these accreditation certifications important, but the signature on a
575 laboratory’s Certification of Accreditation is critical. As a Licensed Realtor, it is standard
576 practice when at a closing table to ensure the buyers new home title is correctly signed by the
577 signing authority. No other signature would be legal. Its Contractual law.

578 2. Per the (VSTL) Voting System Test Laboratory Program Manual ver. 2.0 effective May 31,
579 2015, page 38, § 3.6.1. Certificate of Accreditation: “A Certificate of Accreditation shall be
580 issued to each laboratory by vote of the Commissioners. The certificate *shall* be signed by the
581 CHAIR of the Commission and state:” “**§ 3.6.1.3. The effective date of the certification, which**
582 **shall not exceed a period of two (2) years;**” (*emphasis added*)

583 3. Similar to a real estate transaction, until you have the fully executed contract, you do not have
584 anything binding on which to build a transaction or abiding terms. The Certificate of
585 Accreditation itself is the proof of the contract. To have a valid contract, you must have an Offer,
586 Consideration, and Acceptance.

4. The “Offer” is the Letter of Agreement, submitted by the applicant laboratory. The VSTL authorized signature on this agreement serves as the VSTL contract offer to do business with the EAC and to ensure oversight when dealing with official infrastructure.



3.4.2. Letter of Agreement. “The applicant laboratory must submit a signed letter of agreement as a part of its application. This letter shall be signed by an official vested with the legal authority to speak for, contract on behalf of or otherwise **bind** the applicant laboratory (see Section 2.21). The purpose of this letter is to document that the applicant laboratory is aware of and agrees to abide by the requirements of the EAC Voting System Testing Laboratory Accreditation Program. **No applicant laboratory will be considered for accreditation unless it has properly submitted a letter of agreement.** The letter shall unequivocally state the following:”

*“The undersigned representative of _____ (hereinafter “Laboratory”), being lawfully authorized to bind Laboratory and having read the EAC Voting System Test Laboratory Program Manual, accepts and agrees on behalf of Laboratory to follow the program requirements as laid out in Chapter 2 of the Manual. Laboratory shall meet all program requirements as they relate to NVLAP accreditation; conflict of interest and prohibited practices; personnel policies; notification of changes; resources; site visits, notice of lawsuits; testing, technical practices and reporting; laboratory independence; **authority to do business in the United States; VSTL communications; financial stability;** and recordkeeping. Laboratory further recognizes that meeting these program requirements is a continuing responsibility. Failure to meet each of the requirements may result in the denial of an application for accreditation, a suspension of accreditation or a revocation of accreditation”*

Consideration of offer is covered here.

3.5. EAC Review of Application Package.

“The EAC will perform a review of each Applicant Laboratory’s application package to ensure that it is complete, and the laboratory meets Voting System

Test Laboratory Program Manual, Version 2.0 pg. 35-36 (OMB 3265-0018), the program requirements. Each package will be reviewed to identify any apparent nonconformities or deficiencies. If necessary, the Program Director will notify Applicant Laboratories of any such nonconformities or deficiencies and provide them an opportunity to cure problems prior to forwarding the package to the Commissioners. The Program Director will issue a recommendation to the Commissioners when forwarding any application package. Consistent with HAVA, a laboratory will receive an accreditation only upon a vote of the Commissioners.”

The ratification of the entire transaction, as laid out in the manual, is the signature of the Chair of Commission. That actual laboratory Accreditation Certificate is the ratification of the relationship. It must be signed by the Chair of the Commission.

5. These portions of the EAC manual describe pertinent steps that are critical to the very charter that the EAC was created for. A contractual relationship necessitating a binding signature on the letter of agreement. The EAC Manual dictates an agreement is void if not ratified and re-applied for every 2 years. Any lapse of signature or appropriate paperwork would, of necessity, make the contract null and void because it includes in depth consideration, counter commentary and eventually ratification by the EAC in the form of issuance of a signed and dated Certificate of Accreditation.

This equals a contract to do business together. Terms are clearly defined validated by both sides.

X
WHO SIGNED THE VSTL CERTIFICATIONS?

VSTL Name	EAC Accreditation on file?	Date of Expiration		Signed by EAC Chairman?	Who signed?
NTS Huntsville	NO	X		X	X
Pro V&V	YES	2/24/2017		NO	Acting Exec. Director Alice Miller
SLI Compliance	YES	1/10/2020		NO	Exec Director Brian Newby

1. Contract for Pro V&V and SLI Compliance were void due to:

- Lack of submission of the Letter of Agreement
- Lack of Binding signature on the Certification.

2. NTS Huntsville is out of compliance with documentation requirement per the EAC VSTL manual:

- NIST Recommendation letter (3.6.2.4)
- Certifications and Practices (3.6.2.3)
- Commissions Decisions (3.6.2.4)

3. SLI Compliance lacks 4 out of 5 required documents per EAC VSTL:

- NIST Recommendation letter (3.6.2.4)
- Letter of Agreement (3.6.2.2)
- Certifications and Practices (3.6.2.3)
- Commissions Decisions (3.6.2.4)

4. Pro V&V lacks documentation on

- Commission's decision on Accreditation (3.6.2.4)
- No new certification in 2017
- No documentation on website from 2015 to 2021

4.1. Purpose.

“The purpose of the Compliance Management Program is to improve EAC’s Laboratory Accreditation Program and testing; increase coordination, communication and understanding between the EAC and its VSTLs; and *increase public confidence in elections* by facilitating VSTL accountability. The program accomplishes this by increasing personal interaction between EAC staff and VSTL personnel, collecting information and performing reviews to ensure continued compliance with program requirements, and requiring that VSTLs promptly remedy any identified areas of noncompliance.

XI
EAC & COVID

Disaster Preparedness and Recovery

1. Thankfully, administrative tasks were generally and appropriately carried out during Covid-19 as the EAC was able to mitigate the foreseeable risks of the pandemic. PPE plans were promptly put in place for CARES ACT relief funding and their website was helpful. Communications with states continued. (**Exhibit 16, 17**)

2. FEMA's website states on March 13, 2020, President Trump declared a nationwide emergency pursuant to Title V, § 501(b) of the Stafford Act, and Emergency Assistance Act (Stafford Act; 42 U.S.C. §5191(b)) (**Exhibit 18**)

3. The good news is the EAC has plenty of documentation of habit in paperwork and meetings regarding how well prepared this Commission can be to deal with any kind of emergencies and disasters. You can see in for 2016, they had an Initiative to deal with H1N1. In 2019 they had a very comprehensive meeting that talked a great deal about continuing plans for emergencies and in 2020, they put into place massive continuation plans regarding Covid.

4. Their disaster preparedness was mentioned and executed for years by the EAC. Natural disasters, Hurricanes, pandemics, they assured the public they would be prepared to assist the states.

5. When Covid hit, it was handled quite well by the EAC. Luckily, they were able to work from home like many other administrative positions across the nation⁹. The increase in digital methods to work remotely, both before Covid and after, has allowed for very little disruption in administrative tasks. EAC has rules in place to receive documents digitally and to review and sign documents through e-sign. The boom in housing market sales during 2020 proves it can be an easy, smooth process, even in a national emergency. The Zoom® revolution also has made voting and decision making over video chat, a welcome alternative to coming into an office.

6. HAVA states "the EAC is an independent entity" in **52 U.S.C. TITLE II— Subtitle A, § 201**

⁹ [Coronavirus \(COVID-19\) Resources | U.S. Election Assistance Commission \(eac.gov\)](https://eac.gov/coronavirus-covid-19-resources)

“There is hereby established as **an independent entity** the Election Assistance Commission (hereafter in this title referred to as the “Commission”), consisting of the members appointed under this part. Additionally, there is established the Election Assistance Commission Standards Board (including the Executive Board of such Board) and the Election Assistance Commission Board of Advisors under part 2 (hereafter in this part referred to as the “Standards Board” and the “Board of Advisors”, respectively) and the Technical Guidelines Development Committee under part 3.

7. “*Independent entity* means an entity having a public purpose relating to the state or is given by the state the right to exist and conduct its affairs”¹⁰

8. As an independent entity with a public purpose that has only increased in the past election year, EAC officials were excellent at processing grants, helping states with PPE, and taking close care regarding Covid-19. The EAC performed the impossible, when it didn’t seem practical to do so during a national emergency. Yet, it appears that the most important task before this Commission has been ignored for several years. Commensurate effort was not put forth regarding the laboratory accreditations and due diligence as will be shown throughout this Complaint.”

XII

EAC RULES AS TO STANDARDS AND COMPLIANCE FOR VSTLS

1. The EAC issues formal Certificates of Accreditation that are to be published on the EAC website.

3.6.2. Post Information on Web Site

“The Program Director shall make information pertaining to each accredited laboratory available to the public on EAC’s Web site¹¹.”

2. The expiration and renewal process are also made crystal clear.

3.8. Expiration and Renewal of Accreditation.

¹⁰ [Independent entity Definition | Law Insider](#)

¹¹ [Voting System Test Laboratory Program Manual\(eac.gov\)](#)

“A grant of accreditation is valid for a period not to exceed two years. A VSTL’s accreditation expires on the date annotated on the Certificate of Accreditation. VSTLs in good standing shall renew their accreditation by submitting an application package to the Program Director, consistent with the procedures of Section 3.4 of this Chapter, no earlier than 60 days before the accreditation expiration date and no later than 30 days before that date. Laboratories that timely file the renewal application package shall retain their accreditation while the review and processing of their application is pending. VSTLs in good standing shall also retain their accreditation should circumstances leave the EAC without a quorum to conduct the vote required under § 3.5.5¹².”

3. The HAVA Act, codifies that the Commission must disseminate to the public, in matter that is consistent with US Code, Title 44, Chapter 19¹³.

Title II, Subtitle A, Pt.1 § 206. DISSEMINATION OF INFORMATION.

“In carrying out its duties, the Commission shall, on an ongoing basis, disseminate to the public (through the Internet, published reports, and such other methods as the Commission considers appropriate) in a manner that is consistent with the requirements of chapter 19 of title 44, United States Code, information on the activities carried out under this Act.

“Government publication” as used in this chapter, means informational matter which is published as an individual document at Government expense, or as required by law.”

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1283.)

Repeated again, in the VSTL Manual (OMB 3265-0018):

3.6.2 Post Information on Website. “The Progress Director shall make information pertaining to each accredited Laboratory, available to the public on EAC’s website. This information shall include, but not limited to”

¹² [Voting System Test Laboratory Program Manual \(eac.gov\)](https://www.eac.gov/Voting-System-Test-Laboratory-Program-Manual)

¹³ [44 U.S. Code § 1901 - Definition of Government publication | U.S. Code | US Law | LII / Legal Information Institute \(cornell.edu\)](https://www.law.cornell.edu/ucc/44-1901-1)

753 3.6.2.1 “NIST’s Recommendation Letter;”

754 3.6.2.2. “The VSTL’s Letter of Agreement;”

755 3.6.2.3. “The VSTL’s Certification of Conditions and Practices;”

756 3.6.2.4. “The Commissioner’s Decision on Accreditation and;

757 3.6.2.5. “Certificate of Accreditation.”

758
759 **1.12. Publication and Release of Documents.**

760 “The EAC *will* release documents consistent with the requirements of Federal
761 law. It is EAC policy to make the laboratory accreditation process as open and
762 public as possible. *Any documents (or portions thereof) submitted under this*
763 *program will be made available to the public unless specifically protected* from
764 release by law. *The primary means for making this information available is*
765 *through the EAC Web site.* See Chapter 7 of this Manual for additional
766 information.”

767 5. In several different ways, the publishing and dissemination of this information is meant to
768 communicate transparency to the states and the people. Indeed, the EAC had demonstrated great
769 transparency in the past. However, efforts to be transparent are currently lacking. It began to
770 decline between 2012-2015 and has continued to degrade since that time. (Exhibit 19)

771 6. The importance of the release of certification program information is to increase public
772 confidence and create a more informed and involved public.

773 **7.2. EAC Policy on the Release of Certification Program Information.**

774 “The EAC seeks to make its Voting System Test Laboratory Program as
775 transparent as possible. The agency believes that such action benefits the program
776 by increasing public confidence in the process and creating a more informed and
777 involved public. As such, it is the policy of the EAC to make all documents, or
778 severable portions thereof, available to the public consistent with Federal law
779 (e.g., Freedom of Information Act (FOIA) and the Trade Secrets Act).”

XIII
QUORUM

1. EAC claims in two separate news releases, both dated February 2019, they had no quorum for nearly a decade. Yet, the chart below shows only the years 2011 through 2014 did not have a quorum. From 2015 through 2020 the Commission had enough members to hold votes for Chairmen positions throughout those 5 years. This would mean the Commission should have had enough votes to accredit laboratories during this same time period. (**Exhibit 20, 21**)

YEAR	CHAIRMAN
2004	DeForest Soaries
2005	Gracia Hillman
2006	DeGregorio
2007	Donetta Davidson
2008	Rosemary Rodrigez
2009	Gineen Bresso
2010	Donetta Davidson
2011	NO QUORUM
2012	NO QUORUM
2013	NO QUORUM
2014	NO QUORUM
2015	Christy McCormick
2016	Thomas Hicks
2017	Matthew Masterson
2018	Thomas Hicks
2019	Christy McCormick
2020	Benjamin Hovland
2021	Donald Palmer

XIV
SIGNIFICANCE OF VOTING SYSTEM TESTING LABORATORIES

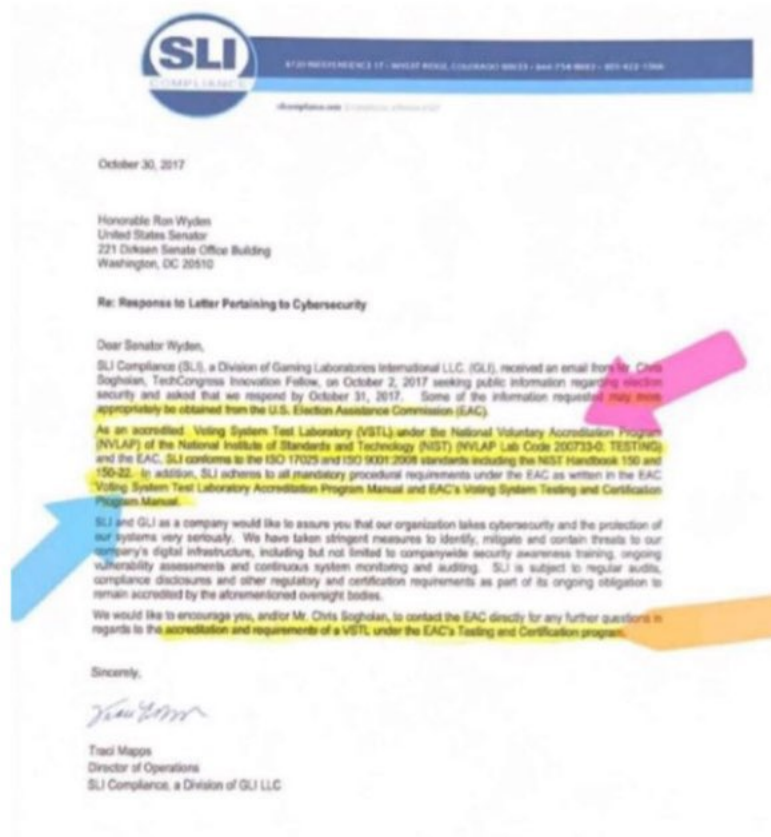
VSTLs are responsible for the examination of the use of Commercial Off-The-Shelf (COTS) components as well as the examination of other applications, software, and components deemed to be proprietary. Like established security vulnerabilities, and the increase threats of hacks and manipulations by bad actors, the significance of accredited VSTLs to the certification process is not a novel concept to those in the election infrastructure industry. The critical role of VSTLs has long been established, acknowledged and conveyed amongst the EAC, election technology manufacturers/vendors, politicians, state and county officials, and many experts in the field. In a letter dated July 10, 2008, Brian J Hancock, Director of Testing and Certification to Mary



Sincerely,

Ron Wyden
United States Senator

See Traci Mapps response...



ARGUMENT

The Secretary of State and the EAC knowingly allowed Missourians to vote on networked machines that were not certified due to lack of accredited VSTL(s) since the November 3, 2020, elections. This onerous conduct renders the results void. The Defendants continued to certify election results knowing they violated Missourian's civil liberties subsequently forcing Plaintiff into fraudulent contracts with illegally elected government officials: providing said officials with unlawful power to enforce actions under the color of law coercing and subjecting Plaintiffs into servitude in which our liberty to determine our own course and way of life has been strong-armed from us. "The secretary of State has no authority to pass upon the question of negligence or freedom from negligence. He has no discretion but is obliged to act as the law provides." *DeVries v. Secretary of State*, 329 Mich. 68 (1950). 44 N.W.2d 872.

Missouri Secretary of State and 34 Missouri representatives both elected and appointed, in addition to three United States EAC Commissioners and one EAC Executive Director, were served in March of 2022, via certified mail a legal “Notice and Demand Affidavit of Maladministration, Misrepresentation, Misconduct and Fraud” informing Defendants of the lack of legal accreditation of VSTL’s used in the November 3rd, 2020, General Election. This notified every recipient of all the information and evidence provided to the Court today. There have been no responses, answers or refute of *any* manner from any of the 39 Respondent’s to date. **(Exhibit 23, 24)**

Due to the disregard in response to the information provided in the “Notice and Demand Affidavit of Maladministration, Misrepresentation, Misconduct and Fraud” served to the Defendants in March of 2022, they have left little option for remedy in regard to addressing the gross negligence they have created. With an upcoming election, less than 30 days away, EAC policy states a renewal of a laboratory’s accreditation must be “no earlier than 60 days before the accreditation expiration date and no later than 30 days before that date.” Therefore, rendering any attempt at laboratory re-accreditation at this late stage, an unfeasible option. Additionally, the public’s trust in the EAC has been irrevocably broken. This shows, for years the EAC has neglected the law. They’ve failed to perform their duties to The People in safeguarding and securing our electronic voting systems, our critical infrastructure, and our voices. For nearly a decade, over half of the State of Missouri has used uncertified electronic voting systems due to the lack of accreditation of the VSTL, NTS Huntsville Laboratory. Rendering any votes cast through an uncertified electronic voting machine, null and void.

As a candidate, a citizen, and a voter, the evidence that unaccredited laboratories tested the electronic voting systems software for legal use in the Missouri’s November 3rd, 2020, General Election, and continuing to be used currently, nullifies any vote cast through electronic voting systems that underwent testing/certification by these unaccredited laboratories. This violates my rights as a citizen, silences my voice as a voter, eliminating my right to express my political opinion on who governs my state and my fundamental right to vote.

The phrase “right to vote” appears for the first time in the Fourteenth Amendment¹⁴, which declares States shall lose congressional representation “when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime.” The allowance of the EAC and the Missouri Secretary of State to continue to neglect law in respect to the certification and legality of our electronic voting system machines, my vote, and any electorate’s vote for me in the next election, are nullified. Rendering the violation of my U. S. Constitution 14th Amendment right.

The act of voting is exercising our power to preserve our Republic and make our voices heard. Our right to vote, our right to select those who represent and make decisions for us affecting every aspect of our lives, is among the most sacred that we have and must safeguard the process against fraud and manipulation.

Supreme Court case law supports a theory of First Amendment¹⁵ protection for voters. The Court has repeatedly characterized the fundamental right to vote in terms of “voice” and expression. In *Wesberry v. Sanders*, 376 U.S. 1, 17 (1964), the Court explained: “No right is more precious in a free country than that of having a voice in the election of those who make the laws.” In *Reynolds v. Sims*, 377 U.S. 533, 565 (1964), the Court held: “Each citizen must have an equally effective voice in the election of members of his state legislature.” In *Norman v. Reed*, 502 U.S. 279, 288 (1992), the Court noted that voting gives “opportunities of all voters to express their own political preferences.” Finally, in *Anderson v. Celebrezze*, 460 U.S. 780, 806 (1983), the source of the current balancing test, the Court held that the interest at stake was the “interests of voters who chose to associate together to express their support for Anderson’s candidacy and the views he expressed.” This list goes on at length¹⁶.

¹⁴ [U.S. Constitution - Fourteenth Amendment | Resources | Constitution Annotated | Congress.gov | Library of Congress](https://www.congress.gov/constitution/amendment-1/)

¹⁵ <https://constitution.congress.gov/constitution/amendment-1/>

¹⁶ *Baker v. Carr*, voting is characterized as providing citizens with a “voice” in their democracy; *Clingman v. Beaver*, 544 U.S. 581, 599 (2005); *Miller v. Johnson*, 515 U.S. 900, 932, 937 (1995); *Shaw v. Reno*, 509 U.S. 630,

Chief Justice Roberts's majority opinion in (quoting *Republican Party of Minn. v. White*, 536 U.S. 765, 788 (2002)), stated:

"An individual expresses a view on a political matter when he signs a petition under Washington's referendum procedure [T]he expression of a political view implicates a First Amendment right. The State, having "cho[sen] to tap the energy and the legitimizing power of the democratic process, . . . must accord the participants in that process the First Amendment rights that attach to their roles."

The Chief Justice's opinion acknowledged that signing a petition was part of a process leading to legal consequences under state law, and that "to the extent a regulation concerns the legal effect of a particular activity in [the electoral] process, the government will be afforded substantial latitude to enforce that regulation." That regulatory necessity, however, does not negate the First Amendment's protection:

"Voting and petition-signing plainly express a point of view and represent a decision to sign on to a particular idea in the marketplace of ideas or support a particular candidate who best represents the voters' political beliefs."

The expressive interests implicated by voting are strong. By voting, citizens declare their choice to participate. This is expressed in front of their neighbors, poll officials, and allow a public record of their choice. The expressive nature of the vote is present whether the vote is for a

675 (1993); U.S. Dep't of Commerce v. Montana, 503 U.S. 442, 460 (1992); Burdick v. Takushi, 504 U.S. 428, 441 (1992); Burson v. Freeman, 504 U.S. 191, 199 (1992); Chisom v. Roemer, 501 U.S. 380, 398 n.25 (1991); Bd. of Estimate of City of New York v. Morris, 489 U.S. 688, 693 (1989); Davis v. Bandemer, 478 U.S. 109, 166 (1986) (Powell, J., concurring in part and dissenting in part); Rogers v. Lodge, 458 U.S. 613, 649 (1982) (Stevens, J., dissenting); Ball v. James, 451 U.S. 355, 371 (1981); Democratic Party of U.S. v. Wisconsin ex rel. La Follette, 450 U.S. 107, 127, 134 (1981); City of Rome v. United States, 446 U.S. 156, 176 n.12 (1980); City of Mobile v. Bolden, 446 U.S. 55, 78 (1980); Holt Civic Club v. City of Tuscaloosa, 439 U.S. 60, 76 (1978); United Jewish Organizations of Williamsburgh, Inc. v. Carey, 430 U.S. 144, 177 n.5 (1977); City of Richmond v. United States, 422 U.S. 358, 387 (1975); Am. Party of Texas v. White, 415 U.S. 767, 799 (1974); Lubin v. Panish, 415 U.S. 709, 721 n.* (1974); Kasper v. Pontikes, 414 U.S. 51, 58 (1973); Rosario v. Rockefeller, 410 U.S. 752, 764 (1973); Mahan v. Howell, 410 U.S. 315, 321, 323 (1973); Jenness v. Forston, 403 U.S. 431, 442 (1971); Whitcomb v. Chavis, 403 U.S. 124, 141 (1971); Oregon v. Mitchell, 400 U.S. 112, 134 (1970); Evans v. Comman, 398 U.S. 419, 422 (1970); Kramer v. Union Free Sch. Dist. No. 15, 395 U.S. 621, 627 (1969); Hadnott v. Amos, 393 U.S. 904, 906 (1968); Williams v. Rhodes, 393 U.S. 23, 31 (1968); Avery v. Midland County, Tex., 390 U.S. 474, 480 (1968); Carrington v. Rash, 380 U.S. 89 (1965); Fortson v. Toombs, 379 U.S. 621, 626 (1965) (Harlan, J., concurring in part and dissenting in part); Roman v. Sincock, 377 U.S. 695 (1964); WMCA, Inc. v. Lomenzo, 377 U.S. 633, 655 (1964); Reynolds, 377 U.S. at 576; Wesberry, 376 U.S. at 10, 17; Gray v. Sanders, 372 U.S. 368, 386 (1963).

candidate in a primary or general election or for a ballot proposition, recall, referendum or anything else called a vote. Likewise, a vote is expressive regardless of whether it is decisive.

The decision not to vote may also serve an expressive purpose and be intended to protest the unresponsiveness of the government or deny the legitimacy of the process or of a particular outcome.

Voting is therefore both a means of achieving a particular end and of expressing an opinion as to both the process and the desired end.

It is well-established that “the loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.” *Elrod v. Burns*, 427 U.S. 347, 373, 96 S. Ct. 2673, 49 L.Ed.2d 547(1976)

Applying a strict scrutiny analysis to the instant facts, **RSMo § 115.631 (7)** serves a "compelling interest" “.....knowingly practicing any fraud upon a voter to induce him or her to cast a vote which will be rejected, or otherwise defrauding him or her of his or her vote;”

Relevant to “public interest”, this affects the population of Missouri as a whole should Missouri voters continue to be required to cast their votes on illegal voting machines, resulting in the installation of a fraudulent government body.

Our vote is our voice in government, and without this, we are not free people. The First Amendment protects our voice which we demonstrate through our vote. If the EAC and Missouri Secretary of State fail to safeguard our elections and uphold the rule of law, then my First Amendment rights, as well as all other Missouri citizen’s rights have been violated. This not only effects Missouri registered voters, but the Missouri population as a whole. We collectively inherit a fraudulent government.

In weighing injury and risk, The People of Missouri bear the injury and are the beneficiaries of the problems caused by lack of compliance by the EAC and Missouri Secretary of State. Safety of critical infrastructure and public trust were both violated by Defendants who took an oath to protect and defend the Constitution which guarantees our right to vote and be heard in elections. Lack of compliance and contract renders the respective elections unlawful bearing the weight of injury on voters forced to use any uncertified electronic voting equipment system nullifying their

937 vote and First Amendment right.

938 There is a burden on the Missouri Secretary of State to logically prepare the state election
939 process without the use of electronic voting equipment systems. However, this burden does not
940 outweigh the loss of the Peoples constitutionally protected right to free and fair elections.

941
942 The people of Missouri have been forced into contract with representatives through deceptive
943 practices and fraudulent certifications; thereby, rendering the elections false as "fraud vitiates
944 everything," (*United States v. Throckmorton*, 98 U.S. 61). This is clear injury to The People as a
945 result of Respondents' actions.

946 It is interesting to note the repeated references to fraud in the above quotes. Therefore, the
947 meaning of fraud should be noted: Fraud. "An intentional perversion of truth for the purpose of
948 inducing another in reliance upon it to part with some valuable thing belonging to him or to
949 surrender a legal right. A false representation of a matter of fact... which deceives and is intended
950 to deceive another so that he shall act upon it to his legal injury. ... It consists of some deceitful
951 practice or willful device, resorted to with intent to deprive another of his right, or in some
952 manner to do him injury... "(Emphasis added) –*Black's Law Dictionary Fifth Edition (1989)*,
953 page 594.

954 Consider the case of *McNally v. U.S.*, 483 U.S. 350 (1987) 371-72, *Quoting U.S. v Holzer*, 816
955 F.2d. 304, 307 (1987). Fraud in its elementary common law sense of deceit... includes the
956 deliberate concealment of material information in a setting of fiduciary obligation. A public
957 official is a fiduciary toward the public... and if he deliberately conceals material information
958 from them, he is guilty of fraud.

959 These usurpations against The People of Missouri and the tyrannical measures are a clear,
960 apparent violations of **Article I, § 1, § 2, § 3, § 4 and § 25 of the Missouri Constitution** - as
961 well as, **18 U.S. Code §§ 241 and 242** - and must be halted, atoned for, and rectified.

962 Missourians are living in immediate imminent danger (with no remedy other than the Court's
963 honorable intervention) under the threat of continuing to have their constitutional rights and
964 liberties stripped, which necessitates emergent action from the Court. *LaBuy v. Howes Leather*
965 *Co.*, 352 U.S. 249 (1957); *United States v. McGarr*, 461 F.2d 1 (7th Cir. 1972).

U.S. Constitution Art I. § 4.C1.1.1.1.2, Role of Congress in Regulating Federal Elections As noted, although § 2, cl.1, of this Article vests in the states the responsibility, now limited, to establish voter qualifications for congressional elections, the Court has held that the right to vote for Members of Congress is derived from the Federal Constitution, and that Congress therefore may legislate under this section of the Article to protect the integrity of this right. Congress may protect the right of suffrage against both official and private abridgment. Where a primary election is an integral part of the procedure of choice, the right to vote in that primary election is subject to Congressional protection. The right embraces, of course, the opportunity to cast a ballot and to have it counted honestly. What amount of monetary damages can adequately compensate a stolen or nullified vote?

CLOSING

1. Safety of critical infrastructure and public trust were both violated by the EAC, who took an oath to protect and defend the Constitution which guarantees our Right to vote and be heard in elections.

2. Missouri Secretary of State and 34 Missouri representatives both elected and appointed, in addition to three United States EAC Commissioners and one EAC Executive Director, were served via certified mail legal “Notice and Demand Affidavit of Maladministration, Misrepresentation, Misconduct and Fraud” informing Defendants of the lack of legal accreditation of VSTL’s used in the November 3rd, 2020, General Election. (**Exhibit 23, 24**)

3. Compliance is not something that can be determined retroactively nor made up “on the go.” Creating or modifying documents to demonstrate due diligence after the fact is both unlawful and dangerous. **Lack of valid compliance and contract renders the retrospective elections unlawful.** (*emphasis added*). In this case, law and standard were codified for the express purpose of protecting the voice and the trust of the people. These laboratories were to be thoroughly vetted every two years. Not just because it’s a good idea, but because it’s the law. It would be a violation of the public trust if all government contractors with access to critical infrastructure were able to do as they pleased.

4. The EAC posting of VSTL contracting lab communications and accreditation is for the purpose of public, transparent, date verified, documentation of continued due diligence. This allows the American public and State officials to be certain that they are operating within the law, and that the EAC is timely receiving, acting on, and communicating with the most important task in its purview.

5. Distributing taxpayer dollars and holding conferences are among the least important functions such a critical commission has, yet the documentation of these activities is plentiful, dated, available to the public and well produced.

6. Recent attempts to issue memos, cite irrelevant code, re-date certifications with zero reference to contract, and to use Covid as an excuse as to why signatures, contracts and documents cannot be submitted, reviewed, or ratified, shows the outright disregard for the foundational purpose for the EAC oversight and management of government contractors.

7. These illegal acts were and are perpetrated by an unelected commission that the American people cannot fire. With zero say in the matter, our fundamental rights were risked and violated. We the People of Missouri were to be the beneficiaries of a well-executed and legal process that was signed into law to secure our trust and our voice. Instead, we have been the beneficiaries of insufficient oversight, invalid contracts, mismanagement, and gross negligence. This has affected our entire state and renders the outcomes said to be assured by these systems of accountability, to be NULL and VOID.

8. "Fraud vitiates the most solemn contracts, documents and even judgements..., or perjured evidence, or for any matter which was actually considered in the judgment assailed."

UNITED STATES V. THROCKMORTON, 98 U.S. 61, 25 L. Ed. 93 (1878)

COUNT I - Violation of Procedural Due Process

UNDER 42 U.S.C. §1983, 28 U.S.C. §1331

(1st, 14th, and 15th Amendments)

(Seeking declaratory and injunctive relief against All Defendants)

Plaintiffs incorporate the foregoing paragraphs as if set forth in full herein.

1025 In order establish a claim under section 1983 of the Civil Rights Act, a plaintiff must prove a
1026 Defendant: (a) acted under the color of state law; (b) proximately causing; (c) the Plaintiff to be
1027 deprived of a federally protected right. 42 U.S.C. §1983.

1028 For this matter, Defendants violated the federally protected rights of voting. 18 U.S.C. 245.

1029 In the instant case, Defendants unquestionably acted under the color of state and federal law.

1030 Each Individual Defendant is an appointed official with the authority of duties pursuant to
1031 Missouri Statutes for the State of Missouri.

1032 Under the First Amendment to the U.S. Constitution, no abridging the freedom of speech.

1033 The Fourteenth Amendment applies the protections of the First and Fifteenth Amendment to
1034 state actors. U.S. Const. Ann., Amendment XIV.

1035 Under the Fifteenth Amendment to the U.S. Constitution, no citizen of the United States the right
1036 to vote shall not be denied or abridged by any state on account of servitude by those in power
1037 without due process of law. U.S. Const. Ann., Amendment XV.

1038 Plaintiffs have constitutionally protected interests in the benefits that come from the right to vote
1039 and not being subject to the illegal voting systems/equipment, software, and modifications,
1040 including the ability to pursue our First Amendment right to legal elections without being
1041 subjected to casting an illegal vote that violates federal and state laws.

1042 Defendants' knowingly certified voting system/equipment, software and modifications
1043 unlawfully deprives Plaintiffs of these and other constitutionally protected interests without due
1044 process of law. Such deprivation occurred after Defendants had open communications with
1045 voting vendors and the EAC in which Defendants did not disclose to the public and gave no
1046 notice or meaningful opportunity for open public discussion regarding defects of voting
1047 equipment/software to the Plaintiffs prior to certifications. Such deprivation was arbitrary,
1048 capricious, based on ignorance without inquiry into facts, and in violation of the Missouri and
1049 Federal laws and other applicable laws. Such deprivation violates the First, Fourteenth, and
1050 Fifteenth Amendments of the United States Constitution thereby depriving Plaintiffs civil rights
1051 in regard to casting a "legal" vote.

Despite Defendant's knowledge of voting systems noncompliance with state and federal law, Defendants intend to continue to utilize these non-compliance systems in future elections.

Plaintiffs were harmed and continue to be irreparably harmed by these unlawful acts, including by suffering forced contracts with representatives through deceptive practices and fraudulent certifications. RSMo § 115.631 (1) (14) (19), RSMo § 115.635 (11), RSMo § 115.637 (12)

**COUNT II - Violation of Substantive Due Process
UNDER 42 U.S.C. §1983, 18 U.S.C. §245
(Fourteenth Amendment, Equal Rights)**

(Seeking declaratory and injunctive relief against All Defendants)

Plaintiffs incorporate the foregoing paragraphs as if set forth in full herein.

In order establish a claim under section 1983 of the Civil Rights Act, a plaintiff must prove a Defendant: (a) acted under the color of state law; (b) proximately causing; (c) the Plaintiff to be deprived of a federally protected right. 42 U.S.C. §1983.

For this matter, Defendants violated the federally protected rights of voting. 18 U.S.C. §245.

In the instant case, Defendants unquestionably acted under the color of state law.

Each Individual Defendant is an appointed official with the authority of duties pursuant to Missouri Statutes for the State of Missouri.

Under the Fourteenth Amendment of the Constitution, and as established by *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260 (1954) created the Accardi doctrine, Plaintiffs have a fundamental right to cast a ballot and vote in a legal and fair election.

Plaintiffs were harmed and continue to be irreparably harmed by these unlawful acts, including by suffering forced contract with representatives through deceptive practices and fraudulent certifications. **RSMo § 115.225**

**COUNT III – Deprivation of Civil Rights
UNDER 42 U.S.C §1983, 42 U.S.C. 1985 (3)
(MO Const. Art. I, § 14 and Art. I, § 10)**

(Seeking declaratory and injunctive relief against All Defendants)

Plaintiffs incorporate the foregoing paragraphs as if set forth in full herein.

Article 1, § 14 of the Missouri Constitution provides, “That the courts of justice shall be open to every person, and certain remedy afforded for every injury to person, property or character, and that right and justice shall be administered without sale, denial or delay.”

Article 1, § 10 of the Missouri Constitution affords the people of Missouri with the right to be free from violations of the procedural due process rights, and “no person shall be deprived of life, liberty, or property without due process of law.”

Plaintiffs have constitutionally protected interests in the benefits that come from the right to vote and not being subject to the illegal voting systems/equipment, software, and modifications, including the ability to pursue our First Amendment right to legal elections without being subjected to casting illegal votes in violation of both state and federal laws.

Defendants’ knowingly certified voting system/equipment, software and modifications unlawfully deprives Plaintiffs of these and other constitutionally protected interests without due process of law. Such deprivation occurred after Defendants had open communications with voting vendors and the EAC in which Defendants did not disclose to the public and gave no notice or meaningful opportunity for open public discussion regarding defects of voting equipment/software to the Plaintiffs prior to certifications. Such deprivation was arbitrary, capricious, based on ignorance without inquiry into facts, and in violation of the Missouri and Federal laws and other applicable laws. Such deprivation violates Article 1, § 14 and Article 1, § 10 of the Missouri Constitution thereby depriving Plaintiffs civil rights regarding casting a “legal” vote. RSMo § 115.631 (1) (14) (19), RSMo § 115.635 (11), RSMo § 115.631 (7) RSMo § 115.637 (12)

Plaintiffs were harmed and continue to be irreparably harmed by these unlawful acts, including by suffering forced contracts with representatives through deceptive practices and fraudulent certifications.

**COUNT IV – Deprivation of Constitutional Rights
UNDER 28 U.S.C. 1331
(MO Const. Art. I § 14; Art. I § 10; Art I § 25; Art. XI § 3)**

(Seeking declaratory and injunctive relief against All Defendants)

Plaintiffs incorporate the foregoing paragraphs as if set forth in full herein.

Article 1, § 14 of the Missouri Constitution provides, “That the courts of justice shall be open to every person, and certain remedy afforded for every injury to person, property or character, and that right and justice shall be administered without sale, denial or delay.

Article 1, § 10 of the Missouri Constitution affords the people of Missouri with the right to be free from violations of the substantive due process rights, and “no person may be deprived of life, liberty, or property without due process of law.”

Under Article 1, § 25 of the Missouri Constitution, and as established by *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260 (1954) case law created the Accardi doctrine, “That all elections shall be free and open; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.”

MO Const Art XI § 3 states “The exercise of the police power of the state shall never be surrendered, abridged, or construed to permit corporations to infringe the equal rights of individuals, or the general well-being of the state.” Allowance of these laboratories, that are registered corporations¹⁷, to continue undermining election law is a violation of my rights in Art. XI of the MO Constitution.

Plaintiffs were harmed and continue to be irreparably harmed by these unlawful acts, including by suffering forced contracts with representatives through deceptive practices and fraudulent certifications.

¹⁷ [GAMING LABORATORIES INTERNATIONAL, LLC :: Delaware \(US\) :: OpenCorporates](#)
[Pro V & V, Inc. :: Alabama \(US\) :: OpenCorporates](#)

COUNT V – Voting Rights Violation
UNDER 52 U.S.C § 20511 (2)(b),
(U.S. Const. First and Fourteenth Amendment)
Missouri Constitution Article I § 25

(Seeking declaratory and injunctive relief against All Defendants)

Plaintiffs incorporate the foregoing paragraphs as if set forth in full herein.

In order establish a claim under section 20511(a)(b) of Title 52-Voting and Elections, a plaintiff must prove a Defendant: (a) acted under the color of state law; (b) proximately causing; (c) the Plaintiff to be deprived of a federally protected right. 42 U.S.C. §1983.

In the instant case, Defendants unquestionably acted under the color of state and federal law.

Each Individual Defendant is an appointed official with the authority of duties pursuant to Missouri Statutes for the state of Missouri.

Under the First and Fourteenth Amendment to the U.S. Constitution, and as established by state law including US Supreme Court case law created Accardi doctrine, Plaintiffs have a fundamental right to cast a ballot and vote in a legal and fair election.

The Missouri Constitution Article I § 25 states, “That all elections shall be free and open; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.”

Plaintiff was harmed and continue to be irreparably harmed by these unlawful acts, including by suffering forced contract with representatives through deceptive practices and fraudulent certifications.

COUNT VI – DECLARATORY JUDGMENT
UNDER 28 U.S.C. § 2201
(Against All Defendants)

Plaintiffs incorporate the foregoing paragraphs as set forth in full herein.

Defendants’ conduct has and will continue to violate the rights of citizens of Missouri, as set forth above.

The Court has the authority pursuant to 28 U.S.C. § 2201 to issue an Order enjoining the State from conducting an election in which votes are casted through uncertified voting machines.

If the State of Missouri proceeds with the forthcoming election as described above, it will violate the rights of Missourians by conducting an unsecure, vulnerable electronic voting systems which is susceptible to manipulation and intrusion.

If the State of Missouri proceeds with the forthcoming election as described above, it will violate the rights of Missourians by conducting an election on illegally certified voting systems in violation of both the State of Missouri and Federal election laws.

The Court should issue an Order enjoining the State from using any electronic voting system and respective devices to include but not limited to poll pads, tabulators, printers, etc.

RESERVATION OF RIGHTS

Plaintiffs herein expressly reserve their rights in regard to any additional claims to which they may be entitled under federal law as well as under the laws of the State of Missouri, including claims arising from any violations of Missouri's Open Meetings Laws¹⁸ or other actions of misconduct that may have been committed by Defendants. Plaintiffs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs request that the Court grant the following relief:

a. The immediate and permanent removal of the State of Missouri from the Federal mandates under the HAVA.

b. The immediate and permanent removal of all electronic voting machines, equipment, and poll pads in the State of Missouri.

¹⁸ <https://ago.mo.gov/docs/default-source/publications/missourisunshineclaw.pdf?sfvrsn=20#:~:text=The%20Sunshine%20Law%20declares%20Missouri's,unless%20otherwise%20provided%20by%20law.>

1190 c. Immediately return the State of Missouri to hand-cast, and hand-counted paper ballots.

1191 d. Temporarily restrain, as well as preliminarily and permanently enjoin Defendants, their agents,
1192 servants, employees, attorneys, and all persons in active concert or participation with any of
1193 them, from implementing or enforcing the use of electronic voting machines, equipment, and
1194 electronic poll pads and from taking any other action to implement the use of electronic voting
1195 equipment; in all future Missouri elections; and

1196 f. Prohibit the Missouri Secretary of State, and all election officials in the state of Missouri from
1197 deletion, destruction, disposal, or altering of all election data pertaining to the November 3, 2020
1198 General election in the State of Missouri; and

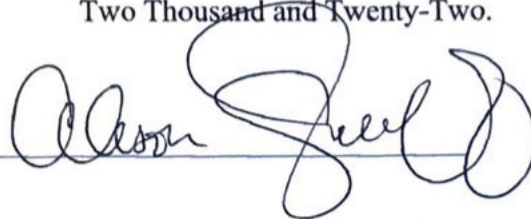
1199 g. Grant such other and further relief the Court sees just, equitable, and proper including without
1200 limitation, an award of attorneys' fees and costs to Plaintiffs.

Verification

I hereby declare, certify, and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the provisions of 28 USC § 1746 that all the above and foregoing representations are true and correct to the best of my knowledge, information, and belief.

Executed in St Charles County, Missouri on this 22nd day of July in the year of Our Lord Two Thousand and Twenty-Two.

Autograph of Affiant:



Notary as JURAT CERTIFICATE:

Missouri State
St. Charles County

On this 22nd day of July 2022, before me,

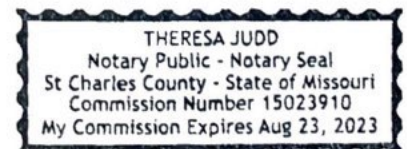
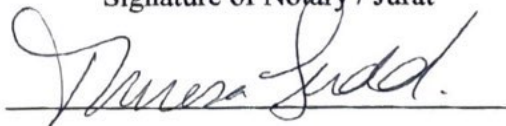
Theresa Judd, a Notary Public, personally appeared

Alison Gragg Name of Affiant, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their autograph(s) on the instrument the person executed, the instrument.

I certify under PENALTY OF PERJURY under the lawful laws of the State of Missouri and that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature of Notary / Jurat



CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

ALISON (ALI) GRAEFF,
individual and as a Candidate for Missouri State

(b) County of Residence of First Listed Plaintiff St Charles Co., MO.
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

SUI JURIS RO SE SELF LITIGANT

DEFENDANTS

UNITED STATES ELECTION ASSISTANCE COMMISSION

(THOMAS HICKS CHRISTY MCCORMICK BENJAMIN

County of Residence of First Listed Defendant Wash., D.C and Cole Co
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | ☒ 1 | ☐ 1 | Incorporated or Principal Place of Business In This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business In Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice	☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit (15 USC 1681 or 1692) ☐ 485 Telephone Consumer Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☐ 440 Other Civil Rights ☒ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education	PRISONER PETITIONS Habeas Corpus: ☐ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
Title 18 U.S.C. § § 241, 242

VI. CAUSE OF ACTION

Brief description of cause:
See Attached Petition

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

MISSOURI

- State Participation:* **Requires testing to federal standards/Requires testing by a federally accredited laboratory.** MO requires that voting systems are certified by independent testing authorities according to the voting system standards adopted by a federal election authority, and ultimately approved by the secretary of state.
- Applicable Statute(s):* “No electronic voting system shall be approved unless it: (10) Has been tested and is certified by an independent authority that meets the voting system standards developed by the Federal Election Commission or its successor agency. The provisions of this subdivision shall not be required for any system purchased prior to August 28, 2002.” MO Rev Stat. § 115.225 (2019)
- Applicable Regulation(s):* “As a prerequisite to approval from the secretary of state, each manufacturer or supplier of electronic voting systems or equipment shall have completed and submitted to the secretary of state...and shall have received certification from an independent testing authority approved by the secretary of state.” MO Code Regs. 15 CSR 30-10.020 (2020)
- State Certification Process:* The Secretary of State accepts applications from voting system manufacturers. Prior to approval from the Secretary of State, each manufacturer must receive certification from an independent testing authority approved by the Secretary of State. Voting manufacturers must file two affidavits stating that (1) the voting machine complies with all state rules and (2) if any changes are made in the system the ability to comply with state rules will not be affected. An electronic voting system may be used if it has been approved by the Secretary of State and complies with state law. MO. Rev. Stat. § 115.225 (2019) and MO Code Regs. 15 CSR 30-10.020 (2020)



JAMES C. KIRKPATRICK
STATE INFORMATION CENTER
(573) 751-4936

JOHN R. ASHCROFT
SECRETARY OF STATE
STATE OF MISSOURI

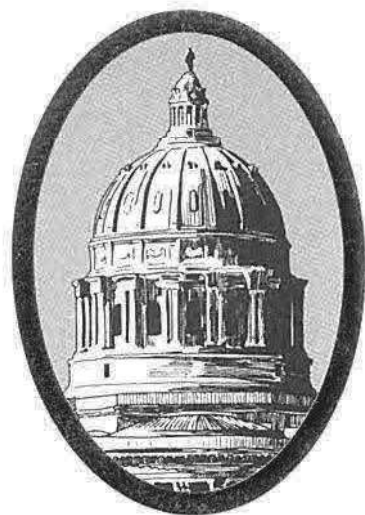
ELECTIONS DIVISION
(573) 751-2301

To: Chris Ortiz, Unisyn Voting Solutions, Inc.
From: Chrissy Peters and Brandon Alexander, Directors of Elections
Re: Certificate of Qualification for Unisyn OpenElect 2.0
Date: December 15, 2017

Enclosed is the certificate of qualification for the Unisyn OpenElect 2.0 Voting System and the regulations concerning the election authority's certification statement and escrow of source code.

If we can be of any further assistance, feel free to contact us.

Enclosures



STATE OF MISSOURI

Office of Secretary of State

APPROVAL NO. 2017-04
Unisyn OpenElect 2.0 Voting System

QUALIFICATION OF AUTOMATED VOTING EQUIPMENT FOR SALE AND USE

I, John R. Ashcroft, Secretary of State of the State of Missouri, having reviewed the observations of the Missouri Automated Voting Equipment Qualification Committee, the Application for Qualification, and the manufacturer's compliance with 15 CSR 30-10.020, have determined that Unisyn OpenElect 2.0 Voting System, as certified by the U.S. Election Assistance Commission, meets state criteria under Section 115.225, RSMo, and have this date granted approval of the sale and use in Missouri of Unisyn Voting Solutions' OpenElect 2.0, as certified by the U.S. Election Assistance Commission.

IN TESTIMONY WHEREOF, I
hereunto set my hand and affix the
Seal of my office in the City of
Jefferson, State of Missouri, this 15th
day of December, 2017.


Secretary of State



15 CSR 30-10—ELECTED OFFICIALS

Division 30—Secretary of State

I, 2006, expired Feb. 22, 2007. Amended: Filed June 21, 2006, effective Dec. 30, 2006.

*Original authority: 115.225, RSMo 1977, amended 1993, 1995, 2002.

15 CSR 30-10.020 Certification Statements for New or Modified Electronic Voting Systems

PURPOSE: This rule provides that voting machine manufacturers file an initial affidavit stating that the voting machine complies with all applicable rules and laws and a second affidavit stating that when any changes are made in the system the voting machine's ability to continue to comply with the applicable rules and laws will not be affected and that voting machine manufacturers deposit into an escrow account the source code for each version of their voting system qualified for sale and use in Missouri.

(1) As a prerequisite to approval from the secretary of state, each manufacturer or supplier of electronic voting systems or equipment shall have completed and submitted to the secretary of state a certification statement in substantially the same form as contained in section (5), and shall have received certification from an independent testing authority approved by the secretary of state.

(2) Beginning on July 1, 2006, when no amendments have been made to an approved system or machine subsequent to qualification, the manufacturer or supplier shall notify the secretary of state that no amendments have been made on a semi-annual basis on January 1 and July 1 starting on the notification date immediately following approval.

(3) As a prerequisite to approval from the secretary of state, each manufacturer or supplier of electronic voting systems or equipment shall execute an escrow agreement with an escrow agent for the manufacturer's source code for each system fully qualified by the Office of the Secretary of State. At a minimum, the agreement must:

- (A) Identify an escrow agency;
- (B) Provide the software source code for all voting system components in a minimum of two (2) formats (one (1) human readable and one (1) machine readable) to the escrow agent;
- (C) Provide the software documentation to the escrow agent;
- (D) Contain a statement confirming that the state of Missouri will, within seven (7) days of the occurrence of one of the following events, receive full access to the source code

and unlimited rights to continue using and supporting the software at no cost to the state or the agency should the manufacturer:

- 1. Become insolvent; or
- 2. Make a general assignment for the benefit of creditors; or
- 3. File a voluntary petition of bankruptcy; or
- 4. Suffer or permit the appointment of a receiver for its business or assets; or
- 5. Become subject to any proceeding of bankruptcy or insolvency law, whether foreign or domestic; or
- 6. Wind up or liquidate its business voluntarily or otherwise and the state has reason to believe that the vendor will fail to meet future obligations; or
- 7. Discontinue support of the provided products or fail to support the products in accordance with its maintenance obligations and warranties;

(E) Contain a statement agreeing to notify in writing the Independent Testing Authority (ITA) that certified the system, giving the state of Missouri full access to "final build," records and test results related to the certification tests at no charge to the state; and

(F) Contain a statement agreeing that the escrow will stay in place as long as the system is used in Missouri, at no cost to the state.

(4) If any modification, deletion or improvement to approved voting or tabulating equipment, procedures or systems is made, the manufacturer, programmer or supplier shall notify the secretary of state and a certification amendment statement shall be submitted.

(A) No certification need be submitted if one (1) of the following conditions are met:

- 1. The equipment is not a device which—
 - A. Converts the intent of the voter into a data string, as an example, a card reader or scanner;

- B. Changes, interprets, converts, modifies or records the data string being transmitted from the ballot counter; or

- C. Manipulates data or the results of any data conversion into a report exclusive of the printer; or

- 2. The software only monitors system operation.

(B) Certificates from the software supplier or programmer shall always be submitted in the following cases when the additions could be used during the tabulating process:

- 1. Installation of a new release of system software, utilities software, or both;
- 2. Installation of new or expanded central processing units;

- 3. Installation of additional random access or read only memory (RAM or ROM); and

- 4. Installation of additional magnetic, electronic or optical data storage units.

(C) All systems installed as of January 1, 1987 are approved in the configuration that existed as of that date.

(5) Manufacturer's certification statement shall be completed substantially as the example which follows:

MANUFACTURER'S CERTIFICATION STATEMENT

I, _____, president of

(electronic voting systems company)

do hereby certify to _____, Secretary of State of Missouri that the _____ electronic voting

(name of equipment)

system will permit in accordance with section 115.225, RSMo:

- 1. Voting in absolute secrecy;
- 2. Each elector to vote at any election for all persons and offices for whom and for which s/he is lawfully entitled to vote;
- 3. The automatic tabulating equipment to be set to reject all votes for any office or on any measure except write-in votes when the number of votes exceeds the number the voter is entitled to cast;

- 4. Each elector to vote for as many persons for an office as s/he is entitled to vote for;

- 5. Each elector to vote for or against any questions upon which s/he is entitled to vote; and to vote, by means of a single device, where applicable, for all candidates of one (1) party or to vote a split ticket as s/he desires;

- 6. Each elector, at presidential elections, by one (1) punch or mark, to vote for the candidate of that party for president, vice-president and their presidential electors; and

- 7. The _____ electronic voting system complies with all other requirements of the election laws of the state of Missouri where they are applicable.

(Briefly describe the type of electronic voting system provided by _____)

the means by which it meets the requirements of provisions 1.-6. and list the areas in which the system is in use.)

I do hereby certify that the above information is true and accurate this _____ day of _____, 20____.

(President)

Chapter 10—Voting Machines (Electronic)

15 CSR 30-10



(Name of Company)

The above signator appeared before me this
day of _____, 20____, and did
personally sign this affidavit.

(Notary)

My commission expires _____

(6) Compliance with this certification statement will assist this office when approval is requested for use of electronic voting systems in this state. After receiving this information, the secretary of state will schedule a meeting with the election official making the request to use electronic equipment and representatives of the voting equipment company to discuss approval of its use in Missouri.

(7) The certification amendment statement shall be completed substantially as the example which follows:

AMENDMENT TO CERTIFICATION
STATEMENT

I, _____
(Name)

_____, of
(Office)

_____, do hereby certify
(Company)

to _____, Secretary of
State of Missouri, that the change outlined
here will not affect the accuracy or legal
operational requirements as outlined in section
115.225, RSMo of

(Product Name and Version)

(Briefly describe the change.)

(Signature)

The above signator appeared before me this
day of _____, 20____ and did personally
sign this affidavit.

(Name)

(Name of Company)

(Notary)

My commission expires _____

(8) No change in system software, utilities
software, or both, may be made within six (6)
weeks prior to an election in which the auto-

dated tabulating equipment will be used for
the tabulating of ballots. In the event that system
software, utilities software, or both, is to
be changed within thirty (30) days after any
election in which the automated tabulating
equipment is used for the tabulating of ballots,
the election authority shall have copies made
of the original system software, utilities software,
or both, and those copies shall be stored in the
same manner as the ballots counted in that election.

AUTHORITY: section 115.225, RSMo Supp.
2005.* Original rule filed March 31, 1972,
effective April 10, 1972. Amended: Filed
April 7, 1978, effective July 13, 1978. Emergency
amendment filed Oct. 5, 1982, effective
Nov. 2, 1982, expired Feb. 2, 1983. Amended:
Filed Oct. 5, 1982, effective Feb. 11,
1983. Amended: Filed Dec. 15, 1986, effective
Feb. 28, 1987. Rescinded and readopted:
Filed Aug. 8, 2001, effective March 1, 2002.
Emergency amendment filed June 21, 2006,
effective July 1, 2006, expired Feb. 22, 2007.
Amended: Filed June 21, 2006, effective Dec.
30, 2006.

*Original authority: 115.225, RSMo 1977, amended 1993,
1995, 2002.

15 CSR 30-10.025 Election Authority's
Certification Statement

PURPOSE: This rule provides a method by
which the election authority and the secretary
of state are assured that the systems being
purchased are approved for use in Missouri.

(1) No election authority shall authorize payment
for software or hardware used for the
tabulation of ballots unless the following
actions have been taken:

(A) They shall have on file in their office a
copy of the letter of authorization from the
secretary of state to the manufacturer of the
equipment, software, or both, being purchased
which states that the equipment, software,
or both, is approved for use in Missouri; and

(B) They shall have filed with the elections
division of the Secretary of State's office a
sworn statement that they do have the letter
referenced in section (S) in their file and they
believe that the software, equipment, or both,
purchased is the same as that approved by the
secretary of state.

AUTHORITY: section 115.225, RSMo 1986.*
Original rule filed Dec. 15, 1986, effective
Feb. 28, 1987.

*Original authority: 115.225, RSMo 1977.

15 CSR 30-10.030 Voter Education and
Voting Device Preparation

PURPOSE: This rule provides for the conduct
of voter education and voting device preparation.

PUBLISHER'S NOTE: The secretary of state
has determined that the publication of the
entire text of the material which is incorporated
by reference as a portion of this rule would be
unduly cumbersome or expensive. Therefore,
the material which is so incorporated is on file
with the agency who filed this rule, and with
the Office of the Secretary of State. Any
interested person may view this material at
either agency's headquarters or the same will
be made available at the Office of the Secretary
of State at a cost not to exceed actual cost of
copy reproduction. The entire text of the rule
is printed here. This note refers only to the
incorporated by reference material.

(1) Before elections in which an electronic
voting system is to be used for the first time,
the election authority shall conduct a public
information program to acquaint voters who
will be using the system with the manner in
which ballots are voted and counted.

(2) Vote Recording Preparation—Polling
Place. In addition to those supplies required
for the conduct of elections generally, the
election authority shall cause to have prepared
and delivered to each polling place using the
electronic voting system no later than forty-five
(45) minutes prior to the opening of the polls,
a sufficient quantity of the following:

(A) Each polling place in a primary or
general election shall be provided with at
least one (1) voting device for each one hundred
fifty (150) registered voters. A sufficient
number of machines shall be provided for other
elections. There shall always be one (1) extra
specimen voting device per polling place for
use in the instruction of voters. Exceptions to
this regulation for specific elections may be
granted upon application therefor to the secretary
of state. In primary elections there shall be at
least one (1) voting device for each eligible
political party or ticket. The voting devices shall
be put in order, set, adjusted and ready for voting
when delivered to the polling places:

(B) Ballot label assemblies for use on voting
devices requiring ballot labels, in the format
approved by the secretary of state, properly
sequenced, mounted in each voting device
supplied. The type of election and the date of
election shall be plainly marked on



15 CSR 30-10—ELECTED OFFICIALS

Division 30—Secretary of State

the front cover of each ballot label assembly. In preparing a voting device for an election, it shall be arranged so that it will in every particular case meet the requirements for voting and counting at that election;

(C) Ballot cards in the form required for processing by the electronic data processing equipment. The number of ballot cards supplied shall be sufficient to comply with section 115.247, RSMo;

1. The ballot card shall be in the format approved by the secretary of state. In the case of ballot cards of the 5081 size, the ballot stub and the ballot card shall not contain any common identifying mark, number or symbol which would permit them to be matched after having been detached in the voting process. Systems using larger sheets for ballot cards shall likewise be void of matching marks.

2. All arrows on the ballot label indicating where a voter may mark to designate his/her vote shall point to the center of the appropriate hole in the mask or the proper area for marking. All play in the ballot label of the 5081 size cards shall be limited so that the point of the arrow always points to the hole.

3. Demonstration ballot cards of a distinctive color, clearly marked for demonstration for use in the instruction voting device to educate the voter in the use of the system shall be supplied in such number as may be determined by the election authority.

4. Sample ballots, demonstration ballot cards or ballot labels which shall be exact copies of the official ballots except for wording indicating the sample status of the sheet.

5. All ballot cards shall be delivered to the polling places in a sealed package or container;

(D) Envelopes, sufficient in size to cover the voting area of the ballot card, if ballot cards of the 5081 format are used, made of stiff paper into which the ballot card is inserted by the voter after voting. The envelope shall cover the voting area of the ballot card and shall be of sufficient width to prevent insertion into a voting device. Ballot envelopes shall contain space so that the voter may cast write-in votes, if allowable for that election. The number of ballot envelopes shall equal the number of ballot cards supplied. Envelopes shall not be required in systems where the voter inserts the ballot card into the electronic counting device him/herself;

(E) Paper ballots, if any part of the election is to be voted on paper ballots;

(F) Ballot boxes as required by general election law;

(G) A transfer case sufficiently large to hold, transfer to the counting location from

the polling place and store the ballot cards which have been voted in a polling place and the spoiled ballots envelope. The transfer case shall be constructed of metal and sealed with a numbered nonreusable seal;

(H) Envelopes and containers in which to enclose voted paper ballots, if used; spoiled ballot cards; envelopes; unused paper ballots; and unused ballot cards;

(I) A ballot card certificate, in the form set out with this rule, together with an envelope addressed to the election authority;

(J) Two (2) sample ballots of each ballot type to be voted on in the polling place;

(K) Pencils, seals and any other supplies and forms deemed necessary; and

(L) *Instruction Guide for Election Judges and Clerks* issued by the secretary of state.

AUTHORITY: section 115.225, RSMo 1986. Original rule filed March 31, 1972, effective April 10, 1972. Amended: Filed Sept. 15, 1972, effective Sept. 25, 1972. Emergency rescission filed Oct. 5, 1982, effective Nov. 2, 1982. Emergency rule filed Oct. 5, 1982, effective Nov. 2, 1982, expired Feb. 2, 1983. Rescinded and readopted: Filed Oct. 5, 1982, effective Feb. 11, 1983.*

**Original authority: 115.225, RSMo 1977.*

Exhibit 2



U.S. Election Assistance Commission
633 3rd Street NW, Suite 200
Washington, DC 20001

VIA EMAIL

June 30, 2022

Ali Graeff
alimariegraeff@gmail.com

Greetings:

This acknowledges the U.S. Election Assistance Commission's receipt of your Freedom of Information Act request (No. 22-00066):

"Please provide an electronic copy of the NTS Huntsville Laboratory Certificate of Accreditation from the EAC for the dates of 2015-2017."

The EAC does not possess records responsive to your request.

This letter completes the response to your request. If you interpret any portion of this response as an adverse action, you may appeal this action to the Election Assistance Commission. Your appeal must be in writing and sent to the address set forth below. Your appeal must be postmarked or electronically transmitted within 90 days from the date of the acknowledgment to your request. Please include your reasons for reconsideration and attach a copy of this and subsequent EAC responses.

U.S. Election Assistance Commission
FOIA Appeals
633 3rd Street NW, Suite 200
Washington, DC 20001

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you have any questions please contact my office at your convenience.

Sincerely,

Camden Kelliher



U.S. Election Assistance Commission
633 3rd Street NW, Suite 200
Washington, DC 20001

Camden Kelliher, Associate Counsel
U.S. Election Assistance Commission
ckelliher@eac.gov



United States Election Assistance Commission

U.S. Election Assistance Commission

VSTL

Certificate of Accreditation

Wyle Laboratories, Inc.
Huntsville, Alabama

is recognized by the U.S. Election Assistance Commission for the testing of voting systems to the 2005 Voluntary Voting Systems Guidelines under the criteria set forth in the EAC Voting System Testing and Certification Program and Laboratory Accreditation Program. Wyle is also recognized as having successfully completed assessments by the National Voluntary Laboratory Accreditation Program for conformance to the requirements of ISO/IEC 17025 and the criteria set forth in NIST Handbooks 150 and 150-22.

Effective Through

April 27, 2012

Donetta Davidson Date: 5/04/10

Chair, U.S. Election Assistance Commission

EAC Lab Code: 0704

Exhibit 4



March 5, 2014

**US Election Assistance Commission
Voting System Testing & Certification Program
1201 New York Ave., NW, Suite 300
Washington, DC 2005**

Attention: Mr. Brian Hancock

**Subject: National Technical Systems (NTS) Completes Acquisition of
Wyle Laboratories, Inc.**

Dear Mr. Hancock:

We are pleased to announce that NTS, the leading independent test, inspection, and certification company in the United States, has acquired the testing business of Wyle Laboratories. This acquisition is an exciting part of the significant investments we are making in the capabilities we are able to deliver customers, all in support of our mission to be the natural first choice for the world class companies we serve.

Wyle's three testing laboratories – located in Huntsville, Alabama; El Segundo, California; and San Bernardino, California – will be renamed, joining NTS' national network of over 25 labs. In particular, this combination, and the significant technological, personnel, and capital investments we are making in support of it, will create extraordinary centers of excellence in Alabama and Southern California with truly exceptional capabilities to serve your team's needs.

The NTS management team is, of course, fully committed to not only providing, but also enhancing, the high quality performance and superior customer service you have become accustomed to over the past 60 years. You will continue to interface with the same people as you have in the past, but you will also notice upgraded technologies and capabilities and be provided access to our growing network of NTS facilities across the United States. We expect the transition to be seamless, and – most importantly – note that all of your projects will continue as planned without interruption.

We are enthusiastic about the investments we are making in being your natural first choice for test, inspection, and certification services and look forward to sharing the exciting things we're doing to further enhance the leading network of capabilities we'll be making available to the



www.nts.com



leading customers we serve. We sincerely appreciate your business and are always here in support of your team; if you have any questions, please don't hesitate to contact me, Keith Wilson, at 256/719-4227 or your Contracts representative (Neil Bunn at 256/716-4120, Megan Toomey at 256/716-4276, Shannon Roden at 256/716-4361, or Dawn Bates at 256/716-4590).

Sincerely,

A handwritten signature in black ink, appearing to read "Keith Wilson".

Keith Wilson
Vice President & General Manager
NTS Huntsville, formerly Wyle Laboratories

A handwritten signature in black ink, appearing to read "Bill McGinnis".

Bill McGinnis
President and CEO
NTS

STATE	COUNTY	MANUFACTURER	PRODUCT 2020	VERSION	LAB	ISSUE	LAST CERTIFIED	PRODUCT UPDT 2022	VERSION
Missouri	Jackson County	Unisyn	OpenElect	2	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Barry County	Unisyn	OpenElect	2.1	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Carroll County	Unisyn	OpenElect	2.1	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Cass County	Unisyn	OpenElect	2.1	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Cedar County	Unisyn	OpenElect	2.1	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Clay County	Unisyn	OpenElect	2.1	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Harrison County	Unisyn	OpenElect	2.1	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Lafayette County	Unisyn	OpenElect	2.1	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Mississippi County	Unisyn	OpenElect	2.1	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Pettis County	Unisyn	OpenElect	2.1	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Saline County	Unisyn	OpenElect	2.1	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Calloway County	Unisyn	OpenElect	2.2	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Moniteau County	Unisyn	OpenElect	2.2	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Butler County	Dominion	D-Suite	5.5	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Livingston County	Dominion	D-Suite	5.5	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Pemiscot County	Dominion	D-Suite	5.5	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Polk County	Dominion	D-Suite	5.5	Pro V&V	Invalid Signature; Accreditation expired	2/24/2017		
Missouri	Andrew County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification			
Missouri	Atchison County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification			
Missouri	Audrain County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification			
Missouri	Barton County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification			
Missouri	Bates County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification			
Missouri	Benton County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification			

Missouri	Bollinger County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Buchanan County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	OpenElect Pro V&V 2.1
Missouri	Caldwell County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Camden County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Cape Girardeau County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Chariton County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Christian County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Clark County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Clinton County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Cole County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Dade County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Dallas County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Daviess County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	OpenElect Pro V&V 2.1
Missouri	DeKalb County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Dent County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Douglas County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Dunklin County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Franklin County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Gentry County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Hickory County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Holt County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Howard County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Howell County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Iron County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Jefferson County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Knox County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Lawrence County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	OpenElect Pro V&V 2.1
Missouri	Lewis County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Linn County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Madison County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	
Missouri	Marion County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	OpenElect Pro V&V 2.1

Missouri	Miller County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Monroe County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Morgan County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	New Madrid County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification	OpenElect	Pro V&V 2.1
Missouri	Oregon County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Ozark County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Perry County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Pulaski County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Putnam County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Ralls County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Randolph County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Ray County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Reynolds County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Ripley County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Schuyler County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Scotland County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Scott County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Shannon County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Shelby County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	St. Charles County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	St. Francois County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Ste. Genevieve County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Stoddard County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Stone County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Taney County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Texas County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Washington County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Wayne County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Webster County	Unisyn	OpenElect	1.3	Wyle / NTS	No Certification		
Missouri	Macon County	ES&S	Unity	3.4.1.0	Wyle / NTS	No Certification	EVS	Pro V&V 6.1.1.0

Missouri	Greene County	ES&S	EVS	5.2.2.0	Wyle / NTS	No Certification	EVS Pro V&V	6.1.1.0
Missouri	Johnson County	ES&S	EVS	5.2.2.0	Wyle / NTS	No Certification	EVS Pro V&V	6.1.1.0
Missouri	Laclede County	ES&S	EVS	5.2.2.0	Wyle / NTS	No Certification		
Missouri	Vernon County	ES&S	EVS	5.2.2.0	Wyle / NTS	No Certification		
Missouri	St. Louis County	Hart	Verity	2.3	SLI	Invalid Signature; Accreditation expired	1/10/2018	
Missouri	Boone County	ES&S	EVS	6.0.2.0	SLI	Invalid Signature; Accreditation expired	1/10/2018	
Missouri	Cooper County	ES&S	EVS	6.0.2.0	SLI	Invalid Signature; Accreditation expired	1/10/2018	EVS Pro V&V 6.1.1.0
Missouri	Lincoln County	ES&S	EVS	6.0.2.0	SLI	Invalid Signature; Accreditation expired	1/10/2018	
Missouri	Platte County	ES&S	EVS	6.0.2.0	SLI	Invalid Signature; Accreditation expired	1/10/2018	Unison OpenElect Wylie/NTS 1.3
		Manufacturer	Make/Model	Scanner/Tabulator				
Missouri	Adair County	Dominion	ImageCast X/ICX BMD	ImageCast Central/ICC				
Missouri	Gasconade County	Dominion	ImageCast Precinct w/Intergrated BMD	ImageCast Precinct/ICP				
Missouri	Grundy County	Dominion	ImageCast Precinct w/Intergrated BMD	ImageCast Precinct/ICP				
Missouri	Jasper County	Dominion	ImageCast Precinct w/Intergrated BMD	ImageCast Precinct/ICP				
Missouri	Maries County	Dominion	ImageCast Precinct w/Intergrated BMD	ImageCast Precinct/ICP				
Missouri	McDonald County	Dominion	ImageCast Precinct w/Intergrated BMD	ImageCast Precinct/ICP				
Missouri	Newton County	Dominion	ImageCast Precinct w/Intergrated BMD	ImageCast Precinct/ICP				
Missouri	Nodaway County	Dominion	ImageCast Precinct w/Intergrated BMD	ImageCast Precinct/ICP				
Missouri	Osage County	Dominion	ImageCast Precinct w/Intergrated BMD	ImageCast Precinct/ICP				
Missouri	Phelps County	Dominion	ImageCast Precinct w/Intergrated BMD	ImageCast Precinct/ICP				
Missouri	Pike County	Dominion	ImageCast Precinct w/Intergrated BMD	ImageCast Precinct/ICP				
Missouri	Warren County	Dominion	ImageCast Precinct w/Intergrated BMD	ImageCast Precinct/ICP				
Missouri	Wright County	Dominion	ImageCast Precinct w/Intergrated BMD	ImageCast Precinct/ICP				
Missouri	Gentry County	Unisyn	OpenElect Voting Interface/OVI	OpenElect Voting Optical Scan/OVO				

<https://www.eac.gov/voting-equipment/systems> <https://www.eac.gov/voting-equipment/systems> <https://www.sos.mo.gov/election-s/qualsystems>



United States Election Assistance Commission

Certificate of Conformance

Unisyn OpenElect 1.3 (Modification)



The voting system identified on this certificate has been evaluated at an accredited voting system testing laboratory for conformance to the 2005 *Voluntary Voting System Guidelines (2005 VVSG)*. Components evaluated for this certification are detailed in the attached Scope of Certification document. This certificate applies only to the specific version and release of the product in its evaluated configuration. The evaluation has been verified by the EAC in accordance with the provisions of the *EAC Voting System Testing and Certification Program Manual* and the conclusions of the testing laboratory in the test report are consistent with the evidence adduced. This certificate is not an endorsement of the product by any agency of the U.S. Government and no warranty of the product is either expressed or implied.

Product Name: OpenElect

Model or Version: Version 1.3 (Modification)

Name of VSTL: NTS Huntsville

EAC Certification Number: 04211950-1.3

Date Issued: 01/12/2015

Chief Operating Officer & Acting Executive Director
U.S. Election Assistance Commission

Exhibit 7

Scope of Certification Attached



United States Election Assistance Commission

Certificate of Accreditation

**SLI Compliance,
Division of Gaming Laboratories International, LLC
Wheat Ridge, Colorado**

is recognized by the U.S. Election Assistance Commission for the testing of voting systems to the 2002 Voting Systems Standards, the Voluntary Voting Systems Guidelines versions 1.0 and 1.1 under the criteria set forth in the EAC Voting System Testing and Certification Program and Laboratory Accreditation Program. SLI Compliance is also recognized as having successfully completed assessments by the National Voluntary Laboratory Accreditation Program for conformance to the requirements of ISO/IEC 17025 and the criteria set forth in NIST Handbooks 150 and 150-22.

Effective Through

January 10, 2021

A handwritten signature in black ink, appearing to read "B. Newby", is positioned above the title of the Executive Director.

Date: 1/10/18

Brian Newby,
Executive Director, U.S. Election Assistance Commission

EAC Lab Code: **0701**

Exhibit 8



United States Election Assistance Commission

Certificate of Accreditation

SLI Compliance
Division of Gaming Laboratories International, LLC
Wheat Ridge, Colorado

is recognized by the U.S. Election Assistance Commission for the testing of voting systems to the 2005 and 2015 Voluntary Voting Systems Guidelines (VVSG 1.0 & 1.1) under the criteria set forth in the EAC Voting System Testing and Certification Program and Laboratory Accreditation Program. SLI Compliance is also recognized as having successfully completed assessments by the National Voluntary Laboratory Accreditation Program for conformance to the requirements of ISO/IEC 17025 and the criteria set forth in NIST Handbooks 150 and 150-22.

Original Accreditation Issued on: 2/28/2007

*Accreditation remains effective until revoked
by a vote of the EAC pursuant to 52 U.S.C. §
20971(c)(2).*

Mona Harrington

Date: 2/1/21

Mona Harrington
Executive Director, U.S. Election Assistance Commission

EAC Lab Code: **0701**

Exhibit 8



Certification Test Report - Modification

Report Number *HRT-18002-CTR-01*

Hart InterCivic Verity Voting 2.3

Modification Certification Test Report version 1.3

February 26th, 2019

Prepared for:

Vendor Name	<i>Hart InterCivic Inc. (Hart)</i>
Vendor System	<i>Verity Voting 2.3</i>
EAC Application No.	<i>HRT-Verity-2.3</i>
Vendor Address	<i>15500 Wells Port Drive Austin, TX 78728</i>

Prepared by:



SLI ComplianceSM
4720 Independence St.
Wheat Ridge, CO 80033
303-422-1566
www.SLICompliance.com



Accredited by the National Institute of Standards and Technology (NIST) National Voluntary Lab Accreditation Program (NVLAP), and accredited by the Election Assistance Commission (EAC) for VSTL status.



Revision History

Release	Author	Revisions
v1.0	M. Santos	Initial Release; submitted to EAC for approval
v1.1	M. Santos	Updates for EAC comments
v1.2	M. Santos	Updates for additional EAC comments
v1.3	M. Santos	Updated for Hardware test report listing in "Attachments"

Disclaimer

The Certification Test results reported herein must not be used by the client to claim product certification, approval, or endorsement by NVLAP, NIST, or any agency of the Federal Government. Results herein relate only to the items tested.

Copyright © 2019 SLI Compliance

Trademarks

- SLI is a registered trademark of SLI Compliance, a Division of Gaming Laboratories International, LLC.
- Intel and Pentium are registered trademarks of Intel Corporation.
- Microsoft, MS are registered trademarks and Internet Explorer, Windows, Visual C++, Visual Basic, VBX, ODBC, and MFC are trademarks of Microsoft Corporation.
- Verity is a trademark of Hart InterCivic Inc.
- All other products and company names are used for identification purposes only and may be trademarks of their respective owners.

The tests referenced in this document were performed in a controlled environment using specific systems and data sets, and results are related to the specific items tested. Actual results in other environments may vary.

Opinions and Interpretations

There are no SLI opinions or interpretations included in this report beyond the final recommendation.



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1 Introduction

SLI Compliance is submitting this test report as a summary of the certification testing efforts for the **Hart Verity Voting 2.3** system, a modified system from **Verity Voting 2.0**, as detailed in the section System Identification. The purpose of this document is to provide an overview of the certification testing effort and the findings of the testing effort for the **Hart Verity Voting 2.3** system.

This effort included documentation review of the Technical Data Package, source code review, and testing of the **Hart Verity Voting 2.3** voting system. Testing consisted of the development of a test plan, managing system configurations, hardware testing, component and system level tests prepared by SLI, and analysis of results. The review and testing was performed at SLI's Denver, Colorado facility.

1.1 References

1. Election Assistance Commission Voluntary Voting System Guidelines version 1.0 (EAC VVSG 1.0), Volumes I & II
2. NIST NVLAP Handbook 150: 2016
3. NIST NVLAP Handbook 150-22: 2008
4. EAC Voting System Testing and Certification Program Manual, United States Election Assistance Commission, v 2.0, May 2015
5. EAC Voting System Test Laboratory Program Manual, United States Election Assistance Commission, v 2.0, May 2015
6. SLI VSTL Quality System Manual, v 2.6, prepared by SLI, March 28, 2018

1.2 Document Overview

This document contains:

- The "Introduction", which discusses the applications tested/reviewed.
- The "Certification Test Background", which discusses the testing process.
- The "System Identification", which identifies hardware and software for the **Hart Verity Voting 2.3** system.
- The "System Overview", which discusses the functionality of **Hart Verity Voting 2.3** system software and firmware.
- The "Certification Tests Results and Summary", which is a summary of the testing effort.
- The "Recommendations" section, which contains the final analysis of the testing effort.
- Attachments as follows:
 - Attachment A – Warrant of Change Control for Verity Voting 2.3
 - Attachment B - Attestation of Durability for Verity Voting 2.3
 - Attachment C - Attestation of Integrity for Verity Voting 2.3
 - Attachment D - Attestation of Production Hardware and Software for Verity Voting 2.3
 - Attachment E1 - Record of Trusted Build for Verity Voting 2.3.1



- Attachment E2 - Record of Trusted Build for Verity Voting 2.3.2
- Attachment F - Modification of Certified System Analysis Summary Verity 2.3
- Attachment G – As Run Hart Verity 2.3 EAC Modification Test Plan v1.1
- Attachment G1 - As Run Hart Verity 2.3 EAC Electrical Hardware Test Plan v2.0
- Attachment G2 – As Run Hart Verity 2.3 EAC Environmental Hardware Test Plan v2.0
- Attachment H1 - HRT_C#_MSAllInOneStandard_SCRF
- Attachment H2 - HRT_C_&_C++_MSAllInOneStandard_SCRF
- Attachment I – List of Source Code Reviewed and Results
- Attachment J – Verity Voting 2.0 to 2.3 System Modifications
- Attachment K1 - Immunity Testing for Verity Scan, Controller and TW Duo Rev 1
- Attachment K2 - Immunity Testing for Verity Scan Rev 1
- Attachment K3 -Radiated and Conducted Emissions for Verity Controller and TW Duo Rev 1
- Attachment K4 -Radiated and Conducted Emissions for Verity Scan Rev 1
- Attachment L - Hart Verity 2.3 EAC Environmental Hardware Test Report

2 Certification Test Background

This section provides a brief overview of the EAC Certification Program and the activities involved in order for a voting system to be considered for certification against the VVSG 1.0 and the current EAC program manuals.

2.1 PCA - Document and Source Code Reviews

The Physical Configuration Audit (PCA) review of the **Hart Verity Voting 2.3** documentation, submitted in the requisite Technical Data Package (TDP), was performed in order to verify conformance with the VVSG 1.0. Source code was reviewed for each software and firmware application declared within the **Verity Voting 2.3** voting system. As this is a modification test campaign, the source code was compared against the final code base of **Verity Voting 2.0**, and changes were subject to review.

All PCA reviews were conducted in accordance with *Volume II Section 2* of the VVSG 1.0, to demonstrate that the system meets the requirements. Results of the PCA documentation review can be found in section 5.2 of this Certification Test Report.

All PCA source code reviews were conducted in accordance with *Volume I Section 5.2 and Volume II Section 5* of the VVSG 1.0, to demonstrate that the system meets the requirements. Results of the PCA source code reviews can be found in *Attachment I – List of Source Code Reviewed and Results*. Inconsistencies or errors in the source code were identified to Hart for resolution or comment. Additional details of the source code review criteria can be found in *Attachments H1-H2*.



2.2 FCA - Functional & System Testing and Sampling

The Functional Configuration Audit (FCA) review of the test documentation submitted by Hart in the TDP was reviewed in order to verify testing of the voting system.

SLI's standard Test Suites were customized for the **Hart Verity Voting 2.3** voting system and conducted in accordance with *Volume II Section 6 of the VVSG 1.0*. Simulations of elections were conducted to demonstrate a beginning-to-end business use case process for the **Hart Verity Voting 2.3** voting system.

2.2.1 Test Methods

All test methods employed are within the scope of SLI's VSTL accreditation.

The following validated test methods were employed during this test campaign:

Table 1 – Test Methods

SLI VSTL Test Method Name
TM_Accuracy v1.2
TM_Basic_Election_Components v1.1
TM_Ballot Formatting and Production v1.1
TM_Error Message and Recovery v1.3
TM_HW Integrity v1.2
TM_Maintainability v1.1
TM_Readiness v1.1
TM_Tally_and_Reporting v1.1
TM_Security Access Control v1.1
TM_Security Physical Security Measures v1.1
TM_Security Software v1.1
TM_Security Telecommunications and Data Transmission v1.2
TM_Stress v1.1
TM_System Audit v1.1
TM_Telecommunications v1.1
TM_Volume v1.1
TM_Voting Capabilities v1.3
TM_Voting Straight Party v1.2

The above listed test methods are implemented in a complementary fashion: modules are employed from various methods to form suites. Suites included the logical sequence of functionality that was used to validate the requirements addressed by each module within the suite. Please see Table 3 - Terms and Abbreviations below for additional information about Test Modules and Test Suites.



- **Deviations from, to, or exclusions from the test methods**

The test methods listed in Table 1 above, contain the requirements listed in section 4.6 below. The established and validated test methods did not have any deviations. Test cases utilizing those methods were selected and grouped into test suites to validate the requirements in section 4.6.

2.2.2 Terms and Abbreviations

This section details pertinent terms applicable within this report.

Table 2 – Terms and Abbreviations

Term	Abbreviation	Description
Ballot Marking Device	BMD	An accessible computer-based voting system that produces a marked paper ballot that is the result of voter interaction with visual or audio prompts.
Cast Vote Record	CVR	Record of all selections made by a single voter whether in electronic or paper. Also referred to as a ballot image when used to refer to electronic ballots.
Central Count Scanner	CCS	High Speed Digital Scanner is a ballot scanning device typically located at a central count facility and is operated by an automated multi-sheet feeding capability.
Chevron (Arrows at top of current screen)	No Abbreviation	Verity software applications are organized around easy-to-follow workflows, with specific activities associated with “chevrons” or “arrows” in the application user interface.
Compact Flash card	CF	This is a type of flash memory card in a standardized enclosure often used in voting systems to store ballot and/or vote results data.
Compact Flash AST	CFAST	A compact flash media based on the Serial ATA bus rather than the Parallel ATA bus, used by the original Compact Flash.
Commercial Off the Shelf	COTS	Commercial, readily available hardware devices (such as card readers, printers or personal computers) or software products (such as operating systems, programming language compilers, or database management systems).
Election Assistance Commission	EAC	An independent, bipartisan commission created by the Help America Vote Act (HAVA) of 2002 that operates the federal government's voting system certification program.



Term	Abbreviation	Description
Election Management System	EMS	Typically utilizes a database management system to enter jurisdiction information (district, precincts, languages, etc.) as well as election specific information (races, candidates, voter groups (parties), etc.). In addition, the EMS is also used to lay out the ballots, download the election data to the voting devices, upload the results and produce the final results reports.
Electromagnetic Compatibility	EMC	The goal of EMC is to validate the correct functioning of different equipment in the same environment and the avoidance of any interference effects between them.
Functional Configuration Audit	FCA	Exhaustive verification of every system function and combination of functions cited in the vendor's documentation. The FCA verifies the accuracy and completeness of the system's Voter Manual, Operations Procedures, Maintenance Procedures, and Diagnostic Testing Procedures.
National Institute of Standards and Technology	NIST	A non-regulatory federal agency within the U.S. Dept. of Commerce. Its mission is to promote U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology in ways that enhance economic security and improve our quality of life.
National Voluntary Laboratory Accreditation Program	NVLAP	A division of NIST that provides third-party accreditation to testing and calibration laboratories.
Physical Configuration Audit	PCA	The testing activities associated with the physical aspects of the system (hardware, documentation, builds, source code, etc.).
Primary – Closed	No Abbreviation	The Closed Primary election segregates each political party onto its own ballot, along with all pertinent non-political contests and referendums.
Primary - Open	No Abbreviation	The Open Primary election combines all political parties' contests onto a single ballot, along with all pertinent non-political contests and referendums.
Precinct Count Scanner	PCS	A precinct-count optical scanner is a mark sense-based ballot and vote counting device located at a precinct and is typically operated by scanning one ballot at a time.
Request For Information	RFI	A form used by testing laboratories to request, from the EAC, interpretation of a technical issue related to testing of voting systems.



Term	Abbreviation	Description
Requirements Matrix	N/A	This is the matrix created by the EAC and maintained by SLI that traces the requirements to the various test modules and test methods.
Standard Lab Procedure	SLP	SLI's quality system documentation is made up of standard lab procedures (SLPs), which are procedures required to ensure a systematic, repeatable and accurate approach to voting systems testing and governing the actual performance of SLI's work.
(Verity) Tab	No Abbreviation	Verity software applications are organized around easy-to-follow workflows and activities; a "Tab" provides specific activities associated with "chevron" workflows in the application user interface.
Voting Center	No Abbreviation	Typically, a convenient voting location that manages multiple ballot styles.
Technical Data Package	TDP	This is the data package that is supplied by the vendor and includes: Functional Requirements, Specifications, End-user documentation, Procedures, System Overview, Configuration Management Plan, Quality Assurance Program, and manuals for each of the required hardware, software, firmware components of each voting system.
Test Method	No Abbreviation	SLI proprietary documents which are designed to group sets of EAC VVSG requirements in a logical manner that can be utilized to efficiently validate where and how requirements, or portions of a requirement, are met.
Test Module	No Abbreviation	An actionable component of a Test Method, that functionally verifies that a requirement is met within a voting system. Test Modules are at a generic level within the Test Method, and are customized for a particular voting system, within a Test Suite.
Test Suite	No Abbreviation	An actionable grouping of test modules designed to test a set of functions of a voting system or component in a specific way.
Validation	No Abbreviation	Confirmation by examination and through provision of objective evidence that the requirements for a specific intended use or application have been fulfilled (ISO 9000).
Verification	No Abbreviation	Confirmation by examination and through provision of objective evidence that specified requirements have been fulfilled (ISO 9000).



Term	Abbreviation	Description
Voluntary Voting Systems Guidelines Volumes I & II	VVSG	A set of specifications and requirements against which voting systems can be tested to determine if the systems provide all of the basic functionality, accessibility and security capabilities required of these systems.
Voting System Test Lab	VSTL	The accredited lab where the voting system is being tested.
Voting System Under Test	VSUT	The designation for a voting system that is currently being tested.
Voting Test Specialist	VTs	An SLI Compliance employee who has been qualified to perform EAC voting system certification testing.

3 System Overview

3.1 Scope of the Hart Verity Voting 2.3 Voting System

This section provides a description of the scope of **Hart Verity Voting 2.3** voting system components:

- The **Hart Verity Voting 2.3** voting system represents a set of software applications for pre-voting, voting and post-voting election project activities for jurisdictions of various sizes and political division complexities. **Verity Voting 2.3** functions include:
 - Defining the political divisioning of the jurisdiction and organizing the election with its hierarchical structure, attributes and associations.
 - Defining the election events with their attributes such as the election name, date and type, as well as contests, candidates, referendum questions, voting locations and their attributes.
 - Preparing and producing ballots for polling place and absentee voting or by-mail voting.
 - Preparing media for precinct voting devices and central count devices.
 - Configuring and programming the **Verity Scan** digital scanners for marked paper ballots and Verity Touch Writer printed vote records..
 - Configuring and programming the **Verity Touch Writer** BMD devices.
 - Configuring and programming the **Verity Controller** with **Verity Touch Writer Duo** BMD devices.
 - Configuring and programming the **Verity Controller** with **Verity Touch** and **Touch Writer Duo** DRE devices.
 - Configuring and programming the **Verity Print** on-demand ballot production device.
 - Producing the election definition and auditing reports.



- Providing administrative management functions for user, database, networking and system management.
 - Import of the Cast Vote Records from **Verity Scan** devices and **Verity Central**.
 - Preview and validation of the election results.
 - Producing election results tally according to voting variations and election system rules.
 - Producing a variety of reports of the election results in the desired format.
 - Publishing of the official election results. Auditing of election results including ballot images and log files.
- **Verity Scan** is a digital scan precinct ballot counter (tabulator) that is used in conjunction with an external ballot box. The unit is designed to scan marked paper ballots or Verity Touch Writer Duo printed vote records, interpret and record voter marks on the marked paper ballot or record voter selections on the printed vote records, and deposit into the secure ballot box.
- The **Verity Touch Writer** is a standalone precinct level Ballot Marking Device (BMD) which also includes an Audio Tactile Interface (ATI), which allows voters who cannot complete a paper ballot to generate a machine-readable and human readable paper ballot, based on vote selections made, using the ATI.
- The **Verity Touch Writer Duo** is a daisy chained configuration of a **Verity Controller** device configured with up to twelve **Verity Touch Writer Duo** BMD devices, which allows voters to utilize the touchscreen or optional Audio Tactile Interface to generate a machine-readable and human readable printed vote record, based on vote selections made.
- The **Verity Touch** is a Direct Recording Electronic (DRE) device chained configuration of a **Verity Controller** device configured with up to twelve **Verity Touch** devices, which allows voters to cast their vote electronically via a touchscreen.
- The **Verity Touch with Access** is a DRE device chained configuration of a **Verity Controller** device configured with up to twelve **Verity Touch** or **Touch with Access** devices, which allows voters to cast their vote electronically via a touchscreen or Audio Tactile Interface (ATI).
- **Verity Print** is an on-demand ballot production device for unmarked paper ballots.
- **Verity Election Management** allows users with the Administrator role to import and manage election definitions. Imported election definitions are available through the Elections chevron in Build. Users can also delete, archive, and manage the election definitions.
- **Verity User Manager** enables users with the correct role and permissions to create and manage user accounts within the **Verity Voting** system for the local workstation in a standalone configuration, or for the network in a networked configuration.
- **Verity Desktop** enables users, with the correct roles, to set the workstations' date and time, gather **Verity** application hash codes (in order to validate the correctness of the installed applications), and access to Windows desktop.
- **Verity Data** provides the user with controls for entering and proofing data and audio. **Verity Data** also performs validation on the exported information to ensure that it will successfully import into **Verity Build**.



- **Verity Build** opens the election to proof data, view reports, and print ballots, and allows for configuring and programming the **Verity Scan** digital scanners, and **Verity Touch Writer** and **Controller/Touch Writer Duo** BMD devices, **Verity Print**, **Verity Controller/Touch** series devices, as well as producing the election definition and auditing reports.
- **Verity Central** is a high-speed, central digital ballot scanning system used for high-volume processing of ballots (such as vote by mail). The unit is based on COTS scanning hardware coupled with custom **Hart**-developed ballot processing application software which resides on an attached work-station.
- **Verity Count** is an application that tabulates election results and generates reports. **Verity Count** can be used to collect and store all election logs from every **Verity** component/device used in the election, allowing for complete election audit log reviews.

3.1.1 Supported Languages

The **Hart Verity Voting 2.3** voting system supports English, Spanish, Chinese, Japanese, Korean, Khmer, Thai, Vietnamese, Tagalog, Ilocano, Hindi.

3.2 Changes from Verity 2.0 to Verity 2.3

3.2.1 Modifications new to Verity 2.3

Verity Voting 2.3 is a modification of the EAC-certified **Verity Voting 2.0** system.

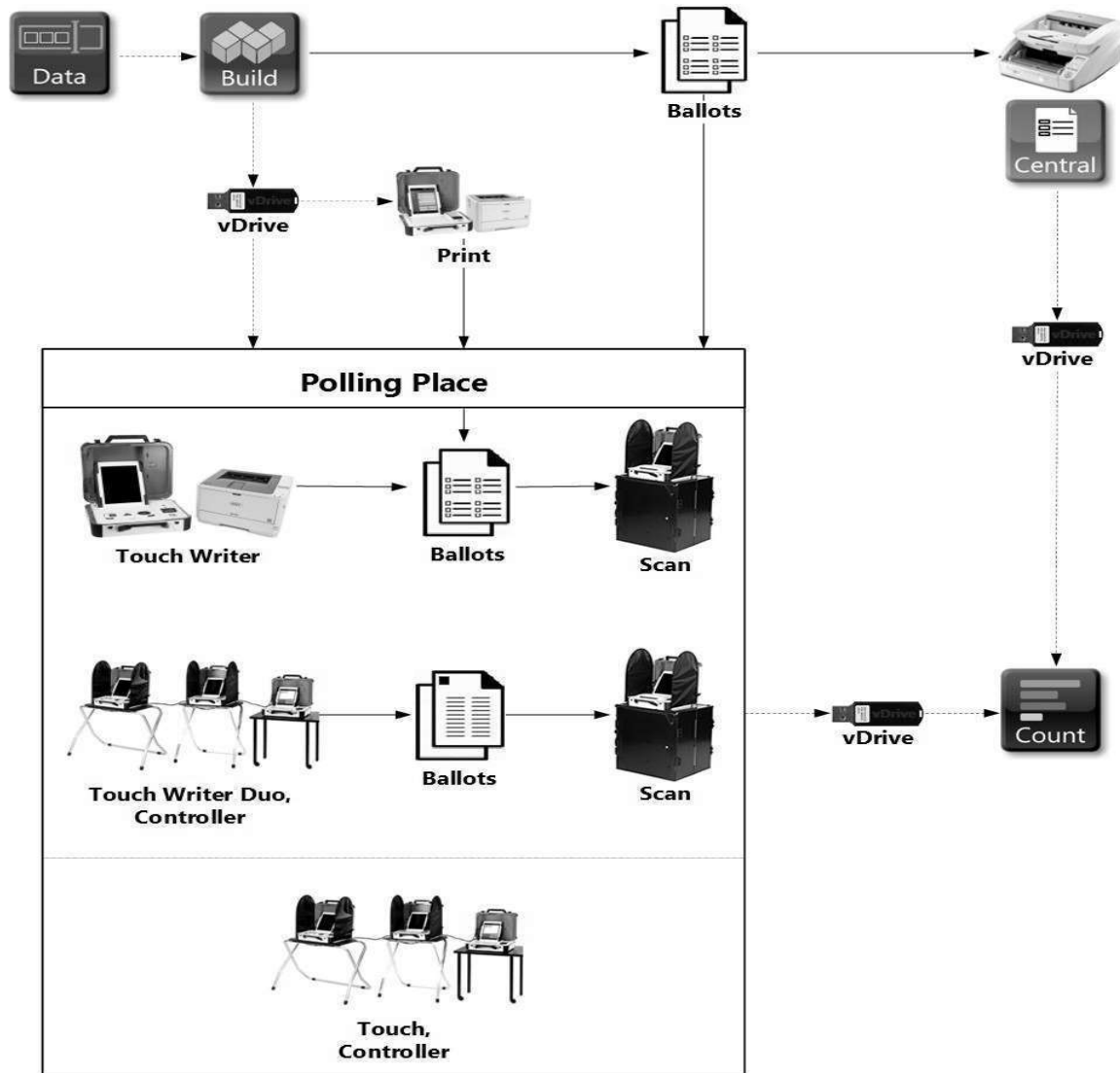
The modifications to **Verity 2.3** address multiple facets of the system, including state specific features, new features for **Verity Scan**, **Verity Touch Writer**, **Verity Controller**, **Verity Touch**, **Verity Touch with Access**, **Verity Data**, **Verity Build**, **Verity Central**, **Verity Count**, **Verity User**, **Verity Desktop**, as well as associated documentation updates. **Touch Writer Duo** is a newly introduced ballot mark device based off of **Touch Writer** with an output of a print vote record rather than a marked ballot. Specific details on all implemented modifications can be found in Attachment J – Verity Voting 2.0 to 2.3 System Modifications.



4 System Identification

The **Hart Verity Voting 2.3** voting system was submitted for certification testing with the documentation, hardware and software listed below.

4.1 System Topology Diagram



Overview of the diagram:

- The components are displayed as touch points of data access, transfers, and verification.
- Dotted lines show the flow of data and air gaps using vDrives and are also used to separate the deployment models shown within the polling place.



- Verity Print is a ballot production device that provides unmarked printed ballots.
- Verity Touch Writer and Scan may be installed in polling places to support paper-based voting.
- Verity Controller, Touch Writer Duo, and Scan may be installed in polling places to support paper-based voting.
- Verity Controller and Touch may be installed in polling places to support DRE voting.
- Verity Key (not shown) is required for user access into components to load election elections, to use critical features, and to generate reports. Feature access depends on the roles applied to user accounts.
- vDrive Duplicator (not shown) is an optional device, used for populating multiple vDrives simultaneously.

4.2 Documentation

The TDP documentation listed below are deliverables of the certified system delivered as part of the examined system, as follows:

Document Title	Version
All-In-One Code Framework Coding Standards	© 2014 Microsoft Corporation
Verity Voting 2.3 Change Notes: Update from 2.0 to 2.3.0	A.00
Verity Voting 2.3 Change Notes: Update from 2.3.0 to 2.3.1	A.00
Verity Voting 2.3 Change Notes: Verity Controller Update from 2.3.1 to 2.3.2	A.00
Configuration Management Process	D.01
Continual Improvement Process	E.02
Control of Nonconforming Product Procedure	B.02
DEVICE CONFIGURATION PROCESS DOCUMENT	B.00
DEVICE OS CREATION AND CONFIGURATION PROCESS DOCUMENT	A.01
DEVICE WES7 CREATION PROCESS DOCUMENT	A.01
Document Control Procedure	E.05
Factory TUV SUD inspection 2018 June report	N/A
Hardware 2005713-CFAST Door Security Kit Design.pdf	B
Hardware 3005018-ATI Kit Design.pdf	A



Hardware 3005174-AutoBallot Kit Design.pdf	B
Hardware 3005350-Scan Design.pdf	H
Hardware 3005351-Controller Design.pdf	D
Hardware 3005352-Touch Writer Design.pdf	G
Hardware 3005353-Touch with Access Design.pdf	E
Hardware 3005355-Touch Design.pdf	D
Hardware 3005356-Print Design.pdf	D
Hardware 3005357-Ballot Box Design.pdf	D
Hardware 3005358-Standard Booth Design.pdf	C
Hardware 3005359-Accessible Booth Design.pdf	D
Hardware 3005700-Touch Writer Duo Design.pdf	A
Hardware 3005800-Scan Design.pdf	A
Hardware 3005801-Accessible Booth With ATI Tray Design.pdf	A
Hardware 3005825-Controller Design.pdf	A
Hardware Design and Development Procedure	D.01
Hardware PCB Photos	N/A
Hardware Verification and Validation Process	D.01
Hart NRTL Safety Certificate U8 17 10 90917 004	N/A
Hart Secure Ballot Stock Specification	A.01
Verity 2.3 Test Cases	N/A
Verity Voting 2.3 Notice of Protected Information	A.00
Quality Manual	D.04
Records Retention Matrix	E.02
Software Design and Development Procedure	D.02
Software Production Procedure	E.01
Software Test Design and Development Procedure	D.02
Software Verification and Validation Process	D.02
Software Versioning Procedure	C.04
Hart Requirements Management Requirements Management Process	A.02



Supplier Qualification and Management Procedure	C.02
THE VERITY ACCESS FIRMWARE BUILD PROCEDURE	A.01
THE VERITY MCU FIRMWARE BUILD PROCEDURE	A.02
THE CREATION AND CONFIGURATION OF THE TRUSTED BUILD ENVIRONMENT	A.03
Verity Voting 2.3 TDP Abstract	A.01
Verity 2.3 VVSG 1.0 TDP Trace	N/A
Verity 2.3.X COTS List	N/A
Airgap Interface for Portable Electronic Media Technical Reference	A.02
Verity Application Framework Technical Requirements Document (TRD)	A.00
THE VERITY APPLICATION BUILD PROCESS FOR VERITY 2.3.1	A.01
Verity Application Programming Interface Specification Technical Document	A.04
Verity Ballot Creation Technical Requirements Document (TRD)	A.00
Verity Base Station Microcontroller Specification	A.01
Verity Build Technical Requirements Document (TRD)	A.00
Verity Central Technical Requirements Document (TRD)	A.00
Verity Coding Standard Standards Document	A.14
Verity Controller Technical Requirements Document (TRD)	A.01
Verity Count Technical Requirements Document (TRD)	A.01
Verity Data Technical Requirements Document (TRD)	A.00
Verity Database Attributes	C.02
Verity Device Suite Technical Requirements Document (TRD)	A.00
Verity Election Definition Data Technical Requirements Document (TRD)	A.01
Verity Election Management Technical Requirements Document (TRD)	A.00
Verity System Design Verity Electronics Specification	A.15
Verity Entity Relationship Diagram Database - Devices	N/A



Verity Entity Relationship Diagram Database - Servers (Count Only)	N/A
Verity Entity Relationship Diagram Database - Servers (No Count)	N/A
Verity Key Design Technical Document	A.02
Verity Logging Design Technical Document	1.03
Verity Logging Technical Requirements Document (TRD)	A.00
Verity Voting Verity Operational Environment	C.05
PC Application Framework UI Design Document	5
Verity Voting Performance Characteristics	C.02
Verity Print Technical Requirements Document (TRD)	A.00
Verity Risk Assessment	B.01
Verity Scan Technical Requirements Document (TRD)	A.00
Verity Security Requirements Document	A.07
Verity Shared Device User Interface Design Document	7
Verity Software Architecture-Design 4005463 B01	B.01
Usability Test Report of Verity Touch/Touch Writer and Verity Scan	N/A
Verity Voting Summative Usability Test Plan	A.01
Verity – Supply Chain PRD Supply Chain / Operations / Services Planning Document	C.01
Verity Voting 2.3 System Limits	C.01
Verity Touch Technical Requirements Document (TRD)	A.00
Verity Touch Writer Duo Base Station Microcontroller Specification	A.00
Touch Writer Duo Technical Requirements Document (TRD)	A.00
Verity Touch Writer Technical Requirements Document (TRD)	A.00
Verity User Management Technical Requirements Document (TRD)	A.00
Verity Vote Counting and Cast Vote Records Technical Requirements Document (TRD)	A.00
Verity Voting 2.3 Implementation Statement	A.00



Application for Certification – Verity Voting 2.3 Usability Impact Statement	N/A
Verity Voting 2.3.1, 2.3.2 Source Documentation.zip	N/A
Verity Voting National Certification Test Specification	B.02
Verity Workstation Manufacturing Process Document	B.01
Administrator's Guide VERSION 2.3 (Build)	A.01
Administrator's Guide VERSION 2.3 (Central)	A.02
Administrator's Guide VERSION 2.3 (Count)	A.03
Administrator's Guide VERSION 2.3 (Data)	A.02
Device Troubleshooting Field Guide VERSION 2.3	A.03
Polling Place Field Guide VERSION 2.3 (CDS)	A.02
Polling Place Field Guide VERSION 2.3 (CT)	A.02
Polling Place Field Guide VERSION 2.3 (SW)	A.01
Support Procedures Guide VERSION 2.3	A.03
System Administrator's Guide VERSION 2.3	A.02
Verity Print Field Guide VERSION 2.3	A.01
VIRTEX ENTERPRISES LP QUALITY SYSTEM MANUAL	R
Voting System Implementation And Maintenance Process Document	C.02
VSTL Product Submission Procedure	D.02
Verity 2.3 Workstation Configuration Process Document	A.01
WORKSTATION WES7 CREATION PROCESS DOCUMENT	A.00

4.3 Software and Firmware

Any and all software/firmware that is to be used by the declared voting system whether directly or indirectly, in a production environment, must be validated during the certification process.

The software and firmware employed by **Hart Verity Voting 2.3** consists of 2 types, custom and commercial off the shelf (COTS). COTS applications were verified to be pristine, or were subjected to source code review for analysis of any modifications and verification of meeting the pertinent standards. The COTS software and firmware was either obtained directly from the 3rd party manufacturer, or was verified against digital signatures obtained from the 3rd party manufacturer. No modified COTS were implemented.

Tables 3 and 4 below detail each application employed by the **Hart Verity Voting 2.3** voting system.



Table 3 – Hart Verity Voting 2.3 Custom Software and Firmware

Application	Version
Verity Data	2.3.1
Verity Build	2.3.1
Verity Central	2.3.1
Verity Count	2.3.1
Verity Print	2.3.1
Verity Scan	2.3.1
Verity Touch Writer	2.3.1
Verity Touch Writer Duo	2.3.1
Verity Controller	2.3.2
Verity Touch	2.3.1
Verity Touch with Access	2.3.1

Table 4 – COTS Software

Verity Data/Build	
Description	Version
Microsoft Windows Embedded Standard 7, Service Pack 1	6.1.7601
Microsoft SQL Server 2012 for Embedded Systems License	11.00.2100
McAfee Application Control for Devices	6.1.1.369
Verity Central	
Microsoft Windows Embedded Standard 7, Service Pack 1	6.1.7601
Microsoft SQL Server 2012 for Embedded Systems License	11.00.2100
McAfee Application Control for Devices	6.1.1.369
Verity Count	
Microsoft Windows Embedded Standard 7, Service Pack 1	6.1.7601
Microsoft SQL Server 2012 for Embedded Systems License	11.00.2100
McAfee Application Control for Devices	6.1.1.369
Verity Print	
Microsoft Windows Embedded Standard 7, Service Pack 1	6.1.7601



Microsoft SQL Server 2012 Express License	11.00.2100
McAfee Application Control for Devices	6.1.1.369
Verity Scan – Paper Ballot Scanner	
Microsoft Windows Embedded Standard 7, Service Pack 1	6.1.7601
Microsoft SQL Server 2012 Express License	11.00.2100
McAfee Application Control for Devices	6.1.1.369
Nuance Western OCR, Desktop, OEM	V20
Verity Touch Writer – Electronic BMD Device	
Microsoft Windows Embedded Standard 7, Service Pack 1	6.1.7601
Microsoft SQL Server 2012 Express License	11.00.2100
McAfee Application Control for Devices	6.1.1.369
Verity Touch Writer Duo – Electronic BMD Device	
Microsoft Windows Embedded Standard 7, Service Pack 1	6.1.7601
Microsoft SQL Server 2012 Express License	11.00.2100
McAfee Application Control for Devices	6.1.1.369
Verity Controller – Networked Centralized Management Device	
Microsoft Windows Embedded Standard 7, Service Pack 1	6.1.7601
Microsoft SQL Server 2012 Express License	11.00.2100
McAfee Application Control for Devices	6.1.1.369
Verity Touch - Electronic DRE Device	
Microsoft Windows Embedded Standard 7, Service Pack 1	6.1.7601
Microsoft SQL Server 2012 Express License	11.00.2100
McAfee Application Control for Devices	6.1.1.369
Verity Touch with Access - Electronic DRE Device	
Microsoft Windows Embedded Standard 7, Service Pack 1	6.1.7601
Microsoft SQL Server 2012 Express License	11.00.2100
McAfee Application Control for Devices	6.1.1.369



4.4 Equipment (Hardware)

The hardware employed by **Hart Verity Voting 2.3** consists of 2 types, custom and commercial off the shelf (COTS). COTS hardware was verified to be unmodified, or was subjected to review for analysis of any modifications and verification of meeting the pertinent standards.

Tables 5 and 6 below detail each device employed by the **Hart Verity Voting 2.3** voting system.

Table 5 – Hart Verity Voting 2.3 Custom Voting Equipment

Description	Version
Verity Print – Ballot Printer	3005356 Rev D
Verity Scan – Paper Ballot Scanner	3005350 Rev H
Verity Scan – Paper Ballot Scanner – Update for scanner mechanism and tablet electronics obsolescence.	3005800 Rev A
Verity Touch Writer – Electronic BMD Device	3005352 Rev G
Verity Touch Writer Duo – Electronic BMD Device	3005700 Rev A
Verity Controller – Networked Centralized Management Device	3005351 Rev D
Verity Controller – Networked Centralized Management Device – Update for tablet electronics obsolescence.	3005825 Rev A
Verity Touch - Electronic DRE Device	3005355 Rev D
Verity Touch with Access - Electronic DRE Device	3005353 Rev E

Table 6 – Hart Verity Voting 2.3 COTS Equipment

Verity Data/Build	
Description	Version
Verity Central Applications and Workstation Kit - HP Z240 Workstation - HPZ230 Workstation supported for existing customers only - Verity Central Software (see below)	C
Canon DR G1100 High-Speed Scanner	M111181
Canon DR G1130 High-Speed Scanner	M111171
OKI Data B432dn Mono Printer Report printer	N22500A
OKI Data B431d Mono Printer for existing customers only Report printer	N22202A



8-port Ethernet Switch	1405-8GV3
Vinpower Digital USB Duplicator 7-targets	USBShark-7T-BK
Vinpower Digital USB Duplicator 23-targets	USBShark-23T-BK
Verity Central	
Verity Central Applications and Workstation Kit • HP Z240 Workstation • HPZ230 Workstation supported for existing customers only • Verity Central Software (see below)	C
Canon DR G1100 High-Speed Scanner	M111181
Canon DR G1130 High-Speed Scanner	M111171
OKI Data B432dn Mono Printer Report printer	N22500A
OKI Data B431d Mono Printer for existing customers only Report printer	N22202A
8-port Ethernet Switch	1405-8GV3
Verity Count	
Verity Count Applications and Workstation Kit • HP Z240 Workstation or HP Z230 Workstation • HPZ230 Workstation supported for existing customers only • Verity Count Software (see below)	C
OKI Data B432dn Mono Report printer	N22500A
OKI Data B431d Mono Report Printer for existing customers only.	N22202A
8-port Ethernet Switch	1405-8GV3
Verity Print	
OKI Data C831dn Color Printer	N35100A
OKI Data B432dn Mono Blank Ballot Printer	N22500A
OKI Data B431d Mono Printer for existing customers only	N22202A
Verity Scan – Paper Ballot Scanner	
Verity Ballot Box	B
Verity Touch Writer – Electronic BMD Device	
OKI Data B432dn Mono Marked Ballot Printer	N22500A
OKI Data B431d Mono Printer for existing customers only Report printer	N22202A



Accessible Voting Booth	D
Verity Touch Writer Duo – Electronic BMD Device	
Brother PJ700 Series Thermal Printer	PJ723
Accessible Voting Booth	D
Standard Voting Booth	D
Verity Touch - Electronic DRE Device	
Standard Voting Booth	D
Verity Touch with Access - Electronic DRE Device	
Accessible Voting Booth	D

4.5 Test Materials

The following test materials are required for the performance of testing including, as applicable, test ballot layout and generation materials, test ballot sheets, and any other materials used in testing.

- Ballots & Blank Ballot grade paper
- Thumb Drives
- USB Dongle
- Ballot marking pens
- Printer paper rolls

4.6 Requirements

4.6.1 VVSG Requirements

The **Verity Voting 2.3** modifications were tested to applicable 2005 VVSG 1.0 requirements. This section details the requirements reviewed for **Verity Voting 2.3**.

The **Verity Voting 2.3** modification will be tested to the 2005 VVSG 1.0 requirements listed below:

Volume I:

- 2.1.2.a,b,c Accuracy
- 2.1.7.1.c Functions
- 2.2.1.2.b Ballot Formatting
- 2.2.2.d Election Programming
- 2.2.4.a-e Readiness Testing
- 2.3.3.1.c,d Common Requirements
- 2.3.3.2.b,e,h Paper based System Requirements
- 2.3.3.3.c,d,e,h,j,k,o DRE System Requirements
- 4.1.5.2 Ballot Reading Accuracy



Volume II

- 3.2.3 Testing to Reflect Additional Capabilities
- 3.2.4 Testing to Reflect Previously Tested Capabilities
- 6.2.2 System Baseline for Testing
- 6.2.3 Testing Volume

4.6.2 Hardware Requirements

Volume I:

- 2.1.4 (b,c,d) Integrity
- 4.1.2.5-12 Environmental Requirements
- 4.1.7.1 Removable Storage Media
- 4.3.3 Reliability

Volume II:

- 4.6.2-6 Non-operating Environmental
- 4.7.1&3 Environmental Tests, Operating
- 4.8 Other Environmental Tests

4.7 Hart State Specific Modification Requirements

The modifications addressed represent Hart internally developed features designed to satisfy these jurisdictional requests.

Pertinent Hart requirements are listed in Attachment J – Verity Voting 2.0 to 2.3 System Modifications.

5 Certification Test Results Summary

5.1 Source Code Review Summary

SLI reviewed the software source code for each application in the **Hart Verity Voting 2.3** voting system to determine the code's compliance with Volume I Sections 5, 9 and Volume II Section 5.4 of the VVSG 1.0 and for compliance with **Hart's** internally developed coding standards. **Verity Voting 2.3** is implemented with the C, C++ and C# languages. Results of the source code review are detailed in *Attachment I – List of Source Code Reviewed and Results*.

5.1.1 Evaluation of Source Code

The source code was reviewed for compliance per the guidelines defined in *Volume II, Section 5.4* of the VVSG 1.0. As a modification project, the **Verity Voting 2.3** code base was reviewed using the final **Verity Voting 2.0** code base as the baseline, to which the initial **Verity Voting 2.3** code base was compared. The differences found between those



two code bases served as the starting point of the code review. The source code was found to be in compliance with the terms of the VVSG 1.0, and Hart declared industry standards.

5.2 Technical Data Package Review Summary

SLI reviewed the **Hart Verity Voting 2.3** TDP, as detailed in sections 3.1 and 3.4, for compliance according to *Volume II Section 2* of the VVSG 1.0.

The review was conducted for the required content and format of:

- **System Change Notes:** Changes to certified system **Verity Voting 2.3**.
- **System Test and Verification Specifications:** Development and certification test specifications that **Hart** applied to their testing efforts. **Verity Voting 2.3**
- **Application Usability Impact statement:** Updated for **Verity Voting 2.3**
- **Performance Characteristics:** Updated for **Verity Voting 2.3**
- **System Description:** Updated for **Verity Voting 2.3**
- **Verity System Limits:** Updated for **Verity Voting 2.3**
- **Verity Operational Environment:** Updated for **Verity Voting 2.3**
- **Verity COTS List:** Updated for **Verity Voting 2.3**
- **Verity Data Technical Reference:** Updated for **Verity Voting 2.3**.
- **Verity Build Technical Reference Manual:** Updated for **Verity Voting 2.3**
- **Verity Central Technical Reference Manual:** Updated for **Verity Voting 2.3**
- **Verity Count Technical Reference Manual:** Updated for **Verity Voting 2.3**
- **Verity Service and Maintenance Operations Technical Reference Manual:** Updated for **Verity Voting 2.3**

5.2.1 Evaluation of TDP

The Technical Data Package for the **Hart Verity Voting 2.3** voting system was found to comply with the standards. A jurisdiction would be able to deploy the **Hart Verity Voting 2.3** voting system using the TDP.

5.3 Hardware Testing

Hardware testing was performed on **Verity Scan** and **Verity Controller/Touch Writer Duo**. Each device was subjected to: Electrical Power Disturbance, Electrical Fast Transient, Lightning Surge, Electrostatic Disruption, Electromagnetic Emissions, Electromagnetic Susceptibility, Conducted RF Immunity, Magnetic Fields Immunity, Bench Handling, Vibration, Low Temperature, High Temperature Test, Humidity Test, Temperature and Power Variation and Maintainability testing. Both devices successfully completed hardware testing.



5.4 Functional Testing Summary

Functionality was tested as identified below for the **Verity Voting 2.3** system.

5.4.1 Test Suites Utilized

The following test suites were executed:

Verity Data/Build test suite – The **Verity Data/Build** component was re-tested in depth in order to verify that the modifications implemented, and the subsequent Trusted Build of the software, did not adversely affect operations within this application. This testing was completed without issue.

Verity Desktop test suite – The **Verity Desktop** component was re-tested in depth in order to verify that the modifications implemented, and the subsequent Trusted Build of the software, did not adversely affect operations within this application. This testing was completed without issue.

Verity User Management test suite – The **Verity User Management** component was re-tested in depth in order to verify that the modifications implemented, and the subsequent Trusted Build of the software, did not adversely affect operations within this application. This testing was completed without issue.

Verity Touch Writer test suite – The **Verity Touch Writer** component was re-tested in depth in order to verify that the modifications implemented, and the subsequent Trusted Build of the firmware, did not adversely affect operations within this application. This testing was completed without issue.

Verity Touch Writer Duo test suite – The **Verity Touch Writer Duo** component was tested in depth in order to verify that the modifications implemented, and the subsequent Trusted Build of the firmware, did not adversely affect operations within this application. This testing was completed without issue. Note that basic functionality of this device mirrors that of **Verity Touch Writer**.

Verity Touch test suite – The **Verity Touch** component was re-tested in depth in order to verify that the modifications implemented, and the subsequent Trusted Build of the firmware, did not adversely affect operations within this application. This testing was completed without issue.

Verity Print test suite – The **Verity Print** component was re-tested in depth in order to verify that the modifications implemented, and the subsequent Trusted Build of the firmware, did not adversely affect operations within this application. This testing was completed without issue.

Verity Scan test suite – The **Verity Scan** component was re-tested in depth in order to verify that the modifications implemented, and the subsequent Trusted Build of the firmware, did not adversely affect operations within this application. This testing was completed without issue.

Verity Central test suite – The **Verity Central** application component was re-tested in depth in order to verify that the modifications implemented, and the subsequent Trusted Build of the software, did not adversely affect operations within this application. This testing was completed without issue.



Verity Count test suite – The **Verity Count** application component was re-tested in depth in order to verify that the modifications implemented, and the subsequent Trusted Build of the software, did not adversely affect operations within this application. This testing was completed without issue.

Modifications test suite – The **Modification** test suite explicitly examined each modification introduced into **Verity Voting 2.3** in order to verify that the modifications implemented, and the subsequent Trusted Build of the firmware, did not adversely affect operations. This testing was completed without issue

General Election test suite – The full **Verity Voting 2.3** voting system was reviewed in order to verify continued integration of the voting system and that all components continue to work as expected. This test was completed without issue.

Closed Primary Election test suite – The full **Verity Voting 2.3** voting system was reviewed in order to verify continued integration of the voting system and that all components continue to work as expected. This test was completed without issue.

Open Primary Election test suite – The full **Verity Voting 2.3** voting system was reviewed in order to verify continued integration of the voting system and that all components continue to work as expected. This test was completed without issue.

Language test suite – Testing was conducted to ensure the voting system is capable of presenting the ballot, ballot selections, review screens and instructions in the required languages. The system's ability to handle the prescribed foreign languages that have been declared to be supported, English, Spanish, Chinese, Japanese, Korean, Khmer, Thai, Vietnamese, Tagalog, Ilocano, and Hindi were validated. This test was completed without issue.

Accuracy test suite – **Verity Scan** was tested for accuracy of ballot marks reading in association with updated hardware. **Verity Central** was also tested to verify ability to read 8.5"x20" ballots accurately. This test was completed without issue.

Volume test suite – The full **Verity Voting 2.3** voting system was reviewed in order to verify compliance with the updated stated system limits. This test was completed without issue.

Stress test suite - The full **Verity Voting 2.3** voting system was reviewed in order to verify appropriate responses. This test was completed without issue.

5.5 Evaluation of Testing

The above tests were successfully conducted using the executables created in the Trusted Build, in association with the appropriate hardware versions as declared in this Test Report for the **Hart Verity Voting 2.3** voting system.

5.6 Quality Assurance and Configuration Management Audits

The review process verified that the manufacturer has written processes and procedures for Quality Assurance and Configuration Management. The processes and procedures were implemented within the software development life cycle used to produce the **Hart Verity Voting 2.3** system.



Coverage of tests employed by **Hart** was deemed satisfactory for meeting the requirements of the VVSG 1.0, as well Hart internal requirements for state specific feature implementations. The CM portion of the review focused on the organization's understanding and implementation of the declared configuration management processes, procedures and policies. Deliverables were reviewed against all pertinent CM processes employed by **Hart**. Implementation of the **Hart** configuration processes was adequately documented and followed throughout the course of the **Verity Voting 2.3** project, and no issues were encountered.

5.7 Discrepancies Found During Testing

Discrepancies found fall into 4 major categories, Hardware, Documentation, Source Code, and Functional.

Hardware discrepancies are issues that occur specifically in the hardware arena, and are usually found during the hardware testing phase.

Documentation discrepancies are issues that occur during the PCA documentation (TDP) review phase and are issues that are resolved by updates to the documentation.

Source Code discrepancies are issues that occur during source code review and are issues that must be fixed in the source code prior to the Trusted Build.

Functional discrepancies are issues that occur during functional testing and can be related to any software or firmware within the system. Functional discrepancies often lead to source code modifications, additional source code review and an additional Trusted Build.

5.7.1 Documentation Discrepancies

Twenty-nine documentation discrepancies were written during this campaign, all were satisfactorily resolved

5.7.2 Source Code Discrepancies

Six source code discrepancies were written during this campaign, all were satisfactorily resolved.

5.7.3 Hardware Discrepancies

Four hardware discrepancies were written during this campaign, all were satisfactorily resolved.

- Verity Scan Failed ESD Causing Display Screen to Freeze
 - Resolved by:
 - Debug/Development components that were inadvertently left on the assembly were removed. These components serve no purpose in the product functionality and were present only for the development portion of the project.
 - Shielding of sensitive signals on the PCB was implemented through additional metal shields and conductive metal shielding tape.
 - Insulating the LCD metal frame from the seam between the LCD and the plastic enclosure.

- Verity Controller / TW Duo Failed ESD Causing Display Screen to Freeze



- Resolved by:
 - Debug/Development components that were inadvertently left on the assembly were removed. These components serve no purpose in the product functionality and were present only for the development portion of the project.
 - Shielding of sensitive signals on the PCB was implemented through additional metal shields and conductive metal shielding tape.
 - Insulating the LCD metal frame from the seam between the LCD and the plastic enclosure.
- Verity Scan Failed ESD, Scanner Diag Test Utility Lost Connection
 - Resolved by:
 - The test utility provided the scanning function for automation purposes during ESD testing. When the utility lost connection, it was able to be restarted. ESD testing was completed successfully with the anomaly noted, and all other applications and functions on the Verity Scan continued to operate without disruption. For future endeavors, however, Hart will develop an automated test utility in order to remove this occurrence.
- Verity Scan S1801828110 Fail Temperature and Power Variation Tests
 - Resolved by:
 - The scanner mechanism was determined to be part of an initial production run of the PageScan V scanner mechanism, in which the MSD boards were hand soldered. The less precise hand soldering method resulted in a cold solder joint on the MSD board, causing it to lose communication and cause the anomaly. All MSD boards after the initial production run are manufactured with a uniform and automated wave soldering process.

5.7.4 Functional Discrepancies

Four functional discrepancies were encountered during this campaign, all were satisfactorily resolved.

- In Data, Help incorrectly describes Add Party Selection
 - The Help menu now accurately describes the button that is available to the user. The "Add Party Selector" button is described as, "Click the Add Party Selector button to add a straight party selection contest."
- In Controller & Duo, Robustness Error does not accurately describe device
 - The warning message now displays the following: "WARNING: A **device** with an active voting session was disconnected and never reconnected. There may be a stranded ballot or unreported session on that device. This situation can be resolved by reconnecting the device while polls are still open. The polls cannot be reopened once they are closed."
- In Controller, Reset Booth numbering Incorrectly describes device
 - The controller screen was updated to no longer display the 'Touch' device and now states, "If you reset your booth numbers, you will need to reassign a booth number to each connected device before voting can continue. "



- In Controller, Incorrectly Displayed ballot Cast on Message
 - The controller now allows the user to deactivate an access code that has not been used.

6 Recommendations

SLI has successfully completed the testing of the **Hart Verity Voting 2.3** voting system. It has been determined that the **Verity Voting 2.3** voting system meets the required acceptance criteria of the Election Assistance Commission Voluntary Voting System Guidelines 1.0 (2005).

It is SLI's recommendation that the EAC grant certification of **Hart Verity Voting 2.3** voting system. This recommendation reflects the opinion of SLI Compliance based on the testing scope and results.

SLI:

A handwritten signature in black ink, appearing to read "Traci Mapps".

Traci Mapps

Director

February 26th, 2019



Attachment J – Verity Voting 2.0 to 2.3 Voting Modifications

General Features

- Support for additional languages. The following languages are supported: English, Spanish, Chinese, Japanese, Korean, Khmer, Thai, Vietnamese, Tagalog, Ilocano, Hindi (11 total)
- Higher system limits
- Digitally signed reports and exports
- Support for three additional symbols:
 - ¢ (“Cents sign”: ALT + 0 + 162);
 - § (“Section”: ALT + 0 + 167);
 - ° (“Degree sign”: ALT + 0 + 176)
- Support for dependent contests
- Support vote capture and recording for contests tagged as fractional cumulative. Tabulation is completed manually by using the CVR export or report from the Count Auditing Dashboard.
- Support for 8.5” x 20” ballots
- Increased physical security with a serialized security seal that fully secures the Smart Panel CFast door compartment on devices and on all workstation chassis.

Pennsylvania-specific features

- Support Cross-filing
- Support Pennsylvania method for electronic interface voting with straight party
- Support Pennsylvania preferences for electronic ballot displays, esp. with many choices in a single contest

Oregon-specific features

- Support “No Party Preference (NPP)” ballot styles for modified closed primaries

Indiana-specific features

- Straight party overvote invalidates partisan contests
- Retrieval codes can be inserted into Cast Vote Records, to support retrieval of Early Voting ballots, if necessary.

Ohio-specific features

- Support multiple write-in lines associated with a single target area for choices in a contest (e.g., Governor/Lieutenant Governor)

Features for Verity Touch Writer series

- Verity Touch Writer Duo
 - Support for Verity Controller management and daisy-chain configuration.
 - Additional ballot template: summary layout
 - Alternative to attached laser printer: integrated thermal printer



- Standalone Verity Touch Writer
 - Removal of Access Codes
 - Enter Access code screen is removed
 - Deactivate Code screen is removed
 - Poll worker screen to “Confirm Access Code” screen (ballot style, etc.) is renamed “Confirm Selections”
 - Poll worker screen to “Create ballot access code” is renamed “Activate ballot”
 - “Access Code Summary Report” is renamed “Ballot Marking Session Report”
 - In all log entries, the term “Access Code” is replaced with “Session ID”
 - Support for AutoBallot (previously available on Verity Print and Verity Controller)
- Software alternative for Poll Worker button on rear of device (touch “Ready to Use,” on the idle screen)
- Support for customized instructions at the end of voting session, to include references to casting the ballot at Verity Scan, or anything else specific to the polling place that the jurisdiction may wish to mention; customized instruction is entered in user-defined preferences in Data (Preferred Wording)
- Support users’ ability to set time zone
- Screens indicate if devices do not have AC power (“Batteries last a limited time only”)
 - Displayed on Power On Self-Test (POST) screen, or during normal operations
 - Does not interrupt a voting session
- “Battery low” warning is displayed when AC power is disconnected, and battery is critically low
 - Prevents further action until AC power is restored
 - Recoverable when AC power is applied; reboot is no longer required unless the battery is below 5% alert threshold.
- System displays a system alert if the available space on the vDrive is 50 MB or less
- After polls are suspended or closed (applies to Verity Controller, Verity Scan, Verity Touch Writer, and Verity Touch Writer Duo), screen alerts users to re-dock and power down device if they attempt to store a tablet that has not been powered down
- Now feature a metal serialized security seal that fully secures the Smart Panel CFast door compartment.
- Enhancements to idle screens
 - Identifies what the device is
 - Indicates “Ready for use,” in English, for poll workers
 - Displays voter instructions in same languages as the election



- Warning is displayed if a voter attempts to deselect a write-in name previously entered
- Warning is displayed if voter makes substitution in <n of m> contest
 - If all selections are made, and if the voter selects an additional choice, the screen indicates which selection is being removed, and which selection is being added
- Voting session idle timeout
 - If the idle timer on an electronic ballot reaches 5 minutes, the device asks, "Are you still voting?"
 - If the voter responds within 45 seconds, it returns to voting and restarts the timer (the timer changes in real-time)
 - If the voter does not respond within 45 seconds, the device goes to a "Session Locked" voter screen, and the poll worker can either unlock the screen, or spoil the ballot. The poll worker must enter the poll worker passcode, and then it goes to the "Session Locked" poll worker screen to unlock or spoil
 - Enable/disable in Verity Build
- Optional orientation wizard, with guidance for audio and screen settings, and additional voter instructions.

Features for Verity Scan

- Second-chance voting check for marginal marks
- Second-chance voting check for blank page (in addition to existing check for blank sheet)
- Support for scanning summary vote records
- If a user elects to save ballot images (based on Build settings), when saving the image on the vDrive, in PNG format, the image filename includes the GUID that links to the GUID in the CVR (this is to provide support for RLAs)
- Support users' ability to set time zone
- Screens indicate if devices do not have AC power ("Batteries last a limited time only")
 - Displayed on Power On Self-Test (POST) screen, or during normal operations
 - Does not interrupt a voting session
- "Battery low" warning is displayed when AC power is disconnected, and battery is critically low
 - Prevents further action until AC power is restored
 - Recoverable when AC power is applied; reboot is no longer required unless the battery is below 5% alert threshold.
- System displays a system alert if the available space on the vDrive is 50 MB or less
- After polls are suspended or closed (applies to Verity Controller, Verity Scan, Verity Touch Writer, and Verity Touch Writer Duo), screen alerts users to re—



dock and power down device if they attempt to store a tablet that has not been powered down

- Now feature a metal serialized security seal that fully secures the Smart Panel CFast door compartment.
- Enhancements to idle screens
 - Identifies what the device is
 - Indicates “Ready for use,” in English, for poll workers
 - Displays voter instructions in same languages as the election

Features for Verity Controller

- Dashboard icons indicate power and battery status of all connected units
- Dashboard icons indicate when a ballot has been cast on a connected Touch DRE unit
- Support for Touch Writer Duo BMD
- Support users’ ability to set time zone
- Screens indicate if devices do not have AC power (“Batteries last a limited time only”)
 - Displayed on Power On Self-Test (POST) screen, or during normal operations
 - Does not interrupt a voting session
- “Battery low” warning is displayed when AC power is disconnected, and battery is critically low
 - Prevents further action until AC power is restored
 - Recoverable when AC power is applied; reboot is no longer required unless the battery is below 5% alert threshold.
- System displays a system alert if the available space on the vDrive is 50 MB or less
- After polls are suspended or closed (applies to Verity Controller, Verity Scan, Verity Touch Writer, and Verity Touch Writer Duo), screen alerts users to re-dock and power down device if they attempt to store a tablet that has not been powered down
- Now feature a metal serialized security seal that fully secures the Smart Panel CFast door compartment.

Verity Touch

- Warning is displayed if a voter attempts to deselect a write-in name previously entered
- Warning is displayed if voter makes substitution in <n of m> contest



- If all selections are made, and if the voter selects an additional choice, the screen indicates which selection is being removed, and which selection is being added
- Voting session idle timeout
 - If the idle timer on an electronic ballot reaches 5 minutes, the device asks, “Are you still voting?”
 - If the voter responds within 45 seconds, it returns to voting and restarts the timer (the timer changes in real-time)
 - If the voter does not respond within 45 seconds, the device goes to a “Session Locked” voter screen, and the poll worker can either unlock the screen, or spoil the ballot. The poll worker must enter the poll worker passcode, and then it goes to the “Session Locked” poll worker screen to unlock or spoil
 - Enable/disable in Verity Build
- Optional orientation wizard, with guidance for audio and screen settings, and additional voter instructions.

Verity User Management

- Role-Based Access Control (RBAC)
 - Allow user to create & delete custom roles & assign or remove permissions
- Configurable password options
 - Require password changes to be different than the last <n> previous passwords
 - Minimum password length is configurable
 - Require that passwords not contain the username
- For each user listed, adds a field indicating whether the user is currently logged in (yes/no)

Verity Desktop

- Support for setting time zone

Features for Verity Data

- Add fields for preferred wording:
 - Define custom wording for “This page left blank” (40 char limit)
 - Define custom wording for “Read both sides” on paper ballots (40 char limit)
 - Define custom instructions for ballot marking device paper handling
- Add “Notes” field for Additional Text



- Add “Notes” field for Ballot Order Screen
- Additional Text screen allows user to associate one or more parties to each Additional Text in an Open Primary
- For Rotation, add confirmation if “Generate Indices” button is selected, as selecting the button will overwrite any existing indices that have already been entered.
- Warning message added if a user validates a language, and then attempts to navigate away from the screen before locking the language
- Validation to ensure that every precinct is assigned to at least one polling place
- Validation to ensure that every polling place has at least one precinct assigned to it
- Support for multiple paper sizes in a single election: allow up to two different ballot size templates: one 8.5" wide template for in Central or in-person scanning on Verity Scan, and option to add 11"x17" for Central only
- Support for condensed format summary vote records: short election title; short jurisdiction name; short contest title; custom header; title; English & bilingual portrait and landscape templates; preview layout
- Staging features
 - Generate English-only paper ballots before entering any translations or audio for election data
 - Accommodate selective edits to certain ballot styles without having to reprint all ballots in the election; includes Version Compatibility Report
- WMA audio format in Data/Build.
- Audit log reports are digitally-signed
- All PC workstation chassis now feature a metal serialized security seal that fully secures the chassis from physical access to interior components

Features for Verity Build

- Elimination of pre-determined vDrive IDs in Verity Build, to allow batch writing of vDrives with vDrive duplicator
- Validation to ensure that every precinct is assigned to at least one polling place
- Validation to ensure that every polling place has at least one precinct assigned to it
- Support for multiple paper sizes in a single election: allow up to two different ballot size templates: one 8.5" wide template for in Central or in-person scanning on Verity Scan, and option to add 11"x17" for Central only



- Device settings:
 - Allow/reject “Blank page” on Scan (as distinct from “Blank ballot”)
 - Allow/reject “Marginal mark” on Scan
 - Voter idle timeout feature – enable/disable
 - Default voting session volume setting for accessible devices
 - Enable/disable human-readable unique ID for Touch Writer Duo
- Read vDrives screen:
 - Removes vDrive ID
 - Adds Device Type, Polling Place, and Election Version
- Print queue import includes field to define the Starting Ballot Number for each row in the import (can be used to support integration with third-party systems, including remote accessible vote- by-mail)
- Ballot Style Report includes the same ballot style numbers as shown on the ballot preview window
- Data validation window displays a “Start Validation” button, rather than automatically starting the validation when entering the workspace
- Modified barcode format for ballot unique IDs (human-readable unique IDs are shorter than barcode versions)
- The device password for Verity Key is now required to be 8-10 alphanumeric characters (0-9, Uppercase A-Z).
- Staging features
 - Generate English-only paper ballots before entering any translations or audio for election data
 - Accommodate selective edits to certain ballot styles without having to reprint all ballots in the election; includes Version Compatibility Report
- WMA audio format in Data/Build.
- Audit log reports are digitally-signed
- All PC workstation chassis now feature a metal serialized security seal that fully secures the chassis from physical access to interior components

Features for Verity Central

- Support for scanning 8.5” wide and 11”x17” ballots in the same election



*Hart InterCivic
Verity 2.3
Attachment J – Verity Voting 20.to
2.3 Voting Modifications*

- Allow administrators to set conditions that will be automatically accepted in all batches during the scanning process (e.g. accept all undervotes during scanning, in lieu of manual review and adjudication)
- Allow administrators to control/limit the conditions included in “Accept” feature, for all users (i.e. ability to place limitations on adjudicators’ ability to accept undervotes, overvotes, etc.)
- Support adjudicators’ ability to accept (i.e. auto–resolve) specific types of conditions by batch, on a selective basis (e.g., for selected batches, accept all undervotes)
- If a user selects "Accept" for one or more entire batches, Verity Central prompts the user with a confirmation message
- If a user selects "Revert" for one or more entire batches, Verity Central prompts the user with a confirmation message
- Allow users to adjudicate damaged contests, where an option box is unrecognizable, through the Ballot Review window (instead of requiring users to locate the rejected ballot during scanning)
- In the Ballot Review window, add button to Accept page (without additional keystrokes required for “Actions” button)
- In the Ballot Review window, "Previous" and "Next" buttons will take users to the previous or next unresolved contest
- UI wording changes to clarify the Boolean and–or relationship of how combinations of filters will work
- Filter for specific marked contest choices
- Import/export certified write–in names (in same format as Verity Count import/export)
- Precinct Summary Report
- Batch Summary Report
- Batch Summary by Precinct Report
- Scanned Batch report includes Batch Notes
- Increase character limits in Batch Notes field to 500
- vDrive Recovery Screen indicates batches included on original vDrive
- Features to support risk-limiting audits (RLAs)
 - In Central, when a CVR is written to vDrive, the GUID used in the CVR filename is associated with the ballot in Central



- In Central's Scanned Ballot Information Export, there is now a column for the GUID
- In Central's Ballot Review window, for any image, the GUID for the ballot sheet is displayed on the left-hand side of the screen, along with Batch and Sequence information.
- In Central, exported ballot images default to a naming convention that includes page number and GUID
- In Central, provide the capability to search for a specific ballot (i.e. its images) by GUID.
- Verity Count tracks CVRs by GUID
- Audit log reports are digitally-signed
- All PC workstation chassis now feature a metal serialized security seal that fully secures the chassis from physical access to interior components

Features for Verity Count

- Remove "of Y" vDrives from the vDrives Tabulated graph in the Dashboard
- Remove percentage of vDrives Tabulated from the graph in the Dashboard
- Support "freeform write-in resolution," so that users can enter additional write-in candidate names without leaving the write-in assignment interface.
- Option to sign data exports and reports (and include the public key information as part of each export).
 - Note: if this option is disabled, Count will still sign audit log reports.
- Option to include turnout boxes for each contest on Cumulative Report
- Option to include turnout subtotals in each precinct on the Precinct Results Report
- Percentages removed from residual vote sections (Overvotes, Undervotes, Invalid Votes) on Cumulative and Precinct Reports
- Filters
 - For choices, include/exclude write-ins
 - Filter by "Included Provisionals," or "Non-Provisionals"
- Import/export certified write-in names. Export is through the Detailed Vote Totals report.
- Export the status of the provisional ballots in the currently open Task.
- Import provisional ballot status for ballots in the currently open Task
- Option to show/hide sheet count totals in report headers that include results from paper ballots
- District Results report
- Support import of additional district definitions
- Support for Calvoter import/export
- When reading vDrives, the display:



*Hart InterCivic
Verity 2.3
Attachment J – Verity Voting 20.to
2.3 Voting Modifications*

- Removes vDrive ID
- Adds Device ID and associated polling place (or Verity Central)
- In CVR reports, the GUID for each CVR is now in the header of the report.
- Audit log reports are digitally-signed
- All PC workstation chassis now feature a metal serialized security seal that fully secures the chassis from physical access to interior components

Corrected Defects

The following defect found in Verity 2.0 has been corrected in the Verity Voting 2.3 modification

Product	Description of Verity Voting 2.0 Defect	Resolution/Results In Verity Voting 2.3
Verity Count	Different messages seen for vDrives from Verity Central and Verity Scan, when rejection reason is 'vDrive has already been counted'	Corrected. Message from Verity Count has been aligned for consistency.

Updated System Limits¹

Element	Limit	Comments
Precincts	3,000	Increased from 2,000
Splits per precinct	20	Unchanged
Total precincts + splits in an election	3,000	Increased from 2,000
Districts for voting devices and applications	400	Up from 75
Parties in a General Election	24	Unchanged
Parties in a Primary Election	10	Unchanged
Contests in an election	2,000	Increased from 200
Total contest choices (voting positions) in an election	5,000	Increased from 600
Maximum length of choice name	100 characters	Unchanged
Choices in a single contest	300	Up from 75
Maximum write-in length	25 characters	Unchanged
Ballot styles	N/A	Unchanged
Voting types	5	Unchanged
Maximum polling places per election	3,050	Increased from 1200
Maximum devices per election	N/A	Unchanged
Maximum number of central count scanners in a single network	4	Unchanged



*Hart InterCivic
Verity 2.3
Attachment J – Verity Voting 20.to
2.3 Voting Modifications*

vDrive capacity – Scan voting device	9,999 sheets per vDrive	Unchanged
vDrive capacity – Verity Central	80,000 sheets per vDrive	Unchanged
Number of voters definable per election	2,500,000	Increased from 1,000,000
Number of total ballots cast per election	1,750,000	Increased from 1,000,000
Maximum number of sheets per ballot	4 sheets	Unchanged
Maximum number of sheets – Verity Scan	9,999	Unchanged
Maximum number of CVRs – Verity Count	7,000,000 CVRs	4,000,000 CVRs
Ballot sizes	8.5x11, 8.5x14, 8.5x17, 8.5x20, 11x17 (Central only)	Addition of 8.5x20
Number of languages in a single election (including English)	11	Increased from 2

¹ Verity Voting 2.3 system limits are applicable to all HP Z240 workstations with 64 GB memory deployments, except for the combined Data/Build/Count deployment. Verity Voting 2.3 also supports upgrades to the previous generation HP Z230 workstations with 32 GB memory, at system limits documented for Verity Voting 2.0.



United States Election Assistance Commission

Certificate of Accreditation

Pro V&V, Inc.
Huntsville, Alabama

is recognized by the U.S. Election Assistance Commission for the testing of voting systems to the 2005 Voluntary Voting Systems Guidelines under the criteria set forth in the EAC Voting System Testing and Certification Program and Laboratory Accreditation Program. Pro V&V is also recognized as having successfully completed assessments by the National Voluntary Laboratory Accreditation Program for conformance to the requirements of ISO/IEC 17025 and the criteria set forth in NIST Handbooks 150 and 150-22.

Effective Through

February 24, 2017

A handwritten signature in cursive script, appearing to read "Deborah Miller", is written over a horizontal line.

Date: 2/24/15

Acting Executive Director, U.S. Election Assistance Commission

EAC Lab Code: **1501**

Exhibit 10



United States Election Assistance Commission

Certificate of Accreditation

Pro V&V, Inc. Huntsville, Alabama

is recognized by the U.S. Election Assistance Commission for the testing of voting systems to the 2005 and 2015 Voluntary Voting Systems Guidelines (VVSG 1.0 & 1.1) under the criteria set forth in the EAC Voting System Testing and Certification Program and Laboratory Accreditation Program. Pro V&V is also recognized as having successfully completed assessments by the National Voluntary Laboratory Accreditation Program for conformance to the requirements of ISO/IEC 17025 and the criteria set forth in NIST Handbooks 150 and 150-22.

Original Accreditation Issued on: 2/24/2015

**Accreditation remains effective until revoked
by a vote of the EAC pursuant to 52 U.S.C. §
20971(c)(2).**

Mona Harrington

Date: 2/1/21

**Mona Harrington
Executive Director, U.S. Election Assistance Commission**

EAC Lab Code: 1501

Exhibit 10



U.S. ELECTION ASSISTANCE COMMISSION

633 3rd St. NW, Suite 200

Washington, DC 20001

Notice of Clarification

NOC 21-01: VSTL Accreditation Status

Issued by Program Director on July 23, 2021

Section of Manual to Be Clarified:

Voting System Test Laboratory Manual, version 2.0:

3.8. Expiration and Renewal of Accreditation. A grant of accreditation is valid for a period not to exceed two years. A VSTL's accreditation expires on the date annotated on the Certificate of Accreditation. VSTLs in good standing shall renew their accreditation by submitting an application package to the Program Director, consistent with the procedures of Section 3.4 of this Chapter, no earlier than 60 days before the accreditation expiration date and no later than 30 days before that date. Laboratories that timely file the renewal application package shall retain their accreditation while the review and processing of their application is pending. 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.

Purpose:

The Voting System Test Lab (VSTL) accreditation process is an essential component of the EAC's testing and certification program. It consists of two assessments: one by the National Institute of Standards and Technology's (NIST) National Voluntary Laboratory Accreditation Program (NVLAP) and one by the EAC.

NVLAP accreditation is the primary means by which the EAC ensures that each VSTL meets and continues to meet the technical requirements of the EAC program. It sets the standards for each VSTL's technical, physical, and personnel resources, as well as its testing, management, and quality assurance policies and protocols. NVLAP reviews VSTLs one year after their initial accreditation and biennially thereafter.

The EAC VSTL assessment takes additional steps to ensure that laboratory policies are in place regarding compliance management and issues like conflict of interest, record maintenance, and financial stability. It also ensures that the VSTL is willing and capable to work with EAC in its Testing and Certification Program. This is performed by regularly working closely with the labs and performing audits biennially and generating certificates.



U.S. ELECTION ASSISTANCE COMMISSION

633 3rd St. NW, Suite 200

Washington, DC 20001

The EAC is the sole Federal authority for the accreditation and revocation of accreditation of VSTLs.

Clarification:

The intent of section 3.8 in the Voting System Test Laboratory Manual, version 2.0 is to make clear that the VSTL accreditation is subject to reassessment by NVLAP and the EAC with a period of approximately two years, at the discretion of the EAC. It is not intended to describe the EAC VSTL accreditation revocation process, which is described in chapter 5 of the Voting System Test Laboratory Manual, version 2.0.

Federal law (HAVA) provides that EAC accreditation of a voting system test laboratory may not be revoked unless the EAC Commissioners vote to revoke the accreditation.

52 U.S. Code § 20971(c)(2). APPROVAL BY COMMISSION REQUIRED FOR REVOCATION - 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.

The VSTL Certificate of Accreditation that is issued after the EAC performs the audit, and the expiration date listed on the certificate relates to the EAC program requirement to reassess VSTLs periodically to ensure conformance to the requirements of the testing and certification program for a VSTL. For that reason, the EAC has removed the expiration date from the certificate and instead will track the reassessment period separately.

Conclusion:

As of the date of this document, section 3.8 in the Voting System Test Laboratory Manual, version 2.0 is replaced with the following:

3.8. VSTL Accreditation Reassessment. 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 consistent with Chapter 5 of this manual. Reassessment of VSTLs shall occur two years from the date their most recent Certificate of Accreditation was issued, or at the discretion of the EAC. VSTLs in good standing shall request reassessment their accreditation by submitting an application package to the Program Director, consistent with the procedures of Section 3.4 of this Chapter, no earlier than 60 days before and no later than 30 days prior to the reassessment date, or a date chosen at the discretion of the EAC. VSTLs in good standing shall retain their accreditation while the review and processing of their application is pending and should circumstances leave the EAC without a quorum to conduct the vote as specified under Section 3.5.5.



U.S. ELECTION ASSISTANCE COMMISSION
633 3rd St. NW, Suite 200
Washington, DC 20001

The Voting System Test Laboratory (VSTL) accreditation program is an essential component of the EAC's Voting System Testing and Certification Program. The EAC has made National Institute of Standards and Technology's (NIST) National Voluntary Laboratory Accreditation Program (NVLAP) accreditation a requirement as part of its VSTL accreditation program. NVLAP accreditation is **the primary means by which the EAC ensures that each VSTL meets and continues to meet the technical requirements** of the EAC program. It sets the standards for each VSTL's technical, physical and personnel resources, as well as its testing, management, and quality assurance policies and protocols. NVLAP reviews VSTLs one year after their initial accreditation and biennially thereafter.

The EAC takes additional steps to ensure that laboratory policies are in place regarding compliance management and issues like conflict of interest, record maintenance, and financial stability. It also ensures that the VSTL is willing and capable to work with EAC in its Testing and Certification Program. This is performed by regularly working closely with the labs and performing audits biannually and generating certificates. ¹The VSTL accreditation does not get revoked unless the commission votes to revoke accreditation; and by that same token, EAC generated certificates or lack thereof do not determine the validity of a VSTL's accreditation status.

Due to administrative error during 2017-2019, the EAC did not issue an updated certificate to Pro V&V causing confusion with some people concerning their good standing status. Even though the EAC failed to reissue the certificate, Pro V&V's audit was completed in 2018 and again in early 2021 as the scheduled audit of Pro V&V in 2020 was postponed due to COVID-19 travel restrictions. Despite the challenges outlined above, throughout this period, Pro V&V and SLI Compliance remained in good standing with the requirements of our program and retained their accreditation. **In addition, the EAC has placed appropriate procedures and qualified staff to oversee this aspect of the program ensuring the continued quality monitoring of the Testing and Certification program is robust and in place.**

The Testing and Certification program has been fully staffed since May 2019, and we are confident that the integrity of the labs and our voting system certification program has remained strong throughout. The lack of generating a new certificate does not indicate that the labs were out of compliance. All certifications during this period remain valid as does the lab accreditation. The quality of our labs' work is closely monitored during certification campaigns. Both Pro V&V and SLI Compliance are NAVLAP accredited laboratories that are assessed against the management and technical requirements published in the International Standard, ISO/IEC 17025:2017.

¹ Pro V&V was accredited by the EAC on February 24, 2015, and 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 Pro V&V. Pro V&V has undergone continuing accreditation assessments and had new accreditation certificate issued on February 1, 2021.

United States Department of Commerce
National Institute of Standards and Technology



Certificate of Accreditation to ISO/IEC 17025:2017

NVLAP LAB CODE: 200978-0

Pro V&V
Huntsville, AL

*is accredited by the National Voluntary Laboratory Accreditation Program for specific services,
listed on the Scope of Accreditation, for:*

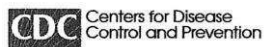
Voting System Testing

*This laboratory is accredited in accordance with the recognized International Standard ISO/IEC 17025:2017.
This accreditation demonstrates technical competence for a defined scope and the operation of a laboratory quality
management system (refer to joint ISO-ILAC-IAF Communiqué dated January 2009).*

2020-03-26 through 2021-03-31
Effective Dates




For the National Voluntary Laboratory Accreditation Program



Weekly / June 19, 2020 / 69(24);759–765

On June 15, 2020, this report was posted online as an MMWR Early Release.

Erin K. Stokes, MPH^{1,*}; Laura D. Zambrano, PhD^{1,*}; Kayla N. Anderson, PhD¹; Ellyn P. Marder, DrPH¹; Kala M. Raz, MPH¹; Suad El Burai Felix, MPH¹; Yunfeng Tie, PhD¹; Kathleen E. Fullerton, MPH¹ (View author affiliations)

View suggested citation

Summary

What is already known about this topic?

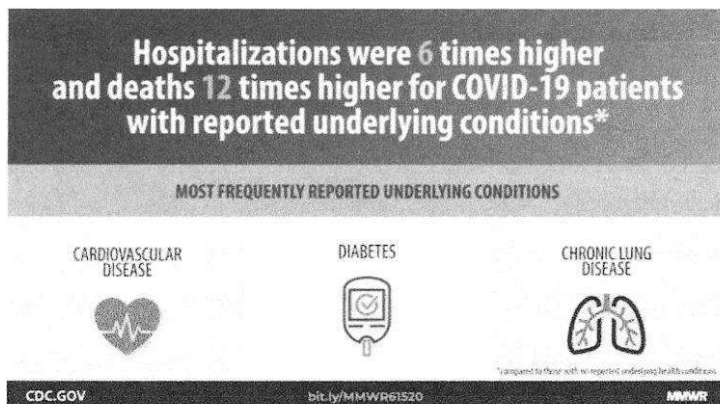
Surveillance data reported to CDC through April 2020 indicated that COVID-19 leads to severe outcomes in older adults and those with underlying health conditions.

What is added by this report?

As of May 30, 2020, among COVID-19 cases, the most common underlying health conditions were cardiovascular disease (32%), diabetes (30%), and chronic lung disease (18%). Hospitalizations were six times higher and deaths 12 times higher among those with reported underlying conditions compared with those with none reported.

What are the implications for public health practice?

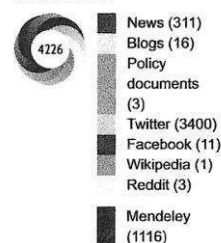
Surveillance at all levels of government, and its continued modernization, is critical for monitoring COVID-19 trends and identifying groups at risk for infection and severe outcomes. These findings highlight the continued need for community mitigation strategies, especially for vulnerable populations, to slow COVID-19 transmission.



The coronavirus disease 2019 (COVID-19) pandemic resulted in 5,817,385 reported cases and 362,705 deaths worldwide through May, 30, 2020,[†] including 1,761,503 aggregated reported cases and 103,700 deaths in the United States.[§] Previous analyses during February–early April 2020 indicated that age ≥ 65 years and underlying health conditions were associated with a higher risk for severe outcomes, which were less common among children aged <18 years (1–3). This report describes demographic characteristics, underlying health conditions, symptoms, and outcomes among 1,320,488 laboratory-confirmed COVID-19 cases individually reported to CDC during January

Article Metrics

Altmetric:



Citations: 487

Views: 346,253

Views equals page views plus PDF downloads

[Metric Details](#)

Figure

Tables

Table 1

Table 2

Table 3

References

Related Materials

PDF [180K]

22–May 30, 2020. Cumulative incidence, 403.6 cases per 100,000 persons,⁷ was similar among males (401.1) and females (406.0) and highest among persons aged ≥80 years (902.0). Among 599,636 (45%) cases with known information, 33% of persons were Hispanic or Latino of any race (Hispanic), 22% were non-Hispanic black (black), and 1.3% were non-Hispanic American Indian or Alaska Native (AI/AN). Among 287,320 (22%) cases with sufficient data on underlying health conditions, the most common were cardiovascular disease (32%), diabetes (30%), and chronic lung disease (18%). Overall, 184,673 (14%) patients were hospitalized, 29,837 (2%) were admitted to an intensive care unit (ICU), and 71,116 (5%) died. Hospitalizations were six times higher among patients with a reported underlying condition (45.4%) than those without reported underlying conditions (7.6%). Deaths were 12 times higher among patients with reported underlying conditions (19.5%) compared with those without reported underlying conditions (1.6%). The COVID-19 pandemic continues to be severe, particularly in certain population groups. These preliminary findings underscore the need to build on current efforts to collect and analyze case data, especially among those with underlying health conditions. These data are used to monitor trends in COVID-19 illness, identify and respond to localized incidence increase, and inform policies and practices designed to reduce transmission in the United States.

State and territorial health departments report daily aggregate counts of COVID-19 cases and deaths to CDC; these were tabulated according to date of report to examine reporting trends during January 22–May 30. In addition to aggregate counts, individual COVID-19 case reports were submitted via a CDC COVID-19 case report form⁸ and the National Notifiable Diseases Surveillance System (NNDSS).⁹ Jurisdictions voluntarily report confirmed and probable¹⁰ cases from reports submitted by health care providers and laboratories. A laboratory-confirmed COVID-19 case was defined as a person with a positive test result for SARS-CoV-2, the virus that causes COVID-19, from a respiratory specimen, using real-time reverse transcription–polymerase chain reaction testing. COVID-19 case data reported from 50 states, New York City, and the District of Columbia¹¹ were analyzed to examine reported demographic characteristics, underlying health conditions, clinical signs and symptoms, and severe outcomes, including hospitalization, ICU admission, and death. Data were missing for age, sex, and race or ethnicity in <1%, 1%, and 55% of reports, respectively.¹² Cases reported without sex or age data were excluded from this analysis as were cases meeting only the probable case definition, along with persons repatriated to the United States from Wuhan, China, or the Diamond Princess cruise ship. Cumulative incidence was estimated using 2018 population estimates. Because of the high prevalence of missing race and ethnicity data, estimates of incidence and proportions of underlying health conditions, symptoms, and severe outcomes by race and ethnicity were not described. Analyses are descriptive and statistical comparisons were not performed.

CDC received notification of the first case of laboratory-confirmed COVID-19 in the United States on January 22, 2020.¹³ As of May 30, an aggregate 1,761,503 U.S. COVID-19 cases and 103,700 deaths had been reported (Figure).¹⁴ The 7-day moving average number¹⁵ of new daily cases peaked on April 12 (31,994) and deaths peaked on April 21 (2,856). As of May 30, the 7-day moving average numbers of new cases were 19,913 per day and deaths were 950 per day.

Among the 1,761,503 aggregate cases reported to CDC during January 22–May 30, individual case reports for 1,406,098 were submitted to CDC case surveillance. After exclusions, data for 1,320,488 (94%) cases were analyzed. Median age was 48 years (interquartile range = 33–63 years). Incidence was 403.6 cases per 100,000 population (Table 1) and was similar among females (406.0) and males (401.1).¹⁶ Incidence was higher among persons aged 40–49 years (541.6) and 50–59 years (550.5) than among those aged 60–69 years (478.4) and 70–79 years (464.2). Incidence was highest among persons aged ≥80 years (902.0)¹⁷ and lowest among children aged ≤9 years (51.1). Among the 599,636 (45%) cases with information on both race and ethnicity, 36% of persons were non-Hispanic white, 33% were Hispanic, 22% were black, 4% were non-Hispanic Asian, 4% were non-Hispanic, other or multiple race, 1.3% were AI/AN, and <1% were non-Hispanic Native Hawaiian or other Pacific Islander.

Symptom status (symptomatic versus asymptomatic) was reported for 616,541 (47%) cases; among these, 22,007 (4%) were asymptomatic. Among 373,883 (28%) cases with data on individual symptoms, 70% noted fever, cough, or shortness of breath; 36% reported muscle aches, and 34% reported headache (Table 2). Overall, 31,191 (8%) persons reported loss of smell or taste.¹⁸ Among patients aged ≥80 years, 60% reported fever, cough, or shortness of breath. No other symptoms were reported by >10% of persons in this age group.

Among 287,320 (22%) cases with data on individual underlying health conditions, those most frequently reported were cardiovascular disease (32%), diabetes (30%), and chronic lung disease (18%) (Table 2); the reported proportions were similar among males and females. The frequency of conditions reported varied by age group: cardiovascular disease was uncommon among those aged ≤39 years but was reported in approximately half of the cases among persons aged ≥70 years. Among 53,896 females aged 15–44 years with known pregnancy status, 6,708 (11%) were reported to be pregnant.



U.S. ELECTION ASSISTANCE COMMISSION
633 3rd St. NW, Suite 200
Washington, DC 20001

FROM: Jerome Lovato, Voting System Testing and Certification Director

SUBJECT: Pro V&V EAC VSTL Accreditation

DATE: 1/27/2021

Pro V&V has completed all requirements to remain in good standing with the EAC's Testing and Certification program per section 3.8 of the Voting System Test Laboratory Manual, version 2.0:

Expiration and Renewal of Accreditation. A grant of accreditation is valid for a period not to exceed two years. A VSTL's accreditation expires on the date annotated on the Certificate of Accreditation. VSTLs in good standing shall renew their accreditation by submitting an application package to the Program Director, consistent with the procedures of Section 3.4 of this Chapter, no earlier than 60 days before the accreditation expiration date and no later than 30 days before that date. Laboratories that timely file the renewal application package shall retain their accreditation while the review and processing of their application is pending. 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.

Due to the outstanding circumstances posed by COVID-19, the renewal process for EAC laboratories has been delayed for an extended period. While this process continues, Pro V&V retains its EAC VSTL accreditation.

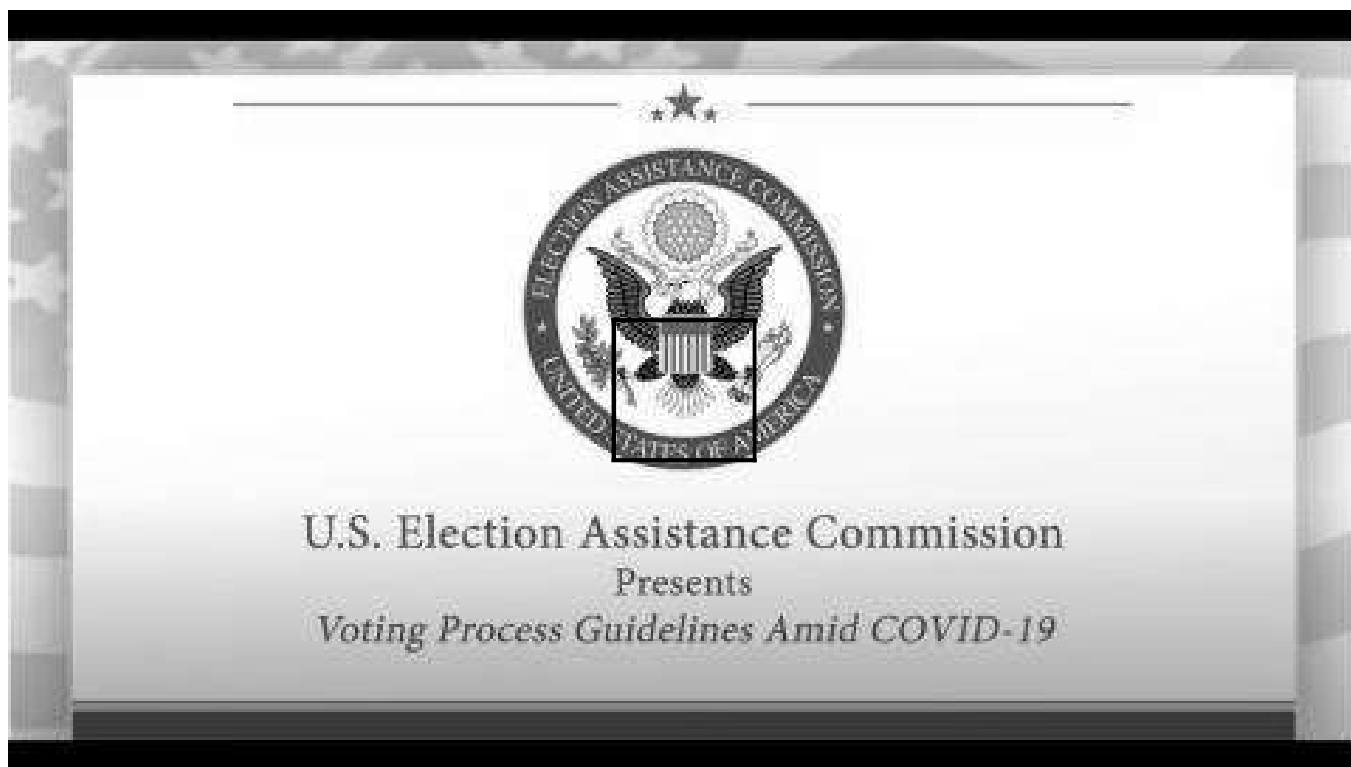


U.S. ELECTION
ASSISTANCE
COMMISSION

(/)

Clearinghouse Resources for Election Officials

CORONAVIRUS (COVID-19) RESOURCES



Election officials are contingency planners by nature and are continually working to make sure elections are accessible, secure, and accurate, and that voters are safe. The U.S. Election Assistance Commission (EAC) understands election officials and voters may have questions and concerns regarding the novel coronavirus and COVID-19. As part of our clearinghouse function, we are working with federal partners and election officials to compile and offer resources.

The EAC recommends regularly visiting state and local election websites for the most up-to-date election information.

We plan to update information and add examples of resources to this page as they become available.

If you are an election official, voting system manufacturer, or other election stakeholder, and would like to submit resources to be considered for this page, please email **clearinghouse@eac.gov** (**mailto:clearinghouse@eac.gov**).

State-Specific Resources

Arizona

Arizona Secretary of State

- Press Release: **SOS recommends requesting an early ballot by today's deadline (3.6.2020) (<https://azsos.gov/about-office/media-center/press-releases/1112>)** – This press release includes recommendations to voters about the upcoming primary with information about requesting a ballot by mail, and how the Secretary of State and other state offices are coordinating to ensure COVID-19 does not interrupt the election.
- Press Release: **Arizona election officials update response to COVID-19 (3.11.2020) (<https://azsos.gov/about-office/media-center/press-releases/1116>)** – This follow-up release explains the Secretary of State's additional guidance to counties as a result of new developments in the state response to COVID-19 including additional precautions for voting locations at senior centers and other facilities frequented by seniors.

North Carolina

North Carolina State Board of Elections

- Press Release: **Statement on COVID-19 Response (3.12.2020) (https://www.ncsbe.gov/Press-Releases?udt_2226_param_detail=2037)** – This release includes information on how the State Board is monitoring developments of COVID-19 and preparing for upcoming elections, including coordinating with federal and state partners. It also reminds voters of their options to cast a ballot.

Ohio

Ohio Secretary of State

- **Corona Facts (<https://www.ohiosos.gov/coronafacts/>)** – This page provides on how the Secretary of State’s office is coordinating with county boards of elections and how they are preparing and protecting voters leading up to Election Day.
- **Actions Taken by Secretary LaRose (<https://www.ohiosos.gov/coronafacts/actionstakenbysecretarylarose/>)** – This page outlines the steps the Secretary of State’s office has taken to promote a safe and healthy environment for Ohioans as they go to the polls.

South Carolina

South Carolina State Election Commission

- **Coronavirus (COVID-19) Updates (<https://www.scvotes.org/coronavirus-covid-19-updates>)** – This page includes updates on the coronavirus (COVID-19) from the South Carolina Election Commission includes the announcement that **March and April elections will be postponed due to coronavirus (<https://www.scvotes.org/march-april-elections-postponed-due-coronavirus>)**, a **statement on coronavirus and March candidate filing (<https://www.scvotes.org/statement-coronavirus-and-march-candidate-filing>)**, and a **general statement from the Election Commission on coronavirus (<https://www.scvotes.org/statement-coronavirus-covid-19>)**.

Federal Resources

GCC and SCC

Lessons Learned from the 2020 Primary – This document combines the lessons learned documents broken out by topic available **here** (<https://www.eac.gov/election-officials/gcc-and-scc-resources>). It covers resource allocation, building requirements, preparing for increased absentee or mail ballots, crisis plans, and communicating with the public through public relations and the media.

In-Person Voting

- **Innovative Practices and New Solutions Guide**
- **Finding Voting Locations and Poll Workers**
- **Considerations for Modifying the Scale of In-Person Voting**
- **Health and Safety at the Polling Place**
- **Safeguarding Staff and Work Environment from COVID-19**

Voting By Mail/Absentee Voting

- **The Importance of Accurate Voter Data When Expanding Absentee or Mail Ballot Voting**
- **Election Education and Outreach for Increased Absentee or Mail Voting**
- **Electronic Ballot Delivery and Marking**
- **Helping Voters to Request a Mail-in Ballot**
- **Managing an Increase in Outbound Ballots**
- **Inbound Ballot Process**
- **Ballot Drop Box**
- **Signature Verification and Cure Process**
- **Vote By Mail/ Absentee Voting Timeline**
(</sites/default/files/electionofficials/vbm/VBMProjectTimeline.xlsx>) – Excel
(</sites/default/files/electionofficials/vbm/VBMProjectTimeline.xlsx>) and PDF

Center for Disease Control (CDC)

- **CDC Considerations for Election Polling Locations and Voters CDC and EAC** (pdf)- This CDC guidance includes recommendations for election officials and poll workers, recommendations on maintaining healthy environments and operations, and recommendations for voters. This information is also available on the **CDC's website** (<https://www.cdc.gov/coronavirus/2019-ncov/community/election-polling-locations.html>). Note: election officials should consult their vendors regarding recommendations on cleaning and other matters specific to election technology used in their polling locations. Some vendor-provided guidance is below.
- **CDC Situation Summary webpage** (<https://www.cdc.gov/coronavirus/2019-ncov/summary.html>) – This page provides updated information and guidance on the novel coronavirus and COVID-19.
- **CDC Coronavirus index webpage** (<https://www.cdc.gov/coronavirus/2019-ncov/index.html>) – This page provides links to all CDC resources on the novel coronavirus and COVID-19.
- **CDC List of State and Territorial Health Department Websites** (<https://www.cdc.gov/publichealthgateway/healthdirectories/healthdepartments.html>) – This page provides links to all websites of state and territory health departments, which the CDC recommends consulting for state-specific information on the novel coronavirus and COVID-19.
- **CDC Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 (COVID-19), February 2020** (<https://stacks.cdc.gov/view/cdc/85488>) – This interim guidance for businesses may be relevant to election offices. It seeks to help prevent workplace exposures to acute respiratory illnesses, including COVID-19, in non-healthcare settings. The guidance also provides planning considerations if there are more widespread, community outbreaks of COVID-19.

Department of Homeland Security Cybersecurity
and Infrastructure Security Agency (DHS CISA)

- **CISA Coronavirus webpage (<https://www.cisa.gov/coronavirus>)** - This page provides information on CISA's efforts with federal partners concerning coronavirus and COVID-19 and links to other federal resources.
- **CISA Insights: Risk Management for Novel Coronavirus (COVID-19)** – This brief provides recommendations on how to address physical supply chain and cyber security issues that may arise from the spread of the novel coronavirus. This resource is helpful for election officials to prepare for possible impacts of the novel coronavirus. Below is an excerpt from this CISA Insights brief.
 - Cybersecurity for Organizations
 - As organizations explore various alternate workplace options in response to COVID-19, CISA recommends examining the security of information technology systems by taking the following steps:
 - Secure systems that enable remote access.
 - Ensure Virtual Private Network and other remote access systems are fully patched.
 - Enhance system monitoring to receive early detection and alerts on abnormal activity.
 - Implement multi-factor authentication
 - Ensure all machines have properly configured firewalls as well as anti-malware and intrusion prevention installed.
 - Test remote access solutions capacity or increase capacity
 - Ensure continuity of operations plans or business continuity plans are up-to-date.
 - Increase awareness of information technology support mechanisms for employees who work remotely.
 - Update incident response plans to consider workforce changes in a distributed environment.

- **USPS Statement on Coronavirus**

(<https://about.usps.com/newsroom/statements/usps-statement-on-coronavirus.htm>)

- This statement from the U.S. Postal Service released March 4, 2020 may be helpful to voters who participate by mail, including military and overseas voters.

Federal Emergency Management Agency (FEMA)

- **Pandemic Influenza Continuity of Operations Annex Template** - This template from FEMA provides guidance to assist organizations in developing a Pandemic Influenza Continuity of Operations plan or, if the organization already has a continuity plan, a Pandemic Influenza Annex. General guidance and sample information is provided for reference and organizations are encouraged to tailor Pandemic Influenza Continuity plans to meet specific organizational needs and requirements. The template contains elements of a viable continuity plan and allows organizations to insert information as deemed appropriate.
- Note: The EAC is planning to establish a working group with election officials to help populate this template to better assist state election officials and others.

Election Assistance Commission (EAC)

- **Tips for Empowering Voters with Disabilities in the 2020 General Election and COVID-19 Crisis (/voters/tips-empowering-voters-disabilities-2020-general-election-and-covid-19-crisis) (HTML)** – As new election procedures are implemented in the states and localities, this document provides recommendations to election officials on meeting accessibility requirements. **PDF version**
- **Preliminary Planning for Increased Vote By Mail**
(https://www.youtube.com/watch?v=GSvJX0_In-A) – Video

- **Presentation** – Preliminary Planning for for Increase Vote By Mail,

Interview 1: COVID 19 potential response

- **EAC Disaster Preparedness and Recovery webpage**
(<https://www.eac.gov/election-officials/disaster-preparedness-and-recovery>) – This page features presentations from election administrators about how they conducted elections in the face of a variety of natural disasters. Their examples of preparedness and recovery could be helpful for election officials as they address the novel coronavirus and COVID-19.
- **EAC Contingency Plans Webpage** (<https://www.eac.gov/election-officials/contingency-plans>) – In preparation for the 2016 elections, the EAC collected continuity of operations plans (COOPs) and resources from election officials at the state and local levels. This includes state-specific examples for H1N1 flu preparedness.
- **EAC Election Management Guidelines Chapter 11: Contingency Planning and Change Management** – This 2008 resource was created to assist state and local election officials in effectively managing and administering elections. Each chapter explores a different aspect of election administration and provides examples and recommendations.

Other Resources

National Association of Secretaries of State (NASS)

- **Issue Briefing – Election Emergencies and COVID-19**
(<https://www.nass.org/resources/issue-briefing-election-emergencies-covid-19>) – NASS developed this page to provide a general overview of state policies on this topic, as well as an update on efforts by election officials to deal with potential issues posed specifically by COVID-19. The briefing page includes answers to questions about election administration in emergency situations overall, information on current COVID-19 monitoring and

measures by election officials, state press releases regarding COVID-19 responses, additional COVID-19 related resource webpages, and other information.

National Association of State Election Directors

- **COVID-19 Resources (<https://www.nased.org/covid19>)** – NASED has collected resources that may be helpful for election officials as they contemplate changes to their election processes in light of the COVID-19 health emergency.

National Conference of State Legislatures (NCSL)

- **COVID-19 and Elections (<https://www.ncsl.org/research/elections-and-campaigns/state-action-on-covid-19-and-elections.aspx>)** – NCSL does not recommend legislative changes or provide opinions on policy options, but instead gathered policy option ideas that have been considered in response to the COVID-19 pandemic on this page. The page includes information and links on election emergency statutes, contingency planning, options to cast a ballot in addition to polling places, provisional ballot laws, and other information.
- **Election Emergencies (<https://www.ncsl.org/research/elections-and-campaigns/election-emergencies.aspx>)** — Statutes relating to election emergencies vary by state, and this NCSL resource offers a summary and further details on these state-specific statutes.



U.S. ELECTION
ASSISTANCE
COMMISSION (//)

Clearinghouse Resources for Election Officials

DISASTER PREPAREDNESS AND RECOVERY

Natural and man-made disasters have the potential to throw elections into chaos, destroying infrastructure, displacing voters and potentially rendering the impacted system more vulnerable to security threats. Recent catastrophic hurricanes, wildfires, floods, volcanic eruptions, terrorist attacks and other disasters have unfortunately made election stabilization and recovery in the aftermath of such events a timely topic for election officials across the country.

When a disaster strikes close to Election Day, election administrators must ensure that elections are still conducted without any margin for error, and often, without any budgetary or scheduling adjustments. The following are interviews and resources from election officials who have succeeded in doing so.

Inaugural Meeting - April 10, 2019

The inaugural meeting of the Disaster Preparedness and Recovery Working Group will gather U.S. Election Assistance Commissioners (EAC) Commissioners and members of this group for an information sharing exercise that will inform future outreach to federal agencies and lay the foundation for future EAC products designed to assist election officials facing disasters.

Presentations:

Presentation: **Disaster Preparedness and Recovery Working Group
Presentation for U.S. Election Assistance Commission, Memphis, Tennessee**

Mark Andersen, Bay County Supervisor of Elections - Bay County, Florida

Presentation: **Conducting Elections in the Aftermath of Hurricane Katrina**

R. Kyle Ardoin, Secretary of State, Louisiana

Exhibit 17

Presentation: **Empowering Democracy through Technology**

Roberto E. Benítez, CIO Puerto Rico State Elections Commission

Presentation: **Disaster Preparedness and Recovery Working Group**

Presentation for U.S. Election Assistance Commission, Memphis, Tennessee

**Candace Grubbs, Clerk-Recorder/Registrar of Voters in Butte County -
Butte County, California**

Presentation: **Disaster Preparedness and Recovery Working Group**

Presentation for U.S. Election Assistance Commission, Memphis, Tennessee

**Margaret Jurgensen, Montgomery County Election Director - Montgomery
County, Maryland**

Presentation: **Florida's Perspective Presentation for U.S. Election Assistance
Commission's Disaster Preparedness & Recovery Working Group**

Maria Matthews Esq., Director, Florida Division of Elections - Florida

Example Continuity Plans:

**Business Continuity Plan for the Orange County, California Registrar of
Voters**



FEMA



Archived Content. This page contains information that may not reflect current policy or programs. [Learn more](#)

President Donald J. Trump Directs FEMA Support Under Emergency Declaration for COVID-19



English Español

Release Date

Release Number

March 13, 2020

HQ-20-017

Release Date: March 13, 2020

The federal government continues to take aggressive and proactive steps to address the COVID-19 threat as the health and safety of the American people remain a top priority.

Today, President Trump declared a nationwide emergency pursuant to Sec. 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the “Stafford Act”). This increases federal support to the Department of Health and Human Services (HHS) in its role as the lead federal agency for the ongoing COVID-19 pandemic response. As a result of the President’s decisive, unprecedented action, FEMA is directed to assist state, local, tribal, territorial governments and other eligible entities with the health and safety actions they take on behalf of the American public. Today’s declaration does not make direct financial assistance available to individuals.

The emergency declaration does not change measures authorized under other federal statutes and HHS remains the lead federal agency directing the federal response to COVID-19. FEMA actions will be in support of HHS and in coordination with state, tribal and territorial governments. Eligible emergency protective measures taken at the direction or guidance of public health officials in response to this emergency, and not supported by the authorities of another federal agency, will be reimbursed strictly under the FEMA Public Assistance program. FEMA assistance will be provided at a 75 percent Federal cost share. Reimbursable activities typically include emergency protective measures such as the activation of State Emergency Operations Centers, National Guard costs, law enforcement and other measures necessary to protect public health and safety.

For more information, visit the [COVID-19 Emergency Declaration Fact Sheet](#).

###

FEMA's mission is to help people before, during and after disasters. Follow [FEMA online](#), on Twitter [@FEMA](#) or [@FEMAEspanol](#), on FEMA's [Facebook page](#) or [Espanol page](#) and at FEMA's [YouTube](#) account. Also, follow Administrator Pete Gaynor's activities [@FEMA Pete](#). The social media links provided are for reference only. FEMA does not endorse any non-government websites, companies or applications.

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Last updated March 18, 2021

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ACCREDITED LABORATORIES

The following voting system test laboratories have been accredited by EAC to test voting systems. For more information about the test laboratory accreditation process, visit the National Institute of Standards and Technology.

Accredited Test Labs

NTS Huntsville (formerly Wyle Laboratories)
7800 U.S. Highway 20 West
Huntsville, AL 35806
Ryan Chambers, Voting Systems Program Manager
Phone: 256-716-4225

- 03/05/14 - NTS completes acquisition of Wyle Laboratories, Inc.
- 04/11/12 - Wyle Quality Assurance Letter of Agreement
- 04/11/12 - Wyle Quality Assurance Letter
- 05/04/10 - Wyle Accreditation Certificate
- 10/14/09 - Wyle Quality Assurance Letter
- 10/04/07 - Wyle Accreditation Certificate
- 09/25/07 - Wyle Quality Assurance Letter
- 01/11/07 - EAC letter to Wyle Laboratories on partisanship in the workplace

Pro V&V
700 Boulevard South, Suite 102
Huntsville, AL 35802
Jack Cobb, President
Phone: 256-713-1111

- 02/24/15 - Pro V&V Accreditation Certificate

SLI Compliance, a Division of Gaming Laboratories International, LLC (formerly SLI Global Solutions/SysTest Labs)
4120 Independence Street
Wheat Ridge, CO 80033
Traci Mapp, Director of Operations
Phone: 303-422-1566

- 01/11/16 - Letter on Company Name/Address Change
- 10/01/10 - Letter on Company Name Change
- 07/29/09 - SysTest Response to EAC on Site Assessment

- 07/29/09 - SysTest Response to EAC on Site Assessment
- 07/16/09 - SysTest Accreditation Certificate
- 06/18/09 - Final SysTest Policy and Procedures Laboratory Audit Report
- 03/05/09 - EAC Notice to SysTest Labs Lifting Suspension of Accreditation
- 02/05/09 - SysTest notifies EAC - Premier files suit against SysTest
- 11/19/08 - EAC Approval of SysTest Remedial Action Plan
- 11/05/08 - SysTest Cure Plan
- 11/05/08 - SysTest Labs Request to Cure EAC Program Non-Compliance
- 10/31/08 - SysTest Labs letter to EAC Regarding Suspension Notice
- 10/31/08 - EAC Suspension of Accreditation Notice to SysTest Labs
- 10/08/08 - EAC letter to SysTest Labs
- 08/11/08 - EAC letter to SysTest Labs
- 08/08/08 - NVLAP letter to SysTest Labs
- 08/04/08 - SysTest Labs Letter to EAC
- 07/25/08 - EAC letter to SysTest Labs
- 07/03/08 - EAC letter to SysTest Labs
- 11/20/07 - Correspondence between EAC, Sequoia, SysTest and iBeta (Notice of Non-compliance update) File 1, File 2, File 3
- 09/12/07 - SysTest Labs response to EAC
- 09/11/07 - EAC letter to SysTest Labs
- 02/28/07 - SysTest Accreditation Certificate
- 02/08/07 - SysTest Quality Assurance Letter
- 01/11/07 - EAC letter to SysTest Labs on partisanship in the workplace

34 <https://www.eac.gov/voting-equipment/accredited-laboratories>

View 67% Zoom Add Slide Play Table Chart Text Shape Media Comment Collaborate Format Animate Document

Press Esc to exit full screen

Violation of Law: VSTL Documentation on SLI: EAC Website in Compliance with Policy?

SLI Compliance, a Division of Gaming Laboratories International, LLC for the SLI Group
Solutions/SysTest Labs
4720 Independence Street
Wheat Ridge, CO 80033
Traci Mapes, Director of Operations
Phone: 303-422-1566

01-11-16 Letter on Company Name/Address Change (J)
10-01-10 Letter on Company Name Change (J)
07-29-09 SysTest Response to EAC on Site Assessment (J)
07-16-09 SysTest Accreditation Certificate (J)
06-10-09 Final SysTest Policy and Procedures Laboratory Audit Report (J)
03-05-09 EAC Notice to SysTest Labs Lifting Suspension of Accreditation (J)
02-05-09 SysTest notifies EAC: Premier files suit against SysTest (J)
11-19-08 EAC Approval of SysTest Remedial Action Plan (J)
11-05-08 SysTest Cure Plan (J)
11-05-08 SysTest Labs Request to Cure EAC Program Non-Compliance (J)
10-31-08 SysTest Labs letter to EAC Regarding Suspension Notice (J)
10-31-08 EAC Suspension of Accreditation Notice to SysTest Labs (J)
10-06-08 EAC letter to SysTest Labs (J)
08-11-08 EAC letter to SysTest Labs (J)
08-06-08 NVLAP letter to SysTest Labs (J)
08-04-08 SysTest Labs Letter to EAC

Up until 2016, the EAC seemed able to provide all of the documentation required by EAC rules and then some.

What happened since then?

EAC website is kept up nicely and is filled with video, HAVA grant information and full color annual reports.

The problem cannot be that they do not have adequate website administration.

The problem is compliance and contract failure



U.S. ELECTION
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Media

NEWS

COMMISSIONERS HOVLAND, PALMER SWORN IN TO RESTORE QUORUM AT EAC

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FOR IMMEDIATE RELEASE:
Wednesday, February 6, 2019

Washington, DC – Today, U.S. Election Assistance Commission (EAC) Chairman EAC administered the oath of office to newly appointed EAC Commissioners Benjamin Hovland and Donald Palmer. Hovland and Palmer join current Chairman Hicks and Vice Chair Christy McCormick, marking the first time in a decade that the commission has had a full quorum of Commissioners. Senator Roy Blunt (R-MO), Chair of the U.S. Senate Committee on Rules and Administration, attended the event and offered remarks to mark the occasion.

Hovland and Palmer were confirmed by the U.S. Senate on January 2, 2019. Today's private ceremony was co-hosted by Senator Blunt and Senator Amy Klobuchar (D-MN), Ranking Member of the U.S. Senate Committee on Rules and Administration. It took place in the U.S. Senate Committee on Rules and Administration Committee Room in the Russell Senate Office Building.

"The EAC and the Help America Vote Act are of as much value to voters and election officials today as it has been at any other time since its inception," said Chairman Hicks. "We are thrilled to welcome Commissioners Hovland and Palmer to the EAC, and we look forward to working with them to address vital election administration issues, including system guidelines, security, and accessibility."

Vice Chair McCormick added, "There have been huge changes to the way elections are administered in the U.S. since the Commission was created, and those changes have only accelerated. While we each come from different backgrounds and experiences, and may hold different opinions on some issues, I am confident that those differences will help us be smarter and stronger as we collaborate together to make the best possible choices to impact and improve elections in America and to help Americans vote."

Hovland came to the EAC after serving as an election attorney for the U.S. Senate Committee on Rules and Administration, where he spent much of his time focused on improving access to registration and voting. Previously, he served as the Deputy General Counsel for the Missouri Secretary of State's office, where he focused on legal issues related to the administration of state and federal elections, including recounts, poll worker training, voter registration list maintenance, statewide database matching, voter education resources, and ballot initiative litigation.

Palmer previously served as a Bipartisan Policy Center fellow focusing on the recommendations of the Presidential Commission on Election Administration. He formerly served as elections director in both Florida and Virginia, as well as a member of the EAC's Standards Board Executive Board and its Technical Guidelines Development Committee. Prior to his work in elections, he served as a trial attorney with the Voting Section of the U.S. Department of Justice's Civil Rights Division, where he enforced federal voting laws and provided guidance to states on compliance. Palmer began his career as a U.S. Navy intelligence officer and judge advocate general deployed overseas onboard the U.S.S. John F. Kennedy and tours of duty in Italy, Florida and Washington, D.C.

For more information about today's ceremony, please contact Brenda Bowser Soder at **bsoder@eac.gov** (**<mailto:bsoder@eac.gov>**) or 202-897-9285.

Phone: (202) 897-9285

Email: bsoder@eac.gov (<mailto:bsoder@eac.gov>)

Tags

commissioners, hicks, hovland, mccormick, media, palmer



U.S. ELECTION
ASSISTANCE
COMMISSION

(/)

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NEWS

MCCORMICK ELECTED NEW EAC CHAIRWOMAN

[Back to news \(/news/\)](#)

FOR IMMEDIATE RELEASE:
Monday, February 25, 2019

Silver Spring, Md. – Commissioner Christy McCormick has been elected the new Chairwoman of the U.S. Election Assistance Commission (EAC), a position she will hold for one year. McCormick will continue to serve alongside newly-elected EAC Vice Chairman Ben Hovland, and EAC Commissioners Thomas Hicks and Donald Palmer.

“The EAC is as important today as at any other time since the Help America Vote Act (HAVA) was enacted. With a full slate of commissioners for the first time in nearly a decade, the Commission’s main focus this year is on helping election administrators prepare for the 2020 Presidential Election,” said Chairwoman McCormick. “We are also dedicated to providing voters with the resources they need to fully participate in our nation’s elections, as well as providing the information they need to have faith that their votes will be cast securely and counted accurately. It is an honor to serve as Chairwoman during this important time, and I look forward to working alongside my fellow Commissioners and the entire EAC team.”

Chairwoman McCormick has identified the following areas of focus that will inform her agenda for the coming year, including:

- **Preparation for 2020 Presidential Election** – Chairwoman McCormick said that the EAC will prioritize work to support election administrators as they prepare for the upcoming Presidential Election, including efforts to enhance

election security, address aging election equipment, share election best practices, and support other key areas of election administration. For example, the EAC is poised to launch a new effort to assist election officials who must administer elections in the face of unanticipated disasters, both natural and manmade.

- **Replacing Aging Election Equipment** – Nearly only year after Congress allocated \$380 million in new HAVA funds for states to improve their election systems, Chairwoman McCormick and the EAC will continue to work with states as they invest those funds, including the purchase of new election equipment to replace the nation’s aging election systems. The EAC will also work toward final consideration and adoption of the next generation of the Voluntary Voting System Guidelines (VVSG) that the EAC will use to test and certify election equipment.
- **Ensuring Voter Accessibility** – Chairwoman McCormick will lead the agency in efforts to protect the right of all Americans, including those with disabilities, to vote privately and independently. She will also prioritize election access for U.S. military personnel and other Americans living overseas, as well as help election administrators fulfill their obligations to provide access for those who speak English as a second language.

This is Chairwoman McCormick’s second time at the helm of the agency. After the EAC was reinstated in 2015, she was quickly elected by her fellow Commissioners as Chairwoman of the for the 2015-2016 term. As the agency’s first chairperson in four years, she re-established the operation of the Commission itself, as well as the Commission’s three advisory boards: the EAC Standards Board, Board of Advisors, and Technical Guidelines Development Committee (TGDC). Chairwoman McCormick executed a new management policy, secured a long-overdue update to the Voluntary Voting Systems Guidelines (VVSG), obtained the accreditation of a new Voting System Testing Laboratory (VSTL), oversaw the hiring of the Executive Director and General Counsel, and led the reaffirmation of accessibility in voting as a top priority for the Commission. She instituted the EAC’s first Language Access for Voters Summit, first Election Data Summit, and established a working relationship with the United States Postal Service (USPS) to address postal issues in elections. As Chairwoman, she also launched a continuing effort with the Federal Voting Assistance Program (FVAP) and the Council of State Governments (CSG) to improve the Election Administration and Voting Survey (EAVS), and diligently and successfully worked to restore the Commission’s standing with Members of

Congress, the National Association of Secretaries of State (NASS), the National Association of State Election Directors (NASED), local election officials, and other stakeholders in the election community.

Chairwoman McCormick was nominated by President Barack H. Obama and confirmed by unanimous consent of the United States Senate on December 16, 2014 to serve on the U.S. Election Assistance Commission (EAC). Prior to her appointment with the 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 joining the Commission. In that role, Chairwoman 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, she worked with election officials to monitor compliance with federal voting statutes, especially the Voting Rights Act and its minority language requirements, and fair administration of elections. She has observed numerous elections, and worked with election officials all across America.

Chairwoman 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 as the U.S. elections expert overseeing the Iraq national elections (including an extensive election re-count), as well as on numerous U.S. and coalition Rule of Law efforts. She was the Rule of Law liaison to the Kurdish Regional Government as well as liaison to rule of law advisors at the Provincial Reconstruction Teams.

Prior to joining the Department of Justice, Chairwoman McCormick served as a Judicial Clerk to the Honorable Elizabeth A. McClanahan in the Court of Appeals of Virginia from 2003 to 2006. Ms. McCormick was an Assistant Attorney General and Assistant to the Solicitor General in the Office of the Attorney General of Virginia from 2001 to 2003. She was a member of the U.S. Supreme Court legal teams for *Black v. Virginia* (defending the Commonwealth's criminal statute against cross-burning) and *Hicks v. Virginia* (defending a 1st amendment challenge to a state trespassing policy), as well as in cases on appeal to the 4th Circuit Court of Appeals. She was a Judicial Law Clerk in Virginia's Seventh Judicial Circuit Court from 1999 to 2001.

Chairwoman McCormick received her B.A. from the University of Buffalo, a J.D. with honors from the George Mason University School of Law (now Antonin Scalia Law School), and also attended the William & Mary School of Law.

Phone: (202) 897-9285

Exhibit 21

Email: bsoder@eac.gov (mailto:bsoder@eac.gov)

Tags

commissioners, hovland, mccormick, media

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U. S. ELECTION ASSISTANCE COMMISSION
VOTING SYSTEM TESTING AND CERTIFICATION PROGRAM
1225 New York Avenue, NW, Suite 1100
Washington, DC. 20005

Mary Saunders
Chief, Standards Services Division
National Institute of Standards and Technology
100 Bureau Drive, Mail Stop 2100
Gaithersburg, MD 20899

July 10, 2008

Dear Ms. Saunders,

Now that many of the Voting System Test Laboratories (VSTLs) have completed their 2nd NVLAP accreditation review, the EAC would like a status report from NVLAP on the items we noted as observations and concerns in our letter to you dated March 13, 2008. (Attached) Because these issues are so critical to the success of our certification program, we are requesting a response by August 8, 2008, or sooner if possible.

Specifically, we are interested in updates on how SysTest Labs LLC, iBeta Quality Assurance, and Wyle Laboratories:

- Assign appropriately qualified staff to EAC certification engagements.
- Assure that testers have certification in specific critical areas, particularly a CISSP or similar certification for staff involved in security testing.
- Prioritize EAC certification engagements in light of other State or local contractual responsibilities.
- Use their quality management process to develop and validate test methods to ensure test-to-test and case-to-case repeatability.

As you know, the credibility of the EAC Testing and Certification Program depends largely on having competent VSTLs to thoroughly test voting systems to the applicable Federal Standards. NVLAP review of the technical competency of these laboratories is a critical prerequisite to EAC accreditation of the VSTLs and provides assurance that the labs will function in accordance with internationally accepted standards for testing bodies.

Thanks to you and the NVLAP staff for your continued great work and support.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian J. Hancock", is located below the "Sincerely," text.

Brian J. Hancock
Director, Testing and Certification

**Notice and Demand
Affidavit of Maladministration
Legal Notice and Warning
Notice to Secure Surety Bond / Insurance Liability Policy
Notice of Misrepresentation, Misconduct and Fraud**

Christy McCormick,
U.S. Election Assistance Commission
2019 Chairwoman,
2020 Commissioner

Benjamin Hovland,
U.S. Election Assistance Commission
2020 Chairman,
2019 Commissioner

Donald Palmer,
U.S. Election Assistance Commission
2021 Chairman,
2020 Commissioner

Mona Harrington,
U.S. Election Assistance Commission
Executive Director

**NOTICE TO AGENT IS NOTICE TO PRINCIPAL AND NOTICE TO
PRINCIPAL IS NOTICE TO AGENT**

Comes now Affiant, Tracy Welborn, one of the people (as seen in Missouri Constitution Bill of Rights Article 1, Section 2), Sui Juris, in this Court of Record, bring the following claims and facts that you and your agents, serving as elected servants and trustees of the People, must provide due care and remember your Oath of Office which binds you.

15 CSR 30-10.010 states it is the responsibility of the Secretary of State, chief election official of the State of Missouri, to be, “the chief custodian of the electronic voting system and its components and shall be responsible for the proper maintenance and all necessary preparation for elections.”

**Notice and Demand
Affidavit of Maladministration
Legal Notice and Warning
Notice of Misrepresentation, Misconduct and Fraud**

John R. (Jay) Ashcroft,
Missouri Secretary of State

Eric Schmitt,
Missouri Attorney General

Josh Hawley,
Missouri U.S. Senator

Roy Blunt,
Missouri U.S. Senator

Sam Graves,
Missouri Congressman

Emanuel Cleaver,
Missouri U.S. Congressman

Michael Parson,
Missouri Governor

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voting system and its components and shall be responsible for the proper maintenance and all necessary preparation for elections.”

The law, policies and guidelines governing our elections of the HELP AMERICA VOTE ACT 2002 and the Election Assistance Commission were put into place to safeguard and protect the Peoples Voice to elect servants for the purpose of conducting the People’s business. If these same laws, policies, and guidelines are ignored, obfuscated, or conducted under the color of law as described in Title 18, U.S.C, Section 242, and our elected servants turn a blind eye to fraud, maladministration, misrepresentation, or misconduct, then it is the duty of the People to correct those elected servants.

It is therefore, hereby the will of Affiant, Order and Demand based upon the presented facts the duty of the elected servant, Secretary of State John R. (Jay) Ashcroft, the chief election official, to De-certify the 2020 General Election as a whole based on fraud, maladministration, misrepresentation, and misconduct perpetrated by the Election Assistance Commission, thru their own admission, their failure to properly certify the Pro V&V and SLI Compliance Division of Gaming Laboratories International, LLC, Laboratories as per the written policies of the EAC Voting System & Testing Laboratory Program Manual version 2.0, (OMB 3265-0018), dated May 31, 2015, Sections 3.6 and 3.8, and

Return the People’s Vote to Paper Ballots for all Missouri elections.

The Secretary of State shall recall all Missouri officials holding a District, House, or Senate seat by way of fraud, misconduct, and misrepresentation due to the failure of the Election Assistance Commission from 2018 through this current date of January 11, 2022, to properly certify their Laboratory Accreditation by not adhering to the policies as written in the Voting System & Testing Program Manual version 2.0, (OMB 3265-0018), May 31, 2015, Sections 3.6 and 3.8, and

The Secretary of State shall call forth a Special Election to fill vacant seats of office for the period 2018 through this current date of January 11, 2022, using Paper Ballots.

Missouri Constitution Article 1 Section 2 and Section 3
Purpose of government; Powers of the people

“That all constitutional government is intended to promote the general welfare of

the people; that all persons have a natural right to life, liberty, the pursuit of happiness and the enjoyment of the gains of their own industry; that all persons are created equal and are entitled to equal rights and opportunity under the law; that to give security to these things is the principal office of government, and that when government does not confer this security, it fails in its chief design."

"That the people of this state have the inherent, sole and exclusive right to regulate the internal government and police thereof, and to alter and abolish their constitution and form of government whenever they may deem it necessary to their safety and happiness, provided such change be not repugnant to the Constitution of the United States."

The People of the state of Missouri have the inherent right of regulating their internal government. Government is instituted for protection, security, and benefit of the People and at all times they have the right to alter or reform the same whenever the public good may require it. It is the People who decide what direction the government should proceed.

Missouri Constitution Article 1 Section 1 **Source of political power**

"That all political power is vested in and derived from the people; that all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole."

Affiant reminds you of the natural rights of this Sui Juris human is the Supreme Law of the land. Affiants' individual rights are also secured within the Missouri and United States Constitutions.

Affiant comes as one of the People from which your power is derived. Your Oath of Office affirms your main purpose is to protect and maintain my natural and individual rights.

Missouri Constitution Article 1 Section 4 **Independence of Missouri**

"That Missouri is a free and independent state, subject only to the Constitution of the United States ..."

You, as state servants, are subject to having your actions restricted if your actions are not consistent with protecting the People's freedom. Any failure on your part to protect these rights is a breach of contract and a breach of your trust indenture,

granted by the People, and will be considered an act of maladministration and misconduct and an attack on the People you have sworn to serve.

Missouri Constitution Article 1 Section 25
Elections and right of suffrage

“That all elections shall be free and open’ and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.”

It is the responsibility of our elected servants to ensure our elections are fair, safe, and conducted legally without fraud, misconduct or misrepresentation.

Title 15—ELECTED OFFICIALS Division 30—Secretary of State Chapter 1—
Organization

15 CSR 30-1.010 General Organization –

“1. The secretary of state is the chief elections official”

RSMo Title IX 115.225 1 and 2 (10)

Automated equipment to be approved by secretary of state -
Standards to be met – Rules, promulgation, procedure

1 “Before use by election authorities in this state, the secretary of state shall approve the marking devices and the automatic tabulating equipment used in electronic voting systems and may promulgate rules and regulations to implement the intent of sections 115.225 to 115.235.”

2 “No electronic voting system shall be approved unless it:

(10) Has been tested and is certified by an independent authority that meets the voting system standards developed by the Federal Election Commission or its successor agency.”

(Exhibit A)

The U.S. Election Assistance Commission, (herein referred to as the “EAC Commission or EAC”), in a **Notice of Clarification, NOC 21-01 VSTL Accreditation Status** issued July 23, 2021, states, “The EAC is the sole Federal authority for the accreditation and revocation of accreditation of (Voting System Test Laboratories) VSTLs.”¹

(Exhibit B)

¹ https://www.eac.gov/sites/default/files/2021-07/NOC%2021.01_VSTL%20Accreditation%20Status_1.pdf

HELP AMERICA VOTE ACT OF 2002 (HAVA 2002)

Title II – COMMISSION

Subtitle A – Establishment and General Organization

Part 1 – Election Assistance Commission (EAC)², Sec. 202. Duties.

“The Commission shall serve as a national clearinghouse and resource for the compilation of information and review of procedures with respect to the administration of Federal elections by—

(1) carrying out the duties described in part 3 (relating to the adoption of voluntary voting system guidelines), including the maintenance of a clearinghouse of information on the experiences of State and local governments in implementing the guidelines and in operating voting systems in general;

(2) carrying out the duties described in subtitle B (relating to the testing, certification, decertification, and recertification of voting system hardware and software);

(3) carrying out the duties described in subtitle C (relating to conducting studies and carrying out other activities to promote the effective administration of Federal elections);

(4) carrying out the duties described in subtitle D (relating to election assistance), and providing information and training on the management of the payments and grants provided under such subtitle;

(5) carrying out the duties described in subtitle B of title III (relating to the adoption of voluntary guidance); and

(6) developing and carrying out the Help America Vote College Program under title V.”

Sec. 205. Powers.

“(a) HEARINGS AND SESSIONS. — The Commission may hold such hearings for the purpose of carrying out this Act, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this Act. The Commission may administer oaths and affirmations to witnesses appearing before the Commission.”

“(b) INFORMATION FROM FEDERAL AGENCIES. — The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this Act. Upon request of the Commission, the head of such department or agency shall furnish such information to the Commission.”

“(c) POSTAL SERVICES. — The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.”

“(d) ADMINISTRATIVE SUPPORT SERVICES. — Upon the request of the Commission, the Administrator of General Services shall provide to the Commission,

² <https://www.congress.gov/107/plaws/publ252/PLAW-107publ252.pdf>

on a reimbursable basis, the administrative support services that are necessary to enable the Commission to carry out its duties under this Act.”

“(e) CONTRACTS. — The Commission may contract with and compensate persons and Federal agencies for supplies and services without regard to section 3709 of the Revised Statutes of the United States (41 U.S.C. 5).”

HELP AMERICA VOTE ACT OF 2002 (HAVA 2002)

Title II – COMMISSION

Subtitle A – Establishment and General Organization

Part 2 – Election Assistance Commission Standards Board And Board of Advisors, Sec. 211. Establishments.

“There are hereby established the Election Assistance Commission Standards Board (hereafter in this title referred to as the “Standards Board”) and the Election Assistance Commission Board of Advisors (hereafter in this title referred to as the “Board of Advisors”).”

Sec. 212. Duties.

“The Standards Board and the Board of Advisors shall each, in accordance with the procedures described in part 3, review the voluntary voting system guidelines under such part, the voluntary guidance under title III, and the best practices recommendations contained in the report submitted under section 242(b).”

HELP AMERICA VOTE ACT OF 2002 (HAVA 2002)

Title II – COMMISSION

Subtitle B – Testing, Certification, Decertification, and Recertification of Voting System Hardware and Software

Sec. 231. Certification and Testing of Voting System.

“(a) CERTIFICATION AND TESTING. —

(1) IN GENERAL. — The Commission shall provide for the testing, certification, decertification, and recertification of voting system hardware and software by accredited laboratories.”

“(b) LABORATORY ACCREDITATION. —

(1) RECOMMENDATIONS BY NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—Not later than 6 months after the Commission first adopts voluntary voting system guidelines under part 3 of subtitle A, the Director of the National Institute of Standards and Technology shall conduct an evaluation of independent, non-Federal laboratories and shall submit to the Commission a list of those laboratories the Director proposes to be accredited to carry out the testing, certification, decertification, and recertification provided for under this section.”

“(2) APPROVAL BY COMMISSION. —

(A) IN GENERAL. — The Commission shall vote on the accreditation of any laboratory under this section, taking into consideration the list submitted under paragraph (1), and no laboratory may be accredited for purposes of this section unless its accreditation is approved by a vote of the Commission.

(B) ACCREDITATION LABORATORIES NOT ON DIRECTOR LIST. — The Commission shall publish an explanation for the accreditation of any laboratory not included on the list submitted by the Director of the National Institute of Standards and Technology under paragraph (1)."

"(c) CONTINUING REVIEW BY NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY. —

(1) IN GENERAL.—In cooperation with the Commission and in consultation with the Standards Board and the Board of Advisors, the Director of the National Institute of Standards and Technology shall monitor and review, on an ongoing basis, the performance of the laboratories accredited by the Commission under this section, and shall make such recommendations to the Commission as it considers appropriate with respect to the continuing accreditation of such laboratories, including recommendations to revoke the accreditation of any such laboratory.

(2) APPROVAL BY COMMISSION REQUIRED FOR REVOCATION. — 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."

STATEMENT

The EAC issued only TWO accredited VSTL's (Voting System Test Laboratories):

To meet its statutory requirements under HELP AMERICA VOTE ACT of 2002, (42 U.S.C. Section 15371(b)), the EAC has developed the EAC's Voting System Test Laboratory Accreditation Program. The procedural requirements of the program are established in the proposed information collection, **The EAC Voting System Test Laboratory Accreditation Program Manual**, (OMB 3265-0018). Although participation in the program is voluntary, adherence to the program's procedural requirements is mandatory for participants. The procedural requirements of this Manual will supersede any prior laboratory accreditation requirements issued by the EAC. This manual shall be read in conjunction with the EAC's **Voting System Testing and Certification Program Manual** (OMB 3265-0019).

The (VSTL), Voting System Test Laboratory Program Manual, version 2.0, May 31, 2015, (OMB-3265-0018), Program Requirements 2.3, pertains to the Laboratory Accreditation. "As a condition of accreditation, all laboratories must be

recommended to the EAC by the National Institute of Standards and Technology (NIST), unless the emergency provisions of VSTL Program Manual, Chapter 3 apply. NIST is responsible, pursuant to the HAVA ACT 2002, Section 231 (b), for performing a technical evaluation of laboratories and identifying and recommending those competent to test voting systems.

This recommendation is provided directly to the EAC from NIST”³

The Testing & Certification Program Manual, version 2.0, May 31, 2015, (OMB-3265-0019), pertains to voting machine hardware and software testing standards.

**Testing & Certification Program Manual, version 2.0, May 31, 2015, (TCPM)
Introduction - Section 1.2**

“1.2. Authority. HAVA requires that the EAC certify and decertify voting systems. Section 231(a)(1) of HAVA specifically requires the EAC to “... provide for the certification, de-certification and re-certification of voting system hardware and software by accredited laboratories.” The EAC has the sole authority to grant certification or withdraw certification at the Federal level, including the authority to grant, maintain, extend, suspend, and withdraw the right to retain or use any certificates, marks, or other indicators of certification.”

**Testing & Certification Program Manual, version 2.0, (TCPM)
Certification Document - Section 5.11,⁴**

*“**A Certificate of Conformance** will be provided to Manufacturers for voting systems that have successfully met the standard of the EAC Certification Program. The document will serve as the Manufacturer’s evidence that a particular system is certified to a particular set of voting system standards. The EAC certification and certificate apply only to the specific voting system configuration(s) identified, submitted and evaluated under the Certification Program.”*

Mona Harrington was appointed EAC Executive Director in June 2020.⁵ **(Exhibit C)**

The Voting System Test Laboratory Program Manual, version 2.0, May 31, 2015, (VSTL)

Introduction – Section 1.2

“1.2. Authority. HAVA Section 231(b) (42 U.S.C. §15371(b)) requires that the EAC provide for the accreditation and revocation of accreditation of independent, non-federal laboratories qualified to test voting systems to Federal standards. Generally,

³ <https://www.eac.gov/voting-equipment/manuals-and-forms>

⁴ https://www.eac.gov/sites/default/files/eac_assets/1/28/Cert%20Manual%207%208%2015%20FINAL.pdf

⁵ <https://www.eac.gov/news/2020/06/10/eac-commissioners-unanimously-approve-appointment-mona-harrington-eac-executive>

the EAC considers for accreditation those laboratories evaluated and recommend by the National Institute of Standards and Technology (NIST) pursuant to HAVA Section 231(b)(1). However, consistent with HAVA Section 231(b)(2)(B), the Commission may also vote to accredit laboratories outside of those recommended by NIST upon publication of an explanation of the reason for any such accreditation."

VSTL Program Manual, version 2.0, Testing, Technical Practices and Reporting, Section 2.10

"As a condition of accreditation, each VSTL shall perform testing in conformance with the relevant standards of the applicable Federal Standards (VVSG). Additionally, the VSTL shall create written reports of such testing consistent with the requirements of the latest version of the VVSG, EAC's Voting System Testing and Certification Manual, any applicable test suites mandated by the EAC, and any other written guidance published by the EAC."

VSTL Program Manual, version 2.0, Accreditation Process: Section 3.6.1.

3.6.1. Certificate of Accreditation. *A Certificate of Accreditation shall be issued to each laboratory accredited by vote of the Commissioners. The certificate shall be signed by the Chair of the Commission and state:*

3.6.1.1. *The name of the VSTL;*

3.6.1.2. *The scope of accreditation, by stating the Federal standard or standards to which the VSTL is competent to test;*

3.6.1.3. *The effective date of the certification, which shall not exceed a period of two (2) years; and*

3.6.1.4. *The technical standards to which the laboratory was accredited."*

VSTL Program Manual, version 2.0, Expiration and Renewal of Accreditation, Section 3.8

"A grant of accreditation is valid for a period not to exceed two years. A VSTL's accreditation expires on the date annotated on the Certificate of Accreditation. VSTLs in good standing shall renew their accreditation by submitting an application package to the Program Director, consistent with the procedures of Section 3.4 of this Chapter, no earlier than 60 days before the accreditation expiration date and no later than 30 days before that date. Laboratories that timely file the renewal application package shall retain their accreditation while the review and processing of their application is pending."

A Certificate of Accreditation is issued and must be signed by the EAC Chair of Commissioners which certifies the Laboratory used to test the voting machines and

software which have met the technical standards of which the laboratory was accredited and shall not exceed a period of TWO (2) years. VSTL 2.0, 3.6 and 3.8.

The EAC failed to have a quorum for over a calendar year leading to the inability to meet the standards of the EAC. Christy McCormick was appointed EAC Chair of the Commission in February 2019. The EAC reported the appointment of Christy McCormick was for the first time in nearly a decade with a full slate of commissioners.⁶ (Exhibit D)

Patricia Layfield was EAC Inspector General appointed by Barack Hussein Obama and was replaced by Brianna Schletz in October 2021.

Certificates of Accreditation provided to the Missouri Secretary of State from the EAC for the 2020 General Election were not in compliance with the written policy of the EAC VSTL Program Manual, version 2.0, Section 3.6 and 3.8 which violate the federal standards for laboratory testing accreditation set forth in the EAC Voting System Test Laboratory Program Manual version 2.0 (OMB 3265-0018), and the HELP AMERICA VOTE ACT 2002, Subtitle B Section 231 (a) (1) (2) (b) (1).

In the United States each state is tasked to conduct an (IV & V) Independent Verification and Validation to provide assurance of the integrity of the votes.

If the “accredited” non-federal entities have NOT received EAC accreditation this is a failure of the states to uphold their own states standards that are federally regulated.

The state of Missouri requires testing to federal standards requiring testing by a federally accredited laboratory. (Exhibit E)

Category descriptions for state Voting System Certification Process: Requires Testing to Federal Standards: State statutes and/or regulations require that voting systems are tested by a federally or nationally accredited laboratory to federal standards. Older statutes may refer to Independent Testing Authorities (ITAs), but such test labs are now known as Voting System Test Laboratories (VSTLs) under the EAC’s testing and certification program. (Exhibit E)

Both laboratories, Pro V&V and SLI Compliance received (NIST) National Institute of Standards and Technology certifications outside the 24-month scope.

⁶ <https://www.eac.gov/news/2019/02/22/mccormick-elected-new-eac-chairwoman>

Pro V&V received a NIST certification on March 26, 2020, for ONE (1) year. Normally the NIST certification is good for TWO (2) years to align with that of EAC certification accreditation that is good for two years. **(Exhibit F)**

The last Pro V&V EAC accreditation certificate of this declaration expired in February 2017, meaning the (IV & V) Independent Verification and Validation conducted by Missouri claiming that the laboratory was accredited is false.

Pro V&V accreditation signature on the Certificate of Accreditation is not signed by the authorized EAC Chair of Commissioners, Thomas Hicks, appointed 2018, or Christy McCormick appointed 2019. **(Exhibit G & H)**

SLI Compliance Division of Gaming Laboratories International, LLC, accreditation expiration date was January 10, 2021, however, the signature on the Certificate of Accreditation is not signed by the authorized EAC Chair of Commissioners, Thomas Hicks, appointed 2018, or Christy McCormick appointed 2019. In fact, SLI Compliance Division was NIST ISO Certified for less than 90 days. **(Exhibit I, J, K)**

In a VSTL Certificates and Accreditation document dated July 21, 2021, listed on the EAC VSTL Pro V&V website under "related documents" the EAC states in footnote(1):

⁷*"(1) Pro V&V was accredited by the EAC on February 24, 2015, and 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."* **(Exhibit L)**

This statement is correct only in citing a *test laboratory* cannot be revoked unless the Commission votes to revoke the laboratory accreditation as cited in HAVA 2002, Subtitle B, Section 231(b) (1) (c) (2), **Continuing Review By National Institute of Standards and Technology**; however, the EAC is obscuring the fact the laboratories must be re-accredited every TWO (2) years and an authorized signatures must be that of the EAC Chair of Commissioners as specifically written in the EAC VSTL **Program Manual version 2.0, (OMB3265-0018), Accreditation Process: Section 3.6.1. and 3.8.**

7

https://www.eac.gov/sites/default/files/voting_system_test_lab/files/VSTL%20Certificates%20and%20Accreditation.pdf

Within the same exhibit “K” document, paragraph (3) the EAC states with Its own admission:

“Due to administrative error during 2017-2019, the EAC did not issue an updated certificate to Pro V&V causing confusion with some people concerning their good standing status.” “Even though the EAC failed to reissue the certificate, Pro V&V’s audit was completed in 2018 and again in early 2021 as the scheduled audit of Pro V&V in 2020 was postponed due to COVID-19 travel restrictions.”

The EAC admits it did not follow, and ignored, their own policies and procedures written in the EAC VSTL Program Manual to re-issue Certificates of Accreditation for Pro V&V Laboratory and SLI Compliance Division of Gaming Laboratories International, LLC for the 2020 General Election.

It acknowledges Its failure to re-certify PRO V&V Labs for the 2020 General Election in paragraph (3) stating, “the scheduled audit of Pro V&V was postponed due to COVID-19 travel restrictions.”

However, The Centers for Disease Control (CDC) reported and confirmed COVID-19 in the United States on January 20, 2020,⁸ which should not have hampered, interfered, or delayed the re-certification accreditation of the Laboratories for the 2020 General election. **(Exhibit M)**

In paragraph (4) of the exhibit “K” document the EAC reports, *“the Testing & Certification program has been fully staffed since May 2019, and we are confident that the integrity of the labs and our voting system certification programs has remained strong throughout.”* “Confidence” does not equate to a valid Certification of Accreditation for election safety and integrity.

A letter dated January 27, 2021, from Jerome Lovato, Voting System Testing and Certification Director, in reference to Pro V&V EAC VSTL Accreditation⁹ acknowledges Section 3.8 of the VSTL Program Manual version 2.0 policy stating: **(Exhibit N)**

“Pro V&V has completed all requirements to remain in good standing with the EAC’s Testing and Certification program per section 3.8 of the Voting System Test Laboratory Manual, version 2.0:”

“Expiration and Renewal of Accreditation. A grant of accreditation is valid for a period not to exceed two years. A VSTL’s accreditation expires on the date annotated

⁸ <https://www.cdc.gov/mmwr/volumes/69/wr/mm6924e2.htm>

⁹ https://www.eac.gov/sites/default/files/voting_system_test_lab/files/Pro_VandV_Accreditation_Renewal_delay_memo012721.pdf

on the Certificate of Accreditation. VSTLs in good standing shall renew their accreditation by submitting an application package to the Program Director, consistent with the procedures of Section 3.4 of this Chapter, no earlier than 60 days before the accreditation expiration date and no later than 30 days before that date. Laboratories that timely file the renewal application package shall retain their accreditation while the review and processing of their application is pending. 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.

Due to the outstanding circumstances posed by COVID-19, the renewal process for EAC laboratories has been delayed for an extended period. While this process continues, Pro V&V retains its EAC VSTL accreditation."

Regardless of the assertion by Jerome Lovato, Voting System Testing and Certificate Director, "Pro V&V retains its EAC VSTL accreditation.", Mr. Lovato does not have the authority to certify the accreditation of the laboratories "good standing". The Laboratory remains un-certified under the EAC policies written in EAC VSTL Program Manual, version 2.0, (OMB3265-0018), Sections 3.6 and 3.8.

Title 18, U.S.C., Section 242 Deprivation of Rights Under Color Of Law makes it a crime for a person acting under color of law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States.

Under RSMo Title IX 115.225, 2 (10), Automated equipment to be approved by secretary of state - Standards to be met – Rules, promulgation, procedure 2 "No electronic voting system shall be approved unless it:

(10) Has been tested and is certified by an independent authority that meets the voting system standards developed by the Federal Election Commission or its successor agency."

The Secretary of State acting in good faith to perform his duties as per the "Rules, Promulgation, Procedure" as written under RSMo Title IX 115.225, 2 (10), in 2006, are not explicitly written and are ambiguous on certification to be employed, be that of Conformance or Accreditation. However, 15 CSR 30-10.010 states it is the responsibility of the chief election official of the State of Missouri to be, "the chief custodian of the electronic voting system and its components and shall be responsible for the proper maintenance and all necessary preparation for elections."

EAC policies as written in the VSTL Program Manual version 2.0, (OMB3265-0018), dated May 31, 2015, are explicitly clear *both* Certificates of Conformity certifying the machine and software components have met all standards and shall be signed by the

EAC Program Director, which was at this time, Mona Harrington, AND Certificates of Accreditation certifying the Laboratories, having met all standards for the 2020 General Election, are required to be issued by the EAC Commission and signed by the EAC Commission Chair, Thomas Hicks, appointed 2018 or Christy McCormick appointed 2019.

The EAC has misrepresented the Certificates of Accreditation to certify the Laboratories used for the Missouri 2020 General Election by substituting unauthorized signatures in place of the EAC Chair Commissioner, and the EAC failed to properly re-certify the Pro V&V and SLI Compliance Division of Gaming Laboratories International, LLC, Laboratories for the Missouri 2020 General Election.

With consideration there had been an administrative error, the EAC continues to misrepresent the Certification of Accreditation for Pro V&V and SLI Compliance, Division of Gaming Laboratories International LLC, in failing to properly validate accreditation for these same Laboratories for the 2022 upcoming elections. Donald Palmer was appointed as EAC Chairman February 2021, by President Trump. It is Mr. Palmer's signature which should appear on current laboratory Certificates of Accreditation.

(Exhibits H, I & O)

Additional Correspondence & Documents:

Eric Schmitt #joinsuit letter dated 11-30-2021	(Exhibit P)
Eric Schmitt meeting request election integrity dated 10-20-2021	(Exhibit Q)
John R. (Jay) Ashcroft election integrity letter dated 12-18-2021	(Exhibit R)
Emanuel Cleaver #joinsuit letter dated 10-29-2021	(Exhibit S)
Sam Graves election integrity letter dated 12-01-2020	(Exhibit T)
Roy Blunt election integrity letter dated 01-29-2021	(Exhibit U)
Josh Hawley election integrity letter dated 01-28-2021	(Exhibit V)
Michael Parson election integrity letter dated 11-24-2020	(Exhibit W)

Therefore, it is hereby the will of Affiant, Order and Demand, as stated prior, based upon the presented facts the duty of the elected servant, Secretary of State John (Jay) R. Ashcroft, the chief election official, to De-certify the 2020 General Election.

Return the People's Vote to Paper Ballots for all Missouri elections.

The Secretary of State shall recall all Missouri officials illegally holding a District, House, or Senate seat due to the failure of the Election Assistance Commission from

2018 through this current date of January 10, 2022, to properly certify and accredit their Laboratories by not adhering to the policies as written in the Voting System & Testing Program Manual version 2.0, May 31, 2015, Sections 3.6 and 3.8.

The Secretary of State shall call forth a Special Election to fill vacant seats of office for the period 2018 through this current date of January 10, 2022, using Paper Ballots.

Legal Notice

This Affidavit is a Contract, and if you shall ignore this Affidavit by not responding by the terms, you agree to pay \$10,000 per day.

If you, as a government official, believe that these claims are untrue, please respond within 5 days with Constitutional Provisions, sworn under the penalty of perjury, by the Affidavit, point by point, showing where you have Constitutional Authority to ignore these rights of the People. If you do not respond within 5 days, you agree, by acquiescence, that you are knowingly interfering with the rights of the People you swore to protect, and that this Affidavit shall stand as evidence that you are acting in Maladministration and Misconduct and that no court shall have the power to again adjudicate these matters and that all Courts of Record shall accept this Affidavit as truth and law. You also agree to be bound by all said herein and the Affiant is able to bring this Contract before an Arbitrator of Affiant's choice at the sole expense of you, and you agree to be bound by any award.

If you cannot prove that you are acting under constitutional authority, please take further notice that any denial of protection and maintenance of the People's individual rights is **Maladministration, Treason and Insurrection**. Failure to respond means that by acquiescence you agree that all claims are true.

Verification

I hereby declare, certify, and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the provisions of 28 USC § 1746 that all the above and foregoing representations are true and correct to the best of my knowledge, information, and belief.

Executed in Jackson County, Missouri on this 15th day of February
15, 2022 in the year of Our Lord Two Thousand and Twenty-Two.

Tracy Denise Wellborn

Autograph of Affiant:

Notary as JURAT CERTIFICATE:

Missouri State
Jackson County

On this 15th day of February, 2022, before me,
Christen E Gavin, a Notary Public, personally appeared
Tracy Denise Wellborn Name of Affiant, who proved to me on the basis
of satisfactory evidence to be the person whose name is subscribed to the within
instrument and acknowledged to me that they executed the same in their authorized
capacity, and that by their autograph(s) on the instrument the person executed, the
instrument.

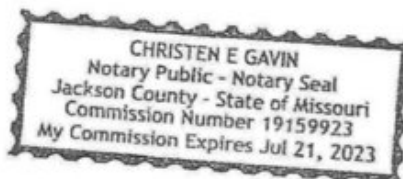
I certify under PENALTY OF PERJURY under the lawful laws of the State of
Missouri and that the foregoing paragraph is true and correct.

WITNESS my hand and

official seal

Signature of Notary / Jurat

Christen E Gavin
SEAL



**Notice and Demand
Affidavit of Maladministration
Legal Notice and Warning
Notice to Secure Surety Bond / Insurance Liability Policy
Notice of Misrepresentation, Misconduct and Fraud**

Christy McCormick,
U.S. Election Assistance Commission
2019 Chairwoman,
2020 Commissioner

Benjamin Hovland,
U.S. Election Assistance Commission
2020 Chairman,
2019 Commissioner

Donald Palmer,
U.S. Election Assistance Commission
2021 Chairman,
2020 Commissioner

Mona Harrington,
U.S. Election Assistance Commission
Executive Director

**NOTICE TO AGENT IS NOTICE TO PRINCIPAL AND NOTICE TO
PRINCIPAL IS NOTICE TO AGENT**

Comes now Affiant, Tracy Welborn, one of the people (as seen in Missouri Constitution Bill of Rights Article 1, Section 2), Sui Juris, in this Court of Record, bring the following claims and facts that you and your agents, serving as elected servants and trustees of the People, must provide due care and remember your Oath of Office which binds you.

15 CSR 30-10.010 states it is the responsibility of the Secretary of State, chief election official of the State of Missouri, to be, “the chief custodian of the electronic voting system and its components and shall be responsible for the proper maintenance and all necessary preparation for elections.”

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☐ Certified Mail Restricted Delivery	\$0.00
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☐ Adult Signature Restricted Delivery	\$0.00

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Signature of Addressee
Christy McCormick EAC
U.S. EAC 1633 3rd St NW, Ste 200
Washington, D.C. 20001

ACTION ON DELIVERY

103 ☐ Agent
☐ Addressee

ated Name) C. Date of Delivery 3/24/22

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very address below: ☐ No

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

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stricted Delivery

7021 2720 0000 0288 8722

Red Mail Restricted Delivery
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PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

Exhibit U

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March 22, 2022 at 1:14 pm
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☐ Adult Signature Restricted Delivery \$0.00

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US EAC 1633 3rd St NW, Ste. 200
Washington, D.C. 20001

PS Form 3800, April 2015 PSN 7530-02-000-9057

See Reverse for Instructions

SECTION ON DELIVERY

103
Agent
Addressee
ated Name) C. Date of Delivery
1 3/22/22
is different from item 1? ☐ Yes
ivery address below: ☐ No

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Insured Mail

Insured Mail
Insured Mail Restricted Delivery
(over \$500)

7021 2720 0000 0288 8739

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

Exhibit U

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70212720000002888746

Remove X

Your item was delivered to the front desk, reception area, or mail room at 1:14 pm on March 22, 2022 in WASHINGTON, DC 20001.

USPS Tracking Plus® Available ✓

✓ Delivered, Front Desk/Reception/Mail Room

March 22, 2022 at 1:14 pm
WASHINGTON, DC 20001

Feedback

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com™.

Washington, DC 20001

0075 15

Postmark Here

03/18/2022

Send To
Donald Palmer
USEAC 633 3rd St NW, Ste 200
Washington, D.C. 20001

PS Form 3811, July 2020 PSN 7530-02-000-9053

7021 2720 0000 0288 8746

SECTION ON DELIVERY

03

☐ Agent
☐ Addressee

inted Name) **C. Date of Delivery**

ss different from item 1? ☐ Yes
livery address below: ☐ No

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Exhibit U

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70212720000002888753

Remove X

Your item was delivered to the front desk, reception area, or mail room at 1:14 pm on March 22, 2022 in WASHINGTON, DC 20001.

USPS Tracking Plus® Available ✓

✓ Delivered, Front Desk/Reception/Mail Room

March 22, 2022 at 1:14 pm
WASHINGTON, DC 20001

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only		SECTION ON DELIVERY	
For delivery information, visit our website at www.usps.com ®.		103	
Washington, DC 20001		☐ Agent ☐ Addressee	
Certified Mail Fee \$3.75	0075 15	Printed Name)	C. Date of Delivery
Extra Services & Fees (check box, add fee as appropriate) ☒ Return Receipt (hardcopy) \$0.00 ☐ Return Receipt (electronic) \$0.00 ☐ Certified Mail Restricted Delivery \$0.00 ☐ Adult Signature Required \$0.00 ☐ Adult Signature Restricted Delivery \$0.00	Postmark Here 03/18/2022	Address different from item 1? ☐ Yes Delivery address below: ☐ No	✓ ✓ ✓ ✓
Postage \$2.96			
Total Postage and Fees \$9.76			
Sent to Mona Harrington USEAC 633 3rd St NW, Ste 200 Washington, D.C. 20001		☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	
PS Form 3800, April 2015 PSN 7500-02-000-9047 See Reverse for Instructions		☐ Collect on Delivery Restricted Delivery ☐ Registered Mail Restricted Delivery (over \$500)	
Package Number (transfer from service label) 7021 2720 0000 0288 8753		Domestic Return Receipt	

Exhibit U

**Notice and Demand
Affidavit of Maladministration
Legal Notice and Warning
Notice of Misrepresentation, Misconduct and Fraud**

John R. (Jay) Ashcroft,
Missouri Secretary of State

Eric Schmitt,
Missouri Attorney General

Josh Hawley,
Missouri U.S. Senator

Roy Blunt,
Missouri U.S. Senator

Sam Graves,
Missouri Congressman

Emanuel Cleaver,
Missouri Congressman

Michael L. Parson,
Missouri Governor

**NOTICE TO AGENT IS NOTICE TO PRINCIPAL AND NOTICE TO
PRINCIPAL IS NOTICE TO AGENT**

Comes now Affiant, Tracy Welborn, one of the people (as seen in Missouri Constitution Bill of Rights Article 1, Section 2), Sui Juris, in this Court of Record, bring the following claims and facts that you and your agents, serving as elected servants and trustees of the People, must provide due care and remember your Oath of Office which binds you.

15 CSR 30-10.010 states it is the responsibility of the Secretary of State, chief election official of the State of Missouri, to be, "the chief custodian of the electronic

USPS Tracking®**FAQs >****Track Another Package +**

Remove X

Tracking Number: 70212720000002888760

Your item was picked up at the post office at 8:15 am on March 30, 2022 in JEFFERSON CITY, MO 65101.

USPS Tracking Plus® Available ∨**✓ Delivered, Individual Picked Up at Post Office**

March 30, 2022 at 8:15 am
JEFFERSON CITY, MO 65101

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only		ACTION ON DELIVERY	
For delivery information, visit our website at www.usps.com ®.			
Jefferson City, MO 65102			
Certified Mail Fee \$3.75	0075 06	☐ Agent	✓
Extra Services & Fees (check box, add fee as shown)		☐ Addressee	
☒ Return Receipt (hardcopy) \$3.05		Signature of Addressee	
☐ Return Receipt (electronic) \$0.00		Date of Delivery	
☐ Certified Mail Restricted Delivery \$0.00			
☐ Adult Signature Required \$0.00			
☐ Adult Signature Restricted Delivery \$0.00			
Postage \$1.96	Postmark Here	different from item 10	Yes
Total Postage and Fees \$8.76	03/28/2022	any address below	No
Sent To			
John R (Jay) Ashcraft, SOS			
Capital Bldg, Rm 208, Box 778			
Jefferson City, Mo 65102			
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions			
7021 2720 0000 0288 8760		☐ Priority Mail Express®	
		☐ Registered Mail™	
		☐ Registered Mail Restricted Delivery	
		☐ Signature Confirmation™	
		☐ Signature Confirmation Restricted Delivery	
Collect on Delivery Restricted Delivery			
Insured Mail (over \$500)			
PS Form 3811, July 2020 PSN 7530-02-000-9053			
Domestic Return Receipt			

Exhibit U

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70212720000002888777

Remove X

Your item has been delivered and is available at a PO Box at 10:36 am on March 30, 2022 in JEFFERSON CITY, MO 65102.

USPS Tracking Plus® Available ✓

✓ Delivered, PO Box

March 30, 2022 at 10:36 am
JEFFERSON CITY, MO 65102

7021 2720 0000 0288 8777

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Jefferson City, MO 65101	
Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee if applicable)	\$3.05
☒ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$1.96
Total Postage and Fees	\$8.76
0075 06	
Postmark Here	
03/28/2022	
Sent To: Eric Schmitt Atty Gen.	
Street and Apt. No., or PO Box No. SCB 207 W. High St, Box 899	
City, State, and ZIP+4® Jefferson City, Mo 65102	
PS Form 3800, April 2015 PSN 7500-02-000-9047 See Reverse for Instructions	

See Less ^

Exhibit U

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70212720000002888784

Remove X

Your item was delivered to the front desk, reception area, or mail room at 5:57 am on April 4, 2022 in WASHINGTON, DC 20510.

USPS Tracking Plus® Available ✓

✓ Delivered, Front Desk/Reception/Mail Room

April 4, 2022 at 5:57 am
WASHINGTON, DC 20510

7021 2720 0000 0288 8784

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Washington, DC 20510	
Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee if applicable)	\$3.05
☒ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$1.96
Total Postage and Fees	\$8.76
Postmark Here	
03/28/2022	
Sent to Josh Hawley, Senator 115 Russell SOB Washington, D.C. 20510	
PS Form 3800, April 2015 PSN 7530-02-000-9017 See Reverse for Instructions	

See Less ^

Exhibit U

USPS Tracking®[FAQs >](#)**Track Another Package +****Tracking Number:** 70212720000002888791[Remove X](#)

Your item was delivered to the front desk, reception area, or mail room at 5:57 am on April 4, 2022 in WASHINGTON, DC 20510.

USPS Tracking Plus® Available ✓**✓ Delivered, Front Desk/Reception/Mail Room**

April 4, 2022 at 5:57 am
WASHINGTON, DC 20510

7021 2720 0000 0288 8791

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Washington, DC 20510	
Certified Mail Fee \$3.75	0075
Extra Services & Fees (check box, add fee or fee amount)	06
☒ Return Receipt (hardcopy) \$0.00	Postmark Here
☐ Return Receipt (electronic) \$0.00	
☐ Certified Mail Restricted Delivery \$0.00	
☐ Adult Signature Required \$0.00	
☐ Adult Signature Restricted Delivery \$0.00	
Postage \$1.96	03/28/2022
Total Postage and Fees \$8.76	
Sent <u>Roy Blunt, Senator</u>	
Street and Apt. No., or PO Box No. <u>260 Russell SOB</u>	
City, State, ZIP+4® <u>Washington, D.C. 20510</u>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

See Less ^

Exhibit U

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number:** 70212720000002888807

Remove X

Your item was delivered to an individual at the address at 7:05 am on April 4, 2022 in WASHINGTON, DC 20515.

USPS Tracking Plus® Available ✓**✓ Delivered, Left with Individual**

April 4, 2022 at 7:05 am
WASHINGTON, DC 20515

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only		SECTION ON DELIVERY	
For delivery information, visit our website at www.usps.com ®.			
Washington, DC 20515			
Certified Mail Fee \$3.75	0075 06	☒ Agent	
Postage \$1.96	03/28/2022	☐ Addressee	
Total Postage and Fees \$8.76		Signature (Print Name)	
Postmark Here		C. Date of Delivery	✓
Extra Services & Fees (check box, add fee if applicable) ☒ Return Receipt (hardcopy) \$0.00 ☐ Return Receipt (electronic) \$0.00 ☐ Certified Mail Restricted Delivery \$0.00 ☐ Adult Signature Required \$0.00 ☐ Adult Signature Restricted Delivery \$0.00		Is different from item 1? ☐ Yes	
		very address below: ☐ No	✓
Sent to: Sam Graves, Congressman Street, Apt. No., or PO Box No. 1135 Longworth HOB City, State, ZIP+4® Washington, D.C. 20515		☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery	✓
PS Form 3800, April 2015 PSN 7530-02-000-9053		☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	✓
2. Article Number (transfer from service label) 7021 2720 0000 0288 8807		☐ Signature Confirmation Restricted Delivery ☐ Registered Mail Restricted Delivery (\$500)	
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	

Exhibit U

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number: 70212720000002888821****Remove X**

Your item was delivered to an individual at the address at 11:28 am on March 30, 2022 in INDEPENDENCE, MO 64050.

USPS Tracking Plus® Available ∨**✓ Delivered, Left with Individual**

March 30, 2022 at 11:28 am
INDEPENDENCE, MO 64050

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only		ACTION ON DELIVERY	
For delivery information, visit our website at www.usps.com ®.			
Independence, MO 64050			
Certified Mail Fee \$3.75	0075 06	Delivery	✓
Extra Services & Fees (check box, add fee if applicable)		C. Date of Delivery	
☒ Return Receipt (hardcopy) \$0.00			
☐ Return Receipt (electronic) \$0.00			
☐ Certified Mail Restricted Delivery \$0.00			
☐ Adult Signature Required \$0.00			
☐ Adult Signature Restricted Delivery \$0.00			
Postage \$1.96	Postmark Here	different from item 1? ☐ Yes	✓
Total Postage and Fees \$8.76	03/28/2022	ry address below: ☐ No	✓
Sent to Emanuel Cleaver, Congressman 511 W. Maple Ave, Ste F Independence, Mo 64050 PS Form 3890, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions		☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	✓
Article Number (transfer from service label) 7021 2720 0000 0288 8821		☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500)	
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	

Exhibit U

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70212720000002888814

Remove X

Your item was picked up at the post office at 8:49 am on March 30, 2022 in JEFFERSON CITY, MO 65101.

USPS Tracking Plus® Available ∨

✓ Delivered, Individual Picked Up at Post Office

March 30, 2022 at 8:49 am
JEFFERSON CITY, MO 65101

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only		SECTION ON DELIVERY	
For delivery information, visit our website at www.usps.com ®.		☐ Agent ☐ Addressee	
Jefferson City, MO 65101		☒ Yes ☐ No	
Certified Mail Fee \$3.75 Extra Services & Fees (check box, add fee or fee only) ☒ Return Receipt (hardcopy) \$0.00 ☐ Certified Mail Restricted Delivery \$0.00 ☐ Adult Signature Required \$0.00 ☐ Adult Signature Restricted Delivery \$0.00	Postmark Here 0075 06 03/28/2022	(Printed Name) C. Date of Delivery Michael Parson, Governor 201 W. Capitol Ave., Rm 216 Jefferson City, MO 65101	
Postage \$1.96 Total Postage and Fees \$8.76	PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions		
Article Number (Transfer from service label) 7021 2720 0000 0288 8814		PS Form 3811, July 2020 PSN 7530-02-000-9053	

Exhibit U

**Notice and Demand
Affidavit of Maladministration
Legal Notice and Warning
Notice to Secure Surety Bond / Insurance Liability Policy
Notice of Misrepresentation, Misconduct and Fraud**

Cori Bush,
District 1
U.S. House Representative

Ann Wagner,
District 2
U.S. House Representative

Blaine Luetkemeyer,
District 3
U.S. House Representative

**NOTICE TO AGENT IS NOTICE TO PRINCIPAL AND NOTICE TO
PRINCIPAL IS NOTICE TO AGENT**

Comes now Affiant, Tracy Welborn, one of the people (as seen in Missouri Constitution Bill of Rights Article 1, Section 2), Sui Juris, in this Court of Record, bring the following claims and facts that you and your agents, serving as elected servants and trustees of the People, must provide due care and remember your Oath of Office which binds you.

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70212720000002888692

Remove X

Your item was delivered to the front desk, reception area, or mail room at 2:19 pm on March 21, 2022 in SAINT LOUIS, MO 63133.

USPS Tracking Plus® Available ✓

✓ Delivered, Front Desk/Reception/Mail Room

March 21, 2022 at 2:19 pm
SAINT LOUIS, MO 63133

Feedback

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Saint Louis, MO 63133

Certified Mail Fee \$3.75
Extra Services & Fees (check box, add fee)
☒ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$2.96
Total Postage and Fees \$9.76

0075
15Postmark
Here

03/18/2022

Cori Bush, U.S. House Rep
6724-A Page Ave.
St. Louis, Mo 63133

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

2. Article Number (Transfer from service label)

7021 2720 0000 0288 8692

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

THIS SECTION ON DELIVERY

193314
(Printed Name) C. Date of Delivery
3/21

Address different from item 1? ☐ Yes
delivery address below: ☐ No

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Restricted Delivery
Restricted Delivery

☐ Collect on Delivery Restricted Delivery
Insured Mail
Insured Mail Restricted Delivery
(over \$500)

Exhibit U

USPS Tracking®[FAQs >](#)**Track Another Package +****Tracking Number:** 70212720000002888708[Remove X](#)

Your item was delivered to an individual at the address at 2:19 pm on March 24, 2022 in BALLWIN, MO 63011.

USPS Tracking Plus® Available ✓**✓ Delivered, Left with Individual**

March 24, 2022 at 2:19 pm
BALLWIN, MO 63011

Feedback

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

Ballwin, MO 63011

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee to total)

☒ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$2.96

Total Postage and Fees \$9.76

Postmark Here 0075 15 03/18/2022

See To Ann Wagner US House Rep.
301 Sovereign Ct., Ste 201
Ballwin, Mo 63011

PS Form 3811, July 2020 PSN 7530-02-000-9053

SECTION ON DELIVERY

☒ Agent
☐ Addressee

Intended Name) None

C. Date of Delivery 3/24/22

Is different from item 1? ☐ Yes
Delivery address below: ☒ No

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Exhibit U

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70212720000002888715

Remove X

Your item was delivered to an individual at the address at 2:33 pm on March 21, 2022 in JEFFERSON CITY, MO 65109.

USPS Tracking Plus® Available ✓

✓ Delivered, Left with Individual

March 21, 2022 at 2:33 pm
JEFFERSON CITY, MO 65109

Feedback

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Jefferson City, MO 65109	
Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee as appropriate)	\$3.05
☒ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$3.16
Total Postage and Fees	\$9.96
0075 15	
Postmark Here	
03/18/2022	
Blaine Luetkemeyer U.S. House Rep	
2117 Missouri Blvd	
Jefferson City, Mo 65109	
PS Form 3800, April 2015 PSN 7530-02-000-9017 See Reverse for Instructions	

See Less ^

Exhibit U

**Notice and Demand
Affidavit of Maladministration
Legal Notice and Warning
Notice to Secure Surety Bond / Insurance Liability Policy
Notice of Misrepresentation, Misconduct and Fraud**

Jerry M. Hunter,
St. Louis City Election Chairman

Leo G. Stoff, Jr.,
St. Louis City Republican Election Director

D. Benjamin Borgmeyer,
St. Louis City Democratic Election Director

Geraldine Kraemer,
St. Louis City Election Commissioner

Joseph A. Barbaglia,
St. Louis City Election Board Secretary

**NOTICE TO AGENT IS NOTICE TO PRINCIPAL AND NOTICE TO
PRINCIPAL IS NOTICE TO AGENT**

Comes now Affiant, Tracy Welborn, one of the people (as seen in Missouri Constitution Bill of Rights Article 1, Section 2), Sui Juris, in this Court of Record, bring the following claims and facts that you and your agents, serving as elected servants and trustees of the People, must provide due care and remember your Oath of Office which binds you.

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number: 70212720000002888678****Remove X**

Your item was delivered to an individual at the address at 11:23 am on March 21, 2022 in SAINT LOUIS, MO 63101.

USPS Tracking Plus® Available ∨**✓ Delivered, Left with Individual**

March 21, 2022 at 11:23 am
SAINT LOUIS, MO 63101

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Saint Louis, MO 63101	
Certified Mail Fee \$ 3.75	0075 15
Extra Services & Fees (check box, add fee if applicable) ☒ Return Receipt (hardcopy) \$ 3.05 ☐ Return Receipt (electronic) \$ 0.00 ☐ Certified Mail Restricted Delivery \$ 0.00 ☐ Adult Signature Required \$ 0.00 ☐ Adult Signature Restricted Delivery \$ 0.00	Postmark Here
Postage \$ 2.96	03/18/2022
Total Postage and Fees \$ 9.76	
Jerry M. Hunter STLC BOE Chair 300 N Tucker Blvd St Louis Mo 63101	
PS Form 3800, April 2015 PSN 7530-02-000-9037 See Reverse for Instructions	
2. Tracking Number (transfer from Service Label) 7021 2720 0000 0288 8678	
PS Form 3811, July 2020 PSN 7530-02-000-9053	

SECTION ON DELIVERY	
☐ Agent ☐ Addressee (Printed Name) <u> </u>	☒ Yes ☐ No
C. Date of Delivery <u>3/21/22</u>	
Is different from item 1? ☐ Yes Delivery address below: ☐ No	
☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	

Exhibit U

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number: 70212720000002888647****Remove X**

Your item was delivered to an individual at the address at 11:23 am on March 21, 2022 in SAINT LOUIS, MO 63101.

USPS Tracking Plus® Available ▾**✓ Delivered, Left with Individual**

March 21, 2022 at 11:23 am
SAINT LOUIS, MO 63101

Feedback

Get Updates ▾

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Saint Louis, MO 63101

Certified Mail Fee	\$3.75	0075
Extra Services & Fees (check box, add fee or PSN fee)	\$3.05	15
☒ Return Receipt (hardcopy)	\$0.00	
☐ Return Receipt (electronic)	\$0.00	
☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$2.96	
Total Postage and Fees	\$9.76	03/18/2022

Postmark Here

Sent To
Leo H. Stoff, Jr. STL City BOE Dir
Street and Apt. No., or PO Box No.
300 N. Tucker Blvd
City, State, ZIP+4®
St. Louis, Mo. 63101

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 2720 0000 0288 8647

PS Form 3811, July 2020 PSN 7530-02-000-9053

SECTION ON DELIVERY

☐ Agent
☐ Addressee

Printed Name: [Signature] C. Date of Delivery: 3/21/22

Address different from item? ☐ Yes
Delivery address below: ☐ No

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

☐ Collect on Delivery restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over \$500)

Domestic Return Receipt

Exhibit U

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70212720000002888654

Remove X

Your item was delivered to an individual at the address at 11:23 am on March 21, 2022 in SAINT LOUIS, MO 63101.

USPS Tracking Plus® Available ✓

✓ Delivered, Left with Individual

March 21, 2022 at 11:23 am
SAINT LOUIS, MO 63101

Feedback

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Saint Louis, MO 63101

Certified Mail Fee	\$3.75	0075
Extra Services & Fees (check box, add fee as appropriate)	\$3.05	15
☒ Return Receipt (hardcopy)	\$0.00	
☐ Return Receipt (electronic)	\$0.00	
☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$2.96	
Total Postage and Fees	\$9.76	

Postmark Here
03/18/2022

Sent To: **D. Benjamin Borgmeyer StLC BOE Dir**
Street and Apt. No., or PO Box No.
300 N Tucker Blvd
City, State, ZIP+4®
St Louis, Mo 63101

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

2. Article Number (transfer from service label)
7021 2720 0000 0288 8654

PS Form 3811, July 2020 PSN 7530-02-000-9053

SECTION ON DELIVERY

☐ Agent
☐ Addressee
Printed Name) C. Date of Delivery
3/21/22
Is different from item 1? ☐ Yes
Delivery address below: ☐ No

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Exhibit U

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number: 70212720000002888661****Remove X**

Your item was delivered to an individual at the address at 11:23 am on March 21, 2022 in SAINT LOUIS, MO 63101.

USPS Tracking Plus® Available ✓**✓ Delivered, Left with Individual**

March 21, 2022 at 11:23 am
SAINT LOUIS, MO 63101

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
Saint Louis, MO 63101	
Certified Mail Fee \$3.75	0075
Extra Services & Fees (check box, add fee or appropriate)	15
Return Receipt (hardcopy) \$0.00	
Return Receipt (electronic) \$0.00	
Certified Mail Restricted Delivery \$0.00	
Adult Signature Required \$0.00	
Adult Signature Restricted Delivery \$0.00	
Postage \$2.96	03/18/2022
Total Postage and Fees \$9.76	
Sender Geraldine Kraemer STLC BDB Comm 300 N. Tucker Blvd St Louis MO 63101	
PS Form 3890, April 2015 PSN 7-300-0300-9037 See Reverse for Instructions	
2. Article Number (Transfer from service label) 7021 2720 0000 0288 8661	
☐ Collect on Delivery Restricted Delivery ☐ Registered Mail Restricted Delivery (over \$500)	
PS Form 3811, July 2020 PSN 7530-02-000-9053	

SECTION ON DELIVERY	
☐ Agent	
☐ Addressee	
Printed Name)	C. Date of Delivery
	3/21/22
Is different from item 1?	☐ Yes
Delivery address below:	☐ No
Restricted Delivery	☐ Priority Mail Express®
Registered Delivery	☐ Registered Mail™
Signature Confirmation™	☐ Signature Confirmation™
Signature Confirmation Restricted Delivery	☐ Signature Confirmation Restricted Delivery

Exhibit U

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70212720000002888685

Remove X

Your item was delivered to an individual at the address at 11:23 am on March 21, 2022 in SAINT LOUIS, MO 63101.

USPS Tracking Plus® Available ✓

✓ Delivered, Left with Individual

March 21, 2022 at 11:23 am
SAINT LOUIS, MO 63101

Feedback

7021 2720 0000 0288 8685

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Saint Louis, MO 63101

Certified Mail Fee	\$3.75	0075 15	Postmark Here
Extra Services & Fees (check box, add fee as indicated)	\$3.05		
☒ Return Receipt (hardcopy)	\$0.00		
☐ Return Receipt (electronic)	\$0.00		
☐ Certified Mail Restricted Delivery	\$0.00		
☐ Adult Signature Required	\$0.00		
☐ Adult Signature Restricted Delivery	\$0.00		
Postage	\$3.16		
Total Postage and Fees	\$9.96		03/18/2022

Send To
Joseph A. Barbaglia STC Secy
Street and Apt. No., or PO Box No.
300 N Tucker Blvd
City, State, ZIP+4®
St Louis Mo 63101

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

SECTION ON DELIVERY

	☐ Agent	✓
Printed Name)	☐ Addressee	
C. Date of Delivery	3/21/22	
Is address different from item 1?	☐ Yes	✓
Is delivery address below:	☐ No	
		✓
		✓
Restricted Delivery	☐ Priority Mail Express®	✓
	☐ Registered Mail™	
	☐ Registered Mail Restricted Delivery	
	☐ Signature Confirmation™	
Restricted Delivery	☐ Signature Confirmation Restricted Delivery	

2. Article Number (Transfer from service label)
7021 2720 0000 0288 8685

☐ Collect on Delivery Restricted Delivery
Insured Mail
Insured Mail Restricted Delivery
(over \$500)

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

Exhibit U

**Notice and Demand
Affidavit of Maladministration
Legal Notice and Warning
Notice to Secure Surety Bond / Insurance Liability Policy
Notice of Misrepresentation, Misconduct and Fraud**

Darla Wierzbicki,
Clay County Republican Election Chairman

Patty Lamb,
Clay County Republican Election Director

Tiffany Francis,
Clay County Democrat Election Director

Tom Brown,
Clay County Election Member

Anthony Bologna,
Clay County Election Member

Thelma Crawford,
Clay County Election Secretary

**NOTICE TO AGENT IS NOTICE TO PRINCIPAL AND NOTICE TO
PRINCIPAL IS NOTICE TO AGENT**

Comes now Affiant, Tracy Welborn, one of the people (as seen in Missouri Constitution Bill of Rights Article 1, Section 2), Sui Juris, in this Court of Record, bring the following claims and facts that you and your agents, serving as elected servants and trustees of the People, must provide due care and remember your Oath of Office which binds you.

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number:** 70212720000002888609

Remove X

Your item was delivered to the front desk, reception area, or mail room at 12:28 pm on March 21, 2022 in LIBERTY, MO 64068.

USPS Tracking Plus® Available ✓**✓ Delivered, Front Desk/Reception/Mail Room**

March 21, 2022 at 12:28 pm
LIBERTY, MO 64068

Feedback

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Liberty, MO 64068

SECTION ON DELIVERY

Certified Mail Fee **\$3.75**
Extra Services & Fees (check box, add fee if applicable)
☒ Return Receipt (hardcopy) \$ **\$0.00**
☐ Return Receipt (electronic) \$ **\$0.00**
☐ Certified Mail Restricted Delivery \$ **\$0.00**
☐ Adult Signature Required \$ **\$0.00**
☐ Adult Signature Restricted Delivery \$ **\$0.00**

0075
15Postmark
Here

L. Meyer ☐ Agent
☐ Addressee
inted Name) C. Date of Delivery

Is different from item 1? ☐ Yes
Delivery address below: ☐ No

Postage **\$3.96**
Total Postage and Fees **\$9.96**

03/18/2022

Sent To **Darla Wierzbicki Clay Co Bldg Chair**
Street and Apt. No., or PO Box No. **100W. Mississippi St**
City, State, ZIP+4® **Liberty, Mo 64068-1623**

☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

7021 2720 0000 0288 8609

☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery
over \$500

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

Exhibit U

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70212720000002888586

Remove X

Your item was delivered to the front desk, reception area, or mail room at 12:28 pm on March 21, 2022 in LIBERTY, MO 64068.

USPS Tracking Plus® Available ✓

 **Delivered, Front Desk/Reception/Mail Room**

March 21, 2022 at 12:28 pm
LIBERTY, MO 64068

Feedback

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Liberty, MO 64068

SECTION ON DELIVERY

Liberty, MO 64068

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee to postage)

☒ Return Receipt (hardcopy) \$3.05

☐ Return Receipt (electronic) \$0.00

☐ Certified Mail Restricted Delivery \$0.00

☐ Adult Signature Required \$0.00

☐ Adult Signature Restricted Delivery \$0.00

Postage \$3.16

Total Postage and Fees \$9.96

Postmark Here 0075 15 03/18/2022

Set to: **Patty Lamb Clay Co. Bof Dir**
Street and Apt. No., or PO Box No.
100 W. Mississippi St.
City, State, ZIP+4®
Liberty, Mo 64068-1423

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

2. Article Number (Transfer from service label)
7021 2720 0000 0288 8586

☐ Collect on Delivery Restricted Delivery

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

Exhibit U

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number:** 70212720000002888593

Remove X

Your item was delivered to the front desk, reception area, or mail room at 12:28 pm on March 21, 2022 in LIBERTY, MO 64068.

USPS Tracking Plus® Available ✓**✓ Delivered, Front Desk/Reception/Mail Room**

March 21, 2022 at 12:28 pm
LIBERTY, MO 64068

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only		SECTION ON DELIVERY	
For delivery information, visit our website at www.usps.com ®.		Liberty, MO 64068	
Certified Mail Fee \$3.75	0075 15	Printed Name <i>L. Mayes</i>	☐ Agent ☒ Addressee
Extra Services & Fees (check box, add fee) ☒ Return Receipt (hardcopy) \$0.00 ☐ Return Receipt (electronic) \$0.00 ☐ Certified Mail Restricted Delivery \$0.00 ☐ Adult Signature Required \$0.00 ☐ Adult Signature Restricted Delivery \$0.00	Postmark Here 03/18/2022	C. Date of Delivery	
Postage \$2.96		Address different from item 1? ☐ Yes Delivery address below: ☐ No	
Total Postage and Fees \$9.76			
Sent To Tiffany Francis, Claye BOE Dir 100 W. Mississippi St. Liberty, MO 64068-1623		Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	
PS Form 3800, April 2015 PSN 7530-02-000-0047 See Reverse for Instructions.		Collect on Delivery Restricted Delivery Insured Mail Insured Mail Restricted Delivery (over \$500)	
2. Article Number (Transfer from service label) 7021 2720 0000 0288 8593		Domestic Return Receipt	

Exhibit U

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number: 70212720000002888616**

Remove X

Your item was delivered to the front desk, reception area, or mail room at 12:28 pm on March 21, 2022 in LIBERTY, MO 64068.

USPS Tracking Plus® Available ✓**✓ Delivered, Front Desk/Reception/Mail Room**

March 21, 2022 at 12:28 pm
LIBERTY, MO 64068

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only		SECTION ON DELIVERY	
For delivery information, visit our website at www.usps.com ®.		☐ Agent ☐ Addressee	
Liberty, MO 64068		☒ Agent ☐ Addressee	
Certified Mail Fee	\$3.75	0075	15
Extra Services & Fees (check box, add fee to total)	\$3.05	Intended Name) C. Date of Delivery	
☒ Return Receipt (hardcopy)	\$0.00	☐ Yes ☐ No	
☐ Return Receipt (electronic)	\$0.00	Is different from item 1? ☐ Yes Delivery address below: ☐ No	
☐ Certified Mail Restricted Delivery	\$0.00	☐ Yes ☐ No	
☐ Adult Signature Required	\$0.00	☐ Yes ☐ No	
☐ Adult Signature Restricted Delivery	\$0.00	☐ Yes ☐ No	
Postage	\$2.96	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery	
Total Postage and Fees	\$9.76	☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	
Postmark Here	03/18/2022	☐ Signature Confirmation Restricted Delivery	
Sent To: Tom Brown Clay Co BoE Street and Apt. No., or PO Box No. 100 W. Mississippi St City, State, ZIP+4® Liberty, MO 64068-1623		Certified Delivery Registered Delivery Restricted Delivery	
PS Form 3811, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions		Certified Mail Registered Mail Restricted Delivery Registered Mail Restricted Delivery (over \$500)	
7021 2720 0000 0288 8616		Domestic Return Receipt	

Exhibit U

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70212720000002888623

Remove X

Your item was delivered to the front desk, reception area, or mail room at 12:28 pm on March 21, 2022 in LIBERTY, MO 64068.

USPS Tracking Plus® Available ∨

✓ **Delivered, Front Desk/Reception/Mail Room**

March 21, 2022 at 12:28 pm
LIBERTY, MO 64068

Feedback

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Liberty, MO 64068

Certified Mail Fee \$3.75
Extra Services & Fees (check box, add fee)
☒ Return Receipt (hardcopy) \$3.05
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

0075
15Postmark
Here

Postage \$2.96
Total Postage and Fees \$9.76

03/18/2022

Sent to
Anthony Bologna Clayco BOE
100 W. Mississippi St
Liberty, Mo 64068-1623

PS Form 3811, April 2015 PSN 7530-02-000-9053

See Reverse for Instructions

2. Article Number (Transfer from envelope label)
7021 2720 0000 0288 8623

☐ Collect on Delivery Restricted Delivery
Insured Mail
Insured Mail Restricted Delivery
(over \$500)

SECTION ON DELIVERY

L. Meyer ☐ Agent
Printed Name) ☐ Addressee
C. Date of Delivery

Is delivery address different from item 1? ☐ Yes
Is delivery address below: ☐ No

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Exhibit U

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number:** 70212720000002888630

Remove X

Your item was delivered to the front desk, reception area, or mail room at 12:28 pm on March 21, 2022 in LIBERTY, MO 64068.

USPS Tracking Plus® Available ✓**✓ Delivered, Front Desk/Reception/Mail Room**

March 21, 2022 at 12:28 pm
LIBERTY, MO 64068

Feedback

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Liberty, MO 64068

Certified Mail Fee	\$3.75	0075
Extra Services & Fees (check box, add fee to postage)	\$3.05	15
☒ Return Receipt (hardcopy)	\$0.00	
☐ Return Receipt (electronic)	\$0.00	
☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$2.96	
Total Postage and Fees	\$9.76	03/18/2022

Postmark Here

Sent To
Theima Crawford Clay Co Sect.
Street and Apt. No., or PO Box No.
100 W. Mississippi St
City, State, ZIP+4®
Liberty, Mo 64068-1623

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SECTION ON DELIVERY

L. Myers ☐ Agent
☒ Addressee
Printed Name C. Date of Delivery

Is delivery address different from item 1? ☐ Yes
Is delivery address below: ☐ No

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Restricted Delivery
Restricted Delivery

☐ Collect on Delivery Restricted Delivery
Insured Mail
Insured Mail Restricted Delivery
(over \$500)

2. Article Number (Transfer from service label)
7021 2720 0000 0288 8630

Domestic Return Receipt

Exhibit U

**Notice and Demand
Affidavit of Maladministration
Legal Notice and Warning
Notice to Secure Surety Bond / Insurance Liability Policy
Notice of Misrepresentation, Misconduct and Fraud**

Tammy Brown,
Jackson County Republican Election Director

Sara Zorich,
Jackson County Democrat Election Director

Jim McKinzie,
Jackson County Assistant Election Director

Lisa Cayer,
Assistant Election Director

Michael K. Whitehead,
Jackson County Election Chairman

Colleen M. Scott,
Jackson County Election Member

Henry R. Carner,
Jackson County Election Member

Vernon E Scoville, III,
Jackson County Election Secretary

**NOTICE TO AGENT IS NOTICE TO PRINCIPAL AND NOTICE TO
PRINCIPAL IS NOTICE TO AGENT**

Comes now Affiant, Tracy Welborn, one of the people (as seen in Missouri Constitution Bill of Rights Article 1, Section 2), Sui Juris, in this Court of Record, bring the following claims and facts that you and your agents, serving as elected servants and trustees of the People, must provide due care and remember your Oath of Office which binds you.

USPS Tracking®[FAQs >](#)**Track Another Package +****Tracking Number: 70211970000053540736**[Remove X](#)

Your item was delivered to an individual at the address at 12:29 pm on March 21, 2022 in INDEPENDENCE, MO 64050.

USPS Tracking Plus® Available **✓ Delivered, Left with Individual**

March 21, 2022 at 12:29 pm
INDEPENDENCE, MO 64050

[Feedback](#)

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only		SECTION ON DELIVERY	
For delivery information, visit our website at www.usps.com ®.			
Independence, MO 64050			
Certified Mail Fee \$3.75	0075 15	☐ Agent	✓
Extra Services & Fees (check box, add fee as appropriate)	Postmark Here	☐ Addressee	
☒ Return Receipt (hardcopy) \$0.00	03/18/2022	Printed Name)	C. Date of Delivery
☐ Return Receipt (electronic) \$0.00		Address different from item 1? ☐ Yes	delivery address below: ☐ No
☐ Certified Mail Restricted Delivery \$0.00			
☐ Adult Signature Required \$0.00			
☐ Adult Signature Restricted Delivery \$0.00			
Postage \$3.16			
Total Postage and Fees \$9.96			
Sent To Tammy Brown, JCBOE Dir 215 N. Liberty, Box 296 Indep., Mo 64050		☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	✓
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions			
7021 1970 0000 5354 0736			
PS Form 3811, July 2020 PSN 7530-02-000-905°		Domestic Return Receipt	

Exhibit U

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number: 70212720000002888517****Remove X**

Your item was delivered to an individual at the address at 12:29 pm on March 21, 2022 in INDEPENDENCE, MO 64050.

USPS Tracking Plus® Available ∨**✓ Delivered, Left with Individual**

March 21, 2022 at 12:29 pm
INDEPENDENCE, MO 64050

Feedback

Get Updates >

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.**Independence, MO 64050**

Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee to total)	\$3.05
☒ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$3.16
Total Postage and Fees	\$9.96

0075
15Postmark
Here

03/18/2022

Sent To: **Sara Zorich JCBOE Dir**
Street and Apt. No., or PO Box No.: **215 N. Liberty, Box 296**
City, State, ZIP+4®: **Indep. Mo 64050**

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

2. Article Number (Transfer from service label)

7021 2720 0000 0288 8517

☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery
over \$500

SECTION ON DELIVERY

☐ Agent
☐ Addressee

Printed Name)

C. Date of Delivery

Is delivery address different from item 1? ☐ Yes
Delivery address below: ☐ No

☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Restricted Delivery

Restricted Delivery

Domestic Return Receipt

Exhibit U

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70212720000002888524

Remove X

Your item was delivered to an individual at the address at 12:29 pm on March 21, 2022 in INDEPENDENCE, MO 64050.

USPS Tracking Plus® Available ✓

✓ Delivered, Left with Individual

March 21, 2022 at 12:29 pm
INDEPENDENCE, MO 64050

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only		SECTION ON DELIVERY	
For delivery information, visit our website at www.usps.com ®.			
Independence, MO 64050			
Certified Mail Fee \$3.75	0075 15	☐ Agent	✓
Extra Services & Fees (check box, add fee to total)		☐ Addressee	
☒ Return Receipt (hardcopy) \$0.00		Printed Name	C. Date of Delivery
☐ Return Receipt (electronic) \$0.00			
☐ Certified Mail Restricted Delivery \$0.00	Postmark Here	Address different from item 1? ☐ Yes	✓
☐ Adult Signature Required \$0.00		Delivery address below: ☐ No	
☐ Adult Signature Restricted Delivery \$0.00			
Postage \$3.16	03/18/2022		✓
Total Postage and Fees \$9.96			
Sent To		☐ Priority Mail Express®	✓
Street and Apt. No., or PO Box No.		☐ Registered Mail™	
215 N. Liberty, Box 296		☐ Registered Mail Restricted Delivery	
City, State, ZIP+4®		☐ Signature Confirmation™	
Indep., Mo 64050		☐ Signature Confirmation Restricted Delivery	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions		☐ Collect on Delivery Restricted Delivery	
2. Article Number (transfer from service label)		☐ Insured Mail over \$500	
7021 2720 0000 0288 8524			
PS Form 3811, July 2020 PSN 7530-02-000-90			
		Domestic Return Receipt	

Exhibit U

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number: 70212720000002888531****Remove X**

Your item was delivered to an individual at the address at 12:29 pm on March 21, 2022 in INDEPENDENCE, MO 64050.

USPS Tracking Plus® Available ▾**✓ Delivered, Left with Individual**

March 21, 2022 at 12:29 pm
INDEPENDENCE, MO 64050

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only		SECTION ON DELIVERY	
For delivery information, visit our website at www.usps.com ®.			
Independence, MO 64050			
Certified Mail Fee \$ 3.75	0075 15	☐ Agent ☐ Addressee	✓
Extra Services & Fees (check box, add fee to postage) ☒ Return Receipt (hardcopy) \$ 3.05 ☐ Return Receipt (electronic) \$ 0.00 ☐ Certified Mail Restricted Delivery \$ 0.00 ☐ Adult Signature Required \$ 0.00 ☐ Adult Signature Restricted Delivery \$ 0.00	Postmark Here	inted Name)	C. Date of Delivery
Postage \$ 3.16	03/18/2022	ss different from item 1? ☐ Yes	✓
Total Postage and Fees \$ 9.96		livery address below: ☐ No	✓
Sent To Lisa Cayer, Jr BOE Asst Dir			
Street and Apt. No., or PO Box No. 215 N Liberty, Box 296			
City, State, ZIP+4® Indep., Mo 64050			
PS Form 3800, April 2015 PSN 7530-02-000-9053	See Reverse for Instructions	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	✓
Article Number (transfer from service label) 7021 2720 0000 0288 8531		nsured Mail nsured Mail Restricted Delivery (over \$500)	
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	

Exhibit U

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70212720000002888548

Remove X

Your item was delivered to an individual at the address at 12:29 pm on March 21, 2022 in INDEPENDENCE, MO 64050.

USPS Tracking Plus® Available ✓

✓ Delivered, Left with Individual

March 21, 2022 at 12:29 pm
INDEPENDENCE, MO 64050

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only		SECTION ON DELIVERY	
For delivery information, visit our website at www.usps.com ®.			
Independence, MD 64050		☐ Agent ☐ Addressee	
Certified Mail Fee \$3.75 Extra Services & Fees (check box, add fee) ☒ Return Receipt (hardcopy) \$0.00 ☐ Return Receipt (electronic) \$0.00 ☐ Certified Mail Restricted Delivery \$0.00 ☐ Adult Signature Required \$0.00 ☐ Adult Signature Restricted Delivery \$0.00	0075 15	Printed Name)	C. Date of Delivery
Postage \$3.16 Total Postage and Fees \$9.96	Postmark Here 03/18/2022	Address different from item 1? ☐ Yes Delivery address below: ☐ No	
Sent To Michael K. Whitehead Jr BOE Chair Street and Apt. No., or PO Box No. 215 Liberty, Box 296 City, State, ZIP+4® Indep, Mo 64051		☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	
PS Form 3800, April 2015 PSN 7530-02-000-9047		See Reverse for Instructions	
Barcode Number (transfer from service label) 7021 2720 0000 0288 8548		☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500)	
PS Form 3811, July 2020 PSN 7530-02-000-9053			
Domestic Return Receipt		Domestic Return Receipt	

Exhibit U

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number:** 70212720000002888562

Remove X

Your item was delivered to an individual at the address at 12:29 pm on March 21, 2022 in INDEPENDENCE, MO 64050.

USPS Tracking Plus® Available ✓**✓ Delivered, Left with Individual**

March 21, 2022 at 12:29 pm
INDEPENDENCE, MO 64050

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only		SECTION ON DELIVERY	
For delivery information, visit our website at www.usps.com ®.		☐ Agent ☐ Addressee	
Independence, MO 64050		☐ Printed Name) ☐ C. Date of Delivery	
Certified Mail Fee \$ 3.75	0075 15	☐ Yes ☐ No	
Extra Services & Fees (check box, add fee to postage) ☒ Return Receipt (hardcopy) \$ 3.05 ☐ Return Receipt (electronic) \$ 0.00 ☐ Certified Mail Restricted Delivery \$ 0.00 ☐ Adult Signature Required \$ 0.00 ☐ Adult Signature Restricted Delivery \$ 0.00	Postmark Here	☐ Yes ☐ No	
Postage \$ 3.16	03/18/2022	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery	
Total Postage and Fees \$ \$9.96		☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	
Sent To Colleen M. Scott TCBD Street and Apt. No., or PO Box No. 215 N. Liberty, Box 296 City, State, ZIP+4® Indep. Mo 64050	PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions	☐ Restricted Delivery ☐ Restricted Delivery	
Article Number (Transfer from Service Label) 7021 2720 0000 0288 8562		Insured Mail Insured Mail Restricted Delivery (over \$500)	
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	

Exhibit U

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number:** 70212720000002888579

Remove X

Your item was delivered to an individual at the address at 12:29 pm on March 21, 2022 in INDEPENDENCE, MO 64050.

USPS Tracking Plus® Available ✓**✓ Delivered, Left with Individual**

March 21, 2022 at 12:29 pm
INDEPENDENCE, MO 64050

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only For delivery information, visit our website at www.usps.com ®.		SECTION ON DELIVERY	
Independence, MO 64050		☐ Agent ☐ Addressee	
Certified Mail Fee \$ 3.75	0075 15	(Printed Name) C. Date of Delivery	✓
Extra Services & Fees (check box, add fee) ☒ Return Receipt (hardcopy) \$ 0.00 ☐ Return Receipt (electronic) \$ 0.00 ☐ Certified Mail Restricted Delivery \$ 0.00 ☐ Adult Signature Required \$ 0.00 ☐ Adult Signature Restricted Delivery \$ 0.00	Postmark Here	Is different from item 1? ☐ Yes Delivery address below: ☐ No	✓
Postage \$ 3.16	03/18/2022		✓
Total Postage and Fees \$ 9.96			✓
Sent To Henry R. Carner, Jr. BOE 215 N. Liberty, Box 296 Indep. Mo 64050		☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	✓
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions		☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500)	
7021 2720 0000 0288 8579		Domestic Return Receipt	
PS Form 3811, July 2020 PSN 7530-02-000-9053			

See Less

Exhibit U

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70212720000002888555

Remove X

Your item was delivered to an individual at the address at 12:29 pm on March 21, 2022 in INDEPENDENCE, MO 64050.

USPS Tracking Plus® Available ✓

✓ Delivered, Left with Individual

March 21, 2022 at 12:29 pm
INDEPENDENCE, MO 64050

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Independence, MO 64050	
Certified Mail Fee \$3.75	0075 15
Extra Services & Fees (check box, add fee)	Postmark: Here
☒ Return Receipt (hardcopy) \$3.05	03/18/2022
☐ Return Receipt (electronic) \$0.00	
☐ Certified Mail Restricted Delivery \$0.00	
☐ Adult Signature Required \$0.00	
☐ Adult Signature Restricted Delivery \$0.00	
Postage \$3.16	
Total Postage and Fees \$9.96	
Sent To: Vernon E. Scoville, III Jacob Secty	
Street and Apt. No., or PO Box No. 215 N. Liberty, Box 296	
City, State, ZIP+4® Indep, Mo 64050	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	
7021 2720 0000 0288 8555	
PS Form 3811, July 2020 PSN 7530-02-000-9053	

SECTION ON DELIVERY	
☐ Agent	✓
☐ Addressee	✓
Printed Name)	C. Date of Delivery
Address different from item 1?	☐ Yes
Delivery address below:	☐ No
☐ Priority Mail Express®	✓
☐ Registered Mail™	
☐ Registered Mail Restricted Delivery	
☐ Signature Confirmation™	
☐ Signature Confirmation Restricted Delivery	

Exhibit U

**Notice and Demand
Affidavit of Maladministration
Legal Notice and Warning
Notice to Secure Surety Bond / Insurance Liability Policy
Notice of Misrepresentation, Misconduct and Fraud**

Jim Murphy,
Missouri State Representative

Michael O'Donnell,
Missouri State Representative

Dan Shaul,
Missouri State Representative,
Election Committee Chairman

Kurt Bahr,
St. Charles County Director of Elections

Eric Fey,
St. Louis County Director of Elections

Rick Stream,
St. Louis County Director of Election

**NOTICE TO AGENT IS NOTICE TO PRINCIPAL AND NOTICE TO
PRINCIPAL IS NOTICE TO AGENT**

Comes now Affiant, Tracy Welborn, one of the people (as seen in Missouri Constitution Bill of Rights Article 1, Section 2), Sui Juris, in this Court of Record, bring the following claims and facts that you and your agents, serving as elected servants and trustees of the People, must provide due care and remember your Oath of Office which binds you.

15 CSR 30-10.010 states it is the responsibility of the Secretary of State, chief election official of the State of Missouri, to be, "the chief custodian of the electronic

Plaintiff Pro se

CERTIFICATION OF SERVICE

I certify that a copy of this Notice of Maladministration was served on February 19, 2022, via PERSONAL service to the Respondent Jim Murphy, at 3200 Lemay Ferry Rd., St. Louis, Mo. 63125

2/19/2022



Service accepted by:


Service performed by:

Plaintiff Pro se

CERTIFICATION OF SERVICE

I certify that a copy of this Notice of Maladministration was served on February 19, 2022, via PERSONAL service to the Respondent, Michael O'Donnell, at 3200 Lemay Ferry Rd., St. Louis, Mo. 63125

2/19/2022
Refused
Service
[Signature]

Service accepted by:

[Signature]
Service performed by:

Plaintiff Pro se

CERTIFICATION OF SERVICE

I certify that a copy of this Notice of Maladministration was served on February 19, 2022, via PERSONAL service to the Respondent, Dan Shaul, at 3200 Lemay Ferry Rd., St. Louis, Mo. 63125

2/19/2022
Refused
Service
[Signature]

Service accepted by:

[Signature]
Service performed by:

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number: 70211970000053540675****Remove X**

Your item was delivered to the front desk, reception area, or mail room at 2:16 pm on February 28, 2022 in SAINT CHARLES, MO 63301.

USPS Tracking Plus® Available ✓**✓ Delivered, Front Desk/Reception/Mail Room**

February 28, 2022 at 2:16 pm
SAINT CHARLES, MO 63301

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only		SECTION ON DELIVERY	
For delivery information, visit our website at www.usps.com ®.		5C ☐ Agent	
Saint Charles, MO 63301		☐ Address	
Certified Mail Fee	\$3.75	nted Name)	C. Date of Delive
Extra Services & Fees (check box, add fee as appropriate)	\$3.05	9	2-28
☒ Return Receipt (hardcopy)	\$0.00	is different from item 1? ☐ Yes	
☐ Return Receipt (electronic)	\$0.00	very address below: ☐ No	
☐ Certified Mail Restricted Delivery	\$0.00		
☐ Adult Signature Required	\$0.00		
☐ Adult Signature Restricted Delivery	\$0.00		
Postage	\$2.96		
Total Postage and Fees	\$9.76		
Postmark: FEB 23 2022			
To: Kurt Bahr, SCC Dir BOP			
Street and Apt. No., or PO Box No.			
201 N. Second St			
City, State, ZIP+4®			
St Charles, Mo 63301			
PS Form 3800, April 2015 PSN 7530-02-000-0047 See Reverse for Instructions			
2. Article Number (Transfer from service label)		☐ Collect on Delivery Restricted Delivery	
7021 1970 0000 5354 0675		☐ Registered Mail™	
		☐ Registered Mail Restricted Delivery	
		☐ Signature Confirmation™	
		☐ Signature Confirmation Restricted Delivery	
PS Form 3811, July 2020 PSN 7530-02-000-9053			
Domestic Return Receipt			

Exhibit U

USPS Tracking®

FAQs >

Track Another Package +**Tracking Number:** 70211970000053540668

Remove X

Your item was delivered to the front desk, reception area, or mail room at 2:00 pm on February 26, 2022 in SAINT LOUIS, MO 63105.

USPS Tracking Plus® Available ✓**✓ Delivered, Front Desk/Reception/Mail Room**

February 26, 2022 at 2:00 pm
SAINT LOUIS, MO 63105

Feedback

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only		SECTION ON DELIVERY	
For delivery information, visit our website at www.usps.com ®.			
Saint Louis, MO 63105			
Certified Mail Fee	\$3.75	☐ Agent	
Extra Services & Fees (check box, add fee as indicated)	\$3.05	☐ Addressee	
☒ Return Receipt (hardcopy)	\$0.00	C. Date of Delivery	
☐ Return Receipt (electronic)	\$0.00		
☐ Certified Mail Restricted Delivery	\$0.00	Is different from item 1? ☐ Yes	
☐ Adult Signature Required	\$0.00	Delivery address below: ☐ No	
☐ Adult Signature Restricted Delivery	\$0.00		
Postage	\$2.96		
Total Postage and Fees	\$9.76		
Sent to: Eric Fey, Dir of Elections		☐ Priority Mail Express®	
Street and Apt. No., or PO Box No. 419 Central		☐ Registered Mail™	
City, State, ZIP+4® Clayton, Mo 63105		☐ Registered Mail Restricted Delivery	
PS Form 3811, April 2015 PSN 7530-02-000-9053		☐ Signature Confirmation™	
2. Article Number (transfer from service label)		☐ Signature Confirmation Restricted Delivery	
7021 1970 0000 5354 0668		☐ Insured Mail over \$500	
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	

Exhibit U

Certification Of Service

I certify that a copy of this Notice of Maladministration was served February 19, 2022, via PERSONAL service to the Respondent, Rick Stream, at 3200 Lemay Ferry Rd., St. Louis Missouri 63125

Hand
delivered
2/19/22

Service Accepted by

Service Performed by

AFFIDAVIT IN SUPPORT OF NOTICE AND DEMAND OF MALADMINISTRATION

Being the sole Federal Election authority, the U.S. Election Assistance Commission (EAC) oversees the definition of federal voting system certification requirements. The EAC also oversees the thorough, independent testing process which determines whether a voting system meets those requirements, including those standards designed to ensure the systems accuracy. There are two types of certifications granted after this required testing;

A) A **Certificate of Conformance** is provided to Manufacturers for voting systems that have successfully met the standard of the EAC Certification Program. The EAC certificate shall be signed by the EAC Executive Director. (Testing & Certification Program Manual ver. 2.0, age 49, section 5.11)

B) A **Certificate of Accreditation** is the document issued by the EAC and signed by the EAC *Chairperson* to certify the laboratory used to test our voting machines. A laboratory being accredited is what gives them the authority to certify our voting systems. This accreditation vetting includes providing the following-

- *Conflict of Interest policy
- *Company Annual Report
- *Names of Board of Directors (Current & Previous)
- *Major shareholders
- *Insurance Bond
- *Audited Financials

Under VSTL version 2.0 Section 3.8 guidelines: "A grant of accreditation is valid for a period not to exceed two years. A VSTL's accreditation expires on the date annotated on the Certificate of Accreditation."

The 3 laboratories used in the State of Missouri to certify our election machines for the 2020 General Election were **Pro V&V Inc, SLI Compliance Division of Gaming Laboratories, and NTS Huntsville.**

The provided spreadsheet contains data pulled from Missouri's Secretary of State website. This data shows the following pertaining to the 2020 election; MO counties, the machine manufacturer, what election software was used as well as the latest version of that software at the time of election, and the laboratory that performed the testing.

Of the 86 voting districts verified, **10** used the **Pro V&V Laboratory**, **5** used **SLI Compliance Division of Gaming Laboratories**, and **71** used **NTS Huntsville**. Per documents received via open-source information from the Missouri Secretary of State sharefile website and Sunshine requests, there is solid evidence all EAC Laboratories used to test and certify MO's voting machines for the 2020 election were, and still, not lawfully accredited. They are not in compliance with the federal 2002 HAVA ACT and EAC policy guidelines. Therefore, none of the

AFFIDAVIT IN SUPPORT OF NOTICE AND DEMAND OF MALADMINISTRATION

machines used in Missouri in the 2020 election were certified to be in use. Rendering any vote tabulated on any of these machines not legal.

Let's start with the most widely used laboratory statewide, NTS Huntsville.

An important fact here is that NTS is the former Wyle Laboratories. NTS acquired Wyle Laboratories in a letter to the EAC on March 5, 2014¹. Wyle's last accreditation certificate was effective through April 27, 2012. However, once NTS Laboratories absorbed Wyle in 2014, They never received THEIR legal accreditation, or an Accreditation Certificate. All 71 MO counties also report using the same, very outdated version of the software, version 1.3. However, oddly enough, this version of OpenElect 1.3 was granted a Certificate of *Conformity* by the EAC in January of 2015 without ever having an accredited laboratory test this update. This is in direct violation of the Election Assistance Commission's own policies and the HAVA ACT 2002. When requesting the lab accreditation for these 71 counties machines, the Secretary of State's office answered with the Wyle Laboratories Inc. Certificate of Accreditation dated 5/04/10 expiring 04/27/2012.²

Now let's talk about the 2nd laboratory, SLI Compliance Division of Gaming Laboratories. 10 MO counties used this lab for their 2020 election machines. Per the EAC's own "Voting System Testing and Certification Program Manual, Version 2.0" any modifications made to Missouri voting machine software requires testing by accredited laboratories.

3.1. Overview. An EAC certification signifies that a voting system has been successfully tested against an identified voting system standard adopted by the EAC. Only the EAC can issue a Federal certification. Ultimately, systems must be submitted for testing and certification under this program to receive this certification. **Systems will usually be submitted when** (1) they are new to the marketplace, (2) they have never before received an EAC certification, (3) **they are modified**, or (4) the Manufacturer wishes to test a previously certified system to a different (newer) standard. This chapter discusses the submission of de minimis change orders, which may not require additional testing and certification. Additionally, this chapter outlines provisional, pre-election emergency modifications, which provide for pre-election, emergency waivers.

For these 10 MO counties, SLI Compliance supposedly tests their voting machine software modifications, however, their accreditation certificate expired in 2/28/2009³. So how did Hart

¹ https://www.eac.gov/sites/default/files/voting_system_test_lab/files/2014.03.05.NTS_Acquisition_Ltr.pdf

²

https://www.eac.gov/sites/default/files/voting_system_test_lab/files/Wyle%20Accreditation%20certificate%202010.pdf

³ See Notice Of Maladministration EXHIBIT "K"

AFFIDAVIT IN SUPPORT OF NOTICE AND DEMAND OF MALADMINISTRATION

InterCivic have a major update⁴ to their Verity software (version 2.3) in 2019 without the testing of an accredited lab? Again, illegal.

Lastly, Pro V&V Inc.'s last valid accreditation⁵ expired February 24, 2017, despite the machines receiving a Certificate of Conformance in October 17, 2017 for the OpenElect software update from 1.3 to 2.0. Who was the accredited lab that tested this new update prior to the 2020 election?

With the receipt of this knowledge, it is your duty of office and responsibility to your Oath of Office to investigate any Policies, State or Federal laws which have been ignored side-stepped or broken. Choosing to do nothing, your office will be complicit in Federal criminal fraud charges. These findings of Election Fraud must immediately be brought to the appropriate authorities and the public made aware. The 2020 General Election, up and down the ballot, must be Decertified in the State of Missouri due to the illegal EAC voting machine laboratory certificates.

Fraud vitiates the most solemn contracts, documents and even judgements..., or perjured evidence, or for any matter which was actually considered in the judgment assailed. UNITED STATES v. THROCKMORTON

To hold power as an elected official through deceit, lies and fraud for the sole purpose of holding onto power is despicable and despicable. I look forward to an explanation as to how your office will move forward with this matter.

Alison Graeff

4

[https://www.eac.gov/sites/default/files/voting_system/files/Hart Intercivic Verity Voting 2.3 Certification Modification Test Report v1.3 - FINAL2.pdf](https://www.eac.gov/sites/default/files/voting_system/files/Hart%20Intercivic%20Verity%20Voting%202.3%20Certification%20Modification%20Test%20Report%20v1.3%20-%20FINAL2.pdf)

5

[https://www.eac.gov/sites/default/files/voting_system/files/AttachmentJ VerityVoting2 0to2 3SystemModifications.pdf](https://www.eac.gov/sites/default/files/voting_system/files/AttachmentJ%20VerityVoting2%20to%203SystemModifications.pdf)

⁶ See Notice Of Maladministration EXHIBIT "G"

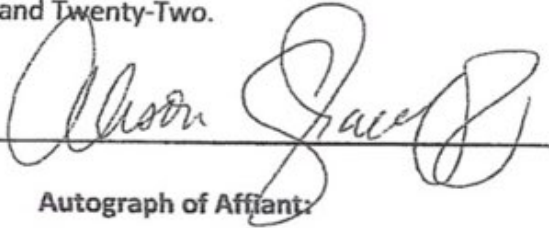
STATE	COUNTY	MANUFACTURER	PRODUCT	VERSION	CERTIFICATION	ISSUE	LAST CERTIFIED
Missouri	Jackson County	Unisyn	OpenElect	2 Pro V&V		Invalid Signature; Accreditation expired	2/24/2017
Missouri	Cass County	Unisyn	OpenElect	2.1 Pro V&V		Invalid Signature; Accreditation expired	2/24/2017
Missouri	Clay County	Unisyn	OpenElect	2.1 Pro V&V		Invalid Signature; Accreditation expired	2/24/2017
Missouri	Cedar County	Unisyn	OpenElect	2.1 Pro V&V		Invalid Signature; Accreditation expired	2/24/2017
Missouri	Barry County	Unisyn	OpenElect	2.1 Pro V&V		Invalid Signature; Accreditation expired	2/24/2017
Missouri	Pettis County	Unisyn	OpenElect	2.1 Pro V&V		Invalid Signature; Accreditation expired	2/24/2017
Missouri	Livingston County	Dominion	D-Suite	5.5 Pro V&V		Invalid Signature; Accreditation expired	2/24/2017
Missouri	Polk County	Dominion	D-Suite	5.5 Pro V&V		Invalid Signature; Accreditation expired	2/24/2017
Missouri	Butler County	Dominion	D-Suite	5.5 Pro V&V		Invalid Signature; Accreditation expired	2/24/2017
Missouri	Pemiscot County	Dominion	D-Suite	5.5 ProV&V		Invalid Signature; Accreditation expired	2/24/2017
Missouri	Washington County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Monroe County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Lewis County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Shelby County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Clinton County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Stone County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Jefferson County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Marion County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Knox County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Madison County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Clark County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Douglas County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Franklin County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Ripley County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Christian County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Dallas County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Lawrence County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Morgan County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Perry County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Randolph County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Benton County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017
Missouri	Howard County	Unisyn	OpenElect	1.3 Wyle / NTS		No Certification	3/13/2017

Missouri	Miller County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Pulaski County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Scott County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Atchison County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Barton County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Linn County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	St. Charles County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Holt County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Wayne County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Webster County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Putnam County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Caldwell County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Iron County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Buchanan County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Andrew County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Audrain County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Bates County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Bollinger County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Camden County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Cape Girardeau County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Chariton County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Cole County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Dade County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Daviess County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	DeKalb County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Dent County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Dunklin County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Gentry County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Hickory County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Howell County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	New Madrid County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017
Missouri	Oregon County	Unisyn	Open/Elect	1.3 Wyle / NTS	No Certification	3/13/2017

Verification

I hereby declare, certify, and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the provisions of 28 USC § 1746 that all the above and foregoing representations are true and correct to the best of my knowledge, information, and belief.

Executed in St. Charles County, Missouri on this 22nd day of February in the year of Our Lord Two Thousand and Twenty-Two.


Autograph of Affiant:

Notary as JURAT CERTIFICATE:

Missouri State
St Charles County

On this 19th day of February, 2022, before me,
Alison Graeff, a Notary Public, personally appeared
Mehmesh Khan Name of Affiant, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their autograph(s) on the instrument the person executed, the instrument.

I certify under PENALTY OF PERJURY under the lawful laws of the State of Missouri and that the foregoing paragraph is true and correct.

WITNESS my hand and official

seal

Signature of Notary / Jurat



