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Cybersecurity and Infrastructure Security Agency (CISA)  
Cybersecurity Division  
245 Murray Lane, SW  
Washington, D.C. 20528  
[cisaservice@cisadhs.gov](mailto:cisaservice@cisadhs.gov)

To Whom It May Concern:

Attached please find an Open Letter in which a collective of Ohio voters informed the Ohio Attorney General as well as the majority of County Boards of Elections (who in turn notified the Ohio Secretary of State), from February to April 2024, of concerns which the collective believes warrant immediate investigation and resolution prior to the November 2024 elections. The concerns addressed HAVA implementation in Ohio, particularly whether the electronic voting machines currently in use are properly certified under Ohio law (using 2005 EAC standards) and whether they can produce valid results which can be confirmed with mathematical proofs. It also appears that the EAC lab accreditation system is not functional or compliant. I no longer have confidence that my state and local government can administer free and transparent elections and believe that my civil rights will be violated without swift intervention before the upcoming November elections. If these elections proceed under the current system, I believe Ohio voters face a real risk of irreparable harm.

Despite expressing these concerns to state and local governments in the Open Letter, the Ohio General Assembly is currently introducing legislation in the State House and Senate which does not address these issues or the lack of transparency inherent in the current electronic voting systems for the upcoming November elections. I see no apparent effort to investigate or respond to the concerns raised in the Open Letter, which addresses fundamental issues of HAVA compliance and the constitutional rights of Ohio voters.

The Open Letter highlights the Ohio Secretary of State's Everest Report from 2007, which concluded that "[t]he security of the studied election systems is crippled by flaws in its design and implementation. Therefore, after an extensive analysis, the teams unanimously believe that such flaws mandate fundamental and broad reengineering before the technical protections can approach the goal of guaranteeing trustworthy elections." In addition, the Open Letter discusses that, as early as 2004, Ohio was placed on notice by

whistleblower testimony that it was possible to manipulate source code in tabulating machines and to manipulate results without such manipulation being easily detectable (and some code could self-delete upon execution). That problem remains a concern to this day. Dr. Alex Halderman similarly concluded in *Curling v. Raffensburger* (per Judge Totenberg) that, even with the "updated" machines in Georgia:

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risk-limiting audit of only one contest every two years, so the vast majority of elections and contests have no such assurance. And even the most robust risk-limiting audit can only assess an election outcome; it cannot evaluate whether individual votes counted as intended. . . .

Additionally, in March 2024, the Barry County (Michigan) Sheriff, Dar Leaf, raised “national security concerns” based on his investigation. He submitted supporting documents to the U.S. House of Representatives through Representative Jim Jordan. Sheriff Dar Leaf has made documents from his investigation publicly available. We call upon you to take careful heed of the growing amount of evidence bringing the security of these systems under greater scrutiny. We urge you to contact and interview the experts and whistleblowers cited in the Open Letter.

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This matter is now time sensitive with the upcoming November 2024 elections. The core concerns discussed here and in more detail in the Open Letter have not been addressed by state and local government and are still not being addressed by the General Assembly in the current so-called reforms being contemplated in Ohio HB 472 and SB 274. Each bill persists in maintaining a highly flawed and non-transparent certification system for voting systems and provides a token gesture of an additional layer of unknown and unaccountable third-party technical experts. Indeed, the General Assembly's current legislative solution would bring less transparency when the opposite is needed. It should be self-evident that the answer to breaking down non-transparent and unaccountable bureaucratic structures is not to add even more layers of bureaucracy or, worse still, to outsource such serious responsibility outside the government to persons who cannot be held democratically accountable. I believe this is entirely inconsistent with my First Amendment right to be heard as a voter and to be assured that my vote is counted. Indeed, Ohio law required that the counting of votes is to be observed by people, not indirectly by technical experts (see O.R.C. sections 3505.21 and 3505.32).

The General Assembly's proposed “solution” of bringing in unaccountable “experts” brings even less transparency to the certification and compliance process and undermines accountability and public trust in the election process. This is alarming and unacceptable. Ohio law contains a right to observe the actual counting of the vote, and machines, which tally scanned ballots through an unaccountable and non-transparently programmed and maintained “black box,” deprive Ohio voters and candidates of this right. I am holding you responsible for ensuring that Ohio voters are heard and that their votes can be observed to be counted, as contemplated in Ohio and federal law. It is your responsibility to ensure that Ohio elections are administered consistent with the U.S. Constitution and HAVA.

Given the above concerns and those raised in the Open Letter, I urge you to investigate and if necessary, act on this matter as a matter of national security and as a voter rights issue which requires resolution prior to the November 2024 elections.

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Sincerely,

U.S. Election Assistance Commission  
Office of Inspector General  
633 3rd Street NW, Suite 200  
Washington, DC 20001  
[EACOIG@eac.gov](mailto:EACOIG@eac.gov)

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U.S. Department of Justice  
National Security Division  
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Washington DC 20530  
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Civil Rights Division  
Voting Section  
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