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New Federal Rules Could Cost Texas Counties Big Money

Bottom Line: A new federal order requires voting machines to meet updated standards by September 2025. No machines from major vendor ES&S currently meet these requirements, putting Texas counties at financial risk.[1]

The Problem in Simple Terms

Remember the first iPhone from 2007? No apps, no camera flash, and security so weak that basic passwords could protect it. Today's iPhones have military-grade encryption, biometric security, and get security updates every few weeks. Yet our voting machines—which protect our most valuable commodity as Americans, our vote—are still being held to 2005 standards that predate even that first iPhone.

Are we really okay with 20-year-old security standards protecting our republic when we wouldn't accept them for our phones? President Trump's March 25 executive order[2] finally says "no more" by banning barcodes/QR codes on ballots and requiring machines to meet current federal standards within 180 days.

Why This Matters to Texas Taxpayers

The equipment doesn't exist yet. As of June 4, 2025, no voting systems from any manufacturer are certified to the required VVSG 2.0 standards.

About the Testing & Certification Program

HAVA mandates that EAC accredit voting system test laboratories and certify voting equipment, marking the first time the federal government has offered these services to the states. Participation by states in EAC's certification program is voluntary. The EAC's full accreditation and certification program became effective in January 2007. For more information, view the Voting System Testing and Certification Program Manual.

Voting systems will be tested against the voluntary voting system guidelines (VVSG), which are a set of specifications and requirements to determine if the systems provide all of the basic functionality, accessibility and security capabilities required.

View system information for each manufacturer below.

Voting System Name	Manufacturer	Testing Standard
	- Any - ⌄	VVSG 2.0 ⌄

Certification Date From	Certification Date To	
mm/dd/yyyy 📅	mm/dd/yyyy 📅	**Apply** Reset

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[1] EAC Certified Voting Systems: https://www.eac.gov/voting-equipment/certified-voting-systems
[2] Executive Order 14248: https://www.whitehouse.gov/presidential-actions/2025/03/preserving-and-protecting-the-integrity-of-american-elections/

Currently, three systems are in VVSG 2.0 testing, but ES&S (used by many Texas counties) hasn't even submitted an application for VVSG 2.0 certification yet. Hart InterCivic has not submitted any current systems for VVSG 2.0 certification.

Voting Systems Under Test

Wednesday, January 24, 2024

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EAC Certification Program is to provide clear procedures to Manufacturers for the testing and certification of voting systems to specified Federal standards consistent with the requirements of HAVA Section 231(a)(1).

Under this program, the testing and review process requires the completion of an application, employment of an EAC-accredited laboratory for system testing, and technical analysis of the laboratory test report by the EAC. The result of this process is an Initial Decision on Certification.

Below is a list and status of all voting systems currently in for EAC certification.

Certified Voting Systems | Terminated Systems | Withdrawn or Decertified Systems | Voting Systems Under Test

Displaying 1-3 of 3

Voting System Name	Manufacturer	Testing Standard
	- Any -	VVSG 2.0

Apply   Reset

Voting System (Name/Version) ▲	VSTL	Manufacturer	Testing standard	Application Accepted Date	Phase of Test Campaign
Verity Vanguard 1.0	SLI Compliance, a Division of Gaming Laboratories International, LLC	Hart InterCivic, Inc.	VVSG 2.0	2024-05-14	Testing Completed
VotingWorks VxSuite 4.0	SLI Compliance, a Division of Gaming Laboratories International, LLC	VotingWorks	VVSG 2.0	2025-01-14	System Under Test
VSR1 2.1	Pro V&V	Smartmatic USA Corporation	VVSG 2.0	2023-03-31	System Under Test

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

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Texas law makes this mandatory. Texas Election Code 122.001(a)(3)[3] already requires voting systems to "comply with the voting system standards adopted by the Election Assistance Commission." When federal standards change, Texas counties must follow them.

The costs are real. Other states face massive expenses - Georgia estimated $66 million for equipment changes[4]. Texas counties using ES&S equipment face particular risk since ES&S hasn't even applied for VVSG 2.0 certification yet.

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[3] Texas Election Code 122.001 https://statutes.capitol.texas.gov/Docs/EL/htm/EL.122.htm
[4] https://www.ajc.com/politics/georgia-lawmakers-debate-steep-cost-of-removing-qr-codes-from-ballots/MEGQWMZXIBDZNJOGZA5MF7VZGM/

Critical Windows 10 Security Risk Adds to the Problem

Windows 10 support ends October 14, 2025[5]. Microsoft will stop providing security updates for Windows 10 after this date, creating a critical vulnerability window that coincides with the new voting machine requirements.

Election systems are particularly vulnerable. Many election management systems, ballot programming software, and vote tallying systems currently run on Windows 10. After October 2025, these systems will become increasingly vulnerable to cyberattacks as new security flaws are discovered but not patched.

Double jeopardy for counties. Texas counties may face the costly choice of either:
- Upgrading both voting hardware to meet VVSG 2.0 standards AND upgrading all Windows 10-based election systems
- Paying for Microsoft's Extended Security Updates (ESU) program while waiting for compliant equipment[6]
- Risking security vulnerabilities on unpatched Windows 10 systems[7]

Historical precedent shows the risk. When Windows 7 support ended in 2020, election jurisdictions nationwide faced similar challenges. Many election systems were running outdated software that left them vulnerable to security threats.[8]

Impact on Election Infrastructure

The Windows 10 end-of-support affects multiple components of election infrastructure:[9]

- **Ballot creation systems** used to design and program ballots
- **Election management software** that configures voting machines
- **Vote tallying and reporting systems** that compile and transmit results
- **Voter registration databases** and associated IT systems

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[5] https://www.microsoft.com/en-us/windows/end-of-support?r=1
[6] https://learn.microsoft.com/en-us/windows/whats-new/extended-security-updates
[7] https://www.crowdstrike.com/en-us/blog/security-compromise-that-comes-with-windows-10-end-of-support/
[8] https://apnews.com/article/e5e070c31f3c497fa9e6875f426ccde1
[9] https://apnews.com/article/e5e070c31f3c497fa9e6875f426ccde1

What Your Texas Commissioners Should Do

Protect taxpayer money. Add contract escape clauses that let counties get refunds if vendors can't deliver compliant equipment by the September deadline.

Plan for Windows 10 transition. Ensure any new voting equipment contracts address the Windows 10 end-of-support issue and specify which operating systems the equipment will run on.

Budget for cybersecurity. Factor in potential costs for Extended Security Updates or accelerated hardware replacement timelines due to the Windows 10 deadline.
The Secretary of State's office is aware of this issue, but individual counties need to protect themselves through smart contracting.

The Timeline
- **Deadline:** September 21, 2025
- **Windows 10 end-of-support:** October 14, 2025
- **Certification process:** Takes months to complete, with significant costs
- **Current status:** Three systems in VVSG 2.0 testing, but ES&S hasn't even applied

Action needed: Texas counties should consult with legal counsel about contract protections before signing deals with any voting equipment vendor, to address the risk of taxpayers being left with unusable machines and unsupported software systems.