

Use the power you already have

RSA 656:41 · RSA 656:42 — Four orders this Commission can enter now. We appear under NH Constitution Part I, Articles 8, 32, and 38. Not a new power. Examine the unit. Re-approve it if altered. A demo of the model is not that job. Confirm no internet access.

Chapter 665 builds the Commission. Chapter 656 is the job. RSA 656:41 has two duties: examine devices, and re-approve any altered device — any part, board, program, or chip. Approving a model lets a town buy that kind of machine. It does not inspect the unit that was shipped, making it impossible to re-approve an alteration you have not examined. Only this Commission is charged, under RSA 656:41, to examine the device. That duty has not been used on the units in our towns.

No electronic ballot counting device shall have access to or be connected to the Internet. RSA 656:42, X. That is statute, not an EAC guideline. The Commission's own December 14, 2021 standards also require "no networking capacity." A vendor demo shows that ovals read. That a radio, modem, Bluetooth radio, enabled port, or other technology is not in the machine is a vendor statement — spoken or written. EAC tests a sample of the vendor supplied model in a lab. Neither is this Commission examining the machine that counts our ballots. Without an examination of the unit, the BLC has no evidence the ban is met. The job does not stop at model approval. It is unit-level re-approval, and that cannot be completed without examining the purchased machine. Vendor talk or a manual is not evidence. A demo is not evidence. An EAC sample is not evidence. A clean oval tape is not evidence. We do not allege a named New Hampshire hack. We allege unused stewardship of New Hampshire critical infrastructure.

The 2023 condition is weeks from lapse

Both approved systems — VotingWorks and Dominion ImageCast Precinct — now Liberty Vote — were conditioned on EAC VVSG 2.0 certification by December 31, 2026. Neither New Hampshire configuration holds that certificate. VotingWorks VxSuite 4.0 is still "systems under test." Liberty Frontier 1.0 is still under test. EAC tests a vendor sample in a lab. Without a field parts list you cannot know whether a unit has been altered. ImageCast does not publish the code or the parts list. VotingWorks provides a partial list. No BLC examination exists to confirm either vendor claim. On Sept. 8, the Nashua Ward 9 Moderator sent a letter to the City Clerk with his logs from the primary, including video and images of positive RF readings next to a Liberty / ImageCast machine in use with its seals intact. He does not claim an internet session. We have no evidence the Nashua machine accessed the internet, no evidence it could not, and no such evidence for any machine in New Hampshire.

Four orders this Commission can enter now

1. Field examination — RSA 656:41. Examine the New Hampshire configuration on machines towns already own — hardware, software, firmware, and trusted sources. Select the units in public. Use an entity with no vendor financial tie or possible conflict.
2. Technical capacity — RSA 656:41 and 656:42. Retain an advisor or consultant for the security review. Not a new 665 member.
3. Parts list — RSA 656:41. Compare the approved vendor bill of materials to the machine our towns received. A radio, board, or chip that was not on the approved list is an alteration. Any of those changes is an alteration. 656:41 requires re-approval.
4. Written findings in 60 days — the record. How 1–3 will be done, or why not, citing the statute relied on, including whether 656:42, X has been examined on units in service — or recommendations to the General Court to fix immediately. Yes, no, or taken under advisement belongs in today's minutes. Silence is not a finding.

Stewardship that never appears as actions in the minutes is a story the state tells itself. If the Commission declines, the same conditions go to the 2027 session as LSR-A and LSR-B.
