

Executive Order 14 ___ of February __, 2025 [DRAFT]

Ensuring and Implementing the Security, Integrity, and Transparency of United States Elections with Protections Against Foreign and Domestic Interference

Section 1. Authorities. By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Emergencies Act (Public Law 94-412, 09-14-1976) (NEA), Federal Information Security Modernization Act (Public Law 113-283, 12-18-2014) (FISMA), Defense Production Act (Public Law 111-67, 09-08-1950) (DPA), Executive Order (EO) 13848 (09-12-2018), Article I, Section IV of the United States Constitution, Article III, Section II of the United States Constitution, 5 U.S.C. 6103 (b).

Sec. 2. Background and Purpose. On January 6, 2017, the Department of Homeland Security officially designated election infrastructure as critical infrastructure. On September 12, 2018, I created EO 13848 to declare a national emergency to deal with the threat of foreign powers accessing critical election infrastructure and interfering with a United States election. Former President Biden extended that national emergency order during each year of his presidency.

There is now clear and compelling evidence that these threats have not been mitigated but instead have intensified. Persons located, in whole or in substantial part, outside the United States, and assisted by certain domestic accomplices, continue to exploit vulnerabilities through unauthorized remote access to election equipment and related infrastructure despite claims from certain vendors and election officials that this is not possible. Evidence indicates that in some cases United States elections have been victimized by manipulation of tabulated results and casting of illegitimate ballots for ineligible voter registrations that should not exist in voter registration files. Millions of questionable registrations have been pointed out to state officials, state law enforcement and the US Department of Justice but these evidenced violations are routinely ignored and the reporting parties harassed. This constitutes an unusual and extraordinary threat to the national security and foreign policy of the United States.

Since the inception of EO 13848 in 2018, federal and state oversight, including the judiciary, has been unable to effectively mitigate these remote election threats and secure the electronic election infrastructure to ensure the laws of the United States are upheld. Furthermore, the lack of election transparency, exacerbated through overt interference by certain state election officials, facilitates the ability for foreign actors and domestic accomplices to compromise our elections. This has undermined public confidence in the election process and created severe divisiveness within our country. The threats are heightened by inadequate controls to ensure that votes are being cast by qualified voters and the unnecessary extension of time for voting.

Accordingly, in my constitutional duty to defend America from threats both foreign and domestic, I hereby order the following emergency measures that immediately mitigate these threats to our national security for all future United States elections beginning with the 2026 election cycle and provide clearly defined remedies that federal and state agencies and election officials can take, in conjunction with vendors, to lift the emergency status:

Sec. 3. *Emergency Threat Mitigation Measures and Implementation.* I hereby order the following non-partisan provisions to help ensure the security, integrity, and transparency of future United States elections. These measures are to remain in place until such time that Congress, and the States can enact legislation to comply with these measures and the remedies defined in Section 4 of this order.

(a) VOTER ELIGIBILITY

- i. Counties must confirm that voters who register for United States elections shall be at least 18 years of age at the time of a primary or General Election in which the voter seeks to vote, provide documentary proof of U.S. citizenship, are not otherwise disqualified by state law and proactively elect to register at least 30 days prior to the primary or election (no more than 90 days for registrant not 18 years of age).
- ii. Voters must provide government issued photo identification that is verified when voting in person or provide a form of government issued identification that matches to identification on the voter registration file when requesting and returning an absentee ballot.
- iii. Each county shall produce a list of eligible voters five days before each election is conducted and a list of voters who voted three days after each election is conducted. All voter lists and voter registration data shall be publicly available at no charge to the public.
- iv. Each county shall produce a paper poll book of registered voters for each precinct to be used to authenticate their voters on Election Day. Each precinct shall authenticate each in-person voter before providing the voter with a ballot to cast. Each precinct shall also authenticate the voter for each absentee ballot received from the county on Election Day prior to opening the outer envelope and counting the votes.
- v. All precincts shall identify in their poll books each in-person and absentee voter who voted including their signature and which manner they voted prior to counting their votes.

(b) VOTER REGISTRATION

- i. County voter registration officials in each state shall establish a new, secure voter registration database of eligible federal voters and re-register all voters who desire to vote in future United States elections. Voters must register by mail or in-person at their county. Each registration must contain a full legal name of the voter, a USPS Certified Accuracy Support System (CASS) verified permanent residential address, full date of birth, registration date, state issued identification, proof of U.S. citizenship and identification of the previous county in which the voter was registered, or confirmation that the voter has not registered for a United States election in another county. Each voter must sign a sworn affidavit for the registration information if applying in person or an oath if they register by mail. If the voter was previously registered in another county, the county accepting the new registration must notify the county for the previous registration so that it can be promptly removed.
- ii. Each county shall be the exclusive custodian of its federal voter registration database. Any support software used for the database and its functions must be American made, a Commercial off the Shelf (COTS) product and have no capability to be remotely accessed. Counties shall not outsource data storage, maintenance activities or support functions to any third parties. Each county voter registration database system shall be provable to have no remote access capability of any kind.

- iii. Any update made to the federal registration records must have an audit trail that identifies the individual who made the update and the date and time of the update. Updated voter registration records shall be available to the public by the following day.
- iv. Each county shall provide a provable mechanism to ensure there are no ineligible active voter registrations in their federal voter registration database at the start of each election. They shall also provide a mechanism to ensure that ineligible registrations are cancelled monthly or upon being supplied with proof of ineligibility for a given voter registration.

(c) BALLOT CREATION AND CASTING

- i. All votes shall be cast on paper ballots hand marked by the voter with a writing instrument except for voters who have disabilities that require the use of a Ballot Marking Device (BMD). Each polling location shall have one such device to accommodate disabled voters voting in accordance with 52 U.S. Code § 10508. BMDs used must render a full faced human readable ballot in the same manner as absentee and in-person ballots.
- ii. All ballots for an election shall be printed on security grade paper with serialized numerical control, to include micro printing, a watermark, a mylar hologram or other security features designed to detect and prevent duplication. All ballots shall include candidates for all races and language for all referendums, constitutional questions, propositions or other initiatives to be voted in a contested race.
- iii. Absentee ballots shall be printed in the same manner and style as in-person ballots. They shall be mailed to the voter with inner and outer return envelopes. The outside of the outer envelope shall include a precinct number to facilitate ease of counting and proper allocation of votes for audit purposes. Absentee ballots shall be mailed, couriered or otherwise sent with tracking capability to the address specified in the voter registration file.
- iv. Once the voter casts an in-person ballot by depositing it into a sealed container, or the voter returns a sealed absentee ballot via mail or hand delivery, no other individual or process can alter any vote on the cast ballot.

(d) ABSENTEE VOTING

- i. When submitting an application to vote absentee, voters shall provide a reason absentee such as senior citizen, disabled, out of town student, confirmed travel, medical, legal and Uniformed Overseas Citizen Absentee Voting Act (UOCAVA) voters. A caregiver, family member or person living in the voter's household can deliver an application in person for a voter. Non-military UOCAVA voters shall confirm their UOCAVA eligibility annually.
- ii. Absentee voters shall mail in or take their ballot to an election office prior to Election Day. A caregiver, family member or person living in the voter's household can deliver a ballot in person for a voter. Each absentee ballot delivered shall be sealed in its envelope and the ID of the voter's designated deliverer and relationship to the voter, if applicable, shall be recorded by an election worker.
- iii. Absentee ballots mailed or delivered to an election office must be received by close of business on the day prior to Election Day. The U.S. Government shall pay for UOCAVA ballots to be returned via express delivery to ensure timely delivery.

- iv. Each county and state shall confirm that each absentee ballot received has a corresponding ballot application before processing the ballot. Any ballot that has no corresponding application shall be considered as void.
- v. Counties shall separate and batch all absentee ballots received by precinct as shown on the sealed outer envelope and ensure that each precinct's ballots are delivered unopened to the appropriate precinct in time for counting after the polls close.
- vi. Precincts should contain a maximum of 1500 registered voters to facilitate timely counting and basic auditability.

(e) BALLOT CUSTODY CHAIN

- i. Sealing and sign off procedures for both sender and receiver shall be implemented and enforced for all ballot containers and election records that are manually transferred between locations.
- ii. The duration of this chain of custody procedure shall cover from the time each container is placed into service until the expiration of federal and state retention requirements. All chain of custody documents shall be available to the public at no charge.

(f) VOTE COUNTING

- i. Votes for all contested races on ballots shall be accumulated with publicly recorded hand counts by bi-partisan or independent counting teams using a state approved hand counting method at the precinct where the in-person ballots were cast and the absentee ballots received from the county.
- ii. In-person and absentee ballots shall be unsealed, publicly counted and totaled with separate race totals for each type of voting method.
- iii. Results of in-person hand counts conducted at the precincts shall be written on tally sheets, batched and controlled with a handwritten tracing document stating the results affixed to the batch, sealed with other pertinent precinct records and delivered to the county by two poll workers.
- iv. Total ballots received, counted, spoiled and not yet counted for each county and state shall be public on Election Night. Election officials shall immediately reconcile and resolve any discrepancies in total county ballots cast, county voters who voted, and ballots received by midnight on Election Night. No ballots received after closing of the polls shall be counted or included in the certified results.

(g) CERTIFICATION

- i. Upon closing of the polls and prior to counting, each poll manager shall reconcile the number of ballots cast with the number of voters who were authenticated as voting in-person at the precinct and prepare a reconciliation report that accounts for all ballots.
- ii. Upon closing of the polls and prior to counting, the number of absentee ballots cast for a precinct must be reconciled with the number of voters who cast absentee ballots prior to certification.
- iii. Precinct vote totals shall be signed by the poll manager, posted at the precinct and made publicly available upon completion of voting on Election Night at those precincts. The posted results shall show race totals for both in-person and absentee voting.

- iv. County election officials shall certify the election results after verification. Verification must include reconciling number of voters who voted with ballots cast per precinct and investigating and publishing evidence/findings/conclusions for any and all election day incident reports and all concerns submitted by election officials, qualified electors, candidates, and any other irregularities that arise. If significant discrepancies exist that prevent results from being certified as accurate, the county shall not certify and communicate the discrepancies to the State Election Board or District Attorney for immediate investigation. All certificates of discrepancies shall immediately be made publicly available.

(h) TRANSPARENCY AND VERIFIABILITY

- i. All original election ballots, documents and related records created during an election shall be available for public inspection or copying immediately upon certification of an election at no charge under the supervision of election officials to ensure the ballots are not altered. The ballots must be retained for seven years and until there are no unresolved election lawsuits requiring them.
- ii. All election functions including those for ballots, ballot envelopes, counting, testing and UOCAVA transmissions or other handling of other pertinent election records shall be verifiable by credentialed poll watchers, publicly recordable and open to the public for observation close enough to verify the correctness of the process without compromising privacy of the voter.
- iii. All election file updates shall be recorded in a log file. Each log entry shall include the date and time of the update and uniquely identify the permanent or temporary election worker making the update.
- iv. All paper and electronic election records shall be publicly available throughout the duration of federal retention law at no charge.

(i) ELECTION CHALLENGES

- i. Any challenges filed regarding the outcome of a United States election shall be adjudicated by the United States District Court having jurisdiction in the capitol of the state in which the challenge arises. The District Court shall assume custody of all evidence submitted by the parties and adjudicate the case pursuant to applicable state law for election challenges.
- ii. Any previous challenges that remain active at the time of this order shall be transferred along with all submitted and discovered evidence to the above-described United States District Court. The court shall ensure that any previously issued court orders remain in force until the challenge is fully adjudicated or the order is no longer applicable.

(j) ADDITIONAL SECURITY MEASURES

- i. No private money or complimentary resources shall be accepted by any election official or government agency responsible for conducting elections or funding or supporting any act associated with the administration of elections.
- ii. Any election workers excluding supervised hand counters shall be United States citizens and citizens of their respective states who have passed a federal background check to be eligible to perform any county election function performed by election departments, polling

locations or county election boards. Background checks shall be retained by the county for the duration of the federal retention period for election records.

- iii. In person voting for United States General Elections shall be conducted on Election Day every two years in accordance with existing federal law. I declare Election Day, the Tuesday next after the first Monday in November, a national holiday until such time as Congress decides whether or not to amend the existing United States code of federal holidays to accommodate a biennial holiday for United States General Elections in which voters choose their Representatives, Senators, President and Vice President. This holiday enables U.S. citizens who so choose, to fulfill their civic duties by volunteering to participate in the task of counting paper ballots by hand, in public on Election Day and Election Night.

Sec. 4. Remedies to Cure and Remove Emergency Status. The election infrastructure, designated by Department of Homeland Security as critical, must provide qualified United States electors with adequate protection against foreign interference. I hereby order these provisions to adopt a secure, permanent infrastructure to conduct United States elections in accordance with existing federal regulations for critical infrastructure as follows:

- (a) All aspects of any election infrastructure deployed for United States elections shall comply with Federal Information Security Modernization Act.
- (b) All hardware infrastructure used for United States elections shall be wholly manufactured in America by an American-owned company with publicly disclosed ownership and made by United States citizens and shall comply with the Defense Production Act.
- (c) Any software, third-party support services and components used in the infrastructure for United States elections shall be designed, developed and maintained by an American-owned company with publicly disclosed ownership and created by United States citizens in compliance with Defense Production Act.
- (d) All non-ancillary election products and services used in United States elections shall be acquired from American-owned companies with publicly disclosed ownership and produced or supported by United States citizens and shall comply with Defense Production Act.
- (e) All election infrastructure shall be protected from trust risks in accordance with standards prescribed in Department of Defense Instruction 5200.44 (Change 3, October 15, 2018 or newer versions).
- (f) All integrated circuits in the election infrastructure must be produced in a trusted supply chain compliant with the Department of Defense Microelectronics Assurance Framework.
- (g) All aspects of the election infrastructure deployed must be federally certified by the White House Office of Federal Election Security or a federal agency it delegates to verify the infrastructure is free of wireless chip sets or other types of parts that facilitate remote access to any component or other system components.
- (h) Any software deployed for an election infrastructure must be non-proprietary and publicly available for inspection at all times free of charge.

Sec 5. Directive. Not later than 30 days following the date of this Executive Order, the Secretary of State, the Attorney General, the Secretary of Homeland Security, and the Director of National Intelligence shall revise the framework described in EO 13848 Section 1 (g) and elsewhere within

that order to include the process that will be used to carry out their respective responsibilities pursuant to this order.

- (a) The Director of National Intelligence, in consultation with the heads of any other appropriate executive departments and agencies, shall revise their current foreign threat assessment described in EO 13848 Section 1 (a) and elsewhere within that order to include any person of foreign origin or potential domestic accomplice suspected of acting with the intent or purpose of interfering in a recent United States election. The Director of National Intelligence shall deliver this assessment and appropriate supporting information to the President, the Secretary of State, the Secretary of Defense, the Attorney General, and the Secretary of Homeland Security within 60 days of the date in which this order becomes effective.
- (b) The Attorney General and the Secretary of Homeland Security, in consultation with the heads of other pertinent agencies and, as appropriate, State and local officials, shall revise their existing threat report described in EO 13848 Section 1 (b). They shall deliver the revised report to the President, the Secretary of State and the Secretary of Defense within 60 days after receiving the assessment described in Paragraph (a) of this section.
- (c) To facilitate successful implementation of this order, I am establishing White House Office of Federal Election Security (OFES) with an interagency task force, to work with Congress and the states, the head of which will report directly to me.
- (d) Heads of all relevant agencies shall transmit to the OFES any information relevant to its duties pursuant to this order, as appropriate and consistent with applicable law.
- (e) Nothing in this order shall prevent the head of any agency or any other appropriate official from tendering to the President, at any time through an appropriate channel, any analysis, information, assessment, or evaluation of interference in a United States election.
- (f) The Director of National Intelligence, the Secretary of Homeland Security and the Attorney General, shall determine what parts of their framework, assessment, and report can be unclassified and shared with Congress and State Legislatures to assist them in implementing appropriate legislative and physical protection mechanisms to provide reasonable assurance that no such foreign interference or breach of our election systems can occur in the future.
- (g) The OFES shall produce a general plan for providing limited assistance or funding to the counties and states in regards to their uniform implementation of this order. The plan may include guidelines, resources, standard deliverables and other items that can help secure future elections.
- (h) The OFES shall provide a mechanism for citizens to submit an affidavit and evidence regarding incidents to be investigated and disseminated to the appropriate investigative body.
- (i) The Department of Justice and its newly appointed U.S. Attorneys shall conduct a comprehensive review and investigation of all documented or observed claims for any past federal elections. These claims shall include security compliance, foreign espionage or foreign interference prioritized according to future risk. The Department of Justice shall investigate and prosecute to the full extent of the law any person who has directly or indirectly engaged in, sponsored, concealed, or otherwise been complicit in security violations, foreign espionage or foreign interference in a United States election. Such investigations shall include prosecutions under any federal law including civil and criminal RICO statutes.

- (j) The Department of Justice shall also investigate and prosecute any domestic accomplice who engaged in security violations, destroyed evidence of violations or remotely manipulated components or processes of a United States election at any time during election preparation through results certification and challenge processes and requests and lawsuits to inspect election evidence including paper ballots cast. This includes any person who served as an accomplice to help facilitate such interference, provided false information to conceal such interference, or were involved in prosecution, persecution, retribution or silencing of other individuals attempting to expose any such interference. Prosecutors are hereby authorized and instructed to seek tolling of any statutes of limitations in RICO and other cases until such time as evidence of criminal activity, injury, or damage by racketeering activity is first discovered and in cases where other equitable circumstances have impeded prosecutors from earlier filing of criminal complaints.
- (k) The U.S. Supreme Court shall have original jurisdiction in all cases arising under this Executive Order in which a State shall be a party. Any other lawsuits, either civil or criminal, arising under this Executive Order in which a State shall not be a party shall be adjudicated by a U.S. District Court. I hereby proclaim that any legal actions arising under this Executive Order are of such imperative public importance as to justify immediate U.S. Supreme Court review under the Court's Rule 11 due to the important national security interests implicated by this Executive Order.

Section 6. Definitions.

- (a) the term "election" means a United States General Election, primary or runoff containing candidates running for any federal office.
- (b) the term "election infrastructure" means information and communications technology and systems used by a Federal Government or a State or local government in managing the election process, including voter registration databases, voter validation, voting machines, voting tabulation equipment, and equipment for the secure transmission of election results.
- (c) the term "qualified elector" means an individual who meets constitutional and statutory requirements to vote in a United States election, being at least 18 years of age at the time of such election, providing documentary proof of U.S. citizenship, being qualified by state law and having registered at least 30 days prior to the election.
- (d) The term "registered voter" means a qualified elector who has submitted a voter registration application that has been verified by the county and added to the voter roll.
- (e) the term "state" means any state or territory that conducts United States elections or those subject to jurisdiction thereof.
- (f) the term "foreign interference," with respect to an election, includes any covert, fraudulent, deceptive, or unlawful actions or attempted actions of a foreign government or any person in a foreign country, or action in allegiance with any domestic accomplice undertaken with the purpose or effect of influencing, undermining, or altering the result or reported result of, the election.

Sec. 7. General Provisions.

- (a) Provisions not enumerated in this order shall not be construed as validated for national security purposes.

- (b) Nothing in this order shall be construed to impair or otherwise affect:
- i. The authority of states to conduct lawful, local or statewide voting processes for state offices in accordance with Article IV, Section 4 of the U.S. Constitution and applicable federal election laws.
 - ii. The place in which the states choose their Senators and Representatives pursuant to Article I, Section 4, Clause I of the U.S. Constitution.
 - iii. Congressional authority in determining the time and manner in which the states conduct elections for Senators and Representatives pursuant to Article I, Section 4, Clause I of the U.S. Constitution.
 - iv. The time and manner in which the states conduct elections for Senators and Representatives pursuant to Article I, Section 4, Clause I of the U.S. Constitution once the national emergency is removed.
 - v. If any provision of this Order shall be found to be unenforceable or legally invalid, such determination shall not affect the remaining provisions of this order.
- (c) In the event of a conflict, emergency provisions in this order shall supersede provisions from the National Voter Registration Act (Public Law 103–31, 05-20-1993) (NVRA), Help America Vote Act, (Public Law 107–252, 10-29-2002) (HAVA). National Voting Rights Act, (Public Law 89-110, 08-06-1965) and Uniformed Overseas and Citizens Absentee Voting Act (Public Law 99-410).

THE WHITE HOUSE,
February __, 2025