



U.S. ELECTION ASSISTANCE COMMISSION

633 3rd St. NW, Suite 200

Washington, DC 20001

EAC Decision on Request for Interpretation

2023-01 10.2.4 Logging of Ballot Selections

VVSG 2.0 Principle 10 Ballot Secrecy

Guideline 10.2:

The voting system does not contain nor produce records, notifications, information about the voter or other election artifacts that can be used to associate the voter's identity with the voter's intent, choices, or selections.

Sections of Standards or Guidelines:

10.2.4-B – Logging of ballot selections

Logs and other portions of the audit trail must not contain individual or aggregate ballot selections.

Date:

February 10th, 2023

Question(s):

May ballot selections that have been changed by an election official (for example, when adjudicating voter intent) be captured in the audit trail?

Discussion:

One of the cornerstones of elections is the principle of voter secrecy. That is, it should not be possible to determine how a particular voter voted. Principle 10 of VVSG 2.0 supports this with several requirements all ensuring that a cast ballot cannot be associated with the voter who cast it.

When a system cannot determine voter intent on a particular contest, for instance with an overvote or write-in vote, or the ballot is unreadable, then it may be flagged or separated. Depending on the jurisdiction's laws, regulations or policies, the ballot will be examined by election officials to determine voter intent. This is known as adjudication and allows an election official to assign a vote to a contest if they can determine voter intent.

10.2.3-B states that the voting system "must log all access to the directory or storage location for CVRs, ballot images, and ballot selections in addition to logging access to all actions occurring within the system". Electronic adjudication requires this access and assigning a vote to a candidate or choice is an action occurring within the system. Log entries must include, at



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minimum: the adjudication time stamp, the election official performing the adjudication, and the adjudication action taking place.

10.2.4 – B states that logs and other portions of the audit trail must not contain individual or aggregate ballot selections. This is in the context of preserving voter secrecy. Adjudication involves selection by an election official, and it is important that selection is logged as part of the adjudication process. With proper jurisdictional procedural mechanisms in place, the cast ballot, at this point, cannot be associated with the voter who cast it, whether it is flagged or not.

Conclusion:

Ballot selections that have been changed by an election official (for example, when adjudicating voter intent) may be captured in the audit trail.

Effective Date:

As of the date this document is published.