



EAC Election Audit Standards Hearing Raw Transcript

Wednesday, February 18, 2026

1:30 p.m. ET

EAC Public Hearing Room; Livestream on YouTube

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(MULTIPLE SPEAKERS)

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

>>DONALD PALMER: So for the first I will call Corum, Commissioner Hicks, Commissioner McCormick? Commissioner Harlan? Okay, we have quorum established. The next thing we will do is the agenda for today and I'll take a motion to approve the agenda as submitted.

>>SPEAKER: Moved.

>>SPEAKER: Second.

>>DONALD PALMER: Okay, it has been properly moved in second to approve today's agenda as omitted. All in favor?

(MULTIPLE SPEAKERS)

aye. Okay, today's agenda has been submitted as approved. So, I want to welcome you all to the EAC, Election Assistance Commission that has and venous for good election audits and what professional standards can establish to have a consistent and adaptable framework. Audits may occur before, during or after elections and serve as an essential tool for verifying compliance with election laws and procedures and the accuracy and counting and reconciliation of ballots and identifying areas of improvement. They also reinforce public confidence that the results are the results and our attention to detail in the chain of custody and procedures were followed. Election audits can also include activities such as logic and accuracy testing of voting machines, ballot reconciliation, tabulation audits, voter registration audits and reviews of processes and procedures. But, we need to do them according to law and regulation and considering the principles of audits found in other professions. So, there is large bipartisan support to increase the types of quality of audits in the United States. By increasing the transparency of the voting process we improve the confidence of the voters in the systems and the procedures that are being implement it across the country. Both sides of the aisle and citizens with a range of perspectives have asked the EAC to take the lead on audit and to professionalize audit standards to identify principles needed for successful audits and to highlight the development of professional audits at the state level. And we at the EAC are uniquely situated to accomplish this. And so the EAC has a multilevel principles and professional standards that state legislatures and state offices can easily identify and use as they develop new transparent and professional audits network in their states own counties. And we would not be doing our job at the EAC if we do not highlight the existing best practices of audits that the states can borrow from each other given the diversity of election laws nationwide we intend for the standard to emphasize flexibility. Professional judgment and clear communication rather than just prescribing one single audit method or audit type. So, over the past year the EAC has sought input from election officials, stakeholders and audit experts from across the country to get a different perspective to identify key principles of the election administration audits. So, the panels here today will represent some of the different types of forward leaning audits that are currently being used in elections and execution at the local level. And as we could the panelists I expect her to be some commonalities of the different types of audits and styles and looking at the necessary principles of audits, election audits should be subjective to ensure that they are legally authorized and unbiased. They should be professional by emphasizing expertise and consistency of the audits. They should be effective so that audits meaningfully contribute to election integrity and they should be secure by focusing on the protection of election materials and they should be accountable while centering on public munication and transparency of the results. So, when the audits are performed it is also important to address the authority such as independence and many auditing communities are a independent auditor to increase the level of the integrity of the audit and the level of the perception of review and this is often at the top of the list of the administration because of the lack of support and resources in order to produce. Instead the responsibly may fall on the election official themselves to conduct the audit with no funding or resources. However realizing that we cannot just open the books and walk away we need to find ways to allow people outside

of the office to participate in the process. To demonstrate a level of informed and trained objective dispute so, options for this include using different machines for example to tabulate as done in Florida and allowing someone from other election offices to review how the processes are being completed in other offices as done in Mississippi and other states. One significant reason to consider a future program for training individuals and fractional standards is to develop certified election auditing expertise across the country. This can help include and this can include four election officials or other auditors helping them become professionals. The challenges and needs of the community are why we are having this type of meeting. To discuss what we need to do to create an ecosystem or we can meet the challenges of conducting election audits estimated by the public in professional and transparent ways. So, as a wise man once said, allow an auditor to make a sad person happy and let them balance your books that show the positive side of life. This is what we try to do and show the positive side of elections and now I turn it over to Vice President Hicks for your opening comments.

>>THOMAS HICKS: Thank you Chairman Palmer. Audits are a common practice in many industries. Finance, manufacturing, education, technology and more. It is no surprise that many state and local election officials have already utilized audits throughout the election process. Just as the company ensures that funds are accountable and operations are compliant with industry standards come election audits show the ballots are counted and in other cases to identify attentional discrepancy for resolutions or further investigations. So, I am very excited to hear from this group of auditors in this auditorium - I think there was about six or seven laughs there, but that is okay. And how they are integrated throughout the jurisdictions of elections and processes. Many of us have backgrounds in auditing in our past lives and other industries or as part of other responsibilities as current auditors. County auditors. Accuracy, accountability, transparency and security are more crucial than ever to maintain the public confidence in elections. We have seen an increase number of other entities with other government offices, audiences and academic institutions taking interest in how we examine elections. Audits provide greater transparency and show the accountability is not just encouraged, but is built in. While audits are crucial to increase public confidence in our elections they are also part of the evolving understanding and expectations about what it means to be an election administrator and election administration as a profession itself. Thank you to all of our speakers who are here today and everyone who is tuning and online and with that I will turn it back to Chairman Palmer.

>>DONALD PALMER: Thank you vice chair Hicks. Commissioner McCormick?

>>CHRISTY McCORMICK: Thank you. And thank you to those watching online into our panelist, as well. This is a very important topic. Unfortunately in this country we face a crises of confidence in election results appeared we can all opine about why, but that does not help to rebuild trust. What does help to be rebuild is to open our election offices to inspection and review. We must show the public why they can have faith in what we do that the elections are running fairly and now the outcomes can be trusted. One of the best ways to do this is through audits, a variety of auditors created by people from both sides of the aisle. Just like we did in school it is important that election officials show our work. This is what we are trying to do here at the EAC. As our panelist will show we've done our best to bring a wide variety of viewpoints to the table to create a document that can help guide election offices on the principles of audits. No one process or procedure is going to work for every office. But, we can agree that some

form of audits should be done on all of the election processes from the beginning when citizens registered to vote when the actual act of voting to the final canvas and certification. While I think we can fairly say that we all believe transparency is a critically important issue to be accomplished while maintaining the security of the ballots and the equipment and especially the privacy of the vote. I realize this is a delicate balance. Some people will not be satisfied and want to see more. We urge them to become a poll worker or election worker to participate and see the processes up close and suggest that they observe logic and accuracy testing and recounts whenever possible or maybe even encourage them to pursue a profession in elections. Because audits are only worthwhile if people actually take the time to look at the results. For many election jurisdictions, the results are there, but if the result is produced in an empty election office with no one observing or knowing that the audit took place, did it actually count? Remember as well that we do audits to check our work for the results of the audit should be listened to. If all goes well, election officials should be proud of their work and officials' flaws that we should take note of and concentrate on fixing the issue and doing better next time. As much as we may try, none of us are perfect and we can always improve. So, let's use these audits to improve where appropriate and use them as a tool to build that confidence in our elections. Thank you, Mr. Chairman.

>>BEN HOVLAND: Thank you Chairman Palmer and thank you for joining us. With unprecedented scrutiny from the process, machines, results and administrators themselves, audits are a crucial tool in election official toolbox to show their work while almost every state implements some type of postelection tabulation audit, election officials across the country have implement it a wide variety of audits at various stages of the process from chain of custody and more. As we will hear from speakers today whether the audit happens before, during or after an election, each one contributes to the continual verification of the integrity of the elections overall. Audits demonstrate a thoroughness of election procedures and that election officials are following the law. And just as crucial as when an audit identifies potential discrepancies in the results or lapses of procedures, audits can and should be used to hold the necessary people accountable and provide direction for improvement. At its core, audits communicate trust. They affirm election officials are doing their best not just to ensure that the system is working as intended, but to improve it. Having tangible evidence and documentation to provide greater clarity, transparency and credibility to their voters about what went well or perhaps not so well. Election officials are better equipped to tell their story. I look forward to hear from our panelist today about their experiences with election audits and with that, thank you, Chairman Palmer and I will turn it back to you.

>>DONALD PALMER: Thank you. Our first panel will be on audit principles development and first speaker today will address the work that the agency has done to develop a draft principal for election audits and to start I would like to welcome and introduce Monica Childers, Senior election subject matter expert for the EAC. Thank you Monica for joining us.

>>MONICA CHILDERS: Thank you Chairman Palmer and commissioners to allow me time to talk about this project today.

>>DONALD PALMER: So, I want to say thank you and all your efforts on working with election officials and advisory boards. Can you describe the initial goals and objectives of your effort and what makes a principal level framework the appropriate starting point for achieving audit standard?

>>MONICA CHILDERS: Sure. In drafting election audit principles the agency's primary objective was to create a clear framework to help election administrators conduct audits with confidence, integrity and objectivity. As you know there are a wide variety of election audit and use across the country from voter registration audit as he mentioned that check to make sure eligible lists of voters remain accurate and secure all the way to tabulation audits at the other end of the election timeline that help check that ballots were counted correctly. And like many things in election administration there is no one-size-fits-all and that is true for election audits, as well. Both of the kinds of audit and the specifics of how the audits are conducted very widely from state to state across the country and also sometimes from jurisdiction to jurisdiction even within a state. And so while our goal is to improve the performance of election audits generally we are also mindful of supporting an environment of continuous improvement recognizing that for many jurisdictions this should be a iterative process as they improve their election audits. And the draft principles audit outline key principles common to election audits across the spectrum and provide a starting point for election officials, policymakers and other stakeholders to evaluate their own existing audit processes or draft new audit processes. We are also mindful of how difficult it can be sometimes to communicate with the public and help them understand election audits. Ultimately we believe that these high-level principles will bolster public confidence not only in the electric auditing process, but in elections more generally by demonstrating the rigor and care that election admitted traders bring to their work.

>>THOMAS HICKS: Thank you, Chairman. I'm interested in hearing about the common themes that drove the draft principles. Can you talk a little bit about the research that went into developing these principles and if any existing models were considered?

>>MONICA CHILDERS: Absolutely. Although election audits are still relatively new in the elections fear and not yet standardized, auditing as a general principle is very well-founded and well-developed in other sectors. So, rather than reinvent the wheel, one of the first things we did was look at principles and standards from other sectors, namely financial and performance auditing to see if there were common themes there. We looked at the General accounting office is yellow book and blue book principles and we also did a thorough review of existing auditing principles and standards within the elections fear including those put out by the national Association of secretaries of State. As we studied each model we look for common themes and principles that appear over and over across different sectors. These common themes including things like competency, appropriateness, transparency, broad measures of audit quality that can be implement it in different ways depending on the audit being conducted. That list of common themes provided the starting point for our conversations with stakeholders.

>>CHRISTY McCORMICK: Thank you Mr. chair. Can you walk us through the approach taken together to gather initial input to inform these principles?

>>MONICA CHILDERS: Thank you, Commissioner. The process began in the spring of 25 and we began by gathering input from the annual and regional meetings of three of the agency's advisory boards and the Board of advisors, the standards Board and the local leadership Council. These discussions validated that election audit principles would be useful to the field and also provide the initial scope for the project. We then sought out more detailed feedback from members of our advisory boards and EAC staff met with interested Board members several times throughout last summer gathering feedback on the framing and the common themes and specific wording. We also talked about a wide variety of topics to provide input

unique to their own specific experiences within their own specific jurisdiction. Henry also gathered feedback in open-ended conversations with a broad range of stakeholders across the ideological spectrum.

>>CHRISTY McCORMICK: Thank you, Monica. Mr. chair?

>>DONALD PALMER: Thank you.

>>BEN HOVLAND: Thank you, Monica. This has been a fairly exhaustive undertaking thus far and it is still in some ways the beginning of the process and obviously that is very purposeful and we are taking our time as we hear from stakeholders where we are creating something new and particularly at the 50 state level where there are challenges associated with it. And I was hoping that you could step back a little bit and just talk a little bit about what you think success looks like out of this project and how we will continue on that path and also how additional stakeholders can provide additional feedback on the draft principles and can you talk about sort of the release of those draft principles and the next steps in the process for moving these forward?

>>MONICA CHILDERS: Thank you for that question. To date, stakeholders have consistently told us that successful audit principles will be broad, nonpartisan measures of audit quality that are both practical and achievable. Tables need to be flexible enough to accommodate a wide variety of jurisdictions both of different sizes and of different levels of resources across the country. We also know that principles need to work for a wide variety of audit types conducted across the country. The principles bear these things in mind but keep in mind we are at the beginning of this process and we would like to see additional input from a broader range of stakeholders and we would like to know to the public comment process how stakeholders might use these principles and how they can be improved for the future. And the draft principles will be published in the Federal Register and we strongly encourage anyone with an interest to take a look at them and take a look at them through public comment and we especially encourage election officials to take a look and understand how those principles may be useful in their office either right away now or in the future and we look forward to that feedback.

>>BEN HOVLAND: Thank you for that. And as a quick follow-up obviously the first initial effort and the universal principles at a very high level and as we sort of think about this project or how the agency can support election officials as the next step, can you talk a little bit about and I think in all of her opening comments we mentioned different types of audits and you mentioned to different types of audits throughout the process and so how we may look at those individual types of audits or how we may be able to draw lines from principles to particular audit types going forward and the resources around that.

>>MONICA CHILDERS: Sure, we have heard from election administrators that tablets or guides may be helpful to help walk them through each printable to help them think about how they would answer questions about how things are answered in your jurisdiction and also if there are jurisdictions that would be willing to pilot these principles over the coming months heading into a federal election cycle and so trying to see if there are jurisdictions to have the bandwidth to put these into use and give us active feedback once they are in use in the field would be great.

>>BEN HOVLAND: Thank you for that. Chairman Palmer?

>>DONALD PALMER: Thank you. Thank you for the brief on this and the draft principles are in the registrar and (AWAY FROM MIC) and with that we will go on to the next (AUDIO LOST)

Pam Anderson, welcome and former Executive Director of the Colorado County Clerk Association and Mark Earley, supervisor of elections in Leon County, Florida. And member of the EAC local leadership Council. Thank you for joining us all. So, I'll get the first question, Pam I will ask you a question. Talk a little bit about the audits that you have seen over the years to be effective. Tabulation audits or other systems that may be touch election administration and I'll give you the floor to start off.

>>PAM ANDERSON: Thank you, Commissioner and commissioners thank you for inviting us. The big election weekend so we are really excited about the topic today about audits. I have been in the elections field and a elections professional for almost 23 years and when I came in it was shortly after the 2000 election and I think the story of Colorado is a story of curiosity and continuous improvement. And I think that really mirrors a lot of the comments that I have heard both from Monica and the commissioners today. And an election is an accounting project. It is a complex human technical accounting project. And when I came in it was like a few systems and we talked a lot about blackbox machines and wanting paper trails and paper ballots and that is where our store in Colorado started when I came into office as the County Clerk I was a municipal clerk before that. And many states now and all states now because it is past house in Alabama as a requirement for audits and we have had audits in our systems for decades. And when I came in we were doing a percentage of fixed balance audit in my jurisdiction which has told us very important information. And in Colorado we really have a story of collaboration and a process where we wanted our systems to produce a paper record and the great news for Americans is 98 I think or a larger percent of folks vote on paper record which makes auditability a really great starting point for us. And we wanted to compare that paper record to the tabulation of the equipment, because guess what? Humans are not great at counting. We are not great at it, all of our audit processes that we do often shows that. That we have to try that again when we make those errors with machine counting being very reliable and we want to check to make sure that tabulation is going well. And if not, what issues it has. And the issue we had very early on in 2007 and 2008 is that there was no legacy system that could produce a record that told us how a piece of paper was tabulated and so the task vote was developed and that was in real partnership and demand from voters and demand from jurisdictions with our providers. And that was a huge step for us in our development in Colorado of our risk limiting audit which is a very discreet and precise form of auditing. We were accounting for ballots and at the batch level, not at the ballot level. We wanted to be able to go and look at a ballot and see how the system tabulated that ballot and while respecting all of the values you spoke Commissioner McCormick of privacy and security and those things that we have to balance in our process. So, we got started with some charismatic leaders and out to give a shout out to Hillary Hall and I'm pretty sure that she is on a golf course somewhere, but she was my colleague in Boulder County and she had a very active stakeholder community, a shout out to the busloads of people that know all the county in Colorado that had real concerns about the validation of elections results. And we both had backgrounds and hers in technology and my husband and I are manufacturers and small business manufacturers that said we should be able to take a look at this a little bit and the public should be able to take a look at it.

And that is where our profession has been crowned both with industry providers, our legislatures which have taken a hard look at this in our advocate communities and with really forward thinking and patient pragmatism. And it gives me great pleasure to hear about the principles that you guys are moving forward with in this conversation, because it took us 10 years to work collaboratively with all of our stakeholders, with our community in order to have one of the finest auditing processes in the country. And I also want to give a shout out to the folks like the elections group and Jennifer Morel who came out of Colorado after working there and did incredible work in evangelizing what an audit is and I think one of the big barriers and local jurisdictions and even states and are worked with as a director for the coalition of election Association leaders that associations and one of the things we are doing really well is we are doing audits and we are always looking at continuous improvement, but we are not very good at evangelizing or telling folks what we are doing. And so I applaud the EAC and Monica and the project work and all of the folks that will contribute to that that can give us a framework and some consistency and standards with which we can tell our story both to our stakeholders. And finally, independence and independent audits and public pieces of that audit is very important. We have public boards that are appointed to our elections every election we have also our public canvas boards that take process in part of that and of course inviting folks in for tours and seeing these processes which is incredibly important. Our audit tool is open source and if I were doing this project today I would be really excited about the opportunity that our providers are showing in the audit technology space as well as things like end-to-end encryption and I think there is a really great opportunity for this project for forward thinking. And also just to reiterate that the process is iterative and it takes time and pragmatism in our current ecosystem they take some funding. For folks to move things along, as well. And I look forward to this project and how it is moving forward.

>>DONALD PALMER: Thank you, vice chair Hicks?

>>THOMAS HICKS: Thank you, Pam for that. Mr. Nunez, Rhode Island was the early adopter and I know that you tested different ways of auditing before choosing a particular one. How did the trial time work for you and Rhode Island and how would you recommend other states passed different types of audits? Or audit methods?

>>MIGUEL NUNEZ: Thank you vice chair Hicks and other commissioners and thank you for inviting me here to discuss this important subject matter. And in 2017, a governor side legislation that required a risk limiting audit be conducted prior to any election held either the presidential preference in 2020 and forward and prior to 2016 I had conducted four presidential elections going back to the 2000 presidential election and auditing postelection was not something that was really discussed or even came out of that in a great substantive way with the help America vote act and the various requirements that were put on election officials after that and 2016 changed everything and after 2016 I particularly wanted to have a greater standard for auditing in the state elections and we were approached by a local chapter of common cause to support a bill that would require a risk limiting audit after each presidential preference that would start within two years. And some other election officials may have balked at that or push back on that and I as a deputy at the time and the current Executive Director at the time by proposal, we welcomed the legislation and much too surprised to many that would put this requirement on earth and we supported the legislature and pass the bill and the governor signed it and we had our first scheduled for March or April 2020. But, we had to figure

out what a RLA was and I did not know the difference between a RLA or an IRA at the time. And I cannot say that today. And really what we did was we worked with common cause and we brought in a number of people who knew more about RLA's and we knew that we had to implement this slowly and scale up and the impetus for this obviously as I said was the 2016 election and we had many you know misinformation out there about a potential cyber threat or cyber security threats with the election and we also had an incident in 2016 in which a local contest and a local question you know the ballot was created in such a way that it was not tallied appropriately due to human error and with the configuration of the ballot that only affected that particular ballot question and that was concerning to me and to the staff and so we wanted to be able to catch these types of things and that is why we welcomed the prospect of RLAs being able to assist us with identifying any issues whether intentional or human error. But, we needed that we need to scale up slowly and predictably. And we knew that we needed to bring in non-stakeholders who were subject matter experts. And so we brought in folks from local colleges and University of Rhode Island, Rhode Island College and we brought in folks from MIT in organizations such as the Brennan Center and the verified voting significantly assisted us with the rollout of RLAs even to this day and they provided us with support and we knew that we needed to learn RLAs and how they work and we even visited Colorado as Pam mentioned, Colorado was a leader in RLAs and we visited and sent staff to Colorado on several occasions to participate and observe the risk limiting audit and so at the very beginning we knew that we had to bring in folks from other states and visit folks were doing this whether near or far and we also knew that we had to pilot and when we were having this discussion we formed the RLA working group with many stakeholders and subject matter experts and we met weekly and biweekly to update and to plan this pilot that we knew had to happen prior to the April 2020 presidential primary. And on those calls I distinctly remember with now we are used to Zoom, but this was before COVID with a screenful of 15 different faces audit and we asked what do you want to pilot and what type of RLA do you want to pilot? And I said well, let's pilot all of them. And there was a silence like you mean you want to pilot every type of RLA that we know about that is used? And I said yes, because we know nothing. And we want to go from knowing nothing to knowing almost everything. And not only did we pilot the types of audits and RLAs and the back comparison and the ballot pulling and the ballot level comparison, but we also agreed to pilot exactly how we would all the random samples whether it was through the K cut order scale method or the counting down method and we even piloted how to actually count and do the hand count whether it was through the short stack or through their hash method. And on top of all that we engaged the University of Rhode Island who is doing great work out there by the way with equipment allocation standards and calculations within the jurisdiction for local partnerships and they actually needed timing data for us and we had them actually out there seeing how long it took to tally up every single ballot into Hall every single ballot and gather all of that data and we chose three communities of various sizes from whether it was the second largest city to small Bristol Rhode Island, one of the smaller down to Portsmouth because we wanted a variety of situations that would be a part of this audit and this pilot audit so we can learn as much as we could in varied ways throughout the entire rest of the state. And finally I also think that we knew that we had to operate within our operations. By doing this we would have been the first state to conduct the risk limiting audit with most of our voting being precinct base. And RLAs have been done statewide in other jurisdictions, but they have been

done where most of the votes are counted by mail. And we knew that we could not do exactly what Colorado did although we certainly aspire to do that. And we knew that we had to find a type of audit that was going to fit the way that we conduct elections in our state with the resources and the amount of time that we had. And with that being said although the working group recommended that we do a certain type of audit of ballot level comparisons similar to how Colorado does it, the state Board did not actually take that recommendation entirely as we focus more in batch level comparison which allowed us to predict how much resources time individuals we would need after an election particularly in a close election which we are more comfortable with being able to do prior to the certification. And I think overall based on the report that did come out of that pilot which was attended by at least a dozen different jurisdictions in various organizations from across the country it was successful and our first pilot, official RLA was held in April 2020 after the presidential election primary and based on what we learn I think it has been a great example of piloting, piloting, piloting and trying everything you can to ensure that when you have to do it for real you're going to do it right. I was promoted from deputy to executive two years ago and so I can take that!

>>THOMAS HICKS: Thank you Mr. Chair. And this is for supervisor Earley. There is no one-size-fits-all process and this includes audit. What did you learn from other states and what was needed specifically in Florida which is often touted as one of the best states for audit and so I would love to hear what your to say about that.

>>MARK EARLEY: Thank you Commissioner McCormick and for the entire commission on having us in. This is an incredibly important area of elections as we get to the crisis of confidence as we try to re-instill trust. As we have gone to the evolution of rebuilding this out in Florida, it has been a very organic process. And there has been a lot of pushback from different folks, because really it has been more about the idea of resources and do we have the amount of time to get this done after an election with all of the things we are trying to do? And it is definitely not a one-size-fits-all proposition. There are so many factors that need to be taken into account. And I think a big factor to take into account that maybe is a little bit unexpected and you know those of us in the room here are audit junkies like I am like Mr. audit in Florida. A lot of supervisors while they love what they do, they know that they do a great job and they are more afraid of having problems or the appearance of problems when there really was not any and so one of the big stumbling blocks is to not create artificial hazards and I'm not saying audits are an artificial hazards, they are massively important and I have been working on audits for decades. And we need to make sure that a good election will not have a way to undermine its trust if you know what I mean. And I think that framework needs to be carefully laid out and be very flexible as many have talked about here. As far as one size does not fit all - the staffing levels and counties and resources - we do tabulation and so we have a second system doing our audits at least in parts of Florida and I think we were the first county in the nation to do that. I love our system. Many counties are concerned about the cost of doing that. Or even the floorspace if they want to roll that out. It is a very comprehensive audit and it is not just posted tabulation, it is auditing the ballot inventories and making sure you're not missing and show up poll workers are doing their duty in handing out the right ballast to the right voters and so there is a lot of different components to this and I will not get deep into the weeds there, because that is a whole other discussion, but while it is a great tool, the ability to roll that out causes a lot of fear amongst election officials. And really probably amongst the County commission who in

Florida are the ones that approve their budgets. They need to be careful about how this is funded. So, we do not want to present a scenario that folks cannot accommodate or accomplish. And I do not want to paint a negative picture, we have been doing audits on so many different parts of our election for years and in Florida as far as tabulation audits we have the option of doing a random sample hand account which has been in place since 2006 and I think in some ways we have been the leaders in audits for the nation. Because, we had the 2000 Florida recount, I lived through that, Tallahassee was the epicenter of that. It is where they brought all of the ballots from Broward and Palm Beach right where I worked and with the SWAT teams coming in and then we were the epicenter for blackbox voting. That whole evolution of - trying to make sure that elections could be trusted and that the underlying concept and procedures in place actually did have protections that would guarantee that you could not hack into an election system and there were a lot of different things coming to bear upon Florida in those early years and even in the 2000's. And we made a concerted effort and it is still an evolving process. I was working at a vendor right after the 2000 elections and when I came back in 2008 we already started in Florida the hand audits and that is a manageable prospect in many ways. It did not have the rigor of RLAs. I love a lot of the concepts of RLAs. Some things I am not the biggest fan of RLAs, but you can also have a blend of different kinds of audits. RLAs are great for academics in those folks, but sometimes the person out on the street, a statistical sampling and they you know our like what we do. You can build one on top of another as long as it is done carefully and you really have to take into consideration the varying levels of expertise in a county and expertise as they have to bring to bear and relay the timelines with which you have to implement something.

>>CHRISTY McCORMICK: Thank you I appreciate that, Mr. Chair?

>>DONALD PALMER: Thank you. And I have enjoyed all of the comments so far.

>>BEN HOVLAND: We talked a lot about tabulation audits, but one of the big things that it reminds me of is just a little plug for VVSG 2.0 and we don't want to have a EAC meeting here without mentioning that, but a big part of that entered and while we push so hard for it and while we are looking forward to those being rolled out is some of what Miss Anderson that some of this did not enable audits or the most efficient audits and certainly that was a part of the requirements of that new standard to ensure people are able to do that. I think that is exciting. And certainly we have had a lot of conversation about postelection tabulation audits. That is probably the area that to the degree that people are familiar with it that may be they are the most familiar. But, we know election offices get a lot of benefits from auditing other parts of the process as we mentioned and so Ms. Anderson I was going to ask you if you could talk about if you had seen an expansion or more of a desire to audit different parts of the process and how that can make a difference for offices?

>>PAM ANDERSON: Thank you Commissioner Hovland. This is essentially a counting process and a lot of what we do and back on my husband and I have a manufacturing and when bringing that in, wondering how things work and that is where that starts. We do a lot of quality assurance checks in our election system. Anywhere from back in the day when we had piles of paper registrations and proofing processes to double checking the accuracy of data entry and we are seeing you know poll book checks and data registration checks across jurisdictions and these are the operational things that we do both before, during and after an election to check things as they are moving along. One example that I will share with you, ballot and batch

reconciliation. We are counting our widgets, the ballots to ensure that as it goes along that we are keeping track of where all of those ballots are and we have chain of custody logs, postelection we will look back at those logs and we will look back at that paperwork to ensure that that was completed correctly and it was documented appropriately. We have canvas boards that take the entire project and add it all up to ensure that not too many ballots were counted or not too few ballots were counted, so that is a type of check. And it is a public check in jurisdictions. When I came into the County Clerk's office, Colorado voters were leading us towards mail-in ballots. My county which at that time was 350,000 voters, what people could opt into a mail-in voter, I had 82% for mailing. And so are voters led us to a hybrid model of delivering a paper ballot and then having options for in person. But, one of the questions that I asked myself and I think a lot of election officials around the country are exactly like me, they care just like I did and I do about processes was when we looked at validating our voters for that process. We do signature verification and when we reject a voter ballot due to mismatched signature we look really closely at that. But, there is a lot of ballots that we accepted that we are not looking quite as closely and we developed in Colorado and back in the pilot in 2012 we have been doing this a long time is a quality assurance to check on our signature validator's. Are they well-trained? Do we agree with their disposition of these ballots? What is the rejection rate? What is the acceptance rate? Are we tracking? Now we have technology for large and medium-size jurisdictions that can do this in an automated way. And so we are auditing the machine to ensure that that is processing free auditing the machine to make sure it is working accurately and post auditing to make sure it worked appropriately. Our election judges, are the poll workers tired? Are they looking at things late at night and how well did they do on that? There are so many processes that we use quality assurance audits on. We check and recheck and validate the process and I am so proud to be a part of a profession that not only works so hard at this, but also is open to continuous improvement on how we can get even better. And I would say that my clerk Association, I was Executive Director - these state associations are so powerful in the collaborative conversation based on how our voters wish to vote in our jurisdictions and in our states in trying to move the ball and work with the stakeholders and providers and with our communities. And I really appreciate the opportunity to say that these are things we have been looking for a very long time and formalizing and we are always looking to improve and formalize and share and this project has a great opportunity to do that.

>>BEN HOVLAND: Thank you for that. Chairman Palmer?

>>DONALD PALMER: Thank you Ms. Anderson. Mr. Kirkpatrick, what principles can you take away from the procedural audits in Mississippi?

>>KYLE KIRKPATRICK: Yes. So, in Mississippi we conduct procedural audits and we did take a look at risk limiting audits, as well when we were approaching our legislature and they felt that in order to not put too much on local election officials that needed to be a procedural audit or risk limiting and not both at once and we really took a look at how these were occurring in Mississippi and whether pain points were coming from. And what we saw was that we don't have recount, we have what we call ballot box examinations which is work candidates can go in and view the ballots and make sure the count was correct and that we were not having instances where there is incorrect accounts and the machines are counting correctly and the people were counting correctly and the problems were coming from procedural issues and with being put in the machines whether improperly counted absentee ballots or improperly counted

affidavit ballots or improperly rejected ballots of the same were being either tabulated or not tabulated which was causing election challenges, elections to be thrown out and elections to be re-held which severely undermines confidence in those jurisdictions. And so we felt that procedural audits would be the best for Mississippi in order to make sure that those problems were not being discovered too late in the point where there is already litigation filed and there is a drug ruling on this and it is too late to correct an issue whereas an audit if done correctly would have identified the issue, hopefully well before we got it to a point where anybody felt that litigation needed to be filed. And so we tried to review several points of where those cases were finding those issues which was in logic and accuracy testing, absentee ballot procedures, affidavit ballot procedures and as one of my fellow panelists mentioned, the documentation. Ballot accounting reports. Seal logs, are they properly maintaining seals after the election? And after that we are able to go in and sit with counties and duties audits and discover these pain points and address them before they get to the point of needing any kind of postelection challenges that undermine the integrity of the election and I would - one of the fellow panelists mentioned this artificial problem issue which I think is a great point to address as a state level which is recognizing that our local jurisdictions are limited sometimes in availability and with how much staff they have and the time they can dedicate to postelection challenges and at a state level when crafting legislation or crafting the audit procedures that will be followed it is recognizing that we are addressing the point that really need to be drilled down and something that effort every election official ever work with say that there is no such thing as a perfect election and that there is always going to be a problem and making sure that when we are doing this audits that we are addressing those problems that can affect somebody's right to vote or understanding that there will always be minor issues that do not impact somebody's right to vote or impact that final result of the election and not shining a such a spotlight that we are making mountains out of mole hills that break down the relationship between state offices and local election officials in conducting these audits and that was a major thing in Mississippi that we have been able to use these to really build a relationship with our local election officials and sit down with them on these issues so they can recognize that we are not out to get them. This is a spot check so they don't find themselves in the spotlight where they may be ending up in postelection challenges and litigation that require a new election and undermine the faith in the process at the local level.

>>SPEAKER: Executive Director Nunez, you spoke about RLAs (AWAY FROM MIC) could you talk about how you are (AWAY FROM MIC) election cycles in addition (AWAY FROM MIC).

>>MIGUEL NUNEZ: Certainly. So, we are a little bit different in Rhode Island and many of the states in which we have Board elections which is responsible for the oversight of elections relative to the entire state and regulating elections throughout the entire state. Our role is to maintain the equipment and distribute the agreement statewide and we are very top-down system and tabulate the votes. The Secretary of State office is responsible for the electronic and the statewide voter regulation system which is governed under the rules and regulations established by the Board of elections. And in that office as far as through the central voter registration system, over the last four years and even going back to the last eight years, in partnership with the Board have had extensive work in list maintenance because we are responsible for tabulating the vote but it is also important to make sure that people grow voting in these E elections are eligible to cast those votes and part of these efforts are local just

contain within our state and some of them are more expansive for example recently within our state we issued mailing to 730,000 registered voters which is all of our voters, that is the size of many counties, but for Rhode Island that is the statewide voter mailing list and that is a maintenance list to make sure that voters confirm that the information that is on that notice that they received is accurate and that they still reside at that address where they indicated that they reside on the voter registry should list. But, other efforts include work with our local state partners such as the Rhode Island department of health and we get the in-state death the voting list match through and into the central voting meditation system and a lot of this data I am not going to take the credit for it. It is done by Jessica Signa who is a GIS expert at the Secretary of State office and she has a model of ABC which is always be cleaning the data. And so by far the biggest advantage that Rhode Island has is through Eric. Through the election registration info consortium, because as you know we do not have a national voter registry database and the closest that we have to that is ERIC. I mean I remember being young and in the office and having little slips of pieces of paper in the early 2000 come in and it would just be a random slip of paper torn off from another sheet and it would be from some random County there in Mississippi, Colorado, Florida saying that this person has indicated that they moved to Florida, please cancel their registration. And that even to this day is the extent to how we get notified by other jurisdictions when a voter registers in their state and is no longer a resident residing in Rhode Island. ERIC change the game with that going back to 2017 and with a couple dozen other states we used the Social Security death Index file from ERIC every two months, because if a Rhode Island registered voter passes away outside of Rhode Island, we will know about that and their registration will be canceled. We also use the DMV and also analyzes the Department of motor vehicle files to determine whether somebody has moved within the state and we have a better address for them and we will send them a mailing to remind them that they need to register to vote. But, of course we get notified through ERIC when somebody moves out-of-state into another state and ERIC will analyze the list from those other partner states and notify us that they have moved. States that do not participate in ERIC where we have a lot of people from Rhode Island want to move to our Florida and North Carolina. We analyze Florida's public data to get that information since they do not participate in ERIC. We get the data from the public list and we identify the voters who have moved on to ERIC and moved on to Florida and we notify them so they can cancel their registration easily with a form that has a postage prepaid return envelope. And we also have a good partnership with our Rhode Island department of corrections. That data comes over to us regularly and we can actually suspend voters who are incarcerated upon a felony conviction or as a part of a constitutional movement over a decade ago we can restore voters who have been discharged from corrections to the voter list based upon having completed their sentence. And we also get many voters notifying us when they were to cancel the record based on those ERIC mailings and we also have a public challenge process which allows a voter to challenge another voter based on the residency not being valid. And we also examine at least annually addresses that have been flagged as commercial addresses. And occasionally we will find people registered at a Dunkin' Donuts for whatever reason or a business address and they'll be notified and that actual address is blocked so a renovation cannot be used at that address and it has to go through some additional steps to have that motor verify it. And the point is that list maintenance, voter maintenance is just as important as postelection audits, because a voting list is only as good as

the maintenance that you have done to it. Over the past four years we have removed over 140,000 voters from the voters role based on these list maintenance efforts and an additional 40,000 voters have been made an active under the NCOA and the national voter registration act requirements and that does not mean that we are interested in disenfranchising folks. We want folks to vote in the state of Rhode Island, but we want to be sure that if they are voting, that they reside in the state of Rhode Island and they are not moved out of state because when folks move we know that their priorities is not to cancel their voter registration and these list maintenance efforts that we have done in partnership with the Secretary of State office have been very effective in making sure that our voting roles are accurate and precise.

>>DONALD PALMER: Thank you for that executive director Nunez and I actually like the notes from other states asking for three individuals to be removed email those are easy to hand off to staff and take care of. Thank you. Those are my questions. Vice chair Hicks?

>>THOMAS HICKS: Thank you. I love the Dunkin' Donuts reference by the way. And this is for Florida, audits are often seen as a way of bringing stakeholders into the election process increasing confidence overall. How do you engage with other stakeholders during these audits and do you think that this raises the public level confidence and the actual results of the elections? Then.

>>SPEAKER: The foundation of our democracy you know it sounds trite, but it is the truth, it is based upon the trust that the electorate has that their voice is being heard. And so to me the biggest part of that is transparency and the audit process that they can understand and make sense to them and the more complete, the better. At every stage of the tabulation, the re-tabulation that we do, the public can be observers and we invite them in anytime we are scanning ballots from the system into our audit system, those are all open meetings and people can ask questions and we are placards explaining what we are doing and anytime they have a question we will answer it and every bit of that is transparent. When it comes time to make decisions on vote by mail ballots or signatures, Florida has a lot of statutory requirements in place that all of that is open to the public and people can ask questions and we dedicate time for them to review the signature verification process in case they have any concerns. And the list maintenance process we try to communicate out to everyone and we did a great job of extending list maintenance. That is a key component of our voter registration audits. And all of that needs to be open to the public and they need to be invited in and encouraged to come in so that they can help spread the word. Government officials being the talking heads and you know trust is what we do behind closed doors, that does not do anybody good. And so we need to be sure everything is out in the open and explain every part of what we do and ballot recreation, you name it, people can see what we are doing and get their stamp of approval through the process and it is all about transparency I think really.

>>THOMAS HICKS: I think that is great and I think you mentioned earlier about how a lot of this can occur -- came to occur during 2000, but they have really become the model because of 2000 and so hopefully other states will join in for that.

>>MIGUEL NUNEZ: Thank you for that. We sure had growing pains.

>>THOMAS HICKS: Thank you, Chairman.

>>DONALD PALMER: Thank you, Commissioner Hicks. Commissioner McCormick two.

>>CHRISTY McCORMICK: This is for assistant secretary Kirkpatrick. Kind of following on what supervisor Earley was talking about, communicating audits with the public and as we

heard there are challenges with risk limiting audit and how to explain those. How do you explain and make your audits available to the public?

>>KYLE KIRKPATRICK: That is a great question. One thing that we tried to do on both fronts is that we make our audit manual open to the public, at least 90 days before the election and that ensures local election officials as well as the public knows exactly what the standards are going to be going forward. And in that we try to take very much care in not explaining what we are going to be and the procedures on the audit, but what we were going to be looking at and why we are going to be looking at it and how the details in the process through state law and state regulations and explaining that in a manner that can be understood by not somebody who is in election geek like many of us in here, but a layperson who may be looking at her for the first time who has a concern with the election and maybe this is their first experience with elections looking at this audit manual and so we took a lot of time and care in drafting that audit manual and on the backside when they release a report to the public which by Mississippi law has to be made available to the public and it does not require us to be posted online, but we make it available online and we send a copy to our governor or lieutenant governor and the speaker of the house and our elections committees and that is how they are aware. And in that as we mentioned earlier and in the past we try not to make mountains out of mole hills and we explain not only what we looked at and how we looked at it, but that things went right and not only that things went wrong, but most of the time what we are finding is an what we wanted to find was that the local election officials did exactly what they are supposed to and highlighting that here's what we look for and everything went exactly like it was supposed to. If there were not -- if there were issues we explain what it was, how it happened and how we are rectifying that. We have our local elections officers in the room with us while we do the audit and then we give an opportunity to respond to any audit finding and that way it is not put out there in the public in a vacuum without context and with your local election officials with what happened, what went wrong and how it will be fixed in the future, because what we have found and I'm sure many of the panelists and many who are watching with how elections are conducted now which is that information without context, even if it is trying to be helpful can sometimes do more harm than good because other people will fill in that context themselves. And so we try very hard to give their proper context from trusted sources of information on what went right and what went wrong and what we are going to do to correct something if you went wrong at such a major level that could impact somebody's right to vote or impact the role of the voters in voting.

>>CHRISTY McCORMICK: That makes a really good point. That context is so important to these audits and what we are actually looking for and whether it does affect the outcome of the elections. And so thank you for that answer. Mr. Chair?

>>DONALD PALMER: Thank you Commissioner McCormick, Commissioner Hovland?

>>BEN HOVLAND: Audits serve multiple roles in the elections and out hoping to go down the row and start with Mr. Earley and just get some final thoughts from you all about if you can talk a little bit about maybe lessons learned from your audits or what kind of value you found audits to provide both in terms of again some of what we heard about with public trust and also the value in terms of checks and balances in the elections process so we can start with Pfister Earley and just go down the line.

>>MARK EARLEY: Yes, the primary value is the public trust, but really it sounds strange, but some of the people you really have to prove your elections results two are the losers of

campaigns. That is a big audience that we are really appealing to. You put your lifeblood and I have run for office you know it is the hardest thing you ever do except for maybe the 2000 elections and when people lose, especially in close elections they want to make sure that the rules were followed and that frankly they were not a victim of somebody else trying to alter the results. There is other ways to say it and I'll try to say it nice and politically correct. And that really follows down through a whole realm of things. We did not really talk about all the different things we audit, I made a list and we audit chain of custody and Ball inventory and poll worker performance and making sure their handing out the right things and making sure they are not talking to the voters in a way that they should not be and logic and accuracy test and before and after elections, those are critical parts of our auditing. Signature verification and the training and making sure you are doing that properly. Canada treasury reports and auditing where they are getting their money from and making sure that they reporting a properly, that is another big thing they do in Florida. We are involved in the big petition controversy in Florida right now and so we are auditing to make sure the proper people are the ones assigning the petitions. And at a basic level everybody is using certified equipment, but you have to validate that your system that is installed for tabulation or in Florida for audit actually meet the certified standards. And so there is a lot of different parts to this and it is very difficult to communicate and we have talked a little bit about the communication. And you really have to be involved in the process deeply to understand all of the parts and checks and balances that we have in place to ensure that either a staffer or a part-time employee you have brought in or a poll worker or worker or somebody helping with a recount that is really a plant to really close elections when they are most fragile, that is when one person can potentially have an impact. And in Florida it was barely over 500 votes in the 2000 cycle and that does not take a whole lot of people doing nefarious deals to cause problems and so the vetting process of even getting your employees, that is all things that are parts of all of this. And those are things that we all do. That is the message that we would like to get out to the public. And the big obvious ones and the tabulation audits, that is where the glare is with the voter registration and those are things that we have to do a better job at communicating how we do it.

>>PAM ANDERSON: I agree with everything that my colleague Mark has said and leaning into the transparency part one of the things when I came in first as a municipal clerk and every election as a professional I've ever met whether you are a poll worker or not, if you administer an election you have to be a bit of a control freak or run screaming from the room and that is what this is about pure we are looking at auditing and controls so we understand systems and we have continuous new systems and new requirements and what really resonated with me was the testing and piloting of new systems and projects and the certification and evangelizing about what we do and what we currently do and where we would like to go in the future with a lot of this. So, the audits do bring confidence for that and blanket statements are unhelpful, right? You know what we talk about anything we do in elections and you know I will say one now, elections officials really care about this. And the guardrails around it are really you know like the things like the constructions and the funding and personnel and time and implementation and all of those things and being thoughtful about it is really important because the elections officials have the controls in place and they need the resources and I think that where standards can help inform the individual processes at the jurisdictional level where associations can take up good best practices you know we can continue to instill and improve

confidence and I would say anyone that takes a look at these systems and jurisdictions walk away or take a tour or become a worker as Commissioner McCormick said and serves in ballot counting processes walk away with wow. I had no idea. I had no idea that all of these practices are in place and yet that does not stop me as a practitioner to say how can we do this even better.

>>BEN HOVLAND: Hopefully if this panel has done one thing goes into how much work and we appreciate that process. Mr. Nunez?

>>MIGUEL NUNEZ: I would also like to echo my fellow panelists and these sentiments and in Rhode Island we started with a leg up because we did start with a paper ballot and we had been using a paper ballot since 1997 and I have a old machine set up in our lobby as the first mechanical DRE which we have no interest in using anymore, but for historical purposes it is cool to look at. And a paper ballot does not guarantee that your election is going to have no flaws and we had a issue that was caught and it was an impetus of us signing onto the RLA legislation and the reason why I have conducted six RLA statewide since that time and I want to also talk about outreach. We offer tours of our facility and we put out our information constantly on social media and we put out one-page infographics and one example that I have in 2024 we had a election skeptic who was at our office every day and she parked her car in her parking lot and she had a manikin of a particular presidential candidate who I will not name here and she was all in on election skepticism and at one point after spending hours and hours standing in the lobby talking to her week after week I said at some point I appreciate your distrust of the system, but at some point you have to trust the public officials that have been put in place to conduct these elections. But, verify our spirit and on the day of the risk limiting audit, that November, she was there as an observer and it just so happened that we were short someone for one of the tabulation pairs and I looked over at her and she was there with somebody else and I said hey, would you like to join and be a tabulator and afterwards she thanked me for allowing to participate in the process and I have not seen her since that day. So, I think that we made some effort to gain her trust and I think finally and echoing my fellow panelists is transparency. All of our election processes from signature verification, the risk limiting audit, tabulation, opening of mail ballots, it is all public and even if there is a small technicality in the posting that we put out there to advertise that, we will pull it and we will not do it until it is done the right way. And as far as the risk limiting audit, it is live streamed as far as what the process is and we put everything on a sensor on her website so anyone who is interested in seeing how the audit was formulated and conducted, all of the information is out there for the world to see and that is one of the most important things and I appreciate my co-panelist Mark for pointing out all those other aspects for I you know in particular we should all work better at publicizing all of those other types of audits that are done at different aspects of the election so the public is aware that it is not just postelection, it is the entire election.

>>KYLE KIRKPATRICK: The problem of going last is that all of the good answers are taken. And so I of course echoed the transparency and context aspects of that and so not to belabor those points and I would like to kind of mention at a state level in implementing audits and designing a audit program some lessons that we learned was not only preparing to audit the election and making sure that all of those procedures were set up, but getting ready to internalize those after and to make sure that they are not only internalized about our office, but to not only point out why we are doing these and the local elected officials and what could have

been corrected, but it is a great learning point for our office to see what we can train on better and was this a failure because of training and could the training have been better that would have prevented this? More training and more materials? And to be ready to prepare for that so we can take those lessons from this county and apply it to all counties so it does not happen elsewhere and to have those conversations with local election officials which is something that is not lost on anybody in this room. There are 50 different states with 50 very different election setups and in Mississippi we have a very decentralized approach and the secretary state office has very little oversight over our election officials and a lot of our ability to take what we find to be sure it does not happen elsewhere and having those hard conversations that there were failures that need to be corrected and not only are we going to address those, we're going to take those and look at ourselves internally and figure out how we can figure out how this does not happen elsewhere and that it is not just rest on our local election officials on a state-level entity because it is a partnership and it takes all of us to pull off a successful election.

>>BEN HOVLAND: Thank you for that. Chairman Palmer?

>>DONALD PALMER: Thank you Commissioner Hovland for all of the panelists, I really learned a lot and it was a great conversation listening. And I really do appreciate the advice to the agency. We are going to move on to the next item on the agenda and I want to say thank you and we took some good notes and we will make sure that we incorporate those.

So, while we exchange the panel we will talk a little bit and introduce the panelists in the next panel is the value of professional election audit principles. And I would like to now welcome and introduce our panelist to talk about the value and what they can provide to the field of election administration. So, the panelists include Ricky Hatch who is the clerk/auditor in Weber County, Utah. And earn his certification as information auditor and Mr. Hatch serves on the EAC Board of advisors. And Bill Kresse is former Commissioner on the Chicago Board of elections commissioners. Professor of auditing and president and chair of the Inst. of election auditors and is an attorney and certified public accountant. I also hear that he does some radio as well! And our next guest is Amanda Harlan, Monro County the auditor in Commissioner and she started with schools, manufacturing and other industries before moving to County government in 2015 and she serves on the EAC standards board. Thank you all for joining us. So, our first question is a broad one, but I will let each of you answer it.

We will definitely start with Amanda Harlan and each of you have experience outside of elections and what lessons do you think we can take from audit sectors?

>>AMANDA HARLAN: Audit principles - microphone - okay, is that better? What I have found in financial audit is that they have principles that offer consistent structure and guidelines and as far as the postelection audits in Iowa which are now what we perform they have similarities and principles and if the guidelines or if the principles for these were high-level and broad I would look at it like how can I apply these various principles to the different steps of a postelection audit. A couple examples that come to mind as far as financial audits would be time inconsistency and financial audits are performed in many fields, cities, schools, counties annually as far as Iowa postelection audit they are formed after every election and it provides for they expected and consistent environment. And another principle that we think could transfer one to the other could be sampling. In a true financial audit you cannot come in and see every

financial transaction that happened. You just don't have room for that. And what you do is issue or draw a sample and you cannot see every single check that was paid, but you can randomly select and in Iowa the Secretary of State selects one precinct to be audited by law and so that is the random antilock process allows for an environment where any precinct can be audited and so as a postelection auditor you can make sure that your processes are consistent.

>>SPEAKER: Thank you, Mr. Chair. Every audit professional goes through this maturation process and I think the elections administration profession is where we are still kind of towards the beginning and there is a lot of benefit that developing standards will provide to this. It provides with consistent terminology and provides consistent objectives and evidence requirements and ethics and evidence and other things like that which is great and one of the things and the thing that I like that audits bring to their professional auditing brings to bear is that they focus on very distinctive aspects of the elections process and there is a lot of control and process information that can be brought over from the financial audit world into election administration and I'll briefly mention just three things and the first one that we think about as far as audits in elections is pretty common and it is accurate, did the machines tabulate the votes accurately? That is only a small part of the picture from my IT audit background when we focus on auditing systems, we also look at completeness and completeness is simply was every vote that was turned into the election official properly reported at the end whether it was reported as a vote that was cast for a candidate or was it rejected for a legitimate reason? And then we flip it around the other way and we look at validity and that it is looking at it backwards and so it is looking at the statement of votes cast or the actual votes that had been counted and we say has every vote that has been listed on this, can it be tied back to a legitimate voter? No, it should be. We have this challenge called the secret ballot that is constitutional requirement which is super crucial, but being able to tie it back into at least in aggregate that we know there are 100,000 ballots or votes counted for this candidate in this election and we can tie those back and link those back to the number of votes cast in our voter history session. And so these are benefits really unique benefits that auditing standards would bring because they would help establish how they would identify those things without going too prescriptive and we will talk about that later. Thank you.

>>BILL KRESSE: Thank you Mr. Chairman and commissioners. The question will go to what can we take away in identifying principles and developing professional standards? I was delighted to hear Monica Childers talking about the high-level principles of that she is working on in the draft principles, because we could get bogged down in the details of the specific procedures to take during an election audit, but I think we need to start with the high-level principles from which the other things flow. If you look at the American Institute of Certified Public Accountants, they have identified six key principles that include responsibilities, public and independence and due care and the scope and nature of the services. And the Inst. of internal auditors have four core principles of integrity, objectivity, confidentiality and competency. I think the election administrators would be served well by looking at these principles and in keeping them inside whatever you are developing procedures as how to administer, because as we heard on the last panel there is really no one-size-fits-all, okay? I am not about to say that these sort of audit that would take ways for the city of Chicago could also be applied to the state of Rhode Island or what have you. Or some other jurisdiction. But, if we keep those principles in mind, then we can look at what occurs and they will have an

outline of what they need to do, but then they will tweak it to adjust to the particular needs of that client. And so I would say look to those high-level principles which it looks like you have already done and stick to it and have everything all flow from that. Thank you.

>>SPEAKER: Thank you. Vice chair Hicks?

>>THOMAS HICKS: This is not the first field to grapple with this. How has the practice of auditing professionalized other sectors and do you think that the same could be true for election administrations?

>>SPEAKER: Thank you vice chair Hicks. I appreciate the question. I think we are trusted you know financial auditors are trusted not because they are perfect, because we are plenty of instances where they have done wrong and it has created lots of problems, but they are trusted because of the principles and because of the standards that have been codified and adopted across the industry and self policed for the most part. That is what brings confidence into a profession and that can strengthen the confidence placed in the election administration profession once we can establish and solidify our standards. We certainly have code of conduct for the election center and other entities and those are excellent. These standards specifically relate to election auditing that will enhance and complement the code of conduct. I think as a profession we can reach further professional status and further trust when we have common terminology which the EAC has been great with your glossary and it would be nice and I would love a 50 state spreadsheet. I like spreadsheets - I would love a 50 state spreadsheet that shows this is what you mean when a voter cast their vote and you record it as vote history and in Alabama they call it this and in New York they call it the. And the EAC has started a process in trying to consolidate that, because that makes the implementation of standards much more consistent. Consistent training - if you have standards to train and standards that are well-established, the training naturally flows out of that. Professional accountability - both by your peers and the public. Now, we definitely have standards that helps establish also peer accountability and I can come in many forms. Colorado has an example of some challenges that an election admitted figurehead there where they broke their code of ethics for their stay Association. Other ways to do this are peer reviews were election officials can review the processes and conduct audits on neighboring counties or even states. Evidence collection, having standards around what types of evidence you would look for when conducting an audit. That certainly is helpful. And one of the biggest things and it was referenced earlier by both Monica as well as others, election administrators, we have this mindset of continuous improvement and we are always asking what we can do better and how we can improve and how we can make it more secure, more accurate and more efficient. It is kind of built into our DNA as logistical planners or control freaks as Pam likes to say. And the standards will help establish that even more. And it helps bring more ideas to that. As well as ethics. And the common language in the training and evidence, those will help to enhance that speed and improve that process of continuous improvement. And lastly, really right now what we do we talk about are we complying and are we doing a good job? Election administrators always go back and say yes, we are complying with the state and local policy and law. And that is a good thing. But, I think a higher level is that we are - we are adhering to professional practices. Two standards that have been set up by the profession and by members of the profession. And I think that will help with confidence.

>>SPEAKER: Thank you vice chair, Hicks. Commissioner McCormick?

>>CHRISTY McCORMICK: Chairman Kresse or Professor Kresse, I am not sure what you prefer -

>>BILL KRESSE: Bill is fine!

>>CHRISTY McCORMICK: You are talking a little bit about the core high principles that we need to look at. Election administrators are already focused on things like security and transparency. Would it be helpful to further codify those aspects into election audit principles?

>>BILL KRESSE: Short answer? Yes. But, being a professor I cannot leave it at that. I have to go on. Yes. And really looking at the question of security, going back to those principles I cited, they included confidentiality, do professional care and things like that. So, derived from that would be a principle of security, because goodness knows that we need to keep the ballots and the information secure so that bad actors cannot have access to it. If nothing else the voter registrations have information on the voters including Social Security numbers and driver's license numbers and a bunch of other things which would be the keys to the kingdom for an identity thief. And so definitely security and those should be and that should be one of the most principles right at the start or a subset of the principles that are flowing from that. Transparency? Yes. But, here I'm going to talk a little bit. Transparency is excellent and you know it should be continued. I love what I heard from the last panel on what happens in Florida and Rhode Island and inviting the public into watch them as they conduct a risk limiting audit. But, transparency only takes you so far. It really cannot be the end-all be-all. In business disciplines we talk about information asymmetry. And it is what we have in the election system. As we see elsewhere where you have one party who has got the information and disseminates it and then we have the other side that needs the information. So, for elections it is the election officials and the general public. But, any number of other situations, the one that I like to make an analogy is a house sale. Commissioner McCormick, if you are selling your house and I was interested in buying it, I might ask you well, how is the roof? How is the electrical? How is the HVAC? And you may say they are all great. I would say fine. But, I would like to check it out. Now, transparency would be okay, I'll open the doors, you come in and look around. And okay, I may not know what I am looking at. Or worse, I might already have preconceived notions and maybe I want to get out of the contract or maybe I see something that I would say well, your HVAC is not working because of this or that in the other thing - on the other hand what happens in a situation like that is we call in what is known as an information intermediary. A independent credentialed expert who takes a look at it who knows what they are looking at and they can report back to me as to their position as to the fairness of your assertion. I think some of you know with my academic researcher hat on I have conducted two separate nationwide surveys, 14 years ago and the other about 2 and a half weeks ago where I asked a cross-section of America you know balanced by age and sex and region of the country so it looks like a cross-section, plus or minus or 95% confidence interval answer if they were audited by certified election auditors, would this affect or how would this effect your confidence in elections? I also asked how would this affect your frequency of voting? And the results from my latest showed 72% said it would increase their confidence in election. 50% said that they would vote more frequently. And goodness knows that we spent a lot of money on get out the vote campaigns. I think maybe having the voters more confident in our elections may bring that up. And so it goes as an idea that when they see that the elections are being audited by professionals following certain principles that they may not have the ability or the interest

even of showing up and watching a RLA being performed. But, they will find comfort in knowing that these elections were looked at by that information intermediary who took a look at it and knew what they were looking at and was able to report back that yes, the results were fair and the procedures that they followed were fair and I think there is a lot of value in that and I think that we can infer from these findings and that the public and the voting public, they hunger for having greater confidence in their elections. They are hearing all sorts of noise about our elections. And it is incumbent upon us to provide them with that comfort. And I think having professional standards for auditing our elections is one way towards that. Thank you.

>>CHRISTY McCORMICK: Thank you. And I hope that you will pass on the results of that survey to us so we can take a look at it.

>>BILL KRESSE: Most certainly. Thank you.

>>CHRISTY McCORMICK: Mr. chair?

>>DONALD PALMER: I expect a report on the poor for the house as well! Let me see, Commissioner -

>>BEN HOVLAND: Thank you. Monitor Harlan, we know what is possible at a given time and is there still a role for election audit principles even if they cannot be fully implemented?

>>AMANDA HARLAN: Thank you for the question. Again, the generalized principles can be helpful to election administrators such as myself. Of course we follow the postelection audit process as prescribed by Iowa law. That is the base and the starting point. And guidelines above that can help someone like me again look at the various steps in the process and say how can I make this better? How can I make this and improve the process? And for a quick example, if a principal example is independent, how do we help ensure help with independence? And the audit Board is selected and it is a bipartisan Board and we typically select from experienced poll workers in our county and that is required and so that is what we would do and I wonder if there were guidelines and the focus was on independence as the person who selects the Board and maybe I would think to myself okay, this precinct and this city was selected and I will choose election workers to serve on the Board who did not work in that city. And so I think you would take this general idea and apply it to every step and see what that does to improve the process.

>>BEN HOVLAND: Thank you very much. Chairman Palmer?

>>DONALD PALMER: Thank you very much. I just wonder clarify, so the development of the professional principles on audits, that is a document that we released for public comment after the hearing and that will be available to the general public and for everybody to provide feedback on. So, my question and I will go back to you auditor Hatch and I know that this is something that you have been thinking about for a while and obviously you have been a auditor in the past and now a election official. And knowing that election practice varies across the industry, how can you envision using some of these audit principles in your own office and in your own day-to-day work or development of audits?

>>RICKY HATCH: Excellent question, thank you chair Palmer. And in Utah, every single County is subject to a minimum of seven different audits for every single election. Not just of the tabulation equipping, but voter equipment and chain of custody and signature and ballot replication audits in case a ballot cannot be read by the scanner and there is a whole host of those paired we have been doing some of these audits for over 20 years in Utah. I see three things that standards would help that we would implement standards in our office. The first one

is that we would come with state law to help drive our processes and so as we design and refine our processes, we can step back and look at the principles if an audit were applied to this particular process that we would run that audit through their and run that audit through the process and say how would approve, if I were to be audited, how would I prove compliance with whatever I want to have in place. That is what we would do first to help drive procedures through that. The second one is really changing our mindset or shifting our mindset and I will give a brief example. In the audit world, some types of evidence are more robust and better than others. And for example, in postelection audit you have a fixed percentage method where you take 1 to 3% of all ballots that have been processed and you verify that the machine properly captured, converted and summarized that tally on that particular ballot. And you would do that for 3% of the ballots. In cases like Florida for example like it was mentioned earlier, they do a 100% performance and there is no sample involved and they take the ballots and scanned them through a completely independent system. That is a higher threshold or higher level of evidence that you can place more trust in than simply taking a sample. And another one is external confirmations that carry a lot more weight than just judgment or statements and that can be in play with voter registrations rather than just saying you know yes we process all of the voter registrations within five days and we record everything as part of your audit you can go back and look at the source document and say did the voters find us? Did they check the boxes? Were the boxes properly entered into the system? That is independent verification as opposed to relying on the poll workers saying I checked these boxes. And so the standards will help us shift our mindset a little bit more to identify the robustness of the evidence that we will be looking at when we are developing our procedures. And then really I think the last thing that standards would help us in our office is with communications with the public. Rather than I have never heard election officials say just trust us and we feel very confident about what we do, but we realize that we have to put it at a higher bar and they have to feel confident with us and one of the ways that we can increase their confidence through the use of standards is by saying you don't have to trust us, come take a look and by the way here is an audit report that shows we have conducted our elections and that our conduct has been audited in accordance with professional standards developed and maintained by the election administration throughout the country and so those procedures.

>>BEN HOVLAND: Thank you.

>>THOMAS HICKS: Thank you, Chairman. I am finding this hearing very valuable, because each person has mentioned something that I think is crucial to the way that audits are done. Bill mentioned an independent qualified person in the audit and Amanda talked about bipartisanship and Ricky talks about how the stakeholders can see the openness and these are all things that are valuable to ensuring that confidence remains high in the production of an audit and my question goes to Amanda with so much challenging and so much challenging to audits is the communication with voters overall and other stakeholders. How do we ensure and could we deal with audit principles to make sure that audits are easier to understand and communicate to the public more so than my ability to communicate the question overall.

>>AMANDA HARLAN: Commissioner McCormick made a really good point earlier. If the audit is done in an empty room, did it happen? And I am in a very small county in rural Iowa and I am very accessible to the public and my desk is 10 feet from the counter and people can come and with their questions and concerns and what I found is that the Secretary of State does

a great job partnering with us as far as our audits and you know they share pictures social media and they help us with press releases and so the information is there, but I still perform an audit often in a empty room. And so I think when I have people come into the office and maybe they saw something online or they heard something from a transit social media post and they have a real concern, what I find is that they love to hear about our audits and what we do. It makes them feel better and I cannot tell you how many times I have had conversations that started at 10 and then we get down to a good 5 to 3 and they feel better. And so if there were some auditing standards that helped us get back munication out, that people do want to hear it and people you know they don't always work and they don't have days to come into my office and watch me do it. And I get that. And so maybe the standards would help further communicate what we do in accordance with standards as Ricky pointed out earlier. I think there is a lot of room to make that better and improve voter confidence.

>>CHRISTY McCORMICK: Thank you Mr. Chairman and to add another title to Mr. Kresse, as a lawyer and from a lawyer, in many states, election officials by law are responsible for auditing their own work. You talked about a independent qualifier certified auditor. When you are facing a law like that for a person doing the work auditing their own work, on that kind of constraint, how do you achieve an audit principal?

>>BILL KRESSE: You achieve it through the same way that say an Inspector General would do it. Or as I said before an internal auditor. Where the person that you designate may be is the chief auditing person for this office and you place them in the flowchart as reporting say to the highest level and you follow the principles of the Inst. of internal auditors that admittedly they know they cannot be independent since they are an employee of the company, but the other core principles of integrity, objectivity, confidentiality and competency. And so they are still told on objectivity the highest level of professional objectivity, okay? And so they can still be held to that standard. And that might be enough. That is a very good thing. And many small businesses may not be in a place where they can hire an out side independent CPA to come in and audit their financials. And maybe they are going to a bank to get a loan. Well, they go to a bank with a set of financials and they say by the way we have an internal auditor who is a certified internal auditor and that alone will give that bank enough confidence in those financials that they may go depending on what the numbers say of course they will go ahead and get the law and so it does give a level of confidence and maybe not the highest level that you get from an independent auditor, but it does give you an increased level of confidence. One other thing it does and we do not talk about this is the deterrent effect that auditors have. Just the mere fact that you have an auditor amongst your staff people you know there is a human tendency to cut corners. And if they know that there is an auditor there who may be working at my work I will not cut corners anymore especially for details and control that they may not fully understand. We in the United States have an individual income tax system that is essentially built on voluntarily filing your income taxes and most people comply with the tax code, why? Because maybe to some extent there is a IRS auditor out there somewhere that may select them for an audit and so we will go ahead and file my taxes and do it correctly. And in the same way the election worker who may decide you know let's just cut a corner on this and I don't understand the fact that there is an auditor there may make them tend to comply with the rules and then those of us who rely on the results of the election would say you know I think they probably followed the procedures, because there is a credentialed professional even though they may not

be independent, but they are set up within the organization within the hierarchy of the organization where they can be objective and they can assert their independence. And that is the other way you can get around that and the other way is most agencies are allowed to say to hire outside counsel to come in. Okay. Well, they have the outside counsel retained as their expert a certified professional. And that way you can bring them a independent voice. But, there is a way and the internal auditor model may be the way to go at that.

>>CHRISTY McCORMICK: You are suggesting even if the auditor is inside, they should still have some sort of certification? That they should adhere to?

>>BILL KRESSE: Correct. They have a certain certification and also adhere to the principles that are involved with that certification so the general public can take some comfort when they are told that here are the results and by the way are certified expert and credentialed expert followed it and inducted it and oversaw the audit and gave a clean opinion on it. I think the public can take a lot of confidence in there.

>>CHRISTY McCORMICK: Of course IRS auditors have criminal penalties and fines which of course hopefully we don't have to assess here! That would be bad.

>>BILL KRESSE: That is for another hearing on another day!

>>CHRISTY McCORMICK: Yes!

>>BEN HOVLAND: I would like to again just give you all an opportunity for some final thoughts I think as we have heard a lot today you know there is a lot of variety in the current audit election landscape both because of the diversified nature of how we run elections across the country and again resources and many of the other things that we have heard. And again I would love to just give you all a chance to talk about what may be our some of the most important things and anything that we have not hit on as it relates to create a high-level standard from the national vantage point. And so auditor Harlan we will start with you and go down the line.

>>DONALD PALMER: And we have to make this a little quick, we are running out of time.

>>AMANDA HARLAN: Thank you for the question. Very quickly I would say that as you said we all do different audits and we all do them different ways and we all have different laws to follow. I think one of the important things to remember is that when the guidelines are broad, who interprets them? And who decides that they are met? Well, if I am interpreting them and in permitting them where I can as best as I can and I determine if they are met, it is important to remember that we all have a different interpretation of whether or not we follow the standard or not with best practices that help with that as well. And again, it is up to all of us to interpret them from that level down to where we are at and that will all vary.

>>RICKY HATCH: Going back to your question Commissioner McCormick, there are really things that we can done across everything that can be applied and developed standards and one is separation of power or segregation of duties and if I'm the one running the scanning machine I should probably not be auditing the process or if I'm the one verifying signatures, somebody else should be doing that. And you will see a lot of election officials do all of these principles and public observations and involvement is crucial. If you can get random involvement from citizens to help with the audit, that is a higher level. Randomness in the selection of samples and in many states the state Secretary of State or Lieutenant Governor actually tells the locals which precincts to audit and that is helpful. And then documentation and explanation, I think all of that helps. An overall on the concept of standards, the key thing is to

focus on principles, not prescriptions. Because, we are so diverse it is a great thing in this country and our election administration is diverse and will spread and unique in the laboratories of democracy and so we cut the principles I and then we hold ourselves to those standards and if they are well designed, they will float and flex with each jurisdiction and all of the differences. But, some key concepts, objectivity, rules of evidence and hierarchy of evidence, documentation, independence professional care and ethics and behavior. All of those are helpful. Thank you.

>>BILL KRESSE: Let's put it this way. We are at a point where we are talking about adopting professional principles for election auditing. And I have given talks about election auditing around the country. And one of the questions I often get after I talk about these things is why don't we already have this? And what I point out to them is that we have had wheels for millennia and luggage for centuries and it was not until 1972 to file a patent and say we are going to put wheels on suitcases and I have a photo in my office of Albert Einstein carrying his suitcase. And if you think of it, anybody would have figured out to put a wheel on our suitcase it would have been neck, but sometimes the opportunity presents itself and we are at that point right now where we are talking and developing principles so we can have these audits and so we can know how the audit should go forward and what is required in order to give the American voter the confidence in their elections that they so much deserved. So, let us go forward from here. Thank you.

>>DONALD PALMER: Thank you all. Thank you and with that, that is it, I will not add anything to that. I really appreciate the panel and all of your input and questions and answers that we had. Once again, thank you for joining us. The next thing that we are going to do is vote on the rotation of the chair. Per section 203C, the commission shall select a chair and vice chair from a term of one year except that the chair and vice chair may not be affiliated with the same political party. Now, I have been working on vice chair - and we are still not with the same political party. Close - and I will now entertain a motion to approve the regulations the commission rotate chair and vice chair of the commission effective favorite 24th, 2026 whereby Mr. Thomas and Hicks will begin for one year and Kristi McCormick will begin a term of vice chair for one year.

>>BEN HOVLAND: I move that we adopt the recommendation as presented.

>>CHRISTY McCORMICK: I second-period.

>>DONALD PALMER: Okay, any discussion before we moved to a document last chance!
Okay, all in favor, say aye.
(MULTIPLE SPEAKERS)

aye. Okay, all in favor and the rotation of chair and vice chair is approved. So, I would now like to invite vice chair Hicks to make some brief remarks.

>>THOMAS HICKS: Thank you Chairman Palmer and before anybody emails me out there in the land, that was a joke, I am staying within the same political party. In all seriousness there has been a lot of uncertainty for the entire election community and the EAC itself over the past year. I want to say thank you, you, the election administrators, manufacturers and other stakeholders who have engaged with us in sharing their experiences and their thoughts and I want to say thank you to the EAC staff and with what I have been for all of you to continually show up and not only show up, but to do your best to keep the agency running. I want to say thank you to everyone again for this meeting and for the panelists who participated in this

meeting and all of the feedback that we are getting from all groups and seeing that this hearing room is packed with people today shows a testament to how many people are engaged with this. And finally, I want to say thank you, Chairman, for your past year as serving as chair and a small token - of appreciation, I want to present to you a gavel and - I guess we are supposed to stand -

>>DONALD PALMER: Okay, it works! Thank you, Commissioner Hicks. That is very nice. So, I want to say thank you that has spoken today in the panelists. We look forward to incorporating your comments into a set of guiding principles and professional standards to be used by jurisdictions throughout the country. We look forward to continuing the discussions with our stakeholders and members of the public so this can be a robust document for the election community and the public. And that will be after the hearing is completed we will post the draft onto our website. So, I have enjoyed the time I observed as chairman and this is the second time that I have served. We have had quite an eventful year managing a process of budget reduction of approximately 10 percent of the agency reduction and we have also endured a budget shutdown of over 40 days. Where momentum of the agency was curbed in security with voting systems. But, we ended up on the other side of that strong and focused team and the team continues its hard work and we appreciate that. Despite those headwinds, the EAC continues to certified the VVSG2.0 systems and managing a testing process for I believe seven more proposed 2.0 systems and all the while developing new versions from lessons learned of 2.0 with VVSG 2.1 and continuing to increase and address the security concerns that were brought up. So, amazingly a multiple electronic poll and standards for other nonvoting systems such as election reporting and voter registration systems. Again I want to be thankful for our staff and advisory boards for their input and encouraged that we have been able to make significant progress in developing audit standards despite the government shutdown and weeks of inactivity. Thank you to those who have helped me throughout the year. I'm also glad to be passing off a gavel to Commissioner Hicks. And you have my support as we enter 2026. And I have also been asked by staff to remind you that the deadline is February 20 foreseeing how election jurisdictions are safe and secure and accurate and accessible. And with that I will take a motion to adjourn today's meeting.

>>SPEAKER: Moved.

>>SPEAKER: Second.

>>DONALD PALMER: Properly moved and seconded. All in favor?

(MULTIPLE SPEAKERS)

aye.

>>DONALD PALMER: Meeting adjourned. Thank you.