

WHY THE WAIT? UNPACKING CALIFORNIA'S UNTIMELY ELECTION COUNTING PROCESS

HEARING BEFORE THE COMMITTEE ON HOUSE ADMINISTRATION HOUSE OF REPRESENTATIVES ONE HUNDRED NINETEENTH CONGRESS FIRST SESSION

APRIL 29, 2025

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April 29, 2025

COMMITTEE ON HOUSE ADMINISTRATION,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

The Committee met, pursuant to notice, at 10:32, in room 1310, Longworth House Office Building, Hon. Bryan Steil [Chairman of the Committee] presiding.

Present: Representatives Steil, Bice, Miller, Morelle, Sewell, and Torres.

Staff present: Mike Platt, Staff Director; Rachel Collins, General Counsel; Abby Salter, Deputy General Counsel Jordan Wilson, Director of Member Services; Kristen Monterroso, Director of Operations; Josh Weber, Counsel; Jamie Fleet, Minority Staff Director; Khalil Abboud, Minority Deputy Staff Director; Sean Wright, Minority Chief Counsel; Sarah Nasta, Minority Senior Advisor; Nikolas Youngsmith, Minority Elections Counsel; and Owen Reilly, Minority Professional Staff.

OPENING STATEMENT OF HON. BRYAN STEIL, CHAIRMAN OF THE COMMITTEE ON HOUSE ADMINISTRATION, A U.S. REPRESENTATIVE FROM WISCONSIN

Chairman STEIL. The Committee on House Administration will come to order.

The title of today's hearing is "Why the Wait: Unpacking California's Untimely Election Counting Process."

I note that a quorum is present. Without objection, the chair may declare a recess at any time. Also, without objection, the hearing record will remain open for 5 legislative days so Members may submit any material they wish to be included therein.

Thank you, Ranking Member Morelle, Members of the Committee, and our witnesses, for participating in today's hearing.

Today, the Committee on House Administration will continue its oversight of Federal election policies. As the Chairman of the Committee, it is a top priority of mine to improve Federal election law and increase transparency for American voters.

During the 2024 election cycle, 155 million Americans across the country cast their ballot in the elections for President, Senate, House of Representatives, and State and local elections as well. Over 16 million of those votes were cast in the State of California.

Most Americans watched election results being announced on election night. That was not the case in California. According to the Associated Press, it was not until December 4, nearly a month

later, that all of the California races were ultimately called. The longer it takes to provide the results of an election, the more voters can lose trust and become frustrated with the process.

Today, we will examine the reasons for California's delay in reporting results. A major cause of the delay in California election results is the State's universal mail system, which is prone to delays, tabulation, and ultimately the calling of races.

The ability to vote by mail in California has been available in the State since 1982, and State lawmakers have continuously expanded the bounds of mail-in voting ever since.

In 2022, the California Legislature codified pandemic-era procedural laws and enacted universal vote-by-mail for every election administered by the State. In other words, every registered voter in California gets a mail-in ballot. This not only opens the door for potential fraud, but it also causes delays on the counting side.

Another issue we will explore today includes accepting ballots after Election Day. Currently, California accepts ballots delivered up to 7 days after election day. We will discuss with our witnesses if that means it needs to be postmarked, what happens if it is not postmarked, what happens if it is dated/not dated by the candidate.

California accepts ballots collected up to 7 days after Election Day. This matters because on Election Day California does not know how many ballots will be cast, and so, results for close elections cannot be announced in a timely manner.

Make no mistake, it is California's own State policies that are creating these significant delays in election reporting. While other States are taking steps to implement positive change, California spent 50 years moving in the other direction.

For example, in a State like Florida, with a population of 23 million, Florida is able to report election results on election night. Following the 2000 election, of course, Florida took a serious look at its own election policies and passed a law to ensure ballots are actually counted on and by election night.

California's system also does not really increase voter participation. Timely election results, I believe, builds voter confidence and can increase voter turnout. In Florida, voter turnout was 78.9 percent of registered voters, a record high. California's participation in the 2024 election was 71.4 percent of registered voters.

Florida requires absentee ballots to be delivered to local election offices by the close of polls on Election Day. Florida absentee voters may cure ballot discrepancies within 2 days after the elections. In California, voters have up to 28 days to cure absentee ballots. Twenty-eight days, it is a long time, something we can be discussing with our witnesses as well.

In November, 3 days after the election, I traveled to Los Angeles County Central Count and got to witness the tabulating process in Los Angeles County firsthand. When I arrived 3 days after the election, L.A. Central Count still had 900,000 outstanding ballots that needed to be tabulated.

That is in L.A. County alone. That is not the State of California; 900,000 total just in L.A. County. It was an amazing experience to walk through the L.A. Central Count. I think we have an opportunity to talk with our witnesses about the reforms that could be made.

This is uniquely important, because the balance in the U.S. House of Representatives at that time still had not been determined, in large part, because the races in California were not called due to the lax election laws that are resulting in these delays. The rest of the country should not have to wait on California to know the results of the elections.

We are looking at California particularly today because they have continued to move the goalpost in their election policies. California's election administration highlights why Congress must conduct oversight of States' Federal elections and determine whether it might be necessary to enforce baseline standards on election integrity.

I thank our witnesses for being here today. We are going to have a great conversation about what is going right and what is going wrong in elections across the country, but in particular, what is going wrong in the State of California. I thank our witnesses for being here today and look forward to our discussion.

I will now recognize the Ranking Member, Mr. Morelle, for 5 minutes for the purposes of providing his opening statement.

[The prepared statement of Chairman Steil follows:]

PREPARED STATEMENT OF CHAIRMAN OF THE COMMITTEE ON HOUSE ADMINISTRATION BRYAN STEIL

Today, the Committee on House Administration will continue its oversight of Federal election policy. As the Chairman of the Committee, it has been a top priority of mine to improve Federal election law and increase transparency with American voters. During the 2024 election cycle, over 155 million Americans across the country cast their ballot in elections for President, Senate, the House of Representatives, and local and State positions.

Over 16 million of those votes were cast in California. Most Americans watched election results being announced on election night. This was not the case in California. According to the Associated Press, it was not until December 4—nearly a month later—that all of California's races were called. The longer it takes to provide the results of an election, the more voters lose trust and become frustrated with the process.

Today, we will examine the reasons for California's delay in reporting results. A major cause for delay in California's election results is the State's universal vote-by-mail system, which is prone to delays in voting, tabulation and, ultimately, calling of races. The ability to vote by mail in California has been available since 1982, and State lawmakers have continued to expand the bounds of mail-in voting since.

In 2022, the California legislature codified pandemic-era procedural laws and enacted universal vote by mail for every election administered by the State. In other words—every registered voter in California gets a mail-in ballot. This is an unsecure way to run an election. Another issue we will explore today includes accepting ballots after Election Day.

Currently, California accepts ballots delivered up to seven days after Election Day. We are going to talk to our witnesses about this. This means that on Election Day, California will not know how many ballots are cast or be able to report results for close elections. Make no mistake, it is California's own State policies that are creating the significant delay in election reporting.

While other States are taking steps to implement positive change, California has spent 50 years moving in the wrong direction. For example, a State like Florida with a population of over 23 million is able to report election results on election night. Following the 2000 election, Florida took a serious look at its own election policies and passed a law to ensure ballots are counted on election night.

Timely election results builds voter confidence, which increases voter turnout. In Florida, voter turnout in 2024 was 78.9% of registered voters, a record high. California's participation in the 2024 election was 71.4% of registered voters. Florida requires absentee ballots to be delivered to the local election office by the close of polls on Election Day. In Florida, absentee voters may cure ballot discrepancies within two days after the election. In California, voters have up to 28 days to cure absentee

ballots. 28 days?! I think we can all agree that is well beyond an appropriate timeline.

In November, I traveled to Los Angeles County three days after the election. At that time, they still had 900,000 outstanding ballots that needed to be tabulated in Los Angeles County alone. The balance of power in the House of Representatives still had not been determined because of California's lax election laws that delay results. The rest of the country should not have to wait on California to know the results of an election.

We are looking at California today because they have continued to move the goal posts in their election policies. California's election administration highlights why Congress must conduct oversight of the States' Federal elections and determine whether it might be necessary to enforce baseline standards of election integrity.

OPENING STATEMENT OF HON. JOSEPH MORELLE, RANKING MEMBER OF THE COMMITTEE ON HOUSE ADMINISTRATION, A U.S. REPRESENTATIVE FROM NEW YORK

Mr. MORELLE. Good morning. Thank you, Chairman Steil, for calling us together, and certainly, thank you to the witnesses for being here today.

I appreciate any effort to improve electoral processes in California, or frankly, anywhere else in America, but I do want to be clear about one indisputable fact. There is no evidence that California's recent elections featured any irregularities or fraud.

California's elections were legal and legitimate. How do we know? Because in November 2024, Republicans deployed election observers to more than half a dozen congressional districts across California. These observers monitored ballot tabulation and processing operations in California. They reported no instances of illegality or any serious election-related irregularities. What they reported was California election officials following the law. To be crystal clear, Republicans did not contest the outcome of a single congressional race in California under the Federal Contested Elections Act.

To anyone watching this, please understand there is a long-standing mechanism for challenging congressional results that were improperly decided, and Republicans did not challenge any congressional results in California.

There is no question, the ballots counted in California in the period after Election Day were legally cast by eligible American voters. That is undisputed. This hearing is not about making American elections more secure. We are holding the hearing because my colleagues simply dislike the way Californians voted. It is not the procedure Republicans actually have a problem with, it is the outcome.

Now, there are always ways in every election in America that we could make them more efficient, and I am sure there is probably room in California for improvement in their elections to speed up the process.

Standardizing notice deadlines and ballot cure review across California, these policies could probably streamline elections. We could be working in a bipartisan way to enhance election efficiency in California and elsewhere.

Instead, we seek to make elections less efficient. My colleagues push policies that increase burdens on election administrators, policies that take a sledgehammer to free, fair, and secure American elections.

The SAVE Act, for example, which was passed over our objections a couple weeks ago, allows any person to sue any election official based solely on mere suspicion that a noncitizen is registered to vote. How quickly will any State process ballots if election officials are besieged by endless frivolous lawsuits?

The President's already deemed illegal anti-voting executive order could lead to the decertification of thousands of voting machines used across the United States. This deeply harmful executive order would cost States billions of dollars. It would fundamentally disrupt American elections.

Both the SAVE Act and the executive order would eradicate voter registration by mail or online. This would wreak havoc on election administrations nationwide, and disenfranchise millions of military and overseas voters who rely on mail and online voter registration to exercise their sacred inalienable right to vote.

Some proposed Republican policies would harm American elections so much, even prior Republican witnesses at this Committee caution against them. We have heard Republican witnesses warn of the inefficiency of processing hand-marked, hand-counted ballots, which have been advocated by Members of the House Republican Caucus. Forget about weeks to resolve an election, it would take months or years to have election results.

Committee Democrats called a witness today to give voice to the military and overseas voters that would be harmed by Republican election policies. The record should reflect that our colleagues blocked Democrats' initial witness choice, a military spouse stationed overseas named Sarah Straiter, from appearing today.

Sarah wanted to speak to this Committee about how we can better serve military and overseas voters. Because she is nearing the third trimester of her pregnancy, transatlantic travel presented a significant barrier for her attendance here.

The majority denied our request for her to testify remotely, something we have the technology to facilitate. Because Sarah is a pregnant military spouse with travel limitations, she was not allowed to testify.

It is not lost on us that if the SAVE Act were law, Sarah would also be unable to register to vote today, because it requires in-person voter registration. Women stationed overseas with pregnancy-related travel limitations would be barred from registering to vote.

Today, the majority will attack completely legitimate elections in California. That is the idea here. Meanwhile, President Trump and congressional Republicans advance policies to create massive barriers to military voting.

We have not held a single hearing on military and overseas voting. The VOTES Act, championed by Congress Members Frost and Lee, who is a Member here of this Committee, would increase military voter access, unlike the SAVE Act. Why are we discussing this today instead of that?

We would happily waive this Committee's notice requirements to call the VOTES Act up right now to send it, once again, to the full House, so to defend rather than undermine legitimate American elections. Instead of wasting time, can we support military and overseas voters? I would hope we would.

Thank you. I yield back my time.

[The prepared statement of Ranking Member Morelle follows:]

**PREPARED STATEMENT OF RANKING MEMBER OF THE
COMMITTEE ON HOUSE ADMINISTRATION JOSEPH MORELLE**

California's elections were legal and legitimate. How do we know? Because in November of 2024, Republicans deployed election observers to more than half a dozen congressional districts across California. These observers monitored ballot tabulation and processing operations in California. They reported no instances of illegality or any serious election related irregularities. What they reported was California election officials following the law. To be crystal clear, Republicans did not contest the outcome of a single congressional race in California under the Federal Contested Elections Act.

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Now, there are always ways in every election in America that we could make them more efficient, and I am sure there is probably room in California for improvement in their elections to speed up the process. Standardizing notice deadlines and ballot cure review across California, these policies could probably streamline elections. We could be working in a bipartisan way to enhance election efficiency in California and elsewhere. Instead, we seek to make elections less efficient. My colleagues push policies that increase burdens on election administrators, policies that take a sledgehammer to free, fair, and secure American elections.

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Chairman STEIL. The gentleman yields back.

Without objection, all other Members' opening statements will be made part of the record if they are submitted to the Committee clerk by 5 p.m. today.

Today, we have one witness panel. First, we have Ms. Ashlee Titus, who is a partner at Bell, McAndrews & Hiltachk. Next, we have Mr. Austin Gilbert, who is co-owner of Right Choice Strategies. After that, we have Hon. Donald Palmer, chairman of the Election Assistance Commission. Finally, we have Rebecca Nowatchik from the Secure Families Initiative.

We appreciate all of you traveling to be with us here today and look forward to your testimony. Let me remind the witnesses we have read your statements and they will appear in full in the record.

I will now recognize Ms. Titus for 5 minutes.

STATEMENTS OF ASHLEE TITUS, PARTNER, BELL, MCANDREWS & HILTACHK, LLP; HON. DONALD PALMER, CHAIRMAN, ELECTION ASSISTANCE COMMISSION; AUSTIN GILBERT, CO-OWNER, RIGHT CHOICE STRATEGIES, LLC; AND REBECCA NOWATCHIK, DIRECTOR OF EXTERNAL PARTNERSHIPS, SECURE FAMILIES INITIATIVE, INC.

STATEMENT OF ASHLEE TITUS

Ms. TITUS. Thank you, Chairman and Members of the Committee. I am an attorney in private practice in Sacramento. My first election as an attorney for a campaign was March 2004, and it took 2 weeks after that election for the nominee to be known.

For well over 20 years, California's canvass has been slow. Now there are more close contests that take 3 to 4 weeks after the election to determine the winner.

California's election laws impose numerous procedures that extend ballot processing and counting far beyond election night. Election administrators must contend with constantly changing rules and manage a larger volume of complicated mail-in provisional ballots in a 1-month period following each election.

The original culprit behind California's lengthy canvass is no-excuse access to mail ballots. In 1978, California became the first State to allow voters to apply to vote by mail on an election-by-election basis without a reason.

Since the 2020 general election, every active voter receives a ballot in the mail without applying. In the most recent general election, nearly 81 percent of California's 22 and a half million registered voters cast a mail ballot.

Hand-delivered and drop-box ballots must be received by the close of polls on Election Day, but mail ballots are valid if they are received by an election official by the seventh day after the election.

About half of mail ballots cast are dropped off by voters on Election Day and are not processed until days or weeks after election night.

When a mail ballot is received by an election office, the laborious signature comparison process begins. Some counties in California use technology to conduct the first signature comparison, while others solely rely on election workers.

Before a signature on an envelope is deemed not to compare to the voter's signature on file, three levels of review must find, beyond a reasonable doubt, that the signature on the mail ballot envelope possesses multiple significant and obvious differing characteristics when compared to all signatures in the voter's registration record.

When a signature is challenged, the voter has an opportunity to provide a substitute signature. If a voter returns their mail ballot envelope without a signature, that voter also has an opportunity to provide a signature.

In both cases, this process is known as signature curing. Depending on the county, a voter may submit a substitute signature as late as 28 days after Election Day. Many signature cures are returned as a result of the harvesting efforts of campaigns in close contests.

Usually, county elections officials are permitted to certify their election results as soon as they have completed all of the required tasks, but a law temporarily in effect for the 2024 general election prohibited counties from certifying earlier than the 28th day after the election.

The response of many county elections officials was to suspend canvass activities outside of normal working hours to avoid paying overtime to their canvass workers, thus further delaying the reporting results for the November 2024 general election.

In addition to the nearly 60-day mail voting process that we have in California, California's same-day voter registration significantly contributes to the delay in finalizing election results. This is known as conditional voter registration.

California permits individuals who are not registered to vote by the 15th day before an election to complete a registration affidavit and cast a ballot. Conditional registrations are a type of provisional ballot, which take the most time and the most labor to process.

It is the cumulative effect of all of these procedures and deadlines that caused the delay in finalizing California's election results. Of the weeks it takes to know the outcome of close contests, California's Secretary of State, Dr. Shirley Weber, said Californians should be patient.

Not all of California's policymakers agree that we should just accept this. There are several proposals currently pending in the California Legislature to address the lengthy canvass.

One bill would require all counties to offer in-person voting on the Saturday prior to Election Day. Given that 78 percent of voters already have this option, and still over 80 percent of California's voters returned a mail ballot in the most recent election using an envelope, this is not likely to ease the post-election crunch.

Several Members of the California Legislature have introduced bills this session to simply mandate speeding things up. These proposals would impose an arbitrary deadline by which certain ballots must be counted, or that the canvass must be completed without addressing the root causes of the current lengthy process, and

without equipping elections officials with the means to process ballot envelopes faster.

The solutions must focus on mail ballot and same-day voter registration procedures and deadlines. Otherwise, California will continue to be last in the Nation to finalize its election results.

That concludes my comments.

[The prepared statement of Ms. Titus follows:]

PREPARED STATEMENT OF ASHLEE TITUS

United States House of Representatives
Committee on House Administration
Chairman Bryan Steil

Why the Wait? Unpacking California's Untimely Election Counting Process

April 29, 2025
10:30am ET

Longworth House Office Building

Ashlee Titus, Esq.
Partner
Bell, McAndrews & Hiltachk, LLP
Sacramento, California

My first election as an attorney for a campaign was March 2004. California still had a partisan primary election then, and it took 2 weeks after the election for the nominee to be known. For well over 20 years, California's counting of ballots has been slow.

While advances in technology in the last 20 years have helped speed up some canvass activities, California's Legislature continues to add requirements that delay final election results. California lawmakers and Constitutional officers consistently support policies that extend counting far beyond election night. As the number of registered voters and voter turnout have both increased exponentially during the last two decades, the number of elections officials remains fixed at 58. The county election administrators must contend with the larger volume of ballots and complete numerous complex tasks in a one-month period after each election.

The original culprit behind California's lengthy canvass is no-excuse access to mail ballots. Over the last 47 years, there has been an expansion of nearly every aspect of mail ballot handling, from mailing them earlier, mailing to more voters, accepting them later, and allowing curing of signature deficiencies.

In 1978, California became the first state¹ to allow all voters to vote by mail without a reason.² Prior to that, fewer than 5% of voters voted by mail.³ Thereafter, adoption of mail voting quickly escalated. In 1980, the first year no-excuse mail voting was in effect, just over 6%⁴ of the 11 million registered voters⁵ cast a mail ballot. In the most recent general election, nearly 81%⁶ of California's 22.5 million registered voters⁷ cast a mail ballot.

Other changes in California's laws accelerated adoption of voting by mail. In 1982, California created permanent vote by mail, which gave voters with specific impairments or conditions the ability to vote by mail automatically, without having to submit an application for absentee status each election.⁸ In 1993, eligibility was expanded to spouses and caregivers of such

¹ <https://www.desertsun.com/in-depth/news/politics/elections/2022/08/23/california-election-voter-rights-state-has-long-history-expanding-access-mail-absentee-ballots/10184884002/>

² 1976 version of Elections Code Section 1003 (effective January 1, 1977): "The absentee ballot shall be available to any registered voter who is unable to appear at his polling place for any one of the following reasons: (a) Illness. (b) Absence from the precinct on the day of the election. (c) Physical handicap. (d) Conflicting religious commitments. (e) The voter resides more than 10 miles from his polling place.

The absentee ballot shall also be available to any registered voter who resides within a precinct which is wholly on federally owned or controlled land." 1978 version of Elections Code Section 1003 (effective January 1, 1979): "The absentee ballot shall be available to any registered voter."

³ <https://www.sos.ca.gov/elections/historical-absentee>

⁴ <https://www.sos.ca.gov/elections/historical-absentee>

⁵ <https://admin.cdn.sos.ca.gov/elections/sov/2024-general/sov/04-historical-voter-reg-general.pdf>

⁶ <https://www.sos.ca.gov/elections/historical-absentee>

⁷ <https://elections.cdn.sos.ca.gov/ror/15day-gen-2024/complete-ror.pdf>

⁸ Stats. 1982 Ch. 1422, adding Chapter 7 (commencing with Section 1450) added to Division 2 of the California Elections Code.

voters.⁹ In 2001, any voter became eligible to obtain permanent vote by mail status.¹⁰ In 2016, California adopted the “Voter’s Choice Act,” whereby each County board of supervisors could vote to opt-in to mailing all active voters a ballot for every election without regard to a voter’s status as a permanent mail ballot voter, and hold in-person voting beginning 11 days before each election.¹¹ The first election this law was in effect, 5 counties out of 58 participated.¹² By the 2024 elections, 29 counties participated – one half of California’s counties encompassing nearly 78% of registered voters.¹³

COVID-19 upended election administration in 2020 for the entire country, prompting several temporary and permanent changes. California’s primary election was held March 3 that year, and on March 4 the Governor declared a State of Emergency. The Governor issued numerous executive orders pertaining to election administration, including one¹⁴ that required all counties to mail every active voter a ballot, which effectively expanded that component of the Voter’s Choice Act beyond the 15 counties that opted into that framework at the time.¹⁵ This directive was ratified by the Legislature through passage of an urgency bill prior to the general election.¹⁶ In 2021, the Legislature made this permanent.¹⁷

Additionally, the way in which a voter may return their mail ballot to the county elections official has evolved over the years. In its original form, a mail ballot could only be returned by a bona fide delivery service, the voter, or a specified family member if the voter experienced an illness or physical disability making them unable to personally return their ballot.¹⁸ A 2001 amendment expanded this list to add “a person residing in the same household” as the voter, but also added a provision which prohibited any paid or volunteer worker of any committee, political party, candidate’s campaign, or other group from returning a voter’s ballot.¹⁹ In other words, the 2001 amendment explicitly prohibited paid and volunteer ballot harvesting. In

⁹ Stats. 1993 Ch. 214, amending Section 1451 of the California Elections Code.

¹⁰ See former Elections Code section 3201, Stats. 2001 Ch. 922: “Any voter may apply for permanent absent voter status. Application for permanent absent voter status shall be made in accordance with Section 3001...”

¹¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB450

¹² <https://elections.cdn.sos.ca.gov/vca/2020/vca-november-2018-general-election-report.pdf>

¹³ <https://www.sos.ca.gov/voters-choice-act/vca-participating-counties>

¹⁴ <https://www.gov.ca.gov/wp-content/uploads/2020/05/05.08.2020-FO-N-64-20-text.pdf>

¹⁵ <https://elections.cdn.sos.ca.gov/vca/2020/vca-report/2020-vca-final-report.pdf>

¹⁶ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB860

¹⁷ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB37

¹⁸ California Elections Code Section 3017 prior to 2002 amendment: “All absentee be voted on or before the day of the election. After marking the ballot, the absent voter shall either: (1) return the ballot by mail or in person to the elections official from whom it came or (2) return the ballot in person to any member of a precinct board at any polling place within the jurisdiction. However, an absent voter who, because of illness or other physical disability, is unable to return the ballot, may designate his or her spouse, child, parent, grandparent, grandchild, brother, or sister to return the ballot to the elections official from whom it came or to the precinct board at any polling place within the jurisdiction. The ballot must, however, be received by either the elections official from whom it came or the precinct board before the close of the polls on election day.

The elections official shall establish procedures to insure the secrecy of any ballot returned to a precinct polling place.

The provisions of this section are mandatory, not directory, and no ballot shall be counted if it is not delivered in compliance with this section.”

¹⁹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=200120020AB302

2012, the California Elections Code was amended to remove the condition that a voter must be ill or disabled to allow specified family and household members to deliver a voter's ballot.²⁰ In 2015, drop boxes for mail ballots were added.²¹ Amendments adopted in 2016 legalized the practice known as ballot harvesting, by deleting the prohibition on campaigns and organizations collecting and delivering mail ballots for voters.²² Instead, any person authorized by the voter may deliver their ballot so long as the person isn't paid on a per-ballot basis.²³ Organized ballot harvesting has been a part of California's statewide elections since the 2018 cycle.

The timing for returning a mail ballot remained the same for nearly 40 years. Through elections held in 2014, a mail ballot had to be received by the voter's county elections official before the close of the polls on election day.²⁴ Amendments enacted in 2014 authorized counting a mail ballot if the envelope was dated or postmarked on or before election day and received no later than 3 days after election day.²⁵ During the COVID-19 State of Emergency, this was extended to 17 days after the election, but only for the November 2020 election.²⁶ Beginning with elections held in 2022, mail ballots dated or postmarked no later than election day may be counted if received by an elections office by the 7th day after election day.²⁷

As the volume of voting by mail increased, the Legislature sought to accommodate the workload of elections officials by shifting processing of mail ballots received prior to election day. Current laws permit county elections officials to begin processing mail ballots as early as the 29th day before the election – the same day they are mailed to voters.²⁸ “Processing” means conducting signature comparison, opening of envelopes and ballot extraction, duplicating damaged ballots, preparing ballots to be machine read, and allowing the machine to read them, stopping just short of accessing or releasing the vote count.²⁹ While helpful, about half of mail ballots cast are dropped off by voters on election day and remain to be processed until after all of the ballots cast in-person are counted on election night.³⁰

²⁰ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB365

²¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB2080

²² https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1921

²³ Id.

²⁴ California Elections Code Section 3020 prior to 2014 amendment: “All absentee ballots cast under this division shall be received by the elections official from whom they were obtained or by the precinct board no later than the close of the polls on election day.” A 2007 amendment changed “absentee” to “vote by mail.” AB 1243 (2007).

²⁵ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520140SB29

²⁶ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB860

²⁷ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB37

²⁸ https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=ELEC§ionNum=15101

²⁹ Id.

³⁰ For the November 5, 2024 statewide general election, California Secretary of State statistics posted on 11/05/24 tallied 8,280,096 mail ballots returned. By the end of the canvass, 16,140,044 mail ballots were returned. <https://www.sos.ca.gov/elections/historical-absentee>

When a mail ballot is received by an elections office, the laborious signature comparison process begins. Some counties in California use technology to conduct the first signature comparison, while others solely rely on election workers. Regardless of the method, before a signature on an envelope is deemed “not to compare” to a voter’s signature on file, three elections workers must find “beyond a reasonable doubt” that the signature on the mail ballot envelope “possesses multiple, significant, and obvious differing characteristics when compared to all signatures in the voter’s registration record.”³¹ Upon reaching this consensus, the voter has an opportunity to provide a substitute signature for comparison.³² In addition, if a voter returns their mail ballot envelope without a signature, the voter has an opportunity to provide a signature for comparison.³³ In both cases, this process is known as signature “curing.” The right to cure a signature problem was rolled out in phases. First, in 2015 a process was added to the California Elections Code to notify voters who failed to sign their mail ballot envelope and allow a signature to be submitted no later than the 8th day after the election.³⁴ Second, with respect to “mismatched” signature problems, the ACLU filed a lawsuit in 2017 seeking the remedy that no ballot be rejected based on a mismatched signature without providing notice to the voter and the opportunity to cure.³⁵ In early 2018, the court awarded the relief requested³⁶, and the Legislature responded by amending the Elections Code to incorporate a process to cure a mismatched signature, which took effect shortly before the 2018 general election.³⁷ This statute has been amended multiple times since it was originally adopted, and in its current form a voter may submit a substitute signature as late as 2 days prior to certification of the election results by their county elections official – which is up to 28 days after election day.³⁸ The cure form may be returned to the county elections office by mail, hand delivered, emailed, faxed, or by any other electronic means offered by the elections official.³⁹ Many cure forms are in fact “harvested” by paid and volunteer workers affiliated with close contests.⁴⁰

Generally, county elections officials are permitted to certify their election results as soon as they have completed all of the required tasks.⁴¹ However, a law temporarily in effect only for the 2024 general election prohibited counties from certifying earlier than the 28th day after the

³¹ https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=ELEC§ionNum=3019

³² Id.

³³ Id.

³⁴ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB477

³⁵ *La Follette v. Padilla* (2017) Superior Court, County of San Francisco, CPF-17-515931,

https://www.aclunc.org/docs/20171113-lafollette_complaint.pdf

³⁶ https://www.aclunc.org/docs/20180305-la_follette_order_granting_writ_of_mandate.pdf

³⁷ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB759

³⁸ California Elections Code Section 3019(d)(1)(A) and (e)(1)(A)

³⁹ California Elections Code Section 3019(d)(4)(A) and (e)(2)

⁴⁰ For example, <https://gwyre.com/2024/11/22/christine-pelosi-leads-charge-to-ensure-every-vote-counts-in-tight-duarte-gray-race/> and <https://www.latimes.com/politics/story/2024-11-13/ballot-curing-california-counts-votes-close-house-races>

⁴¹ California Elections Code Sections 15301, 15302, 15371, 15372

election.⁴² The reaction of many county elections officials was to suspend canvass activities after normal working hours, weekends, and holidays, to avoid paying overtime wages to canvass workers, for which the State was not reimbursing them, thus delaying the reporting of results for that election.⁴³

In addition to the mail voting process, California's same-day voter registration significantly contributes to the delay in finalizing election results. Known as "conditional voter registration," California permits individuals who are not registered to vote by the 15th day before any election to complete a registration affidavit and cast a ballot.⁴⁴ If eligibility to register is confirmed and the personal information is validated, the individual is simultaneously registered and the ballot is counted. In most counties, these are processed as a type of provisional ballot, which doesn't begin until a week or two after election day, and take the most labor and time to handle.⁴⁵

It is the cumulative effect of all of these procedures and deadlines that cause the delay in finalizing California's election results. Of the "days or weeks" it takes to know the "outcomes of close contests," California's Secretary of State, Dr. Shirley Weber, said "California elections officials prioritize the right to vote and election security over rushing the vote count" and that Californians should be "patient."⁴⁶

But not all of California's policy makers agree that we should just accept this. In March 2025, California State Senate's Elections and Constitutional Amendments Committee held an informational hearing on signature curing⁴⁷, though most of the questions from the Senators focused the length of the canvass process. There is at least a recognition that there's a downside to this reality. So far, the proposals for solving this likely remain inadequate. In 2024, state law was amended to allow voters to drop off their completed mail ballot without the envelope in counties that have the capacity to verify a voter has not yet voted in the election and can update the voter's status in real time, thus evading the signature comparison and cure processes.⁴⁸ Counties were slow to implement this in 2024. There's currently a proposal that

⁴² California Elections Code section 15391:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB3184&search_keywords=election

⁴³ <https://www.modbee.com/news/politics-government/election/article293504474.html>;

https://www.actionnewsnow.com/news/butte-county-clerk-recorder-registrar-of-voters-is-disappointed-with-passing-of-assembly-bill-3184/article_f0fea4b4-79ec-11ef-af34-139b3bee8844.html;

<https://www.sandiegouniontribune.com/2024/10/16/when-will-election-results-be-available-in-california/>

⁴⁴ California Elections Code Section 2170-2173

⁴⁵ California Elections Code Section 2170(f): an elections official may offer a nonprovisional ballot if the official uses the statewide voter registration database to verify the person is deemed eligible to register to vote, has not voted in the state in that election, has not been included on a roster for the same election in another county in the state, and updates the voter's record to indicate the voter has voted in that election.

⁴⁶ <https://elections.cdn.sos.ca.gov/statewide-elections/2022-general/media-releases/11-07-22-vote-counting-process.pdf>

⁴⁷ <https://selc.senate.ca.gov/hearings/informationaloversight-hearings>

⁴⁸ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB626

would require non-Voter's Choice Act counties to offer in person voting the Saturday prior to an election⁴⁹, but given that over 80% of California's voters returned a mail ballot in an envelope at the most recent statewide election⁵⁰, this may not ease the post-election delay. Several members of the California Legislature have authored bills this session to simply mandate speeding things up – but these proposals would impose an arbitrary deadline by which certain ballots must be counted or that the canvass must be completed, without addressing the root causes of the current lengthy process and without equipping county elections officials with the means to process envelopes and ballots faster.⁵¹

For decades, California policy makers have prioritized maximizing opportunities to register and cast a ballot in each election, at the expense of finalizing election results closer to election day. The slow pace of counting ballots is beginning to get the attention of some members of the California Legislature, creating an opportunity for policy changes to speed up the canvass and reporting of final results. The solutions must focus on mail ballot and same-day voter registration procedures and deadlines.

⁴⁹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB1249

⁵⁰ <https://www.sos.ca.gov/elections/historical-absentee>

⁵¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB5;
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB1214;
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260SB407

Chairman STEIL. Thank you very much.
Mr. Gilbert, you are now recognized for 5 minutes.

STATEMENT OF AUSTIN GILBERT

Mr. GILBERT. Good morning. Thank you, Chair and Committee Members.

My name is Austin Gilbert. I am a campaign field operative and consultant, and I have run numerous campaigns over the last decade in the Central Valley and High Sierras in California.

I have dealt with elections offices and officials during counting procedures, ballot-curing operations, and recounts across 13 different counties, and I have been a resident of Fresno County my entire life.

California elections can be described in one word: slow. Over the last decade, California has prioritized voter access over efficiency, effectiveness, and safety, inundating elections officials with time-consuming verification and sorting processes, security flaws, and a reliance on mail for voting.

With the passage of the Voter's Choice Act in 2016, California changed from traditional in-person voting to the new method of vote centers, drop boxes, and mail-in voting. This process was designed to be slow from the beginning. To start, State law mandates that any election official accept and count ballots postmarked on or before Election Day and received within 7 days of the election. This immediately slows results from being disclosed to the public, as elections offices do not even receive an accurate count of the total votes cast until most of the Nation has finished counting.

The centralization of this election process from precincts to vote centers and the elections office has also complicated the ballot sorting process. Specifically, within Fresno County, we typically deal with upwards of 3 to 500 different ballot types, that being any ballot with different contests included on it.

While in years past, you would vote at a precinct of your neighbors and there were very limited numbers of unique ballot types; now, vote centers are required to provide every single unique ballot, as any voter can vote at any vote center.

You can imagine, it is a lot easier to sort two to three different ballot types in one location than between 500 in one centralized vote center.

California also has an extremely arduous signature verification process, one that relies heavily on human interaction and the interpretation of handwriting. While most States verify identity before voters receive a ballot, California sends ballots out to every voter and verifies the signature after the fact.

This process of signature verification usually works in three steps: Ballots are received in the elections office and scanned for a signature. The signature is compared to the voter's signature on file, and the ballot is either accepted and opened or denied.

At this point of denial, a ballot cure form will then be sent to the voter so they have a chance to correct their missing or non-matching signature. While in theory, this sounds simple, in practice it becomes the most complicated process in administering an election.

In the days following an election, you can often see thousands of ballots in one room at different stages of the verification process. This includes ballots that have yet to be verified; ballots that are waiting on cure forms; ballots that have been accepted and are being separated from the envelope; provisional ballots awaiting verification; and conditional voter registration forms, all of this before elections officials can even flatten, sort, and count to provide results to the public.

There are also multiple deliveries of ballot types to the elections office on election night. This comes from ballot boxes across the county, vote centers, and United States Postal Service. All of these added steps and processes revolve around the signature verification process, which is largely done by temporary workers and election employees inside of a single county warehouse.

It is important to compare this to the original process, where voters would sign next to their name in a precinct, it would be verified and that voter crossed off the list from their specific precinct and then a ballot would be issued.

Now, rather than just sorting ballots, the elections office is single-handedly tasked with the entirety of verification, sorting, and counting.

California also does not maintain clean voter rolls. In many counties across the State, voters are tasked with updating their own elections office on changes to their registration, including if a relative dies or no longer lives in the State.

In many instances, households would receive ballots for members of their family that were recently deceased or no longer live there. While that is a massive security concern, it also adds to the extremely high cost of administering elections.

In virtually every elections office, you can ask to see their undeliverable ballots, which usually surpass the thousands. These ballots are ones that USPS could not verify an address for, or were returned to the elections office for any number of reasons. With the price of paper, printing, and postage, you can imagine this amounts to a massive cost.

Complicated verification processes, ballots still being received up to a week after election night, the ability of voters to cure ballots 28 days after an election, and messy voter rolls have led to one of the slowest and most costly election processes in the Nation.

Prioritization of voter access has led to a lack of speed, security, and a diminishing trust in California elections over the last decade.

Thank you.

[The prepared statement of Mr. Gilbert follows:]

PREPARED STATEMENT OF AUSTIN GILBERT

Austin Gilbert
4/29/25

California Elections - Why the Wait? - Testimony

Thank you Chair, and committee members. My name is Austin Gilbert and I am a campaign field operative and consultant, and have run numerous campaigns over the last decade in the Central Valley and High Sierras in California. I have dealt with elections offices and officials during counting procedures, ballot curing operations, and recounts across 13 different counties, and have been a resident of Fresno County, California for my entire life.

California elections can be described in one word - slow. Over the last decade, California has prioritized voter access over efficiency, effectiveness, and safety. Inundating election officials with time consuming verification and sorting processes, security flaws, and a reliance on mail for voting. With the passage of the Voter's Choice Act in 2016, California changed from the traditional in person precinct voting, to the new method of vote centers, drop boxes, and mail in voting. This process was designed to be slow from the beginning. To start, State Law mandates that any election official accept and count ballots postmarked on or before election day, and received within 7 days of the election. This immediately slows results from being disclosed to the public, as election offices do not even receive an accurate count of total votes until most of the nation has finished counting.

The centralization of the election process from precincts to vote centers and the elections office, has also complicated the ballot sorting process. Specifically within Fresno County, we typically deal with upwards of 300-500 different ballot types. That being, any ballot with different contests included on it. While in years past, you would vote at a precinct of your neighbors and there were very limited numbers of unique ballot types, vote centers are now required to provide every single unique ballot as any voter can vote at any vote center. You can imagine, it is a lot easier to sort 2-3 different ballot types in one location than between 500 in one centralized vote center.

California also has an extremely arduous signature verification process. One that relies heavily on human interaction, and interpretation of handwriting. While most states verify identity before voters receive a ballot, California sends ballots out to every voter, and verifies the signature after the ballot has been returned. This process of signature verification usually works in three steps: ballots are received in the elections office and scanned for a signature, the signature is compared to the voter's signature on file, and the ballot is either accepted and opened, or denied. At the point of denial, a 'ballot cure' form will be sent to the voter so they have a chance to correct their missing or non-matching signature. While in theory this sounds simple, in practice it becomes the most complicated process in administering an election.

In the days following an election, you can often see thousands of ballots in one room at different stages of the ballot verification process, including: ballots that have yet to be verified, ballots that are waiting on cure forms, ballots that have been accepted and are being separated from

the envelope, provisional ballots awaiting verification, and conditional voter registration forms. All of this, before elections officials can even flatten, sort, and count to provide results to the public. There are also multiple deliveries of different ballots types to the elections office on election night from ballot boxes across the county, vote centers, and USPS. All of these added steps and processes revolve around the signature verification process, which is largely done by temporary workers and elections employees inside of the county warehouse.

It is important to compare this to the original process, where voters would sign next to their name in a precinct, it would be verified and that voter crossed off the list from their specific precinct, and a ballot would be issued. Now, rather than just sorting ballots, the elections office is single-handedly tasked with the entirety of the verification, sorting, and counting process.

California also does not maintain clean voter roles. In many counties across the state, voters are tasked with updating the elections office on changes to their registration, including if a relative dies or no longer lives in the state. In many instances, households would receive ballots for members of their family that were recently deceased or no longer live there. While that is a massive security concern, it also adds to the extremely high cost of administering elections in the State. In virtually every elections office, you can ask to see their 'undeliverable' ballots, which usually surpass the thousands. These ballots are ones the USPS couldn't verify an address for, or were returned to the elections office for a number of reasons. With the price of paper, printing, and postage, you can imagine this amounts to a massive cost.

Complicated verification processes, ballots still being received up to a week after election night, the ability of voters to cure ballots 28 days after an election, and messy voter roles have led to one of the slowest, and most costly, election processes in the nation. The prioritization of voter access has led to a lack of speed, security, and diminishing trust in California elections in the last decade. Thank you.

Chairman STEIL. Thank you very much.

Mr. Donald Palmer, Chairman of the Election Assistance Commission, you are now recognized for 5 minutes.

STATEMENT OF HON. DONALD PALMER

Mr. PALMER. Thank you, Chairman Steil, Ranking Member Morelle, and Members of the Committee. I appreciate the opportunity to appear before you to address post-election procedures.

At the EAC, we offer year-round help to election officials to improve the administration of elections. This ensures that eligible Americans can participate in a secure electoral process and have confidence in the final results.

Prior to the 2024 election, I visited four of California's largest election offices to discuss their challenges, meet their senior staff, and thank them for their public service.

It should be noted that American elections are highly decentralized, with different States prioritizing different policies concerning ballot return, counting, and finalizing results. Today, I hope to provide insight into why it takes longer to count ballots in California than in many other States.

In prior years, the California Legislature has made several policy choices that have contributed to the extended curing and ballot-counting timeline. I also note that California legislators have recently proposed several measures that would streamline the post-election process.

As an all-ballot-mail State, California gives voters 28 days after Election Day to cure signature discrepancies on mail ballots. In contrast, for example, Arizona gives voters 5 business days. Colorado voters have 8 days to cure mail-in ballots.

In addition to the extended cure period, under California election law, ballots may be received up to 7 days after the election. In contrast, 33 States require that mail ballots be received by Election Day.

When provided the opportunity to drop a mail ballot off on Election Day, voters inevitably do so, thus pushing the necessary canvassing and verification of mail ballots deeper into the precertification period.

With the omission or mismatch of signatures of mail-in ballots, the curing period also extends the time of the final tabulation results.

Individual State laws play a fundamental role in our elections. Some of the factors involved in the different pace in tabulating final certified results include the extent and timing of absentee or mail ballots and early voting, preprocessing opportunities; tabulation, reporting requirements; resources and personnel available to election officials; deadlines to return absentee or mail-in ballots to voters; and curing or provisional ballot rules.

Before joining the EAC, I have served as the director of elections in Florida from 2008 to 2011. In Florida, county supervisors of election must finalize their results within 13 days following the election. During this time, election officials offer voters a curing process, which includes signature resolution and the opportunity to correct incomplete ballot certificates.

The timeline in Florida offers a streamlined and efficient vote tabulation process that balances the need for accuracy and promptness. However, it took the State of Florida several years in election cycles of trial and error to find the correct procedures to maintain efficiency, report promptly, and increase voter confidence.

As charged by the Help America Vote Act of 2002, the EAC fulfills its role as a national clearinghouse for information on election administration in many ways. The EAC regularly provides detailed best practices, templates and webinars related to mail ballots, the canvassing process, post-election activities, and ballot curing.

The EAC has highlighted jurisdictions using new technology to allow voters to promptly cure ballots. These resources promote consistency and legal compliance, ensuring that every lawful vote is counted, and the electoral process is secure, reliable, and timely.

In addition, the 2024 Election Administration Voting Survey, or EA VS, will be delivered to Congress by June 30th. It contains questions on State-ballot curing. This enhanced data collection will better enable the EAC to show ballot-curing trends across the United States and provide baselines to inform future State laws and administrative improvements.

I would also like to touch on the role of the United States Postal Service and ballot delivery and its failure to deliver timely ballots. The EAC will continue to work with the USPS and the States to build that relationship and to improve mail balloting across the country.

Through adequate funding of the EAC, the Commission will continue to provide crucial support and policy recommendations to States and localities across the country.

Thank you for your continued investment in the EAC and your unwavering commitment to election administrators, poll workers, and our Nation's public servants. We look forward to collaborating closely with you on these and other essential matters.

I would be pleased to address any questions you may have. Thank you.

[The prepared statement of Mr. Palmer follows:]

PREPARED STATEMENT OF HON. DONALD PALMER



U.S. ELECTION ASSISTANCE COMMISSION
633 3rd St. NW, Suite 200
Washington, DC 20001

**Committee on House Administration
“Why the Wait? Unpacking California’s Untimely Election Counting Process”**

**Testimony: United States Election Assistance Commission (EAC)
Donald Palmer, Chairman**

April 29, 2025

Chairman Steil, Ranking Member Morelle, and members of the Committee, I appreciate the opportunity to appear before you today to address post-election procedures, particularly the counting of ballots post-election and certification of election results as part of your series on the 2024 elections. I hope to also highlight some of the ongoing work of the U.S. Election Assistance Commission (EAC) which offers year-round help to election officials to improve the administration of elections. We are dedicated to ensuring that eligible American citizens can participate in a strong and secure electoral process and have confidence in the final results.

It should be noted that this testimony represents my thoughts on California’s current voting process and the EAC’s available resources relating to the same. Unless otherwise noted, I am solely responsible for this testimony, and my views may not necessarily reflect the positions of the agency or those of my fellow EAC Commissioners. I hope to provide some insight into why it takes longer to count ballots in California than in many other states, some of the factors involved, and general policy recommendations to improve the process upholding security, integrity and access to the ballot.

Prior to the 2024 election, I visited four of California’s largest election offices to discuss their challenges, meet their senior staff, and thank them for their public service. The EAC also hosted a post-election meeting in Los Angeles, California on the election administration lessons learned in the 2024 presidential election where we heard testimony from many states and localities. While the administration of elections was widely successful, there have been concerns expressed over the extended and delayed reporting of final results in some states across the country.

American elections are highly decentralized with different states prioritizing different policies concerning ballot return, counting, and finalizing results. In recent years, the California legislature has made several policy choices that have been major contributors to the extended curing and ballot counting timeline. While the counting of every lawful ballot should be prioritized, extended periods of counting and curing do come with trade-offs in terms of speed and efficiency of reporting results.

As an all-mail ballot state, California gives voters up until 5 p.m. two days before certification, or 28 days after Election Day, to cure signature discrepancies on mail ballots. In contrast, other all-mail ballot states have much shorter time periods to cure ballots. For example, Arizona gives

voters five business days after the election to cure any signature issues, and Colorado voters have eight days.

In addition to the extended cure period, under California election law, ballots may be received up to seven days after the election. In contrast, the majority of states (33) require that mailed ballots be received by Election Day to be counted. When provided the opportunity to drop a mail ballot off on Election Day, voters inevitably do so, thus pushing the necessary canvassing and verification of mail ballots deeper into the pre-certification period. As an example, both of California's neighbors to the north, Oregon and Washington are also all-mail ballot states. In a recent federal election, Oregon required ballots to be received by Election Day while Washington simply required ballots be postmarked by Election Day but could be received 20 days post-election. Oregon ended up rejecting fewer ballots due to a ballot being received late than Washington. Voters that know that there is a hard public deadline (Election Day) for return of their ballot will be more intentional and cognizant of the deadline date.

Like many of you, I have heard the concerns about long counting times and the potential impact on voter confidence, particularly in close races, and I appreciate that there have been several proposals by legislators that would streamline ballot tabulation and cure periods. AB5, AB214 and SB 407 would shorten certification deadlines. SB406 and AB930 shorten ballot receipt deadline.

Individual state voting laws play a fundamental role in the success of our national elections. Some of the factors involved in the different pace in tabulating ballots and final certification of results include: extent and timing of absentee or mail ballots and early voting; pre-processing, tabulation, and reporting requirements; resources available to election officials; deadlines to return absentee or mail in ballots; and curing and provisional ballot rules.

To focus on the post-election process, the opportunity of voters to "cure" is important in providing an additional opportunity to voters to fix errors, omissions, or resolve signature issues. Policymakers, however, should scrutinize whether extended periods of time for the curing of ballots may unnecessarily impact the confidence of elections. There may be ways to provide additional resources, personnel, and technology to counties to help manage a larger number of ballots to be canvassed, counted, or cured prior to certification. For example, new technologies allow the election offices to text or email voters directly with a ballot issue allowing the voter to immediately cure or resolve issues associated with their ballot.

Prior to joining the EAC, I served as the director of elections in Florida from 2008 to 2011 and the chief election official in Virginia from 2011 to 2014. Based on my experience at the state level, I would offer some context on ballot tabulation timelines. In Florida where I served, county supervisors of elections must finalize their election results within 13 days following the election, in accordance with state law. The state Elections Canvassing Commission then certifies the results the following day. County election officials offer voters a curing process, which includes signature resolution and the opportunity to correct incomplete ballot certificates.

In my opinion, the timeline in Florida offers a streamlined and efficient vote tabulation process that balances the need for accuracy and promptness. However, Florida did not just magically

develop an efficient process of cure and certification in just one legislative session. It took several years and election cycles with the scrutiny of stakeholders to find the correct procedures necessary to timely provide unofficial results and certify results while still providing voters a reasonable opportunity to resolve signature or provisional ballot issues.

In fact, there was occasionally undue delay by some Florida counties that seemed unreasonable, and the public and candidates expressed a lack of confidence in that aspect of the administration of elections. These delays by some counties would be frustrating and ultimately resulted in the Florida Legislature acting to set new deadlines to require more timely reporting of early voting and pre-processed mail ballots and prompt certification deadlines.

At the EAC, we work closely with state and local officials to provide guidance based on state and local election offices that have created efficiencies in their operations and increased transparency in the voting process. Just last week, we recognized several election jurisdictions with [Clearinghouse Awards](#) for excellence in election administration, including a state that built a program to streamline the ballot curing process for their voters. We will continue to highlight these and other programs that can serve as examples of how other local and state election officials can continue to innovate, within the confines of state laws.

As charged by the Help America Vote Act of 2002 (HAVA), the EAC fulfills its role as a [national clearinghouse](#) for information on election administration in many ways. This includes developing resources and guidance for election administrators across the country and conducting comprehensive research on the voting process through the [Election Administration and Voting Survey \(EAVS\)](#).

Specifically, the EAC regularly provides detailed best practices, templates, and webinars related to the [canvassing process and post-election activities](#). These materials include step-by-step guidance for reconciling vote totals, addressing discrepancies, and ensuring transparency and accuracy. The EAC also offers support on ballot curing, which provides jurisdictions with model policies and timelines to help voters correct issues with [mail or absentee ballots](#). These resources aim to promote consistency and legal compliance, ensuring that every lawful vote is counted and that the electoral process is secure, reliable, and timely.

The EAC continues to work diligently on the 2024 EAVS - a report we will soon send to Congress. The 2024 EAVS contains expanded questions relating to state ballot curing efforts, so you will have additional and comparative information to develop policy solutions. The new EAVS questions ask election officials to indicate the number of mail ballots that entered the cure process and were successfully and unsuccessfully cured. In addition, election officials were asked how they notify voters that their ballots need to be cured and the steps voters have to take for a ballot to be cured. This enhanced data will better enable the EAC to monitor ballot curing trends across the U.S. ultimately allowing the agency to prepare policy baselines to inform future state laws and administrative improvements. With the corresponding report and data due to be published on June 30, 2025, this year's survey represents the 11th iteration of an indispensable project to collect comprehensive data on election administration activities and voting in federal general elections.

I would also like to touch on the role of the United States Postal Service (USPS) in ballot delivery. Mail ballots are a fundamental aspect of voting for many Americans, including those with disabilities, and those serving in the military, or citizens overseas. During the 2024 elections, many election officials received voters' mail ballots days after the deadline to receive ballots passed, even though they were postmarked on time. Election officials will continue to maximize the relationship with the USPS to accommodate the voting needs of voters and the EAC intends to work closely with the USPS and the states to improve mail balloting procedures across the country.

Through adequate funding of the EAC, the Commission will continue to provide crucial support and policy recommendations to states and localities across the country in 2025 and beyond. Thank you for your continued investment in the EAC and unwavering commitment to election administrators, poll workers, and our nation's public servants. We look forward to collaborating closely with you this year on these and other essential matters. I would be pleased to address any questions you may have.

Chairman STEIL. Thank you very much, Chairman Palmer. Ms. Nowatchik, you are now recognized for 5 minutes.

STATEMENT OF REBECCA NOWATCHIK

Ms. NOWATCHIK. Good morning. Thank you for the invitation to speak today, specifically on this topic of election administration in California.

My name is Rebecca Nowatchik. I am the Director of External Partnerships at Secure Families Initiative. We are a nonpartisan organization that strengthens the voices of diverse military families, as an active and influential constituency, on issues that impact our lives.

We also lead the Military Vote Coalition, a nonpartisan coalition of over 20 military family and veteran support organizations united by our mission to protect the military community's access to the ballot box.

SFI's military voter education programs have also been recognized nationally and highlighted as a key information source for Active-Duty families by the Department of Defense.

I am here today representing my community and SFI, but not to advocate for any partisan outcome but to ensure that the community we represent is at the table where our access to the ballot box is being discussed. Personally, my firsthand knowledge, both as a military spouse and also as the daughter of a combat veteran, has led me to this work.

Military families represent America. Military families come from rural areas, small and large towns and cities. They include members from every ethnic group, religion, educational background and sexual orientation. Nearly 50 percent of servicemembers are Black, indigenous, or a person of color. Over 50 percent are over—I am sorry. Over 50 percent are under 30 years old, and 92 percent of military spouses are women.

The military community is a network of families stationed all over the world. Most Active Duty families move every 2 to 3 years. These moves can disrupt support networks, safety, children's education and social lives, and limit career paths. These moves also impact our ability to vote.

Routine mail delivery delays is a common challenge entirely out of our hands when stationed far away from home. For example,

families stationed all the way in Japan have shared experiences of mail taking 6 to 8 weeks. There are other challenges that I have highlighted in my written testimony. It should be no surprise that military voters are 27 percent less likely to have voted than their civilian counterparts.

When a military voter tries to vote but is unsuccessful, the most common reason is because their ballot arrives past the deadline. The second most common reason comes when a military voter's ballot gets rejected for something like a missing signature or a date, and the voter is not notified and provided the opportunity to cure the ballot by the deadline.

That is why we have long advocated for policies that would tackle these top issues facing our community. Best practices include, No. 1, enable ballots that are postmarked by Election Day to arrive at least 7 days after Election Day to still be counted; and two, ensure timely ballot rejection notification and robust ballot-curing processes and opportunities for our voters.

Both these policies are true for California, home to the largest number of Active-Duty members in the United States and also one of the largest uniformed and overseas citizen, or UOCOVA, voting populations.

These policies may lead to longer wait times, true, for election results; but more importantly, they go a long way to protect military voters, who should have the same opportunity as our civilian counterparts to be maximally deliberative about our choices at the ballot box.

There are two proposed Federal policy changes currently in motion: One, the SAVE Act, which this Chamber advanced earlier this month; and the March 25th executive order regarding voter registration requirements. Both take American elections in the opposite direction where military voters need them to go.

For instance, one of the barriers the SAVE Act may impose would require voters to bring passports or birth certificates in person to their election office when they register. This means military families would no longer be able to register from that far-away duty station. If a person has changed their last name since birth, for example, if you are like me and changed my last name when I married my husband, using a birth certificate might not be sufficient documentation on itself.

If implemented, the March 25th executive order would also undermine the ability for military families to access the ballot box. The order would mean that the military families stationed halfway across the world from home who crossed every T, who dotted every I when casting their ballot, their military ID would no longer suffice, and mail delays outside of their control could mean their ballot could no longer count.

In closing, I would like to remind the Committee that voting carries a profound—profound—gravity for us. The right to vote is a cornerstone of the democracy that we, as military families, have committed to protect.

I urge this Committee as well as every other body in Congress, do not abandon us. Do not abandon military families. Thank you.

[The prepared statement of Ms. Nowatchik follows:]

PREPARED STATEMENT OF REBECCA NOWATCHIK



Secure Families Initiative

1301 K Street NW

Suite 300W

Washington, DC 20005

STATEMENT OF

REBECCA NOWATCHIK

DIRECTOR OF EXTERNAL PARTNERSHIPS

SECURE FAMILIES INITIATIVE

BEFORE THE

U.S. COMMITTEE ON HOUSE ADMINISTRATION

119th Congress

Tuesday, April 29, 2025

"Why the Wait? Unpacking California's Untimely Election Counting Process"

Secure Families Initiative (SFI)

Secure Families Initiative (SFI) is a nonpartisan 501(c)(4) nonprofit that trains and mobilizes diverse military partners, parents, kids, and loved ones to be voters and advocates on issues that impact them and their communities. We especially encourage military family members to get involved in issues related to foreign policy and national security, as military families know better than most the consequences than wars abroad have here at home.

SFI regularly partners with its sister organization, Secure Families Foundation (SFF): a nonpartisan 501(c)(3) nonprofit that educates military families and civilian supporters on the ways in which foreign policy impacts the military community.

Neither organization receives funding from the U.S. government or any foreign entity.

Rebecca Nowatchik

Rebecca Nowatchik is the Director of External Partnerships at Secure Families Initiative. She is an educator, facilitator, and advocate with 20+ years of experience managing successful programs focused on improving community and workplace wellbeing, and increasing civic engagement and voter participation. Rebecca's experience as a military spouse has fueled her passion to improve the lives of all military families.

Rebecca co-leads SFI's nonpartisan military voter educational programs, which aim to close the voter participation gap between Uniformed and Overseas voters (UOCOVA) and civilian voters. Prior to joining the SFI team, Rebecca has worked as an educator, developed community education curriculum, and has served in an executive role at a community organization focused on improving community health and quality of life. Rebecca holds a B.S in Health Science Education for the State University College at Brockport and a Masters in Nonprofit Management from Canisius College.

Chairman Steil, Ranking Member Morelle, Members of the Committee: I thank you for the invitation to speak today on the topic of election administration in California.

My name is Rebecca Nowatchik. I am the Director of External Partnerships at Secure Families Initiative (SFI). SFI is a nonpartisan organization that strengthens the voices of diverse military families as an active and influential constituency on the issues that directly impact our lives.

As part of my role, I co-lead our nonpartisan military voter educational programs, which aim at closing the voter participation gap between the military and civilian communities. SFI's military voter education programs have been recognized nationally and highlighted as a key information source for active-duty families by the Department of Defense (DoD).

We also lead the Military Vote Coalition (MVC), a nonpartisan coalition of 20+ military family and veteran support organizations, united by our mission to protect this constituency's access to the ballot box through advocacy and outreach.

Personally, my first-hand knowledge both as a military spouse and the daughter of a combat veteran has fueled me to connect members of our community to the policy conversations that directly impact our daily lives. I am here today representing SFI, not to advocate for any partisan outcome, but to ensure that the community we represent is at the table where our access to the ballot box is being discussed by lawmakers. The topic of today's hearing has profound importance for our military community.

Military families reflect America. Military families come from all 54 states and territories, and the District of Columbia. They come from rural areas, small and large towns, and cities. They have a variety of educational experiences and backgrounds. They include members from every ethnic group, religion, and sexual orientation. Nearly 50% of service members are Black, Indigenous, or a Person of Color; over 50% are under 30 years-old; and 92% of military spouses are women.

The military community is a network of families stationed all over the world. Most active-duty families move every two or three years. In addition to these moves' disruption of our established support networks, changes in our children's education and social lives, and limits on our employment and career paths, these moves also impact our ability to vote.

I'd like to share a couple of concrete examples of what this experience can look like:

One military spouse reported to SFI that her home state within the continental U.S. mailed her absentee ballot all the way to the installation at Hawaii where her family was stationed – only to have it sent back to her permanent home address with no explanation, never even making it from the post office to her temporary home on the same base in Hawaii. She didn't vote that year due to this mail delivery error.

One of SFI's members was assigned to a duty station on a Canadian military installation (rather than a U.S. run-and-operated base). As a result, she did not have access to U.S. postal service. When a U.S. election occurred, she had to pay out of pocket for a courier service in order to send back her mail-in ballot, which was extremely expensive.

Even families without horror stories as extreme as these face routine mail delivery delays when living far away from home, which are entirely out of our hands. For example, families stationed all the way in Japan have shared examples of mail regularly taking 6-8 weeks to arrive.

Military voters face steep logistical barriers to casting their ballots, especially when deployed, stationed overseas, and frequently relocating. With these examples in mind, it may come as no surprise that in 2020 (the last presidential election for which the Federal Voting Assistance Program (FVAP) has reported data to Congress), [military voters were 27% less likely to have voted than their civilian counterparts](#) (see page 14).

According to FVAP, when a military voter tries to vote but is ultimately unsuccessful, [the most common reason is because their ballot arrives past the deadline](#) (see page 57). The second most common reason comes when a military voter's ballot gets rejected for something like a missing signature or date, and the voter isn't notified or provided an opportunity to "cure" the ballot by the deadline (see page 57).

That's why SFI, with support from our nonpartisan nonprofit community, has long advocated for policies that would tackle these top issues facing our voters. [In 2023, we consolidated a list of legislative priorities that included](#): 1) Enabling ballots that are postmarked by Election Day to arrive at least 7 days after Election Day and still be counted, and 2) Ensuring timely ballot rejection notifications and robust ballot-curing opportunities for voters.

Incidentally, both these policies are true for California, home to the largest number of active-duty service members in the United States, and also one of the largest Uniformed and Overseas Citizens (UOCAVA) voting populations. These two policies may lead to longer wait times for election results. But more importantly, they go a long way toward protecting eligible voters from disenfranchisement. Military and overseas voters should have the same opportunity as our civilian counterparts to be maximally deliberative about our choices at the ballot box. And that is much more important than our impatience for certified election results.

Why do military families care so much about voting? Because voting carries a profound gravity for us. The right to vote is a cornerstone of the democracy that we as military families serve to protect. We sacrifice so much every day in order to keep the American experiment of representative government alive. And that democracy can only work if every person has full access to the ballot box, military and civilian alike. Every time our right to vote is suppressed, these attacks — as they have always been in our country's history — stem from who deserves the right to choose the people who make decisions that impact our day-to-day lives. We believe that military families should have that right, just like every American.

There are two proposed federal policy changes currently in motion — the SAVE Act, which this chamber advanced earlier this month, and the March 25th Executive Order regarding voter registration requirements. Both take American elections in the opposite direction of where military voters need them to go.

For example, one of the barriers the SAVE Act may impose on voters would be requiring voters to bring passports or birth certificates *in person* to their election office in order to register. This means that 1) Military families would no longer be able to register from a far-away duty station, and 2) Military families would no longer be able to use a driver's license, military ID, or Tribal ID as sufficient documentation. In fact, if a person were born overseas (for example, a voting-aged military child who was born during their service member parent's overseas duty assignment) — or, if a person has changed their first or last name since birth (for instance, folks like me who changed her last name after marriage) — using a birth certificate might not be sufficient documentation by itself either.

The March 25th Executive Order from the White House would similarly undermine the ability for military families to access the ballot box, were it to be implemented. The order imposes barriers on U.S. citizens just trying to exercise their constitutional right to vote by requiring burdensome and redundant paperwork, and by shrinking the timeline in which we can return our ballots from far away. The order would mean that for the military family stationed halfway across the world from home, who crossed every "t" and dotted every "i" when casting their ballot: 1) Their military ID will no longer suffice, and 2) Mail delays outside of their control could mean their ballot will never count.

Decades of advocacy from voters have resulted in a robust set of laws governing voter registration, voter identification and verification, and the transmission of ballots to voters who are active-duty military and overseas citizens. Each state, including the State of California, has a rigorous system of checks and balances that ensures only eligible voters are voting. State Boards of Elections verify the identity and eligibility of voters by cross-referencing their information (like ID numbers, signature matching, etc.) against existing databases. This rigor takes time, just like it takes time to ensure the military spouse's ballot coming all the way from a military installation in South Korea is able to arrive and be counted in his home state of California.

In closing: I urge this committee, as well as every other body in Congress that is debating policies which have the capacity to make voting either easier or harder for Americans serving their country from far away: don't abandon us. Don't abandon military families.

Chairman STEIL. Thank you very much.

I will now recognize myself for 5 minutes for the purpose of asking questions.

Out of the gate, without objection, I would like to insert the written testimony of Cole Patterson, the data director for the California Republican Party.

Without objection.

[The Cole Patterson letter follows:]

Cole Patterson
1001 K. Street, 4th Floor
Sacramento, CA 95814

April 24, 2025

The Honorable Bryan Steil
Chairman, Committee on House Administration U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Steil and Members of the Committee,

Thank you for the opportunity to contribute to your upcoming hearing examining California's ballot tabulation timeline and overall election data infrastructure. Although I am unable to testify in person, I am submitting this letter to provide insights based on my extensive experience working with California election and voter data. I have overseen data infrastructure and analytics for more than 5,000 campaigns across California, from local school board races to statewide and some of the nation's highest-profile congressional races. This work has provided me with a front-row seat to the systemic issues plaguing our state's election infrastructure.

Challenges Observed During the 2024 General Election

The 2024 General Election exposed numerous challenges in California's election administration. Chief among them were delays in vote tabulation, inconsistent reporting across counties, and a lack of transparency during the post-election canvassing period. In many counties, election updates stalled for over 48 hours at several points during the canvass. Voters, campaigns, and media outlets were left speculating about the remaining vote count, with contests like the 13th and 45th Congressional Districts in California undecided for weeks after Election Day.

It is important to underscore that these delays were not the result of widespread fraud — there is no evidence that I have seen to suggest systemic wrongdoing. Rather, they reflect outdated administrative systems, inconsistent ballot processing timelines across counties, and a fragmented data infrastructure. When election results are delivered slowly and opaque, public confidence suffers, regardless of the integrity of the process itself.

Additionally, California law does not require election results to be certified before newly elected members of the State Assembly and State Senate are sworn into office. This practice, while legal, undermines the public's perception of legitimacy and weakens democratic accountability, particularly in close contests. In both the 2022 and 2024 general elections, legislative members were sworn in while multiple contests remained within slim margins of victory and were still undergoing final tabulation and even recounts. There were even instances where candidates traveled to Sacramento for new-member orientation, only to return home because the result in their election contest changed. A similar situation occurred in 2018 with now-Congresswoman Young Kim, who reported to freshman orientation, only for late vote counts — known as the

"Blue Shift" or "Red Mirage" — to overturn her lead nearly two weeks after Election Day. The result is a system where governance begins before validation is complete. This is not fair to voters or the members they elect to represent them.

Administrative and Technological Shortcomings

California's election operations remain behind other large states when it comes to administrative modernization. Counties lack the ability to process mail ballots before Election Day, forcing them to begin counting large volumes only after polls close. This bottleneck delays reporting for days, even weeks. By contrast, Florida — once known for election chaos — has adopted a model that allows early scanning and tabulation, leading to swift and transparent results. As of 2022, Florida reported over 95% of its vote totals within 24 hours of polls closing. The 2024 general election in Florida was also tabulated efficiently.

The Secretary of State's office also lacks the modern data infrastructure necessary to manage and present statewide election data in a timely, user-friendly, and transparent manner. Unlike Colorado or Georgia, California does not offer a centralized real-time dashboard or integrated GIS reporting system. Election night reporting tools are outdated, lacking basic functionality like interactive precinct maps, cumulative turnout tracking, and machine-readable exports. In 2024, the variability across county websites — some using PDFs, others obscure custom interfaces — made statewide comparisons nearly impossible without manual reconciliation.

As of April 25, 2025, the Statewide Database — the official redistricting database run by the University of California, Berkeley — contains precinct-level election results and vote history tabulations for only 13 of California's 58 counties. Nearly six months have passed since Election Day. This delay is unacceptable. The fault does not lie with the professionals at UC Berkeley, but rather with California's outdated and non-standardized reporting systems. Gathering all election results data and standardizing it into a universal format remains extremely tedious and time-consuming. This reduces the trust and faith that voters have in our electoral system. In a corporate environment, if leadership was told that a complete analysis on the most critical project would not be ready for nearly a year, it would be unacceptable.

Florida, Texas, and other large states make this information available in a timely manner on their Secretary of State websites. For example, a map shared publicly on April 9, 2025, highlights the accessibility and transparency that other states have achieved:

https://x.com/josh_metcalf/status/1910063952475906265

Voter File Standardization and Data Integrity

California's statewide voter file — the backbone of election operations — is neither clean nor standardized. Many voter records contain incomplete or inconsistently formatted fields. Mailing and registration addresses are often non-compliant with USPS standards, leading to high

volumes of returned mail and inefficiencies in outreach. Campaigns using bulk mail programs often report undeliverable rates of 5% in urban areas and 10% or more in rural counties. Fields frequently contain misspellings, inconsistent casing, or extraneous characters, making sorting, matching, and geolocation unreliable.

When California sends mail ballots to over 22 million registered voters, hundreds of thousands of ballots are marked undeliverable and returned to county elections offices. Due to population movement, ballots are often sent to voters who have relocated to other states. Over one million California residents have moved to other states since 2020, yet many remain on the rolls. Without a standardized interstate verification system, ballots are sent regardless of a voter's current eligibility. Although some may technically remain eligible, verification systems are weak.

During the 2024 General Election, elections officials in California rejected 122,480 vote-by-mail ballots, or 0.9% of all mail-in ballots, according to the Secretary of State's office. The majority were rejected due to late arrival, mismatched signatures, or missing signatures. Voters aged 18–24 experienced rejection rates above 3%, primarily due to signature issues. Signature verification requirements pose significant barriers for individuals with disabilities. In one case I personally encountered, a voter with Parkinson's disease was unable to replicate their DMV signature, resulting in repeated ballot rejections. Despite multiple attempts to cure the signature mismatch, the voter's ballot ultimately went uncounted.

These issues are exacerbated by the lack of robust, transparent, and transactional logging systems. Changes to voter records — such as address updates or party affiliation changes — are not adequately tracked, limiting historical review, auditing, and real-time integrity checks. During recount efforts in 2022, several counties struggled to confirm voter record changes made within 15 days of Election Day.

District Indexing and Naming Inconsistencies

The State of California provides a district-to-precinct index that is critical for mapping voters to districts. However, this index lacks standardization. Each of the 58 counties uses its own naming conventions for districts, even when districts span multiple counties. For example, a unified school district may appear as "ABC UNIFIED SCHOOL DISTRICT" in one county and "ABC USD" in another. In 2024, these discrepancies led to duplicated records and confusion in automated systems.

This issue is especially acute for school board, city council, and special district mapping. Even within a single county, inconsistent naming conventions prevail. Implementing a standardized schema and assigning unique district identifiers are urgently needed reforms.

Final Thoughts

California has the scale, talent, and resources to lead the nation in election technology. However, realizing that potential requires acknowledging and addressing gaps in the state's election data and administrative systems. By learning from states that have modernized effectively — and holding ourselves to standards of accuracy, transparency, and timeliness — California can restore public trust and build a future-proof electoral system.

Respectfully submitted,

Cole Patterson

Cole Patterson
Data Director, California Republican Party

Chairman STEIL. Ms. Titus, I want to start with you, in particular, kind of dialoguing the 7 days that ballots can be received by California after Election Day. You would think they would have to be postmarked, right? I mean, the idea is that it is in the USPS system.

What is the check on that in California? Do they review for postmark? What happens if it is not postmarked? Can you provide some color to that?

Ms. TITUS. They do, in fact, review for postmarks, and they do reject mail ballots that either do not have a postmark or do not have a date. California does not require that the voter date their ballot when they sign it, but there is a space to do so. If they are dated on or before Election Day but lack a postmark then those would be counted.

Chairman STEIL. Let us just dialog this the whole way through, because when I was at L.A. Central Count I found this really interesting, because I watched ballots arrive by mail into the system 3 days after. As I noted, about 900,000 total ballots were somewhere in the process of being counted, of being validated, observed the signature verification. We will come to that second.

Is your testimony that if USPS does not date the envelope, and an individual then opens the ballot, the voter is not required to date the ballot in California, under California law, but if they do date the ballot, and they date it by Election Day, it would still count. Is that accurate?

Ms. TITUS. Yes.

Chairman STEIL. The real check is not that it was in. It is a trust system that the individual who dated the ballot dated it on the correct day, right?

Ms. TITUS. Correct.

Chairman STEIL. If somebody dated it by Election Day, USPS did not stamp that with a postal date stamp, it would count?

Ms. TITUS. Yes.

Chairman STEIL. USPS does not date 100 percent of their mail.

Ms. TITUS. Correct.

Chairman STEIL. It sounds like a problem. The way to fix this, of course, would just be to require that it is collected and in by Election Day. I went to high school. I think a lot of us did. When a paper was due, when did we write the paper? When it was due. If you just say it has to be in by Election Day, it shifts that.

Chairman Palmer, you noted 33 States require that ballots be in by Election Day. I am assuming that means 17 plus maybe the District of Columbia allow them to come in after Election Day. Is that accurate?

Mr. PALMER. Yes, Mr. Chair.

Chairman STEIL. Is there a significant correlation with voter participation if it needs to be in by Election Day or after Election Day?

Mr. PALMER. I do not think there is a direct correlation.

Chairman STEIL. People are going to do it by the deadline, right? If you say, you got to have it postmarked, you got to have it in by Election Day, you get a ton of people that drop in the box by Election Day.

If you say it has got to be received by Election Day, a lot of people drop it in sufficiently in advance, or drop it in in person so that at least the physical ballots are all in by a specific deadline, right?

Mr. PALMER. I agree, sir.

Chairman STEIL. I will come back to you, Ms. Titus.

California runs a system also where every registered voter receives a ballot. Regardless of whether or not they request it, it is automatically sent. Is that accurate?

Ms. TITUS. Yes.

Chairman STEIL. When that goes out, obviously, not 100 percent of the people that receive a ballot participate in the election, but a large percentage, I think it was about 70 or so percent in the State of California. For the purpose of calling an election, not only do you need to know the numerator, how many ballots come in—and they can come in up to 7 days after the election—but you also need to know the denominator, which is how many total people are voting when you are—I apologize, the denominator in the context of what percent you would need to be able to win an election.

For 7 days, everybody in California is reasonably blind as to the total number of ballots cast in an election. Is that accurate?

Ms. TITUS. Yes.

Chairman STEIL. That makes it really hard to call a race, to know who won an election, right?

Ms. TITUS. Yes.

Chairman STEIL. That challenge I think is a real and substantive challenge.

I want to end with the signature comparison. When I walked through L.A. Central Count, it was burned into my mind, watching this woman do the signature verification.

What standard, or what training are the workers given who are engaged in the signature verification in California?

Ms. TITUS. There is no standardized training.

Chairman STEIL. There is no training?

Ms. TITUS. There is no standardized training.

Chairman STEIL. OK.

Ms. TITUS. Some counties have more rigorous training. Some counties have very little.

What I have also seen is the comparison process is often occurring on a computer screen, and they may be comparing four different voter ballots at the same time. They will have the scans of the outside of envelopes of four—

Chairman STEIL. The standard with which—so the training varies.

Ms. TITUS. The training varies.

Chairman STEIL. The woman that I met said she had almost no training.

Ms. TITUS. There are about 17 criteria that are supposed to apply when—

Chairman STEIL. The standard that they have to meet is beyond a reasonable doubt?

Ms. TITUS. Correct.

Chairman STEIL. It is a pretty high standard.

Ms. TITUS. Yes.

Chairman STEIL. Especially in a situation where these live ballots are mailed to every registered voter. I think we have identified some of the challenges we see in California. I appreciate our witnesses here.

Cognizant of the time, I will now recognize the Ranking Member for 5 minutes for questions.

Mr. MORELLE. Thank you, Mr. Chair.

I would just like to ask the witnesses, can you raise your hand if you have information or knowledge that demonstrates that California election officials wrongly certified a winner in this year's California congressional elections?

OK. The record should reflect that none of the witnesses raised their hand.

I do want to ask Ms. Nowatchik—I am sorry if I am probably killing your last name. I apologize. If it were easy like Morelle, I would get it.

Your testimony discusses how vitally important it is to our democracy, the right to vote, particularly for military and overseas voters.

To your knowledge, the voter access and election administration policies in place in States like California and I will say in my State of New York, which also allows ballots postmarked to be counted up to a week after Election Day, do these policies enhance the ability of military and overseas voters to cast a free, fair, and secure ballot?

Ms. NOWATCHIK. Yes. Our position is we need to take in account the experiences that our families are experiencing. For those stationed overseas, or even in the continental United States, when trying to access the polls, we will experience mail delays. Any policy that takes that into account, like the State of California being able to count ballots 7 days after the election, makes it easier for our community to participate, absolutely.

Mr. MORELLE. You mentioned in your testimony—and I do not know this. I do not have this experience. I think you indicated a number of days typically that mail delays can occur. Let me just—I thought there was a number in here.

Can you just tell me a little bit? You have had this experience of the amount of time that it takes just for U.S. mail to get back and forth from where you happen to be. Obviously, it depends on where you are. If you are in the Pacific, can you talk a little bit about those delays which you experienced?

Ms. NOWATCHIK. Sure. Priority mail for international for USPS is about 6 to 10 days. Others average about 7 to 14 days. From our position, you know, 2 weeks is very friendly to the military voter, but we recommend 7 days is the gold standard.

Mr. MORELLE. The process is, if you are on a base, can you just talk about that? I actually do not know how—or if—let me say this: This if you are on an aircraft carrier in the middle of the Pacific, how do you get—mail gets delivered?

Ms. NOWATCHIK. Well, I personally have never been on an aircraft carrier in the middle of the Pacific.

Mr. MORELLE. Well, someone in your organization probably has.

Ms. NOWATCHIK. Yes, we do have Members with that experience. I can share when it does not go well. We have a member who was stationed, because we do have people who are stationed, families who are stationed on installations that are not U.S. military installations.

In military installations connected to the United States, we have access to our mail system. For example, we have one member who was stationed on a Canadian military installation; so, therefore, she did not have access to U.S. mail and actually ended up having to pay a private courier to then courier her ballot back to make the deadline. Extremely expensive. We know the majority in our community do not have those financial resources to do that.

I share the story for two reasons: One, to, you know, hit home really what the mail delay situation and those barriers can be for us, but also really to express how many people in our community desperately want to participate in this process and are really looking for policymakers to make it as accessible as possible for us to do so.

Mr. MORELLE. Thank you for that answer.

I guess you are right. You are a spouse of, so that makes sense. It is Tuesday. I apologize. I am not really fully functioning yet.

The other thing that you mentioned, which I had not really given thought to, but I guess makes a great deal of sense, that you may be on a military base but you may be in a host country and you have to make that connection somehow. I appreciate your comments about that.

I would say this—and I appreciate all the witnesses and your perspective. Just, from my perspective, getting this right is more important than getting it fast. Like I said in my opening statement, I am certainly willing to look at—and obviously with the Election Assistance Commission, we could all look at ways to improve this and make this faster for everyone to some degree.

We also want to respect the notion that California and other States want to get it right. They want to afford every single voter in their State the opportunity to vote. Look, this should not be a “gotcha.” I mean, the right to vote should be inalienable. It is, you know, according to our Founders, inalienable rights that we have.

The fact that California takes time to get it right—and I suspect from the fact that there were no contested elections that they actually did get it right. I do not want to value speed over doing this properly and getting it right.

I thank the witnesses for being here.

Mr. Chair, I yield back.

Chairman STEIL. The gentleman yields back.
The Representative from Oklahoma, Mrs. Bice, is recognized for 5 minutes.

Mrs. BICE. Thank you, Mr. Chairman, and thank you for the witnesses for being here today.

First, let me say that I represent the great State of Oklahoma. Prior to being elected to Congress, I was in the State Senate, where I oversaw the State Election Commission. Shout-out to Paul Ziriax, Secretary of the Election Board there.

Oklahoma, I think, is doing elections right. We have voter ID laws in place, and have had them, based on a State question that was put forward to the voters a couple of decades ago. That ensures a couple of things: One, that the election is verified and there is integrity in that process and also speed.

My colleague, the Ranking Member, just talked about speed. I have now participated in several elections in the State legislature and now as a Member of Congress, and I know on election night whether or not I am going to serve in that capacity.

I think it is unbelievable to hear that it takes a month for the State of California to be able to certify these elections. That, in itself, provides uncertainty in the process. I think that is what is really problematic here.

I want to mention earlier the comments that the Ranking Member made in regards to the VOTES Act. No matter a servicemember's status and no matter if you are in the service or not, each State has procedures for all eligible overseas Americans to vote, and those options always require or include mail.

Let me be clear. If there are examples of overseas voters being denied by a State, we want to hear about that, because we certainly want to make sure that we are addressing that issue. It is important to every Member on this Committee.

Let me start, if I may, Ms. Titus, almost 2 million more ballots were cast in California's Presidential election in 2020 than in 2024. Do you believe the larger turnout in California was due to ballot harvesting efforts?

Ms. TITUS. I am not sure that the turnout in 2020 being higher than 2024 was the cause of ballot harvesting. I think every cycle, the political parties tend to be the drivers of ballot harvesting. They tend to be the ones that are training the campaigns how to do it, because the campaigns sort of change every 2 years.

The parties are kind of the keepers of the procedures for how to execute ballot harvesting. I tend to think that they get better at it year after year. I am not sure that turnout going down over a 4-year period is caused by ballot harvesting.

Mrs. BICE. I think it is worth noting, though, that in 2020 there were 2.39 million more mail-in votes than in 2024. That is a huge number.

I want to pivot for a second, too, to the curing conversation. Being from Oklahoma, I did not know what that was. I had no idea what curing actually meant. Again, I think that just brings some uncertainty to the process.

I want to pivot slightly. You mentioned the signature verification process. Raise of hands here, how many of you use the exact same signature every time or have the exact same signature today that

you did a decade ago? Raise your hand. You are the only one, my friend.

My point being I do not understand why we are using signature verification for this process. I think it provides the ability for inaccuracies across the board. I understand that you are taking information from all these different public records to be able to verify those signatures, but I think that in itself is problematic. I do not understand why we would not do a voter ID type of process.

The other thing that has been mentioned is that we are allowing for this lengthy process of being able to deliver ballots after Election Day. Again, I think that breeds uncertainty. We want people to have confidence in our elections. That means timely information. That means a quick turnaround on counting those ballots.

For me, I also think that California should consider actually moving some of these dates up. Why are we not allowing more in-person voting, early in-person voting? It was mentioned there was 1 day, Saturday, that you can in-person vote. Why not tell people, your ballot needs to be in by Election Day and, by the way, we are going to have additional in-person voting days to be able to allow for that?

Mr. Gilbert, you mentioned California's maintenance or, rather, mis-maintenance of voting rolls and recommended actions to improve them. How many signatures do we think that California has on file for verification, and how old are they?

Mr. GILBERT. Typically, every voter has about four to five signatures on file. Every time you change something at the DMV or you submit another voter registration when you move, those would be updated and added permanently to your voter file.

Mrs. BICE. I think this sort of proves my point, that your signature may change over time, and certainly, that verification process I think becomes much more complicated. As a State that does not do signature verification and believes that we do elections right, I would like to see that changed.

With that, Mr. Chair, I yield.

Chairman STEIL. The gentlewoman yields back.

Representative Sewell is recognized for 5 minutes.

Ms. SEWELL. Thank you, Mr. Chairman.

I want to welcome all of our witnesses and thank you for your testimony today.

I am a daughter of Selma, Alabama. I grew up there and I have the honor and privilege of representing them in Congress. There is nothing more important and sacred than the right to vote, in my opinion. Protecting that right I think is something that is clearly within our purview here on this Committee.

I am a little bit puzzled by our hearing today. I mean, the first premise that is being made is that somehow giving everyone a ballot who is eligible is somehow flawed. You know, I think that we, as elected officials, should be in the business of making it easier for people to vote, not harder for people to vote.

I represent Alabama, and Alabama has same-day voting only. We do not have early voting. Our absentee ballot process has been restricted. You cannot even help your elderly grandmother without thinking—without—helping her to vote, who has, you know, an elderly grandmother who has a stroke, a stroke victim. You cannot

help them prepare their ballot because for fear of a felony being committed. That is the most recent charge that Alabama has.

You know, California is one of the largest States in the Union, and they have a lot of folks. They provide eligible voters their vote by mail.

I do not think that there is something inherently wrong with sending ballots out to every eligible voter. In fact, I would venture to guess that California does have a better return rate and participation rate than States like Alabama that make it harder for folks to vote.

The second reason why we are here today is because somehow getting the results that same night is so critically important. It is more important than making sure that our overseas military personnel, who are eligible voters, get their ballots back in a timely fashion.

I am not sure what timely is, but I can tell you same-day results does not make it any less prone to fraud or any more prone to fraud. Rather, it allows eligible voters time, especially those that are overseas, an opportunity to cast their ballot.

I would venture to guess, Mr. Chairman, that it is more important that we protect that sacred right to vote than to get some result in that same night.

For me, I think that I have been encouraging folks in the State of Alabama to do early voting and to make it easier for folks to vote, not harder for folks to vote. I am not really sure why my colleagues do not think that that is right, especially when the Brennan Center says that there is a .05 percent of fraud that occurs during elections, not a rampant fraud from everyone.

I would like to ask you, Mr. Palmer, as one of the directors, one of the commissioners for the Federal Election Commission, are there best practices that are recommended when it comes to military personnel voting or absentee balloting? Is there sort of one way to do that?

I also would like—I guess the first question that I have for you is, is it a right for American citizens to have the right to vote when they turn 18, is not that a right that every American citizen has, and if so, why is it that so many States like States like Alabama make it harder for folks to vote rather than easier for folks to vote?

Mr. PALMER. Thank you. The EAC's clearinghouse function sort of takes best practices from across the country, and we share them with each other so States can see how things are working across the country.

Our EA&S survey is something that our election officials across the country can also view and compare it to other States and similar counties.

I agree with you that, you know, coming of age at 18 and being able to register to vote and vote, you know, talking about the opportunities may include in person, you know, in-person, absentee. It may include in-person early voting, overseas voting.

Ms. SEWELL. I am running out of time. There is no sort of standardized practice that is recommended by the Commission?

Mr. PALMER. No. I think we take a best practices look, and also the use of technology to make our elections more efficient.

Ms. SEWELL. Mr. Chairman, I just wanted to just go on record as saying that the right to vote is a sacred right. It is not a privilege for the few.

Somehow my colleagues on the other side of the aisle think that somehow it is a privilege. It is a birthright of every American citizen to be able to vote, and we should be in the business of making it easier to vote, not harder to vote.

I would like to put into the record unanimous consent to enter into the record two items: A letter we sent to you, Mr. Chairman, requesting that the majority be allowed to have a testify by remote access; and second, a January 2025 Orange County grand jury report of the November 2024 election which made three findings that there was no evidence of fraud in California.

Chairman STEIL. Without objection.

[The letter and grand jury report referred to follows:]

BRYAN STEIL, WISCONSIN
Chairman

LAUREL M. LEE, FLORIDA
BARRY LOUDERMILK, GEORGIA
H. MORGAN GRIFFITH, VIRGINIA
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STEPHANIE L. BICE, OKLAHOMA
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MIKE CAREY, OHIO

MICHAEL PLATT
STAFF DIRECTOR

One Hundred Nineteenth
Congress of the United States
House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION
1309 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515-6157
(202) 225-8281 | CHA.HOUSE.GOV

JOSEPH D. MORELLE, NEW YORK
RANKING MINORITY MEMBER

TERRI A. SEWELL, ALABAMA
NORMA J. TORRES, CALIFORNIA
JULIE E. JOHNSON, TEXAS

JAMIE FLEET
MINORITY STAFF DIRECTOR

April 25, 2025

The Honorable Bryan Steil
Chair
United States House Committee on House Administration
1309 Longworth House Office Building
Washington, DC 20515

Dear Chair Steil:

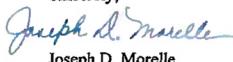
I write pursuant to the Regulations for the Remote Participation of Committee Witnesses to request that the witness Committee on House Administration ("Committee") Democrats intend to invite to participate in the Committee's April 29, 2025, hearing titled "Why the Wait? Unpacking California's Untimely Election Counting Process" be permitted to participate in the hearing in a remote capacity.

Committee Democrats' chosen witness, Ms. Sarah Streyder, is the Executive Director of the Secure Families Initiative, "a nonpartisan group of proud military spouses and loved ones, united by our love of country and commitment to service."¹ Ms. Streyder, a military spouse, is currently stationed overseas. She is also currently pregnant; the beginning of her third trimester is imminent. Trans-Atlantic travel would present significant difficulties for Ms. Streyder, including necessary consultations with her physician and international airline rules and regulations related to pregnancy.

Ms. Streyder's testimony will provide key insight into voting practices in both California and the United States more generally. As the leader of an organization that advocates for military families—stationed both at home and abroad—Ms. Streyder's testimony will assist the Committee in better understanding election administration processes related to military and overseas voters. In the context of this hearing, Ms. Streyder's assists Congress and the Committee in fulfilling its Article I duties and responsibilities.

Thank you for your attention and your prompt response.

Sincerely,


Joseph D. Morelle
Ranking Member

CC: The Honorable Steve Scalise, Republican Leader

¹ About SFI, SECURE FAMILIES INITIATIVE, <https://securefamiliesinitiative.org/about-us/> (last visited Apr. 25, 2025).

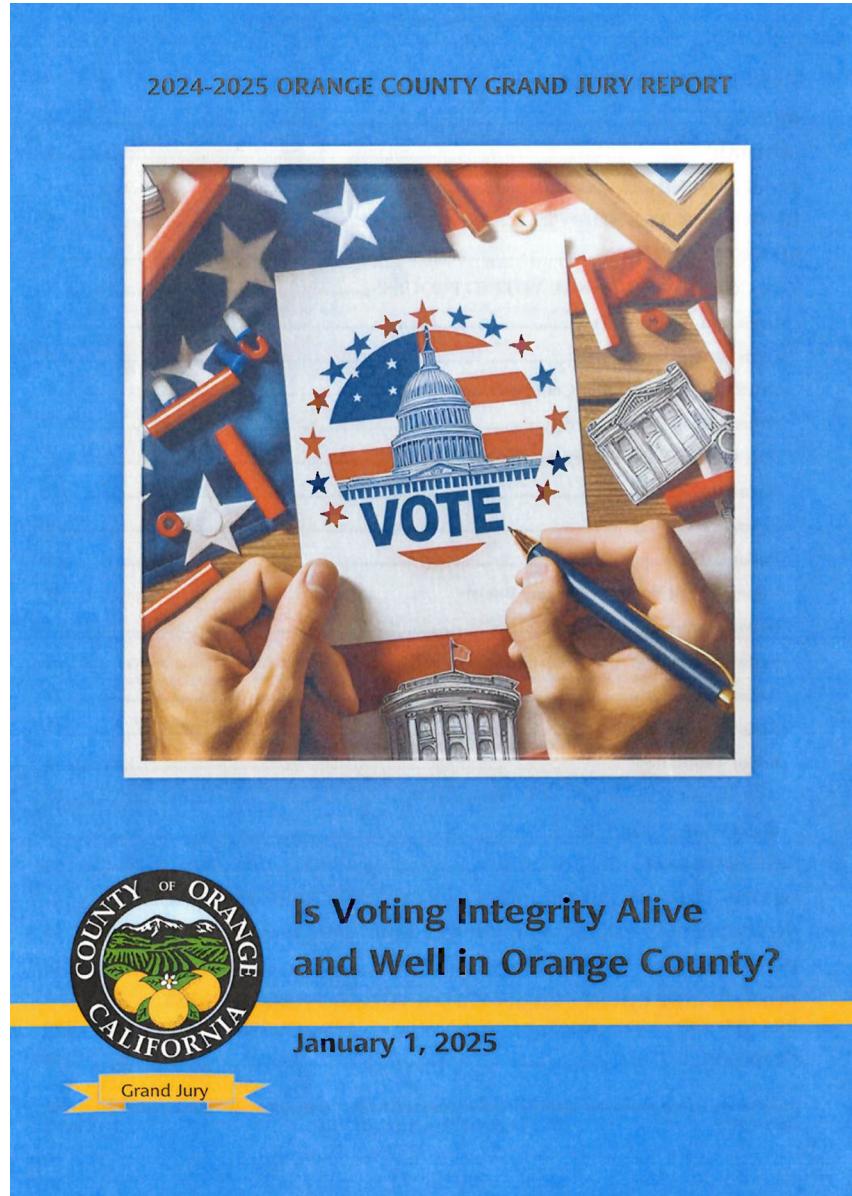


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“The right to vote is precious, almost sacred. It is the most powerful, nonviolent tool or instrument in a democratic society. We must use it.”

--John Lewis, former Georgia congressman and civil rights leader

RECUSALS

Members of the Grand Jury are subject to recusal from participating in matters related to the Grand Jury investigation due to prior or current employment or associations, investment in public or private enterprise, financial interest, bias, or personal relationship. Accordingly, two jurors recused themselves from any involvement with this report because of their prior employment by the Orange County Registrar of Voters (ROV).

SUMMARY

Concerns about voting integrity in Orange County have become increasingly pronounced in recent years, prompting the 2024-2025 Orange County Grand Jury (OCGJ) to conduct a comprehensive study of this issue.¹ Our study examined our local voting system with the goal of advising the 1,861,450² registered voters in Orange County as to whether their votes were counted accurately in a fair, clear, and transparent manner.

By thoroughly examining the operations of the ROV, the OCGJ sought to determine whether every aspect of the election process—from voter registration and ballot counting to post-election audits and the final certification of the votes—adheres to the highest standards of integrity. The OCGJ found that to be true.

BACKGROUND

A bedrock of our democracy is the right of every eligible citizen to vote safely and easily, and for their vote to count without fear of it being compromised. Since the presidential election of 2020, a sizable number of citizens have raised concerns about the integrity of the voting process.

Concerns expressed after the 2020 election included ballots being cast by deceased people, forged ballot signatures, duplicate ballots, credibility of the electronic voting process, safety of ballots dropped off at official ballot drop boxes, safety of in-person voting (paper) ballots,

¹ Several complaints were made to the OCGJ by concerned Orange County voters regarding voting integrity. These complaints were reviewed and investigated and found to be without merit.

² Orange County Registrar of Voters ocvote.gov December 2024

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misrepresentation of voter identification, voting by non-citizens, ballot curing practices, ballot duplication, and United States Postal Services (USPS) handling of ballots. Even after votes were cast, concerns remained about the validity and accuracy of post-election activities. These concerns have continued to spread through various online platforms, including podcasts, social media, and websites.

REASON FOR THE STUDY

The OCGJ received a number of citizen complaint letters expressing concern as to the integrity of Orange County's voting process. The OCGJ sought to determine whether the current voting procedures, protocols, and policies established by the ROV for the 2024 general election resulted in an "election of integrity." We define the term "integrity" to mean that all persons who were eligible to vote could do so freely without unreasonable constraint, that those ineligible to vote were prevented from voting, and that the 2024 election was conducted in an impartial and equitable manner such that an objective person would see it as being fair and unbiased.

METHOD OF STUDY

The OCGJ reviewed the current procedures, policies, regulations, and laws noted in the References section to make its determination. The OCGJ notes that all fifty-eight California counties are bound by the State Elections Code. The OCGJ has no authority to examine State law or policies but may examine the way the County of Orange executes those laws and policies.

We conducted multiple interviews with key stakeholders, including ROV officials and employees, and partisan and nonpartisan observers. We toured the ROV offices, official drop boxes, and Vote Centers on numerous occasions both announced and unannounced, to observe election procedures in action.

In addition, we visited various Voting Centers on election night, November 5, 2024, observing activities and procedures. We also visited the ROV after November 5, 2024, to observe *all* post-election audits.

We reviewed the documents cited in the References section that enabled us to compile a list of best practices required to achieve voting integrity. The following publications provided the OCGJ with the most current data:

- Ad Hoc Committee for 2024 Election Fairness and Legitimacy. *24 for '24: Urgent Recommendations in Law, Media, Politics, and Tech for Fair and Legitimate 2024 U.S. Elections*. September 2023.

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https://law.ucla.edu/sites/default/files/PDFs/Safeguarding_Democracy/24_for_24-REPORT-FINAL.pdfv.

- Clapman, Alice. *How States Can Prevent Election Subversion in 2024 and Beyond*. Brennan Center for Justice, September 7, 2023. <https://www.brennancenter.org/our-work/policy-solutions/how-states-can-prevent-election-subversion-2024-and-beyond>.
- California Secretary of State. *Voting Law Compliance Handbook*. Sacramento, CA: California Secretary of State, 2021. <https://www.sos.ca.gov/elections/publications-and-resources/voting-law-compliance-handbook>.
- Orange County Registrar of Voters. *50th Anniversary of the Voting Rights Act*. Santa Ana, CA: Orange County Registrar of Voters, 2015. <https://ocvote.gov/election-library/docs/50th%20Anniversary%20of%20the%20Voting%20Rights%20Act.pdf>.
- Orange County Registrar of Voters. Election Administration Plan 2021-2025: Secretary of State Feedback. Santa Ana, CA: Orange County Registrar of Voters, 2021. https://ocvote.gov/fileadmin/user_upload/eap/EAP2021-2025_SOSfeedback_TC_cover.pdf.

We then applied these practices to our assessment of the County's voting process.

THE COUNTY OF ORANGE VOTING PROCESS

Logic and Accuracy Test

This test is one of the many ways the ROV ensures that votes are accurately counted. Four hundred and fifty ballot scanners are used during the election. The ROV-trained staff marked 600 *test* ballots for the Logic and Accuracy Test for the 2024 election. The test ballots were then fed through each ballot scanner to ensure that the machines functioned accurately. A scanner will only be used if it accurately counts the votes on the test ballots. Once the machine passes the test, it is assigned to a Vote Center and prepared for delivery. This includes applying a wire seal to protect the vDrive (similar to a secure USB thumb drive) that stores the ballot images and then applying another seal when the case is closed. Before each Vote Center is opened, a team of two ROV employees confirms that the two separate seals are intact and the numbers on each seal match the chain-of-custody form for delivery. This ensures that no one tampered with the scanners or vDrives in transit. This test is performed both before and after the election to ensure that the machines functioned accurately.

Logistics

Logistics include tracing and tracking critical activities conducted in the field, such as the collection of ballots from official drop boxes and Vote Centers, using Geographics Information

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Systems (GIS) technology. The location and status of these various activities are tracked centrally by a dispatch team. Ballots returned from Vote Centers are tracked using GIS. On the last day of voting, official drop boxes are closed at 8 p.m. and tracked using GIS to ensure they have all been accounted for.

Official Drop Box Ballot Collection

Teams of two ROV employees collect vote-by-mail ballots daily from official drop boxes throughout the county. Strict chain-of-custody³ procedures and security measures are followed. The teams are tracked via Global Positioning System (GPS) and communicate continually with dispatch on radios. Teams transmit photos of each official drop box they open, and routes vary daily for staff and ballot safety.

Official Drop Box Receiving

Ballots collected from official drop boxes are returned to the ROV, and the chain of custody documents are then verified. Vote-by-mail ballots are collected at official drop boxes by ROV employees. Ballot collection bags are audited. Security seals and chain of custody documents are verified. Ballots are kept separate and organized by official drop box in a secure area. Chain of custody documents are retained.

Vote Center Ballot Processing

At the conclusion of each night during the voting period, Vote Center staff conduct strict ballot chain-of-custody review of all voted ballots and ensure that they are properly secured. Vote Center staff remove and count ballots from the ballot container. At least two Vote Center staff members prepare and deliver ballots to an assigned collection center. The ballot chain of custody is used to record the number of ballots cast, including paper-voted ballots, returned vote-by-mail ballots, and conditional voter registrations (unclear voter eligibility). All ballots cast are placed in a sealed ballot transport bag and taken to the assigned collection center.

Ballot Sorting

After vote-by-mail ballot envelopes are received from official drop boxes, post offices, or Vote Centers, they are scanned and sorted for signature verification. Vote-by-mail ballot envelopes are received from official drop boxes or Vote Centers or are collected from the USPS. They are scanned and sorted for signature verification. Vote-by-mail ballot envelopes are kept separated and organized by Vote Center or official drop box. An image is taken of each envelope so the signature can be compared to the voter's registration. Once the ballot has been scanned through the sorter, an OC Ballot Express notification is sent to the voter (if requested from the ROV—see

³ Chain of custody refers to the process or paper trail that documents the transfer of material from one person or place to the next, ensuring that the material can be accounted for at every step.

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page 15) stating that their ballot has been received. Once the signature is verified, envelopes are sorted and grouped by precinct. Returned ballots that are challenged are separated into groups for further review.

Signature Verification

Every returned vote-by-mail ballot and provisional ballot undergoes the process of signature verification from qualified staff. The staff have been formally trained pursuant to the standards set forth by the Federal Bureau of Investigation (FBI). The signature on the vote-by-mail or provisional ballot envelope is compared to the signature on the original sworn statement of registration *before* the envelope is opened. Signature comparison is based on the signature verification standards and regulations defined by the California Secretary of State. If, during the initial review, a signature appears to be unlike the original signature on the voter registration card, the signature is reviewed by two additional personnel. A voter whose signature was challenged is notified on the process by text, email, or USPS. The voter has until December 1, 2024, to cure their vote for the 2024 election. (See Ballot Curing section on page 11.)

Walk-in voters listed on the polling place roster are permitted to vote without additional steps. However, if a walk-in voter is not found on the roster, they must vote via Provisional Ballot. Individuals voting by a Provisional Ballot *must* execute, in the presence of an election official, a written affirmation stating that they are eligible to vote and are registered in the county.

Once the Provisional Ballot is completed, it is sealed in a Provisional Ballot envelope for return to the election official. Due to the use of the statewide Voter Registration Database's real-time exchange of voter history, Provisional Ballots can be reviewed and verified at any time during the voting and canvass periods, preventing double voting. The provisional ballots are examined, verified, and processed the same way as a vote-by-mail ballot. Each ballot is reviewed and researched before being accepted for counting, verifying the following: (1) valid signature; (2) current county voter registration; (3) prior county voter registration; (4) current registration address versus new address; (5) whether a vote-by-mail or provisional or precinct ballot was returned; and (6) the precinct where the ballot was cast.

The Provisional Ballot will be counted *after* elections officials confirm the voter is registered to vote and did not already vote in the election. While provisional voting is relatively new in some areas of the country, California's provisional voting statutes have been in effect since 1984. Provisional voting exists for two fundamental reasons. First, to ensure that no properly registered voter is denied their right to cast a ballot if that voter's name is not on the polling place roster due to a clerical, processing, computer, or other error. Second, it allows elections officials to ensure that no voter votes twice, either intentionally or inadvertently.

Conditional Voter Registration (CVR) extends the existing fifteen-day registration period in California to eligible voters, allowing them to register and vote provisionally fourteen days prior

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to an election and on election day. Voters that complete this process must cast their Provisional Ballot at the Vote Center and cannot leave the Vote Center with their ballot and return it later. It is important to note that the voter *must* execute, in the presence of an election official, the written affirmation stating that the voter is eligible to vote and registered in the county where the voter desires to vote.

Ballot Extracting

Once vote-by-mail envelopes have been signature verified, they are opened. Ballots are separated by precinct and removed from envelopes one at a time. Envelopes that are damaged, missing ballots, or that contain more than one ballot are retained to be reviewed by the vote-by-mail processing boards. All empty vote-by-mail ballot envelopes are retained and double checked for ballots.

Vote-By-Mail Ballot Processing Boards

After vote-by-mail ballots are extracted from their envelopes, they are then prepared for scanning so they may be counted. Ballots are unfolded and flattened. Ballots that require additional processing are identified. Ballots remain grouped by precinct. Envelopes are double checked to ensure all ballots are extracted. Ballots are securely stored when not being processed.

Ballot Scanning

Vote-by-mail ballots are scanned in to be counted. Ballots that enter the scan room have been signature checked, extracted, and visually inspected from the vote-by-mail ballot boards. Scanners take a batch of approximately one hundred ballots and prepare them to be scanned. Scanners have multiple quality control processes for all scanned batches. More than one person reviews all batches and ensures all ballots were scanned. *The scanner and all other equipment used during the election are not connected to the internet or any outside network.*

Ballot Duplication

Original ballots that are damaged or have not been marked properly are duplicated to be scanned into the voting system. Voters are instructed to use black ink when filling out their ballot and to ensure that they have completely filled in the sections and not used an X or check mark. If these or other errors are made by the voter, but the intent of the voter is clear, the duplication process takes place.

Ballots requiring duplication are received from the vote-by-mail boards. Ballots are duplicated by hand or by an electronic ballot marking device, marking *exactly* what was selected from the original ballot. Original ballots are labeled "Original" and duplicate ballots are labeled "Duplicate." Each set of ballots is numbered and logged. The original and duplicate ballots are compared to ensure accuracy of votes. Duplicated ballots are scanned, the votes are counted, and the original ballots are securely stored.

Is Voting Integrity Alive and Well in Orange County?

It is important to note

THAT THE TERMS **DUPLICATION OR REPLICATION** SHOULD NOT BE INTERPRETED AS A TYPE OF CORRUPT PROCESS TO CREATE ADDITIONAL BALLOTS, EITHER VOTED OR UNVOTED.

BALLOT DUPLICATION IS SIMPLY THE TRANSCRIBING OF DAMAGED OR OTHERWISE MACHINE-UNREADABLE BALLOTS AS DESCRIBED ABOVE SO THAT THESE BALLOTS CAN BE TABULATED WITH THE OTHERS.

Common causes for damaged or unusable ballots

In almost all local election jurisdictions, paper ballots are tabulated electronically using some form of ballot scanning technology. There are four common problems that arise, rendering paper ballots difficult or impossible to process with a ballot tabulation system.

- 1.**  Ballots can be damaged during the life cycle of a ballot. Anything from coffee spills to wrinkles and tears can interfere with a ballot being scanned by a tabulation system.
- 2.**  Ballots filled out with inappropriate marking implements — pencils, highlighters, colored pens, chalk, cosmetic pencils, paints, crayons and colored art pencils — cannot be processed by a tabulation system.
- 3.**  The voter's intent may be clear under a state's election laws but marked in a way that a tabulation system cannot read. For example, the voter may mark the ballot inappropriately, by circling a candidate's name when instructions indicate a bubble must be filled in.
- 4.**  The returned ballot may not be 1.) the appropriate paper stock quality and weight, 2.) the correct orientation, 3.) sized so that the voting marks and ballot positions can be read by the scanner and the ballot tabulated.

Figure 1: Duplication Definition and Four Causes.

Source: Council of State Governments

Ballot Curing

When vote-by-mail ballots collected from the USPS or gathered from official drop boxes are missing a signature or the signature does not match what the ROV has on file, the voter is notified by mail and given a statement to sign and return (multiple options to return include fax, email, USPS or delivering in person at the ROV). A voter can cure their signature issue until December 1, 2024, two days before the last day for the ROV to certify election results. This process is required by law.

Ballot Harvesting

This practice is officially referred to as third-party ballot collection and allows for a person other than the voter to collect and submit completed vote-by-mail ballots on behalf of voters. California law permits voters to authorize anyone they choose to return their ballot, whether to an official drop box or to a Voting Center. This is intended to assist voters who face difficulties in returning their ballots, such as the elderly or disabled, or those with limited transportation access. This practice also supports the Voting Rights Act of 1965.

Ballot Tabulation

After ballots are scanned either centrally for vote-by-mail ballots, or in-person at the Vote Centers, they are saved onto a vDrive and then brought into the tally room for tabulation. The machines used to tabulate the votes are re-imaged before each election with the software certified by the California Secretary of State. The tabulation machines are not connected to the internet or any outside network. Access to this room is limited and has additional levels of physical security controls.

One Percent Manual Tally (1% Manual Tally)

The 1% Manual Tally is a post-election audit process. It is performed before certification to ensure accuracy of the election results. A public random draw is conducted to select at least one percent of all precincts. The ballots from the selected precincts are prepared and placed in ballot boxes. A team of four tally board members hand count and manually tally each ballot, following the California Uniform Vote Counting Standards. One caller reads the votes, one observer ensures the accuracy of the tally, and two tickers tally the votes using tally sheets. The results of the manual tally are compared to the reported results.

Risk Limiting Audits (RLA)

The RLA is conducted as an additional measure to verify the accuracy of the election. Although not required by the State of California, the ROV performs this function to add a higher level of confidence in the election results. This audit method is the result of a collaboration between the ROV, Caltech, and MIT, and results from a study published in 2019 and included in the References section. The process for this audit starts with a public draw to generate a twenty-digit

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random seed number. The RLA compares individual ballots to the cast vote record, ensuring that the ballot was counted as intended by the voter. Ballots are randomly selected from the audit to reach a confidence level that the outcome of the votes is correct. A four-person RLA board conducts the manual examination of ballots, following the California Uniform Vote Counting Standards.

Official Canvass⁴

During the official election canvass, the ROV finishes processing all vote-by-mail and provisional ballots. They also conduct several tests and audits (including the RLA and 1% Percent Manual Tally) and account for the equipment and materials used in the election. State law prohibits the ROV from completing this canvass before Tuesday, December 3, 2024.

In addition to the 1% Manual Tally and the RLA, the ROV canvass tasks include:

- Inspecting all materials and supplies returned from the 104 Vote Centers
- Confirming that all the vDrives from the ballot scanners assigned to the Vote Centers have been read and the votes on them added to the results
- Processing test ballots through all ballot scanners to ensure they still accurately count votes on the ballots (final Logic and Accuracy test)
- Verifying that the safe-certified voting system software has not been modified

OBSERVATION OF THE ORANGE COUNTY VOTING PROCESS IN ACTION

In addition to reviewing relevant documentation, the OCGJ observed all activities supporting the voting process prior to, during, and after the election. We scrutinized all stages of the voting process and observed firsthand how the Orange County voting system functions. The following activities were observed by the OCGJ:

- Printing of vote-by-mail ballots by ROV in their facility, using their staff and in-house equipment
- Transfer of 1.8 million vote-by-mail ballots to the USPS for mailing
- Official drop box: Teams of two trained ROV employees collect vote-by-mail ballots (secured in zippered soft canvas box, ensuring that no ballots are touched by the

⁴ “The official canvass account[s] for every ballot cast...to ensure that each valid vote is included in the official results. The canvass means aggregating or confirming every valid ballot cast and counted—absentee, early voting, Election Day, provisional, challenged, and uniformed and overseas citizen. The canvass enables an election official to resolve discrepancies, correct errors, and take any remedial actions necessary to ensure completeness and accuracy before certifying the election.” Source: CA Secretary of State

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employees) from official drop boxes. They ensure a strict chain of custody procedure. Teams first inspect the box to confirm the security seal has not been damaged or tampered with. The box is then unlocked with a unique key specific only to that individual drop box. Photos of each step are transmitted to the ROV in real time. The soft canvas box holding the ballots is zipped and secured with a numbered zip tie to protect the chain of custody for transport back to the ROV. A new soft canvas box is placed in the drop box. The drop box is then locked with its unique key and a new security seal is placed on the drop box doors and a photograph is sent to the ROV. The team must wait for clearance from the ROV before they head to the next drop box. *At no time do the ROV employees touch the ballots.* All routes are changed daily and ballot transport activity is monitored by a GPS tracking system for additional ballot security. This same team is responsible for collecting the vote-by-mail ballots from the USPS.

- Return of the ballots from the Official Ballot Drop Boxes to the ROV or designated location and witnessing the adherence to strict chain of custody procedures
- Ballot duplication
- Ballot sorting and extracting
- Layout and operations at Vote Centers
- Logic and accuracy testing: the OCGJ viewed the voting machines being tested before and after the election.
- Processing of vote-by-mail ballots and signature verification
- Scanning of ballots
- Tabulation of ballots
- Official Canvass
- Hand counting of all ballots from one percent of the precincts to ensure the accuracy of election results
- Risk limiting audits to verify the accuracy of the election
- Ballot curing
- Observed multiple billboards, social media posts, and bus stop signage promoting voting options and other important information for voters

In addition to our observations, many of the activities were livestreamed to the public on the ROV website including election night return of ballots from the Voting Centers, RLA, 1% Manual Tally, and the Logic and Accuracy testing of all voting machines done both prior to and after the election.

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VOTING RESULTS IN ORANGE COUNTY TAKE TIME TO COUNT

Under California law, voting results are not due until December 5, 2024. Among the claims made by those who challenge the trustworthiness of the voting process is that the vote count was manipulated during the period between the end of voting and December 5, 2024. We found this claim to be without merit. We identified several reasons why it takes as long as it does to count and certify the election, including the following:

- Orange County is the seventh largest voting district in the nation and its population exceeds that of twenty-one states. As a result, there are a significant number of votes to count.
- Voters have until December 1, 2024, to cure their ballot.
- If a vote-by-mail ballot is postmarked by the end of election day, it must be counted if received within seven days of election day. Thousands of ballots were received in this manner.
- Every vote-by-mail ballot undergoes a signature verification process to ensure it matches the voter's registration signature. This step is time intensive, but essential for election integrity.
- Many ballots are submitted in which the intent of the voter is clear, but the ballot cannot be read by the machine. For example, the ballot squares have check marks rather than being fully filled in with a black pen/marker. Therefore, a duplicate ballot is prepared that the machine can read.
- California allows voters to cast provisional ballots if their voting eligibility is unclear at the time of voting. These ballots require additional review before being counted.

Party	2024 Ballots	Percent of Voters
Democratic	516,309	37.5%
Republican	516,116	37.5%
No Party Preference	266,837	19.4%
American Independent	51,468	3.7%
Libertarian	14,199	1.0%
Green	4,536	0.3%
Peace and Freedom	4,121	0.3%
Miscellaneous	3,364	0.2%
Total Voters	1,376,950	100.0%
Total Registered Voters	1,861,450	
Voter Turnout	74.0%	

Table 1: 2024 Voters by Party Preference in Orange County.
Source: ROV

INVESTIGATION AND ANALYSIS

The OCGJ observed that the Orange County voting system offers a flexible and accessible approach because of the following factors:

1. **Vote Centers:** Instead of traditional polling places, Orange County utilizes 184 Voting Centers throughout the county. Innovative mobile pop-up Voting Centers are strategically placed in areas of high voting traffic.
2. **Vote-by-Mail:** All 1,861,450 registered voters in Orange County receive a vote-by-mail ballot. This allows them to vote from the privacy of their homes. If a voter prefers to vote from home, they can exercise any of the following options:
 - a. Physically submitting their ballots at any Vote Center
 - b. Placing their ballot in an official Ballot Drop Box
 - c. Mailing their ballot through the USPS
 - d. Exercising their right to ballot harvesting and designating someone to return their completed ballot to any Vote Center, official Ballot Drop Box or USPS
3. **Official Drop Boxes:** For added convenience, a voter can securely drop off a completed ballot at any one of the 123 official Ballot Drop Boxes located throughout the county.
4. **OC Ballot Express:** Voters can track their ballot from start to finish. Using Ballot Express, they can view the state of their ballot through the entire mailing process and see the status of their returned ballot. Voters can also sign up on the ROV website (ocvote.gov) for updates through text and emails.
5. **Tracking:** This system allows tracking from the time the ballot is mailed to a voter to the time the ballot is received and counted by the ROV. Voters are able to use the online OC Ballot Express system located on the ROV web site to monitor their ballot's status. Signatures contained on the vote-by-mail ballot are also verified against ROV records.
6. **Rule of Two:** All activities involving the handling of ballots require a minimum of two personnel.
7. **Physical Security:** Each official drop box is locked with a unique key specific to that individual drop box, equipped with a tamper-evident seal, and bolted to the ground. The drop boxes also contain fire suppression devices to protect against arson.
8. **Cybersecurity:** All ROV processes related to voting "stand alone." This means the processes are not connected to any outside source or to the internet. All voting data is securely gathered on a vDrive. All computers and voting machines are certified by the California Secretary of State.
9. **Tally Room Security:** The Vote Count Room (Tally Room) is protected by a combination of biometric and security-cleared technology. A fingerprint and uniquely issued security badge are required for entry by authorized personnel. This room is protected by a 24-hour monitoring alarm service and video surveillance.

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10. **Audits and Testing:** Regular audits, including risk-limiting audits, are conducted to verify the accuracy of election results. Voting machines and systems undergo rigorous testing before and after the election to ensure they functioned correctly.
11. **Partnerships and Training:** The ROV collaborates with federal, state, and local agencies to share intelligence and best practices. Election workers receive extensive training on security protocols and incident response, both in person and online. All ROV employees pass FBI security clearance.
12. **Military and Overseas Voters:** These voters can receive their ballots electronically, which are available thirty days prior to regular ballots, giving them more time to return them. They can also receive their ballot via email or USPS. If a ballot is faxed back to the ROV, it must include a copy of the envelope that the ballot was sent with to provide signature verification.

DOES ORANGE COUNTY COMPLY WITH VOTING INTEGRITY BEST PRACTICES?

Our study revealed that the election process in Orange County is complex, involving multiple related parts, requiring stringent coordination and accurate execution. The OCGJ's study of this process demonstrated that the 2024 election was executed in a fair, secure, and transparent manner such that it upheld the highest level of voter integrity.

The OCGJ questioned whether it was sufficient to solely observe the current practices used by the ROV during the 2024 Election. We reviewed the best practices, recommendations, and policy guidelines set forth by recognized experts regarding what constitutes the highest standards in voting integrity.

These publications are as follows:

1. "Electoral Integrity in the 2020 U.S. Elections" by Pippa Norris—This study from Harvard University's Electoral Integrity Project offers expert assessments and recommendations for improving electoral integrity.
2. "Six Steps to a Safe, Trusted Election" by MITRE Corporation⁵—This report outlines six key actions to make voting safer and to counter misinformation, based on recommendations from official sources like the Centers for Disease Control and Prevention (CDC) and Election Assistance Commission (EAC).
3. "International election monitors can help boost people's trust in the electoral process – but not all work the same way" by Sarah Bush and Lauren Prather—This article

⁵ "The MITRE Corporation is an American not-for-profit organization...[that] manages federally funded research and development centers supporting various U.S. government agencies in the aviation, defense, healthcare, homeland security, and cybersecurity fields, among others." Source: Wikipedia

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discusses how international election monitors can boost public trust in the electoral process.

4. "How Right-Wing Activists are Pushing States to Dismantle Voter Integrity Safeguards" by Nation of Change—This article explores the impact of misinformation campaigns on voter integrity safeguards.

The recommendations in these publications include the following:

- The necessity for accuracy of voter registration and rolls
- The necessity for protection of poll workers and the public
- Promotion of early voting and vote-by-mail ballots
- Distribution of safe and secure official drop boxes
- The necessity of post-election audits and regularly auditing election results to verify accuracy
- Training of election officials and staff
- The necessity of a transparent election process
- The importance of accessibility for voters
- The importance of secure ballot handling

To determine how the County of Orange stacked up in its voting process, we compared the above-listed practices with those we observed. We concluded that the County's practices and procedures were as follows:

1. Voter registration logs and voter rolls were kept accurate and current.
2. Poll workers and the public were safe and protected.
3. Official Ballot Drop Boxes were safe and secure.
4. Every vote was represented by a voter-verified paper ballot and could be verified by a paper trail.
5. Election misinformation and disinformation was addressed by the ROV through regular communication provided in their Orange County Elections newsletters, press releases and their open-door policy for the public to come into their location and observe *all* election activities.
6. To help the observers have better access to the processes, the ROV had overhead cameras installed so the observers could see exactly what the staff were handling and working on.
7. In addition to these communication efforts, the ROV held an open house on October 8, 2024, and invited the public to come and learn more about the voting processes from staff who were available at their workstations and locations, repeatedly providing presentations and throughout the event.

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8. Many election activities were live streamed on the ROV website for the public.
9. Ballot duplication was checked twice by two separate staff, and any errors were corrected immediately and then rereviewed prior to the duplicate ballot being scanned.
10. Post-election audits that included both the 1% Manual Tally (this audit alone required over 100 employees working eight to ten hours per day for up to fourteen days), and the risk limiting audit that was completed before the ROV could certify the election results on December 3, 2024.
11. The ROV operated a transparent department and ensured that all votes were counted safely and accurately.
12. Early voting made accessible to all OC residents through utilization of vote-by-mail ballots, Vote Centers with hours to accommodate various work schedules, Official Ballot Drop Boxes, and use of the USPS.
13. From July 2024, and through the certification of the election, the ROV published 135 social media posts. All social media posts were published on their social media accounts, Meta, Instagram and X.
14. Twenty-eight Election newsletters (robust, current and applicable information about voting in Orange County) were published from July until November 2024 and distributed via email to key stakeholders along with any of the public that signed up to receive them. In addition, they were posted on the ROV website. These newsletters are still available for viewing on the ROV website. They have received positive feedback from the community and plan to continue publishing these newsletters throughout the year, not just during the election period.
15. The ROV blanketed the county with promotional billboards during the election period to help voters stay informed about their many voting options.
16. The ROV developed a Communications Took Kit for the 2024 general election. It was a resource that provided a variety of tools to help people and organizations stay informed about how, when and where to cast a ballot. This tool kit was shared with the ROV community partners so they could help push out messaging about the election to their own networks of people.

The ROV takes allegations of voter fraud seriously and encourages anyone who witnesses or suspects illegal activities related to voting or any aspect of the voting process to report these concerns immediately to the Orange County District Attorney's Office. The ROV not only met but exceeded the recommended practices for ensuring voting integrity. Its proactive approach provided major protection against any fraud. Additionally, its implementation of comprehensive voter education programs that reached a widespread and diverse audience fostered engaged participation. The ROV's commitment to transparency was evidenced by their frequent public audits and open communication channels.

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The Grand Jury's analysis confirms that the 2024 election maintained the highest level of integrity for Orange County voters.

FINDINGS

In accordance with California Penal Code Sections 933 and 933.05, the Grand Jury requires responses from each agency affected by the findings presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

- F1. There was no evidence of fraud or election interference ascertained in the 2024 general election in Orange County.
- F2. Voting in Orange County is fair, secure, and transparent.
- F3. The ROV communications and outreach programs promote transparency and public confidence in the voting process. Orange County eligible voters can feel secure in knowing that the ROV provided an election of the highest recognized standards.

RECOMMENDATIONS

None

COMMENDATIONS

The entire ROV staff is highly commended for their excellent performance in the coordination and management of the 2024 presidential election. Their commitment to best practices supporting voting integrity, meticulous planning, and rigorous security measures ensured that the voting process was fair, secure, and transparent. The ROV upheld the highest standards of electoral integrity, thereby reinforcing public trust in this critical institution and setting an example for all government entities to follow in performing their public duties.

RESPONSES

California Penal Code Section 933 provides in pertinent part:

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on

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the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

Section 933.05 further provides:

- (a) *For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:*
 - (1) *The respondent agrees with the finding.*
 - (2) *The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.*
- (b) *For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:*
 - (1) *The recommendation has been implemented, with a summary regarding the implemented action.*
 - (2) *The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.*
 - (3) *The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.*
 - (4) *The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.*

Responses Required

Comments to the Presiding Judge of the Superior Court in compliance with Penal Code Section 933.05 are required from:

Orange County Board of Supervisors:

F1, F2, F3

ACRONYMS

CDC	Centers for Disease Control and Prevention
CVR	Conditional Voter Registration
EAC	Election Assistance Commission
FBI	Federal Bureau of Investigation
GIS	Geographic Information System
GPS	Global Positioning System
MIT	Massachusetts Institute of Technology
OCGJ	Orange County Grand Jury
RLA	Risk Limiting Audit
ROV	Registrar of Voters
USPS	US Postal Service

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U.S. Vote Foundation – "California Voting Methods and Options" | U.S. Vote Foundation. <https://www.usvotefoundation.org/california-voting-method>.



DEAN C. LOGAN
Registrar-Recorder/County Clerk

May 5, 2025

The Honorable Bryan Steil
Chairman, Committee on Administration
United States House of Representatives
1309 Longworth House Office Building
Washington, D.C. 20515-6157

**SUPPLEMENTAL TESTIMONY FOR FULL COMMITTEE HEARING:
"WHY THE WAIT? UNPACKING CALIFORNIA'S UNTIMELY ELECTION COUNTING
PROCESS", HELD ON APRIL 29, 2025**

Dear Chair Steil and Members of the Committee:

Los Angeles County was pleased to host you, Representative Torres, Congressional members and staff when you toured our ballot tabulation process at our Ballot Processing Center, in November 2024. Los Angeles County is committed to ensuring secure, transparent, and trusted elections, serving nearly 5.8 million registered voters, in accordance with state and federal law.

As the Los Angeles County Registrar-Recorder/County Clerk, I write to submit a supplemental written testimony for the Committee hearing: "Why the Wait? Unpacking California's Untimely Election Counting Process", held on April 29, 2025.

Because no election administrators from California were invited to testify, we felt it was important, as the largest and most complex electoral jurisdiction in California and in the country, to submit this written testimony to provide important background, context, and clarification in response to questions raised in the hearing.

Should the Committee or staff have any questions, I can be reached at (562) 462-2716 or email dlogan@rrcc.lacounty.gov.

Sincerely,

Dean C. Logan

DEAN C. LOGAN
Registrar-Recorder/County Clerk

DCL:KF

c: Members, House Administration Committee
Honorable Shirley Weber, California Secretary of State



DEAN C. LOGAN
Registrar-Recorder/County Clerk

United States House of Representatives, Committee on Administration

"Why the Wait: Unpacking California's Untimely Elections"

MONDAY, MAY 5, 2025

TESTIMONY

Dean C. Logan
Registrar-Recorder/County Clerk
Los Angeles County

Good morning, Chair Steil and Members of the Committee. I am Dean C. Logan, the Registrar-Recorder/County Clerk ("RR/CC") for Los Angeles County ("County") in the State of California ("State"). I oversee the County's voter registration process, voter file maintenance, federal, state, local and special election administration, and other related programs. The Los Angeles County Registrar-Recorder/County Clerk is one of 58 county election officials in California responsible for administering elections and certifying election results.

Los Angeles County has nearly 5.8 million registered voters, with 5,000 voting precincts established for countywide elections. The County is the largest and most complex electoral jurisdiction in the country, with 88 cities, over 100 school and community college districts, 55 general and special districts, and approximately 140 unincorporated areas.

During the 2024 General Election, we counted over 3.7 million ballots. To put that into perspective, Los Angeles County counted more ballots than 38 other states, including the great states of Arizona, Colorado, Indiana, Maryland, Massachusetts, Minnesota, Oklahoma, and Wisconsin.

Because no election administrators from California were invited to testify before the hearing titled, "Why the Wait: Unpacking California's Untimely Elections", held on April 20, 2025, we felt it was important to submit important background, context, and clarification in response to questions raised in the hearing.

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May 5, 2025
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Q: Why send every registered voter a ballot by mail, if it takes more time and effort to process the ballots?

A: Delivering every registered voter a ballot through the mail ensures voters have time to study the ballot, the ability to vote independently, and the freedom to return their ballot by mail, at a drop box, or at a vote center.

Prior to 2020, substantial numbers of California voters were already choosing to vote by mail, with most counties experiencing a majority of voters choosing this option. After much research and policy discussion, California was planning to launch a pilot project for multiple counties to move to automatically mailing registered voters their ballots, while opening Vote Centers and drop boxes as additional options for voters to return ballots. Many of the counties that were ready to participate in this pilot already had high vote by mail participation rates.

When the COVID pandemic swept the nation, California was poised to build on the efforts of a successful pilot project and implement a statewide standard for mailing ballots to all eligible voters / opening Vote Centers/ siting Drop Boxes / implementing Conditional (same day) Registration options. In Los Angeles County, where a larger portion of our electorate historically voted in-person, we were concerned about whether these large-scale changes would result in voter participation drop offs and we engaged in extensive outreach and education efforts to design a voting model responsive to voter preferences and behavior.

In fact, Los Angeles County voters embraced the changes. We were able to establish engaging locations and opportunities for voters to cast their ballots (from voting at Dodger Stadium to voting out of mobile voting centers) that resulted in 1.14 million voters using their VBM ballots to vote, and another 1 million voters voting in person in the March 2020 primaries; and 3.4 million voters used a VBM ballot and 900,000 voted in person in the 2020 General Election in the midst of the global COVID pandemic. A historic 4.3 million voters turned out to vote in November 2020, increasing voter participation rates from 58% (Nov. 2018) to 76% (Nov. 2020) turnout. In a survey of voters, we found an increase in voter satisfaction with their experience, with 94% of survey respondents indicating they had an overall positive or neutral experience.¹ Academic studies have found that mailing every voter a ballot has a positive effect on turnout.²

Los Angeles County made monumental systemic changes to meet voters where they are – working moms who prefer to mark their ballots at home and return them by mail; restaurant workers who only have one day off and need flexibility to accommodate their shift schedules; people of religious faiths who have restrictions on the days or times they can vote, and independent contractors working abroad who rely upon foreign and U.S. mail for receipt and return of their ballots.

¹ Los Angeles County Election Administration Plan, 2022.

² Vote-by-mail policy and the 2020 presidential election - Eric McGhee, Jennifer Paluch, Mindy Romero, 2022.

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In the November 2024 General Election, of the over 3.7 million people who voted in LA County, 28% voted in person, with the remaining 72% using the ballot they received in the mail to vote (51% returning the ballots in secure drop boxes, 17% returning at Vote Centers, and 32% returning by mail).

Q: Do California's ballots need to be postmarked? What happens if it is not dated?

A: California's election laws are clear: Ballots *must* be cast on or before Election Day to be counted.

It is California law and Los Angeles County's compliant practice to require any ballot returned by mail to be postmarked on Election Day or before. Los Angeles County cannot and does not count ballots that are postmarked after Election Day or that are received more than seven days after Election Day, regardless of postmark.

LA County's procedure for ballots with no postmark and out-of-State/Country ballots is to use the US Postal Service's Mail Recovery and Storage (MARS) system to determine the mailing date. If there is no postmark, or MARS verification, California Elections Code requires us to use the date that we stamp the vote by mail envelope upon receipt from the United States Postal Service or a bona fide private mail delivery company. In this instance, only ballots that are stamped by our office, as received on or before Election Day would be counted.³

Q: Wouldn't we get election results faster if California stopped receiving mailed ballots after Election Day?

A: With 1 million votes arriving on Election Day, it takes time to process the ballots and count the ballots.

We welcomed a bi-partisan group of elected officials, including Chair Bryan Steil and Rep. Norma Torres, to tour and observe our ballot processing operations after the General Election in 2024. Chair Steil remarked that he observed 3 days after the election, 900,000 ballots still needed to be counted, and that "It was an amazing experience to walk through the LA Central Count."⁴

It's true. The work of hundreds of dedicated staff and temporary workers *is* amazing. We operate 24/7 with hundreds of employees working over multiple weeks, ensuring all voted ballots receive the same level of accurate and secure processing regardless of the method or date of return selected by the voter within the parameters established in California state law.

Focusing on only the ballots received on General Election Day 2024, which includes all the ballots cast in-person at Vote Centers on Election Day before 8:00 PM PT, ballots

³ California Code, Elections Code - ELEC § 3020.

⁴ Statement of Rep. Bryan Steil, Chairman, U.S. House Committee on House Administration, Apr. 29, 2025.

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dropped off at Vote Centers or drop boxes on Election Day before 8:00 PM PT, and ballots mailed and arriving by Election Day; Los Angeles County's Ballot Processing Center received 1.6 million ballots on Election Night.

To count 1.6 million Election Day ballots, it would require at least a week to process all the ballots. Processing time includes checking signatures, opening envelopes, extracting ballots from envelopes, sorting out any ballots that have issues (coffee stains, dog bites, missing pages), scanning ballots and then tabulating results. Where we can, we have employed machines and cutting-edge technology to speed the process.

To protect the integrity of the count and ensure voter confidence in the results, a vital step is signature verification of the ballots. The signature verification process has three layers, that includes using automated signature verification to allow speed and accuracy. Because voters' signatures change over time and age, we also have human reviewers. Contrary to some contentions, our staff go through extensive training provided by the Secretary of State's office to manage the voter verification process. We also provide additional training to temporary workers to understand the law, signature verification techniques, and Los Angeles County processes.

Even with automation, highly efficient processes, and trained people working around the clock, verifying signatures, sorting ballots, scanning and counting over 1.6 million ballots could not be done in a day.

Los Angeles County counted 96.89% of the total ballots cast in the 2024 General Election in one week. By November 12, 2024, we counted 3.6 million ballots. The remaining ballots that require extra attention and additional time include conditional voter registration ballots, provisional ballots, and ballots where we give voters an opportunity to cure missing information or signature.

Q: How many voters and who would be affected by a law cutting off receipt of ballots at the end of Election Day?

A: In Los Angeles County, 75,000 voters could be disenfranchised, including uniformed and overseas voters.

Adopting a national law to cut off receipt of ballots on Election Day would not only affect California voters, but also voting in 17 states, including Alaska, Illinois, Kansas, Maryland, Massachusetts, Mississippi, Nevada, New Jersey, New York, North Dakota, Ohio, Oregon, Texas, Virginia, Washington, and West Virginia. In many places, vote by mail is the only way to get ballots out to and back from voters who live in remote or rural locations.

Based on our experience in the 2024 General Election, some of the 75,000 ballots postmarked on or before Election Day (that arrived in the 7 days allowed by state law following Election Day), would be disqualified, if such law was adopted. It is important to

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note that the 75,000 ballots reflect a proportional representation of the County's electorate spanning party registration, voter age, and geographic location.

Much attention during the hearing was focused on Congressional contests with thin margins determining the final outcome. It is in these contests where consistent, accurate, and transparent processing of all valid ballots is critical to ensuring the certified returns reflect the intent of the participating electorate.

One important group of voters who would be particularly impacted are the large numbers of Uniformed and Overseas Voters. As Rebecca Nowacek of Secure Families Initiative testified: "Military voters are 27% less likely to have voted than their civilian counterparts. When a military voter tries to vote that is unsuccessful, the most common reason is because their ballot arrives past the deadline.... Best practices include, number one, enable ballots that are postmarked by election day to arrive at least seven days after election day to still be counted...." In 2024, Los Angeles County received 20,000 ballots from Uniformed and Overseas voters. The State's Postmark-Plus-Seven law allowed these ballots to be verified and counted.

California has established a strong foundation to support free and fair elections, to encourage and facilitate voter registration and participation, and to support a voter-centered approach to when, where, and how elections are administered. Any change to that process – or the timeframes associated with casting a ballot must be consider the potential rejection of ballots clearly cast by voters on or prior to Election Day.

The mechanics of when, where, and how elections are conducted should never be driven by political directive. These critical processes must be guided by deliberate, thoughtful legislation focused on ensuring eligible voters clearly understand their voting options and can exercise those options without unnecessary barriers.

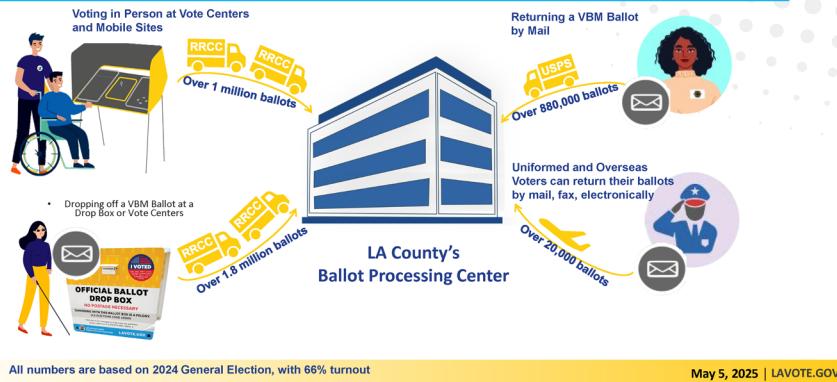
BALLOT COUNT: PROTECTING INTEGRITY, ACCESS, AND SECURITY

Los Angeles County
Registrar-Recorder/County Clerk

May 5, 2025



How do ballots arrive at LA County's Ballot Processing Center?



All numbers are based on 2024 General Election, with 66% turnout

May 5, 2025 | LAVOTE.GOV

Only ballots cast on or before Election Day are counted

To ensure that only ballots cast on or before Election Day are counted:

- **Vote Centers** close at 8 PM, with election workers managing lines to allow only voters already waiting to cast their ballots.
- **Ballot Drop Boxes** are locked exactly at 8 PM across the County by deployed teams.
- **Mailed Ballots** must be postmarked by Election Day; any ballot postmarked after will not be counted.

Snapshot: 2024 General Election

TOTAL BALLOTS CAST: 3,793,106



51%

Ballot Drop Box
Votes

17%

Vote Center
Drop-Offs

32%

Ballots Sent
By Mail



426 BALLOT DROP BOXES



648 VOTE CENTERS

May 5, 2025 | LAVOTE.GOV

Every Vote by Mail (VBM) ballot undergoes a rigorous, multi-step process before it is counted.

1. **Intake and Receipt:**
 - ◆ **No VBM ballot is counted unless it passes each step of this verification process.**
2. **Signature Verification:**
 - ◆ **Strict chain-of-custody procedures are enforced at every stage to protect the security and integrity of each ballot.**
 - The signature on the VBM envelope is carefully compared against the voter's registration record.
 - Trained election workers and supervisors undertake multiple reviews of any mismatches before proceeding.
3. **Ballot Preparation for Tally:**
 - Once verified, the ballot is securely separated from the envelope to maintain voter privacy.
 - Ballots are checked for damage, prepared for scanning, and staged for tabulation.

**Leading up to Election Day 2024, we received
~1.65 million VBM ballots, and
~400,000 Early Vote Center ballots**

To be able to count so many ballots on Election Night, we spent 4 weeks before Election Day processing these early arriving VBM ballots.

- We match the signatures and verify the information on the outer envelope to be sure the ballot can be counted
- We “extract” the ballot from the envelope and check to be sure the ballot condition allows it to be counted
- We scan the ballots

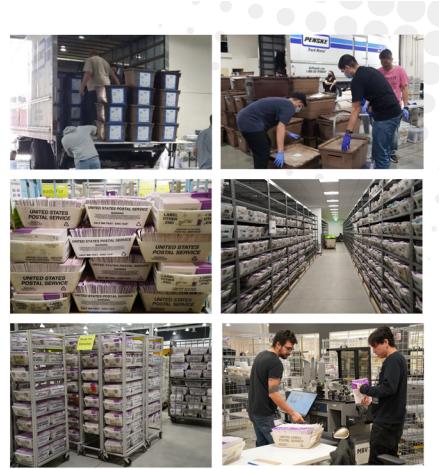


And then, at 8 pm on Election Day, we start tabulating!

An additional ~1.6 million ballots arrive on Election Night

On Election Night, truckloads of ballots come in to be processed and counted.

Processing these ballots must be treated with the same care, security, and transparency as the 30-day period before Election Day.



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After Election Day 2024, we continue to receive ~75,000 ballots by mail



Some ballots – like those from Uniformed and Overseas Voters and mailed ballots – need extra time to arrive.

The ballots that we received after Election Day were proportionally distributed across the major political parties.

If it was cast on or before Election Day, we work diligently to process and count every valid ballot.



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Reporting Results: After Election Night

L.A. County counted 96.89% of the total ballots cast in the 2024 General Election in one week.

3.6 million ballots were counted by Nov. 12, 2024

Teams worked night and day to process the outstanding ballots.

- 100's of staff
- 12-hour day shifts x 7 days a week
- Overnight shifts x 7 days a week
- We maximized speed through machine-based letter opening, signature verification, scanning, and tabulation



May 5, 2025 | LAVOTE.GOV

Close to the finish line, we process and count the ballots that need extra attention

Between November 13 to December 2, L.A. County had ~141K outstanding ballots remaining, including:

- ◆ **Conditional Voter Registration (CVR) ballots** – Ballots cast by first-time voters who registered at a Vote Center. Each CVR ballot requires careful research and verification of voter eligibility before it can be counted.
- ◆ **Provisional ballots** – Issued to in-person voters when there are questions about eligibility. Provisional ballots require detailed investigation to confirm eligibility and determine if the ballot can be counted.
- ◆ **Vote by Mail ballots pending signature curing** – Ballots that were returned with missing or mismatched signatures. Voters are contacted and given the opportunity to correct their information so that their vote can be counted.

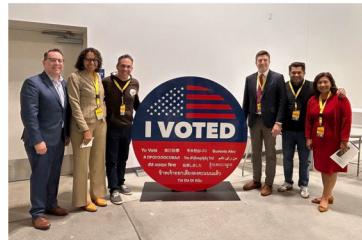
Every CVR and Provisional ballot must be individually researched and verified; this process takes additional time and attention to ensure accuracy and fairness.



May 5, 2025 | LAVOTE.GOV

Our Commitment to Transparent Elections

Transparency is the cornerstone of our electoral process. From the moment ballots are cast to the final certification of results, we ensure every step is open and observable.



House Administration Chair Bryan Steil, Democratic Caucus Chair Pete Aguilar, and Reps. Norma Torres, Jimmy Gomez and Sidney Kamlager-Dove with LA County Registrar Dean Logan at the Ballot Processing Center.



Rep. Brian Steil (R-WI):

"The counting of votes is going to continue for some time until we reach the final results. But as we know, the balance of power in the United States House of Representatives hangs in the balance and will likely be determined here in Southern California."

May 5, 2025 | LAVOTE.GOV



Ms. SEWELL. Thank you. I yield back the balance of my time.

Chairman STEIL. The Representative yields back.

The Representative from Illinois, Mrs. Miller, is recognized for 5 minutes.

Mrs. MILLER. Thank you, Chairman.

Chairman Palmer, you previously served as a Florida director of elections and the Commonwealth of Virginia's chief election official.

What is the starker contrast between how those States collect their ballots and California?

Mr. PALMER. Well, I think the starker difference or the contrast is sort of the results of early voting and Election Day, plus preprocessed absentees are all those are ready to go on election night.

The mail ballot model and ballot-box issue allows those ballots to be returned either by the mail on Election Day, which will then take 7 to 10 days into the certification period, or a ballot box, which then those ballots still need to be processed.

You already have the results when you are voting in person or early voting or preprocess absentee with some deadline. Those ballots are ready to go and those results will be ready to go on election night.

If you are waiting to receive mail ballots, you then have to go through the process of signature comparison, processing those ballots, a cure period. That is why it takes so long and the mail ballot model takes longer.

Large populations and large counties, you are going to have a large number of issues in getting those ballots tabulated and the results out. It just pushes—it pushes the results later into the period. I hope that helps.

Mrs. MILLER. Yes. What would you say then are procedures or model legislation California should adopt from States that you previously served?

Mr. PALMER. I believe the preprocessing of absentee or mail ballots is important, early voting that allows the tabulation of the ballot onsite, and then Election Day, helping on Election Day.

You give options to voters. I also think that there should be a deadline for absentee or mail ballots prior to Election Day, and then they should be returned by Election Day. That allows voters to know that if they do not have the option to return the ballot by mail or absentee that they can still vote in person. That allows the system to work.

We are relying too much on the USPS. The USPS is having major issues. They continue to extend their service dates, and that has a direct impact on elections and voters. You will find in a lot of mail ballot States that voters do no longer trust the United States Postal Service to get their ballots in on time. They are going to return it in person, or a ballot box.

Again, when you return a ballot by ballot box, it still has got to go through that entire process of processing as if it was a mail ballot. I think that those are some of my recommendations for a State trying to make their process more efficient on the front end.

Mrs. MILLER. Thank you.

Mr. Gilbert, can you please expand on how the Voter's Choice Act has complicated ballot counting for election workers by allowing numerous different ballots to be submitted in one voting location?

Mr. GILBERT. When previously you would just go into your precinct and vote, now a vote center has to supply any given ballot to any voter. For instance, if you live in my area, if you live in Coalinga and you are in Fresno to work and you are at the Fresno vote center, they have to provide your ballot for the city of Coalinga, when typically you would have to be nearer to your home.

Now that vote center is in charge of sorting that ballot, which is nothing like the Fresno city ballots around it, and also they have to be able to provide conditional voter registrations.

If you have not registered to vote and you would like to vote, you also can register that same day and vote, and those are extremely time-consuming.

Mrs. MILLER. Are there other election processes that have become more burdensome due to the Voter's Choice Act?

Mr. GILBERT. I would say that the No. 1 thing we have seen ever since they started mailing ballots to everyone in California still does mail to P.O. boxes as well, not just physical addresses.

If you go into any United States Postal Service toward the P.O. boxes about 30 days before the election, you can find about a couple hundred ballots in the trash can. I think that is a security concern and one of the things we have seen since the change in procedure.

Mrs. MILLER. Thank you. I yield back, Chairman.

Chairman STEIL. The gentlewoman yields back.

The gentlewoman from California, Representative Torres, is recognized for 5 minutes.

Mrs. TORRES. Thank you. Let me just start by saying that, as the only Californian on this Committee, I am outraged. I am simply outraged at the continued attacks from this Committee against my home State, Chairman. How dare this Committee attack the duly elected members of the State legislature who were elected by Californians to represent them.

The fact is, California is doing just fine without your input. Let us look at the facts. California is the fourth largest economy in the world. We sent \$692 billion to the Federal Government, and we get \$83 billion less in return. Meanwhile, Florida gets \$41 billion more, Ohio gets \$49 billion more, Texas gets \$71 billion more. Do us a favor, and when your State rises to the level of California, then let us talk about fixing California.

Let us now talk about elections. Last year, the Chairman and other Republicans, without giving Democrats on this Committee a heads-up, went to Los Angeles, wasting taxpayers' dollars and time to look for problems. Guess what? They found zero, zero problems.

They visited the largest ballot processing center in the Nation, responsible for nearly 6 million registered voters. That is bigger than 28 States in the Nation. Not a single Committee, not a single Republican or political observer contested the outcome of any House race, or provided any evidence that California suffered from fraud or any other issues. Why is that? Hmm?

Because California, Members, our election infrastructure is sound. We invest in a secured system, rigorous training and trans-

parency at every level. California has worked hard to ensure that every eligible American voter can cast their vote. As frustrating as it may be to you and to other people, including myself at times, our fantastic State and local election workers make sure that our elections happen and that they are safe.

As a mother of a veteran and a police officer, I know voters might serve far from their home, or they might be a first responder that has to work on Election Day. Voters cannot always take a day off. They might have mobility issues. This is why California established voting by mail; to make it so that every eligible Californian can have their voice heard. California's promise to our voters, whether we like how they vote or not, your voice as a voter is heard.

Normally, I would welcome a discussion on improving election operations, but these are not normal times. You see, President Trump and his cronies, like Elon Musk, do not care about the rule of law or the Constitution. They are destroying the economy, attacking, and arresting judges and recently deported three American citizens' children, including a 2-year-old toddler and a 4-year-old with stage 4 cancer, a rare cancer.

If President Trump and his administration do not care about due process for a child with cancer, how can you honestly sit here and debate and believe that they believe in the Constitution or a free and fair election? Hogwash. They ignore judges when decisions do not go their way. They deny election results when they do not win.

Let us be honest, Chairman, their actions on elections has one goal: to sow distrust in our election system, to suppress the vote, and to make it harder for Americans to participate in our democracy. Not your democracy, our democracy.

Do you know what makes people question our elections? It is not California elections. It is President Trump, Elon Musk, and the Republican Party pushing lies and refusing to follow the law. Meanwhile, Trump's voting order and the Republican SAVE Act will create huge burdens of every American.

You have allowed other Members to go beyond their time, but you do not like what I am saying, so you are trying to shut me down.

The SAVE Act is nothing but a bill to try to cancel the vote of people that do not want to vote for you.

I yield back.

Chairman STEIL. The gentlewoman yields back.

All Members are reminded to refrain from the use of personalities directed at Members of Congress, the President, or the Vice President.

All Members having used their time for questions, I would like to thank our witnesses for appearing before us today. Members of the Committee may have some additional questions for you, and we ask you to please respond to those questions in writing.

Without objection, each Member will have 5 legislative days to insert additional material into the record, or to revise and extend their remarks.

If there is no further business, I want to thank the Members for their participation.

Without objection, the Committee stands adjourned.

[Whereupon, at 11:36 a.m., the Committee was adjourned.]

QUESTIONS FOR THE RECORD



U.S. ELECTION ASSISTANCE COMMISSION
633 3rd St. NW, Suite 200
Washington, DC 20001

May 23, 2025

The Honorable Bryan Steil
Chairman
Committee on House Administration
1309 Longworth House Office Building
Washington, DC 20515

The Honorable Laurel Lee
Chairwoman
Subcommittee on Elections, Committee on House Administration
2464 Rayburn House Office Building
Washington, DC 20515

Dear Representatives Steil and Lee:

Thank you for the opportunity to testify at the April 29, 2025 Committee on House Administration hearing “Why the Wait? Unpacking California’s Untimely Election Counting Process.” It was a pleasure to discuss post-election procedures, particularly the curing period and post-election ballot counting process.

I respectfully submit for the record the following responses to the Committee’s follow-up questions. Unless otherwise noted, I am solely responsible for the answers to these questions, and the responses do not necessarily reflect the positions of the U.S. Election Assistance Commission (EAC) and my fellow Commissioners.

The EAC works year-round to support election officials and strengthen the administration of elections. We appreciate your leadership in helping to bolster election integrity across the nation and look forward to our continued work together. Please do not hesitate to contact me if we can be of further assistance.

Sincerely,

Donald Palmer
Chairman
U.S. Election Assistance Commission

Committee on House Administration Hearing:

"Why the Wait? Unpacking California's Untimely Election Counting Process"

April 29, 2025

Questions for the Record:

Mr. Donald Palmer, Chairman, Election Assistance Commission

- 1. Mr. Chairman, when states request the assistance of the EAC in promulgating advice and guidelines, do they ever ask about curing ballots or processing ballots more efficiently?*

A: Yes. EAC Commissioners and staff regularly field a wide range of inquiries from state and local officials across the country. The timely and accurate processing and certification of results is important to maintain voter confidence in elections. As set forth by the Help America Vote Act of 2002 (HAVA), answering these questions on best practices is one of the ways the EAC fulfills its role as a [clearinghouse of information](#) on election administration. The agency's Clearinghouse Division, composed of former election officials and subject matter experts, develops tools and shares best practices on improving federal elections, including mail ballot processing. All products developed by the Clearinghouse Division are guided by the parameters established by HAVA, ensuring they are nonpartisan and grounded in firsthand expertise.

Our resources are designed to be scalable and practical for election offices of all sizes, and include detailed best practices, templates, and webinars related to the [canvassing process and post-election activities](#). These materials include step-by-step guidance for reconciling vote totals, addressing discrepancies, and ensuring transparency and accuracy. While requests from jurisdictions may vary, the EAC offers support in different manners of improving ballot processing, including model best practices and timelines for voters to correct issues with [mail or absentee ballots](#).

Looking ahead, the EAC will continue working closely with election officials, federal partners, and stakeholders throughout the election community. Given an interest in materials relating to ballot curing and processing, the agency expects to expand its guidance to assist administrators in navigating post-election efforts and strengthen public confidence in the election process.

- 2. What advice or guidance would you suggest to states in helping them with curing ballots or processing ballots more efficiently?*

A: While the EAC's role is not to mandate specific processes, our mission is to provide election officials with access to national survey data and identified best practices across the country. This enables them to make informed decisions in their own states or jurisdictions. As I travel throughout the United States and engage with election administrators, I witness firsthand how diligently they work to improve ballot curing and ballot counting processes within their statutory framework.

Technology increasingly plays a vital role in enhancing election administration. By leveraging new advancements in technology and exploring thoughtful updates to state laws, election officials can increase

the efficiency and accuracy of these critical practices. Some of the most innovative new ways of using technology is with the EAC's Clearinghouse Awards program.

In early April, the EAC announced the 53 winners of the [2024 Clearinghouse Awards](#), recognizing best practices in election administration. Also known as the "Clearies," the awards program celebrates the hard work of election offices across the country by honoring programs implemented in the 2024 elections.

In this program, we recently highlighted innovative technologies, adopted by jurisdictions across the country, which notify and allow the resolution of outstanding signature omission or non-match issues. One compelling example comes from Jefferson County, Colorado, which received recognition in the Clearies category of Innovation or New Practices in Election Administration for its program *A Signature Solution: Helping First-Time Voters Make Their Votes Count*. Of note, signature verification is essential for election security, but first-time voters often have only one signature on file, increasing the likelihood of mismatches and ballot rejections.

To address this, the Jefferson County Clerk & Recorder's office created a signature collection postcard that enables voters to proactively add a second signature to their file. Voters receive the postcard at events or in the election office. They then sign it, take a photo, and upload it through a QR code-linked secure portal. This ensures additional reference points for signature verification, reducing ballot rejections and strengthening election security. The initiative was immediately successful in Jefferson County, with strong adoption among first-time voters and replication by other counties statewide.

Another exemplary 2024 Clearie honoree in the Innovation or New Practices in Election Administration category came from the Maryland State Board of Elections (SBE) for their *Text2Cure* program, created in response to recently passed legislation by the Maryland General Assembly. The purpose of this initiative was to streamline and strengthen the process of ballot curing.

To comply with the law, SBE procured a solution that allowed voters to receive text messages to cure their ballot for counting. The initiative offered voters multiple curing options, including the ability for voters to electronically submit their signatures via a secure text message platform, ensuring protection of identity and privacy. By adopting Text2Cure, SBE aims to reduce the number of uncounted ballots due to missing signatures, enhance voter participation, and promote trust in the electoral process.

In addition to innovative curing practices, I would emphasize the importance of allowing states to begin processing ballots before Election Day. During my tenure as election director in Florida and Virginia, I saw how this crucial state policy ensures timely and accurate election results.

With the continued growth of absentee and mail voting, early processing enables election officials to verify, scan, and sort ballots in advance. This streamlines the final count after polls close. It also enhances the ballot curing process by allowing voters more time to resolve issues with their ballots, increasing the likelihood that their votes will be counted. When ballots are reviewed before Election Day, voters have more time to resolve issues, increasing voter confidence and reducing the number of disqualified ballots. After all, prompt and accurate results help maintain the integrity of the democratic process and increase transparency.

The EAC is also making strides in data collection to support these efforts. We continue to diligently work on the 2024 Election Administration and Voting Survey (EAVS) report. This report and the corresponding data will be sent to Congress on June 30, 2025. The updated 2024 EAVS contains expanded questions relating to state ballot curing efforts. This enhanced data will provide better insight into ballot curing

trends across the U.S. We would be pleased to brief you and your staff on the results. The data may offer election officials and policymakers insight into state trends to more efficiently cure and process ballots.

Ultimately, the EAC's role is to equip election officials with data and resources to help them evaluate their own practices. Using the guidance the EAC provides, they can then identify what is working well and where improvements can be made. The EAC fulfills this role through its clearinghouse function to support informed decision-making at the state and local level.

Thank you for the opportunity to respond to these questions for the record. I look forward to working with you during the 119th Congress on issues relating to election administration and the impactful work of the EAC.

Committee on House Administration Hearing:**"Why the Wait? Unpacking California's Untimely Election Counting Process"****April 29, 2025****Questions for the Record:****Ashlee Titus, Partner, Bell, McAndrews & Hiltachk, LLP**

- 1. Your testimony mentioned the extended period of time that a voter has to "cure" their ballot. Since it is important to allow voters to fix discrepancies, why is timely ballot curing important?**

"Curing" allows a voter who attempted to participate in an election correct a problem with the signature (or lack of signature) on the vote-by-mail ("VBM") ballot return envelope. Curing only applies to a person who intended to and in fact attempted to vote, but there is a problem with the signature on the VBM envelope. The VBM envelope signature is used by election officials to verify that the person who returned the ballot is in fact the registered voter whose name and address appear on the VBM envelope and matches a registered voter.

Timely curing of VBM envelope signatures is important because if a signature is not cured, the ballot is held in suspense, and cannot be processed any further. When a signature on a mail ballot envelope is "challenged" by the elections office (for reasons such as missing signature, signature deemed not to match registration records) it puts that ballot on hold, delaying further processing, impacting the final results of every race on that ballot type.

- a. What kind of errors are typically found on ballots and how long does the curing process take?**

Ballots aren't cured, signatures on VBM envelopes are cured. The "curing" is to correct issues with a voter's signature on their VBM ballot return envelope. If a voter returns their mail ballot in an envelope and they fail to sign it, or the signature on the envelope is deemed not to match the one in the voter's registration records, the voter is afforded an opportunity to provide another signature. If the voter returns the form by the deadline, and the elections office deems the signature to match a signature in the voter's registration records, the ballot is then accepted, the envelope is opened, and the ballot is tabulated.

The original law permitting curing of signature problems required the voter to submit a cure form no later than eight days after the election. Current law requires the voter to submit a cure form no later than two days before the voter's county certifies the election results. A county may certify any time within 30 days after the election, so the current cure deadline is not a fixed number of days after an election, but is typically between 20 and 26 days after the election.

b. Is there a correlation between voter turnout and ballots that must be cured?

Higher turn-out elections tend to have more voters who require signature cures, in part because the higher turn-out is lower propensity and younger voters. Signatures of younger voters are challenged at higher rates, as the only signature on file may be from the DMV (which are notoriously of poor quality, written with a stylus on an electronic pad) and doesn't readily compare to a hand-written signature, and young voters are often still developing the signature, so it's not written consistently.

c. How does the curing process enhance a voter's confidence in secure elections?

The curing process is evidence that elections officials are in fact comparing the signature on a mail ballot envelope to the signature on the registered voter's record, to determine that the person registered is the person who cast the ballot.

d. How can California improve its communication to minimize ballots that must be cured before they are counted?

- (1) Improve training of elections workers, to properly respond to voter questions and provide instructions on the purpose of the cure form and how to complete and return it.
- (2) Provide voters opportunities in off-years to view their signature(s) in their registration records and provide an updated signature.
- (3) Communicate with voters whose signatures were challenged and rejected in the most recent election by asking them to update their registration well in advance of the next election.
- (4) Improve the manner for a voter to update their signature – explore electronic opportunities using two-factor authentication on mobile phones.
- (5) Eliminate signatures as a method of confirming a voter's identity – instead, use an ID number, which is an objective manner of identification that doesn't change as a voter ages.

QUESTION: American democracy is strongest when every eligible American can cast a free, fair, and equitable ballot. Congress must consider policies to protect and enhance the voting rights of military and overseas voters. Are there any specific policies, or best practices, that Congress or election administrators should consider when contemplating how to support military and overseas voters and their families?

Secure Families Initiative (SFI), with support from our nonpartisan nonprofit community, has long advocated for policies that would tackle these top issues facing our voters. In 2023, we consolidated a list of legislative priorities that include the following 3 recommendations:

1) Create a uniform deadline of 7 days after Election Day for UOCAVA ballots to arrive and still be counted, as long as they are postmarked by Election Day.

As such, Congress would require that state or local election officials may not refuse to accept or process a ballot submitted by an individual by mail with respect to an election for Federal office in the State on the grounds that the individual did not meet a deadline for returning the ballot to the appropriate State or local election official if—

1. the ballot is postmarked or otherwise indicated by the United States Postal Service to have been mailed on or before the date of the election, or has been signed by the voter on or before the date of the election; and
2. the ballot is received by the appropriate election official prior to the expiration of the 7-day period which begins on the date of the election.

Nothing in this subsection shall be construed to prohibit a State from having a law that allows for counting of ballots in an election for Federal office that are received through the mail after the date that is 7 days after the date of the election.

2) Require states to provide absentee voters proactive notification if their ballot is rejected for signature discrepancies, as well as a ballot curing process.

In states that impose a signature verification requirement on absentee ballots, Congress would require those states to abide by the following due process:

1. If an individual submits a mail-in ballot or an absentee ballot and the appropriate State or local election official determines that a discrepancy exists between the signature on such ballot and the signature of such individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters, such election official, prior to making a final determination as to the validity of such ballot, should make a good faith effort to notify the individual by mail, telephone, and (if available) text message

and electronic mail that 1) a discrepancy exists between the signature on such ballot and the signature of the individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters; and 2) if such discrepancy is not cured prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, such ballot will not be counted; and cure such discrepancy and count the ballot if, prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, the individual provides the official with information to cure such discrepancy, either in person, by telephone, or by electronic methods.

2. If an individual submits a mail-in ballot or an absentee ballot without a signature or submits a mail-in ballot or an absentee ballot with another defect which, if left uncured, would cause the ballot to not be counted, the appropriate State or local election official, prior to making a final determination as to the validity of the ballot, should as soon as practical, but no later than the next business day after such determination is made, make a good faith effort to notify the individual by mail, telephone, and (if available) text message and electronic mail that the ballot did not include a signature or has some other defect; and if the individual does not provide the missing signature or cure the other defect prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, such ballot will not be counted; and count the ballot if, prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, the individual provides the official with the missing signature on a form proscribed by the State or cures the other defect.

3) Amend §1566a. Voting assistance: voter assistance offices, in order to improve user experience.

The Department of Defense currently requires all departments and components to establish an Installation Voter Assistance (IVA) Office on military installations. These IVA Offices are to provide voter assistance to military personnel, their dependents, civilian Federal employees, and all qualified voters who have access to such installation offices. ((DoDI) 1000.04)

While IVA Offices are helpful, SFI has received many stories from military family members that demonstrate gaps in consistency of service, and the need for IVA Offices to expand programming to better serve the entire military family. In order to do so, we recommend a mandate that IVA Offices provide proactive information and services to all

military families, as well as include military dependents in the population of covered individuals under this program.

In addition, we recommend that voting information provided by the offices are included as part of the administrative out-processing of covered individuals from their departure duty station and as part of any newcomer orientation, first-term service member briefing, and new military spouse orientation at the new duty station of the covered individual.

In our experience running nationally recognized non-partisan military voting education programs, we find that the majority of military families do not know that the IVA program exists. To close this gap, we recommend an expansion in both the investment and oversight of the IVA program outreach, and an assurance that both servicemembers and their families are receiving information and benefiting from voting assistance programs.

We look forward to providing a full detailed list of recommendations, and partnering with members of Congress who truly want to close the military-civilian voter participation gap to ensure our community is able to participate in the very democracy we serve to protect.

