



Introduction

Center for Election Confidence, Inc. (“CEC”) is a non-profit organization recognized as a key “civil society group”¹ that promotes ethics, integrity, and professionalism in the electoral process. CEC works to ensure that all citizens can vote freely within an election system of reasonable procedures that promote election integrity, prevent vote dilution and disenfranchisement, and instill public confidence in election systems and outcomes.

CEC submits these comments to the U.S. Election Assistance Commission (“EAC”) in response to its February 23, 2026, Notice and Request for Comment, *Election Audit Standards*, Dkt. no. EAC-2026-0067, 91 FR 78472.

CEC’s interest in the proposed Voluntary National Standards for Election Audits relates directly to the organization’s purpose of “advancing the role of ethics, integrity, and legal professionalism in the electoral process, including safeguarding the right of eligible voters to vote” by undertaking efforts that “increas[e] confidence in election results and election systems”.²

I. Election Audits Overall

CEC supports the increased confidence, accuracy, and transparency that well-executed election audits bring to voters and to elections. In brief, CEC’s view of well-executed election audits involves adoption of a number of key principles, including (1) clear communication to voters (and the press) with respect to the goals, capabilities, limitations, and impossibilities of and for any given audit process; (2) understandable procedures with all relevant set before the election; and (3) completion and release of audit results in time for the results to be useful (*i.e.*, before certification deadline and/or before the time to contest an election passes for any audit that may affect the final results).

Frequently, voters describe their desired audit processes to CEC personnel as similar to balancing a checkbook—a review of all inputs and outputs for accuracy and appropriateness. While such an audit is not quite possible with elections due to voter privacy and ballot secrecy rules, it is important to keep in mind that this sort of review is likely a voter’s rhetorical starting point when discussing any election audit.

Like other election processes, audits are only as useful as they are trusted by voters. For these reasons, a poorly executed or a misunderstood audit may risk more harm than no audit at all. CEC encourages the EAC, as well as state legislators and state and local election officials to consider these points when developing election audit standards.

II. Support for Proposal Generally

In general, CEC supports the EAC’s proposed Voluntary National Standards for Election Audits and endorses the purpose behind the document “to enhance checks and balances and reinforce trustworthiness of election administration.”

As a preliminary matter, CEC recommends that the document be styled instead as a guide to emphasize not only its voluntary nature but also the EAC’s role in serving as a national clearinghouse for election administration best

¹ Elena Patel, Brookings Institute (Dec. 30, 2025), <https://www.brookings.edu/articles/when-a-postmark-no-longer-tracks-mailing/>.

² *About CEC*, Center for Election Confidence, <https://electionconfidence.org/about/>.

practices. Example titles include “Voluntary Guide for Election Audits” or “Collected Guide to Voluntary Best Practices for Election Audits”. The use of the word “standards” in the current title (likely inadvertently) suggests a role for the EAC with respect to determining with finality or other authority the appropriate application of any given guideline.

In any event, CEC views the publication by the EAC of a voluntary election audit guidelines document as a positive event for the development of stronger voter confidence and election transparency across the country and commends the agency for its work.

III. Proposed Standards

Overall, CEC supports the framework established by the draft Voluntary National Standards for Election Audits and is pleased to support the document’s structure. However, CEC encourages EAC to ensure that each topic and standard is viewed as part of a comprehensive whole such that each topic and standard either explains an issue fully or refers clearly to another topic or standard that does so. A direct example is CEC’s concern, which is discussed in detail below, that voters receive clear explanations concerning an audit’s goals *and* its limitations so that expectations are set appropriately.

a. Topic: Objective

CEC commends EAC for the strength and completeness of this topic and its standards. It is appropriate that *Objective* is the first topic discussed since voters’ perception of subjectivity, bias, or capture, rather than professional objectivity and independence, remains a key threat to voters’ confidence in election audits and elections overall.

b. Topic: Professional

A major pillar of CEC’s mission is to advance “professionalism in the electoral process”. As such, CEC appreciates EAC’s focus in the draft Voluntary National Standards for Election Audits on the importance of continuous professional improvement in the world of election administration. Every profession can benefit from such reflection and growth, and CEC is pleased to support the *Professional* topic and its standards for these reasons and for their benefit to voters’ overall confidence in elections.

c. Topic: Effective

CEC encourages EAC to consider the audience for each type of audit when describing the *Effective* topic and its standards. For example, for some audits, such as those that directly relate to the results of an election, the audience is clearly the voters themselves, as well as candidates, political parties, and other political organizations. On the other hand, for other audits, such as those that relate more to the internal training or procedures for an election office, the audience is primarily the election officials themselves. Focusing on the audience for each type of audit will ensure that topics and standards are communicated effectively and as intended.

i. *Appropriateness*

CEC encourages the EAC to be sure to include language describing the importance of detailed public transparency for the goals of the audit, including its limitations due to legal requirements or prohibitions or inherent limitations due to voter privacy and ballot secrecy rules. Such language should specifically explain why voter privacy and ballot secrecy rules, for example, prevent auditors from “running the election over again”—including with respect to confirming

the accuracy of voter registration or check-in procedures—because ballots cannot be linked back to a given voter.

ii. *Efficacy*

CEC commends the EAC for its focus on ensuring audits are “completed in time for the results to be useful”. As discussed above, this is a key voter confidence metric, especially with respect to audits that examine the results of a given election, because voters care strongly about correcting mistakes in the current election before items are improved for a subsequent election (e.g., updates to training for check-in procedures).

iii. *Flexibility*

CEC encourages EAC to update language contained within the *Effective: Flexibility* standard to emphasize the importance of explaining completely, effectively, and accurately to the general public any required “modifications to standard procedures” because any deviation from procedures established before an election may initially be viewed with suspicion. The same is true for any efforts pursuant to law or in equity undertaken to correct an apparent error: officials should explain any mistake or error completely and transparently, apologize, and explain, demonstrate, and publish the correction of such mistake or error.

d. Topic: Secure

Due to misapprehensions concerning the importance of its standards, *Secure* is one of the most important topics contained in the draft Voluntary National Standards for Election Audits. Many voters may not realize or understand not only that ballots are secret, but also that an individual voter’s choices may not be identified specifically once a ballot is cast. Such misunderstandings may create expectations that audits review processes or particular choices, even when such items are impossible to review after the fact. As such, the importance of clear explanation here cannot be overstated.

i. *Privacy/Confidentiality*

CEC encourages EAC to reword its explanation of the *Secure: Privacy/Confidentiality* standard to replace “untraceable” with a word that more accurately captures the underlying concept: It is not that a given ballot cannot be tracked through the election but that an individual voter’s specific choices (and the specific ballot they cast) cannot be identified or recalled once a ballot has been cast.

Further, even when a “write-in vote for a unique name” or a small precinct may tend to suggest that a given voter cast a particular ballot, unless that voter wrote “THIS BALLOT WAS CAST BY JANE DOE” on the ballot’s face (and even that would require a modicum of trust—not to mention invalidate the ballot in many jurisdictions!), there is generally no way to identify or link a particular ballot *affirmatively* to a given voter. This distinction is important because a less fulsome explanation may inadvertently suggest to a voter that specific ballots from particular voters can be audited on their own (e.g., “Can you confirm that my vote for M. MOUSE was counted?”).

e. Topic: Accountable

CEC commends the EAC for the inclusion of prefatory language in the *Accountable* topic that sets the focus on voters’ ability to “understand, evaluate, and trust the audit process.” Such a focus on voters’

received perception of election audits and elections overall is an important framing device for any effort to bolster voters' confidence in elections.

i. *Public Communication*

If the EAC chooses to explain here the “goal(s), process, and outcome of the audit to promote public confidence”, it should include within the *Effective* topic a cross-reference to this explanation. As discussed throughout, CEC is concerned that auditors, election officials, and/or voters may view a given topic or standard in a vacuum and misapprehend the intended meaning to the detriment of election confidence.

In any event, public communication must include an explanation of the limitations of any given audit in order to set appropriate expectations for voters.

ii. *Transparency*

The key language under *Effective: Transparency* is the focus on ensuring auditors and election officials explain to voters “where constraints are present”. CEC encourages EAC to update the language of this standard to include guidelines for additional discussion of a given audit's capabilities and how those are impacted by or reflected in any such constraints.

Further, CEC encourages EAC to strengthen the included language with respect to election observation and place the focus on the value of observation rather than potential difficulties caused by bad actors. Election *observation* by definition does not include interference and is a vital voter confidence tool. Voters are less likely to trust an election audit completed in secret or otherwise out of the public eye.

Finally, when a mistake or error is identified, officials should explain the issue completely and transparently, apologize, and explain, demonstrate, and publish the correction of such mistake or error. Voters tend to care more about the correction of an issue rather than expecting that no issues will occur in any event run by humans.

IV. Sample Language Generally

In general, CEC encourages the EAC to review proposed sample language for clarity and clear communicative intent.

For example, under *Objective: Authorization*, one proposal for sample language reads, “For the standard of authorization, we conduct audits that are in accordance with state laws and regulations.” When used by an election official, CEC does not doubt that such statement would be accurate; however, without more, this language may not communicate effectively to a voter *specifically what* authorization the election official possesses to conduct a given audit (or, alternatively, why an audit may *not* be authorized).

Similarly, under *Professional: Standardization*, one proposal for sample language reads, “For the standard of standardization, we conduct audits where officials are familiar with procedures in advance and so they can accurately estimate the resources required for completion.” While CEC is confident that this language is intended to convey the expertise of individuals who are involved with the conduct of a given audit, CEC has concerns that such language may instead be interpreted by a voter in such a manner to suggest that a given audit is not sufficiently independent, that “officials . . . familiar with procedures in advance” may mean that the “fix is in”.

Comments before the U.S. Election Assistance Commission re: Notice and Request for Comment,
Election Audit Standards, Dkt. no. EAC-2026-0067, 91 FR 8472.

Center for Election Confidence, Inc.

April 27, 2026

Page 5 of 5

Finally, under *Effective: Appropriateness*, one proposal for sample language reads, “For the standard of appropriateness, we conduct audits that use random sampling as required by statute to ensure the audit scope and methodology align with legal standards.” As before, CEC is confident that should this phrasing be employed by an election official that its content would be accurate; however, CEC has concerns that the phrasing does not achieve its communicative intent because most voters will not be aware of the “random sampling . . . required by statute” or what the specific “legal standards” governing the “audit scope and methodology” entail.

CEC encourages the EAC to view the average voter as the intended audience for any proposed sample language to ensure that meaning is conveyed effectively and with minimal opportunity for misunderstanding.

Conclusion

The Center for Election Confidence urges the EAC to adopt the Voluntary National Standards for Election Audits document with CEC’s comments reflected in the published version.

Respectfully submitted this 27th day of April 2026,

/s/ Caleb J. Hays
Chief Policy Counsel
Center for Election Confidence, Inc.