

**Statement of Adrian Fontes**  
**Arizona Secretary of State**  
**U.S. House of Representatives Committee on House Administration**  
**Hearing on “Looking Ahead to the 2024 General Election”**  
**September 11, 2024**

Chairman Steil, Ranking Member Morelle, and members of the committee,

My name is Adrian Fontes and I am the Secretary of State from the Grand Canyon State of Arizona, home to 15 vibrant counties and one thousand, seven hundred and thirty-five precincts. Thank you for inviting me back to testify before this esteemed body. The last time I was here, shortly after the 2020 presidential election, I was testifying as a candidate for the office I now hold and the former elected Recorder of Maricopa County, about the threats of violence against Elections officials. I have since testified before the Senate Rules Committee on that issue and the ensuing impact it had, creating an atmosphere where so many officials and staff have left the field of election administration. So much so that, as I shared at the time, 80 percent of our counties had one or both of their two top elections leaders, the County Recorder or Elections Director leave between 2020 and 2023. I am happy to be here today to update you on the progress we have made in fortifying our ranks, preparing them for the very busy election that is upon us, and all of the things that we are doing in Arizona to ensure that this Presidential election will be the most secure and accessible election, or as many of you like to say, Easy to Vote, Hard to Cheat; no less than what our citizens demand and deserve.

**Training, Assessments and Tiger Teams**

When I was elected Secretary of State in 2022, it was at a time of turmoil in the field of election administration. Between the natural graying of our field leading to a number of retirements, and threats against many of our election administrators, we had a host of new administrators that had little, if any, experience in the field of elections. Indeed, since 2020, across the western states, 40 percent of our counties, which account for half of Americans living in the West, have a new local election official, meaning that more than 1,800 years of experience has left our field. And this number is only looking at the leaders in those counties, not accounting for the number of diligent middle management and line staff members who have also left the field<sup>1</sup>. Understanding this, my office quickly undertook a number of initiatives to train, support and assist our offices. First, I directed our State Elections Director as she worked with stakeholders to update the state’s Elections Procedures Manual as required by state law, reorganizing it to make it a simplified guide on how to conduct an election, from voter registration to canvass, based on state and federal statutes<sup>2</sup>. I then directed staff to upgrade and transform our state Election Officer Certification using sound adult learning principles and with subject matter experts to give all our almost 600 elections administrators comprehensive certification training, ensuring they were well-versed in the principles and practices that uphold the integrity and security of our elections processes. Importantly, this certification is not a one-time event—each official is required to renew their

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<sup>1</sup> Issue One, [The High Cost of High Turnover: How the Departure of Election Officials will Impact 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...)

<sup>2</sup> [AZ EPM 20231231 Final.pdf \(azsos.gov\)](https://www.azsos.gov/...)

certification every two years. Ongoing education ensures that our personnel remain at the forefront of best practices and compliance. This enhances the skill set of our election workers and reinforces public trust in our elections system. As part of this certification, we required all election officials to sign a Code of Conduct, promising they would observe the highest standards of ethical behavior, guard the integrity of the democratic process, prevent fraud, refrain from activities that undermine the public trust and confidence in the electoral process. Additionally, these standards include not tampering with or allowing unauthorized access to any equipment, ensuring every eligible vote is accepted and correctly reflecting the voter's intent when adjudicating or duplicating a voter's ballot.

We followed this certification training up with multiple in-person and on-line classes on issues like signature verification, audits, and chain-of-custody, as well as on-site trainings and support meetings to shore up any additional needs of individual counties. Under the direction of our Chief Information Security Officer, we deployed Tiger Teams of subject matter experts to meet with county officials, especially in the areas of cyber and physical security and process development. Their goals were to ensure that systems were utilizing the most up-to-date defenses against any cyber attacks, that workers understand proper procedures, and that offices have contingency and continuity of operations plans, such as those suggested by the Election Assistance Commission<sup>3</sup>.

### **Table top Exercises (TTXs)**

Understanding that it isn't enough to train and have plans, but it is vital that we test, practice and communicate said knowledge and plans, my office, with the assistance of a number of partners (including CISA, the FBI and the EAC), organized six interactive, multi-media tabletop exercises throughout various regions in the state. These were great opportunities to get *everyone* impacting elections together in rooms to act out possible scenarios and discuss best practices and responses to potential problems. These events were not just for Election Directors, but for all the different individuals that have involvement in elections. This included voter registration staff, Boards of Supervisors, IT directors and staff, finance and logistics personnel, and even vendors.

Because law enforcement does not deal with elections on a daily basis, and since their intent is to avoid acting in ways that are perceived as political, it is often difficult for on-the-ground officers to know specifically when and how to mitigate sometimes tricky scenarios. Therefore, we did more than include law enforcement at every TTX: we created a series of TTXs just for them. Law enforcement personnel with experience handling election related issues and other law enforcement experts dealing with political situations could talk official to official about best practices and address concerns. In addition to these training exercises, we also supplied our departments across the state with a pocket guide to Arizona state election laws developed with the assistance of the Committee on Safe and Secure Elections, to help them know exactly what our laws say in a format that they can easily take with them out on patrol<sup>4</sup>.

We also did a TTX specifically for members of the media. The office collaborated with nationally recognized experts from the Brennan Center and the Elections Group to offer members of the media an insider's perspective on how election officials prepare for and respond to threats across three critical

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<sup>3</sup> [Contingency Planning | U.S. Election Assistance Commission \(eac.gov\)](https://eac.gov)

<sup>4</sup> (Committee for Safe and Secure elections: <https://safeelections.org/> and Arizona's specific guide: <https://safeelections.org/wp-content/uploads/2024/03/CSSSE-AZ-Pocket-Guide-2024.pdf>)

areas: cyber, physical, and logistical. The event uniquely positioned each participant to experience the intense pressures and responsibilities shouldered by election officials and workers, emphasizing the integrity of our elections processes. During this exercise, participants engaged in simulated scenarios and interactive discussions, working together to conduct a successful, safe, and secure election despite these challenges. The exercises simulated budget constraints and decision-making under crisis, mirroring the actual challenges faced in the field. We stressed the importance of advanced security measures such as multi-factor authentication and secure communication practices to prepare for potential threats.

A significant focus was placed on strengthening partnerships with local media to effectively combat misinformation and ensure the dissemination of accurate information. Participants were encouraged to critically evaluate the sources of information, recognizing the potential for misinformation in today's digital age. Local election officials attended as advisors, guiding reporters through the election process.

All the exercises included injects that addressed the growing threat of artificial intelligence where deep fakes and/or audio manipulations developed by foreign and/or other bad actors could impersonate one of our elections administrations and giving election workers or voters intentionally wrong information about the time, place or manner of our elections. Understanding that social media has the reach to spread these deepfakes far and wide with alarming speed, and that foreign actors from hostile states such as Iran, China, and Russia are ready to take advantage of this possible security gap, the injects included messages purporting to be from election administrators, and at one point, an AI-Fontes was near impossible to discern it wasn't really me, until AI-me spoke French and Chinese, languages I don't speak.

Prior to each election, my office also hosts a media mock election specifically designed to train national media outlets on handling and reporting election results. This initiative serves as a practical workshop, providing the media with insights into the complexities of election night operations and the nuances of vote tallying.

The simulation aims to enhance the accuracy and responsibility of media reporting by simulating real-time election scenarios, allowing our partners to experience the pace and pressure of election night. This proactive approach prepares the media for the intricacies of reporting as results unfold but also reinforces the importance of coordinating with my office in an environment ripe with misinformation. Media mocks are crucial in ensuring that the public receives clear, accurate information from trusted sources during critical voting periods.

### **Artificial Intelligence and Election Security Advisory Committee**

Understanding that Artificial Intelligence has potential benefits in addition to inherent risks to election security, I have created an Artificial Intelligence and Election Security Advisory Committee<sup>5</sup>. This group of subject-matter experts will guide my office on the deployment of AI technologies in safeguarding Arizona's elections, as well as aim to prepare for and mitigate AI-related disruptions to ensure the integrity of the elections process. While only 7% of election officials nationally currently use AI for tasks such as social media content and voter material translation, there is a growing demand for clear guidance on the responsible use of AI technologies in government. This Committee is tasked with

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<sup>5</sup>[Arizona Secretary of State Adrian Fontes Convenes New Artificial Intelligence and Election Security Advisory Committee | Arizona Secretary of State \(azsos.gov\)](#)

forecasting how technology can impact election integrity, and stimulating innovation and competition within Arizona's dynamic technology sector. One key area of focus will be the development of standards for labeling synthetic content, such as implementing certified digital signature technologies to verify the authenticity of AI-generated outputs. This is part of a broader effort to ensure the safe and responsible development of AI models by a diverse ecosystem of developers, deployers, and end-users. The committee currently meets monthly and they are expected to have a report out early next year.

### **BallotTrax, Text2Cure and Voter Registration Modification Notification**

In a move to enhance voter confidence and promote transparency in the elections process, my office expanded the BallotTrax system from our two most urbanized counties, statewide into our 13 rural counties, ensuring that voters throughout the state have equal access to this service. Prior to this implementation, voters had no way of knowing where in the process their ballot was. This voter-friendly system is designed to provide voters with real-time updates on the status of their mail-in ballots. It allows voters to voluntarily sign up to receive notifications when their ballot is mailed out to them so they can look out for it in their mailbox; and then when the voter mails their ballot back, the system notifies them when the County Recorder receives the ballot, and again when their signature has been verified and the ballot has been sent to be counted. This initiative also supports a process called Text2Cure for verifying the signature on any early ballot affidavit where that signature is questioned and ensures voters are promptly informed of any necessary actions to secure their vote. This can all be done using their personal devices, while including security mechanisms including the voters photo identification and signature. We are also implementing a new process that will notify voters whenever their voter registration record is modified, giving the voter more control over their personal information.

### **Extending the Internet to Rural Voting Locations**

Speaking of bringing additional services into rural Arizona, we have been working on the same issue for elections that people in rural America struggle with daily, having strong, dependable internet service. One of the things that we realized in 2018 when I was Maricopa County Recorder, is that if you are using a precinct-based polling location model, voters going to the wrong polling location, especially in rural areas where voting locations are sometimes hours apart from each other, can often lead to large numbers of provisional ballots and the disenfranchisement of voters. Therefore, we developing a model where voters can always receive the correct ballot regardless of which county voting location they appear while ensuring voters can only vote once is the best practice. And while ballot tabulators are *not* connected to the internet in Arizona, vote centers require that ePollbooks which determine the correct ballot style and tell other locations that the voter has voted, must be connected. In some of our most rural areas of Arizona, particularly on parts of our Native American tribal lands, this was previously impossible. Voters in these areas therefore had to vote differently and had less access to voting than voters in urban areas. Through a grant from our Governor's office using federal funds we were able to change that. Working with the counties and a number of partners, including CISA's FirstNet program, we were able to deploy a number of different solutions, including Starlink systems, FirstNet internet trucks and traditional internet systems. I am happy to report that during the Primary at the end of July, voters on the Navajo Nation as well as voter from the Havasupai Nation at the bottom of the Grand Canyon finally had access to this technology. The entire state of Arizona is now capable of going to this vote center model, ensuring that all voters will get to vote their correct ballot, decreasing the number of provisional ballots, and guaranteeing that our elections will still be able to ensure one voter, one vote.

### **Upgrading our Systems for UOCAVA Voters**

We are also working to ensure that those voters that are fighting to protect our democracy have easier access to register and vote. Through a grant from the Department of Defense through their Federal Voting Assistance Program (FVAP), we are upgrading the process by which our military and overseas voters may register and vote. While the national average voter turnout in the United States is 67%, the military turnout is only 52%. The impediments to our men and women serving away from home are significant. One of those is that they may not have easy access to computer equipment, including printers and scanners needed when required to print out a ballot, mark it, wet-sign affidavits and scan to send the items back in time. We will be deploying tomorrow an upgraded system for registering for the General Election that allows these UOCAVA voters to use their personal device, even a smart phone, to fill out and sign the FPCA to register and request a ballot. After this election, we will continue to upgrade the process by which these voters may vote and have their ballot processed to ensure the anonymity of their vote, just like voters at home. As a Marine, I cannot think of any category of voter more deserving of our efforts.

### **Fellowships**

And finally, to ensure that we have a pipeline of future elections administrators, we created a county fellowship program that recruits college students and recent graduates to be embedded in county elections offices, giving them real world experiences in the field, spark the joy of elections administration, hopefully leading them to seek a career in the field. Our first cohort of 18 fellows are currently working in 12 county offices in addition to two in my office, providing substantive assistance with verifying petition signatures, processing voter registration forms, assisting voters with early voting, assembling election supplies, testing election equipment and more, just as our full time county election officials are doing. We are now in the process of working with two of our state universities to create a certificate and/or emphasis in public administration degrees, to further professionalize this career choice and ensure that we have an educated workforce in the future.

### **Preparing and Conducting a Secure Accessible Election**

These are just a few of the innovative projects that my office has been working on. In the meantime, we continue to effectively work with the counties to do the functional work required to stand up and conduct any state-wide election, an election that is already under way. As I testify here today, we are just 55 days from the General Election; and 10 days away from the first ballots going out.

### **New Political Parties, Candidate Filing and Initiatives**

Before we have candidate file for office or put any names on any ballots, Arizona has a process to establish the recognized political parties. Three parties qualified by the number of registered voters that cast ballots in previous elections for continued recognition status: the Democratic, Libertarian and Republican Parties. We then received petitions from three additional new parties, which required them to file petitions to be recognized on a state level. This required the processing of 19,381 pages and verification of 157,674 signatures. Two of those parties, the Green and No Labels Party qualified for statewide recognition as a political party.

At the same time, we had 262 candidates file for state and federal offices, which are filed in my office; approximately 1,000 county, school district, precinct and special district candidates that filed through the counties; on top of a number of candidates for cities and towns that filed in those jurisdictions, totaling almost 1,700 citizens that are standing for election. Each one of those candidates is required to gather signatures of fellow citizens in their jurisdiction to be placed on the ballot, which in turn requires election administrators to validate those signatures.

Additionally, Arizona is one of only 20 states that allow its citizens to bring forward citizen Initiatives to directly add, alter and change the laws of Arizona. This election cycle, there were three state-wide ballot initiatives that were brought to my office for processing to find their place on the general election ballot. After 85 workers burnt the midnight oil for a collective 5,297 hours, 186,620 pages were processed and 2,702,409 signatures were verified, leading to two of those three being certified and sent to the ballot. Initiatives can also be brought at the county and city levels, each also requiring signatures to be processed and verified. There will also be several dozen more initiatives on the local level.

To educate the public about these initiatives and the 11 other initiatives referred by our State Legislature, we are required to publish a publicity pamphlet, which these days is more of a phone book, coming in at 356 pages, barely under the USPS requirement for non-profit rate. This not only summarizes the ballot initiatives, it also gives voters an opportunity to submit statements in support or opposition to the initiative. This edition will contain 639 statements from voters. This is published in English, Spanish and large print, and is made available online for our voters with disabilities that need a readable format, as well as in audio in English, Spanish, Navajo and Hopi. Copies are mailed directly to voters, and a copy of the book is available for download on the Secretary of State's website.

### **Voting System Certification and Testing**

To ensure that all ballot tabulators are secure and can effectively and properly comply with all state laws, it is required that voting systems be certified by the Election Assistance Commission (EAC) and then additionally certified by our State Certification committee, both of which do testing, before they are allowed to be purchased by any county. Then before every election, state law requires all tabulation equipment that will be used in the election be tested in what is called a logic and accuracy test (L&A), which under the direction of the State Election Director, increased the testing threshold by adding real-world condition of ballots as part of the testing. After the counties conduct testing on all their tabulators, the state then also does a round of testing in each county. We did this for the Presidential Preference Election in March requiring state staff to mark 12,892 test ballots, our statewide Primary in July where we marked 11,454 test ballots and we will be conducting this testing again later this month for the General. We also test the equipment again before any recount, such as our Congressional District 3 race during the Primary.

### **Voter Registration**

To know which individuals are eligible to vote and in what races, as well as which ballot a voter should receive in any election, Arizona maintains a statewide voter registration system called the Arizona Voter Information Database (AVID). It is a hybrid system, by which the 13 smaller counties work directly within the system and the two larger counties feed into the database using their own voter registration systems. Arizona voter registration staff under the County Recorders work continually to validate and add new voter registrations, update registrations for those that have moved or changed their name or

party; and deactivate or clear off individuals that are no longer eligible to be registered. We do this in accordance with the National Voter Registration Act (NVRA) and state laws. Because Arizona is a very fast growing and transitory state where people move frequently, since 2020, we have deactivated approximately 1 million unique active records and cancelled the registration of approximately 724,000 records, accounting for over one quarter of our voter file<sup>6</sup>. Arizona uses more than a dozen statewide or national database resources to maintain our voter registration rolls, looking for voters that have moved, passed away, or are no longer eligible to be registered. These include Arizona and US Court and Jury Summons Records, checks with our Motor Vehicles Division, reports from the Social Security administration and USCIS' SAVE System, National Change of Address, as well as good old-fashioned correspondence from voters or their families reporting moves and deaths, and checks of local paper obituaries. We are also proud members of the Electronic Registration Information Center(ERIC), which provides valuable reports regarding death records and cross-state movers and voters. While we are frustrated that some states have chosen to withdraw from this state-member controlled organization, making the data received less than complete, these are the only reports currently available that inform us of cross-state movers and possible cases where voters have voted twice.

In addition to the maintenance practices described above, several processes keep ineligible voters from registering to vote in Arizona. Residents can register to vote in person, online, or via mail. In-person and mail registrations require documentary proof of address, or an affirmation that the voter does not have an address, and online registration requires a state driver's license or state-issued Identification card<sup>7</sup>.

All Arizona voters must sign an attestation that they are a U.S. citizen in order to register to vote, the same as what is required in all other states in the country. Voters are also required to provide documentary proof of citizenship. And here is where it gets complicated and burdensome for the voter: depending on whether the voter applies using a state voter registration form or a federal voter registration form will determine what happens if the voter does not provide this documentation. If the applicant uses the federal form without providing documentary proof of citizenship and voter registration staff is not able to find that this documentation has been provided to the state, but signs the attestation of citizenship, they will be registered to vote in federal elections per the National Voter Registration Act but cannot vote in state elections<sup>8</sup>. If proof of non-citizenship is found, their registration form is rejected and they will be unable to vote in any election. However, the process is different if a resident registers using a state form. If the resident does not provide proof of citizenship and staff does not find documentation has previously been provided to the state, even if the attestation of citizenship is signed, their form is rejected and they will be unable to register to vote for any election. There are also criminal penalties for government officials who knowingly process registration applications with unverified eligibility. So, the voter who does not know the difference between a state or federal form is treated differently depending on which piece of paper they happen to fill out.

### **Changing Laws & Judicial Action Close to Elections Complicates the Process**

As you can see from all the activities I have outlined above, elections begin well before Election Day, or even when ballots go out to military and overseas voters 45 days before Election Day. Planning for any election cycle begins at least a year out, and in Arizona, it officially begins 150 days before. So changes

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<sup>6</sup> A recent report by Protect Democracy

<sup>7</sup> <https://azsos.gov/elections/voters/registering-vote>

<sup>8</sup> <https://azsos.gov/elections/about-elections/elections-procedures/vr-procedures>

such as an Arizona law that increases the number of recounts which necessitated we move our Primary up a week and the federal Electoral Reform Act, which required that we curtail some timelines for voters to cure questioned signatures or show identification in order to ensure that we had adequate time in the General to have all of the recounts and judicial actions completed before the deadline to ensure our state is represented at the electoral college -these changes all make elections more complicated.

The August 22<sup>nd</sup> Supreme Court action changing the manner in which we register voters depending on what form the voter uses has created a chaos where voters are treated not only differently depending on what form they use, but also depending on where they register, as different counties have currently interpreted the ruling differently. We are attempting to seek clarity on the issues right before the voter registration deadline, which is coming up on Oct 6th. The Purcell Principle Doctrine, enshrined in the name of my predecessor Maricopa County Recorder Helen Purcell, wisely advises courts against taking actions too close to an election, lest it create voter confusion. Changing legislation and court actions make the administration of elections more complicated, especially if done within the time of a called election.

Instead, there are things at the federal level that are being done that support the state and local elections officials that conduct elections. I am deeply grateful to Congressman Morelle for introducing H.R.8668, the AI Transparency in Elections Act. This provides for transparency in political campaigns by requiring political advertisements to include a statement within the contents of the advertisements if generative AI was used to generate any image, audio, or video footage in the advertisements. I urge Congress to move forward with this important legislation without delay.

Federal agencies have also been crucial partners to our efforts to address the threats to election administration and prepare for the 2024 Presidential election cycle. In addition to assisting with the distribution of crucial Help America Vote Act funds and certification of voting equipment, the Election Assistance Commission's (EAC) best practice guides, training videos and the new Continuity of Operations Plan (COOP) templates have been exceptionally helpful to my office and to Arizona counties—especially, as I mentioned for those with new election administrators.

We appreciate the efforts of the USPS to prioritize and protect election mail, and partner with us on best practices for ensuring every ballot is received in time to be counted, even in the most rural and remote areas of my state.

CISA, the Department of Homeland Security and other security partners have been vital, not only on the cyber security front but also with physical security. Physical security assessments help state and county election officials identify possible vulnerabilities and protect critical election facilities.

But there is still more that we could do on the federal level to support the hardworking Americans who run our elections. HAVA funds continue to be intermittent and insufficient to support the local jurisdictions that run federal elections. It is concerning that currently there does not appear to be any HAVA funding in the next federal budget on the House side.

One of the things that we use HAVA funds for in Arizona is to continually upgrade our statewide voter registration system. Some of the counties are currently saving up their portion of their HAVA funds, knowing that they will need to replace aging ballot tabulation equipment in the near future.



We need your continued support: not just with HAVA dollars but through continued support of our federal partners. With this Congressional assistance, we will support and help prepare current and future generations of Election Heroes.