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Jan 29, 2025

Francisco V. Aguilar
Secretary of State
Nevada State Capitol Building
101 North Carson Street, Suite 3
Carson City, NV 89701
Phone: 775-687-8683 (VOTE)

Email: nvelect@sos.nv.gov, sospio@sos.nv.gov

SUBJECT: REQUEST FOR INFORMATION RELATED TO 2024 ELECTION

Dear Francisco Aguilar, Nevada Secretary of State:

Thank you for doing such a good job. Regarding the document "Certificate of Completion, Risk-Limiting Audit (RLA), 2024 General Election"

<https://www.nvsos.gov/sos/home/showpublisheddocument/15625/638682082174300000>

It closes with "Should you have any questions, please feel free to contact me at (775) 684-7126" I called the number, talked to Heather Hardy, HAVA Administrator, Secretary of State, but she would not answer my questions and directed me to submit them as public records requests.

Subsequently, I did submit those questions in an email dated Jan 6. 2025. I have received a brief response stating it would take until March 7 to get any response. Our team has reviewed these initial questions and your response and we think we will be more successful with this new set of questions that are based more squarely on requesting documents that can be returned without having any knowledge of the RLA procedures.

**THEREFORE, PLEASE DISCONTINUE WORK ON THOSE PRIOR QUESTIONS AND
INSTEAD ADDRESS THESE REQUESTS:**



REF: M2032

Specific Requests for Information:

Nevada Bill AB422 (See Attachments) provides that the state will implement a "Risk Limiting Audit (RLA). The aspects of this bill that are relevant are cited in the attachments.

1. Regarding the RLA:
 - a. Please provide any written procedures, plans, and any reports related to the implementation of the Risk Limiting Audit per this law.
 - b. Please provide any communications between the SOS and County Clerks / Election Officials regarding the plans and implementation of the RLA.
 - c. Our goal is to reconstruct the details of how this audit was conducted. We are particularly interested in the details of the logistics of how the ballot information was sampled by the counties and comparison information returned.
2. AB422 also provided for the implementation of a statewide voter registration system. Please provide the following. We can provide a site for uploading data if you need to provide it to us.
 - a. An export of the data in this system as of the 2024 Election.
 - b. A current export of data in this system.
 - c. An export of data in this system as of the 2022 election.
 - d. If actual exports are not available, please provide statistical summaries of the data broken down by County, precinct and party affiliations, and include statistics for voters added and deleted.
3. Clark County provides Actual Voter data for recent elections. We could not find similar data for other counties.
 - a. Please provide lists of Actual Voters for all counties in the general elections for 2008, 2012, 2016, 2020, 2024 for other counties.
4. Any reports generated regarding tracking of absentee ballots sent and returned as undeliverable.

Thank you for your kind assistance. We appreciate it if you can provide your answers in electronic form, and by email. If the data is large, we can provide a link for uploading. Please respond incrementally if possible, so we may get any data you might have before you address all aspects of our requests.

Sincerely,



Ray Lutz

Citizens Oversight

raylutz@citizenoversight.org

ATTACHMENTS

The following is the text of the law AB422, the sections related to this request.

NV AB422

<https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/8054/Text>

Existing law: (1) requires the Secretary of State to develop a pilot program for conducting a risk-limiting audit of the results of the 2020 general election; and (2) authorizes the Secretary of State to require each county clerk to participate in the pilot program and conduct a risk-limiting audit of the results of the 2020 general election. (Section 86 of chapter 546, Statutes of Nevada 2019, at page 3426) Effective January 1, 2022, existing law requires each county clerk to conduct a risk-limiting audit of the results of an election prior to the certification of the results of the election. (NRS 293.394) Section 37.3 of this bill delays the effective date of this requirement until January 1, 2024. Section 37.7 of this bill: (1) requires the Secretary of State to develop a pilot program for conducting a risk-limiting audit of the results of the 2022 general election; and (2) authorizes the Secretary of State to require each county clerk to participate in the pilot program and conduct a risk-limiting audit of the results of the 2022 general election.

Sec. 37.3

...

5. Section 9 of this act becomes effective on January 1, [2022.] 2024.

Sec. 37.7. 1. The Secretary of State shall develop a pilot program for conducting a risk-limiting audit of the results of the 2022 general election.

2. The Secretary of State may require each county clerk to participate in the pilot program developed pursuant to subsection 1 and conduct a risk-limiting audit of the results of the 2022 general election.

3. As used in this section, "risk-limiting audit" means an audit protocol that:

- (a) Makes use of statistical principles and methods; and
- (b) Is designed to limit the risk of certifying an incorrect election outcome.