

Indiana Election Commission Minutes September 30, 2024

Members Present: Paul Okeson, Chairman of the Indiana Election Commission (“Commission”); Suzannah Wilson Overholt, Vice Chair of the Commission; Karen Celestino-Horseman, member; Clayton Black, Proxy for Litany A. Pyle, Member.

Members Absent: Litany A. Pyle.

Staff Attending: J. Bradley King, Co-Director, Indiana Election Division of the Office of the Secretary of State (Election Division); Angela M. Nussmeyer, Co-Director of the Election Division; Matthew Kochevar, Co-General Counsel of the Election Division; Valerie Warycha, Co-General Counsel of the Election Division.

Others Attending: Mr. Marc Chatot, Voting System Technical Oversight Program (VSTOP); M. Spencer Drumm (VSTOP); Mr. Bernie Hirsch (MicroVote); Mr. Mark Manganaro, Election Systems & Software (ES&S).

1. Call to Order:

The Chair called the September 30, 2024 meeting of the Commission to order at 2:00 p.m. EDT in Conference Room B, Indiana Government Center South, 402 West Washington Street, Indianapolis.

2. Transaction of Commission Business:

The Commission proceeded to transact the business set forth in the Transcript of Proceedings for this meeting prepared by Maria W. Collier, RPR, CRR, of Stewart Richardson and Associates, which is incorporated by reference into these minutes.

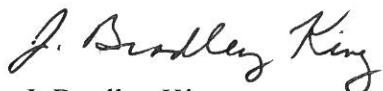
The following scrivener’s errors are corrected:

Page 4, line 8, replace “Cochair” with “Vice Chair”.

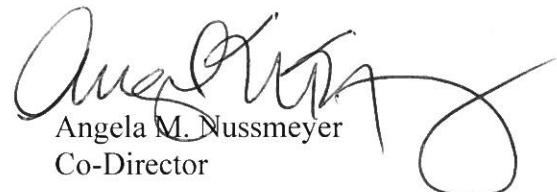
Page 5, line 10, replace “election” with “Election Commission”.

The Commission adjourned its meeting at 3:19 p.m. EDT.

Respectfully submitted,


J. Bradley King

Co-Director


Angela M. Nussmeyer
Co-Director

APPROVED:


~~Paul Oresman~~, Chairman
Beth Boyce

In the Matter Of:

INDIANA ELECTION COMMISSION PUBLIC SESSION

Transcript of Proceedings

September 30, 2024

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2 INDIANA ELECTION COMMISSION
3 PUBLIC SESSION
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6

7 Conducted on: September 30, 2024
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11 Conducted at: Indiana Government Center South
12 402 West Washington Street, Conference Room B
13 Indianapolis, Indiana
14
15

16 A Stenographic Record by:
17 Maria W. Collier, RPR, CRR
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19
20
21
22
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1 APPEARANCES

2 INDIANA ELECTION COMMISSION:

3 Paul Okeson - Chairman

4 Suzannah Wilson Overholt - Vice Chairman

5 Clayton Black, Proxy for Litany Pyle - Member

6 Karen Celestino-Horseman - Member

7

8 INDIANA ELECTION DIVISION STAFF:

9 Angela M. Nussmeyer - Co-Director

10 J. Bradley King - Co-Director

11 Matthew Kochevar - Co-Counsel

12 Valerie Warycha - Co-Counsel

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1 CHAIRMAN OKESON: I call the Indiana Election
2 Commission Public Session to order, Tuesday
3 September 30, 2024, at 2:00 p.m., or thereabouts.

4 MR. KING: Monday.

5 CHAIRMAN OKESON: Monday. We're here in
6 Conference Room B at the Government Center South.
7 The following members of the Commission are
8 present: Myself, Chairman Paul Okeson; Cochair
9 Suzannah Wilson Overholt; member Karen
10 Celestino-Horseman; and filling in for Litany,
11 Clayton Black. I see the Election Division staff:
12 Co-Directors Brad King, Valerie Warycha, Angie
13 Nussmeyer, and Matthew Kochevar. And we're joined
14 again by our friend Maria Collier from Stewart
15 Richardson as the court reporter.

16 Before we continue the meeting, I want to
17 remind everybody that, if you're going to give any
18 testimony or any comments before the Commission
19 today, that you will need to say your name and
20 spell it clearly for the court reporter so we can
21 have an accurate record.

22 We have compliance with the Open Door Law?

23 MR. KING: Mr. Chairman, on behalf of myself
24 and Co-Director Nussmeyer, I confirm that the
25 meeting of the Commission today has been posted in

1 compliance with the Indiana Open Door Law.

2 CHAIRMAN OKESON: Thank you.

3 With that, we have -- wow, it's been since
4 February -- approval of the February 27, 2024,
5 Election Commission minutes. I recognize the
6 co-directors to present the minutes.

7 MR. KING: Mr. Chairman, members of the
8 Commission, on behalf of myself and Co-Director
9 Nussmeyer, we reviewed the February 27, 2024,
10 election minutes and recommend them to you for your
11 approval.

12 CHAIRMAN OKESON: Is there a motion to approve
13 the minutes as presented?

14 VICE CHAIRMAN OVERHOLT: So moved.

15 CHAIRMAN OKESON: Is there a second?

16 MR. BLACK: Second.

17 CHAIRMAN OKESON: We have a motion and a
18 second. Is there any discussion?

19 Hearing none, all those in favor signify by
20 saying "Aye."

21 VICE CHAIRMAN OVERHOLT: Aye.

22 MS. CELESTINO-HORSEMAN: Aye.

23 MR. BLACK: Aye.

24 CHAIRMAN OKESON: The "ayes" have it. The
25 minutes have been approved.

1 Now we'll do the administration of the oath.
2 Anybody who is planning to provide any testimony
3 today will please stand and follow Mr. Kochevar's
4 directions.

5 MR. KOCHEVAR: All those who plan to testify
6 before the Indiana Election Commission, please
7 rise, raise your right hand, and say "I do" after
8 recitation of the oath.

9 Do you solemnly swear or affirm, under the
10 penalties of perjury, that the testimony you are
11 about to give to the Indiana Election Commission is
12 the truth, the whole truth, and nothing but the
13 truth? Please say "I do."

14 ALL: I do.

15 CHAIRMAN OKESON: Thank you. Thank you,
16 Mr. Kochevar.

17 So today we are meeting on voting system
18 engineering change orders. First up, we'll do
19 ES&S. We have two vendors who have submitted
20 proposed engineering change orders and notices to
21 the Commission for approval: First, seven
22 engineering change orders from ES&S, Election
23 Systems & Software; and, secondly, one change
24 notice from MicroVote.

25 We have representatives from the Voting System

1 Technical Oversight Program, VSTOP, present to
2 provide a detailed report. I'll invite you to do
3 so now.

4 Do we want to go through -- yeah. Since there
5 are seven of them, do we want to take them all as
6 one or do we want to break them apart?

7 MS. CELESTINO-HORSEMAN: Can we take them as
8 one?

9 MS. NUSSMEYER: For ES&S, yes.

10 CHAIRMAN OKESON: Through a single motion we
11 can do that?

12 MR. KOCHEVAR: They're all on the same system,
13 so yes.

14 CHAIRMAN OKESON: By consent, we agree that's
15 how we're going to do it?

16 MS. CELESTINO-HORSEMAN: Yes.

17 MR. DRUMM: So you just want me to read
18 straight through?

19 CHAIRMAN OKESON: Yeah.

20 MR. DRUMM: Okay. Well, thank you,
21 Mr. Commissioner.

22 CHAIRMAN OKESON: Okay. Good point. So we
23 have consent that we'll do these in concert as
24 presented, but just before you do that...

25 MR. DRUMM: Okay.

1 CHAIRMAN OKESON: And the motion would be to
2 take them all?

3 Okay. Is there a motion to take them all as
4 presented as one?

5 VICE CHAIRMAN OVERHOLT: To consider them all.

6 CHAIRMAN OKESON: To consider them. Sorry.

7 VICE CHAIRMAN OVERHOLT: I just want to make
8 sure. So moved. And, again, a. through g. so all
9 the ES&S.

10 CHAIRMAN OKESON: Yes, just ES&S.

11 So moved. Is there a second?

12 MR. BLACK: Second.

13 CHAIRMAN OKESON: Any discussion?

14 Hearing none, all those in favor signify by
15 saying "Aye."

16 VICE CHAIRMAN OVERHOLT: Aye.

17 MS. CELESTINO-HORSEMAN: Aye.

18 MR. BLACK: Aye.

19 CHAIRMAN OKESON: The "ayes" have it.

20 MR. DRUMM: And I'm from VSTOP. My name is
21 Spencer Drumm. I'm a certification specialist with
22 Voting System --

23 MS. CELESTINO-HORSEMAN: Could you speak up,
24 please.

25 MR. DRUMM: Yes. Sorry. My name is Spencer

1 Drumm. I'm from VSTOP, the Voting System --

2 CHAIRMAN OKESON: Would you spell your name
3 for the court reporter.

4 MR. DRUMM: S-p-e-n-c-e-r, last name is
5 D-r-u-m-m.

6 MS. NUSSMEYER: It's your first meeting. It's
7 okay.

8 MS. CELESTINO-HORSEMAN: And if you'd shift
9 that microphone, turn it up. There you go.

10 MR. DRUMM: Is that better?

11 MS. CELESTINO-HORSEMAN: Yes.

12 MR. DRUMM: Thank you, Mr. Commissioner. So
13 to start off here, it's ECO 1187. The ECO 1187
14 adds a bumper with VHB tape, and it's applied to
15 the front of the DS300 ballot box to protect lid
16 latches from damage in transportation and storage.
17 ECO 1187 does not alter the system's reliability,
18 functionality, capability, or operation.

19 Members of the VSTOP team have reviewed the
20 ECO supporting documents and the VSTL reports.
21 VSTOP finds that the ECO complies with the
22 requirements for de minimis changes to hardware
23 components. The ECO only applies to the specific
24 Election System & Software voting system noted in
25 the table above. The ES&S EVS 6.3.0.0 voting

1 system is EAC certified, and the EAC approved the
2 ECO. VSTOP recommends approval of ECO 1187.

3 This ECO 1162 introduces a field repair kit
4 for the DS300 ballot bin handle. Per the submitted
5 ECO, fielded DS300 ballot bin units are exhibiting
6 cracked mounting bosses on the handle. The kit is
7 intended to repair the mounting integrity of the
8 handle in a field environment. ECO 1162 does not
9 adversely impact the functionality, performance,
10 accessibility, usability, safety, or security of
11 the components or the system or alter the overall
12 configuration of the certified systems. No changes
13 to the firmware or software is required.

14 ECO 1156 adds an extension to DS950 tray
15 sensor arm, preventing a motor drive error.

16 ECO 1156 does not alter the system's reliability,
17 functionality, capability, or operation.

18 Members of the VSTOP team have reviewed the
19 ECOs' supporting documents and the VSTL reports.
20 VSTOP finds that these ECOs comply with the
21 requirements of the de minimis change to hardware
22 components. The ECO only applies to the specific
23 Election Systems & Software voting system noted in
24 the table above. The ES&S EVS 6.3.0.0 voting
25 system is EAC certified, and the ECOs were approved

1 by the EAC. VSTOP recommends approval of the
2 ECOs 1162 and 1156.

3 The ECO 1177 provides a drop-in replacement,
4 the HL-EX415DWVS, for the end-of-life DS450
5 printer. ECO 1177 does not alter the system's
6 reliability, functionality, capability, or
7 operation.

8 The ECO 1178 provides a drop-in replacement
9 for the HL-EX415DWVS for the end-of-life DS950
10 printer. ECO 1178 does not adversely impact the
11 functionality, performance, accessibility,
12 usability, safety, or security of the components or
13 system or alter the overall configuration of the
14 certified systems. No change to the firmware or
15 software is required.

16 CHAIRMAN OKESON: I hate to interrupt you, but
17 can I ask a quick question here? What does
18 "drop-in replacement" mean? Is that a new printer?

19 MR. DRUMM: Yes. So basically something like
20 the previous printer, whoever they were getting it
21 from can't produce it anymore, so this one replaces
22 that one.

23 CHAIRMAN OKESON: So it's the entire printer,
24 though?

25 MR. DRUMM: Yes, it's the entire printer.

1 CHAIRMAN OKESON: All right. Thank you.

2 MR. DRUMM: Members of the VSTOP team have
3 reviewed the ECOs' supporting documents and VSTL
4 reports. VSTOP finds that these ECOs comply with
5 the requirements of de minimis change to the
6 hardware components. These ECOs only apply to the
7 specific Election Systems & Software voting systems
8 noted in the table above. The ES&S EVS 6.3.0.0
9 voting system is EAC certified and EAC approved,
10 the ECOs. VSTOP recommends approval of ECOs 1177
11 and 1178.

12 MS. NUSSMEYER: Mr. Chairman, may I ask a
13 question?

14 CHAIRMAN OKESON: Sure.

15 MS. NUSSMEYER: Spencer, you mentioned that,
16 at least the language on this document, it says
17 "These ECOs only apply to the specific ES&S voting
18 systems noted in the table above." But as I
19 understand it, your language here and on the next
20 two ECOs really only apply to 6.3.0.0 because
21 that's the only certified system in Indiana.

22 MR. DRUMM: Yes.

23 MS. NUSSMEYER: So maybe I would recommend in
24 the future for that table, if we can just make sure
25 it's narrowed and reflective of the systems that

1 are certified for use in Indiana.

2 MR. DRUMM: Okay.

3 MS. NUSSMEYER: And if anything is a legacy
4 system, it wouldn't be included in that table.

5 MR. DRUMM: Okay.

6 MS. NUSSMEYER: So I just wanted to make that
7 clear for the record that we're only seeking
8 approval for 6.3.0.0. Right?

9 MR. DRUMM: Yes, correct.

10 MS. NUSSMEYER: Thank you.

11 MR. DRUMM: ECO 1154 introduces a field repair
12 kit for the DS300 main door, the hinge. And per
13 the submitted ECO, the fielded DS300 main door
14 hinge bottoms out and misaligns. The kit is
15 intended to repair the main door alignment and
16 assembly in a field environment. ECO 1154 does not
17 adversely impact the functionality, performance,
18 accessibility, usability, safety, or security of
19 the components or system or alter the overall
20 configuration of the certified systems, and no
21 change to the firmware or software is required.

22 ECO 1174 introduces a modification to DS300
23 thermal report printer door and adds a motor cradle
24 bracket. The submitted ECO provides a cradle for
25 the thermal printer motor to prevent deformation

1 and allow for larger variations in tolerances.

2 ECO 1174 does not alter the system's reliability,
3 functionality, capability, or operation.

4 MS. CELESTINO-HORSEMAN: May I ask a question?

5 MR. DRUMM: Yes.

6 MS. CELESTINO-HORSEMAN: So the language from
7 ECO 1154, the end language, and ECO 1174, ECO 1174
8 does not have that language "No change to
9 firmware/software is required." And it doesn't say
10 that this won't alter the system, the security of
11 the system. Does that mean that it potentially
12 could?

13 MR. DRUMM: No, no. Basically what this
14 component would do is it would just stabilize that
15 motor inside the system because it was vibrating
16 and causing issues. So that's all it does is it
17 stabilizes it.

18 MS. CELESTINO-HORSEMAN: Can I make a
19 suggestion then for in the future?

20 MR. DRUMM: Yes.

21 MS. CELESTINO-HORSEMAN: If that laundry list
22 applies that you have in 1154, I would include it
23 on every one of them because, as you know, our
24 election machines and all that is being closely
25 watched by the public and we want to provide all

1 the reassurances.

2 MR. DRUMM: Okay. We can do that.

3 CHAIRMAN OKESON: And I think these ECOs are
4 to be implemented in 2025. Is that correct?

5 MR. KING: Mr. Chairman, if I may, that would
6 be a decision for the Commission to make.

7 Ordinarily ECOs approved are authorized for
8 immediate implementation, but because of where we
9 are in the election calendar, there are already
10 ES&S counties which have conducted public tests,
11 for example. So as a result, the Commission might
12 wish to consider authorizing the installation of
13 any of these ECOs as a post-November activity
14 during 2025.

15 CHAIRMAN OKESON: Mr. Kochevar.

16 MR. KOCHEVAR: I'm going to ask VSTOP about
17 this, just to follow up on Mr. King's comments, is
18 that can you remind me, because I think we asked
19 about this or you told us as you were preparing
20 these ECOs, this ES&S 6.3.0.0 voting system is
21 currently certified in the state, but, to your
22 knowledge, in the inventory no counties are using
23 the system as of present or were you referring to a
24 separate voting system? I want to make sure that's
25 clear as I think it's relevant to the chairman's

1 question.

2 MR. CHATOT: There is one county using this in
3 the state.

4 MR. KOCHEVAR: Do you know which county it is?

5 CHAIRMAN OKESON: Will you state your name for
6 the record, please.

7 MR. CHATOT: Marc Chatot, M-a-r-c,
8 C-h-a-t-o-t.

9 CHAIRMAN OKESON: And you're with?

10 MR. CHATOT: VSTOP. And I will have the
11 answer about which county in one second. Shouldn't
12 have closed my computer.

13 VICE CHAIRMAN OVERHOLT: Well, while he's
14 looking, I mean, is there -- so these ECOs, if we
15 decide that they need to be delayed until after
16 this election -- well, I guess, for clarification,
17 is implementation of these ECOs being sought to
18 occur between now and the November 5th election or
19 are they supposed to be effectuated after the
20 election?

21 MR. DRUMM: Well --

22 MR. CHATOT: We would defer to the Commission
23 on that. It is Jennings County.

24 MS. CELESTINO-HORSEMAN: Is someone from ES&S
25 here? Are you seeking this to be done --

1 MS. NUSSMEYER: Hang on.

2 MR. KOCHEVAR: Can I swear him?

3 CHAIRMAN OKESON: Yeah, please.

4 MR. KOCHEVAR: Raise your right hand. Say "I
5 do" after recitation of the oath.

6 Do you solemnly swear or affirm, under the
7 penalties of perjury, that the testimony you are
8 about to give to the Indiana Election Commission is
9 the truth, the whole truth, and nothing but the
10 truth?

11 MR. MANGANARO: I do.

12 MR. KOCHEVAR: Thank you.

13 MR. MANGANARO: And then it's Mark Manganaro,
14 M-a-n-g-a-n-a-r-o, and I'm a state certification
15 manager for ES&S.

16 So normally with ECOS, when we seek approval
17 for them, we like them right away. We do have one
18 county that has this system in place. If something
19 would happen to a piece of equipment there, say,
20 for like the DS300 and they needed a new one, that
21 change may already be incorporated into a build.
22 So normally we won't do any changes in the field
23 until this board approves it. And then normally,
24 for example, the DS300, like the front bumper, we
25 won't go out and put those front bumpers on until

1 we go out for a preventive maintenance cycle.

2 Something with the printers, the end-of-life
3 printers, those printers were recently certified.
4 They were Oki Data. Oki Data has left the North
5 American market for printers, so now we're using
6 the Brother printers. The chances of one of these
7 printers actually going down on Election Day is
8 very, very slim. They're very durable. But if it
9 did and it's not approved, we can't ship that
10 replacement printer out to the county.

11 Just so you guys know, we do have plenty of
12 the older ones that are refurbished that are in
13 stock that the customer could either buy, but
14 probably in this case we would probably just loan
15 them out and then give them the new printer once
16 you guys are comfortable with the approval.

17 CHAIRMAN OKESON: I guess that's what I'm
18 trying to ascertain is, are these ECOs in the
19 critical path in November?

20 MR. MANGANARO: No, no, they're not. I would
21 say no.

22 VICE CHAIRMAN OVERHOLT: So it sounds like,
23 from what you just said, it's actually more of a --
24 so if they were to order a new machine, they would
25 end up with one that had these changes.

1 MR. MANGANARO: Yes. So what was the county?
2 Was it Jennings?

3 MR. CHATOT: Jennings.

4 MR. MANGANARO: Okay. So the ECO, that
5 essentially just reinforces. A DS200 ballot box,
6 if you picture it, it's just like a rectangle. It
7 kind of has a dolly on the handle on the back, and
8 that's what that ECO is for. What that dolly --
9 the design intent was you're just supposed to roll
10 it around like a dolly. But what's happening is
11 they're rolling it up to the back of the truck and
12 lifting it, so we're reinforcing that. So there's
13 an example, if they have done that and were out
14 here before the election, that's something we kind
15 of want to fix.

16 CHAIRMAN OKESON: But the box itself is still
17 completely operational --

18 MR. MANGANARO: Exactly.

19 CHAIRMAN OKESON: -- and able to be used.

20 MR. MANGANARO: Yeah. It just may be more
21 difficult for them. If that handle is completely
22 off, two people are going to have to lift that up
23 somehow.

24 VICE CHAIRMAN OVERHOLT: But this isn't
25 something where you're -- it's not like a firmware

1 update. You're not pushing out any of the --

2 MR. MANGANARO: No. It's nothing to do with
3 the firmware or anything like that. They're
4 de minimis changes more, for the DS300, the ballot
5 box ones, just engineering improvements.

6 MS. CELESTINO-HORSEMAN: So if I could ask our
7 directors, so if we have only one county using this
8 and we go ahead and pass them, approve them now, to
9 take effect now, is that a problem somehow?

10 MS. NUSSMEYER: Well, if I might just ask Mark
11 one question just to clarify something. So if
12 Jennings County had a ballot box where the handle
13 snapped, would it be your preference to be able to
14 reinforce that handle with the engineering
15 change -- with the change that's being potentially
16 approved here today versus trying to do a quick
17 repair and then deal with it when you do service
18 maintenance in 2025 and implement all of these
19 corrections?

20 MR. MANGANARO: So I guess really that would
21 almost be at the discretion of the county on what
22 they would want to do. We would be more than happy
23 to send a tech out and fix that. So I don't know
24 how many they have purchased. If they have, like,
25 30 of them, one broke, we definitely probably would

1 go out and fix all of them while we're there.

2 CHAIRMAN OKESON: From your perspective, what
3 do we want to do?

4 MR. KING: Thank you, Mr. Chairman. I
5 appreciate the detailed description Mr. Manganaro
6 has given with regard to the actual equipment here.
7 The other factor for the Commission to take into
8 account, I believe, is public perception with
9 regard to the integrity of the voting systems where
10 there are questions raised, sometimes without any
11 factual merit necessarily, just concerns, that can
12 bring the election process into criticism. And
13 therefore, it becomes a prudent question, if there
14 is not an essential need, is there a reason to --

15 CHAIRMAN OKESON: That's kind of where I'm at
16 is, if none of this is really critical path to the
17 execution of the election, should we, for lack of a
18 better term, make the approval for after the
19 election period?

20 MR. MANGANARO: I don't see anything really
21 that's critical. So I think --

22 CHAIRMAN OKESON: I don't want to make
23 something out of nothing, but at the same time I'm
24 not hearing we've got to do this now or we're going
25 to have trouble. Everything is going to be all

1 systems go in November.

2 MR. MANGANARO: Yeah.

3 VICE CHAIRMAN OVERHOLT: But on the flip side,
4 I'm wondering because the way I'm hearing this is
5 kind of like you've got a car, something breaks on
6 it, and it's a difference between saying because of
7 the whatever -- I don't know. Let's just say
8 headlights. The headlight goes out, and it's a
9 difference between saying, okay, you've got to
10 go -- even though there's a new headlight that you
11 really would want to have on your car, you've got
12 to find the exact identical replacement you have
13 now because of the timing, but after November 5th
14 or January 1st, you can get it, the newer model.

15 Because kind of what I'm thinking, all of
16 this -- or if we approve it, because they're not
17 going to initiate installing any of this stuff
18 where we could have that. It's just if something
19 breaks, like with the printer, for example.

20 Something happens to break or they realize their
21 printer is broken, it's a question do they get
22 to -- if we approve this, can they use the new
23 approved printer or do they have to give Jennings
24 County a refurbished one.

25 CHAIRMAN OKESON: But what I heard Mark say is

1 that they have plenty of old printers, if one of
2 those printers broke down, before you would have to
3 use a new Brother printer. Right?

4 MR. MANGANARO: Yeah. So if that would
5 happen, we would probably just loan them a refurb,
6 and then after the election, they could go ahead
7 and purchase the new one because there's no sense
8 selling them a refurb.

9 CHAIRMAN OKESON: I guess it's six of one,
10 half dozen of the other.

11 MS. CELESTINO-HORSEMAN: I mean, what I'm
12 thinking of is the cost, like the example you gave
13 where if a handle broke and you then would go ahead
14 and go out and repair all of them, make sure
15 they're sturdy or whatever, and then after the
16 election then you've got to go back out and then
17 install the new stuff on there. Does the county
18 get billed for the first time you go out and repair
19 everything?

20 MR. MANGANARO: So most of these retrofit
21 ones, they're always part of that maintenance
22 package that they do. So on the off year
23 maintenance, they're going to go out and then
24 they'll do those modifications.

25 CHAIRMAN OKESON: They've already purchased

1 the package you're saying?

2 MR. MANGANARO: Yeah.

3 MS. CELESTINO-HORSEMAN: Okay. Good.

4 Well, I understand what you're saying, Brad,
5 and I would agree with you a hundred percent if
6 they were going to go out and actually do something
7 to the machines now. But for the sake of
8 convenience for the county, it seems to me that, if
9 you come in and have them do it, then you don't
10 have to have them come back and you're done with
11 it. I mean, it's half dozen of one, half dozen of
12 the other.

13 MR. KING: I appreciate the Commissioner's
14 remarks and perspective on that. Nothing in
15 statute precludes the Commission from having a
16 conditional approval of sorts to say any
17 implementation of this particular change order
18 that's under discussion is contingent upon there
19 being a county-identified specific need. So you
20 can essentially bifurcate this to eliminate any
21 concern about wholesale changes but deal with
22 actual problems when they do arise.

23 CHAIRMAN OKESON: We're obviously here today
24 because we do have to consider some things that are
25 election centric, and I tend to agree with

1 Co-Director King that -- and I don't speak for the
2 entire board, but I think we would all agree we
3 don't want to be approving changes to machines this
4 close to the election if it can be avoided. Right?

5 And to the extent that there are members of
6 the voting public here in Indiana paying attention,
7 I just wonder if it doesn't make sense to give them
8 approval for after the election cycle, and then
9 prior to the next round of elections, they've got
10 plenty of time to go out and make the changes they
11 need to make and make it very clear to the voting
12 public in all the counties that use this equipment
13 that what you have today is what you're going to
14 vote on, full stop. And then after the election is
15 over, the cycle is complete, these changes can be
16 incorporated.

17 MS. CELESTINO-HORSEMAN: Especially since it
18 does seem to make a difference.

19 CHAIRMAN OKESON: Yeah. I mean, we've been in
20 meetings before where there's a lot more presence
21 around people sharing concerns over these kinds of
22 things, and I don't necessarily find fault with
23 that. Again, I don't think any of us want to be
24 here contemplating changes to voting systems this
25 close to the election, but we're here because we

1 kind of need to be on some related matters.

2 MS. NUSSMEYER: Mr. Chairman, if I could, just
3 to assuage my Commissioners' concerns.

4 CHAIRMAN OKESON: Yeah, please. Sure.

5 MS. NUSSMEYER: As someone who did administer
6 elections in the county, I can tell you that
7 they're already planning with their vendor their
8 emergency protocols for Election Day, having the
9 backup printers and other things that they need in
10 order to be able to resolve issues with voting
11 systems as they occur out in the field on Election
12 Day. It's a human process. Machines are old;
13 they're going to break. There's already a plan of
14 action in place with sufficient inventory for the
15 county to be able to respond. The counties do
16 engage in a service maintenance agreement, which is
17 routine maintenance and servicing that Mark was
18 mentioning earlier where they'll go out and
19 implement these engineering change orders after the
20 election.

21 So if I were in that election administrator's
22 shoes, I would feel really confident going into
23 this election knowing that I have a good plan with
24 my vendor to address those issues as they come up
25 up until Election Day and then knowing that I can

1 plan for more wholesale changes when things are
2 much calmer and they can get implemented across the
3 board rather than just one-off solutions for one
4 machine that might fail.

5 CHAIRMAN OKESON: Now, I think what you just
6 said kind of coincides with what I'm thinking.

7 Right?

8 VICE CHAIRMAN OVERHOLT: Yeah, I think so.

9 CHAIRMAN OKESON: We're on the same page?

10 VICE CHAIRMAN OVERHOLT: Yes. I think she
11 was --

12 MS. NUSSMEYER: I was trying to assuage
13 Karen's concerns.

14 CHAIRMAN OKESON: I'm with you. All right.

15 VICE CHAIRMAN OVERHOLT: Yes.

16 MS. NUSSMEYER: I can't whisper --

17 CHAIRMAN OKESON: You don't always do that.

18 MS. NUSSMEYER: No, no, no. I can't whisper
19 or write long enough notes.

20 MS. CELESTINO-HORSEMAN: Do we need a motion?

21 CHAIRMAN OKESON: Well, yeah. Do we need to
22 consider a motion to approve this after --

23 VICE CHAIRMAN OVERHOLT: For implementation
24 after.

25 CHAIRMAN OKESON: Yeah. Somebody better than

1 I can word it.

2 VICE CHAIRMAN OVERHOLT: I would move approval
3 of the --

4 CHAIRMAN OKESON: Well, before we do that,
5 hold on.

6 Are you done?

7 MR. DRUMM: I had a little bit more.

8 VICE CHAIRMAN OVERHOLT: Sorry. We got
9 excited. Sorry.

10 CHAIRMAN OKESON: Yeah.

11 MR. DRUMM: I'll make it fast.

12 VICE CHAIRMAN OVERHOLT: Welcome to appearing
13 before the Election Commission.

14 CHAIRMAN OKESON: Yeah. We don't get together
15 that often.

16 MR. DRUMM: All right. So members of the
17 VSTOP team have reviewed the ECOs' supporting
18 documents and VSTL reports. VSTOP finds that these
19 ECOs comply with the requirements for de minimis
20 changes to hardware components. These ECOs only
21 apply to the specific Election Systems & Software
22 voting systems noted in the table above. The ES&S
23 EVS 6.3.0.0 voting system is EAC certified, and the
24 EAC approved the ECOs. VSTOP recommends the
25 approval of ECOs 1154 and 1174.

1 That's all I have for these.

2 VICE CHAIRMAN OVERHOLT: Okay. So would you
3 like me to entertain a motion?

4 CHAIRMAN OKESON: I sure would.

5 VICE CHAIRMAN OVERHOLT: Okay. So I would
6 move approval of the ES&S ECOs 1187, 1162, 1156,
7 1177, 1178, 1154, and 1174 for implementation
8 following the November 5, 2024, election.

9 MR. BLACK: Second.

10 CHAIRMAN OKESON: Having a motion and a
11 second, is there any further discussion?

12 Hearing none, all those in favor signify by
13 saying "Aye."

14 VICE CHAIRMAN OVERHOLT: Aye.

15 MS. CELESTINO-HORSEMAN: Aye.

16 MR. BLACK: Aye.

17 CHAIRMAN OKESON: It's unanimous. The "ayes"
18 have it. The motion carries.

19 Thank you. Appreciate your time, and your
20 explanation was very helpful.

21 MR. DRUMM: Thanks.

22 MS. CELESTINO-HORSEMAN: Congratulations on
23 surviving your first presentation.

24 VICE CHAIRMAN OVERHOLT: I think he's not done
25 yet.

1 MR. DRUMM: Yeah. I have one more.

2 CHAIRMAN OKESON: Next one we have is
3 engineering change notice for MicroVote. And
4 before we get into that, I note the change in
5 terminology. Co-Director King, can you give a
6 brief explanation as to the difference between a
7 notice and a change order.

8 MR. KING: Mr. Chairman, members of the
9 Commission, the short answer would be the name. In
10 the past, we understand that the particular vendor
11 involved, MicroVote Corporation, has submitted
12 several changes that other vendors would designate
13 as engineering change orders but has used
14 engineering change notice in the past. There is no
15 statutory phrase that I'm aware of that
16 specifically refers to either one. And so, again,
17 I think it's a distinction without a difference as
18 far as the law is concerned.

19 CHAIRMAN OKESON: And this is one change
20 order -- or one change notice? I'll try to keep
21 that -- is that correct?

22 MR. DRUMM: Correct.

23 CHAIRMAN OKESON: Okay. Please proceed with
24 your --

25 MR. DRUMM: Thank you, Mr. Commissioner.

1 The ECN 139 provides a drop-in replacement,
2 DPU-S445, for the end-of-life DPU-3445 printer.
3 ECN139 does not alter the system's reliability,
4 functionality, capability, or operation.

5 Members of the VSTOP team have reviewed the
6 ECN supporting documents and the VSTL reports.
7 VSTOP finds that the ECN complies with the
8 requirements for de minimis change to hardware
9 components. The ECN only applies to the specific
10 Election System & Software [sic] voting system
11 noted in the table above. The MicroVote EMS 4.4-IN
12 voting system is EAC certified, and the EAC
13 approved the ECN. VSTOP recommends approval of
14 ECN139.

15 CHAIRMAN OKESON: How many counties use this
16 particular? Does anyone know?

17 MR. KOCHEVAR: Fifty-six.

18 CHAIRMAN OKESON: Fifty-six? So more than
19 just Jennings.

20 MR. KOCHEVAR: Yes. It is the only voting
21 system from MicroVote that's currently approved in
22 the state and the only one that's used by those
23 counties.

24 CHAIRMAN OKESON: Okay.

25 MS. CELESTINO-HORSEMAN: I understand that

1 there's a little bit of difference in this one
2 versus this other one.

3 CHAIRMAN OKESON: Well, yes. So the other one
4 was approved for after the election; right? This
5 is seeking approval prior to the election; correct?

6 MR. KING: Subject to the will of the
7 Commission.

8 VICE CHAIRMAN OVERHOLT: Do we have to move?

9 MS. CELESTINO-HORSEMAN: Well, wait.

10 VICE CHAIRMAN OVERHOLT: Well, the other one
11 we just had the motion because we were
12 consolidating on them.

13 MS. CELESTINO-HORSEMAN: Right.

14 VICE CHAIRMAN OVERHOLT: So this one, can't we
15 just talk about it?

16 MS. CELESTINO-HORSEMAN: Yeah. So but on that
17 one, none of that work had been done. It's my
18 understanding that this work on this one has
19 already been started before we've given approval.

20 MR. DRUMM: Correct.

21 MS. CELESTINO-HORSEMAN: And does the law
22 allow that?

23 MR. DRUMM: I --

24 CHAIRMAN OKESON: He's probably the wrong one
25 to ask. Valerie?

1 MS. WARYCHA: I would be happy to jump in,
2 Mr. Chairman. Yes, the law does require that
3 equipment be certified by this body before it's out
4 in the field, so you are correct to be asking that
5 question. It has not been certified, and our
6 understanding is that it's already out in the
7 field, which could be a violation of the law.

8 VICE CHAIRMAN OVERHOLT: And how come the
9 VSTOP report doesn't even mention that? Because, I
10 mean, I think VSTOP was aware of that. Right? You
11 all are aware of the fact that these printers have
12 actually been already placed in the equipment?

13 MS. WARYCHA: Mr. Chairman, if I could take
14 that. This came to the attention of the Election
15 Division when Allen County sent a message to the
16 co-directors and co-counsel asking if they needed
17 to file an IEC-6, which is the disposal of
18 equipment, to dispose of older printers.

19 And then that sparked our interest to ask
20 VSTOP, VSTOP, is this part of the equipment; do you
21 certify it. And they said yes. And then we got
22 to, when we were looking at it, we noticed that
23 that printer had not come before the Commission,
24 that we were not aware of that, and so then that is
25 when we were able to talk to VSTOP, find out that

1 they had tested it.

2 Now we've brought it before this Commission to
3 make you aware that our understanding is that it is
4 out in the field and this body has not approved it.

5 MS. CELESTINO-HORSEMAN: Okay. You can
6 breathe easy, Mr. Drumm, because she's just said
7 VSTOP hasn't got a problem with this.

8 Can we call up the gentleman from MicroVote?

9 MR. HIRSCH: Yes.

10 MR. KOCHEVAR: I have to remember everything I
11 need to tell you.

12 Do you solemnly swear or affirm, under the
13 penalties of perjury, that the testimony you are
14 about to give to the Indiana Election Commission is
15 the truth, the whole truth, and nothing but the
16 truth?

17 MR. HIRSCH: I do.

18 MR. KOCHEVAR: Thank you.

19 MR. HIRSCH: I'm Bernie Hirsch, B-e-r-n-i-e,
20 H-i-r-s-c-h. And I'm wearing new hearing aids, so
21 hopefully I'll hear everything you're saying.

22 MS. CELESTINO-HORSEMAN: Okay. Mr. Hirsch,
23 obviously the white elephant in the room is, why
24 did MicroVote start changing things without getting
25 them approved by the Election Commission,

1 particularly in this climate?

2 MR. HIRSCH: Yeah. MicroVote didn't intend to
3 do anything that would run afoul of the law. So
4 basically we thought that the Seiko off-the-shelf
5 printer is a peripheral. It's manufactured by the
6 millions, I imagine, by Seiko, just like a keyboard
7 or a mouse or some other peripherals that are
8 commercial. And generally speaking, these types of
9 items, which are not specifically manufactured for
10 the election system, they're used just like a pen
11 or a pencil would be. But we don't tend to track
12 specific versions of mice or, in this case, a
13 receipt printer. They're available to be used, and
14 you can buy one off of Amazon for \$400.

15 And, you know, you do have to have a pen to
16 run an election to sign things, and you have to
17 have a receipt printer in order to print, you know,
18 like the zero proof in the morning, but it's a
19 generic printer.

20 CHAIRMAN OKESON: Well, so let me cut you off
21 here because I think we have to be true to the
22 agenda somewhat. We're here to consider the change
23 order approval. I don't want to turn this into an
24 interrogation. It's a matter of public record.

25 MS. WARYCHA: Mr. Chairman, so if this body

1 was to decide to look at this for sanctions, you
2 would need to give notice to MicroVote and any
3 other parties before you had that type of hearing.

4 CHAIRMAN OKESON: Right. And furthermore, if
5 we were to approve this change order today, how
6 does that impact any future proceedings in that
7 light?

8 MS. WARYCHA: I do not see that that would
9 prevent you from following AOPA, which is the
10 Administrative Orders and Procedures Act, from
11 having a hearing on sanctions or possible
12 disciplinary, but that would be a separate meeting
13 that would require a separate notice.

14 CHAIRMAN OKESON: Do you --

15 MR. KOCHEVAR: Yes. My research had only gone
16 so far as to review the statute on changes of
17 electronic voting systems as well as the
18 examination of, I'm going to say, unapproved
19 modifications, as the general, I'll say, term of
20 art, not citing from the statute directly, on those
21 things. But being well aware of really the only
22 case law that has to be on this involving
23 sanctioning a voting system vendor, yes, we would
24 have to follow AOPA standards if you're ready to go
25 down that road, if that's something that you're

1 planning to do in the future. I didn't anticipate
2 that that was going to be the matter, the topic of
3 discussion today.

4 CHAIRMAN OKESON: That's why I wanted to stop
5 because we're getting into this --

6 MS. CELESTINO-HORSEMAN: Well, Mr. Chairman,
7 the reason why I raise it is, I'm not necessarily
8 thinking about going after that kind of thing, but
9 what I do believe -- and the excuses that have been
10 given to us, MicroVote is a big company, well
11 regarded in elections and all of this. I think
12 what this was was a mistake. Somebody should have
13 looked at it twice; somebody should have caught it.

14 And we just can't afford to have those kinds
15 of errors, so I think that's what needs to be
16 stressed to MicroVote because, although that may be
17 a peripheral, you are putting it inside a voting
18 machine. It is going to be connected to some of
19 the wiring of that voting machine.

20 MR. HIRSCH: In the same way that an electric
21 cable would be to the wall.

22 MS. CELESTINO-HORSEMAN: But until VSTOP looks
23 at it and approves it, and I don't know if you take
24 a look at how it's wired in or anything like that,
25 but it's a problem. So that's what I'm telling

1 you. I mean, you come up for recertification next
2 year and --

3 MR. HIRSCH: And we're totally happy to do
4 that. These printers, the printers that they
5 replace, like in Allen County as an example, I
6 found out today that they had those printers for
7 20 years, and the ones that they bought, they
8 were -- I mean, we have dozens of counties that
9 have these printers, and they've had them for
10 almost a decade now. They've been buying them
11 because they're faster.

12 And then I fielded a question from you, well,
13 why are they faster or what's the motor. I have no
14 idea what motor is in there. We don't design or
15 develop or manufacture that product. It's an
16 off-the-shelf printer.

17 VICE CHAIRMAN OVERHOLT: I'm sorry. So are
18 the counties going out and buying the printers on
19 their own or are they going through you?

20 MR. HIRSCH: These printers, we do sell them,
21 but we don't modify them. So, you know, the county
22 ordered -- Allen County and these other counties, I
23 mean, I sent you a review of all the counties that
24 have been using these since 2018, and there's over
25 700 of these printers out in the field right now.

1 You cannot start the election -- you can't
2 start a voting machine in the morning without
3 printing a zero proof receipt. It's a receipt
4 printer like a restaurant would use or a warehouse
5 or a delivery person. It's a portable little
6 printer, and it just prints out a thermal receipt.
7 And so they plug that into the voting machine, and
8 that's how they start the machine, by printing out
9 a zero proof. And if they don't print out the zero
10 proof, then -- and I don't know that any of these
11 counties still maintain or even have the
12 20-year-old printer that they replaced. They said
13 that they wanted to get newer printers because
14 they're faster, so it doesn't take them as long as
15 to print out the report.

16 CHAIRMAN OKESON: So we just got done having
17 this conversation about ES&S and whether we approve
18 those before this election or after the voting
19 period and how much, I think, as a body, we aren't
20 jumping up and down with pleasure to have meetings
21 like this this close to the election. And what I'm
22 hearing you say in the testimony provided is that
23 this is essential for the upcoming election. Is
24 that correct?

25 MR. HIRSCH: It's essential, yeah. I mean,

1 they can't start --

2 CHAIRMAN OKESON: So you can understand --

3 MR. HIRSCH: Just like a pen, you can't fill
4 out a ballot --

5 CHAIRMAN OKESON: You can understand not
6 wanting to be painted into a corner; right? And
7 these very decisions, there's the practical matter
8 of running the election and having a printer that
9 functions, but then there's also another
10 application in the matter, which is public concern,
11 and I think my colleague here said it right. This
12 is not a position we want to be in.

13 But these are two different buckets. One is
14 maybe dealing through AOPA with what's already
15 transpired in a separate meeting when it's properly
16 noticed and everybody has time to prepare versus
17 today considering a change order that's necessary
18 to perform the function of these machines.

19 MR. HIRSCH: Well, when VSTOP -- I mean, I'm
20 not in the sales side, so I didn't know what Allen
21 County had bought or anyone else for that matter.
22 But when VSTOP notified me that you wanted to see
23 paperwork and an ECN on this printer that Allen
24 County was questioning, we immediately went to the
25 lab, and within a day we had a report from them.

1 And then they said we'd like to see an EAC approval
2 of that as well, and they gave it within a day too.

3 So there's no question that these type of
4 items -- the only really question is how carefully
5 do we track things like keyboards and mice and
6 products that you can buy for a few hundred dollars
7 off of Amazon basically compared to something else
8 that we very tightly control, like a voting machine
9 or a VVPAT printer or our software, you know, all
10 of those things.

11 MS. CELESTINO-HORSEMAN: I guess what I'm
12 trying to say is that these are election machines,
13 and so it's not like I'm going to the store to buy
14 a keyboard for my home computer and nobody cares
15 about how I'm going to plug it in or what I'm going
16 to do with it. These are election machines. We
17 have a boatload of law that covers them.

18 The safest thing for MicroVote to do, if it's
19 not sure, is to check. You know, check, call VSTOP
20 and ask them, call our directors and ask them is
21 this something we need to run through. That's what
22 surprises me because MicroVote has been doing this
23 for years and years, and I'm just so surprised by
24 this. And what I'm saying is that if you guys
25 could please do that now for the future --

1 CHAIRMAN OKESON: You've got 60 percent of the
2 state.

3 MR. HIRSCH: We didn't even put it on our
4 IEC-11 form when we applied the last time we
5 recertified. It's not even a listed item as a
6 hardware item. We really just considered it an
7 off-the-shelf peripheral, like a keyboard or
8 something.

9 MS. CELESTINO-HORSEMAN: Was it supposed to
10 have been listed as a hardware item?

11 MR. CHATOT: Yeah.

12 MR. HIRSCH: Well, we list a lot of things on
13 our IEC-11 under hardware that are controlled.

14 MS. CELESTINO-HORSEMAN: So to be on the safe
15 side -- VSTOP is telling me that should have been
16 listed on that original form. So to be on the safe
17 side, if you would, please, just make sure that
18 that is covered so nobody comes back to us later
19 and says anything. And that is my only point at
20 this point in time. I don't think we need to go --
21 I'm certainly not going to push for anything
22 further, but I think it's a point that has to be
23 made that this can become an issue.

24 MR. HIRSCH: And I'll certainly go back to
25 talk to Mandy and Mike and let them know your

1 feelings about that and that they want to make sure
2 that we track, because I'm sure this one won't be
3 available forever either for another 20 years, and
4 something else is going to come out that Seiko
5 introduces or some other manufacturer that has a
6 generic receipt printer.

7 CHAIRMAN OKESON: I just want to make sure
8 again, by consideration and potential approval of
9 this change notification, we do not rob this body's
10 ability to bring sanctions or consider them under
11 AOPA.

12 MS. WARYCHA: No. I do not believe that would
13 be the case, Mr. Chairman. As I read AOPA, there's
14 nothing in making this decision that would prevent
15 you from going back later if you wanted to have a
16 disciplinary hearing. It would be the same with
17 the Secretary of State's office because the
18 Secretary of State's office and the Election
19 Commission both have authority. And so even if --
20 this wouldn't usurp anyone's authority. You would
21 still have the ability to go back.

22 CHAIRMAN OKESON: And whether we would or
23 wouldn't stop --

24 VICE CHAIRMAN OVERHOLT: And we can
25 incorporate that into any motions to reserve that

1 right.

2 CHAIRMAN OKESON: Because we're not going to
3 become fully informed on it today and we may learn
4 later that causes us to move one direction or
5 another. I just want to make sure that our ability
6 is preserved.

7 MS. WARYCHA: Correct.

8 MS. NUSSMEYER: Mr. Chairman, may I ask Bernie
9 a question?

10 CHAIRMAN OKESON: Sure.

11 MS. NUSSMEYER: Bernie, are you aware of any
12 other county that needs to install -- well,
13 receive. I understand it's a separate receipt
14 printer that you attached to the electronic unit to
15 print the zero tape and the total state, but are
16 there counties that are awaiting the use of this
17 new printer for this election --

18 MR. HIRSCH: Not that I'm aware of.

19 MS. NUSSMEYER: -- or are we just dealing with
20 existing counties now that just really need the
21 approval?

22 MR. HIRSCH: I don't think there are any open
23 orders for anything. And even this one from Allen,
24 wasn't that months ago, even before the primary?

25 MS. NUSSMEYER: It was in -- well, late July,

1 early August is when Allen County reached out to us
2 over email.

3 MR. HIRSCH: I thought I saw that back in,
4 like, the late winter, their order, maybe February.

5 MS. NUSSMEYER: They may have received it
6 then, but we didn't get the ask from the county
7 until end of July, August 6th-ish when we got the
8 request if they needed to file their disposal of
9 the equipment and if it was considered part of the
10 voting system.

11 MR. HIRSCH: And I don't think there are any
12 more pending counties that want to replace those at
13 this point, and certainly the ones that have
14 already wanted to do that have been doing that for
15 years.

16 MS. NUSSMEYER: Thank you.

17 MR. HIRSCH: And I don't know if they still
18 even have their old printers or not, if they've
19 disposed of those.

20 CHAIRMAN OKESON: Brad.

21 MR. KING: Thank you, Mr. Chairman, members of
22 the Commission. Just to confirm, the Election
23 Division has received certificates of public tests
24 for the MicroVote voting system in preparation for
25 the November 2024 election at which these

1 particular components were presumably used in some
2 cases. And so there again is an issue where,
3 again, public perception about having the use of
4 these printers as part of the Election Day process
5 itself can give rise to concern that may make it
6 preferable to clarify that their use is subject to
7 the conditions that I believe Commissioner Overholt
8 referenced, reserving the right to proceed, if the
9 Commission so wills, with regard to enforcement to
10 remove doubt regarding the public tests that have
11 already been completed and filed.

12 CHAIRMAN OKESON: Well, we're halfway down the
13 street running.

14 VICE CHAIRMAN OVERHOLT: Exactly.

15 CHAIRMAN OKESON: It's the second largest
16 county in the state.

17 VICE CHAIRMAN OVERHOLT: Mr. Drumm, did you
18 finish your presentation?

19 MR. DRUMM: Yes.

20 VICE CHAIRMAN OVERHOLT: Before we make any
21 kind of motion, I just wanted -- I did notice, so
22 in the description of change, that more detailed
23 language that we were talking about with the ES&S
24 changes, that it's not included here. So I just
25 wanted to ask you if VSTOP agrees that this change

1 does not adversely impact the functionality,
2 performance, accessibility, usability, safety, or
3 security of the components or system or alter the
4 overall configuration of the certified systems.
5 Does VSTOP agree with that statement with respect
6 to this change notice?

7 MR. DRUMM: Yes.

8 VICE CHAIRMAN OVERHOLT: Does VSTOP also agree
9 with the statement that no change to firmware or
10 software is required?

11 MR. DRUMM: Yes.

12 VICE CHAIRMAN OVERHOLT: Okay.

13 MS. CELESTINO-HORSEMAN: And, yeah, please,
14 that's part of the contract is to provide us with
15 those reassurances because I don't know nothing
16 about that stuff. So if you could please make
17 sure --

18 MR. DRUMM: I would, I promise.

19 CHAIRMAN OKESON: Well --

20 MS. CELESTINO-HORSEMAN: Oh, yeah, I have a
21 question.

22 CHAIRMAN OKESON: Sure.

23 MS. CELESTINO-HORSEMAN: Okay. So we have
24 these counties that have all these printers, and
25 then we have counties that have not ordered them,

1 haven't requested them. So does this thing, when
2 we pass this, does it get passed as approving for
3 all the ones in which they've already done it and
4 then it takes place after -- takes effect after the
5 election for anyone who hasn't?

6 CHAIRMAN OKESON: I'm not sure we can
7 bifurcate that.

8 MR. KING: Mr. Chairman, members of the
9 Commission, yes, Commissioner, the Commission can
10 have a bifurcated approval of the sort you
11 described.

12 MS. CELESTINO-HORSEMAN: Okay. And you have
13 stock of the old printers if something happens?

14 MR. HIRSCH: No, no. Those haven't been made,
15 I don't think, in maybe almost a decade.

16 MS. CELESTINO-HORSEMAN: You don't have
17 refurbished ones either?

18 MR. HIRSCH: I think they're just ordered as
19 we get an order. It's an off-the-shelf item, you
20 know, that's stocked by Amazon and different
21 wholesalers. It's a generic receipt printer.

22 CHAIRMAN OKESON: Is it hardwired to the
23 voting machine or by Bluetooth?

24 MR. HIRSCH: No. Well, I mean, it's used
25 through a wire, a serial cable that plugs into the

1 same port that the VVPAT port plugs into.

2 MS. NUSSMEYER: But it's a one-time touch;
3 right? You plug it in to print the zero tape,
4 unplug it --

5 MR. HIRSCH: Right.

6 MS. NUSSMEYER: -- and then you store it. And
7 then when the polls close, you attach it again.
8 It's really just like a printer that you cable to
9 your own personal computer.

10 MR. HIRSCH: Right. It's a little printer
11 like that.

12 MS. CELESTINO-HORSEMAN: So I guess what I'm
13 asking is, if we say -- and I don't care how we do
14 it. I'm just asking how we should do it. If we
15 say that this change order applies to all that have
16 already gotten it done and anyone else who needs it
17 won't get it until after the election, and since
18 you're saying -- like they were telling us from
19 ES&S, they have refurbished machines and machines
20 in stock so, if it's a problem, they can just take
21 something out there and drop it in. Are you saying
22 that if a county, the machine goes out between
23 today and the election, there's nothing you can do
24 for them unless it's give them one of these new
25 ones?

1 MR. HIRSCH: The printer is interchangeable.
2 It can be plugged into any --

3 MS. CELESTINO-HORSEMAN: That's not the
4 question. My question is: They have a printer
5 right now and it's working, but let's say that
6 between today and the election it stops working.
7 Now, you said that that printer is no longer being
8 manufactured.

9 MR. HIRSCH: You mean the old ones?

10 MS. CELESTINO-HORSEMAN: The old ones. So do
11 you have those old ones in stock so that if
12 something --

13 MR. HIRSCH: No, not that I'm -- I mean, maybe
14 just a few around the office that are still left
15 from ten years ago. But we've been using these
16 newer printers as well as these counties for years.

17 MS. CELESTINO-HORSEMAN: So what you're
18 telling me then is that if one of the old ones
19 breaks down between today and the election, they're
20 going to need to get a new printer, and if we don't
21 do an order that covers them --

22 VICE CHAIRMAN OVERHOLT: They're out of luck.

23 MS. CELESTINO-HORSEMAN: -- they're out of
24 luck.

25 MR. HIRSCH: Most of these counties have

1 dozens of these things, and they might have a
2 couple in a voting location. They can use even one
3 and plug it into multiple. It would just take them
4 longer to close out the voting machine.

5 VICE CHAIRMAN OVERHOLT: So what I'm hearing
6 is that MicroVote, you have been treating a printer
7 as a noncertified, doesn't have to be certified
8 item for years, it sounds like for at least ten
9 years, if not longer, and that you've got no system
10 in place to have requests for new printers even
11 treated in the same way requests for a new voting
12 system would be so that --

13 MR. HIRSCH: I mean, I can go back and find
14 out.

15 VICE CHAIRMAN OVERHOLT: Let me finish my
16 question. So it sounds like there hasn't been a
17 system in place to track printers, there's no
18 system in place now, and there's not going to be a
19 system put in place between now and November 5th,
20 is what I'm hearing.

21 MR. HIRSCH: I mean, they might have some in
22 stock. I could call and find out if they have any
23 in inventory. It's not the type of thing that's
24 frequently bought.

25 CHAIRMAN OKESON: Her question isn't about

1 physical inventory and replacement. Her question,
2 if I understand correctly, is about the process
3 that MicroVote undertakes as it relates to printers
4 being provided to counties. If they call, you give
5 them a new printer, and you don't have any process
6 where you sought certification. I'd be curious by
7 recent memory if MicroVote has ever brought a
8 change order relative to a printer in front of this
9 body in the past.

10 MR. HIRSCH: I imagine they have open terms
11 with the wholesaler that sells them.

12 MS. CELESTINO-HORSEMAN: No. We're talking
13 certifications. We're talking about --

14 MR. HIRSCH: Oh, without certification?

15 MS. CELESTINO-HORSEMAN: Yes.

16 MR. HIRSCH: Well, now that you're saying you
17 want to make sure that that's something that you've
18 certified, naturally you're telling me --

19 CHAIRMAN OKESON: Not want.

20 VICE CHAIRMAN OVERHOLT: It's not our want.
21 The General Assembly has said thou shalt have
22 certain things certified, and the printers would be
23 included in that.

24 CHAIRMAN OKESON: Well, I think out of
25 preservation of the record on your behalf we should

1 probably stop.

2 MS. CELESTINO-HORSEMAN: Could we ask the
3 staff to look into this a bit further and see if
4 there's --

5 MR. KING: Mr. Chairman, members of the
6 Commission, Commissioner, if you could specify more
7 narrowly because, of course, only the Commission
8 can take action to either approve or not approve an
9 engineering change order.

10 MS. CELESTINO-HORSEMAN: Right, right. But
11 what I'm saying is that obviously we're going to
12 need to approve this today to take care of it. But
13 Suzannah raised, I think, a very good point -- or
14 was it you? -- about going back and looking to see
15 whether they have ever sought certification of a
16 printer. And if that has been the case that they
17 haven't, then maybe -- I don't know. I think
18 that's something that we then have to think about.

19 VICE CHAIRMAN OVERHOLT: I think that would
20 inform -- so I think we've got two paths going here
21 probably.

22 MS. CELESTINO-HORSEMAN: Yeah.

23 CHAIRMAN OKESON: Yeah.

24 VICE CHAIRMAN OVERHOLT: We've got one that we
25 need to bring to closure today. We've got another

1 one where we can kind of preserve our ability to do
2 something going forward, and we can direct staff to
3 maybe do some research on what we have to help us
4 decide what we want to do. But I think there's the
5 approval of the change notice, and then there's
6 figuring out perhaps what --

7 CHAIRMAN OKESON: Two buckets, yeah. I'm with
8 you. We're in agreement.

9 VICE CHAIRMAN OVERHOLT: Are we?

10 MS. CELESTINO-HORSEMAN: Yeah.

11 MS. NUSSMEYER: If I could very quickly,
12 because Marc -- I think it was Marc Chatot.
13 Spencer, maybe it was you. One of the two of you
14 mentioned that the printers that you guys are --
15 VSTOP is going to start figuring out who has what
16 printer, including it in the voting system database
17 that VSTOP controls to provide more visibility to
18 not only VSTOP, but this body, which, I think, gets
19 to the question both of these commissioners,
20 Commissioner Overholt and Commissioner
21 Celestino-Horseman, were asking about. So I
22 believe some of that legwork is already in the
23 process of beginning.

24 MR. CHATOT: Yeah, that's correct. So we
25 realized how this could have slipped by in the

1 first place. We only have the Seiko printers
2 listed as Seiko printer. We didn't have a model
3 number attached in the election systems inventory.
4 So any future items added to the inventory will
5 have the model number attached as well so that,
6 when counties are selecting, they'll have to choose
7 a model number. They won't be able to just put in
8 Seiko printer. So we'll have more visibility into
9 the exact model numbers in the future.

10 CHAIRMAN OKESON: My last question is: Is it
11 pretty clear in statute that printers are to be
12 approved?

13 MS. WARYCHA: To me, yes, if it's part of
14 the --

15 CHAIRMAN OKESON: I mean, ES&S sought approval
16 for a printer just a few moments ago, so they
17 perceived it.

18 MR. KOCHEVAR: Mr. Chairman, I think at least
19 for electronic voting systems it is imperative
20 because it is that printer, though it is just a
21 printer, it's just printing information that's
22 coming out of the voting system, it prints tally
23 tapes, tally tapes that go to county chairmans,
24 that go to media. It is, in fact, what is
25 reporting out the election results from that

1 particular machine that is given to members of the
2 public to determine --

3 CHAIRMAN OKESON: Machines don't make
4 mistakes, do they?

5 MR. KOCHEVAR: You know what, they do because
6 I can't make a phone call on this machine.

7 MS. NUSSMEYER: But to add to Matthew's
8 comments, the tally tape that is printed is only
9 one part of the puzzle. That's just showing what
10 came out of that voting system. Not only does the
11 county have the VVPAT, the voter verifiable paper
12 audit trail, to rely against if they choose to do
13 so for canvassing, but also there is, I call it, a
14 thumb drive, some type of electronic media that
15 will have to be removed from the voting system,
16 taken to a computer that is completely air gapped
17 to print off a different report where the county
18 can look at those two.

19 So if you had concerns about printers not
20 being certified and swapping out a new one for an
21 old one, there are several stages throughout this
22 process to mitigate concerns that might be raised
23 from the public that the printer touching the
24 system has somehow created an issue with that
25 particular voting system.

1 CHAIRMAN OKESON: Right. But the biggest
2 way -- right, wrong, or indifferent -- we've
3 employed as a state to alleviate it is VSTOP.
4 Right?

5 MS. NUSSMEYER: Yes, agreed.

6 CHAIRMAN OKESON: And writing a report and
7 saying, Hey, we've evaluated this as an
8 independent, dispassionate body, and here's what we
9 see. And we didn't get that chance.

10 MS. NUSSMEYER: Agreed.

11 CHAIRMAN OKESON: But I'm with you.

12 MR. KING: Mr. Chairman, members of the
13 Commission, just to add a little more specificity
14 to what's been alluded to, Indiana Code 3-5-2-53 is
15 modeled on the definition of voting systems set
16 forth in federal statute. And one of the
17 components that is included in a voting system is
18 practices and associated documentation used to test
19 the system during its development and maintenance.

20 And so, again, from my perspective, that's
21 where the use of this printer in either running
22 zero tapes on Election Day or during public tests
23 prior brings it clearly within the definition of
24 voting system under federal and state law.

25 CHAIRMAN OKESON: Okay. Well, I think we've

1 ably and amply preserved our right to figure some
2 things out down the road as relates to this matter,
3 but, nevertheless, we've got this change
4 notification to consider. In some respects I feel
5 a little bit like our hands are tied, but does
6 anybody want to try to wordsmith a motion?

7 VICE CHAIRMAN OVERHOLT: I'll try. And I
8 welcome amendments. How's that? So I move that we
9 approve Engineering Change Notice 139 effective
10 immediately due to the fact that these printers are
11 already being used and that this motion -- that the
12 Commission preserves the right to pursue other
13 administrative or regulatory action or other action
14 against MicroVote with respect to the fact that
15 these printers are already being implemented
16 without having been certified. And the only reason
17 for making this effective immediately now is due to
18 VSTOP's assurances that these printers do not in
19 any way affect the security, safety, or the
20 firmware/software, et cetera, of these voting
21 systems.

22 CHAIRMAN OKESON: Is there a second?

23 MR. BLACK: Second.

24 CHAIRMAN OKESON: We have a motion and a
25 second to approve. All those in favor signify by

1 saying "Aye."

2 Aye.

3 VICE CHAIRMAN OVERHOLT: Aye.

4 MS. CELESTINO-HORSEMAN: Aye.

5 MR. BLACK: Aye.

6 CHAIRMAN OKESON: The "ayes" have it. The
7 motion is approved.

8 Thank you. I believe that concludes our
9 business for the day.

10 MS. CELESTINO-HORSEMAN: Oh, one quick thing.
11 Sorry. One more point. So we've been getting
12 these -- and, by the way, Bernie, thank you very
13 much. See, you should have kept those old hearing
14 aids because then you could have said, "Sorry,
15 can't hear you."

16 MR. HIRSCH: I'm just getting used to them.

17 MS. CELESTINO-HORSEMAN: So we've got
18 complaints that have been filed, and I've asked
19 staff, and as I understand it, there's no formal
20 means by which to --

21 CHAIRMAN OKESON: Complaints?

22 MS. CELESTINO-HORSEMAN: A complaint -- I
23 don't know. I forget when it came in, but
24 obviously it had been filed after the deadline. It
25 was about one of the races or something.

1 And so it seems to me that we do need to have
2 something where we acknowledge the receipt and then
3 do a letter saying -- in that case, it was because
4 they don't even have to accept it for filing
5 because it was past the deadline, and do a formal
6 response to that. I know we have some that are
7 sitting there now that we haven't taken up, and I'm
8 assuming there's probably some --

9 CHAIRMAN OKESON: Are you talking complaints
10 or are you talking candidate challenges?

11 MS. CELESTINO-HORSEMAN: Candidate challenges,
12 there's some voting stuff, I think. I'm trying to
13 remember all the stuff you guys sent us. Campaign
14 finance complaints and candidate complaints and
15 different things like that that may not have merit,
16 but obviously we can't look at the merit part of
17 it. But we should probably tell them that we
18 received it. If it fails to satisfy the
19 requirements necessary to have something filed with
20 the Commission, then we should tell them that. If
21 it does satisfy requirements, then we say we've got
22 this in the -- it's here before us and the chairman
23 will be determining when it's heard.

24 CHAIRMAN OKESON: So to that end,
25 Co-Directors, Co-Counsel, do we not -- is there

1 some sort of, I'll call it, a form letter maybe?

2 MS. CELESTINO-HORSEMAN: Or system of process
3 by which such complaints are handled.

4 CHAIRMAN OKESON: I would imagine there is
5 something. Or are you guys sending me emails and
6 then not responding?

7 MR. KING: I think it's correct to say that we
8 and, I think, our counterparts are sending copies
9 of what's filed with the office to all the members
10 of the commission. And when individuals have filed
11 emails or other communications, we have indicated
12 this is a matter that's at the discretion of the
13 chairman in terms of setting Commission meeting
14 dates and agendas. So that, I think, is the extent
15 of that comprehensive approach.

16 MS. WARYCHA: I would follow up and say with
17 the campaign finance ones -- and, Mr. King, please
18 jump in here, but I know that our campaign finance
19 staff will often send them a letter saying we got
20 this complaint about you, do you have a response.
21 So I do know campaign finance does that.

22 MS. CELESTINO-HORSEMAN: I think we need that
23 because, if you're sitting there and you've filed a
24 complaint, whether it has merit or not, but you've
25 taken the time to do that, and then you get

1 crickets. I know we've sent out the emails that
2 say, oh, this gets scheduled at the discretion of
3 the chair, but that's kind of a chicken way out.
4 And it doesn't have anything to do with Mr. Chair.

5 VICE CHAIRMAN OVERHOLT: Well, I mean, if it's
6 really something that we can't consider it for
7 whatever reason --

8 MS. CELESTINO-HORSEMAN: Then we should tell
9 them that. That's not going to the merits. The
10 merits have to be heard by us if it goes to the
11 merits, any decision on the merits. But anything
12 else, a procedural aspect where they can't even
13 accept it for filing because it's past a deadline,
14 they can tell them that and just say --

15 CHAIRMAN OKESON: One thing I -- and, granted,
16 it's been almost 20 years since I worked in the
17 Secretary of State's office, but as I recall, you
18 get a fair number of communications on a variety of
19 fronts. I imagine you can spend half your life
20 responding to them. I imagine it's still that way.

21 MR. KING: Yes. I would say we have a
22 dizzying variety of communications that come in,
23 some of which, on the surface, are more
24 well-reasoned or coherent than others.

25 And I do want to thank Valerie for bringing up

1 the fact that, yes, if there's a campaign finance
2 matter, we will provide copy of the complaint to
3 the individual that is the subject of the complaint
4 to give them the opportunity to file a response or
5 take any other appropriate action.

6 MS. CELESTINO-HORSEMAN: Okay. But we don't
7 do that with these. And the complaints we're
8 seeing in there now, I think, within the last
9 couple months, it's only been two or three maybe.
10 So, I mean, it's just that those are ones that are
11 in writing. They're not calling up and saying,
12 Hey, I think this guy is a total loser or whatever.
13 These are in writing. People have taken time out
14 to do them, and I just think that we should have
15 the staff look at setting up some kind of system
16 with a letter of acknowledgment and that type of
17 thing and explain the next step. And then if the
18 next chair decides that they don't want to hear it,
19 they will have informed them at least of that. And
20 then when they call back in and say, When am I
21 going to be heard, it's up to the chairman.

22 VICE CHAIRMAN OVERHOLT: Well, is it possible,
23 because we don't really know -- we know what's come
24 in over the past couple months. We actually kind
25 of know that. But, I mean, could we, as a

1 commission, maybe ask the staff for the next
2 six months, because we know it comes -- it ebbs and
3 flows, in the next six months kind of monitor the
4 types of complaints that come in and figure out if
5 there is -- kind of are there buckets that these
6 complaints might fall into and then might it be
7 that, based on those buckets, there's maybe an SOP
8 that we could develop so that, if you get
9 complaints that fall into this bucket, like if
10 they're past any kind of legitimate filing
11 deadline, that this is the approved letter we would
12 send out.

13 I don't know, just something so that there's
14 some sort of response mechanism because I think we
15 probably do have the ability to have some sort of
16 standing orders with respect to very administerial
17 types of -- or maybe I shouldn't say administerial,
18 but anyway, the no thinking, doesn't require any
19 thought.

20 MS. CELESTINO-HORSEMAN: Yeah, like maybe a
21 docket, just a docket, a list of the complaints
22 that are in, you know. I mean, not complaint
23 complaints but I'm talking about people who
24 complain pursuant to statute that the Commission --
25 and the Commission can actually have jurisdiction

1 over it, and just list it.

2 CHAIRMAN OKESON: Well, I would say, not to
3 counter any of your concerns, but in my almost
4 five years in this chair, it's been suggested that
5 the Election Division staff does an extremely good
6 job of filtering those communications and
7 complaints and giving, when appropriate, advice or
8 guidance on what the right response is. So I'll
9 take any blame for anything that's in my plate that
10 didn't get responded to, but I guess I'm not sure I
11 see a deficiency that needs to be addressed.

12 MS. CELESTINO-HORSEMAN: And what's --

13 VICE CHAIRMAN OVERHOLT: Well, I guess what
14 I'm saying is, if the response they're getting is
15 that this will be heard at the discretion of the
16 chair, which is fine -- and I'm not going to
17 comment on what we should do because we're on the
18 record. But I guess what I'm saying is if we could
19 maybe articulate, because I feel like that type of
20 response, if that's what they're getting, if I were
21 someone who filed a complaint, Oh, okay, I'll wait
22 to hear from the chair, and then you never hear
23 anything. And a lot of -- I mean, that's fine, but
24 I'm thinking if we could give them more
25 definitive -- I mean, if it's that the complaint

1 was filed outside of the time frame, that would
2 require us to hear it or if it pertains to a
3 subject matter that isn't even within our
4 jurisdiction or something like that.

5 So basically I'm not saying there's
6 necessarily anything wrong with what's been
7 happening. I'm wondering if there's a way to
8 fine-tune it a bit so that the people who are
9 submitting these complaints maybe feel like there's
10 a little bit of closure and that there's not a
11 black hole that they're just sitting in.

12 MS. CELESTINO-HORSEMAN: And all you have to
13 do is put the complainant, the name, issue, what
14 type, election, whatever, and then put resolution.
15 If nothing is happening with it, leave it blank.
16 And then at least we could have something to go
17 back to and take a look at. That would -- like she
18 was talking about, just kind of track to see.

19 CHAIRMAN OKESON: Matthew, you look like
20 you've been itching to say something over there.

21 MR. KOCHEVAR: There have been 12 complaints
22 this year alone that have been filed with the
23 Election Commission. Also, I only can remember the
24 time when your predecessor, the predecessor chair,
25 whose name escapes me at the moment -- my

1 apologies.

2 CHAIRMAN OKESON: Bryce Bennett.

3 MR. KOCHEVAR: Bryce Bennett. Thank you.

4 Where we held a, I want to say, status hearing on
5 these things. The last one I can remember is the
6 one having to do with the alcohol beverage PAC -- I
7 think it was 2018 -- and whatnot.

8 But I'll just state I keep an accurate list of
9 all complaints that come across my desk, so I have
10 a file of them, so I can help spearhead that status
11 going back the last couple years, at least those
12 that fall into our understanding of our statute of
13 limitations on what you all can still hear at this
14 time. So I can go back the last two calendar years
15 and anything that gets filed with us throughout the
16 rest of this year and break them down into what
17 category they fall into, general election law,
18 campaign finance, et cetera.

19 CHAIRMAN OKESON: Is that consistent with how
20 you see it?

21 MR. KING: Yes. I think that's certainly
22 consistent with the approach we can take to manage
23 the ebb and flow of these -- like I said, there's a
24 wide variety of complaints, some of which can
25 probably come before the Commission without

1 question; others are clearly beyond the scope of
2 the Commission's authority. So, yeah, we would
3 certainly be willing to assist with that.

4 MS. CELESTINO-HORSEMAN: I mean, if it's
5 beyond the scope of our authority, tell them to
6 move along. So are there things that -- so you
7 said something about statute of limitations. Does
8 that start to run on the date that they've -- I
9 mean, it stops running on the date they file it
10 with us; right?

11 MR. KOCHEVAR: I don't know. This is what
12 Valerie's former -- or Valerie's predecessor, Dale,
13 used to tell me is that they used to look at the
14 two-year general statute of limitations. A lot of
15 the complaints, as they had to do with campaign
16 finance, they carry a civil penalty. My apologies.
17 I haven't looked at Title 34 or 35 -- I think it's
18 35 -- on the statute of penalty runs where you can
19 take property from a person. I just usually follow
20 Dale's role in that regard that, once it got filed,
21 after two years, if there was no action taken on
22 it, it's -- at the very least, it's never been
23 brought up again. I will say that. So we just
24 assume that the -- that time has since passed on
25 us.

1 But, again, I'm going off of the person I
2 learned from in regards to how Commission meetings
3 work and their process from his time here and not
4 what you all view, as attorneys and Commission
5 members, on how you view what is your authority in
6 a particular complaint. That is still before you
7 and hasn't been resolved.

8 MS. CELESTINO-HORSEMAN: Well, that's kind of
9 troubling if stuff that's not being handled simply
10 sits there.

11 CHAIRMAN OKESON: It sounds like it should be
12 an agenda item for a future meeting.

13 VICE CHAIRMAN OVERHOLT: Yeah. So can a
14 member of the staff provide us the background
15 information we requested, and then we consider it
16 at a future meeting.

17 CHAIRMAN OKESON: Do we need a motion to ask
18 them to do that?

19 MR. KING: No. We can certainly do that based
20 on your clear instructions as part of the record.

21 CHAIRMAN OKESON: So that concludes our
22 business for the day. Oh.

23 MR. HIRSCH: I just have two answers for you
24 to follow up on the questions you had. We have
25 about a hundred units of the newer Seiko printer in

1 stock, and we don't currently have any pending
2 orders.

3 MS. CELESTINO-HORSEMAN: Good thing we did
4 that then effective immediately. Thank you.

5 CHAIRMAN OKESON: Now we've concluded our
6 business for the day. Is there a motion to
7 adjourn?

8 VICE CHAIRMAN OVERHOLT: So moved.

9 CHAIRMAN OKESON: Second?

10 MR. BLACK: Second.

11 CHAIRMAN OKESON: We have a motion and second
12 to adjourn. Any discussion?

13 Hearing none, all those in favor signify by
14 saying "Aye."

15 VICE CHAIRMAN OVERHOLT: Aye.

16 MS. CELESTINO-HORSEMAN: Aye.

17 MR. BLACK: Aye.

18 CHAIRMAN OKESON: We are adjourned.

19 (The Indiana Election Commission Public
20 Session was adjourned at 3:19 p.m.)

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1 STATE OF INDIANA

2 COUNTY OF HAMILTON

3 I, Maria W. Collier, a Notary Public in and
4 for said county and state, do hereby certify that the
5 foregoing public session was taken at the time and
6 place heretofore mentioned between 2:04 p.m. and
7 3:19 p.m.;

8 That said public session was taken down in
9 stenograph notes and afterwards reduced to typewriting
10 under my direction; and that the typewritten
11 transcript is a true record of the public session.

12 IN WITNESS WHEREOF, I have hereunto set my
13 hand and affixed my notarial seal this 16th day of
14 October, 2024.

15
16 Maria W. Collier



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Maria W. Collier
NOTARY PUBLIC SEAL
STATE OF INDIANA
Commission No. NP0893933
My Commission Expires Dec. 5, 2024

21 My Commission expires:
22 December 5, 2024

23 Job No. 194311

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