

U.S. ELECTION ASSISTANCE COMMISSION
annual report ★ fiscal year 2008





U.S. ELECTION ASSISTANCE COMMISSION

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INTRODUCTION

Our Focus in 2008: Preparing for Election Day

The U.S. Election Assistance Commission (EAC) focused the majority of its efforts in fiscal year 2008 providing information, best practices and management tools to the public and to election officials throughout the nation in preparation for the November 2008 presidential election.

At the beginning of the fiscal year, public interest in all facets of election administration heightened and quickly expanded. The public wanted information about voter registration list maintenance, voter registration practices and alternative voting methods. In addition, election officials were working hard to implement new voting systems, new voter registration databases and new voting system components required by state laws such as voter verified paper audit trails. Election officials had the added responsibility of providing customer service to millions of Americans who were keenly interested in the election process, some of whom were attempting to register to vote for the first time.

The EAC embarked upon a two-fold strategy to provide information to the public and assistance to election officials, beginning with building upon the Commission's successful Election Management Guidelines program and increasing efforts to provide resources, information and instruction to the general public.

As the EAC worked to provide a central repository about voting for elections, the Commission also put considerable effort into strengthening its internal policies and procedures and adding expertise to ensure that resources were used efficiently and creatively to reach the widest possible audience, especially those who needed information and assistance to successfully cast their ballots and the election officials who serve them.

The Commission

The EAC is an independent, bipartisan agency created by the Help America Vote Act (HAVA). It assists and guides state and local election administrators in improving the administration of elections for federal office. The EAC provides assistance by disbursing

federal funds to states to implement HAVA requirements, auditing the use of HAVA funds, adopting the voluntary voting system guidelines (VVSG), and serving as a national clearinghouse and resource of information regarding election administration. The EAC also accredits voting system testing laboratories and certifies, decertifies and recertifies voting systems.

The Commissioners

The four EAC commissioners are Rosemary E. Rodriguez, chair; Donetta Davidson, vice chair; Gracia Hillman; and Gineen Bresso Beach. Commissioners, who are nominated by the President and confirmed by the U.S. Senate, may serve only two consecutive terms. Commissioners serve staggered terms. No more than two commissioners may belong to the same political party. Commissioner Beach joined the EAC in November 2008, filling the vacancy created when former Vice Chair Caroline Hunter resigned.

The Executive Director

Thomas Wilkey was named executive director of the EAC in May 2005 by a unanimous vote of the commissioners. EAC's executive director serves a four-year term. Duties include managing daily operations, preparing program goals and long-term plans, managing VVSG development, reviewing reports and studies and overseeing the appointment of EAC staff members and consultants.

The General Counsel

The general counsel serves a four-year term and is the EAC's chief legal officer. The general counsel provides legal advice and counsel to staff; provides advice to EAC's federal advisory committees; and assists the EAC in meeting all federal, state and local legal and regulatory requirements. Ms. Juliet Hodgkins resigned as the general counsel, effective September 2008. The EAC is in the process of filling the vacancy.

Chief Operating Officer

In May 2008, Alice P. Miller joined the EAC as its chief operating officer. Ms. Miller oversees the day-to-day

operations at the EAC in six program areas: Voting Systems Testing and Certification, Grants, Election Administration Improvement Programs, Research, Administration and Human Resources. She also works with the executive director to develop and integrate policies and procedures to improve efficiency and transparency. Ms. Miller is the former executive director of the District of Columbia Board of Elections and Ethics. During her 12-year tenure, she was responsible for overseeing and managing all aspects of elections, from voter registration to ballot access for candidates and measures. She holds a Juris Doctor degree from Northeastern University School of Law and a Bachelor of Arts from Boston College.

The Office of the Inspector General

The EAC Office of Inspector General (OIG) seeks to provide value through its work, which is designed to enhance the economy, efficiency and effectiveness at EAC. OIG also seeks to detect and prevent fraud, waste, abuse and mismanagement in programs and operations. OIG clients include the commissioners and executives of EAC, the Congress, the Office of Management and Budget, the Government Accountability Office, state governments, other federal entities and the public.

In FY 2008, the OIG issued audit reports for the states of New Mexico and Minnesota. The Minnesota audit examined the state's compliance with HAVA spending provisions, including provisions in Sections 101 and 251; accounting requirements for property purchased with HAVA funds; and requirements in Section 251 regarding an election fund, matching contributions and maintenance of a base level of state outlays.

The New Mexico audit report examined the state's compliance with HAVA requirements governing the spending of HAVA funds and the replacement of punch card or lever voting machines. It also looked at compliance with HAVA requirements for appropriating a five percent match for requirements payments, establishing an election fund and maintaining state expenditures for elections at a level not less than expended in fiscal year 2000.

The OIG also issued a report about the EAC's programs and operations, which identified areas where the EAC needs to focus on implementing policies and procedures. The OIG report *Preparation of the Voter Fraud and Intimidation Report*, which was initiated by the commission, found "no

evidence to support allegations that the changes were made to the report due to improper reasons or political motivations." The OIG also released a report of an investigation that cleared SysTest Labs, Incorporated of any alleged fraudulent certification of election equipment.

OIG reports and related information, including instructions for submitting an inquiry, are available at www.eac.gov.

EAC Federal Advisory Committees

HAVA requires a 37-member Board of Advisors and a 110-member Standards Board to help the EAC carry out its mandates under the law. HAVA Section 221 calls for establishing a Technical Guidelines Development Committee (TGDC) to help EAC develop the VVSG. These boards provide valuable input and expertise in forming guidance and policy. The EAC uses a Virtual Meeting Room for its advisory committees to facilitate a more transparent and efficient way of receiving input. The Virtual Meeting Room is available at www.eac.gov, and all comments made by board members are available to the public. Virtual Meeting Room notices are also posted in the Federal Register to notify the public about the comment sessions.

Board of Advisors

Membership on the Board of Advisors includes the following groups, as specified in HAVA (two members appointed by each): National Governors Association; National Conference of State Legislatures; National Association of Secretaries of State; The National Association of State Election Directors; National Association of Counties; National Association of County Recorders, Election Officials and Clerks; The United States Conference of Mayors; Election Center; International Association of Clerks, Recorders, Election Officials, and Treasurers; the U.S. Commission on Civil Rights; and Architectural and Transportation Barriers Compliance Board.

Other members include representatives from the U.S. Department of Justice, Public Integrity Section of the Criminal Division and the Voting Section of the Civil Rights Division; the director of the U.S. Department of Defense Federal Voting Assistance Program; four professionals from the field of science and technology, one each appointed by the Speaker and the Minority Leader of the U.S. House of Representatives, and the Majority

and Minority leaders of the U.S. Senate; and eight members representing voter interests, with the chairs and the ranking minority members of the U.S. House of Representatives Committee on House Administration and the U.S. Senate Committee on Rules and Administration each appointing two members.

In FY 2008, the board held two public meetings and three public forums in the EAC Virtual Meeting Room, which allows the public to view draft documents and comments. Virtual meetings included review of Election Management Guidelines chapters, the Alternative Voting Methods Study and the evaluation plan for the EAC's \$10 million Election Data Collection Grant Program.

At the board's December public meeting to discuss the next iteration of the VVSG, the board passed 15 related resolutions.

- ★ Resolution 2007-[D1] recommended that EAC reevaluate the concept of software independence, including investigating alternatives that stress security, verifiability and auditability.
- ★ Resolution 2007-[D2] recommended the incorporation of plain-language explanations.
- ★ Resolution 2007-[D3] recommends the inclusion of ballot on demand standards for printers and software.
- ★ Resolution 2007-[D4] recommended inclusion of early voting and vote center classes of voting systems.
- ★ Resolution 2007-[D5] recommended that all election officials' responsibilities identified by the vendor be tested for usability.
- ★ Resolution 2007-[D6] recommended consideration of the impact on vote-by-phone voting systems.
- ★ Resolution 2007-[D7] recommended identification of risks that will be assessed in open-ended vulnerability testing and establish risk assessment benchmarks.
- ★ Resolution 2007-[D8] agreed with the ban on wireless interaction with voting systems.
- ★ Resolution 2007-[D9] urged no impact on the development of alternative voting methods.
- ★ Resolution 2007-[D10] recommended a fiscal analysis and that Congress provide funding for these activities.

- ★ Resolution 2007-[D11] recommended inclusion of standardized data elements for voting systems to insure interoperability and component development.
- ★ Resolution 2007-[D12] recommended removal of all requirements that mandate election procedures.
- ★ Resolution 2007-[D13] recommended adoption of an administrative procedure and process for testing and certifying innovation class voting systems.
- ★ Resolution 2007-[D16] recommended that usability testing be expanded to include user documentation, operations manuals and training materials.
- ★ Resolution 2007-[D19] recommended that the next iteration include plain language to accommodate multiple audiences.

The board also passed the following 11 resolutions:

- ★ Resolution 2007-[D14] recommended that the EAC compile voting system incident reports provided by local or state officials and make the information available at www.eac.gov.
- ★ Resolution 2007-[D15] recommended the EAC compile post-election audit reports, standards, ordinances and legislation, and election auditing pilot projects and make information available at www.eac.gov. Also recommended providing the appropriate staff for the recommendation.
- ★ Resolution 2007-[D17] recommended that EAC consider appointing a representative of the Election Technology Council to the TGDC.
- ★ Resolution 2007-[D18] recommended that the EAC conduct a cost analysis study about administering an election.
- ★ Resolution 2007-[D20] recognized and honored Tony Sirvello for his tenure as the secretary to the Board of Advisors and for his many contributions to election administration.

At the board's June public meeting in Washington, DC, it adopted six resolutions.

- ★ Resolution 2008-01 included the following recommendations regarding EAC research: development of a State Distribution Plan; addition of working groups of relevant

stakeholders for all research projects; and consideration of election cycles when conducting research.

- ★ Resolution 2008-02 included the following recommendations regarding EAC research activities:

- Form a working group by researching the feasibility and advisability of identifying voters by Social Security numbers and that its completion be given priority.
- Produce an interim report on efforts to study challenges presented by incorporating Internet technologies in elections.
- Provide a glossary of election terms by defining early voting, absentee voting, disabled or hospitalized voting, no excuse, excused and early absentee.
- Review provisional voting data to determine why provisional ballots were needed, and collect provisional voting information from states.
- Establish an accessibility working group to research current voting systems and practices and to advise EAC regarding the next iteration of the VVSG.
- Establish a clearinghouse containing state and federal statutes relating to election crimes and enforcement actions.
- Conduct a study about Web sites for voter information portals. Consult with election officials and include information from each state and at least one local jurisdiction in each state.
- Further study the Reduced Postage for the Return of Absentee Ballots to include consideration of reducing the postage for the return of absentee ballots to one first-class stamp.

- ★ Resolution 2008-03 recommended that EAC remove certification barriers and roadblocks to ensure certification of systems for use in the 2008 general election.
- ★ Resolution 2008-04 recommended that EAC urge election officials to work with the General Accountability Office's efforts to examine polling place accessibility.
- ★ Resolution 2008-05 recommended that EAC work

to educate the media and the public that accurate election results will be compromised by an emphasis on speed instead of accuracy.

- ★ Resolution 2008-06 recommended that EAC develop a *Quick Start Guide on Accessibility and Disability Issues*.

Meeting minutes, resolutions, presentations and other related material are available at www.eac.gov.

Standards Board

The Standards Board consists of 110 members; 55 are state election officials selected by their respective chief state election official and 55 are local election officials selected through a process supervised by the chief state election official. HAVA prohibits any two members representing the same state to be members of the same political party.

The board elects nine members to serve as an executive board, of which not more than five are state election officials, not more than five are local election officials, and not more than five are members of the same political party.

In FY 2008, the board held one public meeting and one public forum in the EAC Virtual Meeting Room to review Election Management Guideline chapters.

In FY 2008 the Standards Board adopted 14 resolutions regarding the next iteration of the VVSG.

- ★ Resolution 2007-06 recommended that the next iteration not include software independence as a requirement.
- ★ Resolution 2007-07 recommended the removal of the requirement for open-ended vulnerability testing until such time as standards can be created to allow vulnerability testing to be a uniform and defined process for each voting system.
- ★ Resolution 2007-08 recommended the removal of all requirements that mandate election procedures instead of equipment standards.
- ★ Resolution 2007-09 recommended that the EAC conduct research into and consider the financial impact of the next iteration of the VVSG in the areas of cost to develop, acquire, test and administer the next generation of voting systems.

- ★ Resolution 2007-10 recommended consideration of the impact on the election administrator's ability to provide vote centers and early voting centers.
- ★ Resolution 2007-11 recommended that the TGDC identify all "goal level" or non-testable requirements.
- ★ Resolution 2007-12 recommended the removal of any editorializing regarding the 2002 Voting System Standards or the 2005 VVSG in the next iteration.
- ★ Resolution 2007-13 recommended that the EAC consider all consequences before establishing an effective date for the next iteration.
- ★ Resolution 2007-14 recommended that a time period in which 2005 VVSG certified voting systems could be upgraded or modified while uncertified systems are being tested to the next iteration.
- ★ Resolution 2007-15 included the comments for the next iteration from the VVSG Ad Hoc Committee.
- ★ Resolution 2007-16 included typographical and formatting changes for the next iteration.
- ★ Resolution 2007-17 recommended that the TGDC use a demographic sample that is more reflective of the voting population when developing usability test methods.
- ★ Resolution 2007-18 recommended that Part 1, Parts 5.6.1-B, 5.6.1-C, 5.6.2-B and 5.6.2-C the phrase "except electronic ballot markers and electronic ballot printers that rely on hardwired telephone lines" should be inserted following the term "electronic devices."
- ★ Resolution 2007-19 recommended that the next iteration continue to allow authorized reopening of the polls.
- ★ Resolution 2007-20 recommended that in the next iteration Part 1- Chapter 3.2.7-A.2 the text "whether the language is written or spoken" at the end of the sentence be removed and replaced with "for those languages that are written."

Meeting minutes, resolutions, presentations and other related material are available at www.eac.gov.

Technical Guidelines Development Committee

HAVA mandates that the TGDC assist with the development of the VVSG, a task that was completed

in May 2005. These guidelines are voluntary and each state retains the prerogative to adopt these guidelines. The TGDC has already completed a draft of the next iteration of the VVSG, and the EAC and National Institute of Standards and Technology (NIST) are reviewing the first round of comments submitted.

The chairperson of the TGDC is the director of the NIST. The TGDC is composed of 14 other members appointed jointly by EAC and the director of NIST. Members include representatives from the EAC Standards Board, EAC Board of Advisors, Architectural and Transportation Barriers Compliance Board, American National Standards Institute, Institute of Electrical and Electronics Engineers, The National Association of State Election Directors (two representatives), and other individuals with technical and scientific expertise related to voting systems and voting equipment.

To view meeting minutes, resolutions and other related material visit <http://vote.nist.gov>.

EAC Operations

In FY 2008, the EAC focused on providing resources to program areas that provide training and management materials to election officials and information and language assistance materials to the public. Those efforts included creative approaches like increasing Web site bandwidth and providing public meeting Webcasts to deliver resources to larger audiences. The Commission also dedicated resources to develop the next iteration of the VVSG and for ongoing activities in the federal government's first Voting System Testing and Certification Program. The Commission's FY 2008 appropriation was \$16,397,422, which included a pass through of \$3,250,000 for NIST.

Improving and Enhancing Internal Operations

In FY 2008, the EAC established the ground work for more effective management, accountability and control of its financial and program operations. This was a direct result of three significant events. The first was an assessment by the OIG that highlighted the need to implement a strategic plan, improve internal controls, clarify the roles and responsibilities of the commissioners and senior management and establish policies and procedures for all program areas. The second was the requirement that EAC must complete an audit of its fiscal year 2008 financial statements. The

third was feedback from auditors, indicating that EAC had some material internal control weaknesses. In response to these events, EAC has done the following:

- ★ Hired a chief operating officer, budget officer and contracting officer.
- ★ Started the search for a chief financial officer.
- ★ Developed a strategic plan.
- ★ Issued policy on the roles and responsibilities of commissioners and the executive director.
- ★ Hired a contractor to help write policies and procedures and to document internal controls.
- ★ Hired professionals to help develop performance-based budgets.
- ★ Contracted with a certified public accounting firm to assist with financial management.
- ★ Initiated efforts to obtain the services of a qualified firm to assist with prioritizing, analyzing and implementing the audit recommendations to aid with developing a management plan.
- ★ Initiated the process to update documentation of current financial management processes and systems.
- ★ Initiated an assessment of training needs for employees to further enhance awareness of sound financial management practices.

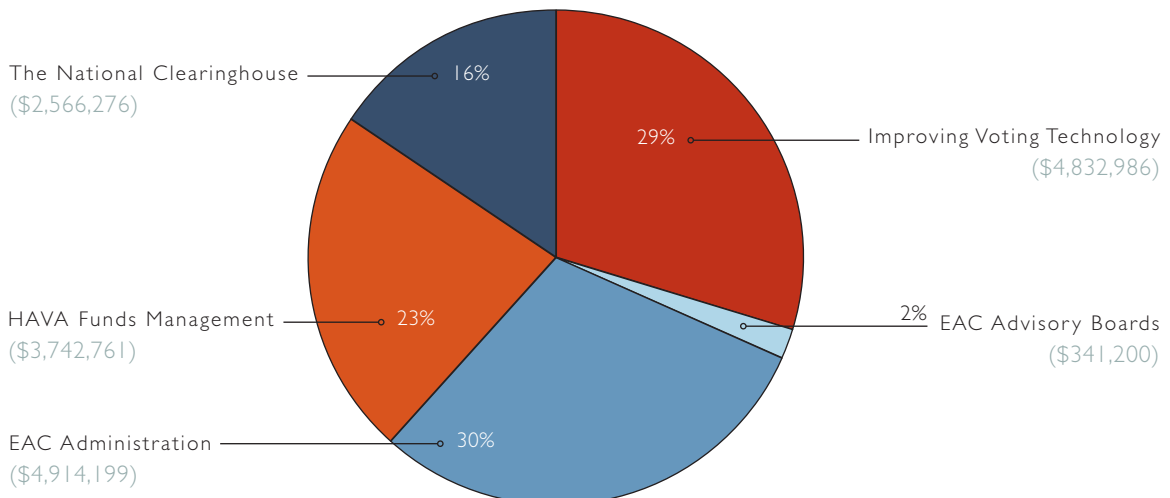
- ★ Begun the process to issue a contract for assistance with the development of a comprehensive corrective action plan to address all weaknesses.

The EAC is using the OIG assessment and the audit findings as a roadmap to make the adjustments that are needed to improve financial and management processes. The commissioners and the executive director also recognize the need to modify the management style to ensure a high level of accountability.

In FY 2008, the EAC promulgated regulations implementing the Freedom of Information Act, Government in the Sunshine Act and the Privacy Act. In addition, the EAC promulgated regulations governing nondiscrimination on the basis of handicap, testimony by EAC employees and standards of conduct for EAC employees. The EAC's regulations are published at 11 CFR parts 9400-9499 and are also accessible at www.eac.gov.

The National Clearinghouse

To meet the HAVA research and study mandates and to provide election administration materials in preparation for the 2008 election, 16 percent of the budget was used to conduct and distribute the National Voter Registration Act Survey, the Uniformed and Overseas Citizens Voting Act Survey, Poll Worker Best Practices and the Effective Designs in Election Administration project. Clearinghouse funds were used to produce and distribute the Election Management Guidelines



and related Quick Start Management guides, which covered topics such as voting system certification and voting system security. The National Clearinghouse also funds the Language Accessibility Program, which has produced glossaries of election terms in six languages. Clearinghouse materials are available on the EAC Web site at www.eac.gov.

HAVA Funds Management

In FY 2008, 23 percent of the budget was dedicated to HAVA funds management activities such as the audit program. These funds also covered the issuance of the 2007 report on HAVA spending by the states.

EAC Administration

Thirty percent of the EAC's budget was dedicated to administration, which included internal operations and related costs, such as rent, office equipment and supplies, salaries and benefits, public meeting and hearing expenses, travel and other administrative costs. This percentage also included costs for issuing Federal Register notices about EAC activities.

EAC Advisory Boards

The EAC applied two percent of its budget to fund meetings for the Standards Board and Board of Advisors to help develop the next iteration of the VVSG, review EAC materials and provide input regarding research projects.

Improving Voting Technology

In FY 2008, 29 percent of the budget was dedicated to improving voting technology. Related activities included working with NIST to evaluate and accredit voting system test laboratories and the management of the entire voting system certification process. Also included was \$3.2 million for NIST to assist the EAC in this program area and for activities to develop the next iteration of the VVSG.

Votes Taken by the Commission

In FY 2008, the commissioners cast votes on a wide variety of issues and initiatives, including the adoption of HAVA funding policies, research projects and internal policies. A summary of FY 2008 votes is shown in the following tables. Twenty-eight votes taken by the commissioners during public meetings held in FY 2008, and information about these votes is available in the News Center at www.eac.gov.

2008 ★ Tally Votes

Title	Decided by Vote of	Date Transmitted	Certified Date
1. Adoption of Executive Order (January 8, 2008) Regarding Across the Board Pay Increase to Government Employees	4	1/9/2008	1/14/2008
2. Appointing Donetta Davidson as the Designated Federal Officer to the Technical Guidelines Development Committee (TGDC)	4	2/1/2008	2/8/2008
3. Appointing Gracia Hillman as the Designated Federal Officer to the EAC Board of Advisors	4	2/1/2008	2/8/2008
4. Appointing Caroline Hunter as the Designated Federal Officer to the EAC Standards Board	4	2/1/2008	2/8/2008
5. Resolution of the Illinois Audit Appeal	4	3/3/2008	3/6/2008
6. Resolution of the Audit Appeal from West Virginia	4	3/3/2008	3/6/2008
7. Recommendation for Web site Maintenance Contract	4	3/4/2008	3/11/2008
8. Federal Register Publication of Changes to the Alaska, Florida, Minnesota, New Jersey, Nevada, Oregon, and South Dakota HAVA State Plans	4	3/18/2008	3/31/2008
9. Recommendation for Funding and Execution of an Election Day Survey Administration Contract	3	3/25/2008	3/31/2008

2008 ★ Tally Votes (Cont.)

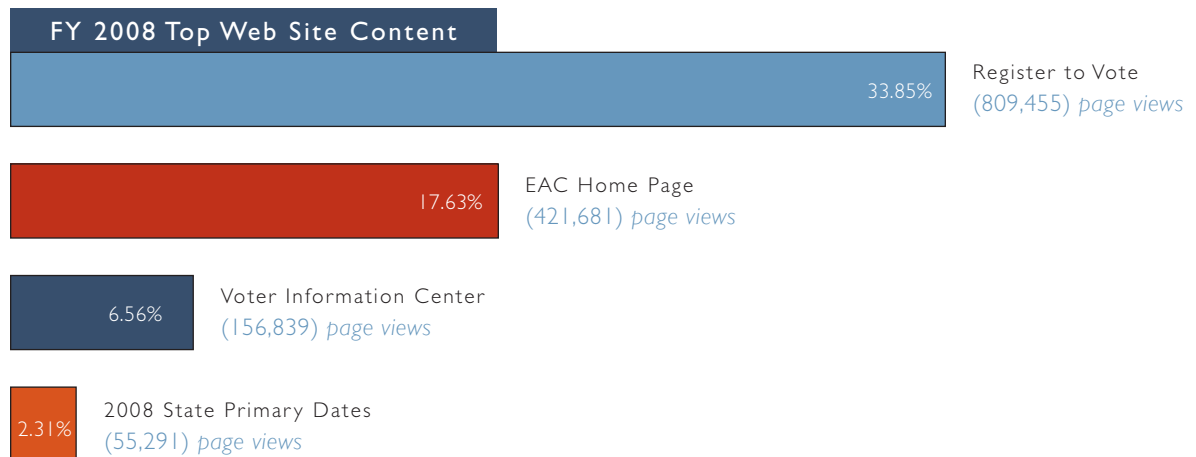
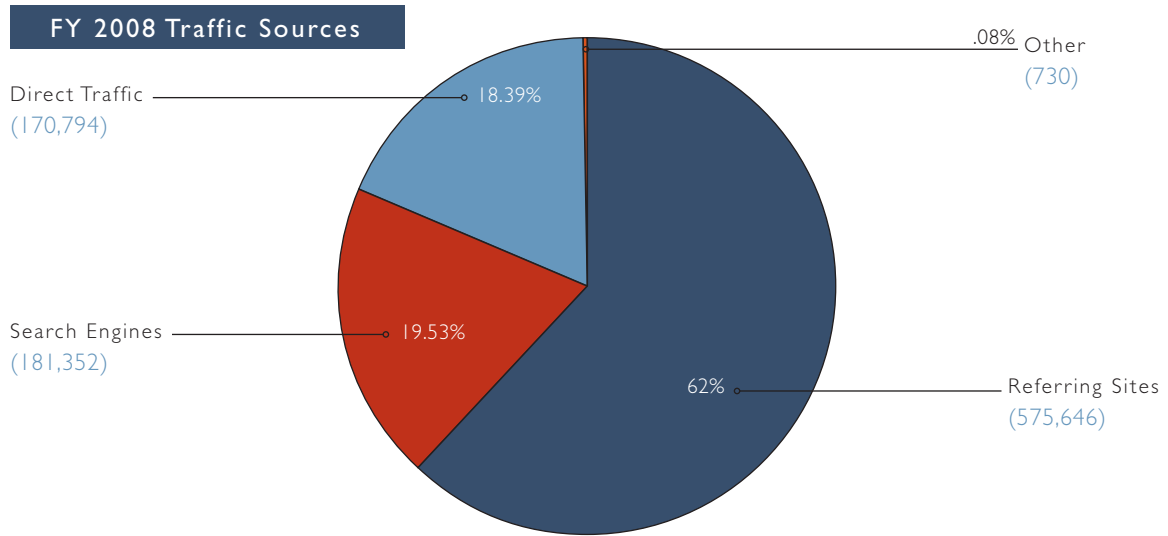
Title	Decided by Vote of	Date Transmitted	Certified Date
10. Resolution of Delaware Audit Appeal	4	4/24/2008	4/29/2008
11. Suspension of Iowa Appeal	4	5/9/2008	5/13/2008
12. Recommendation for Adoption of Glossary of Key Election Terminology in Chinese, Japanese, Korean, Tagalog and Vietnamese	4	5/14/2008	5/16/2008
13. Award Recommendations for \$10 million Election Data Collection Grant Program	4	5/27/2008	5/28/2008
14. Recommended Award of 2008 Mock Election Program Grants	4	6/4/2008	6/9/2008
15. Recommended Award of 2008 Help America Vote College Program	4	6/4/2008	6/9/2008
16. Federal Register Publication of Changes to the Colorado HAVA State Plan	4	6/25/2008	6/30/2008
17. Appointing Donetta Davidson as Vice Chair	3	7/8/2008	7/10/2008
18. Adoption of Report to Congress on State Governments' Use of Help America Vote Act Funds	3	7/8/2008	7/10/2008
19. Final Advisory Opinion No. FAO-08-003 on the Purchase of Replacement Equipment for Previously-Funded HAVA Equipment	3	7/23/2008	7/29/2008
20. Final Advisory Opinion No. FAO-08-004 on the Application of Indirect Cost Rates	3	7/23/2008	7/29/2008
21. Final Advisory Opinion No. FAO-08-005 on the Use of HAVA Funds for Voter Registration Activities	3	7/23/2008	7/29/2008
22. Final Advisory Opinion No. FAO-08-001 on the Application of the Maintenance of Effort Requirement to States That Installed a Voter Registration Database Prior to the HAVA and that Subsequently Met the Requirements of HAVA	3	7/23/2008	7/29/2008
23. Final Advisory Opinion No. FAO-08-002 on the Waiver of State Matching Requirements in Accordance with Title 48 Section 1469a(d) of the United States Code	3	7/23/2008	7/29/2008
24. Appointment of Mr. Ritchie D. Vinson as the EAC Contracting Officer	3	7/23/2008	7/29/2008
25. The Addition of New Subject Matter to the August 5, 2008 Public Meeting in Washington, DC	3	7/25/2008	7/29/2008
26. Advisory Opinion No. FAO-08-006 on Use of Revenue from the State of HAVA-Funded Equipment to Finance Equipment or Other Items Provided for in Sections 101 and 251 of HAVA Funds	3	8/14/2008	8/19/2008
27. Advisory Opinion No. FAO-08-007 on Requirements for Reporting and Accounting for the Disposition of Equipment Purchased with HAVA Funds	3	8/14/2008	8/21/2008
28. Federal Register Publication of Changes to HAVA State Plans	3	8/19/2008	8/23/2008
29. Updates to Nevada State Instructions on the National Voter Registration Form	3	8/21/2008	8/23/2008

Title	Decided by Vote of	Date Transmitted	Certified Date
30. 2008 HAVA Requirements Payments to States - North Dakota	3	8/28/2008	9/4/2008
31. Federal Register Publication of Changes to HAVA State Plan - Georgia	3	9/2/2008	9/4/2008
32. Adoption of Voter Information Web sites Study	3	9/2/2008	9/11/2008
33. Publication of final rules on Freedom of Information, Privacy Act, Government in the Sunshine, Testimony by Commissioner Employees Relating to Official Information and Production of Official Records in Legal Proceedings, Standards of Conduct for Commission Employees, and Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the U.S. Election Assistance Commission	3	9/8/2008	9/11/2008
34. Advisory Opinion in Response to Sacramento County, CA Regarding the Use of Section 251 Funds for Voting System Maintenance	3	9/23/2008	9/25/2008
35. Advisory Opinion in Response to Sacramento County, CA Regarding the Use of Section 251 Funds for Electronic Poll Books	3	9/23/2008	9/25/2008
36. Advisory Opinion in Response to California Regarding the Use of HAVA Funds for Voting Equipment Reimbursement	3	9/23/2008	9/25/2008
37. Advisory Opinion in Response to California Regarding the Use of Section 251 Funds for Poll Worker Training and Voter Education	3	9/23/2008	9/25/2008
38. Advisory Opinion in Response to Wayne County, NY Regarding Use of HAVA Funds to Pay for Poll Worker Training and Lunch	3	9/23/2008	9/25/2008
39. Federal Register Publication of Changes to HAVA State Plan - Idaho, Iowa, and Pennsylvania	3	9/30/2008	10/6/2008

2008 ★ Consensus Votes

Title	Decided by Vote of	Date Transmitted	Certified Date
1. 2007 Annual Report	4	1/17/2008	1/18/2008
2. 2008 HAVA Requirements Payments Disbursement Letter	3	9/4/2008	9/5/2008
3. 2008 HAVA Requirements Payments to States - Colorado	3	9/10/2008	9/11/2008
4. The Roles and Responsibilities of the Commissioners and Executive Director of the U.S. Election Assistance Commission	3	9/10/2008	9/15/2008

EAC WEB SITE



Keeping Stakeholders Informed

Elections, voting and the entire process have steadily become hot topics among the media, the public, advocacy organizations and, of course, election officials. The EAC has struggled to meet the high demand from the public for information and clarification while also meeting the Commission's mandates prescribed by HAVA. Fortunately, technology provides creative solutions to small entities like EAC that must provide services to large audiences, and the EAC has incorporated technology tools to ensure open communication, transparency and accountability regarding Commission activities and decisions. Tools like the EAC Web site, Webcasts and online meetings enabled

the EAC to communicate and operate in the sunshine while allowing the Commission to direct precious resources to other areas such as the Voting System Testing and Certification and the Language Accessibility programs as well as HAVA-mandated research.

Web Site Activity

During FY 2008, there were 2,391,267 page views on the EAC Web site, and top page destinations included Register to Vote, the Voter Information Center, the Election Official Center, the Voting System Testing and Certification and Laboratory Accreditation Program and the Language Assistance Program. The most popular download was the National Voter Registration Form.

The state profiles section, accessible by clicking on a map from the home page, was another popular destination. Visitors had access to a wide variety of election administration information specific to each state, such as registration deadlines, voter identification requirements and direct links to additional resources.

The EAC Web site also includes information about voting systems and voting system test laboratories, official meeting minutes and agendas, Federal Register notices, public meeting and hearing schedules, EAC studies and research and election management materials.

The Virtual Meeting Room

The EAC incorporated a Virtual Meeting Room on the EAC Web site to conduct review sessions for EAC board members. The Virtual Meeting Room is open to the public, and visitors are able to review the draft documents as well as the comments posted by the board members. In addition to providing transparency, the Virtual Meeting Room also saves money and time, as well as increasing board member participation by eliminating the need for in-person review sessions. To view draft documents and board member comments, visit the Virtual Meeting Room at www.eac.gov.

Communicating with Stakeholders

EAC, as part of its responsibility to maintain a clearinghouse of election administration information, ensures that key information and updates from each EAC program are distributed to the public through electronic communication. EAC's primary communication tool is its Web site. During 2008, EAC:

- ★ Integrated a Real Simple Syndication (RSS) news feed that enables EAC to feature the most current EAC tools, resources and events on its home page. Most importantly, RSS allows EAC to automatically alert an unlimited number of subscribers of our feed with EAC program and event updates.
- ★ Posted nearly 1,000 documents and Web pages to our site. These documents and pages contain a variety of information, from voting system test plans and correspondence to testimony from EAC public meetings and hearings.

- ★ Drafted and circulated scores of press releases and commissioner statements to a list of more than 1,300 stakeholders, including election officials, the national media and voter advocacy groups.
- ★ Issued 21 editions of *EAC Newslines*, an electronic newsletter that contains weekly program updates.
- ★ Issued 10 e-mail alerts and newsletters summarizing any public meeting votes or decisions, and linking the alerts to sections of our Web site for relevant documents, such as testimonies, policies or reports.
- ★ Responded to approximately 250 inquiries from reporters. A large majority of these inquiries required directing reporters to information on our site, tracking down internal and external sources of election information and facilitating interviews between reporters and EAC spokespersons.

Public Meeting Agendas

Chair Rodriguez successfully implemented a new policy requiring the EAC to make its meeting agenda public at least 21 days before the next regularly scheduled meeting. The Government in the Sunshine Act requires federal government agencies to open meetings to the public and to publicly announce meetings at least seven days prior. The policy will expire at the end of her term as chair.

Notice and Public Comment Policy

Commissioner Hillman successfully steered passage of the EAC's Notice and Public Comment Policy, which provides public comment periods for all policies under consideration that are not subject to notice and comment under any federal statute. At a minimum, the EAC will provide a period of public comment of no less than 30 days on all policies, advisories, manuals, procedures, regulations or rules of general applicability that impact outside parties. The new policy underscores the EAC's continued commitment to make all policy making activities open and transparent.

This policy further outlines the roles, responsibilities and procedures for this process to assure that the public has effective notice and the ability to submit timely and meaningful comment on proposed EAC policies and rules. The notice and public comment policy is available at www.eac.gov.

FY 2008 Freedom of Information Act Activity Report

In FY 2008, the EAC received 18 requests under the Freedom of Information Act (FOIA). Seventeen requests were processed, and one request was withdrawn. As of September 30, 2008, two of those requests remain pending. Processing time through the end of FY 2008 on the pending requests was 26 and 11 days. The average number of days these requests have been pending is 18.5.

For those requests completed, the median processing time was 18 days, and the average processing time was 18.6 days. The range in number of days for response was 4 to 49 days. Of the 15 requests completed in fiscal year 2008, 10 were completed within 20 days, 4 were completed within 40 days and 1 was completed within 60 days.

There were no instances in which the EAC did not comply with a request and no appeals were made. There were no instances where a court reviewed a decision to withhold, no administrative appeals were made and there were no expedited review requests.

There are two EAC employees who process FOIA requests, but neither employee is solely dedicated to FOIA activities. The EAC spent approximately \$100,732 processing FOIA requests in FY 2008. The EAC granted fee waivers on all FOIA requests. There were no fee waiver adjudications.

The EAC withheld documents and information in 17 instances; 3 instances under FOIA exemption 3; 3 instances under FOIA exemption 4; 1 instance under FOIA exemption 5; and 10 instances under FOIA exemption 6. The information withheld included internal memoranda, contractor proposals, personnel files, personal information and confidential business information.

The EAC's FOIA regulations and instructions for submitting a request and the FOIA Reading Room are available to the public at www.eac.gov.

EAC FOIA Policy

a) The Commission will make the fullest possible disclosure of records to the public, consistent with the rights of individuals to privacy, the rights of individuals and other entities with respect to trade secrets and commercial or financial information entitled to privileged and confidential treatment, and the need for the

Commission to promote free internal policy deliberations and to pursue its official activities without undue disruption.

(b) All Commission records shall be available to the public unless they are specifically exempt under this part.

(c) In the interest of efficiency and economy, the Commission's preference is to furnish records to requesters in electronic format, when possible.

(d) To carry out this policy, the Commission has designated a Chief Freedom of Information Act Officer (Chief FOIA Officer).

FOIA Exemptions

No FOIA requests under 5 U.S.C. 552 shall be denied release unless the record contains, or its disclosure would reveal, matters that are:

- (1) Specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy and are, in fact, properly classified under such Executive Order.
- (2) Related solely to the internal personnel rules and practices of the Commission.
- (3) Specifically exempted from disclosure by statute, provided that such statute: requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or establishes particular criteria for withholding, or refers to particular types of matters to be withheld.
- (4) Trade secrets and commercial or financial information obtained from a person that are privileged or confidential.
- (5) Interagency or intra-agency memoranda or letters that would not be available by law to a party in litigation with the Commission.
- (6) Personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.
- (7) Records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information could reasonably be expected to interfere with enforcement proceedings; deprive a person of a right to a fair trial

or an impartial adjudication; could reasonably be expected to constitute an unwarranted invasion of personal privacy; could reasonably be expected to disclose the identity of a confidential source, including a state, local, or foreign agency or authority or any private institution that furnished information on a confidential basis, and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal

investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source; would disclose techniques and procedures for law enforcement investigations or prosecutions or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law; or could reasonably be expected to endanger the life or physical safety of any individual.





HAVA FUNDS MANAGEMENT

EAC distributes, monitors and reports on funding programs authorized by HAVA to improve the administration of elections for federal office. This also involves negotiating indirect cost rates with state election offices and resolving audit findings on the use of HAVA funds. During 2008, EAC issued guidance (a policy clarification and advisory opinions) on the uses of and accounting for HAVA funds as follows:

- ★ Clarified that states may use HAVA funds to replace voting systems that were previously purchased with HAVA funds.
- ★ Clarified the HAVA provision that exempts the U.S. Territories from the matching requirement contained in Section 254 of HAVA.
- ★ Described how to allocate indirect costs to various HAVA-funded programs.
- ★ Identified the various voter registration activities that are eligible for HAVA funding.
- ★ Explained the requirements for the disposition of revenue from the sale of equipment purchased with HAVA funds.
- ★ Negotiated indirect cost rates for Illinois and Michigan state election offices.
- ★ Issued management decisions for the following states: Delaware, Illinois, Indiana, Kentucky, Minnesota, Missouri, Montana, New Jersey, New Mexico, Ohio and South Carolina.

2008 Requirements Payments

The Omnibus Appropriations Act for fiscal year 2008 (Public Law 110-161) included \$115 million to help states improve the administration of federal elections. These funds are known as Requirements Payments that are authorized under Section 251 of HAVA.

Requirements Payments must be used to meet the requirements in Title III of HAVA, which include voting system standards, voting information requirements, provisional voting, statewide voter registration lists, and identification requirements for voters who register by mail. States may also use Requirements Payments

to improve the administration of federal elections if they certify that the state has implemented the requirements of Title III or that the state will use only up to the minimum payment amount for the administration of federal elections. By the end of the fiscal year, North Dakota and Colorado successfully met all of the requirements and have received their Requirements Payments.

State Governments' Use of HAVA Funds

The EAC annually reports to Congress on how the states have spent HAVA funds. The report covers expenditures that are authorized under Sections 101, 102 and 251 of HAVA. The final report may be downloaded at www.eac.gov. Highlights include:

States have spent 67 percent of the nearly \$3 billion in funding they received under these three sections. HAVA does not specify the year in which the funds must be used, so the roughly \$1.2 billion (including interest earned) of unspent funds remain available to states.

For funds spent in 2007, 64 percent went toward acquiring and administering voting system technology. The remainder was divided among the following election activities:

- ★ Seventeen percent on developing and implementing computerized statewide voter registration databases
- ★ Eleven percent on federal election administration improvement.
- ★ Seven percent toward uncategorized election administration costs.
- ★ One percent on provisional voting and polling place information for voters.



Allocation of FY 2008 Requirements Payments and Matching Contributions

State	Estimated Payment to States	Required State Match
Alabama	\$1,759,843	\$92,623
Alaska	\$575,000	\$30,263
American Samoa	\$115,000	\$6,053
Arizona	\$1,990,175	\$104,746
Arkansas	\$1,063,284	\$55,962
California	\$12,908,853	\$679,413
Colorado	\$1,695,344	\$89,229
Connecticut	\$1,362,107	\$71,690
Delaware	\$575,000	\$30,263
District of Columbia	\$575,000	\$30,263
Florida	\$6,477,573	\$340,925
Georgia	\$3,169,840	\$166,834
Guam	\$115,000	\$6,053
Hawaii	\$575,000	\$30,263
Idaho	\$575,000	\$30,263
Illinois	\$4,822,248	\$253,803
Indiana	\$2,378,803	\$125,200
Iowa	\$1,167,79	\$61,463
Kansas	\$1,054,068	\$55,477
Kentucky	\$1,614,983	\$84,999
Louisiana	\$1,720,843	\$90,571
Maine	\$575,000	\$30,263
Maryland	\$2,082,635	\$109,612
Massachusetts	\$2,558,325	\$134,649
Michigan	\$3,863,682	\$203,352
Minnesota	\$1,921,547	\$101,134
Mississippi	\$1,103,299	\$58,068
Missouri	\$2,201,571	\$115,872
Montana	\$575,000	\$30,263
Nebraska	\$680,097	\$35,795

Allocation of FY 2008 Requirements Payments and Matching Contributions (Cont.)

State	Estimated Payment to States	Required State Match
Nevada	\$798,107	\$42,006
New Hampshire	\$575,000	\$30,263
New Jersey	\$3,331,893	\$175,363
New Mexico	\$705,983	\$37,157
New York	\$7,498,510	\$394,658
North Carolina	\$3,205,460	\$168,708
North Dakota	\$575,000	\$30,263
Ohio	\$4,451,084	\$234,268
Oklahoma	\$1,359,185	\$71,536
Oregon	\$1,367,863	\$71,993
Pennsylvania	\$4,919,086	\$258,899
Puerto Rico	\$1,426,017	\$75,054
Rhode Island	\$575,000	\$30,263
South Carolina	\$1,591,647	\$83,771
South Dakota	\$575,000	\$30,263
Tennessee	\$2,266,085	\$119,268
Texas	\$7,853,797	\$413,358
Utah	\$812,771	\$42,777
Vermont	\$575,000	\$30,263
Virgin Islands	\$115,000	\$6,053
Virginia	\$2,815,466	\$148,182
Washington	\$2,312,945	\$121,734
West Virginia	\$755,964	\$39,788
Wisconsin	\$2,111,219	\$111,117
Wyoming	\$575,000	\$30,263
Total	\$115,000,000	\$6,052,632

* By the end of FY 2008 Colorado and North Dakota had received their Requirements Payments.

Allowable Uses of HAVA Funds Administered by EAC

- ★ Section 101 Funds - may be used to comply with the requirements of HAVA Title III for uniform and nondiscriminatory election technology and administration requirements; improve the administration of elections for federal office; educate voters; train election officials, poll workers and volunteers; develop a state plan; and toll-free voter information hotlines.
 - ★ Section 102 Funds - may be used only to replace punch card and lever voting systems that were in use during the November 2000 general federal election.
 - ★ Section 251 Funds - may be used to implement provisional voting; provide information to voters on Election Day; procure voting systems; implement a statewide voter registration database; implement identification requirements for first-time voters who register to vote by mail; and other activities to improve the administration of elections for federal office.
-

Advisory Opinion Process

At the April 16, 2008, public meeting, the commissioners adopted (3-1) a policy introduced by former Vice Chair Caroline Hunter requiring any inquiry regarding the use of HAVA funds be decided by a vote of the commission and include public notice and comment. The policy allows any federal or state government official, local election official, provided the local jurisdiction received or anticipates receiving HAVA funds, or any EAC staff member to submit a request for an advisory opinion. To view pending and issued advisory opinions, as well as instructions for submitting a request for an advisory opinion, visit www.eac.gov.

Allowable Uses of HAVA Funds Administered by EAC

In FY 2008, the commissioners unanimously adopted a policy advisory clarifying the allowable uses of payments made to states under Sections 101 and 251 of HAVA. Commissioners determined that it is a reasonable use of HAVA funds to purchase any HAVA-compliant voting system regardless of whether the systems replaced were originally purchased with HAVA funds. According to the policy, states will have the flexibility and opportunity to use HAVA funds to meet the requirements of Title III or to improve the administration of elections for federal office.







**LANGUAGE
ACCESSIBILITY PROGRAM**

USA 3c

The EAC’s Language Accessibility Program was developed in accordance with HAVA’s instruction to study and promote methods of ensuring the accessibility of voting, registration, polling places and voting equipment to all voters. The EAC is also responsible for examining the feasibility of providing voting materials in eight or more languages for voters who speak those languages and who have limited English proficiency. Materials issued by the Language Accessibility Program are the result of collaboration among working groups comprised of election officials, advocacy groups and research and public policy organizations.

In FY 2008, the EAC issued glossaries of election terms in five Asian languages to make voting more accessible to citizens with limited English proficiency. The glossaries were published in Chinese, Japanese, Korean, Tagalog and Vietnamese—the most widely spoken Asian languages in the United States. The glossaries were distributed to state and local election officials and nonprofit civic organizations to aid minority language voters in understanding how and where to vote. Also available is the Glossary of Election Terms in Spanish.

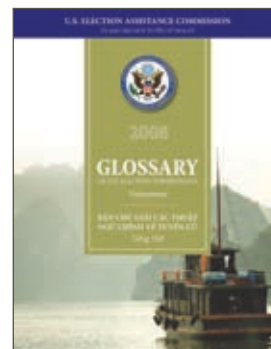
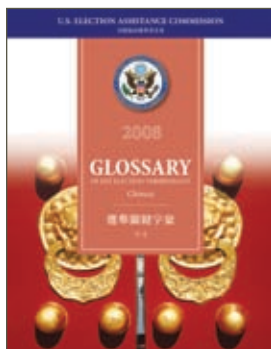
These glossaries were created to help minority

language citizens gain full and equal access to the polls, a right granted by the Voting Rights Act. According to the 2000 U.S. Census, 1.6 million citizens over age 18 speak an Asian or Pacific Island language at home and English less than “very well.”

Each glossary includes translations of more than 1,800 election terms dealing with all aspects of voting, from requesting an absentee ballot to casting a vote on Election Day.

The EAC features content on its Web site in Spanish and five Asian languages, and has convened a meeting of Native Americans and Alaska Natives to discuss their needs for information to help facilitate elections. Electronic copies of the glossaries are available at www.eac.gov.

In addition to the glossaries, the EAC issued A Voter’s Guide to Federal Elections in Spanish, Chinese, Japanese, Korean, Tagalog and Vietnamese. The Voter’s Guide includes ballot-casting basics, information on eligibility and early voting and polling place services that make voting more accessible. The guide includes background information about the registration and voting process for members of the military and civilians living abroad.





**PROVIDING ELECTION
MANAGEMENT RESOURCES**

The EAC's Election Management Guidelines program was created to assist state and local election officials effectively manage and administer elections. These materials also complement the VVSG's technical standards for voting systems. During FY 2008, the EAC distributed management material about a variety of election administration issues to election officials throughout the nation.

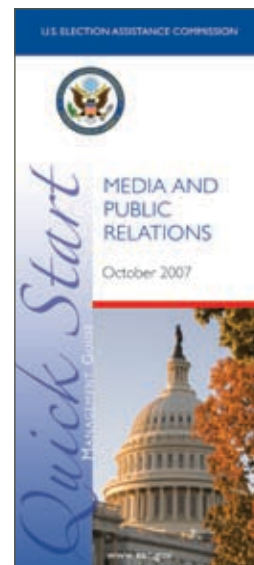
★ Issued eight Election Management Guidelines chapters on the following subjects:

- Acceptance Testing
- Uniformed and Overseas Citizens
- Pre-election and Parallel Testing
- Developing an Audit Trail
- Contingency Planning and Change Management
- Ballot Building
- Absentee Voting and Vote by Mail
- Polling Place and Vote Center Management

★ Issued Quick Start Guides on the following topics:

- Absentee Voting and Vote by Mail
- Acceptance Testing
- Canvassing and Certifying an Election
- Conducting a Recount
- Contingency and Disaster Planning
- Managing Change in an Election Office
- Media and Public Relations
- Polling Places and Vote Centers
- Provisional Voting
- Serving Voters in Long Term Care Facilities

★ Conducted six public meetings that were also webcast that included workshops on ballot design, contingency planning and voter registration databases.



The **UNITED STATES**

Bill of Rights



**ADVANCING THE
VOTING SYSTEM
CERTIFICATION PROCESS**

ADVANCING THE VOTING SYSTEM CERTIFICATION PROCESS

The EAC worked with its advisory committees, NIST and public comment input to develop the first iteration of the VVSG, a set of specifications and requirements against which voting systems will be evaluated. The EAC completed the first iteration of the VVSG in 2005. In addition, the EAC works with NIST to accredit test laboratories. Based on the tests of equipment and software conducted by laboratories and recommendations from NIST, the EAC will certify, decertify, or recertify voting systems. During FY 2008, EAC:

- ★ Hosted six public roundtable discussions about VVSG improvements to introduce a high level of transparency and accountability in the update process. Election officials, voting advocates, usability and accessibility experts, voting system test laboratory representatives and voting system manufacturers participated.
- ★ Received approximately 3,200 comments about the VVSG during a public comment period from November 6, 2007 to May 5, 2008. The EAC is currently working with NIST to review the comments.
- ★ Issued the Voting System Test Laboratory Program Manual. The Manual provides the procedural requirements of the EAC Laboratory Accreditation Program.
- ★ Issued the Voting System Testing and Certification Manual. The Manual contains comprehensive procedures for the program.
- ★ Accredited two laboratories — Wyle Laboratories, Inc. and CIBER for the EAC lab accreditation program based on recommendations from NIST.
- ★ Added Unisyn to the list of registered voting system manufacturers.
- ★ Added Unisyn's OpenElection Voting System and updated versions of two existing voting systems, the ES&S Unity 3.0.1.0 and Unity 3.0.1.1 w. ATS 1.3 and the Premier Assure 1.2 to the list of systems applying for certification.
- ★ Posted the Premier Assure 1.2 voting system certification test report.
- ★ Approved test plans for two voting machines: Premier Solutions Assure 1.2 and MicroVote EMS Voting System v.4.0.
- ★ Issued a contract to the University of Southern Alabama for a voting system risk assessment.

- ★ Posted the MicroVote EMS Voting System v.4.0 test plan.

Communication and Clarification

Over the course of the last year the EAC has issued several responses to Requests for Interpretation (RFI), which provide a means for the EAC to clarify the meaning or scope of the standards to which the laboratories are testing. The EAC has issued ten RFIs this year, and topics ranged from temperature and power variations, to safety testing and the ability of electronic voting machines to withstand electrical fast transient.

In an effort to provide additional clarification, the EAC has put forth three Notices of Clarification (NOC), issued in response to written requests from manufacturers or test labs seeking clarification about a program requirement or policy. Topics ranged from the validity of prior non-core hardware and EMC testing, to the proper use of the EAC mark of certification, to the EAC conformity assessment testing requirements. All NOCs and RFIs are available at www.eac.gov.

History of Voting System Certification

The establishment of the EAC's Voting System Testing and Certification Program marks the first time the federal government has tested voting equipment. Previously, voting systems were tested by the National Association of State Election Directors (NASED), a nonpartisan, volunteer organization consisting of election directors. NASED began testing voting systems against FEC standards in 1994. NASED did not receive federal funds or support to administer this program.

History of Voting System Standards and Guidelines

Three iterations of federal voting system standards have been issued by the federal government. The first set of standards was created in 1990 by the Federal Election Commission (FEC.) The FEC updated the standards in 2002.

HAVA created the EAC and transferred the responsibility of developing voting system standards from the FEC to the EAC. HAVA also tasked the EAC with establishing the federal government's first voting system certification program.

In 2005, the EAC issued the third iteration, called the VVSG, in accordance with HAVA. These guidelines were developed by the TGDC and NIST.



THE
NATIONAL
CLEARINGHOUSE

To meet the HAVA research and study mandates and to provide election administration materials in preparation for the 2008 election, 16 percent of the budget was used to conduct and distribute the National Voter Registration Act Survey; the Uniformed and Overseas Citizens Voting Act Survey; the Free Absentee Ballot Return Postage Study; the Alternative Voting Methods Study; Poll Worker Best Practices; and the Effective Designs in Election Administration project. Clearinghouse funds were used to produce and distribute the Election Management Guidelines and related Quick Start Management guides, which covered topics such as voting system certification and voting system security. The National Clearinghouse also funds the Language Accessibility Program, which has produced glossaries of election terms and voter guides in six languages. Clearinghouse materials are available on the EAC Web site at www.eac.gov.

Conducting Elections Research

The EAC is responsible for conducting studies and collecting information about election administration issues and sharing that information with Congress, election officials and the public. In FY 2008, the EAC:

- ★ Issued a report entitled *The Uniformed Overseas Citizens Absentee Voting Act (UOCAVA) Voters and the Electronic Transmission of Voting Materials in Four States*. Section 245 of HAVA requires EAC to conduct a study of issues and challenges, specifically including the potential for election fraud, that are presented by the incorporation of communications and internet technologies in the federal, state and local electoral process.
- ★ Released three case studies describing the unique experiences of states with transmitting ballots electronically, sending and accepting ballots electronically, and using internet voting.
- ★ Issued a report entitled *Effective Designs for the Administration of Federal Elections*. The report addresses the design planning process, general best practices, implementation insights, limitations and more for the design of ballots and polling place materials. The report also includes a digital library containing hundreds of camera-ready images of ballots and polling place mate-

rials that can be easily and affordably customized and used by state and local election officials.

- ★ Issued the *Alternative Voting Methods Study* in accordance with Section 241 (b) (10) of HAVA. The study examined the experiences of selected states and/or local jurisdictions that provide voting options beyond the traditional precinct-based polling place through early voting, vote-by-mail and vote centers. The report also addresses the feasibility and advisability of weekend voting and declaring Election Day holidays. It concluded that not every method would be successful in all jurisdictions, and that associated costs would also be a factor. States and localities were advised to evaluate their own processes before making any change in election administration procedures.
- ★ Issued the *Free Absentee Ballot Return Postage Study*, required by Section 246 of HAVA, to assess the feasibility of establishing free and/or reduced cost postage for returning absentee ballots.
- ★ Issued a report entitled *Voter Hotlines*. This study evaluates the effectiveness of hotlines that provide voting assistance.
- ★ Issued a report entitled *First-Time Voters*. Section 244 of HAVA requires the EAC to study and report on the impact of the law on first-time voters who register to vote by mail and cast their ballots in person. Through case studies and voter focus groups, this research provides insight into the administrative difficulties imposed on election officials by this HAVA requirement and voters' perceptions of its efficacy.
- ★ Developed the *2008 Election Day Survey* instrument and statutory overview, which included a 60-day public comment period.

The 2006 Election Day Survey

In FY 2008, the EAC adopted the *2006 Election Day Survey*, the largest and most comprehensive survey on election administration ever conducted by a U.S. governmental organization. Survey data was provided by the states and it included 58 questions covering topics such as voter registration, election results, provisional and absentee ballots, overvotes and undervotes, polling places and workers, voting equipment and disability access. Survey highlights included:

- ★ Nearly 173 million persons were registered to vote for the 2006 elections—an increase of nearly 12.1 million since the 2002 midterm election.
- ★ The number of registered voters declined since the 2004 Presidential election from nearly 176.2 million to 172.8 million.
- ★ 76.6 percent of the Voting Age Population (VAP) was registered and 83.8 percent of the Citizen Voting Age Population (CVAP) was registered.
- ★ More than 82 million ballots were cast or counted in the 2006 election.
- ★ One percent of those participating cast a provisional ballot (slightly more than 794,000 individuals).

The study also reports that the number of provisional ballots for 2006 was less than half of the levels reported for the 2004 election. However, a significantly larger share of the provisional ballots was counted. Only 64.5 percent of provisional ballots were counted in the 2004 election, compared to the 79.5 percent in the 2006 election. Nearly 30 percent of the jurisdictions across the country reported using multiple voting systems and the 2006 data show a dramatic rise in the number of jurisdictions using electronic systems. EAC’s 2004 study reported that just 9.3 percent of the jurisdictions reported using electronic voting equipment, but this increased to 53.6 percent two years later. The EAC survey found that 87.7 percent of the polling places allowed access for voters with disabilities, and 84.5 percent allowed these voters to cast a private ballot.

Improving Data Collection – A Pilot Grant Program

The Omnibus Appropriations Act for fiscal year 2008 [Public Law 110-161] authorized the EAC to administer a competitive pilot grant program about collecting precinct-level data. The Election Data Collection Grant Program provided \$2 million each to five states to collect data related to the November 2008 general election. The program was designed to:

- ★ Develop and document a series of administrative and procedural best practices in election data collection that can be replicated by other states.
- ★ Improve data collection processes.

- ★ Enhance the capacity of states and their jurisdictions to collect accurate and complete election data.
- ★ Document and describe particular administrative and management data collection practices, as well as particular data collection policies and procedures.

The winning grant recipients were Pennsylvania, Minnesota, Ohio, Illinois and Wisconsin, and they are required to submit data they collect to the EAC by March 2009. In turn, the EAC is required to evaluate the grant program’s overall success and provide to Congress recommendations for changes to federal laws and regulations to improve the collection of data.

Help America Vote College Program Grant Recipients	
1) Loyola University	\$30,322
2) Muhlenberg College, Lehigh County Voting Integrity & Civic Education Project,	\$10,409
3) Winona State University	\$29,495
4) Golden Key International Honour Society	\$32,167
5) Washtenaw Community College	\$30,767
6) Northhampton County Area Community College	\$30,704
7) Texans Together Education Fund	\$32,167
8) The University of Baltimore	\$32,103
9) American University (AU)	\$32,167
10) Vassar College	\$31,785
11) Middlesex Community College	\$18,852
12) The Virginia21 Organization	\$32,103
13) Suffolk University	\$31,849
14) The University of Missouri, Columbia	\$25,705
15) The Citizen Union Foundation	\$29,114
16) St. Louis Community College	\$21,035
17) Henry Ford Community College (HFCC)	\$32,167
18) The University of Texas at El Paso	\$20,000
19) Auburn University Montgomery	\$25,750
20) McDaniel College	\$32,038
21) The Onondaga Community College	\$16,785
22) Youngstown State University	\$25,278
23) The Northern Kentucky University Research Foundation	\$22,577
24) Northern Plains Tribal Voter Education Project	\$32,167
25) The New York Public Interest Research Group (NYPIRG)	\$32,167
26) Greensboro College (North Carolina)	\$32,167
27) The Southern Connecticut State University	\$28,160

Ten states applied for the grants, and winners were selected through an independent review process after a 60-day public comment period.

Recruiting the Next Generation of Poll Workers

Poll workers are critical to running smooth elections—they set up and take down polling place materials and equipment, check voters’ registration and demonstrate how to use voting systems. Through the Help America Vote College Program, the EAC distributes funds appropriated by Congress to increase the pool of qualified poll workers.

In FY 2008, the EAC awarded \$750,000 to 27 colleges and nonprofit organizations from 18 states to recruit students to serve as poll workers during the November presidential election. The EAC estimates roughly 8,800 college students became poll workers as a result of the grants.

In addition to administering the Help America Vote College Program, the EAC also issued the *Guidebook to Recruiting College Poll Workers* and provided information about poll worker requirements by state.

Grant winners were selected through an independent review process that examined each applicant’s level of experience and their management and conceptual approaches for meeting program goals.

Help America Vote Mock Election Program

The Mock Election Program is designed to get younger students interested in voting and the election process by enabling them to participate in a simulated election with voting equipment, ballots and poll workers.

In FY 2008, the EAC awarded 10 organizations from nine states an average of \$20,000 to organizations that educate secondary school students and their parents about the electoral process through staged national elections.

Voting System Reports Clearinghouse

Public interest in voting systems continues to rise, and the EAC receives many requests for information and reports generated about voting systems that were tested by NASED. As part of the EAC’s clearinghouse responsibilities under Section 202 of HAVA, the Commission explored how best to gather and provide this information in recognition of the need to provide historical data in a central location to both the public and election officials. The Commission adopted a policy

Mock Election Program Grant Recipients	
(1) The League of Women Voters of Trumbull County, Ohio	\$15,835
2) The Oregon League of Women Voters	\$16,477
3) The Illinois League of Women Voters	\$21,307
4) The State of Montana Secretary of State	\$20,109
5) The National Student Parent Mock Election	\$24,366
6) The State of Texas, Secretary of State	\$20,104
7) The Townsend Harris High School and the Taft Institute for Government	\$21,441
8) The Bernalillo County, New Mexico, Clerk’s Office	\$20,091
9) The Office of the Secretary of State of the Commonwealth of Kentucky	\$20,072
10) The United States Hispanic Leadership Institute	\$20,198

authorizing EAC staff to post and distribute reports about voting systems generated or commissioned by state and/or local election officials.

In FY 2008, the New York State Board of Elections submitted 15 documents about voting system usage, testing and other information related to process and procedures. Ohio Secretary of State Jennifer Brunner submitted The Evaluation & Validation of Election-Related Equipment, Standards & Testing (EVEREST) report, a review of Ohio’s voting systems.

The EAC continues to encourage election officials throughout the country to voluntarily submit information to the Voting System Reports Clearinghouse. A 2007 Board of Advisors resolution also urges election officials to submit this information to the EAC.

To be considered for posting on the EAC Web site, a state or local government must submit the report to the EAC chair or executive director and certify that the report reflects their experience operating voting systems or implementing EAC’s voluntary voting systems guidelines. The Voting System Reports Clearinghouse and the policy are available at www.eac.gov.

A Voter’s Guide to Federal Elections

In FY 2008, the EAC issued a Voter’s Guide to Federal Elections, a publication designed to provide voters with the information they need to successfully participate in federal elections, from the essentials of ballot casting such as voter registration to details on resources available to help voters who live overseas or serve in the military.



LOOKING AHEAD
TO 2009

To meet the challenge of supporting the states and local governments in implementing HAVA reforms, in FY 2008 the EAC developed a strategic plan providing the framework for how the Commission will use its resources effectively. The plan lays out an approach to create a receptive and productive agency fully capable of the unique leadership role it has been given as a national clearinghouse, a manager of federal financial assistance, a certifier of voting systems, and a resource for election officials throughout the country regarding the administration of federal elections.

In fiscal year 2009, the EAC will embark upon incorporating its new expertise in the areas of budgeting and financial management as well as implementing the following strategic plan goals:

Goal One: Communicate

Communicate timely and accurate information on the effective administration of elections for federal office and on the operations and services offered EAC by operating the EAC clearinghouse effectively; responding to outside requests timely and accurately; and conveying results of EAC operations and accomplishments.

Goal Two: Deliver and Manage Federal Funds Effectively

EAC staff will accurately and timely disburse federal financial assistance administered by EAC; effectively monitor federal financial assistance administered by the EAC; and provide technical assistance and guidance on the management of federal financial assistance administered by EAC to reduce the risk of inappropriate use of funds and accounting errors.

Goal Three: Study, Guide, and Assist

Complete research on issues that improve the administration of elections for federal office and expeditiously report on critical administration subjects and election data; identify and collect required and useful data on election administration practices, voting methods and demographics. Make recommendations for improving the quality of practices, methods, and data; issue guides, translations and other tools that are timely and useful; update and maintain a national mail voter registration application and report to the Congress as required by NVRA.

GOAL 4: Test and Certify

Develop and update the voluntary voting system guidelines; provide for the accreditation and revocation of accreditation of independent laboratories qualified to test voting systems to federal standards; administer the testing, certification, decertification, and recertification of voting system hardware and software by accredited laboratories.

GOAL 5: Manage

Implement a high performance organization. The EAC will also provide further information about how, where and when Americans voted in 2008 with the release of both the 2008 Election Day Survey and the results from the grant programs that will produce data from the precinct level. The EAC believes these data will play a pivotal role as election officials and the public examine future election administration initiatives, and the EAC looks forward to leading the discussion.



APPENDIX



Rosemary E. Rodriguez, *Chair*

Rosemary E. Rodriguez was nominated to EAC by President Bush and confirmed by the U.S. Senate on February 15, 2007. She was reappointed to a second term on October 2, 2008. Ms. Rodriguez was elected chair of the EAC for 2008 after serving as vice chair in 2007. Her term of service extends through December 12, 2011.

Ms. Rodriguez comes to EAC after three years on the Denver, Colorado City Council, where she served as its president from 2005 to 2006. She was director of Boards and Commissions for the mayor's office from 2002 to 2003 and a clerk and recorder for the City and County of Denver from 1997 to 2002. In 1997 she was acting director of the Denver Election Commission where she supervised city elections.

She has been active in numerous grass roots civic and voter advocacy organizations, including the Colorado Voter Initiative where she co-chaired a statewide initiative to allow Election Day voter registration. She was also a co-founder of the Latina Initiative, a voter registration project to register Latino voters and provide non-partisan election information to the Latino community.



Donetta Davidson, *Vice-Chair*

Donetta L. Davidson was nominated by President George W. Bush and confirmed by unanimous consent of the United States Senate on July 28, 2005 to serve on the U.S. Election Assistance Commission (EAC). She was reappointed to a second term on October 2, 2008. Ms. Davidson served as chair of the EAC in 2007 and was elected vice chair in 2008. Her term of service extends through December 12, 2011. Ms. Davidson, formerly Colorado's secretary of state, comes to EAC with experience in almost every area of election administration - everything from county clerk to secretary of state.

Ms. Davidson began her career in election administration when she was elected in 1978 as the Bent County clerk and recorder in Las Animas, Colorado, a position she held until 1986. Later that year, she was appointed director of elections for the Colorado Department of State, where she supervised county clerks in all election matters and assisted with recall issues for municipal, special district and school district elections.

In 1994, she was elected Arapahoe County clerk and recorder and reelected to a second term in 1998. The next year, Colorado Governor Bill Owens appointed Davidson as the Colorado secretary of state, and she was elected to in 2000 and reelected in 2002 for a four year term.

She has served on the Federal Election Commission Advisory Panel and the board of directors of the Help America Vote Foundation. In 2005, Ms. Davidson was elected president of the National Association of Secretaries of State, and she is the former president of the National Association of State Elections Directors (NASSED). Prior to her EAC appointment, Ms. Davidson served on EAC's Technical Guidelines Development Committee (TGDC).

In 2005, Government Technology magazine named Ms. Davidson one of its "Top 25: Dreamers, Doers, and Drivers" in recognition of her innovative approach to improve government services. She was also the 1993 recipient of the Henry Toll Fellowship of Council of State Governments.

Ms. Davidson has devoted much of her professional life to election administration, but her first love is her family. Ms. Davidson was born into a military family in Liberal, Kansas and became a Coloradoan shortly thereafter when her family moved first to Two Buttes then to Las Animas where they settled. Whenever possible Ms. Davidson spends time with her family, son Todd, daughter, and son-in-law Trudie and Todd Berich and granddaughters Brittany and Nicole.

**Gracia Hillman, *Commissioner***

Gracia M. Hillman was nominated by President George W. Bush and confirmed by unanimous consent of the U.S. Senate on December 9, 2003, to serve an initial two-year term on the U.S. Election Assistance Commission (EAC). She was reappointed to a second term on October 2, 2008. Ms. Hillman served as Chair of the EAC in 2005, after serving as the Agency's first Vice Chair in 2004. Her term of service extends through December 12, 2009.

A Massachusetts native who first entered community service in 1970, Ms. Hillman has effectively handled both domestic and international issues throughout her career. Her areas of expertise include nonprofit management, public policy and program development, and the interests and rights of women and minorities, including voting rights. She has traveled extensively throughout the United States, meeting with national and local groups and businesses. Through her international work, Ms. Hillman has traveled in Africa, Asia, the Caribbean, and Europe. She conducted nonpartisan political training in Haiti and Kenya, and participated in United Nations sponsored conferences in Vienna, Beijing, and New York City.

Prior to her appointment with EAC, Ms. Hillman served as president and chief executive officer of WorldSpace Foundation, a nonprofit organization that uses digital satellite technology to deliver educational programming to Africa and Asia. She also served as the U.S. Department of State's first senior coordinator for International Women's Issues, developing agency-wide strategies to ensure U.S. foreign policy promoted and protected women's rights.

Her work experience includes having served as executive director of the League of Women Voters of the United States, the Congressional Black Caucus Foundation and the National Coalition on Black Voter Participation. She also held positions as executive consultant to the Council on Foundations, and coordinator of the Voter Law Policy Project for the Joint Center for Political and Economic Studies.

Throughout the 1980s, Ms. Hillman championed nonpartisan and bipartisan efforts to ensure open access to the voting process for all citizens and the continued voting rights of minority Americans, including work on the historic 25-year extension of the National Voting Rights Act. Her political experience includes paid and volunteer positions on numerous campaigns, including a role as senior advisor on Congressional and Constituent Relations for the 1988 Dukakis for President Campaign.

Ms. Hillman has one son and currently resides in Washington, DC.



Gineen Bresso Beach, *Commissioner*

Gineen Bresso Beach was nominated by President George W. Bush and confirmed by the United States Senate on October 2, 2008 to serve on the U.S. Election Assistance Commission (EAC). Her term of service extends through December 12, 2009.

Prior to her appointment with EAC, Commissioner Beach was the minority elections counsel for the Committee on House Administration. She previously served as a policy advisor to former Maryland Governor Robert L. Ehrlich, Jr. where her primary area of focus was on election law. She also served as an attorney-advisor for the U.S. Patent and Trademark Office, where she reviewed and prosecuted applications for federal trademark registration. She also served as a judicial law clerk for the Honorable Arrie W. Davis, in the Maryland Court of Special Appeals.

Ms. Beach received her Juris Doctor from Western New England College School of Law (1999) where she was a member of the Law Review. In 1995, she received a Bachelor of Arts in political science from the University of Massachusetts at Amherst.

EXECUTIVE DIRECTOR'S BIOGRAPHY

Tom Wilkey

Tom Wilkey thought he had successfully retired when he stepped down as the executive director of the New York State Board of Elections in 2003. After all, he had observed his 34th year in election administration, working on everything from developing voting system standards to working to craft the most sweeping election reform in our Nation's history.

Mr. Wilkey was the perfect candidate to become the first permanent executive director of the U.S. Election Assistance Commission (EAC), the new federal entity created by the law he helped craft, the Help America Vote Act (HAVA) of 2002.

Mr. Wilkey joined the Erie County Board of Elections (Buffalo, NY) in November 1968 as an elections clerk. He subsequently rose to the position of senior election deputy prior to joining the New York State Board of Elections in 1979 as public information officer.

In 1985, he was promoted to the newly created position of director of election operations, which was formed to administer oversight of New York's 57 county boards. His responsibilities soon grew to include the creation and supervision of New York's voting systems certification program. Mr. Wilkey was appointed the second executive director of the New York State Board of Elections in June of 1992, a position he held until August 2003.

Mr. Wilkey was associated with the Federal Election Commission (FEC) for many years. In 1983, he served on the Voting Systems Standards Committee, which drafted and reviewed the FEC's Voting System Standards, a voluntary testing, qualification, and certification process used for all voting systems in the United States. In 1992, Mr. Wilkey was appointed to the FEC's Advisory Panel, which consisted of 20 state, county, and local election administrators. It advised the FEC on clearinghouse projects and allocation of funds for election administration projects.

An early proponent of the creation of the National Association of State Election Directors (NASED), Mr. Wilkey has served as its secretary, treasurer, and vice president and was elected president for 1996–97. In January 1997, Mr. Wilkey was named chair of NASED's Independent Test Authority Accreditation Board, which approved laboratories and technical groups for the testing of voting systems under NASED's national accreditation program. He was reappointed as chair in February 2000.

Following the 2000 General Election, Mr. Wilkey was named to several national commissions to study election reform, including those representing the National Association of Secretaries of State, National Association of Counties, Council of State Governments, and the Election Center. Beginning in May 2001, Mr. Wilkey was asked by the FEC to help draft revised Federal Voting System Standards, due for completion in April 2002. In addition, Mr. Wilkey was actively involved with the development of the Help America Vote Act of 2002, which Congress passed and the President signed into law in October 2002.

2008 ★ EAC Board of Advisors List

Appointed by	First Name	Last Name	Title	City	State
National Conference of State Legislatures	Thomas Upton	Reynolds	Mississippi State Representative	Charleston	MS
National Conference of State Legislatures	Sue	Landske	Senator – Asst. Pres. ProTem Indiana State Senate	Cedar Lake	IN
National Governors Association	Chris	Nelson	Secretary of State	Pierre	SD
National Governors Association	Mary E.	Herrera	Secretary of State	Albuquerque	NM
National Association of Secretaries of State	Todd	Rokita	Secretary of State	Indianapolis	IN
National Association of Secretaries of State	Pedro A.	Cortès	Secretary of the Commonwealth	Harrisburg	PA
National Association of State Election Directors	Christopher	Thomas	Director of Elections, State of Michigan	Lansing	MI
National Association of State Election Directors	Linda H.	Lamone	Administrator of Elections	Annapolis	MD
National Association of Counties	Wendy	Noren	Boone County Clerk	Columbia	MO
National Association of Counties	Helen	Purcell	Maricopa County Recorder	Phoenix	AZ
National Association of County Recorders, Election Officials and Clerks	Neal	Kelley	Registrar of Voters, Orange County	Santa Ana	CA
National Association of County Recorders, Election Officials and Clerks	David	Orr	Cook County Clerk	Chicago	IL
U.S. Commission on Civil Rights	Abigail	Thernstrom	Vice Chair, U.S. Commission on Civil Rights	Lexington	MA
U.S. Commission on Civil Rights	Arlan D.	Melendez	Commissioner, U.S. Commission on Civil Rights	Reno	NV
Election Center	Doug	Lewis	Executive Director, Election Center	Houston	TX
Election Center	Ernie	Hawkins	Former Registrar of Voters, Sacramento County	Elk Grove	CA
United States Conference of Mayors	Frank	Ortis	Mayor, City of Pembroke Pines	Pembroke Pines	FL
United States Conference of Mayors	Rhine L.	McLin	Mayor, City of Dayton	Dayton	OH
International Association of Clerks, Recorders, Election Officials, and Treasurers	Elizabeth	Ensley	Election Commissioner, Shawnee County, Kansas	Topeka	KS
International Association of Clerks, Recorders, Election Officials, and Treasurers	Bill	Cowles	Orange County, FL Supervisor of Elections	Orlando	FL
Architectural and Transportation Barriers Compliance Board	Ron	Gardner	National Federation of the Blind of Utah	Bountiful	UT
Architectural and Transportation Barriers Compliance Board	Neil	Melick	CBO Director, Construction Services Department of the City of West Palm Beach, FL	West Palm Beach	FL
Chief, Public Integrity Section, Criminal Division, U.S. Department of Justice	Craig	Donsanto	Director, Election Crimes Branch, U.S. Department of Justice	Washington	DC

Appointed by	First Name	Last Name	Title	City	State
Chief, Voting Section, Civil Rights Division, U.S. Department of Justice	Butch	Bowers	U.S. Department of Justice, Voting Section, Civil Rights Division	Washington	DC
Director, Federal Voting Assistance Program, U.S. Department of Defense	Polli	Brunelli	Director, Federal Voting Assistance Program, U.S. Department of Defense	Washington	DC
House Speaker	Barbara	Arnwine	Executive Director, Lawyers Committee for Civil Rights Under Law	Washington	DC
House Minority Leader	Tom	Fuentes	Senior Fellow, The Claremont Institute	Lake Forest	CA
Senate Majority Leader	Dr. Barbara	Simons	Researcher	Palo Alto	CA
Senate Minority Leader	Vacant				
House Administration—Chair	Joseph F.	Crangle	Attorney, Colucci & Gallaher, P.C.	Buffalo	NY
House Administration—Chair	Donald A.	Jones	Advocate	Willingboro	NJ
House Administration—Ranking Minority Member	Terri	Hegarty	City Clerk, City of Grand Rapids	Grand Rapids	MI
House Administration—Ranking Minority Member	Keith	Cunningham	Director, Allen County Board of Elections	Lima	OH
Senate Rules and Administration—Chair	James C.	Dickson	V.P. for Governmental Affairs, American Association of People With Disabilities	Washington	DC
Senate Rules and Administration—Chair	Robin	Carnahan	Secretary of State	Jefferson City	MO
Senate Rules and Administration—Ranking Minority Member	Vacant				
Senate Rules and Administration—Ranking Minority Member	Vacant				

The following former members of the EAC Board of Advisors served in fiscal year 2008:

South Dakota State Representative Michael Buckingham; Harris County, Texas Clerk Beverly Kaufman; Business Attorney Wes Kliner; Vermont Secretary of State Deb Markowitz; Architectural and Transportation Barriers Compliance Board Member Trish Mason; George Washington University Law School Professor Spencer Overton; Architectural and Transportation Barriers Compliance Board Member Philip Pearce; New Mexico State Representative Edward Sandoval; City of Ridgeland, Mississippi Municipal Election Commissioner Sue Sautermeister; IACREOT Executive Director Tony Sirvello; U.S. Commission on Civil Rights Commissioner Ashley Taylor; Lauderdale County, Mississippi Election Commissioner Ann Watts.

2008 ★ EAC Standards Board List

State	Designee	First	Last	Title	City	State
Alabama	State	Beth	Chapman	Secretary of State	Montgomery	AL
Alabama	Local	George M.	Ingram	Judge of Probate, Clay County	Ashland	AL
Alaska	State	Gail	Fenumiai	Director, Division of Elections	Juneau	AK
Alaska	Local	Shelly	Growden	Election Supervisor Region III, Division of Elections	Fairbanks	AK
American Samoa	State	Soliai T.	Fuimaono	Chief Election Officer	Pago Pago	AS
American Samoa	Local	Taufete'e John	Faumuina	HAVA Manager	Pago Pago	AS
Arizona	State	Kevin	Tyne	Deputy Secretary of State	Phoenix	AZ
Arizona	Local	Reynaldo	Valenzuela	Assistant Director of Elections, Maricopa County Elections Department	Phoenix	AZ
Arkansas	State	Janet	Harris	Deputy Secretary of State	Little Rock	AR
Arkansas	Local	Mary Lou	Slinkard	Benton County Clerk	Bentonville	AR
California	State	Lowell	Finley	Deputy Secretary of State	Sacramento	CA
California	Local	Stephen	Weir	Contra Costa County Clerk	Martinez	CA
Colorado	State	VACANT	VACANT	VACANT		CO
Colorado	Local	Russ	Ragsdale	City Clerk and Recorder, City and County of Broomfield	Broomfield	CO
Connecticut	State	Michael	Kozik	Managing Attorney	Hartford	CT
Connecticut	Local	Anthony	Esposito	Hamden Republican Registrar of Voters	Hamden	CT
Delaware	State	Elaine	Manlove	Commissioner of Elections	Dover	DE
Delaware	Local	Howard G.	Sholl, Jr.	Deputy Administrative Director	Wilmington	DE
District of Columbia	State	VACANT				DC
District of Columbia	Local	Jonda	McFarlane	Board Member	Washington	DC
Florida	State	VACANT				FL
Florida	Local	Brenda	Snipes	Supervisor of Elections, Broward County	Ft. Lauderdale	FL
Georgia	State	Karen	Handel	Secretary of State	Atlanta	GA
Georgia	Local	Lynn	Bailey	Executive Director	Augusta	GA
Guam	State	Gerald A.	Taitano	Executive Director	Hagatna	GU
Guam	Local	VACANT				GU
Hawaii	State	Scott	Nago	Section Head, Counting Center Operations	Honolulu	HI
Hawaii	Local	Glen	Takahashi	Election Administrator	Honolulu	HI

State	Designee	First	Last	Title	City	State
Idaho	State	Timothy A.	Hurst	Chief Deputy	Boise	ID
Idaho	Local	Dan	English	Kootenai County Clerk	Coeur d'Alene	ID
Illinois	State	Daniel W.	White	Executive Director	Springfield	IL
Illinois	Local	Richard	Cowen	Chicago Board of Election Commissioners	Chicago	IL
Indiana	State	Brad	King	Co-Director, Indiana Election Division	Indianapolis	IN
Indiana	Local	Ann	Jochim	Spencer Circuit Court Clerk	Rockport	IN
Iowa	State	VACANT				IA
Iowa	Local	Janine	Sulzner	Jones County Auditor	Anamosa	IA
Kansas	State	Ron	Thornburgh	Kansas Secretary of State	Topeka	KS
Kansas	Local	Donald	Merriman	Saline County Clerk	Saline	KS
Kentucky	State	Sarah Ball	Johnson	Executive Director	Frankfort	KY
Kentucky	Local	Don	Blevins	Fayette County Clerk	Lexington	KY
Louisiana	State	Jay	Dardenne	Secretary of State	Baton Rouge	LA
Louisiana	Local	Louie	Bernard	Clerk of Court	Natchitoches	LA
Maine	State	Julie L.	Flynn	Deputy Secretary of State	Augusta	ME
Maine	Local	VACANT				ME
Maryland	State	Nikki Baines	Trella	Election Reform Director	Annapolis	MD
Maryland	Local	VACANT				MD
Massachusetts	State	William F.	Gavin	Secretary of the Commonwealth	Boston	MA
Massachusetts	Local	William	Campbell	Woburn City Clerk	Woburn	MA
Michigan	State	Susan	McRill	Administrative Manager	Lansing	MI
Michigan	Local	Tonni	Bartholomew	Troy City Clerk	Troy	MI
Minnesota	State	Gary	Poser	Director of Elections	St. Paul	MN
Minnesota	Local	Sharon K.	Anderson	Cass County Auditor-Treasurer	Walker	MN
Mississippi	State	Linda	Rigsby	Assistant Secretary of State	Jackson	MS
Mississippi	Local	Marilyn	Avery	Election Commissioner, Hinds County	Jackson	MS
Missouri	State	Leslye	Winslow	Senior Counsel to Secretary of State	Jefferson City	MO
Missouri	Local	Richard T.	Struckhoff	Greene County Clerk	Springfield	MO
Montana	State	Janice	Doggett	Chief Legal Counsel/Asst. Chief Deputy	Helena	MT
Montana	Local	Vickie	Zeier	Missoula County Clerk and Recorder/ Treasurer	Missoula	MT

State	Designee	First	Last	Title	City	State
Nebraska	State	John	Gale	Secretary of State	Lincoln	NE
Nebraska	Local	David	Dowling	Cedar County Clerk & Election Commissioner	Hartington	NE
Nevada	State	Ross	Miller	Nevada Secretary of State	Carson City	NV
Nevada	Local	Harvard L.	Lomax	Clark County Registrar of Voters	North Las Vegas	NV
New Hampshire	State	Anthony	Stevens	Assistant Secretary of State	Concord	NH
New Hampshire	Local	Carol	Johnson	Deputy City Clerk	Manchester	NH
New Jersey	State	VACANT				NJ
New Jersey	Local	VACANT				NJ
New Mexico	State	Mary	Herrera	Secretary of State	Santa Fe	NM
New Mexico	Local	VACANT				NM
New York	State	VACANT				NY
New York	Local	Edward J.	Szczesniak	Onondaga County Commission of Elections	Syracuse	NY
North Carolina	State	Johnnie F.	McLean	Deputy Director	Raleigh	NC
North Carolina	Local	Deborah J.	Bedford	Rutherford County Director of Elections	Rutherfordton	NC
North Dakota	State	I. James	Silrum	Deputy Secretary of State	Bismarck	ND
North Dakota	Local	Michael M.	Montplaisir	Cass County Auditor	Fargo	ND
Ohio	State	Jennifer	Brunner	Ohio Secretary of State	Columbus	OH
Ohio	Local	Dale	Fellows	Member, Lake County Board of Elections	Willoughby Hills	OH
Oklahoma	State	VACANT				OK
Oklahoma	Local	VACANT				OK
Oregon	State	John	Lindback	Director, State of Oregon Elections Division	Salem	OR
Oregon	Local	Dana	Jenkins	Lincoln County Clerk	Newport	OR
Pennsylvania	State	Pedro A.	Cortés	Secretary of the Commonwealth	Harrisburg	PA
Pennsylvania	Local	Regis	Young	Butler County Election Director	Butler	PA
Puerto Rico	State	Nestor J.	Colón Berlinger	First Vice President, State Elections Commission	San Juan	PR
Puerto Rico	Local	Maria D.	Santiago Rodriguez	Second Vice President, State Elections Commission	San Juan	PR
Rhode Island	State	Jan	Ruggiero	Director of Elections	Providence	RI
Rhode Island	Local	Marian	Clarke	Chair, Town of Jamestown Board of Canvassers	Jamestown	RI

State	Designee	First	Last	Title	City	State
South Carolina	State	Marci	Andino	Executive Director, State Election Commission	Columbia	SC
South Carolina	Local	Marilyn	Bowers	Executive Director, Charleston County Board of Elections	Charleston	SC
South Dakota	State	Kea	Warne	State Election Supervisor	Pierre	SD
South Dakota	Local	Sue	Roust	Minnehaha County Auditor	Sioux Falls	SD
Tennessee	State	Brook	Thompson	State Coordinator of Elections	Nashville	TN
Tennessee	Local	Joe	Enoch	Dyer County Election Commissioner	Dyersburg	TN
Texas	State	Ann	McGeehan	Director of Elections	Austin	TX
Texas	Local	Dana	DeBeauvoir	Travis County Clerk	Austin	TX
Utah	State	Michael	Cragun	Director of Elections	Salt Lake City	UT
Utah	Local	Robert	Pero	Carbon County Clerk	Price	UT
Vermont	State	Kathleen	DeWolfe	Director of Elections	Montpelier	VT
Vermont	Local	Annette L.	Cappy	Town Clerk - Town of Brattleboro	Brattleboro	VT
Virgin Islands	State	Corinne	Halyard Plaskett	Deputy Supervisor of Elections	Kingshill St. Croix	VI
Virgin Islands	Local	Natalie	Thomas	Deputy Supervisor, Virgin Islands Elections System	Charlotte Amalie	VI
Virginia	State	Nancy	Rodrigues	Secretary of State	Richmond	VA
Virginia	Local	Allen	Harrison, Jr.	Chair, Arlington County Electoral Board	Arlington	VA
Washington	State	Shane	Hamlin	Asst. Director of Elections	Olympia	WA
Washington	Local	Pat	McCarthy	Pierce County Auditor	Tacoma	WA
West Virginia	State	Susan	Silverman	Special Assistant - Elections Division	Charleston	WV
West Virginia	Local	Gary W.	Williams	Boone County Clerk	Madison	WV
Wisconsin	State	Ross	Hein	Elections Specialist	Madison	WI
Wisconsin	Local	Sandra L.	Wesolowski	Director of Clerk Services, Franklin City	Franklin	WI
Wyoming	State	Peggy	Nighswonger	State Elections Director	Cheyenne	WY
Wyoming	Local	Julie	Freese	Fremont County Clerk	Lander	WY

The following former members of the EAC Standards Board served in fiscal year 2008:

New Jersey - Atlantic County Superintendent of Elections Joanne Armbruster; Alaska - Division of Elections Director Whitney Brewster; Colorado - Voting Systems Specialist John Gardner; New York - Executive Director John Haggerty Jr.; Maine - Biddeford City Clerk Clairma Matherne; DC - Former District of Columbia Director of Elections Alice Miller; Oregon - Lane County Chief Deputy County Clerk Annette Newingham; Former Iowa Director of Elections Sandy Steinbach; Wisconsin General Accountability Board Director and General Counsel Kevin Kennedy

2008 ★ Technical Guidelines Development Committee List

Appointed by	First	Last	Title	City	State
Director of NIST	Patrick D.	Gallagher	Committee Chair, Deputy Director of the National Institute of Standards and Technology	Gaithersburg	MD
Standards Board	Vacant				
Standards Board	Vacant				
Board of Advisors	Linda	Lamone	Maryland Administrator of Elections	Annapolis	MD
Board of Advisors	Helen	Purcell	Maricopa County, Arizona Recorder	Phoenix	AZ
Access Board	Ron	Gardner	National Federation of the Blind of Utah	Bountiful	UT
Access Board	Neil	Melick	CBO Director, Construction Services Department of the City of West Palm Beach, FL	West Palm Beach	FL
ANSI	Dr. David	Wagner	Professor, University of California-Berkeley	Berkeley	CA
IEEE	Cem	Kaner	Professor of Software Engineering, Florida Institute of Technology	Palm Bay	FL
NASED	Dr. Britain	Williams	Retired Professor - Kennesaw State - University of Georgia	Tucker	GA
NASED	Paul	Miller	Voting Systems Manager, Washington State	Olympia	WA
Other Tech/Sci	Dr. Ronald L.	Rivest	Professor, MIT, Dept. of Electrical Engineering and Computer Science	Cambridge	MA
Other Tech/Sci	Dr. Daniel	Schutzer	Executive Director, Financial Services Technology Consortium	New York	NY
Other Tech/Sci	Patrick	Gannon	President and CEO, OASIS	Billerica	MA
Other Tech/Sci	Whitney	Quesenberg	President, Usability Professionals Association	High Bridge	NJ

The following former members of the EAC Technical Guidelines Development Committee served in fiscal year 2008:

NIST Director James M. Turner; Nebraska Secretary of State John Gale; Access Board member Tricia Mason; former District of Columbia Director of Elections Alice Miller; Access Board member Philip G. Pearce.

Access Board = Architectural and Transportation Barrier Compliance Board

ANSI = American National Standards Institute.

IEEE = Institute of Electrical and Electronics Engineers.

MIT = Massachusetts Institute of Technology.

NASED = National Association of State Election Directors.



U . S . E L E C T I O N A S S I S T A N C E C O M M I S S I O N

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