

**Minutes of the Luncheon Meeting of the United States  
Election Assistance Commission Board of Advisors and Standards Board  
May 24, 2006, Washington, D.C.**

Herewith are the Minutes of the Luncheon Meeting of the United States Election Assistance Commission ("EAC") Board of Advisors and Standards Board, held on Wednesday, May 24, 2006. The meeting convened on May 24, 2006, at 12:00 PM in Washington, D.C. at the Hamilton Crown Plaza Hotel, 1001 14<sup>th</sup> Street, Northwest and adjourned at 1:45 PM on May 24, 2006.

**Remarks:**

The luncheon meeting began at 12:00 PM with Chairman Paul DeGregorio, Vice Chairman Martinez, and Commissioner Gracia Hillman offered welcoming remarks to the members of the EAC advisory boards.

Commissioner Davidson then introduced John Wack from the National Institute of Standards and Technology (NIST), the keynote speaker at the luncheon meeting.

**Keynote Presentation:**

Mr. Wack described the Technical Guidelines Development Committee (TGDC) created by the Help America Vote Act of 2002 (HAVA), and explained the responsibilities of the TGDC. He informed the audience of the work on the next future iteration of the Voluntary Voting System Guidelines (VVSG), which is to be delivered to the EAC in July of 2007. He also explained NIST's role in advising the EAC on the certification of testing authorities.

He then went on to discuss issues arising from VPAT requirements. He suggested that members of the Standards Board form an advisory committee to work directly with NIST and advise NIST on a variety of issues.

He concluded his remarks by directing interested parties to the website: [vote.nist.gov](http://vote.nist.gov).

**Question and Answer Session:**

Ms. Noren asked if there were plans to issue a guide to help elections officials use the National Software Reference Library.

Mr. Wack responded by telling her that presently, there is no guide, nor are there plans for one. However, he does anticipate the development of some type of instructions.

Mr. Dickson asked for clarification on standards for ballot marking devices when the voter has hand limitations.

Mr. Wack responded by saying that that is an important question to which there is currently no good answer.

Commissioner Davidson added that she believed that issue is addressed in the standards, requiring that by 2007 the vendors include a mechanism that will automatically insert the ballot into the counter.

Mr. Orr asked for advice from NIST and other election officials on conducting a hand-count audit of the paper records. He said further that when counting hundreds of precincts by hand, the job is tedious and the potential for errors increases dramatically.

Mr. Wack responded by saying that scanning the bar code is simply done to create another record, although not a voter verified record. Doing a one percent inspection is, unfortunately, time consuming.

**Adjournment:**

Finding no other questions or statements from the audience, Commissioner Davidson adjourned the luncheon meeting.

**Minutes of the Meeting of the United States  
Election Assistance Commission Board of Advisors  
May 23 & 24, 2006, Washington, D.C.**

Herewith are the Minutes of the Meeting of the United States Election Assistance Commission ("EAC") Board of Advisors, held on Tuesday, May 23, through Wednesday, May 24, 2006. The meeting convened on May 23 at 10:00 AM in Washington, D.C. at the Hamilton Crown Plaza Hotel, 1001 14<sup>th</sup> Street, NW, and adjourned at 4:00 PM on May 24, 2006.

**Luncheon Presentations**

Mr. Paul DeGregorio, Chairman of the EAC, introduced the EAC staff members who would be presenting during lunch from 12 Noon to 1:15 PM. Mr. Edgardo Cortes discussed the progress of the Public Access Portals and of the Hispanic and Asian Language Working Groups; Ms. Julie Thompson-Hodgkins discussed the Legal On-Line Information Clearinghouse; Ms. Karen Lynn-Dyson discussed the EAC contract project "Design for Democracy," focusing on improvements to ballot design and polling place signage.

**Call to Order:**

Chair Kaufman called the meeting to order at 1:35 PM.

**Appointment of Parliamentarian**

Chair Kaufman appointed Mr. Craig Donsanto to serve as parliamentarian.

**Roll Call:**

Secretary Tony Sirvello called the roll and found present: Chair Beverly Kaufman, Vice-Chair Chris Thomas, Secretary Tony Sirvello, Ms. Polli Brunelli, Ms. Sharon Turner Buie, Mr. Joseph F. Crangle, Mr. Keith Cunningham, Mr. James C. Dickson, Mr. Craig Donsanto, Mr. James Elekes, Mr. J.R. Harding, Mr. Ernie Hawkins, Ms. Mary Herrera, Mr. Wesley Kliner Jr., Ms. Linda H. Lamone, Mr. Doug Lewis, Mr. Chris Nelson, Ms. Wendy Noren, Mr. David Orr, Ms. Helen Purcell, Ms. Cameron Quinn, Ms. Sue Sautermeister, Mr. Thomas Shortbull, Ms. Rebecca Vigil-Giron, Mr. Tom Fuentes, Ms. Mary Hegarty.

**Appointment of Proxy Committee:**

Chair Kaufman appointed Ms. Lamone, Mr. Cunningham and Ms. Quinn to the committee.

**New Member Introductions:**

Chair Kaufman asked Mr. Fuentes, Ms. Hegarty, Mr. Cunningham, Mr. Donsanto, Ms. Quinn to introduce themselves to the other members of the board.

### **Appointment of Rules Committee**

Chair Kaufman announced that Mr. Lewis, Mr. Harding and Ms. Vigil-Giron will serve on the Resolutions Committee, chaired by Vice-Chair Thomas, as provided by rule.

### **Review of Meeting Book Materials**

Chair Kaufman discussed the materials distributed for the meeting.

### **Adoption of Agenda**

Chair Kaufman called for motions to adopt the agenda as published. Ms. Turner Buie and Ms. Vigil-Giron made the motion, which passed unanimously.

### **Adoption of Minutes of August 2005 Meeting**

Chair Kaufman called for the adoption of the minutes from the previous meeting on August 2005. Mr. Crangle moved that the minutes be amended to note the unanimous passage of a resolution asking the EAC to report on a study dealing with the feasibility of an election day holiday. Mr. Harding moved that the minutes be amended to note the defeat via roll call vote of a resolution regarding the application of a privacy and independence guarantee to all people with disabilities. Chair Kaufman directed Secretary Sirvello to amend the minutes accordingly. Mr. Crangle made a motion, which was seconded, to approve the minutes as corrected. The corrected minutes were approved unanimously.

### **Candidacy Announcements**

Chair Kaufman asked candidates for board office, to be elected on May 24, to voluntarily announce their candidacy. Vice-Chair Thomas declared his candidacy for Chair, Mr. Kliner declared his candidacy for Vice-Chair, Secretary Sirvello declared for re-election as Secretary.

### **Recess**

The Board recessed until 2:30 PM.

### **Discussion of Research on Poll Worker Recruitment, Training and Retention (Including College Poll Workers)**

Chair Kaufman recognized Chairman Paul DeGregorio, EAC, who advised the board that EAC staff, and research contractors from IFES and Cleveland State University were to present their research to the Board. Ms. Karen Lynn-Dyson from the EAC

introduced Ms. Jennifer Collins-Foley from IFES and Ms. Abby Horn from Cleveland State University. Ms. Collins-Foley discussed the general poll worker guidebook produced through the contract and many of the underlying issues they addressed during its writing. Ms. Horn spoke about the more specific poll worker guidebook created regarding the recruitment, training and retention of college poll workers.

#### **Recess**

The Board recessed from 4:00 PM to 4:15 PM.

#### **Discussion of Research on Vote Count/Recount**

Ms. Peggy Sims, EAC Research Specialist, and Mr. Thad Hall, Professor, University of Utah, led a discussion on their research related to vote counting and recounting in the United States, along with offering some of their best practice findings.

#### **Recess**

The Board recessed from 5:00 PM to 8:30 AM the next morning.

#### **May 24, 2006**

#### **Call to Order**

Chair Kaufman called the Board to order at 8:30 AM on Wednesday, May 24, 2006.

#### **Discussion of Draft Report on Provisional Voting**

Mr. Ned Foley, the Moritz School of Law at Ohio State University, and Mr. Tom O'Neil, Eagleton Institute of Politics at Rutgers, led a discussion on the sections and conclusions of their draft final report on provisional voting during the 2004 election.

#### **Briefing on Election Management Guidelines**

Ms. Connie Schmidt, Connie Schmidt & Associates, Inc., and Dr. Brit Williams, Kennesaw State University, updated the Board on their project to develop a comprehensive and readily-understandable guide of election management practices.

#### **Recess**

The Board recessed from 10:15 AM to 10:30 AM.

#### **Briefing of Research on Voting Fraud/Voter Intimidation**

Ms. Sims updated the Board on a HAVA-mandated research project studying the forms and extent of voter fraud and intimidation since 2000.

#### **Discussion of Draft EAC Election Day Survey**

Ms. Dyson, EAC, and Ms. Laiza Otero, Research Associate, EAC, informed the Board about the means through which the proposed questions for the 2006 Election Day Survey were prepared, how it will be administered, and, more generally, how it will differ from the 2004 Survey.

#### **Recess**

The Board recessed from 12:00 PM to 2:00 PM.

#### **Election of Officers**

Chair Kaufman called for nominations for the office of Chairman. Ms. Sautermeister nominated Mr. Thomas. Mr. Orr seconded the nomination. Mr. Thomas was elected as Chairman.

Chair Kaufman called for nominations for the office of Vice-Chairman. Ms. Sautermeister nominated Mr. Kliner. Several members seconded the nomination. Mr. Kliner was elected as Vice-Chairman.

Chair Kaufman called for nominations for the office of Secretary. Ms. Brunelli nominated Mr. Sirvello. Several members seconded the nomination. Mr. Sirvello was re-elected as Secretary.

#### **Report of the Resolutions Committee**

Vice-Chair Thomas, as Chairman of the Resolutions Committee, reported that three resolutions were presented to the Committee and the Board. After discussion, the Board passed the resolution written by Mr. Harding and Mr. Elekes recommending the EAC develop a Section 508 contract clause for inclusion in all PRFs covering products subject to Section 508, and recommending that the EAC enforce the accessibility requirement by evaluating electronic access information technology procured and developed under Section 508 standards.

After discussion, the Board passed the resolution drafted by Mr. Lewis recommending that the EAC require all studies be reviewed by the Board of Advisors and the Standards Board, and any studying resulting in substantial concern be withheld until representatives of both Boards can develop alternative viewpoints for inclusion in the study.

After discussion, the Board passed a resolution recommending the EAC not adopt the study of provisional voting for the immediate time, and in the event that the study is

adopted by the EAC, it is withheld from publication until revised to account for various discrepancies.

### **Other Business**

Mr. Shortbull addressed the Board on the topics of voter turnout, uniform election standards, and photo ID requirements.

Ms. Vigil-Giron addressed the Board on election reforms and her personal experiences.

Mr. Orr expressed his concerns to the Board about vendor preparedness for the 2006 General Election in November.

Chairman DeGregorio thanked the Board for their services to date, specifically Chair Kaufman for her leadership.

The Board passed a policy recommendation proposed by Mr. Harding that the EAC develop a statement regarding disability accommodations at all public meetings in accordance with Section 504 of the Rehab Act.

Chair Kaufman expressed her appreciation to the Board for her time served as Chair.

### **Adjournment**

Chair Kaufman adjourned the meeting at 4:30 PM.

Following the conclusion of the meeting, four additional resolutions were submitted for completion and approval. Three were submitted by Ms. Quinn. These resolutions commended Vice Chairman Ray Martinez, III, for his devoted public service during his tenure both on behalf of the U.S. Election Assistance Commission and to the causes of democracy and election reform; commended Margaret (Peggy) Sims for her tireless efforts and exceptional service to assist State and local election administrators while an employee of the U.S. Federal Election Commission and the U.S. Election Assistance Commission; and commended the members of the Board of Advisors who have resigned or given notice that, for various reasons, will be resigning as members of the Board of Advisors since the last meeting of the Board of Advisors, for their excellent and significant public service to the Board of Advisors and to the causes of democracy and election reform.

Mr. Harding submitted a resolution recommending that the Election Assistance Commission develop a statement about disability accommodations and regularly place it in meeting notices, as well as on its website. The statement could explain which accommodations will be provided at such meetings and how other accommodations can be obtained.

These resolutions have been completed and all are included as attachment A.