

**Minutes of the Meeting of the United States Election Assistance
Commission
STANDARDS BOARD
February 26-27, 2009
DoubleTree Hotel
At the Entrance to Universal Orlando
5780 Major Boulevard
Orlando, FL 32819**

Herewith are the Minutes of the Meeting of the United States Election Assistance Commission (EAC) Standards Board, held on February 26-27, 2009. The meeting convened on Thursday, February 26, 2009, at 8:30 a.m. in Orlando, FL at the Doubletree Orlando, Orlando Universal, and adjourned at 4:34 p.m., on Friday, February 27, 2009.

Thursday, February 26

Call to Order

Chair Tonni Bartholomew called the meeting to order at 8:34 a.m.

Introduction of Executive Board

The Executive Board members were introduced: Sarah Ball Johnson (KY); Dan English (ID); Peggy Nighswonger (WY); Tonni Bartholomew (MI); and Russ Ragsdale (CO).

Roll Call

Russ Ragsdale called the roll and found present: Beth Chapman and George Ingram of Alabama; Gail Fenumiai and Shelly Growden of Alaska; Soliai T. Fuimaono of American Samoa; Reynaldo Valenzuela, Jr. of Arizona; Crystal Graddy of Arkansas; Lowell Finley of California; Stephanie Cegielski and Russ Ragsdale of Colorado; Elaine Manlove and Howard G. Sholl, Jr. of Delaware; Jonda McFarlane of the District of Columbia; Donald Palmer and Lori Edwards of Florida; Lynn Bailey of Georgia; Scott Nago and Lyndon Yoshioka of Hawaii; Timothy A. Hurst and Dan English of Idaho; Janine Sulzner of Iowa; Donald Merriman of Kansas; Sarah Ball Johnson and Jack Snodgrass of Kentucky; H. Lynn Jones, II of Louisiana; Julie L. Flynn and Lucette S. Pellerin of Maine; Nikki Baines Trella and James E. Massey, Jr. of Maryland; William Campbell of Massachusetts; Susan McRill and Tonni Bartholomew of Michigan; Gary Poser and Sharon K. Anderson of Minnesota; John Helmert and Robert Harrell of Mississippi; Leslye Winslow and Richard T. Struckhoff of Missouri; Jorge Quintana of Montana; David Dowling of Nebraska; Anthony Stevens and Robert Dezmelyk of New Hampshire; Mary Herrera of New Mexico; Carolee Sunderland

of New York; Gary Bartlett and Deborah J. Bedford of North Carolina; I. James Silrum and Michael M. Montplaisir of North Dakota; Jennifer Brunner and Dale Fellows of Ohio; Thomas E. Prince of Oklahoma; John Lindback of Oregon; Chet Harhut and Regis Young of Pennsylvania; Néstor J. Colón-Berlinger and María D. Santiago-Rodríguez of Puerto Rico; Marci Andino and Marilyn Bowers of South Carolina; Patty McGee of South Dakota; Ann McGeehan of Texas; Michael Cragun and Robert Pero of Utah; Melissa B. Ross of Vermont; Valarie Jones and Allen Harrison, Jr. of Virginia; John Abramson, Jr. and Corinne Halyard Plaskett of Virgin Islands; Nick Handy and Kristina Swanson of Washington; Susan Silverman of West Virginia; Nathaniel Robinson and Sandra L. Wesolowski of Wisconsin; and, Peggy Nighswonger and Julie Freese of Wyoming. Seventy-three (73) members were present.

Chair Bartholomew declared a quorum present.

Later in the morning, Mr. Ragsdale noted that Jeffrey Pearlman of New York and Stephen Weir of California joined the meeting.

After the luncheon break, Mr. Ragsdale noted that Daniel W. White of Illinois; Errol R. Arthur, Esquire of the District of Columbia; Angie LaPlace of Louisiana; and Dana DeBeauvoir of Texas joined the meeting.

Appointment of Parliamentarian

Chair Bartholomew (MI) appointed William Campbell (MA) to serve as parliamentarian.

Appointment of Proxy Committee

Chair Bartholomew appointed Gary Poser (MI), Committee Chair; Nikki Baines Trella (MD); Susan McRill (MI); Corinne Halyard Plaskett (VI); and, Anthony Stevens (NH) to the committee. Chair Bartholomew said she was in receipt of two proxies and she turned them over to Chair Poser.

Appointment of Resolutions Committee

Chair Bartholomew appointed Peggy Nighswonger (WY), Committee Chair; I. James Silrum (ND); John Lindback (OR); Ann McGeehan (TX); and, Dan English (ID) to the committee.

Appointment of Elections Certification Committee

Chair Bartholomew appointed Lynn Bailey (GA), Committee Chair; Shelly Growden (AK); Regis Young (PA); Julie Freese (WY); and Néstor J. Colón-Berlinger (PR) to the committee.

Adoption of Agenda

Chair Bartholomew called for a motion to adopt the agenda. Sarah Ball Johnson from Kentucky moved to adopt the agenda. Dale Fellows from Ohio seconded. The motion passed unanimously.

Adoption of the Minutes of the December 12-14, 2007 Meeting

Dan English (ID) made a motion to adopt the minutes. The motion was seconded by Jonda McFarlane from DC. The motion passed unanimously.

Brief History of Standards Board/EAC Update

Chair Bartholomew introduced Gineen Beach, a recently appointed Commissioner to the Election Assistance Commission (EAC), the new Chair of the EAC, and the Designated Federal Officer (DFO) to the Standards Board. Commissioner Beach addressed the Board talking about her background and experience, her goals, and her expectations. Commissioner Beach discussed the make-up of the Standards Board and talked about how the Board has accomplished a lot and provided invaluable assistance and guidance to the EAC. She asked for the Board's commitment to provide input to the EAC on advisories, guidance, grants and studies it is working on this year. Commissioner Beach said her goals for 2009 at the EAC are to focus on internal initiatives to maximize the use of taxpayer dollars and increase efficiency and to serve as a source of information for election officials who are currently strapped for resources.

By-Laws Committee Report

Committee Chair William Campbell referred members to the written report in their binders and said he would summarize that report. He said that no new by-laws were submitted for consideration at this meeting, but there was a proposed by-law submitted at the December 2007 Standards Board meeting for the Committee's consideration. Mr. Campbell described the Committee's consideration process and how it amended the proposed by-law amendment. The amendment will be presented to the full Standards Board for a vote.

By-Laws Amendment

The following amendment was introduced by William Campbell as a motion to establish a new Article V(1)(e) in the By-Laws as follows:

An Executive Board member shall immediately notify the Executive Board and the DFO of any change made in the member's party affiliation while serving as a member of the Executive Board. If such change in the member's party affiliation results in more than five (5) members of the Executive Board being of the same political

party, a vacancy shall be present in the seat of the member who changed party affiliation.

Anthony Stevens (NH) seconded the motion. Chair Bartholomew called for a vote and the amendment was unanimously passed.

Nominating Committee Report

Committee Chair Lynn Bailey introduced the Committee: Julie Freeze (WY); Nick Handy (WA); I. Jim Silrum (ND); and, Tonni Bartholomew (MI), *ex officio*. Ms. Bailey referred members to the full report in their briefing book and went on to summarize the report. She said the Committee met on November 21st and determined there were five state seats and two local seats to be filled on the Standards Board. The call for nominations went out and there are currently six state and two local nominees. She also said there is currently one vacancy on the Committee.

Chair Bailey described the absentee ballot process prescribed by the By-Laws and concerns of the Committee with that process. The Committee decided to propose an amendment to the By-Laws to allow acceptance of absentee ballots up to the beginning of the Standards Board meeting.

Chair Bailey then went over today's election procedures. She thanked Sharmili Edwards, Commissioner Beach's Special Counsel, and Bill Cowles, Election Superintendent in Orange County, Florida, for their assistance.

Chair Bailey moved to refer to the By-Laws Committee an amendment to allow receipt of absentee ballots up to the beginning of the Standards Board meeting. Dale Fellows (OH) seconded the motion, and it carried unanimously.

Chair Bartholomew then said the Standards Board Executive Board had discussed that this meeting is occurring because HAVA requires that the election take place at this meeting by the end of this month. She described problems arising from the strict timetable. Chair Bartholomew said the Executive Board would like to refer a proposed amendment to the By-Laws Committee that would allow for all-mail elections, acknowledging there are some issues with HAVA that would have to be addressed. Peggy Nighswonger (WY) moved that the By-Laws Committee study a proposed amendment to the By-Laws for an all-mail election and make a recommendation to the Standards Board at the next meeting. Dan English (ID) seconded the motion and it passed unanimously.

Break

A break was taken from 9:19 a.m. until 9:49 a.m., during which the Proxy Committee and the Resolutions Committee met.

Proxy Committee Report

Gary Poser (MN) reported that two proxies were received, reviewed, and approved by the Committee. Lynn Bailey (GA) is the proxy representative for Secretary Karen Handel of Georgia, and Sarah Ball Johnson (KY) is the proxy representative for Brad King (IN).

Mr. Poser reported that the Proxy Committee discussed the use of e-mail to designate a proxy and whether or not a signature is required. Mr. Poser moved that the By-Laws Committee review whether or not something should be added to the By-Laws regarding whether a signature is needed to designate a proxy, or whether an e-mail suffices. Anthony Stevens (NH) seconded the motion and it passed unanimously.

Resolutions Committee Report

Chair Peggy Nighswonger (WY) reported that three resolutions had been received. She explained the process for submitting additional resolutions.

VVSG Report – Matt Masterson and John Wack

Matt Masterson, Attorney/Advisor for the EAC's Testing and Certification Program, provided an overview of the VVSG. He defined the 2005 VVSG, the next iteration of the VVSG, and the 2005 VVSG Revision. He explained that the 2005 VVSG Revision is taking portions of the next iteration of the VVSG and plugging them into the 2005 VVSG. Mr. Masterson explained the reasons for revising the 2005 VVSG: to incorporate some of the good points from the next iteration into the 2005 VVSG now; to improve testing and certification now; and to clear up ambiguities in the 2005 VVSG. Mr. Masterson described the plan for the development of the 2005 VVSG Revision, including the opportunity for the Standards Board, the Board of Advisors, and the general public to provide comment. Mr. Masterson said the goal is to have a final version of the Revised 2005 VVSG published before the end of the year.

John Wack, NIST, provided further detail to the VVSG 2005 Revision overview. He provided some background about VVSG 2005 and VVSG-NI (VVSG next iteration). He then discussed the VVSG 2005 Revision, saying it was to bridge the gap between VVSG 2005 and VVSG-NI by porting some VVSG-NI material into VVSG 2005. He talked about the selection criteria for the material to be ported – it improves testing and fills major gaps, does not require further research, does not involve changes in hardware or significant software changes, and revisions can be performed in a year. Mr. Wack went through the next steps in the process. He said EAC and NIST must address the public comments to the VVSG-NI material; NIST must port updated VVSG-NI material to the VVSG 2005 Revision; EAC will develop a version for public review; and, EAC will issue a final version and associated tests.

Mr. Masterson and Mr. Wack addressed many questions from Standards Board members.

Lunch

The Board had a luncheon, after which candidates for the Standards Board Executive Board for the 2009-2011 term gave brief presentations.

Voting System Risk Assessment Report – Dr. Alec Yasinsac, LisaAnn Z. Benham, Bob Sweeney, Ph.D., Paul A. Lux, CERA

Dr. Yasinsac introduced the team presenters. He provided the Standards Board with an overview of what's been done so far, as the end of Phase I of the Voting System Risk Assessment nears. He talked about the team that was put together to conduct the Voting System Risk Assessment (VSRA).

LisaAnn Z. Benham discussed, in more detail, the team organization; the project outline, including Phases 1, 2, and 3; the project status; and the project process.

Bob Sweeney, Ph.D., Phase 1 Team Lead, provided additional detail about Phase 1. He talked about different steps including a literature review that resulted in an annotated bibliography, creation of a Glossary, and documenting different types of models.

Paul A. Lux, CERA, provided additional detail about the project scope of following the ballot through the electoral process. He asked the Standards Board members to submit their best practices or controls that they think need to be considered in Phase 2.

Dr. Yasinsac talked about risk assessment. He talked about different types of errors and how the theory took them to practical definitions of error and error rates. He explained that there is residual error in any election. He said that it is pivotal, in talking about risk of voting systems, to be able to figure out what an error is and what it means for a contest result to be accurately decided or inaccurately decided. Dr. Yasinsac discussed the components of the Phase 2 risk assessment including threat trees, evaluating the likelihood and impact of those threats, and challenges to probabilistic VSRA.

Break

The Standards Board engaged in elections for its Executive Board.

NIST Presentation on UOCAVA – Lynne S. Rosenthal

Lynn S. Rosenthal presented an overview of a report just finished by NIST last December on "A Threat Analysis on UOCAVA Voting Systems." She briefly outlined how the analysis was done, and then went on to address the conclusions of the report. Ms. Rosenthal then addressed the next steps of the study and said NIST will looking to all stakeholders for assistance. She outlined the timeframe for the next steps saying they expect to have at least the first report addressing the ballot requests and blank ballot delivery by the end of this calendar year.

Election results

Lynn Bailey (GA), Chair of the Elections Certification Committee, thanked the Nominating Committee; the Election Tabulation Committee; the EAC staff, particularly Sharmili Edwards; and Bill Cowles and his staff, for their work on the election.

Chair Bartholomew announced the election results as follows: the local representatives are Dan English (ID) and Russ Ragsdale (CO), and the state representatives are Beth Chapman (AL), Brad King (IN), Donald Palmer (FL), I. James Silrum (ND), and Leslye Winslow (MO).

Recess

The Standards Board recessed at 5:05 p.m. EDT on February 26, 2009.

Friday, February 27, 2009

Chair Tonni Bartholomew called the meeting to order at 9:09 a.m.

Introduction of Executive Board

Peggy Nighswonger (WY), along with Sarah Ball Johnson (KY), addressed the membership to express their appreciation for the opportunity and experience they had to serve on the Executive Board, commenting on both the growth and the role of the Standards Board.

Chair Bartholomew introduced the newly elected members of the Executive Committee which is comprised as follows: Beth Chapman (AL), Leslye Winslow (MO), Jim Silrum (ND), Donald Palmer (FL), Larry Lomax (NV) and Brad King (IN).

Computers and Elections: The Growing Potential for Cyber Vote Fraud – Steve Stigall

Steve Stigall's PowerPoint presentation set forth the results of research he has conducted with respect to the challenges and issues that foreign countries are facing both with computerizing their election systems and conducting first real-time elections which focused on the following areas:

The computerized registration of voters; the vulnerabilities that exist with computer networking; the sociological factor of decreasing transparency for some cultures by introducing computers into the election process; use of encryption for the electronic transmittal of votes on Election Night; the types of computers that are being used for voting and the security procedures that are in place; addressing authentication of voter I.D., absence of duress and privacy of vote in connection with Internet-voting; and experiences with Internet-voting through pilot projects in Switzerland and the United Kingdom.

Mr. Stigall emphasized that his presentation, while not addressing U.S. specific approaches, may offer insight for policymakers who are seeking to enhance the role of computers and computer networks in the U.S. electoral process .

The floor was open for discussion, at which time Mr. Stigall entertained various questions/comments raised by the membership regarding his presentation.

Recess from 10:20 a.m. to 10:45 a.m.

Resolutions

Committee Chair Peggy Nighswonger addressed the membership on behalf of the Resolutions Committee to present each of the following resolutions that were brought by both the Executive Board and the Resolutions Committee as follows:

Ann McGeehan (TX) provided a brief introduction/explanation regarding the first motion, after which Ms. Nighswonger at the direction of the membership read only the "Resolved" portion as follows: "Resolved, that the EAC work with the Standards Board to develop a process to refine this risk analysis project so that it better meets the original goal of advising the EAC on the adoption of the next iteration of the Voting System Standards, and that the final deliverable be a document that is understandable to the Standards Board." Gary Bartlett (NC) moved for adoption, which was seconded by John Abramson (Virgin Islands) The floor was open for discussion. The motion was then voted on and passed by a majority vote of the membership.

John Lindback (OR) provided a brief introduction/explanation regarding the second motion, after which Ms. Nighswonger at the direction of the membership read the entire resolution as follows: "Whereas, the Election

Assistance Commission is an agency of the United States Federal Government created by the Help America Vote Act; and Whereas, The U.S. Election Assistance Commission is responsible for adoption of the Voluntary Voting System Guidelines and Certification of Voting Systems; and Whereas, The pace of certification of voting systems and adoption of VVSG has contributed to a slowdown in the ability of jurisdictions to purchase new systems or obtain upgrades of systems; and Whereas, A lack of certainty in both certification timelines and the pace of VVSG adoption creates disincentives for vendors to produce new, innovative systems; now, therefore, be it Resolved, That the EAC after approval of the next iteration of the VVSG should adopt a regular schedule of VVSG adoption based on five-year intervals.” Donald Merriman (KS) moved for adoption, which was seconded by Stephen Weir (CA). The floor was open for discussion. Julie Flynn (ME) motioned for an amendment which was seconded by Dale Fellows (OH). After further discussion, Ms. Flynn made a motion to withdraw her previous amendment. The motion passed unanimously. Discussion of the main motion resumed. The main motion was then voted on and passed by a majority vote of the membership.

John Lindback (OR) provided a brief introduction/explanation regarding the third resolution, after which Ms. Nighswonger at the direction of the membership read only the “resolved” portion as follows: “Resolved, That the EAC should keep confidential any threat information or assessments that could be used to disrupt an American election. Beth Chapman (AL) moved for adoption, which was seconded by Timothy Hurst (ID). After lengthy discussion, the motion was voted on and it failed.

Ms. Nighswonger provided a brief introduction/explanation regarding the fourth resolution, after which at the direction of the membership she read only the “Resolved” portion as follows: “Resolved, that the EAC use the 2008 Election Day survey questions as the 2010 Election Day survey, the EAC entertain no additional questions, and that the EAC conduct a review of the existing survey questions with all users with the objective of improving existing questions and eliminating those questions of little elections value, and that a wider review be conducted in advance of the 2012 election; and, be it further resolved that the EAC complete all work on the 2010 Election Day survey no later than August of 2009; and, be it finally resolved that the EAC establish a formal process for making decisions on what data to collect and election officials should be part of that formal process.” Howard Sholl, Jr. (DE) moved for adoption, which was seconded by Nestor Colon-Berlinger (PR). The floor was open for discussion. Jennifer Brunner (OH) motioned for an amendment, which was seconded by Dale Fellows (OH). After lengthy discussion, the proposed amendment was voted on and it failed. Discussion on the main motion resumed. Sarah Ball Johnson (KY) motioned for an amendment, which was seconded by Donald Palmer (FL). The proposed amendment was then voted on and passed by a majority vote of the membership. The amended main motion was voted on and passed by a majority vote of the membership.

Beth Chapman (AL) motioned to table discussion on the remaining resolutions until a later point in the meeting, which was seconded by John Abramson (Virgin Islands). The motion was voted on and passed unanimously.

The Board recessed for lunch at 11:55 a.m. during which The Honorable Florida Secretary of State Kurt Browning addressed the membership

Florida Secretary of State Kurt Browning addressed the membership to provide an overview regarding Florida's experience in converting from touchscreen voting machines to an optical scan voting system (as of July 1, 2008) and to review the following steps that were utilized which attributed to the success of the transition: The certification and testing of the ES&S DS-200, Premier OSX and Sequoia Insight Plus voting systems; functional testing and source code review of Okaloosa County's distance balloting project; site visits to the conversion counties to discuss the training of staff, poll workers and voters and also to discuss technical issues regarding the deployment of the new systems with county technical staff; conference calls with supervisors of elections to track preparation for both the primary and general elections; and meetings with voting systems vendors to discuss the technical support and the deployment of vendor staff on Election Day/Election Night.

Secretary Browning also outlined what is being done in preparation for the 2010 election cycle, which includes the formation of working groups that will analyze the election process and set timelines for recommended improvements; acquiring, analyzing and categorizing enhancements and improvements to voting systems that will be conducted by the Bureau of Voting System Certification; and, a joint meeting that was held with voting system vendors to discuss general election issues, reliability of equipment, challenges that were faced during the 2008 election cycle and setting a game plan to resolve issues that were identified prior to the 2010 election cycle.

Secretary Browning concluded his remarks to point out that while elections are not and will never be perfect, the most important role of election administrators is to first identify risks and then address those risks.

From the Standards to Inspection – The Approval of Gaming Devices in Nevada - Travis Foley, Technology Division Chief, Nevada Gaming Control Board

Mr. Foley began his PowerPoint Presentation to provide a brief overview regarding the compilation of the Nevada Gaming Commission which is comprised of five part-time members, and the Nevada Gaming Control Board which is comprised of three full-time members and the following seven divisions: Technology, Audit, Corporate Securities, Investigations, Enforcement, Tax, and License.

Mr. Foley pointed out that the biggest similarity between gaming devices and voting systems is being able to ensure both the integrity/security and accountability of products.

A 12-minute video demonstrating a home-made cheat device that was discovered and confiscated on a gaming device cabinet was played for viewing by the membership, after which Mr. Foley responded to several questions raised by the membership.

Mr. Foley continued his PowerPoint presentation which explained the steps that are involved in the licensing process for gaming device manufacturers, the steps that are involved in the development of standards, the steps that are involved in the testing and approval process of gaming devices, the steps involved in the submission process, the use of independent laboratories for the testing of gaming devices; and, the ongoing inspection of gaming devices that are conducted by both the Technology and Audit Divisions.

The floor was open for discussion, at which time Mr. Foley entertained various questions/comments raised by the membership regarding his presentation.

Resolutions (Cont'd)

Gary Poser (MN) made a motion to remove from the table the resolutions, which was seconded by Sarah Ball Johnson (KY). The motion carried unanimously.

Ms. Nighswonger provided a brief introduction/explanation regarding the fifth resolution, after which at the direction of the membership she read only the "Resolved" portion as follows: "Resolved, that the EAC staff conduct regular telephone conferences to update the Executive Committee of the Standards Board or designated subcommittee of the Standards Board to provide updates regarding status of proposed Voting System Standards; and, be it further resolved that the Executive Committee of the Standards Board provide regular updates to the entire membership." Nick Handy (WA) moved for adoption, which was seconded by Jim Silrum (ND). The motion carried unanimously.

Ms. Nighswonger provided a brief introduction/explanation regarding the sixth resolution, after which at the direction of the membership she read only the "Resolved" portion as follows: "Resolved, that the EAC Standards Board requests the EAC to provide the Standards Board an opportunity to review and comment on the final iteration of the VVSG prior to all adoptions." Sarah Ball Johnson (KY) moved for adoption, which was seconded by Lynn Bailey (GA). The floor was open for discussion. Susan McRill (MI) motioned for a proposed amendment, which was seconded by Nick Handy (WA). The

proposed amendment was then voted on and passed unanimously. Discussion on the amended main motion resumed. Lowell Finley (CA) motioned for a proposed amendment, which was seconded by Nick Handy (WA). The proposed amendment was then voted on and passed unanimously. Discussion on the amended main motion resumed. The membership further agreed to a grammatical amendment in the resolution from “voiced” to “voice.” The amended main motion was then voted on and passed unanimously.

Jim Silrum (ND) provided a brief introduction/explanation regarding the seventh, and final, resolution, after which at the direction of the membership Ms. Nighswonger read only the “Resolved” portion as follows: “Resolved, that EAC Commissioners and staff members research viable methods for providing strong continuity for the continued functioning of the Standards Board; and, be it further resolved that the Standards Board DFO shall communicate the agreed upon plan to provide this continuity to the Executive Committee and the full membership of the Standards Board before the next DFO is assigned to the Standards Board.” Jim Silrum (ND) moved for adoption, which was seconded by David Dowling (NE). The floor was open for discussion. The motion was voted on and passed by a majority vote of the membership.

Ms. Nighswonger thanked everyone who served the Resolutions Committee, pointing out that all of the Standards Boards resolutions are available for viewing on EAC’s Web site.

Recess from 3:10 p.m. until 3:34 p.m.

Election Day Survey Workshop – Karen Lynn-Dyson, Director of Research, Election Assistance Commission and Dr. Toby Moore, Research Triangle Institute (RTI)

Ms. Lynn-Dyson addressed the membership to provide a brief overview/chronology regarding both the development of the 2008 Election Day survey which began in January of 2008, distribution of the final survey to all states in September 2008, along with the Election Day survey data template which was distributed to states the first week of October 2008. Ms. Lynn-Dyson also provided an overview of the history and to provide an update with respect to the Election Data Collection Grant program for which the EAC received a \$10 million appropriation. Ten states applied and the following five states were each awarded \$2 million: Minnesota, Ohio, Pennsylvania, Illinois and Wisconsin. Ms. Lynn-Dyson was pleased to report that the five grantee states have already, or are in the process of fulfilling the requirement of the grant by collecting precinct level data for all of the Election Day survey questions.

Dr. Moore first reported it is anticipated that RTI will be completing the final report with respect to the 2008 Statutory Overview within the next several weeks. Dr. Moore next reported that to date 40 states have submitted their 2008

Election Day survey, it is anticipated that the remaining states/jurisdictions would be submitting their surveys within the next several weeks, noting that RTI will be reviewing the data during the month of March and commencing its report writing at a later point in time. RTI is also highly anticipating the receipt of precinct level data from the five states.

Dr. Moore next reviewed the six sections that comprise the 2008 Election Day survey, the tool (Excel-based template) that was used to collect the data and the tool that was used to receive the data.

Dr. Moore also addressed the various challenges with regard to the survey which included the burden it places on state and local election officials, the lack of agreement on terms and definitions, the diversity/capacity that exists among states to report data, the lack of an incentive structure, and the growth/learning curve that is being experienced with instituting and stabilizing this relatively new type of survey.

Dr. Moore concluded his remarks to discuss the possibility of an alternative model for collecting data in which local jurisdictions would fill out a machine redeemable reporting device, similar to a 1040 form, which would then be submitted to RTI for the compilation of data, thereby easing this burden on the part of the states in performing this task.

The floor was open for discussion, at which time Ms. Lynn-Dyson and Dr. Moore entertained various questions/comments raised by the membership regarding their presentation.

Adjournment

Chair Bartholomew expressed her appreciation on behalf of the Standards Board to Commissioner Beach and EAC staff members for their, assistance, support and guidance during the past two days.

Russ Ragsdale (CO) extended his personal thanks to Chair Bartholomew for running an excellent two-day meeting.

With there being no other business, Chair Bartholomew adjourned the meeting at 4:34 p.m.